

1 [Adopting findings related to affirming the categorical exemption for 755-22nd Avenue.]

2 **Motion adopting findings affirming the determination by the Planning Department that**
3 **the 755-22nd Avenue project is categorically exempt from environmental review under**
4 **the California Environmental Quality Act.**
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6 The Planning Department determined that a proposal to construct a 3-story horizontal
7 addition at the rear of a 3-story structure single-family home at 755-22nd Avenue and to add a
8 dwelling unit at the ground floor level ("Project") was categorically exempt from the California
9 Environmental Quality Act ("CEQA") on or around September 9, 2004 ("determination"). By
10 letter to the Clerk of the Board of Supervisors dated April 13, 2005, Camille Hamilton and
11 David R. Pating ("Appellants") filed an appeal of the determination to the Board of
12 Supervisors, which the Clerk of the Board of Supervisors received on or around April 13,
13 2005.

14 On May 17, 2005, this Board held a duly noticed public hearing to consider the appeal
15 of the determination and following the public hearing affirmed the determination of the
16 Planning Department that the Project is categorically exempt from CEQA.

17 In reviewing the appeal of the categorical exemption determination, this Board
18 reviewed and considered the written record before the Board and all of the public comments
19 made in support of and opposed to the appeal.

20 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
21 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
22 though fully set forth, the determination made by the Planning Department on September 9,
23 2004.
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1 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
2 record before it there are no substantial Project changes, no substantial changes in Project
3 circumstances, and no new information of substantial importance that would change the
4 conclusions set forth in the determination by the Planning Department that the proposed
5 Project is exempt/excluded from environmental review.

6 FURTHER MOVED, That after carefully considering the appeal of the categorical
7 exemption, including the written information submitted to the Board and the public testimony
8 presented to the Board at the hearing on May 17, 2005, this Board concludes that the Project
9 qualifies for a categorical exemption as a Class 1 exemption under CEQA Guidelines Section
10 15301(e)(1) as a minor addition to an existing structure.

11 FURTHER MOVED, That the Board concludes that appellants did not submit evidence
12 to support their assertion that the private open space in the inward portion of the block in
13 which the Project is located is an historic resource as defined by CEQA and the CEQA
14 Guidelines. Further, the Board finds, based on the record before it, that neither the Project
15 nor other past, present or reasonably foreseeable future projects will significantly impact the
16 private open space in the inward portion of the block and there are no special circumstances
17 present in this case that would require the preparation of a negative declaration or an
18 environmental impact report for the Project under the California Environmental Quality Act and
19 CEQA Guidelines.

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