

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

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

3 WHEREAS, After the Planning Commission considered the project, the project sponsor
4 submitted revised plans for a project that consists of the demolition of the existing two-story,
5 single-family home and free-standing garage, and the construction of an approximately 4,028-
6 gross square foot structure containing one approximately 2,806-gross square-foot, single-
7 family home and an approximately 1,222-gross square foot Accessory Dwelling Unit; the
8 proposed structure would be approximately 27 feet in height at the front of the lot and 41-feet
9 tall from grade to the top of the uppermost roof at the rear of the lot; the Project contains one
10 off-street parking space and one bicycle parking space and involves excavation to a depth of
11 16 feet resulting in approximately 650 cubic yards of soil removal; and

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

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

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

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

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

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

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

15 WHEREAS, The written record and oral testimony in support of and opposed to the
16 appeal and deliberation of the oral and written testimony at the public hearing before the
17 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
18 the exemption determination is in the Clerk of the Board of Supervisors File No. 200826, and
19 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

22 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
23 record before it there are no substantial Project changes, no substantial changes in Project
24 circumstances, and no new information of substantial importance that would change the
25

1 conclusions set forth in the exemption determination by the Planning Department that the
2 Project is exempt from environmental review; and, be it

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

8

9 n:\land\as2020\1900434\01496502.docx

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25