

File No.101084

Committee Item No. \_\_\_\_\_  
Board Item No. 23

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting  
Cmte Board

Date September 21, 2010

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Youth Commission Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

**OTHER**

(Use back side if additional space is needed)

- Affirming the Exemption Determination
- B - 2514 - 23rd Ave
- \_\_\_\_\_

Completed by: Andrea Ausberry Date 9/16/10

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file.

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1 [Affirming the Exemption Determination for 2514-23rd Avenue]

2  
3 **Motion affirming the determination by the Planning Department that the project located**  
4 **at 2514-23rd Avenue is exempt from environmental review.**

5  
6 WHEREAS, On May 18, 2010, Building Permit No. 2010/05/05/1781 was issued on by  
7 the Department of Building Inspection for a project at 2514 23<sup>rd</sup> Avenue. The proposed  
8 project (the "Project") would involve structural work to the foundation, roof framing and the  
9 addition of roof dormers, window replacement, and interior work to the building, which is a  
10 single-family residence. The building permit included an exemption determination by the  
11 Planning Department, which determined that the Project was exempt from environmental  
12 review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and  
13 San Francisco Administrative Code Chapter 31. By letter to the Clerk of the Board, Nancy  
14 Wuerfel, on behalf of the Sunset Parkside Education and Action Committee (SPEAK),  
15 ("Appellant"), received by the Clerk's Office on August 9, 2010, appealed the exemption  
16 determination; and

17 WHEREAS, On September 21, 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 affirmed 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 affirmed 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. 101084 and is incorporated in this motion as though set forth in its  
7 entirety; now therefore be it

8           MOVED, That the Board of Supervisors of the City and County of San Francisco  
9 hereby adopts as its own and incorporates by reference in this motion, as though fully set  
10 forth, the exemption determination; and be it

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

16           FURTHER MOVED, That after carefully considering the appeal of the exemption  
17 determination, including the written information submitted to the Board of Supervisors and the  
18 public testimony presented to the Board of Supervisors at the hearing on the exemption  
19 determination, this Board concludes that the Project qualifies for a exemption determination  
20 under CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative  
21 Code.