

1 [Reversing the Planning Department Determination of Exemption Issued for 424 Francisco
2 Street]

3 **Motion reversing the determination by the Planning Department that the 424 Francisco**
4 **Street project is exempt from environmental review.**

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6 WHEREAS, On or about March 10, 2010, the Planning Department approved a project
7 to install a garage in the existing multi-family residential building located at 424 Francisco
8 Street (the "Project") and, as indicated by an exemption determination stamp on the building
9 permit, determined that the Project was exempt from environmental review under the
10 California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco
11 Administrative Code Chapter 31 as a Class 1 categorical exemption, for a minor alteration of
12 an existing facility (the "exemption determination"). By letters to the Clerk of the Board,
13 Malcolm Yeung, on behalf of the Chinatown Community Development Center, and Vedica
14 Puri, on behalf of the Telegraph Hill Dwellers, (collectively, "Appellants"), received by the
15 Clerk's Office on or around March 30, 2010, appealed the exemption determination; and

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17 WHEREAS, On May 11, 2010, this Board held a duly noticed public hearing to consider
18 the appeal of the exemption determination filed by Appellants, and following the public hearing
19 reversed 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
25 Board of Supervisors reversed 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

1 hearing in support of and opposed to the appeal. The written record and oral testimony in
2 support of and opposed to the appeal and deliberation of the oral and written testimony at the
3 public hearing before the Board of Supervisors by all parties and the public in support of and
4 opposed to the appeal of the exemption determination is in the Clerk of the Board of
5 Supervisors File No. 100415 and in the Planning Department files, which are available for
6 public review by appointment at the Planning Department offices at 1650 Mission Street, and
7 are incorporated in this motion as though set forth in its entirety; now therefore be it

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

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City and County of San Francisco

Tails

Motion: M10-78

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100417

Date Passed: May 11, 2010

Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review.

May 11, 2010 Board of Supervisors - APPROVED

Ayes: 7 - Avalos, Campos, Chiu, Daly, Duffy, Mar and Mirkarimi

Noes: 3 - Alioto-Pier, Chu and Elsbernd

Absent: 1 - Maxwell

File No. 100417

I hereby certify that the foregoing Motion was APPROVED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in black ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo
Clerk of the Board