

1 [Reversing the Exemption Determination - 1945 Hyde Street]

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3 **Motion reversing the determination by the Planning Department that a project located**  
4 **at 1945 Hyde Street is exempt from environmental review.**

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7 WHEREAS, the Planning Department has determined that a project located at 1945  
8 Hyde Street is exempt from environmental review under the California Environmental Quality  
9 Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The  
10 proposed work involves conversion of a 19,739-square-foot, two-story over basement parking  
11 garage constructed in 1920 into a three-story over basement, seven-unit residential building  
12 and one approximately 860 square-foot commercial space. The Appellant provided a copy a  
13 Certificate of Determination, Exemption From Environmental Review, issued by the Planning  
14 Department on January 27, 2011, finding the proposed project exempt from environmental  
15 review under CEQA Guidelines Section 15332 (Class 32). By letter to the Clerk of the Board,  
16 Jamie Cherry, on behalf of the Russian Hill Community Association, received by the Clerk's  
17 Office on February 17, 2011, appealed the exemption determination; and

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19 WHEREAS, On August 2, 2011, this Board held a duly noticed public hearing to  
20 consider the appeal of the exemption determination filed by Appellant, and following the public  
21 hearing reversed the exemption determination; and

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23 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
24 reviewed and considered the exemption determination, the appeal letters, the responses to  
25 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

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 110759 and in the Planning Department files, which are available for public review by  
8 appointment at the Planning Department offices at 1650 Mission Street, and are incorporated  
9 in this motion as though set forth in its entirety; now therefore be it

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

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