Motion affirming the determination by the Planning Department that the proposed project at 66 Mountain Spring Avenue is categorically exempt from further environmental review.

WHEREAS, On February 12, 2019, the Planning Department issued a Categorical Exemption Determination for the proposed project located at 66 Mountain Spring Avenue ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The approximately 5,000-square-foot project site is located in the Twin Peaks neighborhood on Assessor’s Parcel Block 2706, Lot No. 025, and is bound by Clarendon Avenue to the north, Twin Peaks Boulevard to the east, Mountain Spring Avenue to the south and the Stanyan Street right-of-way to the west; the surrounding area is characterized by a mix of single-family homes that are typically two to four stories tall and many contain garage parking on the ground level; there are also a variety of parks and recreational resources nearby including: Twin Peaks Park, Mt. Sutro Open Space Reserve, Interior Greenbelt, Tank Hill, and more; and

WHEREAS, The subject site is currently occupied by an approximately 15-foot-tall, two-story, 4,459-square-foot single-family home constructed in 1947 that has been determined not to be a historic resource; the home contains four bedrooms and 303 square feet of garage parking; the site is located within a landslide zone and contains slopes of 25% or greater; and
WHEREAS, The Project consists of the demolition of the existing two-story, single-family home and the construction of an approximately 22-foot-tall, three-story, 5,405-square-foot single-family home with an attached two-car garage; the building would be set back 15 feet from the front lot line and the main entrance as well as the garage would both be accessed from the street level; the proposed structure would contain four bedrooms with a home office that could optionally be used as a fifth bedroom; 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 February 12, 2019, finding that the Project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical exemption (Existing Facilities), and that no further environmental review was required; and

WHEREAS, On February 20, 2020, the Planning Commission took discretionary review over the building permit and approved it with modifications at a public hearing, which constituted the approval action for the Project under CEQA; and

WHEREAS, On March 23, 2020, Gloria Smith, on behalf of Margaret Niver, Ronald Niver, and Rosemarie MacGuiness (collectively referred to as Appellant) filed an appeal of the categorical exemption determination; and

WHEREAS, By memorandum to the Clerk of the Board dated July 13, 2020, the Planning Department’s Environmental Review Officer determined that the appeal was timely filed; and

WHEREAS, On September 15, 2020, 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. 200754 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 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.

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Motion affirming the determination by the Planning Department that the proposed project at 66 Mountain Spring Avenue is categorically exempt from further environmental review.

August 25, 2020 Board of Supervisors - CONTINUED
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

September 15, 2020 Board of Supervisors - APPROVED
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

I hereby certify that the foregoing Motion was APPROVED on 9/15/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board