



CATEGORICAL EXEMPTION APPEAL TIMELINESS DETERMINATION

Date: March 13, 2024
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Devyani Jain, Deputy Environmental Review Officer – (628) 652-7574

RE: 72 Harper Street Categorical Exemption;
Planning Department Case No. 2023-002706ENV

On March 8, 2024, Brian O’Neill and Ryan Patterson of Patterson & O’Neill, PC, on behalf of Krishna Ramamurthi, Tusi Chowdhury, and David Garofoli (Appellants) filed an appeal with the Office of the Clerk of the Board of Supervisors of the Categorical Exemption for the proposed project at 72 Harper Street. As explained below, the appeal is timely.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open)	Date of Appeal Filing	Timely?
Thursday, February 8, 2024	Saturday, March 9, 2024	Monday, March 11, 2024	Friday, March 8, 2024	Yes

Approval Action: On December 14, 2023, the Planning Department issued a Categorical Exemption for the proposed project. The Approval Action for the project was the Discretionary Review hearing by the Planning Commission, which occurred on February 8, 2024 (Date of the Approval Action).

Appeal Deadline: Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action. The 30th day after the Date of the Approval Action was Saturday, March 9, 2024. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, March 11, 2024 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Friday, March 8, 2024, prior to the end of the Appeal Deadline. Therefore, the appeal is timely.