

1 [Affirming the Categorical Exemption Determination - Proposed Project at 953 Treat Avenue]

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3 **Motion affirming the determination by the Planning Department that a proposed project**
4 **at 953 Treat Avenue is categorically exempt from further environmental review.**

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6 WHEREAS, On March 28, 2016, the Planning Department determined that the
7 proposed project located at 953 Treat Avenue ("Project") is exempt from environmental review
8 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San
9 Francisco Administrative Code, Chapter 31; and

10 WHEREAS, The proposed Project involves demolition of an existing one-story, single-
11 family dwelling, and construction of two new four-story 40-foot tall residential buildings
12 containing three residential units each and two parking spaces; and

13 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on March
14 20, 2016, Katherine Petrin, (Appellant), appealed the exemption determination; and

15 WHEREAS, Appellant provided a copy of the Planning Department's Categorical
16 Exemption Determination, signed August 25, 2016, which found that the proposed Project
17 was exempt under Classes 1 and 3 of the CEQA Guidelines (14 Cal. Code Reg. Sections
18 15301 and 15303) for demolition of a single family home and replacement with six dwelling
19 units; and

20 WHEREAS, The Planning Commission, by Motion No 19857, approved a Conditional
21 Use Authorization for the proposed Project on February 16, 2017; and

22 WHEREAS, The Planning Department's Environmental Review Officer, by
23 memorandum to the Clerk of the Board dated March 24, 2017, determined that the appeal
24 was timely; and

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1 WHEREAS, On April 25, 2017, this Board held a duly noticed public hearing to
2 consider the appeal of the exemption determination filed by Appellant and, following the public
3 hearing, affirmed the exemption determination; and

4 WHEREAS, In reviewing the appeal of the exemption determination, this Board
5 reviewed and considered the exemption determination, the appeal letter, the responses to the
6 appeal documents that the Planning Department prepared, the other written records before
7 the Board of Supervisors and all of the public testimony made in support of and opposed to
8 the exemption determination appeal; and

9 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
10 affirmed the exemption determination for the project based on the written record before the
11 Board of Supervisors as well as all of the testimony at the public hearing in support of and
12 opposed to the appeal; and

13 WHEREAS, The written record and oral testimony in support of and opposed to the
14 appeal and deliberation of the oral and written testimony at the public hearing before the
15 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
16 the exemption determination is in the Clerk of the Board of Supervisors File No. 170313, and
17 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

20 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
21 record before it there are no substantial project changes, no substantial changes in project
22 circumstances, and no new information of substantial importance that would change the
23 conclusions set forth in the exemption determination by the Planning Department that the
24 proposed project is exempt from environmental review; and, be it

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1 FURTHER MOVED, That after carefully considering the appeal of the exemption
2 determination, including the written information submitted to the Board of Supervisors and the
3 public testimony presented to the Board of Supervisors at the hearing on the exemption
4 determination, this Board concludes that the project qualifies for an exemption determination
5 under CEQA.

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