

File No. 161219

Committee Item No. _____

Board Item No. 34

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: December 6, 2016

Cmte Board

- Motion
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- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
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- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Click the text below for a direct link to the document)

- _____
- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: December 1, 2016

Prepared by: _____

Date: _____

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed
2 Project at 203 Cotter Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**
4 **by the Planning Department that a proposed project at 203 Cotter Street is categorically**
5 **exempt from further environmental review.**

6
7 WHEREAS, On September 27, 2016, the Planning Department determined that the
8 proposed project located at 203 Cotter Street ("Project") is exempt from further environmental
9 review under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and
10 Administrative Code, Chapter 31; and

11 WHEREAS, The proposed involves removing a neighborhood agricultural use from the
12 site and constructing a new kindergarten through 8th grade private school campus (the
13 Golden Bridges School) that would enroll up to 200 students and 30 full- or part-time staff and
14 include a two-story building, totaling approximately 15,400 square feet; and

15 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
16 October 27, 2016, Nancy Huff, on behalf of the Mission Terrace Land Preservation Committee
17 (Appellant), appealed the exemption determination; and

18 WHEREAS, Appellant provided a copy of the Planning Department's Categorical
19 Exemption Determination, signed September 27, 2016, which found that the proposed project
20 was exempt under Class 32 of the CEQA Guidelines (14 Cal. Code Reg., Section 15332); and

21 WHEREAS, The Planning Department's Environmental Review Officer, by
22 memorandum to the Clerk of the Board dated November 1, 2016, determined that the appeal
23 was timely filed because the Planning Commission, by Motion No. 19751 on
24 September 29, 2016, approved a conditional use authorization for the proposed project; and
25

1 WHEREAS, On December 6, 2016, this Board held a duly noticed public hearing to
2 consider the appeal of the exemption determination filed by Appellant and, following the public
3 hearing, reversed the exemption determination subject to the adoption of written findings in
4 support of such determination; and

5 WHEREAS, In reviewing the appeal of the exemption determination, this Board
6 reviewed and considered the exemption determination, the appeal letter, the responses to the
7 appeal documents that the Planning Department prepared, the other written records before
8 the Board of Supervisors and all of the public testimony made in support of and opposed to
9 the exemption determination appeal; and

10 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
11 conditionally reversed the exemption determination for the project subject to the adoption of
12 written findings of the Board in support of such determination based on the written record
13 before the Board of Supervisors as well as all of the testimony at the public hearing in support
14 of and opposed to the appeal; and

15 WHEREAS, The written record and oral testimony in support of and opposed to the
16 appeal and deliberation of the oral and written testimony at the public hearing before the
17 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
18 the exemption determination is in the Clerk of the Board of Supervisors File No. 161216 and is
19 incorporated in this motion as though set forth in its entirety; now, therefore, be it

20 MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the
21 findings specifying the basis for its decision on the appeal of the exemption determination
22 issued by the Planning Department for the project.
23
24
25

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 Categorical Exemption Determination - Proposed Project at 203 Cotter Street

The text is listed below or attached:

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 203 Cotter Street is categorically exempt from further environmental review.

Signature of Sponsoring Supervisor: Victor Young

For Clerk's Use Only:

161219