

File No. 181203

Committee Item No. _____

Board Item No. 62

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 15, 2019

Cmte Board

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|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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Prepared by: Lisa Lew

Date: January 10, 2019

Prepared by: _____

Date: _____

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 11 Gladys
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**
4 **by the Planning Department that the proposed 11 Gladys Street Project is categorically**
5 **exempt from further environmental review.**

6
7 WHEREAS, On September 29, 2017, the Planning Department issued a CEQA
8 Categorical Exemption Determination for the proposed project ("Project") under the California
9 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
10 Code, Chapter 31; and

11 WHEREAS, The proposed Project involves interior alterations to the existing building
12 and the construction of a 669-square-foot vertical addition, increasing the square footage from
13 971 square feet to approximately 1,640 square feet; the Project would add a third floor,
14 increasing the height of the residence from 20.5 feet to 32 feet; two new roof decks would be
15 constructed on the new third floor, one on the north side of the residence and one on the
16 south side; new wood siding would be added on the second and third floors and wood clad
17 windows would be used to match the existing windows; and the Project would include on-site
18 drainage improvements; and

19 WHEREAS, A variance was requested and granted for the front and rear yard setback
20 as the existing home is a non-conforming structure; and

21 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
22 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
23 issued a categorical exemption for the Project on September 29, 2017, finding that the Project
24 is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical
25 exemption, which applies to interior and exterior alterations, and additions up to 10,000

1 square feet if the project is in an area where all public services and facilities are available for
2 the maximum development allowable and where the area is not historically significant, or
3 subject to landslide hazard; and

4 WHEREAS, On November 8, 2018, the Planning Commission heard a Discretionary
5 Review request and, following the hearing, voted not to take Discretionary Review and
6 approved the project as proposed; and

7 WHEREAS, On December 7, 2018, Zacks, Freedman & Patterson on behalf of David
8 Donofrio ("Appellant") filed an appeal with the Board of Supervisors of the categorical
9 exemption; and

10 WHEREAS, By memorandum to the Clerk of the Board dated December 12, 2018, the
11 Planning Department's Environmental Review Officer determined that the appeal was timely
12 filed; and

13 WHEREAS, On January 15, 2019, this Board held a duly noticed public hearing to
14 consider the appeal of the exemption determination filed by Appellant and, following the public
15 hearing, conditionally reversed the exemption determination subject to the adoption of written
16 findings in support of such determination; and

17 WHEREAS, In reviewing the appeal of the exemption determination, this Board
18 reviewed and considered the exemption determination, the appeal letter, the responses to the
19 appeal documents that the Planning Department prepared, the other written records before
20 the Board of Supervisors and all of the public testimony made in support of and opposed to
21 the exemption determination appeal; and

22 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
23 conditionally reversed the exemption determination subject to the adoption of written findings
24 of the Board in support of such determination based on the written record before the Board of
25

1 Supervisors as well as all of the testimony at the public hearing in support of and opposed to
2 the appeal; and

3 WHEREAS, The written record and oral testimony in support of and opposed to the
4 appeal and deliberation of the oral and written testimony at the public hearing before the
5 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
6 the exemption determination is in the Clerk of the Board of Supervisors File No. 181200, and
7 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

8 MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the
9 findings specifying the basis for its decision on the appeal of the exemption determination
10 issued by the Planning Department for the Project.

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Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Preparation of Findings to Reverse the Categorical Exemption Determination - 11 Gladys Street

The text is listed:

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 11 Gladys Street is categorically exempt from further environmental review.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only

File No. 181203