

File No. 250135

Committee Item No. \_\_\_\_\_

Board Item No. 35

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: April 15, 2025

#### Cmte Board

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|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <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                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Prepared by: Jocelyn Wong

Date: March 14, 2025

Prepared by: Lisa Lew

Date: April 11, 2025

[Affirming the Categorical Exemption Determination - Proposed 2142-22nd Street Project]

**Motion affirming the determination by the Planning Department that the proposed project at 2142-22nd Street is categorically exempt from environmental review.**

WHEREAS, On December 12, 2024, the Planning Department determined that the proposed 2142-22nd Street Project (the Project), at Assessor's Parcel Block No. 4094, Lot No. 038, is categorically exempt from the California Environmental Quality Act (CEQA) under the Class 1 (Existing Facilities) and Class 3 (New Construction or Conversion of Small Structures) categorical exemptions - Sections 15301 and 15303 of the CEQA Guidelines, respectively; and

WHEREAS, The Project proposes to demolish an existing single-family dwelling and construct a new six story building with five new units (including a one one-bedroom unit and four three-bedroom units), five off-street parking spaces housed within stackers, and five bicycle parking spaces; and

WHEREAS, CEQA Guidelines, Sections 15301 through 15333 list the categorical exemptions for classes of projects that have been determined not to have a significant effect on the environment and that are exempt from further environmental review; and

WHEREAS, CEQA Guidelines, Section 15301 (Existing Facilities), or Class 1, applies to minor alterations of existing facilities, including demolition and removal of small structures such as a small commercial structure and additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and further provided that the area in which the project is located is not environmentally sensitive; and

1 WHEREAS, CEQA Guidelines, Section 15303 (New Construction or Conversion of  
2 Small Structures), or Class 3, applies to projects that include new construction or changes of  
3 use under 10,000 square feet, if such change of use is principally permitted or permitted with  
4 a Conditional Use Authorization; and

5 WHEREAS, The Planning Department determined that the Project is exempt under  
6 both the Class 1 and Class 3 categorical exemptions, because it meets the criteria for  
7 applicability of the exemptions, and none of the exceptions that would preclude application of  
8 the exemptions listed under CEQA Guidelines, Section 15300.2 are present; and

9 WHEREAS, On January 2, 2025, the Planning Department issued the Planning  
10 Approval Letter for the Project; and

11 WHEREAS, On January 30, 2025, James Purchase, on behalf of 2132-2136 22nd  
12 Street HOA (Appellant), filed an appeal with the Office of the Clerk of the Board of  
13 Supervisors of the categorical exemption for the Project; and

14 WHEREAS, By memorandum to the Clerk of the Board dated February 5, 2025, the  
15 Planning Department's Environmental Review Officer determined that the appeal was timely  
16 filed; and

17 WHEREAS, On April 15, 2025, this Board held a duly noticed public hearing to  
18 consider the appeal filed by Appellant; and

19 WHEREAS, In reviewing the appeal, this Board reviewed and considered the CEQA  
20 determination, the appeal letter, the responses to the appeal documents that the Planning  
21 Department and the project sponsor prepared, the other written records before the Board of  
22 Supervisors and all of the public testimony made in support of and opposed to the appeal; and

23 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
24 affirmed the CEQA determination, based on the written record before the Board of  
25

Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The written record and oral testimony in support of and opposed to the appeal and 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, including the deliberations by the members of the Board, is in the Clerk of the Board of Supervisors File No. 250134, and is incorporated in this Motion as though set forth in its entirety; now, therefore, be it

MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by reference in this Motion, as though fully set forth, the CEQA 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 Planning Department's determination that the Project is categorically exempt from environmental review; and, be it

FURTHER MOVED, That after carefully considering the appeal of the CEQA 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 CEQA determination, this Board concludes that the Project qualifies for a categorical exemption under CEQA, as determined by the Planning Department.

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## Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)  
(Routine, non-controversial and/or commendatory matters only)
- ☒ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor  inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No.  from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission    ☐ Youth Commission    ☐ Ethics Commission
- ☐ Planning Commission    ☐ Building Inspection Commission    ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes    ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Clerk of the Board

Subject:

Affirming the Categorical Exemption Determination - Proposed 2142-22nd Street Project

Long Title or text listed:

Motion affirming the determination by the Planning Department that the proposed project at 2142-22nd Street is categorically exempt from environmental review.

Signature of Requestor:

