

May 21, 2007

Clerk of the Board of Supervisors  
San Francisco Board of Supervisors  
#1 Dr. Carlton B. Goodlett Place, #244  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2007 MAY 22 AM 8:03

BY 

**Re: Appeal Environmental Determination for 3400 Cesar Chavez Street, Project Title:  
2005.0003E**

Honorable Clerk of the Board,

On behalf of the Mission Anti-displacement Coalition (MAC) we request that a hearing before the Board of Supervisors be scheduled to hear our appeal of the above referenced matter. We request a hearing based on the following reasons:

*Increase of Traffic Congestion and Hazard*

This project will create 97 new parking spaces. All of the new residents will own cars and will most likely use them on a daily basis. The proposed Walgreen's will also be open 24 hours a day and generate dozens of car trips per day. In terms of safety, according to the San Francisco 2005 Collision Report conducted by the SF Municipal Transportation Agency and the Department of Parking and Traffic, the corner of Cesar Chavez & Mission is one of the "most dangerous" intersections in San Francisco and one of the ten locations with the most traffic collisions reported during 2005. The increased traffic and auto usage will only exacerbate an already dangerous traffic situation.

*Consistency with the Board of Supervisors 2660 Harrison St. Decision*

When it upheld the appeal of the negative declaration for the 2660 Harrison Street project, the Board of Supervisors found that before approving any projects, the Planning Department is required to complete an analysis of the cumulative impacts of market rate housing development on the city's ability to meet the housing affordability targets in the Housing Element of the General Plan. That requirement applies to this project and, since the Planning Department has not completed a cumulative impacts analysis, should have halted consideration of this project by the Planning Commission.

*Failure to Consider Socio-Economic Impacts*

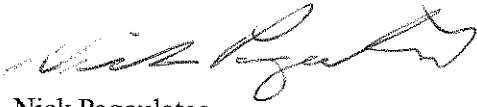
The Planning Department is still failing to consider how socio-economic impacts, such as displacement and gentrification, are profoundly changing the character of the Mission District. Though the Board of Supervisors has requested that the Department analyze socio-economic impacts when developing Area Plans, the department has not applied these considerations when reviewing the market-rate projects that it is still moving forward for approval.

*Failure to Consider Other, More Environmentally Friendly, Project Alternatives*

3400 Cesar Chavez represents a prime affordable housing opportunity site for the Mission District. The community has, at the request of the project sponsor, submitted a feasible alternative development proposal that would create a completely affordable, 100% rental project,

with far fewer parking spaces. During the project hearing, the Planning Commission failed to adequately consider this alternative.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Pagoulatos". The signature is fluid and cursive, with a prominent loop at the end.

Nick Pagoulatos  
Mission Anti-displacement Coalition



# SAN FRANCISCO PLANNING DEPARTMENT

## MITIGATED NEGATIVE DECLARATION

(Amendments to PMND are shown as additions in double-underline.)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**Date of Publication of Preliminary Mitigated Negative Declaration:** November 18, 2006;  
amended March 8, 2007

**Lead Agency:** Planning Department, City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
**Agency Contact Person:** Viktoriya Wise **Telephone:** (415) 575-9049

**Project Title:** 2005.0030E – 3400 Cesar Chavez Street  
**Project Sponsor/Contact:** Seven Hills Properties **Telephone:** (415) 247-7377

**Project Address:** 3400 Cesar Chavez Street  
**Assessor's Block and Lot:** Block 6569, Lot 4  
**City and County:** San Francisco

**Project Description:** The proposed project includes the demolition of the existing building (most recently a retail paint store) and construction of a new four-story building that would house a Walgreens store and up to three other small retail spaces on the ground floor, as well as 60 one-, two-, and three-bedroom owner-occupied residential units above. The building would be about 115,000 gross square feet in size and approximately 50 feet in height. A total of about 97 parking spaces would be provided, with most located in a basement parking garage. The ground-floor retail stores would serve as a podium for a residential courtyard (open space) above. Access to the residential and employee parking garage would be from Bartlett Street, while access to surface-level customer parking for the retail stores would be from Cesar Chavez Street. The project site is located within an NC-3 (Moderate Scale Neighborhood Commercial) zoning district and within a 50-X height and bulk district in the Mission neighborhood. The proposed project would require a Conditional Use authorization for a Planned Unit Development (PUD) and exceptions from Planning Code density limitations and rear yard requirement. The project is subject to the Residential Inclusionary Affordable Housing Program (Planning Code Sections 315 to 315.9). The project site is also located within the proposed Eastern Neighborhoods planning area and thus, would be subject to Interim Policies adopted by the Planning Commission.

