

1 [Affirming the Planning Department Determination of Exemption for 1111 California Street
2 (Nob Hill Masonic Center) Project]

3 **Motion affirming the determination by the Planning Department that the project located**
4 **at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental**
5 **review.**
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7 WHEREAS, On or about January 18, 2010, the Planning Department determined that a
8 proposal to change the existing non-conforming entertainment to "Other Entertainment," add
9 permanent food and beverage service, and make interior alterations to the auditorium and
10 other interior spaces to the property located at 1111 California Street (the "Project") was
11 exempt from environmental review under the California Environmental Quality Act ("CEQA"),
12 the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a Class 32
13 categorical exemption, an "in-fill" development project (the "exemption determination"). By
14 letters to the Clerk of the Board, David Millstein, on behalf of Lee Saylor; and Amy Harmer,
15 Richard Hanson, William Terrell, Adria Price, Aldo Caccamo, David Chow, Donna Muse, and
16 Elizabeth Pomada (collectively, "Appellants"), received by the Clerk's Office on or around April
17 5, 2010, appealed the exemption determination; and
18

19 WHEREAS, On May 4, 2010, this Board held a duly noticed public hearing to consider
20 the appeal of the exemption determination filed by Appellants, and following the public hearing
21 affirmed the exemption determination; and

22 WHEREAS, In reviewing the appeal of the exemption determination, this Board
23 reviewed and considered the exemption determination, the appeal letters, the responses to
24 concerns document that the Planning Department prepared, the other written records before
25 the Board of Supervisors and all of the public testimony made in support of and opposed to

1 the exemption determination appeal. Following the conclusion of the public hearing, the
2 Board of Supervisors affirmed the exemption determination for the Project based on the
3 written record before the Board of Supervisors as well as all of the testimony at the public
4 hearing in support of and opposed to the appeal. The written record and oral testimony in
5 support of and opposed to the appeal and deliberation of the oral and written testimony at the
6 public hearing before the Board of Supervisors by all parties and the public in support of and
7 opposed to the appeal of the exemption determination is in the Clerk of the Board of
8 Supervisors File No. _____ and is incorporated in this motion as though set forth in
9 its entirety; now therefore be it

10 MOVED, That the Board of Supervisors of the City and County of San Francisco
11 hereby adopts as its own and incorporates by reference in this motion, as though fully set
12 forth, the exemption determination; and be it

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

18 FURTHER MOVED, That after carefully considering the appeal of the exemption
19 determination, including the written information submitted to the Board of Supervisors and the
20 public testimony presented to the Board of Supervisors at the hearing on the exemption
21 determination, this Board concludes that the Project qualifies for a exemption determination
22 under CEQA Guidelines Section 15332 (Class 32).