

1 [Affirming the Exemption Determination - 611 Buena Vista West Avenue]

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3 **Motion affirming the determination by the Planning Department that a project located at**
4 **611 Buena Vista West Avenue is exempt from environmental review.**

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6 WHEREAS, The Planning Department has determined that a project located at 611
7 Buena Vista West Avenue is exempt from environmental review under the California
8 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
9 Code Chapter 31. The proposed project involves a vertical addition to an existing single-family
10 house. By letter to the Clerk of the Board, Susan Brandt-Hawley on behalf of the Buena Vista
11 Historical Preservation Association, Jim and Georgia Cox, Bill Gheen, Kristy and Matt Leffers,
12 Jon and Pam Shields, and Tim Stewart and Sue Rugtiv (Appellants), received by the Clerk's
13 Office on February 25, 2013, appealed the exemption determination. The Appellants provided
14 a copy of the Planning Commission's Discretionary Review Action, dated September 25,
15 2012, which memorialized the Commission's decision at its September 6, 2012, regularly
16 scheduled hearing, to take discretionary review and approve Permit No. 2011.05.04.5332,
17 which stated that the Planning Department determined that the project was exempt under
18 Class 1 of the CEQA Guidelines as a minor alteration to an existing facility (14 Cal. Code Reg.
19 §15301 et seq.); and

20 WHEREAS, On April 9, 2013, this Board held a duly noticed public hearing to consider
21 the appeal of the exemption determination filed by Appellants, and following the public hearing
22 affirmed the exemption determination; and

23 WHEREAS, In reviewing the appeal of the exemption determination, this Board
24 reviewed and considered the exemption determination, the appeal letters, the responses to
25 concerns document that the Planning Department prepared, the other written records before

1 the Board of Supervisors and all of the public testimony made in support of and opposed to
2 the exemption determination appeal. Following the conclusion of the public hearing, the Board
3 of Supervisors affirmed the exemption determination for the project based on the written
4 record before the Board of Supervisors as well as all of the testimony at the public hearing in
5 support of and opposed to the appeal. The written record and oral testimony in support of and
6 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
7 before the Board of Supervisors by all parties and the public in support of and opposed to the
8 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
9 130213 and is incorporated in this motion as though set forth in its entirety; now therefore be it

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

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

18 FURTHER MOVED, That after carefully considering the appeal of the exemption
19 determination, including the written information submitted to the Board of Supervisors and the
20 public testimony presented to the Board of Supervisors at the hearing on the exemption
21 determination, this Board concludes that the project qualifies for a exemption determination
22 under CEQA.