

File No. 161218

Committee Item No. \_\_\_\_\_

Board Item No. 33

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: December 6, 2016

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- 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 [Conditionally Reversing the Categorical Exemption Determination - Proposed Project at 203  
2 Cotter Street]

3 **Motion conditionally reversing the determination by the Planning Department that a**  
4 **proposed project at 203 Cotter Street is categorically exempt from further**  
5 **environmental review, subject to the adoption of written findings of the Board in**  
6 **support of this determination.**

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

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

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

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

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

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, conditionally reversed the exemption determination subject to the adoption of written  
4 findings in 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 subject to the adoption of written findings  
12 of the Board in support of such determination based on the written record before the Board of  
13 Supervisors as well as all of the testimony at the public hearing in support of and opposed to  
14 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 this Board of Supervisors conditionally reverses the determination by the  
21 Planning Department that the project is exempt from environmental review, subject to the  
22 adoption of written findings of the Board in support of this determination.  
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:**

Conditionally Reversing the Categorical Exemption Determination – Proposed Project at 203 Cotter Street

**The text is listed below or attached:**

Motion conditionally reversing the determination by the Planning Department that a proposed project at 203 Cotter Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only:

161218