

File No. 200286

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

Board Item No. 26

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

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

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

Board of Supervisors Meeting

Date: July 28, 2020

#### 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"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Prepared by: Lisa Lew

Date: July 24, 2020

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

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

1 [Conditionally Reversing the Categorical Exemption Determination - 2651-2653 Octavia  
2 Street]

3 **Motion conditionally reversing the determination by the Planning Department that the**  
4 **project proposed for 2651-2653 Octavia 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.**

7  
8 WHEREAS, On September 5, 2019, the Planning Department issued a CEQA  
9 Categorical Exemption Determination for the proposed project located at 2651-2653 Octavia  
10 Street ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA  
11 Guidelines, and San Francisco Administrative Code, Chapter 31; and

12 WHEREAS, The project site is located on the block bounded by Green Street to the  
13 north, Octavia Street to the east, Vallejo Street to the south, and Laguna Street to the west, in  
14 the Pacific Heights neighborhood; the approximately 3,100-square-foot project site is within  
15 the Residential, House, Two-Family (RH-2) Zoning District and a 40-X Height and Bulk  
16 District; the project site is currently occupied by a two-family residence; and

17 WHEREAS, The Project includes the construction a fourth-floor-level vertical and  
18 horizontal addition to an existing 37-foot-tall (inclusive of a 7-foot-tall mansard roof), three-  
19 story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-  
20 foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-  
21 story, 6,512-gross-square-foot two family residence; the project construction would involve  
22 localized excavation for new foundation and possible excavation to replace existing  
23 foundations in kind, resulting in a total of approximately 15 to 30 cubic yards of soil excavated,  
24 at an average depth of 1.5 feet; and

1 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
2 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
3 issued a categorical exemption for the Project on September 5, 2019, finding that the  
4 proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class  
5 1 categorical exemption (alteration and addition to an existing structure) and that no further  
6 environmental review was required; and

7 WHEREAS, On February 6, 2020, the Planning Commission passed a resolution  
8 denying a discretionary review request at a public hearing (Planning Department Case No.  
9 2018-011022DRP), which constituted the approval action for the project under CEQA; and

10 WHEREAS, On March 6, 2020, Maureen Holt, Elizabeth Reilly, Paul Guermonprez,  
11 and Jack Fowler (collectively, "Appellant") filed an appeal of the September 5, 2019  
12 categorical exemption to the board; and

13 WHEREAS, By memorandum to the Clerk of the Board dated March 12, 2020, the  
14 Planning Department's Environmental Review Officer determined that the appeal was timely  
15 filed; and

16 WHEREAS, On July 28, 2020, this Board held a duly noticed public hearing to consider  
17 the appeal of the exemption determination filed by Appellant; and

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

23 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
24 conditionally reversed the exemption determination subject to the adoption of written findings  
25 of the Board in support of such determination based on the written record before the Board of

Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the exemption determination is in the Clerk of the Board of Supervisors File No. 200284, and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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# 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. Topic 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):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only