

1 [Conditionally Reversing the Categorical Exemption Determination - 11 Gladys Street]

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3 **Motion conditionally reversing the determination by the Planning Department that the**
4 **proposed project at 11 Gladys Street is categorically exempt from further**
5 **environmental review, subject to the adoption of written findings of the Board in**
6 **support of this determination.**

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8 WHEREAS, On September 29, 2017, the Planning Department issued a CEQA
9 Categorical Exemption Determination for the proposed project ("Project") under the California
10 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
11 Code, Chapter 31; and

12 WHEREAS, The proposed Project involves interior alterations to the existing building
13 and the construction of a 669-square-foot vertical addition, increasing the square footage from
14 971 square feet to approximately 1,640 square feet; the Project would add a third floor,
15 increasing the height of the residence from 20.5 feet to 32 feet; two new roof decks would be
16 constructed on the new third floor, one on the north side of the residence and one on the
17 south side; new wood siding would be added on the second and third floors and wood clad
18 windows would be used to match the existing windows; and the Project would include on-site
19 drainage improvements; and

20 WHEREAS, A variance was requested and granted for the front and rear yard setback
21 as the existing home is a non-conforming structure; and

22 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
23 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
24 issued a categorical exemption for the Project on September 29, 2017, finding that the Project
25 is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical

1 exemption, which applies to interior and exterior alterations, and additions up to 10,000
2 square feet if the project is in an area where all public services and facilities are available for
3 the maximum development allowable and where the area is not historically significant, or
4 subject to landslide hazard; and

5 WHEREAS, On November 8, 2018, the Planning Commission heard a Discretionary
6 Review request and, following the hearing, voted not to take Discretionary Review and
7 approved the project as proposed; and

8 WHEREAS, On December 7, 2018, Zacks, Freedman & Patterson on behalf of David
9 Donofrio (“Appellant”) filed an appeal with the Board of Supervisors of the categorical
10 exemption; and

11 WHEREAS, By memorandum to the Clerk of the Board dated December 12, 2018, the
12 Planning Department’s Environmental Review Officer determined that the appeal was timely
13 filed; and

14 WHEREAS, On January 15, 2019, this Board held a duly noticed public hearing to
15 consider the appeal of the exemption determination filed by Appellant and, following the public
16 hearing, conditionally reversed the exemption determination subject to the adoption of written
17 findings in support of such determination; and

18 WHEREAS, In reviewing the appeal of the exemption determination, this Board
19 reviewed and considered the exemption determination, the appeal letter, the responses to the
20 appeal documents that the Planning Department prepared, the other written records before
21 the Board of Supervisors and all of the public testimony made in support of and opposed to
22 the exemption determination appeal; and

23 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
24 conditionally reversed the exemption determination subject to the adoption of written findings
25 of the Board in support of such determination based on the written record before the Board of

1 Supervisors as well as all of the testimony at the public hearing in support of and opposed to
2 the appeal; and

3 WHEREAS, The written record and oral testimony in support of and opposed to the
4 appeal and deliberation of the oral and written testimony at the public hearing before the
5 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
6 the exemption determination is in the Clerk of the Board of Supervisors File No. 181200, and
7 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

8 MOVED, That this Board of Supervisors conditionally reverses the determination by the
9 Planning Department that the project is exempt from environmental review, subject to the
10 adoption of written findings of the Board in support of this determination.

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