

MITIGATED NEGATIVE DECLARATION, MITIGATION MEASURES and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to an appeal for the property located at 11600 West Dunstan Way.

Recommendations for Council action:

1. FIND that with the imposition of the mitigation measures described in the Mitigated Negative Declaration (ENV-2016-0457-MND), and incorporated herein as project conditions, there is no substantial evidence that the proposed project will have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act.
2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners as the Findings of the Council.
3. RESOLVE TO DENY THE APPEAL filed by Harel Simon from the determination of the Board of Building and Safety Commissioners, and THEREBY SUSTAIN the decision of the Board of Building and Safety Commissioners in approving an application to export 33,120 cubic yards of earth, for a 54-unit multifamily residential building to be built above two levels subterranean parking, for the property located at 11600 West Dunstan Way, subject to Conditions of Approval, as modified by the PLUM Committee and attached to Council file No. 16-1155.

Applicant: Nakada and Associates

Owner: 11601 Dunstan Partners LP, c/o Moss and Company

Board File No. 160040

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 of this report.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - NOVEMBER 12, 2016**

**(LAST DAY FOR COUNCIL ACTION - NOVEMBER 9, 2016)**

Summary:

At a regular meeting held on October 25, 2016, the PLUM Committee considered an appeal for the property at 11600 Dunstan Way. Staff from the Board of Building and Safety Commissioners provided the Committee with background information and details regarding the exporting of 33,120 cubic yards of earth. Comments were provided by the appellant and applicant. After an opportunity for public comment, the Committee recommended to approve the application for the haul route with modifications to the Conditions of Approval. This matter is now submitted to the Council for its consideration.

Respectfully Submitted,



PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER:</u>	<u>VOTE:</u>
HUIZAR	YES
HARRIS-DAWSON	YES
CEDILLO	ABSENT
ENGLANDER	YES
PRICE	YES

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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**