

1 [Reversing the Exemption Determination - 134-136 Ord Street]

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3 **Motion reversing the determination by the Planning Department that the 134-136 Ord**
4 **Street project is exempt from environmental review.**

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6 WHEREAS, On July 8, 2010, following a noticed public hearing, the Planning
7 Commission determined not to take discretionary review and approve the project as proposed
8 (Discretionary Review Case No. 2007.112400) for the construction of a new single-family
9 home at the front of the subject lot, which new building would be located in front of an existing
10 building on the lot (the "Project"). In so doing, the Commission affirmed the Department's
11 decision that the Project was exempt from environmental review under the California
12 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
13 Code Chapter 31 under categorical exemption Class 1 (the "exemption determination"). By
14 letter to the Clerk of the Board, Stephen M. Williams, on behalf of the Corbett Heights
15 Neighbors, ("Appellant"), received by the Clerk's Office on or around December 9, 2010,
16 appealed the exemption determination; and

17 WHEREAS, On January 11, 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 letters, 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. 101547 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 reverses the determination by the Planning
10 Department that the Project is exempt from environmental review.

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