

1 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**
4 **by the Planning Department that a proposed project at 2853-2857 Broderick Street is**
5 **exempt from environmental review.**

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7 WHEREAS, On July 3, 2014, the Planning Department determined that the proposed
8 project located at 2853-2857 Broderick Street ("Project") is exempt from environmental review
9 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San
10 Francisco Administrative Code Chapter 31. The proposed project involves a dwelling unit
11 merger from two units to one unit and exterior alterations to the roof, facades and entry of an
12 existing building, and removal of exterior stairs; and

13 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
14 October 20, 2014, Irving Zaretsky and Tim Arcuri (Appellants) appealed the exemption
15 determination. The Appellants provided a copy of the Planning Department's Categorical
16 Exemption Determination, finding that the proposed project was exempt under Class 1 of the
17 CEQA Guidelines (14 Cal. Code Reg. §15301); and

18 WHEREAS, The Planning Department's Environmental Review Officer, by
19 memorandum to the Clerk of the Board dated October 24, 2014, determined that the appeal
20 had been timely filed; and

21 WHEREAS, On November 25, 2014, this Board held a duly noticed public hearing to
22 consider the appeal of the exemption determination filed by Appellants and, following the
23 public hearing, affirmed the exemption determination; and

24 WHEREAS, In reviewing the appeal of the exemption determination, this Board
25 reviewed and considered the exemption determination, the appeal letter, the responses to the

1 appeal documents that the Planning Department prepared, the other written records before
2 the Board of Supervisors and all of the public testimony made in support of and opposed to
3 the exemption determination appeal. Following the conclusion of the public hearing, the Board
4 of Supervisors reversed the exemption determination for the project based on the written
5 record before the Board of Supervisors as well as all of the testimony at the public hearing in
6 support of and opposed to the appeal. The written record and oral testimony in support of and
7 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
8 before the Board of Supervisors by all parties and the public in support of and opposed to the
9 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
10 141083 and is incorporated in this motion as though set forth in its entirety; now therefore be it

11 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
12 findings specifying the basis for its decision on the appeal of the exemption determination
13 issued by the Planning Department for the project.

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