

1 [Adopting findings related to affirming the categorical exemption for 755-22nd Avenue.]

2 **Motion adopting findings affirming the determination by the Planning Department that**
3 **the 1070 Sanchez Street project is categorically exempt from environmental review**
4 **under the California Environmental Quality Act.**
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6 The Planning Department determined that a proposal to demolish a single-family two-
7 story residential structure and construct a 2-unit four-story residential building at 1070
8 Sanchez Street ("Project") was categorically exempt from the California Environmental Quality
9 Act ("CEQA") on or around March 28, 2005 ("determination"). By letter to the Clerk of the
10 Board of Supervisors dated September 22, 2005, Tracey Hughes filed an appeal of the
11 determination to the Board of Supervisors, which the Clerk of the Board of Supervisors
12 received on or around September 23, 2005.

13 On October 18, 2005, this Board held a duly noticed public hearing to consider the
14 appeal of the determination and following the public hearing affirmed the determination of the
15 Planning Department that the Project is categorically exempt from CEQA.

16 In reviewing the appeal of the categorical exemption determination, this Board
17 reviewed and considered the written record before the Board and all of the public comments
18 made in support of and opposed to the appeal.

19 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
20 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
21 though fully set forth, the determination made by the Planning Department on March 28, 2005.

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
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1 conclusions set forth in the determination by the Planning Department that the proposed
2 Project is exempt/excluded from environmental review.

3 FURTHER MOVED, That after carefully considering the appeal of the categorical
4 exemption, including the written information submitted to the Board and the public testimony
5 presented to the Board at the hearing on October 28, 2005, this Board concludes that the
6 Project qualifies for a categorical exemption under Classes 1 and 3, as a demolition of a
7 single family residence and construction of a duplex in an urban area, under CEQA
8 Guidelines Section 15301(l) and 15303(b).

9 FURTHER MOVED, that the Board finds that there are no special circumstances
10 present in this case that would require the preparation of a negative declaration or an
11 environmental impact report for the Project under the California Environmental Quality Act and
12 CEQA Guidelines for the following reasons:

13 1. The record does not contain substantial evidence to support the assertion that the
14 structure is in an historic district. Although there is evidence of historic buildings in the area,
15 no evidence exists at this time that demonstrates that these buildings are related in ways that
16 would tie these buildings together into a district, what the boundaries of such a district would
17 be and whether this building is located within the area.

18 2. The record does not contain substantial evidence to support the assertion that the
19 structure is an historic resource. Even if an historic district were identified in the area of the
20 building in the future, the building would not be a contributory resource to the historic district.

21 3. The proposed building is compatible with the prevailing architecture in the area and,
22 therefore, would not detract from any historic resources in the general area.

23 4. The property owners presented adequate assurances that the project will not result
24 in the removal of or endanger the survival of the Norfolk Pine tree on the property.

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1 5. Although the project is designed to preserve and protect the tree, in the event the
2 project caused damage or harm to the Norfolk Pine tree, such damage or harm would not be
3 a significant impact under CEQA as the tree is neither a rare nor endangered species.

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