

File No. 170314

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

Board Item No. 14.

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

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

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

Board of Supervisors Meeting

Date: April 25, 2017

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <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"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                          |       |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: Brent Jalipa

Date: April 20, 2017

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

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

1 [Affirming the Categorical Exemption Determination - Proposed Project at 953 Treat Avenue]

2  
3 **Motion affirming the determination by the Planning Department that a proposed project**  
4 **at 953 Treat Avenue is categorically exempt from further environmental review.**

5  
6 WHEREAS, On March 28, 2016, the Planning Department determined that the  
7 proposed project located at 953 Treat Avenue ("Project") is exempt from environmental review  
8 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
9 Francisco Administrative Code, Chapter 31; and

10 WHEREAS, The proposed Project involves demolition of an existing one-story, single-  
11 family dwelling, and construction of two new four-story 40-foot tall residential buildings  
12 containing three residential units each and two parking spaces; and

13 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on March  
14 20, 2016, Katherine Petrin, (Appellant), appealed the exemption determination; and

15 WHEREAS, Appellant provided a copy of the Planning Department's Categorical  
16 Exemption Determination, signed August 25, 2016, which found that the proposed Project  
17 was exempt under Classes 1 and 3 of the CEQA Guidelines (14 Cal. Code Reg. Sections  
18 15301 and 15303) for demolition of a single family home and replacement with six dwelling  
19 units; and

20 WHEREAS, The Planning Commission, by Motion No 19857, approved a Conditional  
21 Use Authorization for the proposed Project on February 16, 2017; and

22 WHEREAS, The Planning Department's Environmental Review Officer, by  
23 memorandum to the Clerk of the Board dated March 24, 2017, determined that the appeal  
24 was timely; and

1           WHEREAS, On April 25, 2017, this Board held a duly noticed public hearing to  
2 consider the appeal of the exemption determination filed by Appellant and, following the public  
3 hearing, affirmed the exemption determination; and

4           WHEREAS, In reviewing the appeal of the exemption determination, this Board  
5 reviewed and considered the exemption determination, the appeal letter, the responses to the  
6 appeal documents that the Planning Department prepared, the other written records before  
7 the Board of Supervisors and all of the public testimony made in support of and opposed to  
8 the exemption determination appeal; and

9           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
10 affirmed the exemption determination for the project based on the written record before the  
11 Board of Supervisors as well as all of the testimony at the public hearing in support of and  
12 opposed to the appeal; and

13           WHEREAS, The written record and oral testimony in support of and opposed to the  
14 appeal and deliberation of the oral and written testimony at the public hearing before the  
15 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
16 the exemption determination is in the Clerk of the Board of Supervisors File No. 170313, and  
17 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

20           FURTHER MOVED, That the Board of Supervisors finds that based on the whole  
21 record before it there are no substantial project changes, no substantial changes in project  
22 circumstances, and no new information of substantial importance that would change the  
23 conclusions set forth in the exemption determination by the Planning Department that the  
24 proposed project is exempt from environmental review; and, be it

25

1           FURTHER MOVED, That after carefully considering the appeal of the exemption  
2 determination, including the written information submitted to the Board of Supervisors and the  
3 public testimony presented to the Board of Supervisors at the hearing on the exemption  
4 determination, this Board concludes that the project qualifies for an exemption determination  
5 under CEQA.

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# Introduction Form

By a Member of the Board of Supervisors or the 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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) 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 a Imperative Form.**

**Sponsor(s):**

Clerk of the Board

**Subject:**

Affirming the Categorical Exemption Determination - Proposed Project at 953 Treat Avenue

**The text is listed below or attached:**

Motion affirming the determination by the Planning Department that a proposed project at 953 Treat Avenue is categorically exempt from further environmental review.

Signature of Sponsoring Supervisor: *Alisa Gomez*

For Clerk's Use Only:

170314