

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

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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.**

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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

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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.

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