

1 [Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue  
2 Project]

3 **Motion directing the Clerk of the Board to prepare findings related to the appeal of the**  
4 **exemption determination by the Planning Department that the project located at 100 –**  
5 **32nd Avenue is exempt from environmental review.**

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

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

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

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

9           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
10 findings specifying the basis for its decision on the appeal of the exemption determination  
11 issued by the Planning Department for the Project.

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