

1 [Affirming the Determination of Exemption Issued for 2462–27th Avenue.]

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3 **Motion adopting findings related to affirming the determination by the Planning**
4 **Department that the project located at 2462–27th Avenue is exempt from environmental**
5 **review.**

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7 WHEREAS, On November 16, 2009, the Planning Department determined that a
8 proposal to add a third floor and rear extension to the existing family home located at 2462 –
9 27th Avenue, (the "Project") was exempt from environmental review under the California
10 Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative
11 Code Chapter 31 as a Class 1(e) categorical exemption (the "exemption determination"). By
12 letter to the Clerk of the Board of Supervisors dated February 3, 2010, Sunset Parkside
13 Education and Action Committee filed an appeal of the exemption determination to the Board
14 of Supervisors, which the Clerk of the Board of Supervisors received on or around February 3,
15 2010; and

16 WHEREAS, This Board heard an earlier appeal of a categorical exemption issued for
17 this Project and by Motion No. 07-82 disapproved the categorical exemption and found that
18 additional information regarding potential impacts on historical resources should be provided;
19 and

20 WHEREAS, The Planning Department conducted an analysis of the historic resource
21 issues and on November 16, 2009 determined that the project was exempt from
22 environmental review under CEQA as a Class 1(e) categorical exemption; and

23 WHEREAS, On March 16, 2010, this Board held a duly noticed public hearing to
24 consider the appeal of the exemption determination filed by Appellant and following the public
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1 hearing affirmed the exemption determination by the Planning Department that the Project is
2 exempt from environmental review; and

3 WHEREAS, In reviewing the appeal of the categorical exemption determination, this
4 Board reviewed and considered the exemption determination, the appeal letter, the responses
5 to concerns document that the Planning Department prepared, the other written records
6 before the Board of Supervisors and all of the public testimony made in support of and
7 opposed to the exemption determination appeal. Following the conclusion of the public
8 hearing, the Board of Supervisors affirmed the exemption determination for the Project based
9 on the written record before the Board of Supervisors as well as all of the testimony at the
10 public hearing in support of and opposed to the appeal. The written record and oral testimony
11 in support of and opposed to the appeal and deliberation of the oral and written testimony at
12 the public hearing before the Board of Supervisors by all parties and the public in support of
13 and opposed to the appeal of the exemption determination is in the Clerk of the Board of
14 Supervisors File No. 100151 and is incorporated in this motion as though set forth in its
15 entirety; now therefore be it

16 MOVED, That the Board of Supervisors of the City and County of San Francisco
17 hereby adopts as its own and incorporates by reference in this motion, as though fully set
18 forth, the exemption determination made by the Planning Department that the Project is
19 exempt from environmental review; and be it

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

1 FURTHER MOVED, That after carefully considering the appeal of the exemption
2 determination, including the written information submitted to the Board of Supervisors and the
3 public testimony presented to the Board of Supervisors at the hearing on the exemption
4 determination, this Board concludes that the Project qualifies for a exemption determination
5 under CEQA Guidelines Section 15301(e); and be it

6 FURTHER MOVED, That the Board of Supervisors finds that there are no special
7 circumstances present in this case that would require the preparation of a negative
8 declaration or an environmental impact report for the Project under CEQA and CEQA
9 Guidelines and substantial evidence supports the Department's conclusion that there is no
10 substantial adverse change to a historic resource, and there are no other significant impacts
11 or reasons or facts that would preclude the application of a categorical exemption in this case.

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City and County of San Francisco

Tails

Motion: M10-70

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100152

Date Passed: April 27, 2010

Motion affirming the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review.

March 16, 2010 Board of Supervisors - CONTINUED

Ayes: 7 - Avalos, Campos, Chiu, Dufty, Elsbernd, Mar and Maxwell

Excused: 3 - Alioto-Pier, Chu and Mirkarimi

Absent: 1 - Daly

April 27, 2010 Board of Supervisors - APPROVED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar and Mirkarimi

Excused: 2 - Chu and Maxwell

File No. 100152

I hereby certify that the foregoing Motion was APPROVED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in black ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo
Clerk of the Board