

1 [Preparation of findings to reverse adoption of the mitigated negative declaration for the 300
2 Grant Avenue project.]

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 300 Grant**
5 **Avenue project.**
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7 WHEREAS, On December 2, 2006, in accordance with the California Environmental
8 Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter
9 31, the Environmental Review Officer of the Planning Department issued a preliminary
10 mitigated negative declaration for the 300 Grant Avenue Project, which is a proposal to
11 demolish two commercial buildings and construct a new, 111,000 gross square-foot, 10-story,
12 mixed-use building containing approximately 45 dwelling units, below-grade parking and
13 ground-floor and second-floor retail on two lots in the C-3-R district within the Kearney-
14 Market-Mason-Sutter Conservation District; and
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16 WHEREAS, On February 15, 2007 and February 16, 2007, Pamela S. Duffy, on behalf
17 of Waverly Grant Partnership, and Sue Hestor, on behalf of certain 333 Grant Avenue
18 residents, respectively, filed appeals of the Preliminary Negative Declaration to the Planning
19 Commission in accordance with Administrative Code Section 31.11(c); and
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21 WHEREAS, On June 12, 2008, following a noticed public hearing, the Planning
22 Commission by Motion No. 17614 affirmed the conclusions of the Final Mitigated Negative
23 Declaration for the 300 Grant Street Project ("Mitigated Negative Declaration") that the project
24 would not have a significant effect on the environment in accordance with Administrative Code
25 Section 31.11(g). A copy of said document is on file with the Clerk of the Board of
Supervisors in File No. 080927 and is incorporated by reference herein; and,

1 WHEREAS, on the same day, the Planning Commission approved various exceptions
2 to the Planning Code for the project under Section 309 by Motion No. 17615 and adopted the
3 Final Mitigated Negative Declaration in accordance with Administrative Code Section
4 31.11(h); and

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

8 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on August
9 12, 2008, to consider the Mitigated Negative Declaration appeal filed by Appellants. Following
10 the conclusion of the public hearing, the Board reversed the Planning Commission's adoption
11 of the Mitigated Negative Declaration for the 300 Grant Street Project based on the written
12 record before the Board as well as all of the testimony at the public hearing in support of and
13 opposed to the appeal. Said Motion and written record is in the Clerk of the Board of
14 Supervisors File No. 080929 and is incorporated herein as though set forth in its entirety; and

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

17 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
18 findings specifying the basis for its reversal of the Planning Commission's adoption of the
19 Mitigated Negative Declaration for the 300 Grant Street Project.

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