

1 [Disapproving the categorical exemption issued for 4005 Mission Street.]

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3 **Motion disapproving the determination by the Planning Department that the 4005**  
4 **Mission Street project is categorically exempt from environmental review under the**  
5 **California Environmental Quality Act.**

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7 WHEREAS, On November 24, 2004, the Planning Department determined that a 3-unit  
8 new condominium subdivision at 4005 Mission Street (the "Project") was categorically exempt  
9 from the California Environmental Quality Act, Public Resources Code Sections 21000 et seq.  
10 (the "determination"). A copy of a letter relating to the Planning Department's finding of  
11 General Plan consistency contains this determination, is on file with the Clerk of the Board of  
12 Supervisors in File No. 050374, and is incorporated by reference herein; and,

13 WHEREAS, By letter to the Clerk of the Board of Supervisors dated February 25, 2005,  
14 Otto Wiegard filed an appeal of the Project to the Board of Supervisors; and,

15 WHEREAS, On March 22, 2005, this Board held a duly noticed public hearing to  
16 consider the determination. This Board also has reviewed and considered the determination,  
17 the appeal letter, and public testimony; and,

18 WHEREAS, The determination files and all correspondence and other documents have  
19 been made available for review by this Board and the public. These files are available for  
20 public review by appointment at the Planning Department offices at 1660 Mission Street, and  
21 are part of the record before this Board by reference herein; now, therefore, be it

22 MOVED, That this Board of Supervisors disapproves the determination by the Planning  
23 Department that the Project is exempt from environmental review.

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