



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Categorical Exemption Appeal 218 27th Avenue

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: December 1, 2017
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Jeanie Poling – (415) 575-9072
RE: Planning Case No. 2016-003258ENV
Appeal of Categorical Exemption for 218 27th Avenue
HEARING DATE: December 12, 2017
ATTACHMENTS: A - CEQA categorical exemption determination
B - October 12, 2017 Planning Commission Agenda (excerpt)

2017 DEC -4 AM 10:13
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

PROJECT SPONSOR: Michael Leavitt, Leavitt Architecture Inc., on behalf of Joe Toboni, 218 27th Ave
LLC
APPELLANT: Robin S. Crisp, Hanson Bridgett LLP, on behalf of Alex Bernstein and Sonia
Daccarett

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Department's issuance of a categorical exemption under the California Environmental Quality Act ("CEQA determination") for the proposed project at 218 27th Avenue (the "project").

The Planning Department, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15387), issued a categorical exemption for the project on June 29, 2016, finding that the proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 and Class 3 categorical exemption. The Class 1 exemption applies to existing facilities, including demolition of up to three single-family residences in urban areas, and the Class 3 exemption applies to new construction of small structures, including multi-family residential structures in urban areas designed for not more than six dwelling units.

The decision before the Board is whether to uphold the Planning Department's decision to issue a categorical exemption and deny the appeal, or to overturn the Planning Department's decision to issue a categorical exemption and return the project to Planning Department staff for additional environmental review.

SITE DESCRIPTION AND EXISTING USE

The project site contains a two-story, 2,000-square-foot single-family residence set back approximately 9 feet from the front property line. The project lot measures approximately 25 feet wide by 120 feet deep and is located within the RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. The large flat rectangular-shaped parcel is currently occupied by a two-story, single-family dwelling constructed circa 1917, which covers approximately 50 percent of the lot. The project site is located on the east side of 27th Avenue south of the corner of Lake Street in the Outer Richmond neighborhood and is surrounded by two- to 12-unit residential structures ranging in height from three to four stories.

PROJECT DESCRIPTION

The project would demolish the existing building on site and construct a four-story 6,195-square-foot building containing three residential units and three vehicle parking spaces. The project would involve approximately 150 cubic yards of excavation to a depth of 3 feet.

BACKGROUND

On March 11, 2016, Michael Leavitt of Leavitt Architecture Inc., on behalf of 218 27th Ave LLC (hereinafter the “project sponsor”) filed an application with the Planning Department for a CEQA determination for the project described above.

On June 29, 2016, the Planning Department determined that the project was categorically exempt under CEQA Class 1 – alteration of existing facilities, and Class 3 – new construction or conversion of small structures, and that no further environmental review was required (Attachment A). The project was approved on October 12, 2017, at a Conditional Use hearing before the Planning Commission.

On November 13, 2017, an appeal of the categorical exemption was filed by Robia Crisp of Hanson Bridgett LLC on behalf of Alex Bernstein and Sonia Daccarett.

CEQA GUIDELINES

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review. In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment and therefore are categorically exempt from the requirement for further environmental review.

CEQA Guidelines Section 15301, or Class 1, provides an exemption from environmental review for the operation, repair, or minor alteration of existing public or private structures and facilities. Section 15301(l)(1) includes the demolition of up to three single-family residences in urban areas. The project involves the demolition of one single-family residence and thus the demolition is exempt under Class 1.

CEQA Guidelines Section 15303, or Class 3, allows for the construction of a multi-family residential structure with up to six dwelling units in urbanized areas. The project involves the construction of a multi-family residential structure with three dwelling units and thus the new construction is exempt under Class 3.

In determining the significance of environmental effects caused by a project, CEQA Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA Guidelines 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the November 13, 2017 appeal letter are cited below and are followed by the Planning Department's responses.

Concern 1: The appellant contends that the City failed to comply with the procedural requirements of CEQA and the City's implementing regulations codified in Chapter 31 of the San Francisco Administrative Code, including the content and posting requirements established in Section 31.08.

Response 1: The CEQA determination complies with the posting requirements of Administrative Code Chapter 31.

San Francisco Administrative Code Chapter 31 ("Chapter 31") governs compliance with CEQA in San Francisco. Section 31.08 addresses projects that are exempt from CEQA, and requires the posting of exemption determinations. Section 31.08(e)(1)(A) states the following:

For all exemption determinations, the Environmental Review Officer shall post on the Planning Department website the following information about each exemption determination: (1) a project description in sufficient detail to convey the location, size, nature and other pertinent aspects of the scope of the proposed project as necessary to explain the applicability of the exemption; (2) the type or class of exemption determination applicable to the project; (3) other information, if any, supporting the exemption determination; (4) the Approval Action for the project, as defined in Section 31.04(h); and (5) the date of the exemption determination.

The CEQA determination for the proposed project includes the project description and the classes of exemption. The CEQA determination, however, incorrectly states that the Approval Action for the project is a building permit, when the approval action was the Conditional Use hearing before the Planning Commission. Notwithstanding this oversight, the determination complies with Chapter 31 posting requirements in that the correct Approval Action was included in the October 12, 2017 Planning Commission agenda item for the Conditional Use authorization (Attachment B), which stated “This action constitutes the Approval Action for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).” This notice was posted on the Planning website on October 6, 2017, six days prior to the public hearing. Furthermore, the appellant was clearly aware of the Approval Action and timeline for CEQA appeal, as the appellant Mr. Bernstein spoke at the October 12th hearing, and the appeal was filed in a timely manner. The notice provided pursuant to Chapter 31 satisfied the requirements of CEQA and Chapter 31 by providing decision makers and the public with both meaningful information regarding the environmental consequences of the proposed project, and accurate information concerning the date, time, and place of the public hearing on the project.

Concern 2: The appellant contends that the project description has changed since the time the categorical exemption determination was issued in July 2016 and the project cannot be approved in reliance on the exemption determination.

Response 2: The CEQA determination provides sufficient detail to support the project’s categorical exemption regardless of minor changes in the project.

The plans submitted to the Planning Department for environmental review were dated January 7, 2016, while the plans presented to the Planning Commission were dated June 16, 2017. The primary changes from the earlier set of plans were the removal of a stair penthouse, the addition of side setbacks with no decks, and a deeper setback in the front. The Planning Commission further reduced the scope of the project by eliminating the roof deck above the fourth floor and related stair penthouses and increasing the front setback from 12 feet to 15 feet. The modifications between the project analyzed in the CEQA document and the project approved by the Planning Commission were aimed at meeting Residential Design Guidelines and minimizing light and privacy impacts to adjoining buildings, including the appellants’ home.

The project description in the CEQA determination states, “Demolish existing two-story single-family home and construct a four-story building containing three residences and three parking spaces.” The only environmental topic that required discussion in the CEQA determination was the demolition of the existing building, which was determined not to be a historic resource. The project description provides sufficient detail to support the applicability of the Class 1 and 3 exemption. The minor changes to the project between environmental review and project approval do not change the project characteristics that qualify the project for Class 1 and Class 3 exemption, but simply reduce the size of the project. As a result, the project modifications do not trigger the need for additional environmental review, and the project as approved can rely on the CEQA determination.

Concern 3: The appellant contends the determination that the Class 1 and Class 3 categorical exemption apply to the project is not supported by substantial evidence.

Response 3: There are no unusual circumstances that would disqualify the project from being eligible for categorical exemption under Class 1 and Class 3.

The appellant states:

The cursory process utilized by the City in issuing the categorical exemption determination was contrary to the stated purposes of CEQA and the City's implementing regulations, which are to bring environmental considerations to bear at an early stage of the planning process, and prevent significant avoidable impacts by requiring changes in projects through the use of alternatives or mitigation measures when the government agency finds the changes to be feasible. This process was undertaken without providing decision makers and the public with meaningful information regarding the impacts of the proposed Project, including aesthetic impacts, land use and planning impacts, and parking and traffic impacts, as required by CEQA.

The appellant is correct in stating the basic purposes of CEQA and the City's implementing regulations. While the overriding purpose of CEQA is to ensure that agencies regulating activities that may affect the quality of the environment give primary consideration to preventing environmental damage, the legislature has recognized that most projects will not have significant adverse effects on the environment and should not be burdened with the expensive and time consuming requirements of environmental review. (CEQA, Section 21084.) Accordingly, the CEQA Guidelines identify "classes of projects [that] do not have a significant effect on the environment" and are therefore categorically exempt from CEQA. (*Ibid.*; Guidelines, Section 15300.) There are 32 such classes of projects which "may be implemented without any CEQA compliance whatsoever." (Guidelines, Sections 15301–15333.) As discussed above, the project clearly falls into the Class 1 and 3 categories of exemption under CEQA.

In CEQA, a two-part test is established to determine whether there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances:

1. The lead agency needs to determine whether unusual circumstances are present. If a lead agency determines that a project does not present unusual circumstances, that determination will be upheld if it is supported by substantial evidence. CEQA Guidelines define substantial evidence as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also reached."
2. If the lead agency determines that a project does present unusual circumstances, then the lead agency must determine whether a fair argument has been made supported by substantial evidence in the record that the project may result in significant effects. CEQA Guidelines states that whether "a fair argument can be made that the project may have a

significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.”

The Planning Department found no unusual circumstances that would disqualify the project from being eligible for categorical exemption under Class 1 and Class 3. The Appellant has not provided any substantial evidence that the project would result in a significant impact on the environment necessitating evaluation of aesthetic impacts, land use and planning impacts, and parking and traffic impacts in an initial study.

CONCLUSION

No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant further environmental review. The Planning Department has found that the proposed project is consistent with the cited exemptions. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Planning Department. Furthermore, the Planning Department has complied with CEQA and the City's implementing regulations.

For the reasons stated above and in the June 29, 2016, CEQA categorical exemption determination, the CEQA determination complies with the requirements of CEQA, and the project is exempt from environmental review pursuant to the cited exemptions. The Planning Department therefore recommends that the Board uphold the CEQA categorical exemption determination and deny the appeal of the CEQA determination.

Attachment A
CEQA categorical exemption determination



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
218 27th Avenue		1386/038	
Case No.	Permit No.	Plans Dated	
2016-003258ENV		01/07/2016	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Demolish existing two-story single-family home and construct a four-story building containing three residences and three parking spaces.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class _____

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
<u>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Jean Poling	

Digitally signed by Jean Poling
DN: cn=Jean Poling, o=City of San Francisco, ou=Environmental Planning, email=jean.poling@sfplanning.org
Date: 2016.02.16 15:02:23 -0700

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input checked="" type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p><input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ (attach HRER)</p> <p>b. Other (specify): Per PTR form signed on June 21, 2016</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature: Stephanie Cisneros</p> <p style="font-size: small; text-align: right;">Digitally signed by Stephanie Cisneros DN: cn=Stephanie Cisneros, email=Stephanie.Cisneros@sfgov.org, ou=CityPlanning, ou=Current Planning, ou=Stephanie Cisneros, serial=Stephanie Cisneros@Stephanie Cisneros Date: 2016.06.29 14:23:02 -0700</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Stephanie A. Cisneros</p> <hr/> <p>Project Approval Action:</p> <p>Building Permit</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <p>Stephanie Cisneros</p> <p>Digitally signed by Stephanie Cisneros DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Stephanie Cisneros, email=Stephanie.Cisneros@sfgov.org Date: 2016.06.29 14:23:13 -07'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. ATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Preservation Team Meeting Date:		Date of Form Completion	6/14/2016
--	--	--------------------------------	-----------

PROJECT INFORMATION:		
Planner:	Address:	
Stephanie Cisneros	218 27th Avenue	
Block/Lot:	Cross Streets:	
1386/038	Lake Street & California Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2016-003258ENV

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input checked="" type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	01/07/2016
------------------------------------	------------

PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Historic Resource Evaluation prepared by Richard Brandi (dated April 29, 2016).	
Proposed Project: Demolish existing two-story single-family home and construct a four-story building containing three residences and three parking spaces.	

PRESERVATION TEAM REVIEW:				
Historic Resource Present		<input type="radio"/> Yes	<input checked="" type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input type="radio"/> No	
Criterion 2 - Persons:	<input type="radio"/> Yes <input type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes <input type="radio"/> No	
Criterion 3 - Architecture:	<input type="radio"/> Yes <input type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input type="radio"/> No	
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input type="radio"/> No	
Period of Significance:	<input type="text"/>	Period of Significance:	<input type="text"/>	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

PRESERVATION TEAM COMMENTS:

According to the Historic Resource Evaluation prepared by Richard Brandi and information found in the Planning Department files, the subject property at 218 27th Avenue contains a one-story-over-garage, wood-frame, single-family residence constructed in the early 1900s. No original building permit was found to determine exact date of construction, architect, or builder. A water tap record application was filed in 1904 for a one-story, 800 square-foot building, which was shown in the 1905 Sanborn map as located at the rear of the lot at full width but just short of the property line. The 1913 Sanborn map shows a one-story house with a flat facade and full width porch in the location of the current building and also shows a small building at the rear of the lot (different from the structure identified in the 1905 map). The 1950 Sanborn map shows a one-story-over-garage house with an angled bay and a full-width rectangular addition at the rear of the building and no longer shows the small building at the rear. For purposes of this review, the construction date for the current residence is narrowed to sometime between 1905 and 1913.

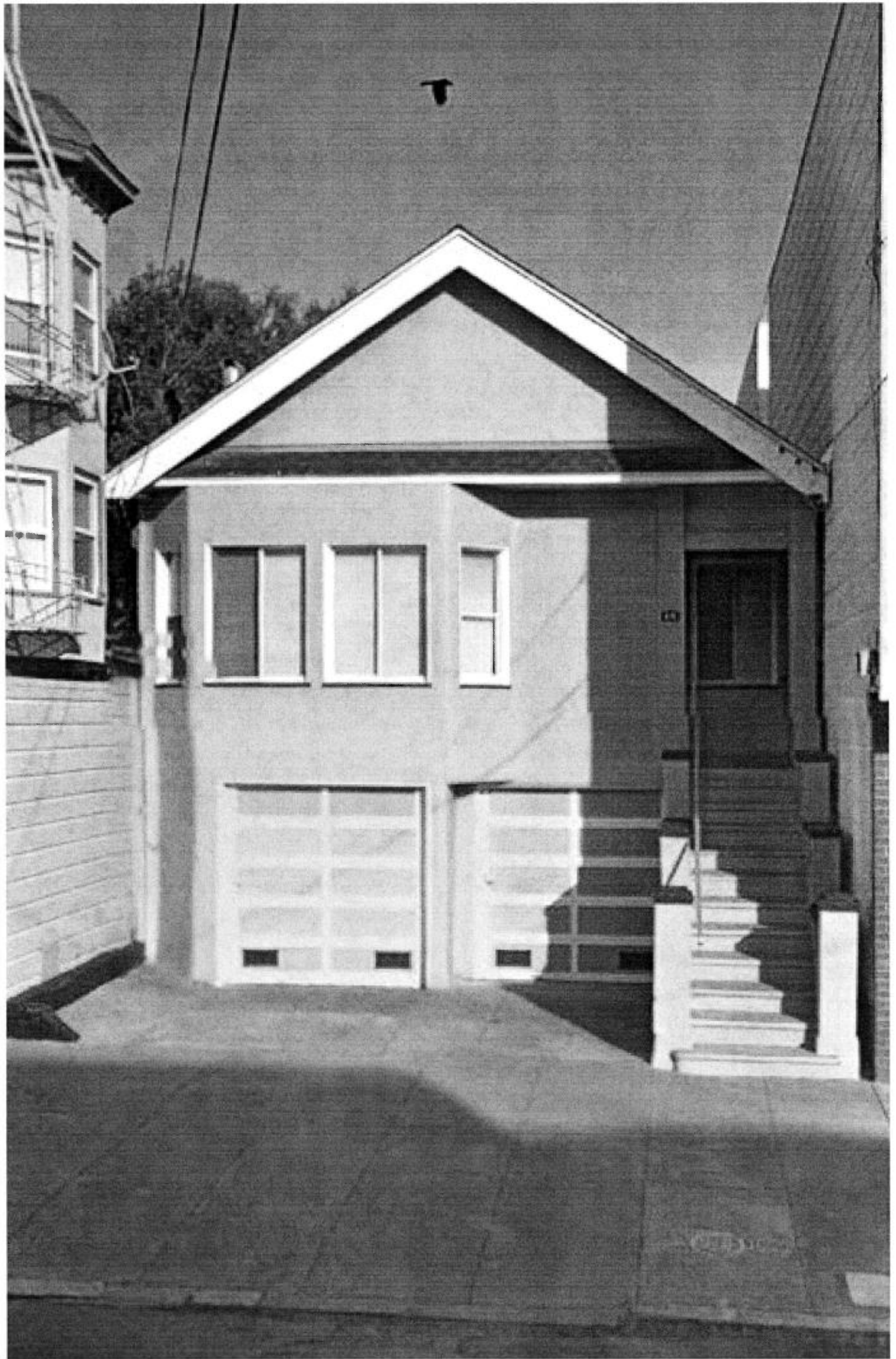
The original owner of the building was Francis W. Smiley, a laundry worker, and his wife Mary. The Smiley family owned and occupied the building from the time of its construction until 1938. The building has been owner-occupied for a majority of its existence. Known alterations to the property include: changing the front of the "old" building from a hipped to gabled roof, adding a portion of the old front porch to the living room, and changing the stairs from the center to the right side (1915); and re-roofing (2008). In comparing the current building to historic photos, it appears that other changes that have also occurred include: removing original siding and stuccoing the exterior; replacing windows; and replacing the garage doors.

