

File No. 170315

Committee Item No. \_\_\_\_\_

Board Item No. 15.

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: April 25, 2017

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                          |       |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Brent Jalipa  
Prepared by: \_\_\_\_\_

Date: April 20, 2017  
Date: \_\_\_\_\_

1 [Conditionally Reversing the Categorical Exemption Determination – Proposed Project at 953  
2 Treat Avenue]

3 **Motion conditionally reversing the determination by the Planning Department that a**  
4 **proposed project at 953 Treat 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 March 28, 2016, the Planning Department determined that the  
9 proposed project located at 953 Treat Avenue ("Project") is exempt from environmental review  
10 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
11 Francisco Administrative Code, Chapter 31; and

12 WHEREAS, The proposed Project involves demolition of an existing one-story, single-  
13 family dwelling, and construction of two new four-story 40-foot tall residential buildings  
14 containing three residential units each and two parking spaces; and

15 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on March  
16 20, 2016, Katherine Petrin, (Appellant), appealed the exemption determination; and

17 WHEREAS, Appellant provided a copy of the Planning Department's Categorical  
18 Exemption Determination, signed August 25, 2016, which found that the proposed Project  
19 was exempt under Classes 1 and 3 of the CEQA Guidelines (14 Cal. Code Reg. Sections  
20 15301 and 15303) for demolition of a single family home and replacement with six dwelling  
21 units; and

22 WHEREAS, The Planning Commission, by Motion No 19857, approved a Conditional  
23 Use Authorization for the proposed Project on February 16, 2017; and

1           WHEREAS, The Planning Department's Environmental Review Officer, by  
2 memorandum to the Clerk of the Board dated March 24, 2017, determined that the appeal  
3 was timely; and

4           WHEREAS, On April 25, 2017, this Board held a duly noticed public hearing to  
5 consider the appeal of the exemption determination filed by Appellant and, following the public  
6 hearing, conditionally reversed the exemption determination subject to the adoption of written  
7 findings in support of such determination; and

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

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

18           WHEREAS, The written record and oral testimony in support of and opposed to the  
19 appeal and deliberation of the oral and written testimony at the public hearing before the  
20 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
21 the exemption determination is in the Clerk of the Board of Supervisors File No. 170313, and  
22 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

# 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):**

Clerk of the Board

**Subject:**

Conditionally Reversing the Categorical Exemption Determination - Proposed Project at 953 Treat Avenue

**The text is listed below or attached:**

Motion conditionally reversing the determination by the Planning Department that a proposed project at 953 Treat Avenue is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: Alisa Gomez

For Clerk's Use Only:

170315