

1 [Reversing adoption of the mitigated negative declaration for the 300 Grant Avenue project.]

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3 **Motion reversing the Planning Commission adoption of the final mitigated negative**
4 **declaration for the 300 Grant Avenue project.**

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6 WHEREAS, On December 2, 2006, in accordance with the California Environmental
7 Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter
8 31, the Environmental Review Officer of the Planning Department issued a preliminary
9 mitigated negative declaration for the 300 Grant Avenue Project, which is a proposal to
10 demolish two commercial buildings and construct a new, 111,000 gross square-foot, 10-story,
11 mixed-use building containing approximately 45 dwelling units, below-grade parking and
12 ground-floor and second-floor retail on two lots in the C-3-R district within the Kearney-
13 Market-Mason-Sutter Conservation District; and

14 WHEREAS, On February 15, 2007 and February 16, 2007, Pamela S. Duffy, on behalf
15 of Waverly Grant Partnership, and Sue Hestor, on behalf of certain 333 Grant Avenue
16 residents, respectively, filed appeals of the Preliminary Negative Declaration to the Planning
17 Commission in accordance with Administrative Code Section 31.11(c); and

18 WHEREAS, On June 12, 2008, following a noticed public hearing, the Planning
19 Commission by Motion No. 17614 affirmed the conclusions of the Final Mitigated Negative
20 Declaration for the 300 Grant Street Project ("Mitigated Negative Declaration") that the project
21 would not have a significant effect on the environment in accordance with Administrative Code
22 Section 31.11(g). A copy of said document is on file with the Clerk of the Board of
23 Supervisors in File No. 080927 and is incorporated by reference herein; and,

24 WHEREAS, on the same day, the Planning Commission approved various exceptions
25 to the Planning Code for the project under Section 309 by Motion No. 17615 and adopted the

1 Final Mitigated Negative Declaration in accordance with Administrative Code Section
2 31.11(h); and

3 WHEREAS, The Clerk of the Board received an appeal of the Mitigated Negative
4 Declaration from Sue C. Hestor on July 2, 2008, on behalf of Al and Paola Habegger, David
5 Anders and Kenneth and Anna Zankel, residents of 333 Grant Avenue ("Appellants"); and

6 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on August
7 12, 2008, to consider the Mitigated Negative Declaration appeal filed by Appellants; 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 by the Planning Department and received public comment regarding the adequacy
11 of this document; and

12 WHEREAS, The Mitigated Negative Declaration files and all correspondence and other
13 documents have been made available for review by this Board and the public. These files are
14 available for public review by appointment at the Planning Department offices at 1660 Mission
15 Street, and are part of the record before this Board by reference herein; now, therefore, be it

16 MOVED, That this Board of Supervisors reverses the Planning Commission's adoption
17 of the Mitigated Negative Declaration.

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