

1 [Preparation of Findings Related to the Exemption Determination - 2853-2857 Broderick
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the exemption**
4 **determination by the Planning Department that a project located at 2853-2857**
5 **Broderick Street is exempt from environmental review.**

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

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

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

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1 the exemption determination appeal. Following the conclusion of the public hearing, the Board
2 of Supervisors reversed the exemption determination for the project based on the written
3 record before the Board of Supervisors as well as all of the testimony at the public hearing in
4 support of and opposed to the appeal. The written record and oral testimony in support of and
5 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
6 before the Board of Supervisors by all parties and the public in support of and opposed to the
7 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
8 120781 and is incorporated in this motion as though set forth in its entirety; now therefore be it

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