

File No. 170806

Committee Item No. _____

Board Item No. 17

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 [Conditionally Reversing the Community Plan Evaluation - 1850 Bryant Street]

2
3 **Motion conditionally reversing the determination by the Planning Department that a**
4 **proposed project at 1850 Bryant Street is exempt from further environmental review**
5 **under a Community Plan Evaluation, subject to the adoption of written findings of the**
6 **Board in support of this determination.**

7
8 WHEREAS, On May 20, 2017, the Planning Department issued a Community Plan
9 Evaluation and Initial Study under the Eastern Neighborhoods Rezoning and Area Plan Final
10 Environmental Impact Report (FEIR), finding that the proposed project located at 1850 Bryant
11 Street ("Project"): is consistent with the development density established by the zoning,
12 community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area
13 Plan project area, for which the FEIR was certified; would not result in new significant
14 environmental effects, off-site or cumulative impacts, or effects of greater severity than were
15 already analyzed and disclosed in the FEIR; and therefore does not require further
16 environmental review under the California Environmental Quality Act (CEQA), Public
17 Resources Code, Section 21000 et seq., the CEQA Guidelines, and Administrative Code,
18 Chapter 31, in accordance with CEQA, Section 21083.3, and CEQA Guidelines, Section
19 15183; and

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

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

3 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 3,
4 2017, Bijal Patel, Law Office of Lubin, Olson & Niewiadomski, on behalf of the Franklin
5 Square Owners Association (Appellant), appealed the environmental determination; and

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

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

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

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

23 WHEREAS, The written record and oral testimony in support of and opposed to the
24 appeal and deliberation of the oral and written testimony at the public hearing before the
25 Board of Supervisors by all parties and the public in support of and opposed to the appeal of

1 the environmental determination is in the Clerk of the Board of Supervisors File No. 170804
2 and is incorporated in this motion as though set forth in its entirety; now therefore be it

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

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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:

Conditionally Reversing the Exemption Determination - 1850 Bryant Street

The text is listed below or attached:

Motion conditionally reversing the determination by the Planning Department that a proposed project at 1850 Bryant 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: Alijahmea

For Clerk's Use Only: