Motion affirming the determination by the Planning Department that the proposed project at 3620 Buchanan Street is categorically exempt from further environmental review.

WHEREAS, On November 7, 2018, the Planning Department issued a CEQA Categorical Exemption Determination for the proposed project ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The Project is located on the same parcel as City Landmark No. 58 and involves the demolition of a non-contributory one-story garden house currently used as office space and demolition of a portion of the non-contributory garden patio and the construction of a new four-story, 13,279 square foot residential building. The new construction will include eight units, eight bicycle parking spaces, and one accessible vehicle parking space. The portion of the existing garden to remain will be utilized as open space. No interior or exterior changes to the S.F. Gas Light Co. building at 3636 Buchanan Street are proposed; and

WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333), issued a categorical exemption for the Project on November 7, 2018, finding that the Project is exempt from the California Environmental Quality Act (CEQA) as a Class 32 categorical exemption, which allows for In-Fill Development Projects, consists characterized as in-fill development meeting the following conditions outlined in Section 15332(a)-(e): (a) The project is consistent with the applicable general plan designation and all applicable general plan
policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; and (c) The project site has no value as habitat for endangered, rare or threatened species; and

WHEREAS, On January 31, 2019, the Planning Commission held a public hearing and approved the Conditional Use Authorization for the proposed project; and

WHEREAS, On March 4, 2019, Charles Olson of Lubin Olson & Niewiadomski, LLP on behalf of the 1598 Bay Condominium Association ("Appellant") filed an appeal with the Office of the Clerk of the Board of Supervisors of the categorical exemption determination for the 3620 Buchanan Street project; and

WHEREAS, By memorandum to the Clerk of the Board dated March 7, 2019, the Planning Department’s Environmental Review Officer determined that the appeal was timely filed; and

WHEREAS, On April 16, 2019, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant; 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, Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project 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. 190275, and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the November 7, 2018 exemption determination; and, be it

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

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the Project qualifies for an exemption determination under CEQA.
Motion affirming the determination by the Planning Department that the proposed project at 3620 Buchanan Street is categorically exempt from further environmental review.

April 16, 2019 Board of Supervisors - APPROVED
Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190276

I hereby certify that the foregoing Motion was APPROVED on 4/16/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board