

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

2 **Motion conditionally reversing the determination by the Planning Department that the**
3 **proposed project at 218-27th Avenue is categorically exempt from further**
4 **environmental review, subject to the adoption of written findings of the Board in**
5 **support of this determination.**
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7 WHEREAS, On June 29, 2016, the Planning Department determined that the proposed
8 project at 218-27th Avenue ("Project") is exempt from environmental review under the
9 California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco
10 Administrative Code, Chapter 31; and

11 WHEREAS, The proposed Project involves demolition of the existing building on site
12 and construction of a four-story 6,195-square-foot building containing three residential units
13 and three vehicle parking spaces, including approximately 150 cubic yards of excavation to a
14 depth of 3 feet; and

15 WHEREAS, On June 29, 2016, pursuant to Title 14 of the CEQA Guidelines (California
16 Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15387), the Planning
17 Department determined that the Project is exempt from environmental review under Class 1 of
18 the CEQA Guidelines (14 Cal. Code Reg. Section 15301), which provides an exemption for
19 minor alterations to existing facilities including demolition of up to three single-family
20 residences in urban areas, and Class 3 of the Guidelines (14 Cal. Code Reg. Section 15303),
21 which applies to new construction of small structures, including multi-family residential
22 structures in urban areas designed for not more than six dwelling units; and
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1 WHEREAS, On November 13, 1017, an appeal of the categorical exemption was filed
2 by Robia Crisp of Hanson Bridgett LLC on behalf of Alex Bernstein and Sonia Daccarett
3 (“Appellants”); and

4 WHEREAS, By memorandum to the Clerk of the Board dated November 17, 2017, the
5 Planning Department’s Environmental Review Officer determined that the appeal was timely
6 filed; and

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

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

15 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
16 conditionally reversed the exemption determination for the Project subject to the adoption of
17 written findings of the Board in support of such determination based on the written record
18 before the Board of Supervisors as well as all of the testimony at the public hearing in support
19 of and opposed to the appeal; and

20 WHEREAS, The written record and oral testimony in support of and opposed to the
21 appeal and deliberation of the oral and written testimony at the public hearing before the
22 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
23 the exemption determination is in the Clerk of the Board of Supervisors File No. 171222, and
24 is incorporated in this motion as though set forth in its entirety; now, therefore, be it
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1 MOVED, That this Board of Supervisors conditionally reverses the determination by the
2 Planning Department that the Project is exempt from environmental review, subject to the
3 adoption of written findings of the Board in support of this determination.

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