

#19

6/17/15

File No. 15-0631

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals filed for 3729-3735 South Bentley Avenue.

Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 32 of the City's Environmental Guidelines. [ENV-2014-2801-CE].
2. ADOPT FINDINGS of the Board of Building and Safety Commissioners as the Findings of the Council.
3. RESOLVE TO GRANT IN PART / DENY IN PART THE APPEALS filed by Pamela Irwin, Ann McCluskey, Patricia Doll, Holly Knipe, Ron Bushy, Asher Vallmer, Deborah Baldwin, Javad Sabl, Greg Tieti, Parastoo Seidenfeld, Shirley Gordon, Gandhi Puvvada, Vener Capiral, and Charlene Vinetz, from the determination of the Board of Building and Safety Commissioners, and THEREBY APPROVE an application to export 5,968 cubic yards of earth from 3729-3735 South Bentley Avenue, subject to modified Conditions of Approval.
4. APPROVE the following additional condition:

Require the developer to coordinate with the neighboring schools to address any conflicting schedules for students who are arriving and leaving school.

Applicant/Owner: Bentley Realty Partners, LLC

Case No. BF140189

Fiscal Impact Statement: None submitted by the Board of Building and Safety Commissioners. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis on this report.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 21, 2015

(LAST DAY FOR COUNCIL ACTION - JUNE 19, 2015)

Summary

At a regular meeting held on June 16, 2015, the Planning and Land Use Management Committee considered appeals filed for property located at 3729-3735 South Bentley Avenue. Staff from the Department of Building and Safety gave the Committee background information on the matter. One of the appellants and staff from Council District Five also spoke. Council District Five staff requested an additional condition to require the developer to coordinate with neighboring schools to address any conflicting schedules for students arriving and leaving school.

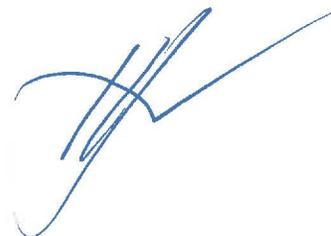
After an opportunity for public comment, the Committee recommended that Council grant in part and deny in part the appeals, approve the additional condition requested by Council District Five, and approve an application to export 5,968 cubic yards of earth from 3729-3735 South Bentley Avenue, subject to modified Conditions of Approval. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

MEMBER	<u>YOTE</u>
HUIZAR:	YES
CEDILLO:	ABSENT
ENGLANDER:	YES

SG
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-NOT OFFICIAL UNTIL COUNCIL ACTS-