

1 [Reversing adoption of the mitigated negative declaration for 1960-1998 Market Street.]

2
3 **Motion reversing the Planning Commission adoption of the final mitigated negative**
4 **declaration for 1960-1998 Market Street.**

5
6 WHEREAS, On November 19, 2008, the Environmental Review Officer of the Planning
7 Department issued a preliminary mitigated negative declaration for a proposal to demolish a
8 service station and develop a mixed use building with up to 115 residential units over ground-
9 floor commercial space and a partially subterranean garage with 69 parking spaces at 1960-
10 1998 Market Street (the "1960-1998 Market Street Project") in accordance with the California
11 Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative
12 Code Chapter 31; and

13 WHEREAS, On December 9, 2008, Tanya A. Gulesserian, on behalf of the San
14 Francisco Building and Construction Trades Council, in accordance with Administrative Code
15 Section 31.11(c) filed an appeal of the preliminary mitigated negative declaration with the
16 Planning Commission; and

17 WHEREAS, On April 16, 2009, following a noticed public hearing, the Planning
18 Commission by motion approved the issuance of the Final Mitigated Negative Declaration for
19 1960-1998 Market Street ("mitigated negative declaration") in accordance with Administrative
20 Code Section 31.11(g) by Motion No. 17865. A copy of said document is on file with the Clerk
21 of the Board of Supervisors in File No. 090871 and is incorporated by reference herein; and,

22 WHEREAS, On June 4, 2009, the Planning Commission adopted the mitigated
23 negative declaration in accordance with Administrative Code Section 31.11 (h) and approved
24 a conditional use permit for the project by Motion No. 17894. A copy of said document is on
25

1 file with the Clerk of the Board of Supervisors in File No. 090871 and is incorporated by
2 reference herein; and,

3 WHEREAS, The Clerk of the Board received an appeal on July 6, 2009 from Tanya A.
4 Gulesserian, on behalf of the San Francisco Building and Construction Trades Council
5 ("Appellant"); and

6 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on August 4,
7 2009, to consider the mitigated negative declaration appeal filed by Appellant; and

8 WHEREAS, This Board has reviewed and considered the mitigated negative
9 declaration and heard testimony, the appeal letter, a responses to concerns document
10 prepared the by Planning Department the other written records before the Board of
11 Supervisors, and heard public testimony in support of and opposed to the adequacy of this
12 document; and

13 WHEREAS, The mitigated negative declaration files and all correspondence and other
14 documents have been made available for review by this Board and the public. These files are
15 available for public review by appointment at the Planning Department offices at 1650 Mission
16 Street, and are part of the record before this Board by reference herein; now, therefore, be it

17 MOVED, That this Board of Supervisors reverses the Planning Commission's adoption
18 of the mitigated negative declaration for the 1960-1998 Market Street Project.

19
20
21
22
23
24
25