Motion adopting findings reversing the determination by the Planning Department that the proposed project at 2417 Green Street is categorically exempt from further environmental review.

WHEREAS, On May 16, 2017, the Planning Department determined that the proposed project at 2417 Green Street ("Project") is exempt from environmental review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The proposed Project involves alterations to an existing four-story-over-basement single-family residence with one vehicle parking space, which alterations would include excavation to add two vehicle parking spaces; a three-story rear addition; facade alterations and foundation replacement; and lowering the existing building; and

WHEREAS, On May 16, 2017, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387), the Planning Department determined that the Project is exempt from environmental review under Class 1 of the CEQA Guidelines (14 Cal. Code Reg. Section 15301), which provides an exemption for minor alterations to existing facilities including demolition of up to three single-family residences in urban areas; and

WHEREAS, On November 22, 2017, an appeal of the categorical exemption was filed by Richard Drury and Rebecca Davis of Lozeau Drury LLP on behalf of Philip Kaufman ("Appellant"); and
WHEREAS, By memorandum to the Clerk of the Board dated November 30, 2017, the Planning Department’s Environmental Review Officer determined that the appeal was timely filed; and

WHEREAS, On January 9, 2018, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant and, following the public hearing, reversed the exemption determination; and

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

WHEREAS, At the January 9, 2018, appeal hearing before this Board, Appellant submitted additional information in support of the appeal, including an engineering report by Lawrence B. Karp (“Karp Report”); and

WHEREAS, The Karp Report and other information submitted at and prior to the January 9, 2018, appeal hearing constituted substantial evidence that the Project, if approved, may result in one or more substantial adverse changes in the significance of the neighboring historic resource located at 2421 Green Street that have not been sufficiently addressed in the Categorical Exemption for the Project; and

WHEREAS, At and prior to the January 9, 2018, appeal hearing, Appellant and other members of the public submitted substantial evidence, including a report by certified hydrogeologist Matthew Hagemann, C. Hg., that the Project may disturb potentially contaminated soils at the Project site; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors conditionally reversed the exemption determination for the Project subject to the adoption of
these written findings 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 Board finds that the Karp Report and other information submitted at
and prior to the January 9, 2018, appeal hearing constituted substantial evidence not
previously identified that affect the CEQA evaluation set forth in the Categorical Exemption
regarding how the Project may impair the significance of an historic resource by causing
impacts to its immediate surroundings; and

WHEREAS, The Board further finds that the public comment provided at and prior to
the January 9, 2018, hearing, including a report by certified hydrogeologist Matthew
Hagemann, C. Hg., constituted substantial evidence that the Project will disturb potentially
contaminated soils; 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. 171267, and
is incorporated in this motion as though set forth in its entirety; and

WHEREAS, This Board considered these issues, heard testimony, and shared
concerns that further information and analysis was required regarding the proposed Project at
2417 Green Street; now, therefore be it

MOVED, That In light of this information, the Board finds that there is substantial
evidence in the record before the Board that the Project proposed at 2417 Green Street
presents unusual circumstances relating to historic resources and hazardous materials and it
appears as a result of those circumstances the project may have a significant effect on the
environment and, based on the facts presented to the Board of Supervisors on the hearing on January 9, 2018, the Project is therefore not Categorically Exempt from CEQA review.
Motion: M18-012

Motion: Motion adopting findings reversing the determination by the Planning Department that the proposed project at 2417 Green Street is categorically exempt from further environmental review.

February 06, 2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

February 06, 2018 Board of Supervisors - APPROVED AS AMENDED
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180123

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 2/6/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board