

1 [Motion adopting findings related to the categorical exemption issued for 39 Chattanooga
2 Street.]

3 **Motion adopting findings related to the determination by the Planning Department that**
4 **the 39 Chattanooga Street project is categorically exempt from environmental review**
5 **under the California Environmental Quality Act.**
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7 The Planning Department determined that a proposal to construct an addition to an
8 existing single-family residence without off-street parking to accommodate two dwelling units
9 and two parking spaces at 39 Chattanooga Street ("Project") was categorically exempt from
10 the California Environmental Quality Act ("CEQA") on or around June 13, 2005
11 ("determination"). A copy of the Certificate of Determination of Exemption/Exclusion from
12 Environmental Review prepared by the Planning Department is on file with the Clerk of the
13 Board of Supervisors in File No. 051441, and is incorporated by reference herein.

14 By letter to the Clerk of the Board of Supervisors dated July 6, 2005, Susan Brandt-
15 Hawley Law on behalf of Chattanooga Street/Golden Fireplug Historic District Friends
16 ("Appellants"), filed an appeal of the Planning Department's determination that a project at 39
17 Chattanooga Street is categorically exempt from environmental review under the California
18 Environmental Quality Act ("CEQA"), which the Clerk of the Board of Supervisors received on
19 or around July 11, 2005.

20 On August 9, 2005, this Board held a duly noticed public hearing to consider the appeal
21 of the determination. Following the conclusion of the public hearing, the Board reversed the
22 Planning Department's decision to use an exemption/exclusion for the Project based on the
23 written record before the Board in File No. 051322 which is hereby declared to be a part of
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1 this motion as if set forth fully herein, as well as all of the testimony at the public hearing in
2 support of and opposed to the appeal.

3 MOVED, That the Board of Supervisors has considered the written material and oral
4 testimony presented by Appellants, the Planning Department and the public and finds that the
5 record presented to the Board raises a number of questions about whether the Project may
6 have a significant effect on the environment and in light of these questions the categorical
7 exemption is not appropriate.

8 FURTHER MOVED, That the Board of Supervisors finds that the evidence presented
9 raises questions about whether the project will materially alter in an adverse manner those
10 physical characteristics of the structure at 39 Chattanooga Street that convey its historical
11 significance and justify its eligibility for inclusion in the California Register of Historical
12 Resources, including, without limitation, the proposal to (1) rehabilitate the structure by raising
13 the structure up to its original level in relationship to the street and moving it forward 10 feet,
14 (2) expand the structure from an approximately 840 square foot one-story over basement to a
15 3,994 square foot structure with two units, (3) remove the original brick foundation, (4)
16 relocate the ground story window and remove trim, and (4) remove and reposition the cove
17 siding.

18 FURTHER MOVED, That the Board of Supervisors finds that the evidence presented
19 raises questions about whether the asserted non-compliance with the Secretary of Interior's
20 Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings will materially
21 impair the eligibility of the structure for inclusion in the California Register of Historical
22 Resources.

23 FURTHER MOVED, That the Board of Supervisors finds that the evidence presented
24 raises questions about the appropriate period of significance to consider in this case.

25 FURTHER MOVED, That the Board of Supervisors finds that questions remain about

1 whether the Project will have significant aesthetic impacts due to the size and scale of the
2 Project in relation to the street, neighborhood and surrounding structures.

3 FURTHER MOVED, The Board of Supervisors directs the Planning Department, in light
4 of the findings set forth above and the whole record, to review the above questions and other
5 information in the whole record that raise concerns about contradictory evidence in the record
6 and the possibility that the project may have a significant environmental effect, and at the
7 conclusion of that review, undertake such additional environmental review as is required and
8 appropriate under the California Environmental Quality Act.

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