

1 [Preparation of findings to reverse adoption of the mitigated negative declaration for 1390
2 Market Street.]

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**Motion directing the Clerk of the Board to prepare findings reversing the Planning
Commission adoption of the final mitigated negative declaration for 1390 Market Street.**

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7 WHEREAS, On April 8, 2009, the Environmental Review Officer of the Planning
8 Department issued a preliminary mitigated negative declaration for 1390 Market Street in
9 accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines
10 and San Francisco Administrative Code Chapter 31; and

11 WHEREAS, On May 28, 2009, following a noticed public hearing, the Planning
12 Commission by motion adopted a Final Mitigated Negative Declaration for 1390 Market Street
13 ("mitigated negative declaration") in accordance with Administrative Code Section 31.11(h). A
14 copy of said document is on file with the Clerk of the Board of Supervisors in File No. 091082
15 and is incorporated by reference herein; and,

16 WHEREAS, The Clerk of the Board received an appeal on September 3, 2009, by Sue
17 C. Hestor, on behalf of San Franciscans for Reasonable Growth ("Appellant"); and

18 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on October
19 10, 2009, to consider the mitigated negative declaration appeal filed by Appellant. Following
20 the conclusion of the public hearing, the Board reversed the Planning Commission's adoption
21 of the mitigated negative declaration for 1390 Market Street based on the review and
22 consideration of the mitigated negative declaration, the appeal letter, the responses to
23 concerns document that the Planning Department prepared, the other written records before
24 the Board as well as all of the testimony at the public hearing in support of and opposed to the
25 appeal. Said Motion and written record is in the Clerk of the Board of Supervisors File No.

091082 and is incorporated herein as though set forth in its entirety; and Said Motion and written record is in the Clerk of the Board of Supervisors File No. 091082 and is incorporated herein as though set forth in its entirety; and

4 WHEREAS, In regard to said decision, this Board made certain findings specifying the basis for its decision; now, therefore, be it

6 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its reversal of the Planning Commission's adoption of the mitigated negative declaration for 1390 Market Street.

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