

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 11 Gladys  
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the proposed project at 11 Gladys Street is**  
5 **categorically exempt from further environmental review.**

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

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

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

21 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
22 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
23 issued a categorical exemption for the Project on September 29, 2017, finding that the Project  
24 is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical  
25 exemption, which applies to interior and exterior alterations, and additions up to 10,000

1 square feet if the project is in an area where all public services and facilities are available for  
2 the maximum development allowable and where the area is not historically significant, or  
3 subject to landslide hazard; and

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

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

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

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

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

22 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
23 conditionally reversed the exemption determination subject to the adoption of written findings  
24 of the Board in support of such determination based on the written record before the Board of  
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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 the Board of Supervisors directs the Clerk of the Board to prepare the  
9 findings specifying the basis for its decision on the appeal of the exemption determination  
10 issued by the Planning Department for the Project.

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