

1 [Disapproving the mitigated negative declaration issued for 8 Washington Street]

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3 **Motion disapproving the decision by the Planning Commission to issue a mitigated negative**  
4 **declaration for the proposed project located at 8 Washington Street.**

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6 WHEREAS, On November 1, 2003, the Environmental Review Officer of the Planning  
7 Department issued a preliminary mitigated negative declaration for 8 Washington Street in  
8 accordance with the California Environmental Quality Act (“CEQA”), the CEQA Guidelines and  
9 San Francisco Administrative Code Chapter 31; and

10 WHEREAS, On November 21, 2003, Friends of Golden Gateway appealed the  
11 decision to issue a Mitigated Negative Declaration; and

12 WHEREAS, On January 29, 2004, amendments were made to the Preliminary  
13 Mitigated Negative Declaration, and the Planning Commission determined that such  
14 amendments did not include new undisclosed environmental impacts and did not change the  
15 conclusions reached in the Preliminary Mitigated Negative Declaration; and

16 WHEREAS, on February 5, 2004, the Planning Commission held a duly noticed and  
17 advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at  
18 which testimony on the merits of the appeal was received; and

19 WHEREAS, after consideration of the appeal, a staff memorandum dated January 29,  
20 2004, the testimony received, the correspondence, documents and materials which constitute  
21 the record of proceedings (“Record”), the Planning Commission affirmed the decision to issue  
22 a Mitigated Negative Declaration as amended and found, on the basis of the Record, that  
23 there was no substantial evidence that the proposed project as mitigated could have a  
24 significant effect on the environment; and

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1           WHEREAS, This Board of Supervisors held a duly noticed public hearing on March 30,  
2           2004 to consider the mitigated negative declaration in connection with its consideration of a  
3           conditional use permit for the proposed project located at 8 Washington Street; and

4           WHEREAS, This Board has reviewed and considered the mitigated negative  
5           declaration, a copy of which is on file with the Clerk of the Board of Supervisors in File No.  
6           and is incorporated by reference herein, the Record, the comments on the Mitigated Negative  
7           Declaration, additional materials submitted to the Board, and the testimony received on the  
8           mitigated negative declaration; and

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

14          MOVED, That this Board of Supervisors disapproves the Planning Commission's  
15          decision to issue the mitigated negative declaration.

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