

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 218-27th  
2 Avenue]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the proposed project at 218-27th Avenue is**  
5 **categorically exempt from further environmental review.**

6  
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

23 WHEREAS, On November 13, 2017, an appeal of the categorical exemption was filed  
24 by Robia Crisp of Hanson Bridgett LLC on behalf of Alex Bernstein and Sonia Daccarett  
25 ("Appellants"); and

1           WHEREAS, By memorandum to the Clerk of the Board dated November 17, 2017, the  
2 Planning Department's Environmental Review Officer determined that the appeal was timely  
3 filed; and

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

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

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

17           WHEREAS, The written record and oral testimony in support of and opposed to the  
18 appeal and deliberation of the oral and written testimony at the public hearing before the  
19 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
20 the exemption determination is in the Clerk of the Board of Supervisors File No. 171222, and  
21 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

22           MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the  
23 findings specifying the basis for its decision on the appeal of the exemption determination  
24 issued by the Planning Department for the Project.

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