File No. 091482 Committee Item No. _____
Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS

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Completed by: Alisa Somera **Date** December 31, 2009
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file and the online version.

[Adopting Findings Related to Affirming the Exemption Determination Issued for the 2750 Vallejo Street Project]

Motion adopting findings related to affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review.

On May 6, 2009,the Planning Department determined that a proposal to alter the façade and construct rear and side horizontal additions to an existing three-story (at the street), single-family residence in an RH-1 (D) and a 40-X Height and Bulk District, located at 2750 Vallejo Street (the "Project") was exempt/excluded from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31 (the "exemption determination"). By letter to the Clerk of the Board of Supervisors dated November 5, 2009, Robert A. Byrum and Dona S. Byrum ("Appellants") filed an appeal of the exemption determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 6, 2009.

On December 15, 2009, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant and following the public hearing affirmed the exemption determination by the Planning Department that the Project is exempt/excluded from environmental review.

In reviewing the appeal of the categorical exemption determination, this Board reviewed and considered the exemption determination, the appeal letter, the responses to concerns document that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the exemption determination appeal. Following the conclusion of the public hearing, the

Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal. Said Motion and written record is in the Clerk of the Board of Supervisors File No. 091310 and is incorporated in this motion as though set forth in its entirety.

In regard to said decision, this Board made certain findings specifying the basis for its decision to affirm the Planning Department's approval of the exemption determination for the Project based on the whole record before the Board of Supervisors including the written record in File No. 091309, which is hereby declared to be a part of this motion as if set forth fully in this motion; the written submissions to and the official written records of the exemption determination related to the Project; the official written and oral testimony at and audio and video records of the public hearing in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination made by the Planning Department that the Project is exempt/excluded from environmental review.

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for a exemption determination under CEQA Guidelines Section 15301(e)(1) as a minor alteration of an existing private, single-family residence that involves a negligible or no expansion of the existing use. The

approximately 2,500 square foot addition to the existing 5,500 square foot structure will maintain the building as a single-family residence, and consistent with Section 15301(e)(1) not result in an increase to the existing structure of more than 50 percent of the floor area of the structure or 2,500 square feet, whichever is less.

FURTHER MOVED, that the Board of Supervisors finds that there are no special circumstances present in this case that would require the preparation of a negative declaration or an environmental impact report for the Project under CEQA and CEQA Guidelines for the following reasons:

(1) The Board, based on its review of the entire record, concurs with the Planning Department's determination that there is substantial evidence to supports its conclusion that the structure, a single-family detached home in the First Bay Tradition style, constructed circa 1905, is a contributor to a potential historic district and as such is a presumed historic resource; the Board further concurs with Planning that there is not substantial evidence to support a conclusion that the structure is an individual historic resource.

(2) The project would not cause a significant adverse change in a historic resource. The character-defining features of the historic resource, as a contributor to a potential historic district, are the features of the structure, particularly massing, proportions, fenestration and roofline, that contribute to a streetscape of 19th and 20th century, architecture-designed, single-family residences, generally featuring 2-3 story structures, with clear articulated facades of a base, body and roofline, traditional cladding such as wood, stucco and brick and wood-frame, wood sash windows. Consistent with the *Secretary of Interior Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* ("Standards") the addition to the side and rear of the building and re-introduction and restoration of front façade details will maintain the character-defining features of the structure that contribute to the potential historic district. Consequently,

there is not substantial evidence of a fair argument that the project will have a significant impact on a historic resource.