

File No. 200828

Committee Item No. _____

Board Item No. 33

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: August 18, 2020

Cmte Board

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- Grant Budget
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OTHER

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Prepared by: Lisa Lew

Date: August 14, 2020

Prepared by: _____

Date: _____

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 617 Sanchez
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**
4 **by the Planning Department that the proposed project at 617 Sanchez Street is**
5 **categorically exempt from further environmental review.**

6
7 WHEREAS, On April 8, 2019, the Planning Department issued a CEQA Categorical
8 Exemption Determination for the proposed project located at 2651-2653 Octavia 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 approximately 2,600-square-foot project site (Assessor’s Block 3600
12 and Lot 055) is located on Sanchez Street between 19th and Cumberland streets in the
13 Castro/Upper Market neighborhood. This block of Sanchez Street is a dead end with no
14 vehicle access to 19th Street; the Sanchez Street stairs provides pedestrian access from this
15 block of Sanchez Street to 19th Street. The surrounding area is characterized by residential
16 properties; and

17 WHEREAS, The subject site is a 105-foot by 25-foot lateral and down sloping lot that
18 contains a two-story, single-family home in the rear portion of the lot and a free-standing, one-
19 story garage structure at the front; and

20 WHEREAS, The Project consists of the demolition of the existing two-story, single-
21 family home and free- standing garage, and the construction of an approximately 4,200-
22 square-foot, single-family home. The proposed four-bedroom home would be approximately
23 27 feet in height at the front of the lot and 41-feet tall from grade to the top of the uppermost
24 roof at the rear of the lot. The Project contains one off-street parking space and one bicycle
25

1 parking space and involves excavation to a depth of 16 feet resulting in approximately 650
2 cubic yards of soil removal; and

3 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
4 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
5 issued a categorical exemption for the Project on September 5, 2019, finding that the Project
6 is exempt from the California Environmental Quality Act (CEQA) as a Class 3 categorical
7 exemption (New Construction or Conversion of Small Structures), and that no further
8 environmental review was required; and

9 WHEREAS, On February 20, 2020, the Planning Commission passed a resolution
10 denying a discretionary review request at a public hearing which constituted the approval
11 action for the Project under CEQA; and

12 WHEREAS, On March 23, 2020, Sue Hestor on behalf of Joreg Rathenerg (hereinafter
13 appellant) filed an appeal of the categorical exemption determination to the Board of
14 Supervisors; and

15 WHEREAS, By memorandum to the Clerk of the Board dated June 29, 2020, the
16 Planning Department's Environmental Review Officer determined that the appeal was timely
17 filed; and

18 WHEREAS, On August 18, 2020, this Board held a duly noticed public hearing to
19 consider the appeal of the exemption determination filed by Appellant; and

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

25

1 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
2 conditionally reversed the exemption determination subject to the adoption of written findings
3 of the Board in support of such determination based on the written record before the Board of
4 Supervisors, as well as all of the testimony at the public hearing in support of and opposed to
5 the appeal; and

6 WHEREAS, The written record and oral testimony in support of and opposed to the
7 appeal and deliberation of the oral and written testimony at the public hearing before the
8 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
9 the exemption determination is in the Clerk of the Board of Supervisors File No. 200825, and
10 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

11 MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the
12 findings specifying the basis for its decision on the appeal of the exemption determination
13 issued by the Planning Department for the Project.

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Introduction Form

By a Member of the Board of Supervisors or 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 inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached 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 the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only