

1 [Affirming the Exemption Determination - 1945 Hyde Street]

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3 **Motion affirming the determination by the Planning Department that a project located at**
4 **1945 Hyde Street is exempt from environmental review.**

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6 WHEREAS, the Planning Department has determined that a project located at 1945
7 Hyde Street is exempt from environmental review under the California Environmental Quality
8 Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The
9 proposed work involves conversion of a 19,739-square-foot, two-story over basement parking
10 garage constructed in 1920 into a three-story over basement, seven-unit residential building
11 and one approximately 860 square-foot commercial space. The Appellant provided a copy a
12 Certificate of Determination, Exemption From Environmental Review, issued by the Planning
13 Department on January 27, 2011, finding the proposed project exempt from environmental
14 review under CEQA Guidelines Section 15332 (Class 32). By letter to the Clerk of the Board,
15 Jamie Cherry, on behalf of the Russian Hill Community Association, received by the Clerk's
16 Office on February 17, 2011, appealed the exemption determination; and

17 WHEREAS, On August 2, 2011, this Board held a duly noticed public hearing to
18 consider the appeal of the exemption determination filed by Appellant, and following the public
19 hearing affirmed the exemption determination; and

20 WHEREAS, In reviewing the appeal of the exemption determination, this Board
21 reviewed and considered the exemption determination, the appeal letters, the responses to
22 concerns document that the Planning Department prepared, the other written records before
23 the Board of Supervisors and all of the public testimony made in support of and opposed to
24 the exemption determination appeal. Following the conclusion of the public hearing, the Board
25 of Supervisors affirmed the exemption determination for the project based on the written

1 record before the Board of Supervisors as well as all of the testimony at the public hearing in
2 support of and opposed to the appeal. The written record and oral testimony in support of and
3 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
4 before the Board of Supervisors by all parties and the public in support of and opposed to the
5 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
6 110759 and is incorporated in this motion as though set forth in its entirety; now therefore be it

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

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

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