

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.**

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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

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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.