

1 [Affirming the Categorical Exemption Determination - 1151 Washington Street]

2
3 **Motion affirming the determination by the Planning Department that the proposed**
4 **project at 1151 Washington Street is categorically exempt from environmental review.**

5
6 WHEREAS, On April 7, 2023, the Planning Department issued a CEQA Categorical
7 Exemption Determination for the proposed project located at 1151 Washington Street
8 (“Project”) under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines,
9 and San Francisco Administrative Code, Chapter 31; and

10 WHEREAS, The project site is a 3,571-square-foot parcel in the Nob Hill neighborhood,
11 occupied by an existing 30-foot-tall, three-story, single-family residence that is approximately
12 3,050 square feet in size with two off-street parking spaces; and

13 WHEREAS, The project sponsor proposes the demolition of the existing single-family
14 residence and construction of a 40-foot-tall (50-foot-tall with penthouses), four-story over
15 basement residential building containing 10 for-sale townhouses and one off-street van
16 parking space; access to the proposed units would be from a 5-foot-wide pathway that would
17 step up along the eastern edge of the property, from Washington Street; the proposed
18 pathway would include a bicycle ramp; the proposed building would be approximately 12,300
19 square feet in size, and would utilize the state density bonus program; and

20 WHEREAS, On November 1, 2022, Dana Manea (representing the project sponsor)
21 filed a project application with the department for the project; and

22 WHEREAS, Pursuant to Article 19 of the CEQA Guidelines (California Code of
23 Regulations, Title 14, Division 6, Chapter 3, Article 19, Sections 15300-15333), on April 7,
24 2023, the department determined that the project was categorically exempt under CEQA

1 Class 32 - Infill Development (“exemption determination”), and that no environmental review
2 was required; and

3 WHEREAS, On April 20, 2023, the Planning Commission (“Commission”) conducted a
4 duly noticed public hearing at a regularly scheduled commission meeting and approved the
5 Conditional Use Authorization for the proposed project; and

6 WHEREAS, On May 17, 2023, Richard Drury of Lozeau Drury, LLP, on behalf of
7 Clayton Timbrell (“Appellant”), filed an appeal of the categorical exemption determination; and

8 WHEREAS, On May 19, 2023, Hanmin Liu, on behalf of the Upper Chinatown
9 Neighborhood Association (“UCNA”), filed a memorandum indicating that UCNA is joining the
10 appeal of the exemption determination filed by Richard Drury (on May 17, 2023), and noting
11 that UCNA is not raising any new issues or enlarging the scope of the appeal; and

12 WHEREAS, By memorandum to the Clerk of the Board dated May 22, 2023, the
13 department determined that the appeal was timely filed; and

14 WHEREAS, On June 27, 2023, this Board held a duly noticed public hearing to
15 consider the appeal of the exemption determination filed by Appellant; and

16 WHEREAS, In reviewing the appeal of the exemption determination, this Board
17 reviewed and considered the exemption determination, the appeal letters, the responses to
18 the appeal documents that the Planning Department and the project sponsor prepared, the
19 supplemental responses filed by the Appellant and the Planning Department, and the other
20 written records before the Board of Supervisors and all of the public testimony made in
21 support of and opposed to the exemption determination appeal; and

22 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
23 affirmed the exemption determination for the Project based on the written record before the
24 Board of Supervisors as well as all of the testimony at the public hearing in support of and
25 opposed to the appeal; and

1 WHEREAS, The written record and oral testimony in support of and opposed to the
2 appeal and the oral and written testimony at the public hearing before the Board of
3 Supervisors by all parties and the public in support of and opposed to the appeal of the
4 exemption determination, including the deliberations by the members of the Board, is in the
5 Clerk of the Board of Supervisors File No. 230592, and is incorporated in this Motion as
6 though set forth in its entirety; now, therefore, be it

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

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

14 FURTHER MOVED, That after carefully considering the appeal of the exemption
15 determination, including the written information submitted to the Board of Supervisors and the
16 public testimony presented to the Board of Supervisors at the hearing on the exemption
17 determination, this Board concludes that the Project qualifies for an exemption determination
18 under CEQA.

19
20 n:\land\as2019\1900434\01685195.docx