

1 [Disapproving the categorical exemption issued for 948-950 Lombard Street.]

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3 **Motion disapproving the determination by the Planning Department that the proposed**  
4 **project located at 948-950 Lombard Street is categorically exempt from the California**  
5 **Environmental Quality Act as a minor alteration of an existing structure, new**  
6 **construction or conversion of small structures, and restoration of an historical**  
7 **resource.**

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9 WHEREAS, On May 7, 2003, the Planning Department determined that the proposed  
10 work at 948-950 Lombard Street (aka 841 Chestnut Street) was exempt from review under the  
11 California Environmental Quality Act ("CEQA") under three different categorical exemptions  
12 contained in the CEQA Guidelines, 14 California Code of Regulations Sections 15301, 15303,  
13 and 15331; and,

14 WHEREAS, The Planning Department determined that the existing buildings and the  
15 site are historical resources as defined by CEQA, and assessed whether the proposed work  
16 would result in a substantial adverse change to the historical resources, and determined that  
17 the proposed work would be consistent with the Secretary of the *Interior's Standards for the*  
18 *Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and*  
19 *Reconstructing Historic Buildings* ("Secretary's Standards") and that the project would not  
20 have a substantial adverse change on the historical resources as set forth in the Certificate of  
21 Determination of Exemption from Environmental Review contained in Board of Supervisors  
22 File No. 030961; and

23 WHEREAS, The Planning Department then determined that the proposed work could  
24 be considered exempt from CEQA review under CEQA Guidelines section 15301(e)(2) or  
25 Class 1(e)(2) because the addition would not exceed 10,000 square feet and complies with all

1 other requirements of the exemption as set forth in the Certificate of Determination of  
2 Exemption from Environmental Review contained in Board of Supervisors File No. 030961;  
3 and

4 WHEREAS, The Planning Department also determined that the proposed work was  
5 exempt under CEQA Guidelines Section 15303(e) or Class 3(e) because the proposed work  
6 includes the addition of an accessory structure, a garage, which complies with the  
7 requirement of the exemption as set forth in the Certificate of Determination of Exemption  
8 from Environmental Review contained in Board of Supervisors File No. 030961; and

9 WHEREAS, The Planning Department also determined that the proposed work was  
10 exempt under CEQA Guidelines Section 15331, or Class 31, because the work on the historic  
11 structure consists of repair, rehabilitation, restoration and reconstruction of historical  
12 resources consistent with the Secretary's Standards as described in the Certificate of  
13 Determination of Exemption from Environmental Review contained in Board of Supervisors  
14 File No. 030961; and

15 WHEREAS, On May 27, 2003 Appellant Joseph Butler appealed the Planning  
16 Department's determination that the proposed project was exempt from CEQA review; and,

17 WHEREAS, On July 8, 2003 this Board held a duly noticed public hearing on the  
18 appeal and considered all of the testimony at the public hearing as well as all of the  
19 information contained in Board of Supervisors in File No. 030961, which is hereby declared to  
20 be a part of this motion as if set forth fully herein; now, therefore, be it

21 MOVED, This Board hereby disapproves the categorical exemption issued by the  
22 Planning Department.

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