

[Disapproving the categorical exemption issued for the 717 Battery Street/350 Pacific Avenue project.]
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Motion disapproving the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

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8 WHEREAS, On or around January 16, 2009, the Environmental Review Office of the
9 San Francisco Planning department issued a certificate of determination of
10 exemption/exclusion from environmental review (the "determination") for a proposal to add to
11 and rehabilitate the Musto Building at 717 Battery Street/350 Pacific Avenue, to expand the
12 existing office use and provide ground-floor commercial and restaurant space (the "Project").
13 A copy of said document is on file with the Clerk of the Board of Supervisors in File No.
14 090109, and is incorporated by reference herein; and,

15 WHEREAS, By letter to the Clerk of the Board of Supervisors dated January 29,
16 2009, by Susan Brandt-Hawley on behalf of San Francisco Preservation Action ("Appellant"),
17 filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board
18 of Supervisors received on or around January 30, 2009; and,

19 WHEREAS, On March 3, this Board held a duly noticed public hearing to
20 consider the appeal of the determination; and,

21 WHEREAS, This Board has reviewed and considered the determination, the appeal
22 letter, the responses to concerns document that the Planning Department prepared, and
23 public testimony; and,

24 WHEREAS, The determination files and all correspondence and other documents have
25 been made available for review by this Board and the public. These files are available for

public review by appointment at the Planning Department offices at 1660 Mission Street, and
are part of the record before this Board by reference herein; now, therefore, be it

3 MOVED, That this Board of Supervisors disapproves the determination by the Planning
Department that the Project is exempt/excluded from environmental review.

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