

1 [Affirming the Categorical Exemption Determination - 743 Vermont Street]

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3 **Motion affirming the determination by the Planning Department that the proposed**
4 **project at 743 Vermont Street is categorically exempt from further environmental**
5 **review.**

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7 WHEREAS, On September 5, 2019, the Planning Department issued a CEQA
8 Categorical Exemption Determination for the proposed project located at 743 Vermont Street
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 on the east side of Vermont Street between
12 19th and 20th streets, Block 4074, Lot 021 in the Potrero Hill neighborhood; the 2,500 square
13 foot, upward sloping lot is within the RH-2 (Residential, House-Two Family) zoning district and
14 40-X Height and Bulk District; the site is occupied by a 3-story, approximately 2,366 square
15 foot single-family house, built in 1904; and

16 WHEREAS, The proposed Project includes demolition of the rear portion of the
17 dwelling beginning approximately 25 feet from the front of the building; demolition of the
18 existing gable roof beginning approximately 16 feet from the front of the building; and
19 construction of a new addition to extend the rear footprint 4'-11" to the east and within 1'-0" to
20 the north; the proposed addition would be the same for both the second and third floors; the
21 proposed project includes a remodeled kitchen and bedroom on the second floor, and a new
22 master bedroom and remodeled bath on the third floor; there would be a new deck off the
23 master bedroom to the north; the existing interior winder stairway would be removed and
24 replaced with a new stairway with landing; the extent of the addition/remodel would have a flat
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1 roof approximately 6 inches above the existing ridgeline; in addition, the project would include
2 the legalization of an existing bathroom and 3 storage rooms at the ground floor level (garage)
3 to comply with Notice of Violation #201928061; and

4 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
5 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
6 issued a categorical exemption for the Project on September 5, 2019, finding that the
7 proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class
8 1 categorical exemption; and

9 WHEREAS, On January 9, 2020, the Planning Commission passed a resolution to not
10 take discretionary review, and to approve the building permit (#2017.1027.2504) as proposed,
11 per the July 10, 2019 plan set, and as described in the September 5, 2019, categorical
12 exemption and approve the Project; and

13 WHEREAS, On February 7, 2020, Mr. Ryan J. Patterson, Zacks, Freedman &
14 Patterson, on behalf of Meg McKnight (“Appellant”), filed an appeal of the September 5, 2019,
15 categorical exemption determination; and

16 WHEREAS, By memorandum to the Clerk of the Board dated February 13, 2020, the
17 Planning Department’s Environmental Review Officer determined that the appeal was timely
18 filed; and

19 WHEREAS, On July 21, 2020, this Board held a duly noticed public hearing to consider
20 the appeal of the exemption determination filed by Appellant; and

21 WHEREAS, In reviewing the appeal of the exemption determination, this Board
22 reviewed and considered the exemption determination, the appeal letter, the responses to the
23 appeal documents that the Planning Department prepared, the other written records before
24 the Board of Supervisors and all of the public testimony made in support of and opposed to
25 the exemption determination appeal; and

1 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
2 affirmed the exemption determination for the Project based on the written record before the
3 Board of Supervisors as well as all of the testimony at the public hearing in support of and
4 opposed to the appeal; and

5 WHEREAS, The written record and oral testimony in support of and opposed to the
6 appeal and deliberation of the oral and written testimony at the public hearing before the
7 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
8 the exemption determination is in the Clerk of the Board of Supervisors File No. 200160, and
9 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

12 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
13 record before it there are no substantial project changes, no substantial changes in project
14 circumstances, and no new information of substantial importance that would change the
15 conclusions set forth in the exemption determination by the Planning Department that the
16 Project is exempt from environmental review; and, be it

17 FURTHER MOVED, That after carefully considering the appeal of the exemption
18 determination, including the written information submitted to the Board of Supervisors and the
19 public testimony presented to the Board of Supervisors at the hearing on the exemption
20 determination, this Board concludes that the Project qualifies for an exemption determination
21 under CEQA.

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