

File No. 210236

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

Board Item No. 23

# COMMITTEE/BOARD OF SUPERVISORS

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

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

Board of Supervisors Meeting

Date: April 13, 2021

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### OTHER

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Prepared by: Lisa Lew

Date: April 9, 2021

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

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

1 [Affirming the Exemption Determination - 476 Lombard Street]

2

3 **Motion affirming the determination by the Planning Department that the proposed**  
4 **project at 476 Lombard Street is exempt from further environmental review.**

5

6 WHEREAS, On July 15, 2020, the Planning Department (“Department”) issued a  
7 CEQA Categorical Exemption Determination for the proposed project located at 476 Lombard  
8 Street (“Project”) under the California Environmental Quality Act (Public Resources Code,  
9 Section 2100 et seq., "CEQA"), the CEQA Guidelines (California Code of Regulations, Title  
10 14, Division 6, Chapter 3, Sections 15300-15333), and San Francisco Administrative Code,  
11 Chapter 31; and

12 WHEREAS, The Project site is located on the north side of Lombard Street between  
13 Stockton Street and Grant Avenues, in the North Beach neighborhood, on a 27'-6" wide by  
14 100' deep 2,750 square-foot (sf) up-sloping lot; and

15 WHEREAS, The lot contains an existing three-story, 1,638 sf single-family residence  
16 built in 1926, which the Department determined is an individual historic resource for the  
17 purpose of CEQA review; and

18 WHEREAS, The Project proposes horizontal additions to the existing single-family  
19 dwelling; the second-floor residential addition would increase the building depth toward the  
20 rear of the property and also include rear-facing roof deck; the third-floor addition would  
21 enlarge the existing third floor toward the front of the building with a setback 12'-10" from the  
22 front façade, capture space in front of the addition for roof deck area, and provide a third floor  
23 rear-facing deck; above the third-floor addition would be rooftop deck; the Project would

24

25

1 include the infill of two light wells on the west façade; the Project would also include a new  
2 elevator and two off-street parking; and

3 WHEREAS, As part of its review of the Project, the Department issued a Historic  
4 Resource Evaluation Response, Part II, which concluded that the Project would meet the  
5 Secretary of the Interior’s Standards for Rehabilitation; therefore, the Department determined  
6 that the Project would not result in an impact on historical resources; and

7 WHEREAS, On July 15, 2020, the Department issued a Categorical Exemption for the  
8 Project, finding that the proposed project is exempt from CEQA as a Class 1 Categorical  
9 Exemption (alteration and addition to an existing structure) and that no further environmental  
10 review was required; and

11 WHEREAS, On January 28, 2021, the San Francisco Planning Commission conducted  
12 a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review  
13 Application No. 2018-017283DRP; the Commission did not find exceptional or extraordinary  
14 circumstances surrounding the Project and did not take discretionary review on the Project,  
15 which constituted the approval action for the project under CEQA; and

16 WHEREAS, On February 25, 2021, Susan Brandt-Hawley of Brandt-Hawley Law  
17 Group, on behalf of Barbara and Arrigo Sturla (hereinafter Appellant) filed an appeal of the  
18 categorical exemption determination; and

19 WHEREAS, By memorandum to the Clerk of the Board dated March 3, 2021, the  
20 Planning Department’s Environmental Review Officer determined that the appeal was timely  
21 filed; and

22 WHEREAS, On April 13, 2021, this Board held a duly noticed public hearing to  
23 consider the appeal of the exemption determination filed by Appellant; and

24 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
25 reviewed and considered the exemption determination, the appeal letter, the responses to the

1 appeal documents that the Planning Department prepared, the other written records before  
2 the Board of Supervisors and all of the public testimony made in support of and opposed to  
3 the exemption determination appeal; and

4 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
5 affirmed the exemption determination for the Project based on the written record before the  
6 Board of Supervisors as well as all of the testimony at the public hearing in support of and  
7 opposed to 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. 210235, and  
12 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

13 MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by  
14 reference in this motion, as though fully set forth, the exemption determination; and, be it

15 FURTHER MOVED, That the Board of Supervisors finds that based on the whole  
16 record before it there are no substantial project changes, no substantial changes in project  
17 circumstances, and no new information of substantial importance that would change the  
18 conclusions set forth in the exemption determination by the Planning Department that the  
19 Project is exempt from environmental review; and, be it

20 FURTHER MOVED, That after carefully considering the appeal of the exemption  
21 determination, including the written information submitted to the Board of Supervisors and the  
22 public testimony presented to the Board of Supervisors at the hearing on the exemption  
23 determination, this Board concludes that the Project qualifies for an exemption determination  
24 under CEQA.

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# Introduction Form

By a Member of the Board of Supervisors or the 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  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach 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 a Imperative Form.**

**Sponsor(s):**

**Subject:**

**The text is listed below or attached:**

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only: