Motion adopting findings to reverse the determination by the Planning Department that the proposed project at 2651-2653 Octavia Street is categorically exempt from further environmental review.

WHEREAS, On September 5, 2019, the Planning Department issued a CEQA Categorical Exemption Determination for the proposed project located at 2651-2653 Octavia Street ("Project") under the California Environmental Quality Act (Public Resources Code, Section 21,000 et seq., "CEQA"); the CEQA Guidelines (California Code of Regulations, Title 14, Section 15,000 et seq.), and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The project site is located on the block bounded by Green Street to the north, Octavia Street to the east, Vallejo Street to the south, and Laguna Street to the west, in the Pacific Heights neighborhood; and

WHEREAS, The approximately 3,100-square-foot project site is within the Residential, House, Two-Family (RH-2) Zoning District and a 40-X Height and Bulk District; and the project site is currently occupied by a two-family residence; and

WHEREAS, The Project includes the construction of a fourth-floor-level vertical and horizontal addition to an existing 37-foot-tall (inclusive of a 7-foot-tall mansard roof), three-story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-story, 6,512-gross-square-foot two family residence; and

WHEREAS, The project construction would involve localized excavation for new foundation and possible excavation to replace existing foundations in kind, resulting in a total of approximately 15 to 30 cubic yards of soil excavated, at an average depth of 1.5 feet; and
WHEREAS, The Planning Department issued a categorical exemption for the Project on September 5, 2019, finding that the proposed project is exempt from CEQA under Section 15301 of the CEQA Guidelines, also known as a Class 1 Categorical Exemption (applicable to the alteration and addition to an existing structure) and that no further environmental review was required; and

WHEREAS, On February 6, 2020, the Planning Commission passed Discretionary Review Action DRA-683 denying a discretionary review request at a public hearing (Planning Department Case No. 2018-011022DRP), which constituted the approval action for the project under CEQA; and

WHEREAS, On March 6, 2020, Maureen Holt, Elizabeth Reilly, Paul Guermonprez, and Jack Fowler (collectively, “Appellants”) filed an appeal of the September 5, 2019 categorical exemption to the board; and

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

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

WHEREAS, The Board heard extensive testimony regarding the potential impacts of the Project on the adjacent Golden Gate Valley Branch of the San Francisco Public Library, a property listed as a Category A building (Known Historic Resource) in the Planning Department’s Property Information Map; and

WHEREAS, The Golden Gate Valley Branch is one of seven branches of the San Francisco Public Library that were built in the early 20th century with funds from Andrew Carnegie; and
WHEREAS, When the San Francisco Public Library undertook its Branch Modernization Program, it committed to formally seek designation under Article 10 of the Planning Code of each of the seven Carnegie branch libraries existing in San Francisco once rehabilitation had been completed; and

WHEREAS, Today, six of the seven Carnegie branch libraries have been landmarked under Article 10, including the Mission, Chinatown, Sunset, Presidio, Richmond, and Noe Valley branches, and in each of these landmark designations, the spatial volume of the main reading room was identified as a significant character-defining feature of the building; and

WHEREAS, The landmark designation for the Golden Gate Valley Branch Library has been submitted to the Planning Department and is therefore pending, but it is possible that the library’s main reading room will be found to be a significant feature, as in the case of the other Carnegie branch libraries; and

WHEREAS, Evidence and testimony presented at the hearing show that the Planning Department failed to document that it analyzed the potential impacts of the Project on the lighting inside the main reading room of the adjacent historic Golden Gate Valley Branch Library prior to issuing the Categorical Exemption Determination for the Project; and

WHEREAS, Under Section 21084 of CEQA and Sections 15064.5 and 15300.2 of the CEQA Guidelines, a categorical exemption cannot be relied upon to approve a project that may have an impact on a historic resource; 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, in Motion M20-093, the Board of Supervisors unanimously reversed the determination that the Project is categorically exempt, subject to the adoption of 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 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 the Board of Supervisors reverses the determination by the Planning Department that the Project is categorically exempt, as the Planning Department did not document that it analyzed the potential impacts of the Project on the character-defining features of the adjacent Golden Gate Valley Branch Library, a Category A Known Historic Resource, prior to issuing the Categorical Exemption Determination; and, be it

FURTHER MOVED, That the Board directs the Planning Department to analyze the potential historic resource impacts of the Project on the character-defining features of the adjacent Golden Gate Valley Branch Library - specifically, to consider whether the potential impacts of the Project on the lighting inside the library’s main reading room would significantly impact those character defining features; and, be it

FURTHER MOVED, That as to all other issues, the Board finds the Categorical Exemption Determination conforms to the requirements of CEQA and is adequate, accurate, and objective, the record does not include substantial evidence to support a fair argument that the project may have a significant effect on the environment, and no further analysis is required.
Motion adopting findings to reverse the determination by the Planning Department that the proposed project at 2651-2653 Octavia Street is categorically exempt from further environmental review.

September 22, 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 9/22/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board