

File No. 100152

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date 04/27/10

Cmte Board

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| <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 Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <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"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

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Completed by: Joy Lamug

Date 04/22/10

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Affirming the Determination of Exemption Issued for 2462–27th Avenue.]

2
3 **Motion affirming the determination by the Planning Department that the project located**
4 **at 2462–27th Avenue is exempt from environmental review.**

5
6 WHEREAS, On November 16, 2009, the Planning Department determined that a
7 proposal to add a third floor and rear extension to the existing family home located at 2462 –
8 27th Avenue, (the "Project") was exempt from environmental review under the California
9 Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative
10 Code Chapter 31 as a Class 1(e) categorical exemption (the "exemption determination"). By
11 letter to the Clerk of the Board of Supervisors dated February 3, 2010, Sunset Parkside
12 Education and Action Committee filed an appeal of the exemption determination to the Board
13 of Supervisors, which the Clerk of the Board of Supervisors received on or around February 3
14 2010; and

15 WHEREAS, This Board heard an earlier appeal of a categorical exemption issued for
16 this Project and by Motion No. 07-82 disapproved the categorical exemption and found that
17 additional information regarding potential impacts on historical resources should be provided;
18 and

19 WHEREAS, The Planning Department conducted an analysis of the historic resource
20 issues and on November 16, 2009 determined that the project was exempt from
21 environmental review under CEQA as a Class 1(e) categorical exemption; and

22 WHEREAS, On March 16, 2010, this Board held a duly noticed public hearing to
23 consider the appeal of the exemption determination filed by Appellant and following the public
24 hearing affirmed the exemption determination by the Planning Department that the Project is
25 exempt from environmental review; and

1 WHEREAS, In reviewing the appeal of the categorical exemption determination, this
2 Board reviewed and considered the exemption determination, the appeal letter, the responses
3 to concerns document that the Planning Department prepared, the other written records
4 before the Board of Supervisors and all of the public testimony made in support of and
5 opposed to the exemption determination appeal. Following the conclusion of the public
6 hearing, the Board of Supervisors affirmed the exemption determination for the Project based
7 on the written record before the Board of Supervisors as well as all of the testimony at the
8 public hearing in support of and opposed to the appeal. The written record and oral testimony
9 in support of and opposed to the appeal and deliberation of the oral and written testimony at
10 the public hearing before the Board of Supervisors by all parties and the public in support of
11 and opposed to the appeal of the exemption determination is in the Clerk of the Board of
12 Supervisors File No. 100151 and is incorporated in this motion as though set forth in its
13 entirety; now therefore be it

14 MOVED, That the Board of Supervisors of the City and County of San Francisco
15 hereby adopts as its own and incorporates by reference in this motion, as though fully set
16 forth, the exemption determination made by the Planning Department that the Project is
17 exempt from environmental review; and be it

18 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
19 record before it there are no substantial Project changes, no substantial changes in Project
20 circumstances, and no new information of substantial importance that would change the
21 conclusions set forth in the exemption determination by the Planning Department that the
22 proposed Project is exempt from environmental review; and be it

23 FURTHER MOVED, That after carefully considering the appeal of the exemption
24 determination, including the written information submitted to the Board of Supervisors and the
25 public testimony presented to the Board of Supervisors at the hearing on the exemption

1 determination, this Board concludes that the Project qualifies for a exemption determination
2 under CEQA Guidelines Section 15301(e); and be it

3 FURTHER MOVED, That the Board of Supervisors finds that there are no special
4 circumstances present in this case that would require the preparation of a negative
5 declaration or an environmental impact report for the Project under CEQA and CEQA
6 Guidelines and substantial evidence supports the Department's conclusion that there is no
7 substantial adverse change to a historic resource, and there are no other significant impacts
8 or reasons or facts that would preclude the application of a categorical exemption in this case.

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