

1 [Conditionally Reversing the Categorical Exemption Determination - 3637-3657 Sacramento  
2 Street]

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3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **proposed project at 3637-3657 Sacramento Street is categorically exempt from further**  
5 **environmental review, subject to the adoption of written findings of the Board in**  
6 **support of this determination.**

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8 WHEREAS, On September 20, 2018, the Planning Department issued a CEQA  
9 Categorical Exemption Determination for the proposed project ("Project") under the California  
10 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative  
11 Code, Chapter 31; and

12 WHEREAS, The Project involves demolition of three existing buildings and construction  
13 of a 40-foot-tall, four-story mixed-use building containing approximately 6,500 square feet of  
14 retail use on the first floor, 10,000 square feet of medical office use on the second floor, and  
15 18 dwelling units (17,100 square feet) on the third and fourth floors; the Project proposes 64  
16 parking spaces on two below-grade levels consisting of 45 short-term public parking spaces  
17 on the first and second levels (13 retail spaces and 32 medical spaces), 18 residential parking  
18 spaces on the third level, and one car share parking space; 21 class 1 bicycle parking spaces  
19 and family amenity lockers in the garage, and 14 class 2 bicycle parking spaces on  
20 Sacramento Street; and the residential lobby and commercial entrances would be accessible  
21 via Sacramento Street; and

22 WHEREAS, The Project would remove three existing curb cuts along Sacramento  
23 Street and the parking garage would be accessed from a new approximately 21-foot-wide  
24 curb cut on Sacramento Street; the three existing trees on the project site would be removed  
25 and four new trees would be planted; the project proposes approximately 2,800 square feet of

1 open space, including 2,390 square feet of common open space at the ground floor and 400  
2 square feet of private open space; the Project would require 15,300 cubic yards of soil  
3 removal with approximately 35 feet excavation; and construction is anticipated to last 18-20  
4 months; and

5 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
6 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
7 issued a categorical exemption for the Project on September 20, 2018, finding that the Project  
8 is exempt from the California Environmental Quality Act (CEQA) as a Class 32 categorical  
9 exemption, which allows for in-fill development projects that meet specified conditions; and

10 WHEREAS, On November 8, 2018, the Planning Commission granted conditional use  
11 authorization for the Project; and

12 WHEREAS, On December 7, 2018, Brandon Ponce, Jennifer Kopczynski, Alexander  
13 W. Thompson, Marcia E. Herman, Susan Foslien, Jack Kaus, Patrick Richards, John M.  
14 Burns, and Douglas Engmann, on behalf of the California-Locust Neighbors' Association  
15 (“Appellants”) filed an appeal with the Board of Supervisors of the categorical exemption; and

16 WHEREAS, By memorandum to the Clerk of the Board dated December 12, 2018, the  
17 Planning Department’s Environmental Review Officer determined that the appeal was timely  
18 filed; and

19 WHEREAS, On January 29, 2019, this Board held a duly noticed public hearing to  
20 consider the appeal of the exemption determination filed by Appellants and, following the  
21 public hearing, conditionally reversed the exemption determination subject to the adoption of  
22 written findings in support of such determination; and

23 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
24 reviewed and considered the exemption determination, the appeal letter, the responses to the  
25 appeal documents that the Planning Department prepared, the other written records before

1 the Board of Supervisors and all of the public testimony made in support of and opposed to  
2 the exemption determination appeal; and

3 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
4 conditionally reversed the exemption determination subject to the adoption of written findings  
5 of the Board in support of such determination based on the written record before the Board of  
6 Supervisors as well as all of the testimony at the public hearing in support of and opposed to  
7 the appeal; and

8 WHEREAS, The written record and oral testimony in support of and opposed to the  
9 appeal and deliberation of the oral and written testimony at the public hearing before the  
10 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
11 the exemption determination is in the Clerk of the Board of Supervisors File No. 181233, and  
12 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

13 MOVED, That this Board of Supervisors conditionally reverses the determination by the  
14 Planning Department that the project is exempt from environmental review, subject to the  
15 adoption of written findings of the Board in support of this determination.

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