

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

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

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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 reversed 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 reversed 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. 101085 and in the Planning Department files, which are available for  
7 public review by appointment at the Planning Department offices at 1650 Mission Street, and  
8 are incorporated in this motion as though set forth in its entirety; now therefore be it

9           MOVED, That this Board of Supervisors reverses the determination by the Planning  
10 Commission that the Project is exempt from environmental review.

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