

1 [Preparation of findings to reverse adoption of the mitigated negative declaration for 3400
2 Cesar Chavez 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 the 3400 Cesar**
5 **Chavez Street Project.**

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7 WHEREAS, On November 18, 2006, the Environmental Review Officer of the Planning
8 Department issued a preliminary mitigated negative declaration for the demolition of an
9 existing commercial building and construction of a new four-story ground-floor commercial
10 and 60-unit residential building, totaling about 115,000 gross square feet and including about
11 97 parking spaces, at 3400 Cesar Chavez Street (the "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 April 19, 2007, following a noticed public hearing, the Planning
15 Commission by Motion No. 17417 adopted a Final Mitigated Negative Declaration for the
16 Project (the "negative declaration") in accordance with Administrative Code Section 31.11(h).
17 A copy of said document is on file with the Clerk of the Board of Supervisors in File No.
18 070708 and is incorporated by reference herein; and,

19 WHEREAS, on or about May 21, 2007, the Clerk of the Board received an appeal
20 dated May 21, 2007, from Nick Pagoulatos, on behalf of the Mission Anti-displacement
21 Coalition (the "Appellant"); and

22 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on June 26,
23 2007, to consider the negative declaration appeal filed by Appellant. Following the conclusion
24 of the public hearing, the Board reversed the Planning Commission's adoption of the negative
25 declaration for the Project based on the written record before the Board as well as all of the

1 testimony at the public hearing in support of and opposed to the appeal. Said Motion and
2 written record is in the Clerk of the Board of Supervisors File No. 070708 and is incorporated
3 herein as though set forth in its entirety; and

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

6 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
7 findings specifying the basis for its reversal of the Planning Commission's adoption of the
8 negative declaration for the Project at 3400 Cesar Chavez Street.

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