

October 20, 2014

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TO: Clerk, Board of Supervisors, CCSF
RE: Appeal of CEQA Categorical Exemption Determination
300 Wawona Street Building Permit Application No. 201306210174
Case No. 2014.0026W
FR: Marilyn Amini, San Francisco resident

I herewith appeal the CEQA Categorical Exemption Determination allotted the above-cited project on the grounds that said project does not conform to the requirements set forth in CEQA for an exemption without a required geotechnical report.

Planning Department's material, "Categorical Exemption from CEQA, Adopted August 17, 2000" states, at paragraph 4 on page 1 thereof, "Where there is a reasonable possibility of a significant effect due to unusual circumstances surrounding the project, it is not exempt even if it clearly fits one of the categories."

That subject project is located in an environmentally sensitive area is evidenced by, but not limited to, the following:

- A document obtained from SFPUC shows that a "stream bed now filled or concealed" traverses the rear of subject 300 Wawona property along an east to west path.
- Just beyond the rear SW tip of my Lot 2482/24B 2667 14th Avenue property, where-at **both** Lot 2482/025 300 Wawona Street **and** Lot 2482/028 320 Wawona Street properties meet my lot tip at an "apex point", there exists an immediate, precipitous, and significant drop in grade of approximately 20 feet.
- The 300 Wawona Street Property Information Report documents, "Slope = >20%".

I will subsequently submit additional facts and documentation related to this matter.

Marilyn Amini

Marilyn Amini, Appellant

2667 14th Avenue
San Francisco, CA 94127-1309
(415) 681-1825

cc: Sarah Jones, Environmental Review Officer



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0380

HEARING DATE: SEPTEMBER 18, 2014

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Date: October 3, 2014
Case No.: **2014.1009D**
Project Address: **300 WAWONA STREET**
Building Permit: **2013.06.21.0174**
Zoning: RH-1(D) [Residential house, One-Family (Detached)] District
40-X Height and Bulk District
Block/Lot: 2482/025
Project Sponsor: Kim Clash
300 Wawona Street
San Francisco, CA 94127
DR Requestor: Marilyn Amini
2667 14th Avenue
San Francisco, CA 94127
Staff Contact: Eiliesh Tuffy – (415) 575-9191
eiliesh.tuffy@sfgov.org

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF CASE NO. 2014.1009D AND THE APPROVAL OF BUILDING PERMIT 2013.06.21.0174 PROPOSING INTERIOR REHABILITATION, CONSTRUCTION OF A ONE-STORY VERTICAL ADDITION AND A HORIZONTAL REAR ADDITION OFF THE WESTERMOST CORNER OF AN EXISTING SINGLE-FAMILY DWELLING. THE SUBJECT PROPERTY IS LOCATED WITHIN AN RH-1(D) [RESIDENTIAL HOUSE, ONE-FAMILY (DETACHED)] DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 21, 2013, Kim Clash filed Building Permit Application No. 2013.06.21.0174 proposing construction of a one-story vertical addition, horizontal rear extension at the southwest corner of the house, and interior rehabilitation of a single-family dwelling within the RH-1(D) [Residential House, One-Family (Detached)] District and a 40-X Height and Bulk District..

On June 23, 2014 Marilyn Amini (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2014.1009D) of Building Permit Application No. 2013.06.21.0174.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On September 18, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2014.1009D.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby does not take Discretionary Review requested in Application No. 2014.1009D and approves the Building Permit Application 2013.06.21.0174.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. The Commission determined that no modifications to the project were necessary and they instructed staff to approve the project per plans revised to April 30, 2014 on file with the Planning Department.
2. There are no extraordinary or exceptional circumstances in the case. The proposal complies with the Planning Code, the General Plan, and conforms to the Residential Design Guidelines.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission did not take Discretionary Review and approved the building permit as reference in this action memo on September 18, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

NAYS: none

ABSENT: none

ADOPTED: September 18, 2014

2014.1009D (100614) [ECT]
(DRA-0380)
DR Applicant
Marilyn Amini
2667 14th Avenue
San Francisco, CA 94127