

File No. 200890

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 22, 2020

Cmte Board

- Motion
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- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER

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Prepared by: Jocelyn Wong

Date: September 11, 2020

Prepared by: Lisa Lew

Date: September 18, 2020

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 178 Seacliff
2 Avenue]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**
4 **by the Planning Department that the proposed project at 178 Seacliff Avenue is**
5 **categorically exempt from further environmental review.**

6
7 WHEREAS, On November 19, 2019, the Planning Department issued a CEQA
8 Categorical Exemption Determination for the proposed project located at 178 Seacliff Avenue
9 (“Project”) under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines,
10 and San Francisco Administrative Code, Chapter 31; and

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

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

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

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 the Board of Supervisors directs the Clerk of the Board to prepare the
7 findings specifying the basis for its decision on the appeal of the exemption determination
8 issued by the Planning Department for the Project.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date _____

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Subject:

The text is listed below or attached:

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only: