

1 [Conditionally Reversing the Categorical Exemption Determination - 590 Leland Avenue]

2

3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **proposed project at 590 Leland 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.**

7

8 WHEREAS, On February 12, 2015, the Planning Department issued a CEQA  
9 Categorical Exemption Determination for the proposed project at 590 Leland 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 proposed Project involves the demolition of an existing church  
13 building, subdivision of the existing lot into five lots, and construction of five single family  
14 homes, one on each lot, addressed as 579, 583 and 589 Raymond Avenue and 586 and 590  
15 Leland Avenue; and

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

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

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

25

1           WHEREAS, By memorandum to the Clerk of the Board dated February 26, 2018, the  
2 Planning Department's Environmental Review Officer determined that the appeal was timely  
3 filed; and

4           WHEREAS, On April 17, 2018, this Board held a duly noticed public hearing to  
5 consider the appeal of the exemption determination filed by Appellant; and

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

11           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
12 conditionally reversed the exemption determination for the Project subject to the adoption of  
13 written findings of the Board in support of such determination based on the written record  
14 before the Board of Supervisors as well as all of the testimony at the public hearing in support  
15 of and opposed to the appeal; and

16           WHEREAS, The written record and oral testimony in support of and opposed to the  
17 appeal and deliberation of the oral and written testimony at the public hearing before the  
18 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
19 the exemption determination is in the Clerk of the Board of Supervisors File No. 180179, and  
20 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

24  
25 n:\land\as2017\0400241\01264050.docx