

1 [Reversing the Exemption Determination Issued for 100 – 32nd Avenue.]

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3 **Motion reversing the determination by the Planning Department that the 100 – 32nd**
4 **Avenue project is exempt from environmental review.**

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6 WHEREAS, On or about February 19, 2009, the Planning Department determined that
7 a proposal to add a three-story side horizontal addition and enlarge the existing partial fourth
8 floor at the existing four-story, single-family residence located at 100 – 32nd Avenue (the
9 “Project”) was exempt from environmental review under the California Environmental Quality
10 Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a
11 Class 1 categorical exemption, a minor alteration to an existing structure (the "exemption
12 determination"). By letter to the Clerk of the Board, Stephen Williams, on behalf of Sanford
13 Garfinkel, other neighbors and the Lincoln Park Neighborhood Association ("Appellant"),
14 received by the Clerk's Office on or around March 1, 2010, appealed the exemption
15 determination; and

16 WHEREAS, On April 13, 2010, this Board held a duly noticed public hearing to
17 consider the appeal of the exemption determination filed by Appellant, and following the public
18 hearing reversed the exemption determination; and

19 WHEREAS, In reviewing the appeal of the exemption determination, this Board
20 reviewed and considered the exemption determination, the appeal letter, the responses to
21 concerns document that the Planning Department prepared, the other written records before
22 the Board of Supervisors and all of the public testimony made in support of and opposed to
23 the exemption determination appeal. Following the conclusion of the public hearing, the
24 Board of Supervisors reversed the exemption determination for the Project based on the
25 written record before the Board of Supervisors as well as all of the testimony at the public

1 hearing in support of and opposed to the appeal. The written record and oral testimony in
2 support of and opposed to the appeal and deliberation of the oral and written testimony at the
3 public hearing before the Board of Supervisors by all parties and the public in support of and
4 opposed to the appeal of the exemption determination is in the Clerk of the Board of
5 Supervisors File No. 100252 and in the Planning Department files, which are available for
6 public review by appointment at the Planning Department offices at 1650 Mission Street, and
7 are incorporated in this motion as though set forth in its entirety; now therefore be it

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

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