

1 [Affirming the Categorical Exemption Determination - 218-27th Avenue]

2 **Motion affirming the determination by the Planning Department that a proposed project**
3 **at 218-27th Avenue is categorically exempt from further environmental review.**
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5 WHEREAS, On June 29, 2016, the Planning Department determined that the proposed
6 project at 218-27th Avenue ("Project") is exempt from environmental review under the
7 California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco
8 Administrative Code, Chapter 31; and
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10 WHEREAS, The proposed Project involves demolition of the existing building on site
11 and construction of a four-story 6,195-square-foot building containing three residential units
12 and three vehicle parking spaces, including approximately 150 cubic yards of excavation to a
13 depth of 3 feet; and

14 WHEREAS, On June 29, 2016, pursuant to Title 14 of the CEQA Guidelines (California
15 Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15387), the Planning
16 Department determined that the Project is exempt from environmental review under Class 1 of
17 the CEQA Guidelines (14 Cal. Code Reg. Section 15301), which provides an exemption for
18 minor alterations to existing facilities including demolition of up to three single-family
19 residences in urban areas, and Class 3 of the Guidelines (14 Cal. Code Reg. Section 15303),
20 which applies to new construction of small structures, including multi-family residential
21 structures in urban areas designed for not more than six dwelling units; and

22 WHEREAS, On November 13, 2017, an appeal of the categorical exemption was filed
23 by Robia Crisp of Hanson Bridgett LLC on behalf of Alex Bernstein and Sonia Daccarett
24 ("Appellants"); and
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1 WHEREAS, By memorandum to the Clerk of the Board dated November 17, 2017, the
2 Planning Department's Environmental Review Officer determined that the appeal was timely
3 filed; and

4 WHEREAS, On December 12, 2017, this Board held a duly noticed public hearing to
5 consider the appeal of the exemption determination filed by Appellants and, following the
6 public hearing, affirmed the exemption determination; and

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

12 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
13 affirmed the exemption determination for the Project based on the written record before the
14 Board of Supervisors as well as all of the testimony at the public hearing in support of and
15 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.171222, and is
20 incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

23 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
24 record before it there are no substantial project changes, no substantial changes in project
25 circumstances, and no new information of substantial importance that would change the

1 conclusions set forth in the exemption determination by the Planning Department that the
2 proposed Project is exempt from environmental review; and, be it

3 FURTHER MOVED, That after carefully considering the appeal of the exemption
4 determination, including the written information submitted to the Board of Supervisors and the
5 public testimony presented to the Board of Supervisors at the hearing on the exemption
6 determination, this Board concludes that the Project qualifies for an exemption determination
7 under CEQA.

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