

1 [Preparation of findings to reverse adoption of the mitigated negative declaration for 1960-
2 1998 Market Street.]

3 **Motion directing the Clerk of the Board to prepare findings reversing the Planning**
4 **Commission adoption of the final mitigated negative declaration for 1960-1998 Market**
5 **Street.**

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

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

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

23 WHEREAS, On June 4, 2009, the Planning Commission adopted the mitigated
24 negative declaration in accordance with Administrative Code Section 31.11 (h) and approved
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1 a conditional use permit for the project by Motion No. 17894. A copy of said document is on
2 file with the Clerk of the Board of Supervisors in File No. 090871 and is incorporated by
3 reference herein; and,

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

7 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on August 4,
8 2009, to consider the mitigated negative declaration appeal filed by Appellant. Following the
9 conclusion of the public hearing, the Board reversed the Planning Commission's adoption of
10 the mitigated negative declaration for the 1960-1998 Market Street Project based on the
11 review and consideration of the mitigated negative declaration, the appeal letter, the
12 responses to concerns document that the Planning Department prepared, the other written
13 records before the Board as well as all of the testimony at the public hearing in support of and
14 opposed to the appeal. Said Motion and written record is in the Clerk of the Board of
15 Supervisors File No. 090871 and is incorporated herein as though set forth in its entirety; and

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

18 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
19 findings specifying the basis for its reversal of the Planning Commission's adoption of the
20 mitigated negative declaration for the 1960-1998 Market Street Project.

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