

1 [Affirming the Categorical Exemption Determination - 3637-3657 Sacramento Street]

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3 **Motion affirming the determination by the Planning Department that the proposed**
4 **project at 3637-3657 Sacramento Street is categorically exempt from further**
5 **environmental review.**

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7 WHEREAS, On September 20, 2018, the Planning Department issued a CEQA
8 Categorical Exemption Determination for the proposed project ("Project") under the California
9 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative
10 Code, Chapter 31; and

11 WHEREAS, The proposed Project involves demolition of three existing buildings and
12 construction of a 40-foot-tall, four-story mixed-use building containing approximately 6,500
13 square feet of retail use on the first floor, 10,000 square feet of medical office use on the
14 second floor, and 18 dwelling units (17,100 square feet) on the third and fourth floors; the
15 Project proposes 64 parking spaces on two below-grade levels consisting of 45 short-term
16 public parking spaces on the first and second levels (13 retail spaces and 32 medical spaces),
17 18 residential parking spaces on the third level, and one car share parking space; 21 class 1
18 bicycle parking spaces and family amenity lockers in the garage, and 14 class 2 bicycle
19 parking spaces on Sacramento Street; and the residential lobby and commercial entrances
20 would be accessible via Sacramento Street; and

21 WHEREAS, The Project would remove three existing curb cuts along Sacramento
22 Street and the parking garage would be accessed from a new approximately 21-foot-wide
23 curb cut on Sacramento Street; the three existing trees on the project site would be removed
24 and four new trees would be planted; the project proposes approximately 2,800 square feet of
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1 open space, including 2,390 square feet of common open space at the ground floor and 400
2 square feet of private open space; the Project would require 15,300 cubic yards of soil
3 removal with approximately 35 feet excavation; and Construction is anticipated to last 18-20
4 months; and

5 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
6 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
7 issued a categorical exemption for the Project on September 20, 2018, finding that the Project
8 is exempt from the California Environmental Quality Act (CEQA) as a Class 32 categorical
9 exemption, which allows for in-fill development projects that meet specified conditions; and

10 WHEREAS, On November 8, 2018, the Planning Commission granted conditional use
11 authorization for the Project; and

12 WHEREAS, On December 7, 2018, Brandon Ponce, Jennifer Kopczynski, Alexander
13 W. Thompson, Marcia E. Herman, Susan Foslien, Jack Kaus, Patrick Richards, John M.
14 Burns, and Douglas Engmann, on behalf of the California-Locust Neighbors' Association
15 ("Appellants") filed an appeal with the Board of Supervisors of the categorical exemption; and

16 WHEREAS, By memorandum to the Clerk of the Board dated December 12, 2018, the
17 Planning Department's Environmental Review Officer determined that the appeal was timely
18 filed; and

19 WHEREAS, On January 29, 2019, this Board held a duly noticed public hearing to
20 consider the appeal of the exemption determination filed by Appellants; and

21 WHEREAS, In reviewing the appeal of the exemption determination, this Board
22 reviewed and considered the exemption determination, the appeal letter, the responses to the
23 appeal documents that the Planning Department prepared, the other written records before
24 the Board of Supervisors and all of the public testimony made in support of and opposed to
25 the exemption determination appeal; and

1 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
2 affirmed the exemption determination for the Project based on the written record before the
3 Board of Supervisors as well as all of the testimony at the public hearing in support of and
4 opposed to the appeal; and

5 WHEREAS, The written record and oral testimony in support of and opposed to the
6 appeal and deliberation of the oral and written testimony at the public hearing before the
7 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
8 the exemption determination is in the Clerk of the Board of Supervisors File No.181233, and is
9 incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

12 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
13 record before it there are no substantial project changes, no substantial changes in project
14 circumstances, and no new information of substantial importance that would change the
15 conclusions set forth in the exemption determination by the Planning Department that the
16 Project is exempt from environmental review; and, be it

17 FURTHER MOVED, That after carefully considering the appeal of the exemption
18 determination, including the written information submitted to the Board of Supervisors and the
19 public testimony presented to the Board of Supervisors at the hearing on the exemption
20 determination, this Board concludes that the Project qualifies for an exemption determination
21 under CEQA.

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