

1 [Affirming the Planning Department Determination Exemption for 424 Francisco Street]

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3 **Motion affirming the determination by the Planning Department that the project located**
4 **at 424 Francisco Street is exempt from environmental review.**

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6 WHEREAS, On or about March 10, 2010, the Planning Department approved a project
7 to install a garage in the existing multi-family residential building located at 424 Francisco
8 Street (the "Project") and, as indicated by an exemption determination stamp on the building
9 permit, determined that the Project was exempt from environmental review under the
10 California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco
11 Administrative Code Chapter 31 as a Class 1 categorical exemption, for a minor alteration of
12 an existing facility (the "exemption determination"). By letters to the Clerk of the Board,
13 Malcolm Yeung, on behalf of the Chinatown Community Development Center, and Vedica
14 Puri, on behalf of the Telegraph Hill Dwellers, (collectively, "Appellants"), received by the
15 Clerk's Office on or around March 30, 2010, appealed the exemption determination; and

16 WHEREAS, On May 11, 2010, this Board held a duly noticed public hearing to consider
17 the appeal of the exemption determination filed by Appellants, and following the public hearing
18 affirmed the exemption determination; and

19 WHEREAS, In reviewing the appeal of the exemption determination, this Board
20 reviewed and considered the exemption determination, the appeal letters, the responses to
21 concerns document that the Planning Department prepared, the other written records before
22 the Board of Supervisors and all of the public testimony made in support of and opposed to
23 the exemption determination appeal. Following the conclusion of the public hearing, the
24 Board of Supervisors affirmed the exemption determination for the Project based on the
25 written record before the Board of Supervisors as well as all of the testimony at the public

1 hearing in support of and opposed to the appeal. The written record and oral testimony in
2 support of and opposed to the appeal and deliberation of the oral and written testimony at the
3 public hearing before the Board of Supervisors by all parties and the public in support of and
4 opposed to the appeal of the exemption determination is in the Clerk of the Board of
5 Supervisors File No. 100415 and is incorporated in this motion as though set forth in its
6 entirety; now therefore be it

7 MOVED, That the Board of Supervisors of the City and County of San Francisco
8 hereby adopts as its own and incorporates by reference in this motion, as though fully set
9 forth, the exemption determination; and be it

10 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
11 record before it there are no substantial Project changes, no substantial changes in Project
12 circumstances, and no new information of substantial importance that would change the
13 conclusions set forth in the exemption determination by the Planning Department that the
14 proposed Project is exempt from environmental review; and be it

15 FURTHER MOVED, That after carefully considering the appeal of the exemption
16 determination, including the written information submitted to the Board of Supervisors and the
17 public testimony presented to the Board of Supervisors at the hearing on the exemption
18 determination, this Board concludes that the Project qualifies for a exemption determination
19 under CEQA Guidelines Section 15301 (Class 1).

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