

1 [Reversing the Exemption Determination - 1100 Lombard Street]

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3 **Motion reversing the determination by the Planning Department that the project located**
4 **at 1100 Lombard Street is exempt from environmental review.**

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6 WHEREAS, On or about February 3, 2012, the Planning Department determined that a
7 proposal to create a new firewall on the 1100 Lombard Street property was exempt from
8 environmental review under the California Environmental Quality Act ("CEQA"), the CEQA
9 Guidelines and San Francisco Administrative Code Chapter 31 as a Class 1 categorical
10 exemption, a minor alteration to an existing structure (the "exemption determination"). By
11 letter to the Clerk of the Board, dated March 20, 2012, Christa Shaw, on behalf of the John
12 Sperling Irrevocable Trust, owner of 2323 Hyde Street ("Appellant"), appealed the exemption
13 determination; and

14 WHEREAS, on May 1, 2012, this Board held a duly noticed public hearing to consider
15 the appeal of the exemption determination filed by Appellant, and following the public hearing
16 affirmed the exemption 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
19 concerns document 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. Following the conclusion of the public hearing, the
22 Board of Supervisors affirmed the exemption determination for the Project based on the
23 written record before the Board of Supervisors as well as all of the testimony at the public
24 hearing in support of and opposed to the appeal. The written record and oral testimony in
25 support of and opposed to the appeal and deliberation of the oral and written testimony at the

1 public hearing before the Board of Supervisors by all parties and the public in support of and
2 opposed to the appeal of the exemption determination is in the Clerk of the Board of
3 Supervisors File No. 120262 and is incorporated in this motion as though set forth in its
4 entirety; now therefore be it

5 MOVED, That after carefully considering the appeal of the exemption determination,
6 including the written information submitted to the Board of Supervisors and the public
7 testimony presented to the Board of Supervisors at the hearing on the exemption
8 determination, this Board reverses the determination by the Planning Department that the
9 Project is exempt from environmental review.

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