File No. 101604

Committee Item No. _____
Board Item No. 14

COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting **Date** February 1, 2011

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Completed by: Andrea Ausberry **Date** January 27, 2011
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

[Affirming the Exemption Determination - 1269 Lombard Street]

Motion affirming the determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.

WHEREAS, On June 24, 2010, following a noticed public hearing, the Planning Commission took discretionary review of the proposed project, which involves demolition of an existing single-family home and construction of two new single-family homes, and approved the new construction, with the condition that the project sponsor obtain a permit for the demolition work. On September 30, 2010, after a mandatory discretionary review hearing for the proposed demolition, the Planning Commission did not take discretionary review and approved the demolition as proposed. In so doing, the Commission affirmed the Department's decision that the Project was exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 (the "exemption determination"). By letter to the Clerk of the Board, F. Joseph Butler, on behalf of John and Mary Horvers and the Little House Committee, ("Appellant"), received by the Clerk's Office on or around December 23, 2010, appealed the exemption determination; and

WHEREAS, On February 1, 2011, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant, and following the public hearing affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to

the exemption determination appeal. Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 101603 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department and Commission that the proposed Project is exempt from environmental review; and be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for an exemption determination.