

1 [Disapproving Decision of the Department of Public Works and Disapproving the Vesting  
2 Tentative Map - 86-3<sup>rd</sup> Street, 700 Mission Street, 706 Mission Street, and 738 Mission Street]

3 **Motion disapproving the decision of the Department of Public Works and disapproving**  
4 **the Vesting Tentative Map for a 190 Unit Mixed-Use Condominium Project located at 86-**  
5 **3<sup>rd</sup> Street, 700 Mission Street, 706 Mission Street, and 738 Mission Street; making**  
6 **environmental findings and findings of consistency with the General Plan, and the**  
7 **eight priority policies of Planning Code, Section 101.1.**

8  
9 WHEREAS, The Planning Department found the subject Vesting Tentative Map in  
10 compliance with the California Environmental Quality Act (California Public Resources Code,  
11 Sections 21000 et seq.) and found it consistent with the General Plan and the priority policy  
12 findings of Planning Code, Section 101.1. Said determination is on file with the Clerk of the  
13 Board of Supervisors in File No. 140465 and is incorporated herein by reference; and

14 WHEREAS, The Department of Public Works, in a decision dated April 28, 2014,  
15 approved a Vesting Tentative Map for a 190 Unit Mixed-Use Condominium Project located at  
16 86-3<sup>rd</sup> Street, 700 Mission Street, 706 Mission Street, and 738 Mission Street. Said  
17 determination is on file with the Clerk of the Board of Supervisors in File No. 140465 and is  
18 incorporated herein by reference; and

19 WHEREAS, On April 30, 2014, Thomas N. Lippe, on behalf of 765 Market Street  
20 Residential Owners Association, the Friends of Yerba Buena, Paul Sedway, Ron Wornick,  
21 Matthew Schoenberg, Joe Fang, and Margaret Collins, filed a timely appeal to the decision of  
22 the Department of Public Works; and

23 WHEREAS, On May 20, 2014, this Board held a duly noticed public hearing to consider  
24 the appeal of the Tentative Map filed by Appellants; and

1           WHEREAS, This Board has reviewed and considered the subject Map, the appeal  
2 letter, the other written records before the Board of Supervisors, and heard testimony and  
3 received public comment regarding the subject Map; now, therefore, be it

4           MOVED, That the Board hereby re-adopts and incorporates by reference the  
5 environmental findings and findings of consistency with the General Plan, and Planning Code,  
6 Section 101.1, it made in Ordinance No. 177-13, Board File No. 130570 concerning the  
7 project at 706 Mission Street - The Mexican Museum and Residential Tower Project  
8 (“Project”) which includes a Vesting Tentative Map for a 190 Unit Mixed-Use Condominium  
9 Project located at 86-3<sup>rd</sup> Street, 700 Mission Street, 706 Mission Street, and 738 Mission  
10 Street, Assessor’s Block No. 3706, Lot Nos. 093, 275, and 277; since the Board approved the  
11 Project and made CEQA findings, the Board continues to find that there have been no  
12 substantial changes to the Project that would require major revisions to the Final EIR or result  
13 in new or substantially more severe significant environmental impacts that were not evaluated  
14 in the Final EIR; no substantial changes in circumstances have occurred that would require  
15 major revisions to the Final EIR or result in new or substantially more severe significant  
16 environmental impacts that were not evaluated in the Final EIR; no new information has  
17 become available that was not known and could not have been known at the time the Final  
18 EIR was certified as complete and that would result in new or substantially more severe  
19 significant environmental impacts not evaluated in the Final EIR; and no mitigation measures  
20 or alternatives previously found infeasible would be feasible or mitigation measures or  
21 alternatives considerably different than those analyzed in the Final EIR would substantially  
22 reduce significant environmental impacts, but the project proponent declines to adopt them;  
23 and, be it

24           FURTHER MOVED, That the Board disapproves the decision of the Department of  
25 Public Works concerning the Vesting Tentative Map and hereby disapproves said Map.