

1 [Affirming the Exemption Determination - 1787 Union Street]

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3 **Motion affirming the determination by the Planning Department that a project located at**  
4 **1787 Union Street is exempt from environmental review.**

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6 WHEREAS, the Planning Department has determined that a project located at 1787  
7 Union Street is exempt from environmental review under the California Environmental Quality  
8 Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The  
9 proposed work involves legalizing the removal of an elevated glass sunroom enclosure and  
10 establishing an open patio at the front of the building for an existing full-service restaurant and  
11 bar (dba "The Brickyard"). The Appellant provided a copy the Discretionary Review Analysis  
12 staff report, dated January 13, 2011, for the project's discretionary review hearing before the  
13 Planning Commission, held on January 20, 2011, which stated that the Department had  
14 determined that the project was exempt under Class 1 of the CEQA Guidelines (14 Cal. Code  
15 Reg. §15000 et seq.). By letter to the Clerk of the Board, Gloria D. Smith, on behalf of the  
16 Golden Gate Valley Neighborhood Association, received by the Clerk's Office on April 13,  
17 2011, appealed the exemption determination; and

18 WHEREAS, On May 24, 2011, this Board held a duly noticed public hearing to consider  
19 the appeal of the exemption determination filed by Appellant, and following the public hearing  
20 affirmed the exemption determination; and

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

1 of Supervisors affirmed the exemption determination for the project based on the written  
2 record before the Board of Supervisors as well as all of the testimony at the public hearing in  
3 support of and opposed to the appeal. The written record and oral testimony in support of and  
4 opposed to the appeal and deliberation of the oral and written testimony at the public hearing  
5 before the Board of Supervisors by all parties and the public in support of and opposed to the  
6 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.  
7 110474 and is incorporated in this motion as though set forth in its entirety; now therefore be it

8           MOVED, That the Board of Supervisors of the City and County of San Francisco  
9 hereby adopts as its own and incorporates by reference in this motion, as though fully set  
10 forth, the exemption determination; and be it

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

16           FURTHER MOVED, That after carefully considering the appeal of the exemption  
17 determination, including the written information submitted to the Board of Supervisors and the  
18 public testimony presented to the Board of Supervisors at the hearing on the exemption  
19 determination, this Board concludes that the project qualifies for a exemption determination  
20 under CEQA.



**City and County of San Francisco**

**Tails**

**Motion: M11-84**

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

**File Number:** 110475

**Date Passed:** May 24, 2011

Motion affirming the determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

May 24, 2011 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 110475

I hereby certify that the foregoing Motion was APPROVED on 5/24/2011 by the Board of Supervisors of the City and County of San Francisco.

  
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Angela Calvillo  
Clerk of the Board