

File No. 200285

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

Board Item No. 25

# COMMITTEE/BOARD OF SUPERVISORS

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

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

Board of Supervisors Meeting

Date: July 28, 2020

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### OTHER

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Prepared by: Lisa Lew

Date: July 24, 2020

Prepared by: \_\_\_\_\_

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

1 [Affirming the Categorical Exemption Determination - 2651-2653 Octavia Street]

2

3 **Motion affirming the determination by the Planning Department that the proposed**  
4 **project at 2651-2653 Octavia Street is categorically exempt from further environmental**  
5 **review.**

6

7 WHEREAS, On September 5, 2019, the Planning Department issued a CEQA  
8 Categorical Exemption Determination for the proposed project located at 2651-2653 Octavia  
9 Street ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA  
10 Guidelines, and San Francisco Administrative Code, Chapter 31; and

11 WHEREAS, The project site is located on the block bounded by Green Street to the  
12 north, Octavia Street to the east, Vallejo Street to the south, and Laguna Street to the west, in  
13 the Pacific Heights neighborhood; the approximately 3,100-square-foot project site is within  
14 the Residential, House, Two-Family (RH-2) Zoning District and a 40-X Height and Bulk  
15 District; the project site is currently occupied by a two-family residence; and

16 WHEREAS, The Project includes the construction a fourth-floor-level vertical and  
17 horizontal addition to an existing 37-foot-tall (inclusive of a 7-foot-tall mansard roof), three-  
18 story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-  
19 foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-  
20 story, 6,512-gross-square-foot two family residence; the project construction would involve  
21 localized excavation for new foundation and possible excavation to replace existing  
22 foundations in kind, resulting in a total of approximately 15 to 30 cubic yards of soil excavated,  
23 at an average depth of 1.5 feet; and

24

25

1           WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
2 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
3 issued a categorical exemption for the Project on September 5, 2019, finding that the  
4 proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class  
5 1 categorical exemption (alteration and addition to an existing structure) and that no further  
6 environmental review was required; and

7           WHEREAS, On February 6, 2020, the Planning Commission passed a resolution  
8 denying a discretionary review request at a public hearing (Planning Department Case No.  
9 2018-011022DRP), which constituted the approval action for the project under CEQA; and

10           WHEREAS, On March 6, 2020, Maureen Holt, Elizabeth Reilly, Paul Guermonprez,  
11 and Jack Fowler (collectively, "Appellant") filed an appeal of the September 5, 2019,  
12 categorical exemption to the board; and

13           WHEREAS, By memorandum to the Clerk of the Board dated March 12, 2020, the  
14 Planning Department's Environmental Review Officer determined that the appeal was timely  
15 filed; and

16           WHEREAS, On July 28, 2020, this Board held a duly noticed public hearing to consider  
17 the appeal of the exemption determination filed by Appellant; and

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

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

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

3 WHEREAS, The written record and oral testimony in support of and opposed to the  
4 appeal and deliberation of the oral and written testimony at the public hearing before the  
5 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
6 the exemption determination is in the Clerk of the Board of Supervisors File No. 200284 and is  
7 incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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

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

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

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

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only