

File No. 141246

Committee Item No. _____

Board Item No. 40

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date December 16, 2014

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date December 11, 2014

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 [Reversing the Exemption Determination - 312 Green Street]

2
3 **Motion reversing the determination by the Planning Department that a proposed**
4 **project at 312 Green Street is exempt from environmental review.**

5
6 WHEREAS, On January 15, 2013, the Planning Department determined that the
7 proposed project located at 312 Green Street ("Project") is exempt from environmental review
8 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San
9 Francisco Administrative Code, Chapter 31. The proposed project involves the construction of
10 a third floor and fourth floor addition to a two-story single-family residence; and

11 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
12 November 24, 2014, Ryan J. Patterson of Zacks & Freedman on behalf of Jack Oswald and
13 Anneke Seley (Appellants) appealed the exemption determination. The Appellants provided a
14 copy of the Planning Department's Categorical Exemption Determination, finding that the
15 proposed project was exempt under Class 1 of the CEQA Guidelines (14 Cal. Code Reg.,
16 Section 15301); and

17 WHEREAS, The Planning Department's Environmental Review Officer, by
18 memorandum to the Clerk of the Board dated December 1, 2014, determined that the appeal
19 had been timely filed; and

20 WHEREAS, On December 16, 2014, this Board held a duly noticed public hearing to
21 consider the appeal of the exemption determination filed by Appellants and, following the
22 public hearing, 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 letter, the responses to the
25 appeal documents 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 reversed 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 141244 and is incorporated in this motion as though set forth in its entirety; now, therefore be
10 it

11 MOVED, That this Board of Supervisors reverses the determination by the Planning
Department that the project is exempt from environmental review.

13
14 n:\landuse\mbyrne\bos ceqa appeals\312 green catex rev.docx

15
16
17
18
19
20
21
22
23
24

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Reversing the Exemption Determination - 312 Green Street

The text is listed below or attached:

Motion reversing the determination by the Planning Department that a proposed project at 312 Green Street is exempt from environmental review.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: