

File No. 170807

Committee Item No. _____

Board Item No. 18

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 12, 2017

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: Brent Jalipa

Date: September 7, 2017

Prepared by: _____

Date: _____

1 [Preparation of Findings to Reverse the Community Plan Evaluation - 1850 Bryant Street]

2
3 **Motion directing the Clerk of the Board to prepare findings reversing a Community Plan**
4 **Evaluation determination by the Planning Department that a proposed project at 1850**
5 **Bryant Street is exempt from further environmental review.**
6

7 On May 20, 2017, the Planning Department issued a Community Plan Evaluation and
8 Initial Study under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental
9 Impact Report (FEIR), finding that the proposed project located at 1850 Bryant Street
10 ("Project"): is consistent with the development density established by the zoning, community
11 plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project
12 area, for which the FEIR was certified; would not result in new significant environmental
13 effects, off-site or cumulative impacts, or effects of greater severity than were already
14 analyzed and disclosed in the FEIR; and therefore does not require further environmental
15 review under the California Environmental Quality Act (CEQA), Public Resources Code,
16 Section 21000 et seq., the CEQA Guidelines, and Administrative Code, Chapter 31, in
17 accordance with CEQA, Section 21083.3, and CEQA Guidelines, Section 15183; and

18 WHEREAS, The proposed project involves the demolition of an existing two-story,
19 13,800 gross square foot (gsf) commercial building as well as a parking lot and storage area,
20 and construction of a new five-story-plus-basement, 68-foot-tall mixed use building with
21 approximately 166,728 gsf of social service uses, approximately 2,285 gsf of retail and
22 approximately 18,400 gsf of production, distribution and repair (PDR) uses, and a 17,000 gsf
23 roof deck; and

24 WHEREAS, On June 1, 2017, the Planning Commission approved a conditional use
25 authorization for the proposed project, by Motion No. 19933; and

1 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 3,
2 2017, Bijal Patel, Law Office of Lubin, Olson & Niewiadomski, on behalf of the Franklin
3 Square Owners Association (Appellant), appealed the environmental determination; and

4 WHEREAS, The Planning Department's Environmental Review Officer, by
5 memorandum to the Clerk of the Board dated July 5, 2017, determined that the appeal had
6 been timely filed; and

7 WHEREAS, On September 12, 2017, this Board held a duly noticed public hearing to
8 consider the appeal of the environmental determination filed by Appellant and, following the
9 public hearing, conditionally reversed the environmental determination subject to the adoption
10 of written findings in support of such determination; and

11 WHEREAS, In reviewing the appeal of the environmental determination, this Board
12 reviewed and considered the environmental determination, the appeal letter, the responses to
13 the appeal documents that the Planning Department prepared, the other written records
14 before the Board of Supervisors and all of the public testimony made in support of and
15 opposed to the environmental determination appeal; and

16 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
17 conditionally reversed the determination that the project did not require further environmental
18 review subject to the adoption of written findings of the Board in support of such determination
19 based on the written record before the Board of Supervisors as well as all of the testimony at
20 the public hearing in support of and opposed to the appeal; and

21 WHEREAS, The written record and oral testimony in support of and opposed to the
22 appeal and deliberation of the oral and written testimony at the public hearing before the
23 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
24 the environmental determination is in the Clerk of the Board of Supervisors File No. 170804
25 and is incorporated in this motion as though set forth in its entirety; now therefore be it

1 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
2 findings specifying the basis for its decision on the appeal of the environmental determination
3 issued by the Planning Department for the project.
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Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Preparation of Findings to Reverse the Community Plan Evaluation - 1850 Bryant Street

The text is listed below or attached:

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1850 Bryant Street is exempt from further environmental review.

Signature of Sponsoring Supervisor: *Alia J. Merced*

For Clerk's Use Only: