

File No. 200826

Committee Item No. \_\_\_\_\_

Board Item No. 37

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: November 17, 2020

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### OTHER

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Prepared by: Lisa Lew

Date: November 13, 2020

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Affirming the Categorical Exemption Determination - 617 Sanchez Street]

2

3 **Motion affirming the determination by the Planning Department that the proposed**  
4 **project at 617 Sanchez Street is categorically exempt from further environmental**  
5 **review.**

6

7 WHEREAS, On April 8, 2019, the Planning Department issued a CEQA Categorical  
8 Exemption Determination for the proposed project located at 617 Sanchez Street ("Project")  
9 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
10 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 27  
23 feet in height at the front of the lot and 41-feet tall from grade to the top of the uppermost roof  
24 at the rear of the lot; the Project contains one off-street parking space and one bicycle parking  
25

1 space and involves excavation to a depth of 16 feet resulting in approximately 650 cubic yards  
2 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 November 17, 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 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. 200825 and is  
9 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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23 n:\land\as2020\1900434\01469390.docx

# 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