

File No. 181249

Committee Item No. \_\_\_\_\_

Board Item No. 39

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: February 26, 2019

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                          |       |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: Brent Jalipa

Date: February 21, 2019

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Conditionally Reversing the Categorical Exemption Determination - 2831-2833 Pierce Street]

2  
3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **2831-2833 Pierce Street Project is categorically exempt from further environmental**  
5 **review, subject to the adoption of written findings of the Board in support of this**  
6 **determination.**

7  
8 WHEREAS, On May 10, 2018, the Planning Department issued a CEQA Categorical  
9 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 proposed Project involves interior and exterior alterations to the  
13 existing building on the Project site, including a horizontal and vertical addition; the proposed  
14 addition would add approximately 3,002 square feet to the existing building, increasing the  
15 square footage from 4,393 square feet to 7,395 square feet, adding a fourth floor, resulting in  
16 a building with three stories over a garage, and increasing the height from approximately 31  
17 feet to approximately 40 feet in height; and

18 WHEREAS, The Project would expand the square footage of both of the two existing  
19 dwelling units and include façade alterations to add new windows and new façade materials;  
20 no additional parking is proposed; and

21 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
22 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
23 issued a categorical exemption for the Project on May 10, 2018, finding that the Project is  
24 exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical  
25 exemption (Interior and Exterior Alterations; Additions under 10,000 sq. ft.); and

1           WHEREAS, Between August 3, 2018, and August 22, 2018, four requests for the  
2 Planning Commission to exercise discretionary review on the proposed project's entitlement  
3 (approval of the building permit) were filed by neighbors; and

4           WHEREAS, On December 13, 2018, the four discretionary review requests were heard  
5 at the Planning Commission; information was presented at the hearing that the project  
6 sponsor had reached agreement with three of the four discretionary review requestors  
7 regarding design modifications to the project and, following public testimony, the Planning  
8 Commission voted to grant discretionary review and approved the building permit with  
9 modifications and conditions that were proposed through the private agreements;

10           WHEREAS, In accordance with Chapter 31 of the San Francisco Administrative Code,  
11 approval of the building permit by the Planning Commission on December 13, 2018 was  
12 considered the approval action for the Project; and

13           WHEREAS, On December 26, 2018, Genevieve F. Anderson and Matthew R.  
14 Anderson ("Appellants") filed an appeal with the Board of Supervisors of the categorical  
15 exemption determination; and

16           WHEREAS, By memorandum to the Clerk of the Board dated December 31, 2018, the  
17 Planning Department's Deputy Environmental Review Officer determined that the appeal was  
18 timely filed; and

19           WHEREAS, On February 26, 2019, this Board held a duly noticed public hearing to  
20 consider the appeal of the exemption determination filed by Appellants; and

21           WHEREAS, In reviewing the appeal of the exemption determination, this Board  
22 reviewed and considered the exemption determination, the appeal letter, the responses to the  
23 appeal documents that the Planning Department prepared, the other written records before  
24 the Board of Supervisors and all of the public testimony made in support of and opposed to  
25 the exemption determination appeal; and

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

6           WHEREAS, The written record and oral testimony in support of and opposed to the  
7 appeal and deliberation of the oral and written testimony at the public hearing before the  
8 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
9 the exemption determination is in the Clerk of the Board of Supervisors File No. 181247, and  
10 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Clerk of the Board

Subject:

Conditionally Reversing the Categorical Exemption Determination - 2831-2833 Pierce Street

The text is listed:

Motion conditionally reversing the determination by the Planning Department that the proposed project at 2831-2833 Pierce Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor:

*Olivia Bornea*

For Clerk's Use Only

File No. 181249