

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 590 Leland
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 590 Leland Avenue is**
5 **categorically exempt from further environmental review.**

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7 WHEREAS, On February 12, 2015, the Planning Department issued a CEQA
8 Categorical Exemption Determination for the proposed project at 590 Leland Avenue
9 (“Project”) under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines,
10 and San Francisco Administrative Code, Chapter 31; and

11 WHEREAS, The proposed Project involves the demolition of an existing church
12 building, subdivision of the existing lot into five lots, and construction of five single family
13 homes, one on each lot, addressed as 579, 583 and 589 Raymond Avenue and 586 and 590
14 Leland Avenue; and

15 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines
16 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),
17 issued a categorical exemption for the project on February 12, 2015, finding that the proposed
18 project is exempt from the California Environmental Quality Act (CEQA) as a Class 32
19 categorical exemption, which applies to in-fill projects meeting specified conditions; and

20 WHEREAS, On January 18, 2018, the Planning Commission took discretionary review
21 and approved the Project with conditions; and

22 WHEREAS, On February 20, 2018, Fran Martin, on behalf of Visitacion Valley Planning
23 Alliance (“Appellant”), filed an appeal of the categorical exemption; and

1 WHEREAS, By memorandum to the Clerk of the Board dated February 26, 2018, the
2 Planning Department's Environmental Review Officer determined that the appeal was timely
3 filed; and

4 WHEREAS, On April 17, 2018, 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 conditionally reversed the exemption determination for the Project subject to the adoption of
13 written findings of the Board in support of such determination based on the written record
14 before the Board of Supervisors as well as all of the testimony at the public hearing in support
15 of and opposed to the appeal; and

16 WHEREAS, The written record and oral testimony in support of and opposed to the
17 appeal and deliberation of the oral and written testimony at the public hearing before the
18 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
19 the exemption determination is in the Clerk of the Board of Supervisors File No. 180179, and
20 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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