

File No. 091482

Committee Item No. _____

Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting

Date January 5, 2010

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
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OTHER

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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.

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

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

6
7 On May 6, 2009, the Planning Department determined that a proposal to alter the
8 façade and construct rear and side horizontal additions to an existing three-story (at the
9 street), single-family residence in an RH-1 (D) and a 40-X Height and Bulk District, located at
10 2750 Vallejo Street (the "Project") was exempt/excluded from environmental review under the
11 California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco
12 Administrative Code Chapter 31 (the "exemption determination"). By letter to the Clerk of the
13 Board of Supervisors dated November 5, 2009, Robert A. Byrum and Dona S. Byrum
14 ("Appellants") filed an appeal of the exemption determination to the Board of Supervisors,
15 which the Clerk of the Board of Supervisors received on or around November 6, 2009.

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

20 In reviewing the appeal of the categorical exemption determination, this Board
21 reviewed and considered the exemption determination, the appeal letter, 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

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

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

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

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

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

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

9 (1) The Board, based on its review of the entire record, concurs with the Planning
10 Department's determination that there is substantial evidence to supports its conclusion that
11 the structure, a single-family detached home in the First Bay Tradition style, constructed circa
12 1905, is a contributor to a potential historic district and as such is a presumed historic
13 resource; the Board further concurs with Planning that there is not substantial evidence to
14 support a conclusion that the structure is an individual historic resource.

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

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