

File No. 141086

Committee Item No. \_\_\_\_\_

Board Item No. 40

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 12/9/14

#### 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 and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <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"/>            | Form 126 – Ethics Commission                 |
| <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 type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: John Carroll Date November 20, 2014

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

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

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

6  
7 WHEREAS, On July 3, 2014, the Planning Department determined that the proposed  
8 project located at 2853-2857 Broderick Street ("Project") is exempt from environmental review  
9 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
10 Francisco Administrative Code Chapter 31. The proposed project involves a dwelling unit  
11 merger from two units to one unit and exterior alterations to the roof, facades and entry of an  
12 existing building, and removal of exterior stairs; and

13 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
14 October 20, 2014, Irving Zaretsky and Tim Arcuri (Appellants) appealed the exemption  
15 determination. The Appellants provided a copy of the Planning Department's Categorical  
16 Exemption Determination, finding that the proposed project was exempt under Class 1 of the  
17 CEQA Guidelines (14 Cal. Code Reg. §15301); and

18 WHEREAS, The Planning Department's Environmental Review Officer, by  
19 memorandum to the Clerk of the Board dated October 24, 2014, determined that the appeal  
20 had been timely filed; and

21 WHEREAS, On November 25, 2014, this Board held a duly noticed public hearing to  
22 consider the appeal of the exemption determination filed by Appellants and, following the  
23 public hearing, affirmed the exemption determination; and

24 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
25 reviewed and considered the exemption determination, the appeal letter, the responses to the

1 appeal documents that the Planning Department prepared, the other written records before  
2 the Board of Supervisors and all of the public testimony made in support of and opposed to  
3 the exemption determination appeal. Following the conclusion of the public hearing, the Board  
4 of Supervisors reversed the exemption determination for the project based on the written  
5 record before the Board of Supervisors as well as all of the testimony at the public hearing in  
6 support of and opposed to the appeal. The written record and oral testimony in support of and  
7 opposed to the appeal and deliberation of the oral and written testimony at the public hearing  
8 before the Board of Supervisors by all parties and the public in support of and opposed to the  
9 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.  
10 141083 and is 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  
findings specifying the basis for its decision on the appeal of the exemption determination  
13 issued by the Planning Department for the project.

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Clerk of the Board

**Subject:**

Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street

**The text is listed below or attached:**

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

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: