

1 [Affirming the Categorical Exemption Determination - 590 Leland Avenue]

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3 **Motion affirming the determination by the Planning Department that a proposed project**
4 **at 590 Leland Avenue is categorically exempt from further environmental review.**

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6 WHEREAS, On February 12, 2015, the Planning Department issued a CEQA
7 Categorical Exemption Determination for the proposed project at 590 Leland Avenue
8 (“Project”) under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines,
9 and San Francisco Administrative Code, Chapter 31; and

10 WHEREAS, The proposed Project involves the demolition of an existing church
11 building, subdivision of the existing lot into five lots, and construction of five single family
12 homes, one on each lot, addressed as 579, 583 and 589 Raymond Avenue and 586 and 590
13 Leland Avenue; and

14 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
15 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
16 issued a categorical exemption for the project on February 12, 2015, finding that the proposed
17 project is exempt from the California Environmental Quality Act (CEQA) as a Class 32
18 categorical exemption, which applies to in-fill projects meeting specified conditions; and

19 WHEREAS, On January 18, 2018, the Planning Commission took discretionary review
20 and approved the Project with conditions; and

21 WHEREAS, On February 20, 2018, Fran Martin, on behalf of Visitacion Valley Planning
22 Alliance (“Appellant”), filed an appeal of the categorical exemption; and

23 WHEREAS, By memorandum to the Clerk of the Board dated February 26, 2018, the
24 Planning Department’s Environmental Review Officer determined that the appeal was timely
25 filed; and

1 WHEREAS, On April 17, 2018, 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. 180179, 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

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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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