

1 [Preparation of Findings to Reverse the Exemption Determination - 1801 Mission Street]

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3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the proposed project at 1801 Mission Street is exempt**  
5 **from further environmental review.**

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7 WHEREAS, On November 18, 2020, the Planning Department issued a CEQA  
8 Categorical Exemption Determination for the proposed project located at 1801 Mission Street  
9 (“Project”) under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines,  
10 and San Francisco Administrative Code, Chapter 31; and

11 WHEREAS, The project site is located on the southeast corner of 14th and Mission  
12 Streets, and is occupied by a seven-story residential building with ground-floor commercial  
13 space; construction of the existing building was completed in September 2020, and the  
14 commercial space is currently vacant; and

15 WHEREAS, The proposed Project is the establishment of an approximately 1,765-  
16 square-foot limited restaurant use/coffee shop in the vacant ground-floor commercial space of  
17 the recently constructed seven-story residential building on the project site; and

18 WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines  
19 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333),  
20 issued a categorical exemption for the Project on November 18, 2020, finding that the  
21 proposed Project is exempt from the California Environmental Quality Act (CEQA) as a Class  
22 1 categorical exemption (“exemption determination”); and

23 WHEREAS, On October 30, 2020, Stephen Antonaros (“Project sponsor”) filed an  
24 application with the planning department to establish a limited restaurant use/coffee shop at  
25 1801 Mission Street; and

1           WHEREAS, On January 14, 2021, Ben Terrall, for the Cultural Action Network  
2 (“Appellant”) filed a Request for Discretionary Review of Building Permit Application No.  
3 202010307806; and

4           WHEREAS, On March 25, 2021, the Planning Commission (“Commission”) heard the  
5 Request for Discretionary Review; at the close of the public hearing, the Commission took  
6 Discretionary Review Action, approved the proposed project, and imposed conditions of  
7 approval; and

8           WHEREAS, On April 26, 2021, Appellant, filed an appeal with the Office of the Clerk of  
9 the Board of Supervisors of the exemption determination; and

10           WHEREAS, By memorandum to the Clerk of the Board dated April 30, 2021, the  
11 Planning Department’s Environmental Review Officer determined that the appeal was timely  
12 filed; and

13           WHEREAS, On June 8, 2021, this Board held a duly noticed public hearing to consider  
14 the appeal of the exemption determination filed by Appellant; and

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

20           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
21 conditionally reversed the exemption determination for the Project subject to the adoption of  
22 written findings of the Board in support of such determination based on the written record  
23 before the Board of Supervisors as well as all of the testimony at the public hearing in support  
24 of and opposed to the appeal; and

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1           WHEREAS, The written record and oral testimony in support of and opposed to the  
2 appeal and deliberation of the oral and written testimony at the public hearing before the  
3 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
4 the exemption determination is on file with the Clerk of the Board of Supervisors in File No.  
5 210486 and is incorporated in this Motion as though set forth in its entirety; now, therefore, be  
6 it

7           MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the  
8 findings specifying the basis for its decision on the appeal of the determination by the  
9 Planning Department that the project is exempt from environmental review.

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