

1 [Reversing the Exemption Determination for a Project Located at 2853-2857 Broderick Street]

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3 **Motion reversing the determination by the Planning Department that a project located**
4 **at 2853-2857 Broderick Street is exempt from environmental review.**

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6 WHEREAS, The Planning Department has determined that a project located at 2853-
7 2857 Broderick Street is exempt from environmental review under the California
8 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
9 Code Chapter 31. The proposed project involves raising the building by approximately three
10 feet to insert a garage at ground level, expanding the ground floor level and creating a new
11 curb cut. By letter to the Clerk of the Board, Kate Polevoi, on behalf of Zeeva Kardos, Irving
12 Zaretsky, Craig Jones, Michael Jaeger, Eric and Kelda Reimers, Rob and Jennifer Povlitz,
13 and Don and Ann Morehead (Appellants), received by the Clerk's Office on July 10, 2012,
14 appealed the exemption determination. The Appellants provided a copy a Certificate of
15 Determination, Exemption From Environmental Review, issued by the Planning Department
16 on July 3, 2011, finding the proposed project exempt from environmental review under CEQA
17 Guidelines Class 1 (14 Cal. Code. Regs. §15301); and

18 WHEREAS, On September 4, 2012, this Board held a duly noticed public hearing to
19 consider the appeal of the exemption determination filed by Appellants, and following the
20 public hearing reversed the exemption determination; and

21 WHEREAS, In reviewing the appeal of the exemption determination, this Board
22 reviewed and considered the exemption determination, the appeal letters, the responses to
23 concerns document that the Planning Department prepared, the other written records before
24 the Board of Supervisors and all of the public testimony made in support of and opposed to
25 the exemption determination appeal. Following the conclusion of the public hearing, the Board

Clerk of the Board
BOARD OF SUPERVISORS

1 of Supervisors reversed the exemption determination for the project based on the written
2 record before the Board of Supervisors as well as all of the testimony at the public hearing in
3 support of and opposed to the appeal. The written record and oral testimony in support of and
4 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
5 before the Board of Supervisors by all parties and the public in support of and opposed to the
6 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
7 _____ and is incorporated in this motion as though set forth in its entirety; now
8 therefore be it

9 MOVED, That this Board of Supervisors reverses the determination by the Planning
10 Department that the project is exempt from environmental review.

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