

1 [Disapprove certification of 55 Laguna Street Mixed Use Project FEIR]

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3 **Motion disapproving the certification by the Planning Commission of the Final**  
4 **Environmental Impact Report for 55 Laguna Street Mixed Use Project.**  
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6 WHEREAS, A. F. Evans Development, Inc. (the "Project Sponsor") is proposing to  
7 construct on the existing University of California extension site bounded by Laguna, Haight,  
8 Buchanan and Hermann Streets, seven (7) new buildings and adaptively reuse three (3)  
9 existing buildings to create approximately 330 dwelling units, a large institutional residential  
10 care facility to accommodate senior residents, approximately 12,000 square feet of community  
11 facility space, no more than 4,999 occupied square feet of commercial/retail space,  
12 approximately 310 off-street parking spaces, an approximately 25,000 square foot publicly-  
13 accessible park on the former Waller Street right-of-way and a community garden of  
14 approximately 10,000 square feet; and

15 WHEREAS, the Project Sponsor applied for a project permit and environmental review  
16 on August 4, 2004 (City Planning File No. 2004.0773E); and

17 WHEREAS, The Planning Department for the City and County of San Francisco (the  
18 "Department") determined that an Environmental Impact Report ("EIR") was required and  
19 provided public notice of that determination by publication in a newspaper of general  
20 circulation on May 6, 2006; and

21 WHEREAS, On January 27, 2007, the Department published the Draft Environmental  
22 Impact Report ("DEIR") for the Project; and

23 WHEREAS, On April 19, 2007, the Commission held a duly noticed public hearing on  
24 the DEIR, at which time opportunity for public comment was received on the DEIR, and  
25 written comments were received through May 2, 2007; and

1 WHEREAS, The Department prepared responses to comments received at the public  
2 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text  
3 of the DEIR and published a Draft Summary of Comments and Responses on November 29,  
4 2007; and

5 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was  
6 prepared by the Department, consisting of the DEIR, any consultations and comments  
7 received during the review process, any additional information that became available and the  
8 Draft Summary of Comments and Responses, all as required by law; and

9 WHEREAS, On January 17, 2008, the Commission reviewed and considered the FEIR  
10 and, by Motion No. 17532, found that the contents of said report and the procedures through  
11 which the FEIR was prepared, publicized and reviewed complied with the provisions of the  
12 California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of  
13 the San Francisco Administrative Code; and

14 WHEREAS, By Motion No. 17532, the Commission found the FEIR to be adequate,  
15 accurate and objective, reflected the independent judgment and analysis of the Department  
16 and the Commission and that the Summary of Comments and Responses contained no  
17 significant revisions to the DEIR, adopted findings relating to significant impacts associated  
18 with the Project and certified the completion of the FEIR in compliance with CEQA and the  
19 State CEQA Guidelines; and

20 WHEREAS, On January 17, 2008, by Motion Nos. 17533,, 17534 and 17537 and  
21 Resolution Nos. 17535 and 17536, the Commission took various approval actions related to  
22 the project; and

23 WHEREAS, On February 6, 2008, Cynthia Servetnick, on behalf of Save the Laguna  
24 Street Campus, filed an appeal of the FEIR with the Clerk of the Board of Supervisors; and

1 WHEREAS, The Board of Supervisors held a public hearing on March 4, 2008, to  
2 review the decision by the Planning Commission to certify the FEIR; and

3 WHEREAS, the FEIR files and all correspondence and other documents have been  
4 made available for review by the Board of Supervisors, the Planning Commission and the  
5 public; these files are available for public review by appointment at the Planning Department  
6 offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; and

7 WHEREAS, this Board has reviewed and considered the FEIR and heard testimony  
8 and received public comment regarding the adequacy of the FEIR; now, therefore, be it

9 MOVED, That this Board of Supervisors disapproves the certification of the FEIR by  
10 the Planning Commission.