

1 [Conditionally Reversing the Categorical Exemption Determination - 178 Seacliff Avenue]

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3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **project proposed for 178 Seacliff Avenue is categorically exempt from further**  
5 **environmental review, subject to the adoption of written findings of the Board in**  
6 **support of this determination.**

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8 WHEREAS, On November 19, 2019, the Planning Department issued a CEQA  
9 Categorical Exemption Determination for the proposed project located at 178 Seacliff Avenue  
10 ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines,  
11 and San Francisco Administrative Code, Chapter 31; and

12 WHEREAS, The project site is located at 178 Seacliff Avenue between 26th Avenue, to  
13 the east, and 27th Avenue to the west, in the Richmond neighborhood, District 1; the project  
14 site is zoned as RH-1(D) Residential House, One-Family Detached and is in a 40-X Height  
15 and Bulk District; the project site (Assessor's Parcel Block No. 1306 and Lot No. 017) is a 42'-  
16 6" wide by approximately 172'-4" deep 7,226 square-foot (sf) down sloping lot with an existing  
17 3-story, 3,585 sf single-family house built in 1914; and

18 WHEREAS, The proposed Project includes the demolition of the existing three-story  
19 single-family residence with a detached garage; the proposed Project would result in the  
20 construction of a new three-story, 8,011-square-foot, 30-foot-tall, single-family residence over  
21 basement with three off-street parking spaces; the Project includes excavation of 1,600  
22 square feet of site area up to a depth of 15.5 feet, 950 cubic yards; and

23 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
24 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
25 issued a categorical exemption for the Project on November 19, 2019, finding that the

1 proposed Project is exempt from the California Environmental Quality Act (CEQA) as a Class  
2 3 categorical exemption; and

3 WHEREAS, On January 28, 2020, Mountain Lake Properties filed application 2017-  
4 013959DRP with the Planning Department for Discretionary Review and

5 WHEREAS, On June 11, 2020, the Planning Commission conducted a duly noticed  
6 public hearing and, at the conclusion of the hearing, passed a resolution to not take  
7 discretionary review, and to approve Project as proposed; and

8 WHEREAS, On June 25, 2020, Alicia Guerra, on behalf of Mountain Lake Properties,  
9 LLC (“Appellant”), filed an appeal of the November 19, 2019, categorical exemption  
10 determination; and

11 WHEREAS, By memorandum to the Clerk of the Board dated August 3, 2020, the  
12 Planning Department’s Environmental Review Officer determined that the appeal was timely  
13 filed; and

14 WHEREAS, On September 15, 2020, this Board held a duly noticed public hearing to  
15 consider the appeal of the exemption determination filed by Appellant; and

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

21 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
22 conditionally reversed the exemption determination subject to the adoption of written findings  
23 of the Board in support of such determination based on the written record before the Board of  
24 Supervisors as well as all of the testimony at the public hearing in support of and opposed to  
25 the appeal; and

1           WHEREAS, The written record and oral testimony in support of and opposed to the  
2 appeal and deliberation of the oral and written testimony at the public hearing before the  
3 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
4 the exemption determination is in the Clerk of the Board of Supervisors File No. 200887, and  
5 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

6           MOVED, That this Board of Supervisors conditionally reverses the determination by the  
7 Planning Department that the Project is exempt from environmental review, subject to the  
8 adoption of written findings of the Board in support of this determination.

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