

PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to an appeal for the property located at 1561 North Blue Jay Way.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Board of Building and Safety Commissioners (BBSC) as the Findings of the Council.
2. RESOLVE TO DENY THE APPEAL filed by Crystal Clear LLC from the determination of the BBSC, and THEREBY SUSTAIN the decision of the BBSC in denying an application to export 3,500 cubic yards of earth from the project site located at 1561 North Blue Jay Way, based on testimony and the evidence presented to the PLUM Committee and attached to Council file No. 16-1469.

Applicant: Tony Russo

Owner: Crystal Clear LLC

Representative: Jeffer, Mangels, Butler and Mitchell LLP

Board File No. 160073

CEQA No. ENV-2016-1953-CE

Fiscal Impact Statement: None submitted by the BBSC. 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 - JANUARY 23, 2017

(LAST DAY FOR COUNCIL ACTION - JANUARY 20, 2017)

Summary:

At a regular meeting held on January 10, 2017, the PLUM Committee considered an appeal for the property at 1561 North Blue Jay Way. Staff from the BBSC provided background information on the project and presented evidence pertaining to cumulative impacts. Comments were provided by the owner, the appellant and the appellant's representative. A representative of Council District Four provided additional evidence of the cumulative impacts. After an opportunity for public comment, the Committee recommended to deny the appeal and sustain the determination of the BBSC in denying the haul route application. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be the initials 'TK' followed by a long horizontal stroke.

PLANNING AND LAND USE MANAGEMENT COMMITTEE

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

ZHC
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-NOT OFFICIAL UNTIL COUNCIL ACTS-