

1 [Preparation of findings related to the categorical exemption issued for 1400-1402 Cole
2 Street.]

3 **Motion directing the Clerk of the Board to prepare findings related to the appeal of the**
4 **determination by the Planning Department that the 1400-1402 Cole Street project is**
5 **categorically exempt from environmental review under the California Environmental**
6 **Quality Act.**

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8 WHEREAS, the Planning Department determined that a third floor addition containing a
9 dwelling unit to a mixed use (dwelling unit over ground-floor commercial) building at 1400-
10 1402 Cole Street ("Project") was categorically exempt from the California Environmental
11 Quality Act ("CEQA") on or around December 6, 2004 ("determination"). A copy of a variance
12 decision by the Planning Department containing the determination is on file with the Clerk of
13 the Board of Supervisors in File No. 050574, and is incorporated by reference herein; and,

14 WHEREAS, By letter to the Clerk of the Board of Supervisors dated April 4, 2005, Dr.
15 and Mrs. Dennis Hamby filed an appeal of the determination to the Board of Supervisors,
16 which the Clerk of the Board of Supervisors received on or around April 5, 2005; and,

17 WHEREAS, On May 3, 2005, this Board held a duly noticed public hearing to consider
18 the appeal of the determination. Following the conclusion of the public hearing, the Board
19 rendered a decision on the use of an exemption for this Project based on the written record
20 before the Board in File No. 050574, which is hereby declared to be a part of this motion as if
21 set forth fully herein, as well as all of the testimony at the public hearing in support of and
22 opposed to the appeal; and,

23 WHEREAS, In regard to said decision, this Board made certain findings specifying the
24 basis for its decision; now, therefore, be it
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1 MOVED, That this Board directs the Clerk of the Board to prepare the findings
2 specifying the basis for its decision on the use of an exemption for the Project at 1400-1402
3 Cole Street.

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