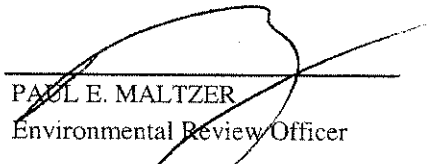
**Building Permit Application Number(s), if Applicable:** Not Applicable

**THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.** This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures, if any, included in this project to avoid potentially significant effects: See Pages 65-67.

Final Mitigated Negative Declaration adopted and issued on April 19, 2007.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

  
PAUL E. MALTZER  
Environmental Review Officer

cc: Jonathan Purvis, SE Quadrant Planner, Planning Department  
Guadalupe Arreola, Mission Anti-Displacement Coalition  
Master Decision File/Bulletin Board

Seven Hills Properties, Project Sponsor  
Distribution List  
Steve Vettel, Project Sponsor Attorney



# PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378 PLANNING COMMISSION FAX: 558-6409 ADMINISTRATION FAX: 558-6426 CURRENT PLANNING/ZONING FAX: 558-6409 LONG RANGE PLANNING FAX: 558-6426

## NEIGHBORHOOD ORGANIZATION FEE WAIVER REQUEST FORM

### Appeals to the Board of Supervisors

*This form is to be used by neighborhood organizations to request a fee waiver for CEQA and conditional use appeals to the Board of Supervisors.*

**Should a fee waiver be sought**, an appellant must present this form to the Clerk of the Board of Supervisors or to Planning Information Counter (PIC) at the ground level of 1660 Mission Street along with relevant supporting materials identified below. Planning staff will review the form and may sign it 'over-the-counter' or may accept the form for further review.

**Should a fee waiver be granted**, the Planning Department will not deposit the check which was required to file the appeal with the Clerk of the Board of Supervisors. The Planning Department will return the check to the appellant.

#### TYPE OF APPEAL FOR WHICH FEE WAIVER IS SOUGHT

[Check only one and attach decision document to this form]

- Conditional Use Authorization Appeals to the Board of Supervisors
- CEQA Appeals to the Board of Supervisors (including EIR's, NegDec's, CatEx's, and GRE's)

#### REQUIRED CRITERIA FOR GRANTING OF WAIVER

[All criteria must be satisfied. Please check all that apply and attach supporting materials to this form]

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of that organization. Authorization may take the form of a letter signed by the president or other officer of an organization.
- The appellant is appealing on behalf of a neighborhood organization which is registered with the Planning Department and which appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of a neighborhood organization which was in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications, and rosters.
- The appellant is appealing on behalf of a neighborhood organization which is affected by the project which is the subject of the appeal.

APPELLANT & PROJECT INFORMATION [to be completed by applicant]	
Name of Applicant: <u>NICK PAGOULATOS</u>	Address of Project: <u>3400 CESAR CHAVEZ ST.</u>
Neighborhood Organization: <u>M4C</u>	Planning Case No: <u>2005-00702</u>
Applicant's Address: <u>3505 20TH ST. SE CA 94116</u>	Building Permit No:
Applicant's Daytime Phone No: <u>(415) 282-8784x15</u>	Date of Decision: <u>4/19/2007</u>
Applicant's Email Address: <u>NPAGOULATOS@M4CSF.ORG</u>	

#### DCP STAFF USE ONLY

- appellant authorization
- current organization registration
- minimum organization age
- project impact on organization

Planner's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Planner's Signature: \_\_\_\_\_

WAIVER APPROVED

WAIVER DENIED