

File No. 101546

Committee Item No. _____
Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date January 11, 2011

Cmte Board

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Joy Lamug

Date January 6, 2011

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Preparation of Findings to Reverse the Exemption Determination - 10 Lundys Lane]

2
3 **Motion directing the Clerk of the Board to prepare findings reversing the exemption**
4 **determination by the Planning Department that the project located at 10 Lundys Lane is**
5 **exempt from environmental review.**

6
7 WHEREAS, On August 27, 2010 a revision permit (Building Permit No. 2010-08-27-
8 9763) was issued by the Department of Building Inspection for revisions to a previously
9 approved permit for interior and exterior renovation of an existing single family home (the
10 "Project"). The Planning Department had previously determined that the work involved in the
11 prior permit, which permit is final and which is not the subject of this appeal, was exempt from
12 environmental review under the California Environmental Quality Act (CEQA), the CEQA
13 Guidelines, and San Francisco Administrative Code Chapter 31. Although the Planning
14 Department did not review the revision permit (Building Permit No. 2010-08-27-9763) before it
15 was issued by the Department of Building Inspection, the Planning Department has
16 subsequently reviewed the work associated with that permit and determined that the work is
17 categorically exempt from CEQA. Specifically, in an email dated November 16, 2010 from
18 Zoning Administrator Scott Sanchez to the Appellant, the Planning Department determined
19 that the work associated with the second permit (Building Permit No. 2010-08-27-9763) is also
20 exempt from environmental review. By letter to the Clerk of the Board John de Soto
21 ("Appellant"), received by the Clerk's Office on or around December 2, 2010, appealed the
22 exemption determination; and

23 WHEREAS, On January 11, 2011, this Board held a duly noticed public hearing to
24 consider the appeal of the exemption determination filed by Appellant, and following the public
25 hearing reversed the exemption determination; and

1 WHEREAS, In reviewing the appeal of the exemption determination, this Board
2 reviewed and considered the exemption determination, the appeal letters, the responses to
3 concerns document that the Planning Department prepared, the other written records before
4 the Board of Supervisors and all of the public testimony made in support of and opposed to
5 the exemption determination appeal. Following the conclusion of the public hearing, the
6 Board of Supervisors reversed the exemption determination for the Project based on the
7 written record before the Board of Supervisors as well as all of the testimony at the public
8 hearing in support of and opposed to the appeal. The written record and oral testimony in
9 support of and opposed to the appeal and deliberation of the oral and written testimony at the
10 public hearing before the Board of Supervisors by all parties and the public in support of and
11 opposed to the appeal of the exemption determination is in the Clerk of the Board of
12 Supervisors File No. 101543 and in the Planning Department files, which are available for
13 public review by appointment at the Planning Department offices at 1650 Mission Street, and
14 are incorporated in this motion as though set forth in its entirety; now, therefore, be it

15 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
16 findings specifying the basis for its decision on the appeal of the exemption determination
17 issued by the Planning Department for the Project.
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