

File No. 170810

Committee Item No. _____

Board Item No. 43

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 25, 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

- | | | |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Brent Jalipa

Date: July 20, 2017

Prepared by: _____

Date: _____

1 [Conditionally Reversing the Community Plan Evaluation - 1726-1730 Mission Street]

2

3 **Motion conditionally reversing the determination by the Planning Department that a**
4 **proposed project at 1726-1730 Mission Street is exempt from further environmental**
5 **review under a Community Plan Evaluation, subject to the adoption of written findings**
6 **of the Board in support of this determination.**

7

8 On May 24, 2017, the Planning Department issued a Community Plan Evaluation
9 under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact
10 Report (FEIR), finding that the proposed project located at 1726-1730 Mission Street
11 ("Project"): is consistent with the development density established by the zoning, community
12 plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project
13 area, for which the FEIR was certified; would not result in new significant environmental
14 effects, off-site or cumulative impacts, or effects of greater severity than were already
15 analyzed and disclosed in the FEIR; and therefore does not require further environmental
16 review under the California Environmental Quality Act (CEQA), Public Resources Code,
17 Section 21000 et seq., the CEQA Guidelines, and Administrative Code, Chapter 31, in
18 accordance with CEQA, Section 21083.3, and CEQA Guidelines, Section 15183; and

19 WHEREAS, The proposed project involves the demolition of two existing two-story
20 structures that are currently vacant but were previously used as a sausage factory and an
21 office and storage warehouse for the sausage factory, and construction of a new six-story, 66-
22 foot-tall, building containing 40 dwelling units, approximately 2,250 gross square feet (gsf) of
23 production/distribution/repair (PDR) space, and a garage with 22 parking spaces; and

24

25

1 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 3,
2 2017, J. Scott Weaver, on behalf of Our Mission No Eviction (Appellant) appealed the
3 environmental determination; and

4 WHEREAS, The Appellant provided a copy of Planning Commission Motion No. 19931,
5 adopted on June 1, 2017, approving a Large Project Authorization under Planning Code,
6 Section 329, and finding that the proposed project was within the scope of the FEIR and did
7 not require further environmental review under CEQA, Section 21083.3, and CEQA
8 Guidelines, Section 15183; and

9 WHEREAS, The Planning Department's Environmental Review Officer, by
10 memorandum to the Clerk of the Board dated July 7, 2017, determined that the appeal had
11 been timely filed; and

12 WHEREAS, On July 25, 2017, this Board held a duly noticed public hearing to consider
13 the appeal of the environmental determination filed by Appellant and, following the public
14 hearing, conditionally reversed the environmental determination subject to the adoption of
15 written findings in support of such determination; and

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

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

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 environmental determination is in the Clerk of the Board of Supervisors File No. 170808
5 and is incorporated in this motion as though set forth in its entirety; now therefore be it

6 MOVED, That this Board of Supervisors conditionally reverses the determination by the
7 Planning Department that the project is exempt from environmental review, subject to the
8 adoption of written findings of the Board in support of this determination.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

n:\land\as2017\0400241\01207067.docx

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:

Conditionally Reversing the Community Plan Evaluation - 1726-1730 Mission Street

The text is listed below or attached:

Motion conditionally reversing the determination by the Planning Department that a proposed project at 1726-1730 Mission Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: *Allison*

For Clerk's Use Only: