

1 [Adopting findings related to disapproving the categorical exemption issued for the 869 North
2 Point Street Project.]

3 **Motion adopting findings related to disapproving the determination by the Planning**
4 **Department that the 869 North Point Street Project is categorically exempt from**
5 **environmental review under the California Environmental Quality Act.**
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7 On August 30, 2005, the Environmental Review Office of the San Francisco Planning
8 Department issued a certificate of determination of exemption/exclusion from environmental
9 review (the "determination") for a proposed project involving the demolition of a vacant two-
10 story, single-family residential building and the construction of a three-story with mezzanine,
11 three-family residential building measuring approximately 6,000 gross-square-feet, located at
12 869 North Point Street (the "Project").

13 By letter to the Clerk of the Board of Supervisors dated March 10, 2006, Roland
14 Salvato, on behalf of the Aquatic Park Neighbors and the Ghirardelli Square Neighbors
15 ("Appellant"), filed an appeal of the determination to the Board of Supervisors, which the Clerk
16 of the Board of Supervisors received on or around March 14, 2006.

17 On April 25, 2006, this Board held a duly noticed public hearing to consider the appeal
18 of the determination and following the public hearing disapproved the determination of the
19 Planning Department that the Project is categorically exempt from CEQA.

20 In reviewing the appeal of the categorical exemption determination, this Board
21 reviewed and considered the written record before the Board and all of the public comments
22 made in support of and opposed to the appeal. Following the conclusion of the public
23 hearing, the Board disapproved the Planning Department's categorical exemption
24 determination for the 869 North Point Street Project based on the written record before the
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1 Board as well as all of the testimony at the public hearing in support of and opposed to the
2 appeal. Said Motion and written record is in the Clerk of the Board of Supervisors File No.
3 060199 and is incorporated herein as though set forth in its entirety.

4 In regard to said decision, this Board made certain findings specifying the basis for its
5 decision to disapprove the Planning Department's approval of the determination for the 869
6 North Point Street Project based on the whole record before the Board including the written
7 record in File No. 060201, which is hereby declared to be a part of this motion as if set forth
8 fully herein; the written submissions to and official written records of the Planning Department
9 determination related to the 869 North Point Street Project; the official written and oral
10 testimony at and audio and video records of the public hearing in support of and opposed to
11 the appeal and deliberation of the oral and written testimony at the public hearing before the
12 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
13 the categorical exemption.

14 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
15 County of San Francisco finds that the project sponsor submitted erroneous and incomplete
16 information on the Residential Demolition Application and the Historical Resource Evaluation
17 – Request for Information form that the City Planning Department requires for a proposed
18 demolition of a residential structure, including without limitation: an incorrect date of
19 construction, an incorrect characterization of the architectural style of the building and
20 description of the property, a conclusion that the property was not historic even though no
21 historic resource evaluation had been completed, and no information about the history of the
22 property, such as information to support a conclusion that the structure is not associated with
23 significant event or persons.

24 FURTHER MOVED, That the Board of Supervisors finds that although the Planning
25 Department, based on an independent investigation of readily available information,

1 concluded that the project is categorically exempt from the California Environmental Quality
2 Act and will not significantly impact an historic resource, including any nearby historic district,
3 nevertheless, in light of the erroneous and incomplete information submitted by the project
4 applicant, the Planning Department is directed to request corrected and more complete
5 information about the structure from the project applicant consistent with the information
6 required of applicants for demolition permits on the Historical Resource Evaluation - Request
7 for Information form and based on this corrected and additional information to re-evaluate
8 whether demolition of the structure may result in a significant impact to an historic resource.

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