No known historic events occurred at the subject property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject property is a nondescript example of a vernacular cottage that has been stripped of any character-defining features. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Outer Richmond neighborhood on a block that exhibits a variety of vernacular architectural styles and construction dates ranging from early 1900s to 2000. Together, the block does not comprise a significant concentration of historically or aesthetically unified buildings.

Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	6-21-2016



Attachment B
October 12, 2017 Planning Commission Agenda (excerpt)

Planning Department

Planning Commission - October 12, 2017 - Agenda

Meeting Date:

Location:

United States

SAN FRANCISCO PLANNING COMMISSION

Notice of Hearing & Agenda

Commission Chambers Room 400,
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, October 12, 2017
1:00 p.m.
Regular Hearing

Commissioners
Rich Hillis, President

8. [2016-003258CUA](#) (L. AJELLO: (415) 575-9142)
218 27TH AVENUE - east side of 27th Avenue, between California and Lake Streets, Lot 038 in Assessor's Block 1386 (District 2) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish a two-story, single-family dwelling and construct a new four-story, 3-unit residential building within a RM-1 (Residential, Mixed, Low Density) Zoning District and 40-X Height and Bulk District. **This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).**

Preliminary Recommendation: Approve with Conditions

9. [2017-001283CUA](#) (M. CHRISTENSEN: (415) 575-8742)
792 CAPP STREET - west side of Capp Street, between 22nd and 23rd Streets; lot 019B of Assessor's Block 3637 (District 9) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.4, 303, and 317, proposing to demolish the existing two-story single-family home and construct a new four-story (40 foot tall) residential structure containing four dwelling units within the Residential Transit Oriented - Mission (RTO-M) Zoning District, Calle 24 Special Use District, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

10. [2017-008533CUA](#) (E. JACKSON: (415) 558-6363)
1354 CASTRO STREET - west side of Castro Street, corner of Jersey Street, Lot 007 in Assessor's Block 6506 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 728 to establish a formula retail financial services use (d.b.a. First Republic Bank) in an existing approximately 850 square foot tenant space within the 24th Mission Street - Noe Valley NCD (Neighborhood Commercial District) and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

11a. [2017-004562CUA](#) (N. TRAN: (415) 575-9174)
799 CASTRO STREET & 3878-3880 21ST STREET - northeast corner of Castro and 21st Streets; lot 024 of Assessor's Block 3603, located within a RH-2 (Residential-House, Two Family) and 40-X Height and Bulk District (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing mixed-use structure (commercial office/single-family) and construct a three-story over basement single-family residence. The subject property contains three dwelling units, two units in a building at the rear of the property, and one unit with office in a building at the front. Under a separate building permit, 2017.04.04.3134, one new accessory dwelling unit is proposed in the rear building (3878-3880 21st St). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco