

1 [Adopting findings related to affirming the categorical exemption issued for 652 Duncan
2 Street.]

3 **Motion adopting findings related to affirming the determination by the Planning**
4 **Department that the 652 Duncan Street Project is categorically exempt from**
5 **environmental review under the California Environmental Quality Act.**
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7 The Planning Department determined, on or around February 19, 2007, that a proposal
8 to construct a one-story vertical additional and rear horizontal addition on a single-family
9 dwelling at 652 Duncan Street ("Project") was categorically exempt from the California
10 Environmental Quality Act (the "determination"). By letter to the Clerk of the Board of
11 Supervisors dated December 7, 2007, Stephen M. Williams ("Appellant"), filed an appeal of
12 the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors
13 received on or around December 7, 2007.

14 On February 5, 2008, this Board held a duly noticed public hearing to consider the
15 appeal of the determination and following the public hearing affirmed the determination of the
16 Planning Department that the Project is categorically exempt from CEQA.

17 In reviewing the appeal of the categorical exemption determination, this Board
18 reviewed and considered the written record before the Board and all of the public comments
19 made in support of and opposed to the appeal. Following the conclusion of the public
20 hearing, the Board affirmed the Planning Department's categorical exemption determination
21 for 652 Duncan Street based on the written record before the Board as well as all of the
22 testimony at the public hearing in support of and opposed to the appeal. Said Motion and
23 written record is in the Clerk of the Board of Supervisors File No. 080011 and is incorporated
24 herein as though set forth in its entirety.
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1 In regard to said decision, this Board made certain findings specifying the basis for its
2 decision to affirm the Planning Department's approval of the determination for 652 Duncan
3 Street based on the whole record before the Board including the written record in File No.
4 080010, which is hereby declared to be a part of this motion as if set forth fully herein; the
5 written submissions to and official written records of the Planning Department determination
6 related to the 652 Duncan Street Project; the official written and oral testimony at and audio
7 and video records of the public hearing in support of and opposed to the appeal and
8 deliberation of the oral and written testimony at the public hearing before the Board of
9 Supervisors by all parties and the public in support of and opposed to the appeal of the
10 categorical exemption.

11 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
12 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
13 though fully set forth, the determination made by the Planning Department on February 19,
14 2007.

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

20 FURTHER MOVED, That after carefully considering the appeal of the categorical
21 exemption, including the written information submitted to the Board and the public testimony
22 presented to the Board at the hearing on February 5, 2008, this Board concludes that the
23 Project qualifies for a categorical exemption under CEQA Guidelines Section 15301(e) as a
24 minor addition of 977 square feet to an existing structure.

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1 FURTHER MOVED, that the Board finds that the exception to the use of a categorical
2 exemption set forth in CEQA Guidelines Section 15300.2(f) if a project will cause an adverse
3 change in an historic resource is not applicable in this instance and substantial evidence was
4 not submitted that the Project may cause an adverse change in an historic resource for the
5 following reasons: (1) the testimony and reports submitted by the Planning Department, the
6 appellant and the project sponsor conclude that 652 Duncan Street does not qualify for
7 individual listing as an historic resource under either the National Register of Historic
8 Resources or the California Register of Historic Resources; (2) the subject property is not
9 included in any local historic surveys, it is not designated as a local landmark and it is not
10 included in a local historic district; (3) the appellant's expert on historic resources states that
11 the building is a contributor to a potential local historic district, but to be eligible for local
12 landmark status as an individual resource or as a historic district, the property must be eligible
13 for the National Register and possess the characteristics stated in Planning Code Section
14 1004(a) and no substantial evidence was presented that the property or the area around the
15 property satisfies these criteria; and (4) even if it is assumed, for the sake of argument, that
16 the property is an historic resource or a contributor to an historic resource, no substantial
17 evidence was presented in the record that the Project as proposed would be inconsistent with
18 the Secretary of Interior Standards for Rehabilitation.

19 FURTHER MOVED, That the Board finds that the exception to the use of a categorical
20 exemption set forth in CEQA Guidelines Section 15300.2(b) if the cumulative impact of
21 successive projects of the same type in the same place is significant, is not applicable in this
22 case for the following reasons: (1) for the Project to contribute to a cumulative impact it must
23 itself have an adverse effect and no substantial evidence was presented that the Project will
24 have an adverse effect on a historic resource for the reasons stated previously and the
25 Project is consistent with the City's Residential Design Guidelines; and (2) no substantial

1 evidence was presented that other projects of a similar type and in the same place may
2 reasonably be expected to occur in that allegations that the construction of the Project, with
3 the addition of one-floor, will result in a domino effect of other similar projects, is speculative
4 and no factual information was presented that the City has received applications for approval
5 of other similar projects in the immediate neighborhood.

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