FILE NO. 110308

MOTION NO. M 11-54

[Affirming the Exemption Determination - 1653 Grant Street]

Motion affirming the determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review.

WHEREAS, the Planning Department has determined that a project located at 1653 Grant Street (aka 501 Greenwich Street) is exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The proposed work involves installation of a wireless telecommunications service facility to an existing building. The Appellants provided a copy a Historical Resources Review Form, issued by the Planning Department on June 3, 2010, finding the project exempt under Class 3 of the CEQA Guidelines (14 Cal. Code Reg. §15000 et seq.). Appellant also provided a copy of a Planning Department memorandum from Planning Commission Secretary Linda Avery, dated February 24, 2011, indicating that the Planning Commission had heard a request for discretionary review of the proposed project, on February 17, 2011, but had declined to take discretionary review and instead directed staff to approve the project as proposed. Accordingly, the appeal is ripe for review. By letter to the Clerk of the Board Julie Jaycox and Termeh Yeghiazarian, on behalf of the Telegraph Hill Dwellers("Appellants"), received by the Clerk's Office on March 4, 2011, appealed the exemption determination; and

WHEREAS, On April 12, 2011, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellants, and following the public hearing affirmed the exemption determination; and

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

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Page 1 4/5/2011 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. The written record and oral testimony 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 is in the Clerk of the Board of Supervisors File No. 110307 and is incorporated in this motion as though set forth in its entirety; 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; and be it

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

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.

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City and County of San Francisco Tails

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

Motion: M11-54

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Date Passed: April 12, 2011

Motion affirming the determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review.

April 12, 2011 Board of Supervisors - APPROVED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim and Wiener Noes: 2 - Mar and Mirkarimi

File No. 110308

I hereby certify that the foregoing Motion was APPROVED on 4/12/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

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