

1 [Affirming the Categorical Exemption Determination - 1801 Mission Street]

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3 **Motion affirming the determination by the Planning Department that the proposed**  
4 **project at 1801 Mission Street is categorically exempt from further environmental**  
5 **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

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1           WHEREAS, On October 30, 2020, Stephen Antonaros (“Project sponsor”) filed an  
2 application with the planning department to establish a limited restaurant use/coffee shop at  
3 1801 Mission Street; and

4           WHEREAS, On January 14, 2021, Ben Terrall, for the Cultural Action Network  
5 (“Appellant”) filed a Request for Discretionary Review of Building Permit Application No.  
6 202010307806; and

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

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

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

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

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

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

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

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

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

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

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