

File No.101086

Committee Item No. \_\_\_\_\_  
Board Item No. 25

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date September 21, 2010

Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <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 Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <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"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER**

(Use back side if additional space is needed)

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Preparation of Findings to Reverse the</u>    |
| <input type="checkbox"/> | <input type="checkbox"/>            | <u>Exemption Determination for 2514-23rd Ave</u> |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |

Completed by: Andrea Ausberry Date 9/16/10

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

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

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1 [Preparation of Findings to Reverse the Exemption Determination for the 2514-23rd Avenue  
2 Project]

3 **Motion directing the Clerk of the Board to prepare findings reversing the exemption**  
4 **determination by the Planning Department that the project located at 2514-23rd Avenue**  
5 **is exempt from environmental review.**  
6

7 WHEREAS, On May 18, 2010, Building Permit No. 2010/05/05/1781 was issued on by  
8 the Department of Building Inspection for a project at 2514 23<sup>rd</sup> Avenue. The proposed  
9 project (the "Project") would involve structural work to the foundation, roof framing and the  
10 addition of roof dormers, window replacement, and interior work to the building, which is a  
11 single-family residence. The building permit included an exemption determination by the  
12 Planning Department, which determined that the Project was exempt from environmental  
13 review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and  
14 San Francisco Administrative Code Chapter 31. By letter to the Clerk of the Board, Nancy  
15 Wuerfel, on behalf of the Sunset Parkside Education and Action Committee (SPEAK),  
16 ("Appellant"), received by the Clerk's Office on August 9, 2010, appealed the exemption  
17 determination; and

18 WHEREAS, On September 21, 2010, this Board held a duly noticed public hearing to  
19 consider the appeal of the exemption determination filed by Appellant, and following the public  
20 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

1 the exemption determination appeal. Following the conclusion of the public hearing, the  
2 Board of Supervisors reversed the exemption determination for the Project based on the  
3 written record before the Board of Supervisors as well as all of the testimony at the public  
4 hearing in support of and opposed to the appeal. The written record and oral testimony in  
5 support of and opposed to the appeal and deliberation of the oral and written testimony at the  
6 public hearing before the Board of Supervisors by all parties and the public in support of and  
7 opposed to the appeal of the exemption determination is in the Clerk of the Board of  
8 Supervisors File No. 101086 and in the Planning Department files, which are available for  
9 public review by appointment at the Planning Department offices at 1650 Mission Street, and  
10 are incorporated in this motion as though set forth in its entirety; now, therefore, be it

11           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
12 findings specifying the basis for its decision on the appeal of the exemption determination  
13 issued by the Planning Commission for the Project.

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