

1 [Conditionally Reversing the Categorical Exemption Determination - 2417 Green Street]

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Motion conditionally reversing the determination by the Planning Department that the proposed project at 2417 Green Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination.

WHEREAS, On May 16, 2017, the Planning Department determined that the proposed project at 2417 Green Street (“Project”) is exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The proposed Project involves alterations to an existing single-family residence, including a three-story addition, excavation for the addition of vehicle parking spaces, and foundation replacement; and

WHEREAS, On May 16, 2017, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15387), the Planning Department determined that the Project is exempt from environmental review under Class 1 of the CEQA Guidelines (14 Cal. Code Reg. Section 15301), which provides an exemption for minor alterations to existing facilities including demolition of up to three single-family residences in urban areas; and

WHEREAS, On November 22, 2017, an appeal of the categorical exemption was filed by Richard Drury and Rebecca Davis of Lozeau Drury LLP on behalf of Philip Kaufman (“Appellant”); and

1 WHEREAS, By memorandum to the Clerk of the Board dated November 30, 2017, the
2 Planning Department's Environmental Review Officer determined that the appeal was timely
3 filed; and

4 WHEREAS, On January 9, 2018, 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, 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 conditionally reversed the exemption determination for the Project subject to the adoption of
14 written findings of the Board in support of such determination based on the written record
15 before the Board of Supervisors as well as all of the testimony at the public hearing in support
16 of and opposed to the appeal; and

17 WHEREAS, The written record and oral testimony in support of and opposed to the
18 appeal and deliberation of the oral and written testimony at the public hearing before the
19 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
20 the exemption determination is in the Clerk of the Board of Supervisors File No. 171267, and
21 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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