

MITIGATED NEGATIVE DECLARATION (MND), MITIGATION MEASURES, MITIGATION MONITORING PROGRAM and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to a haul route appeal for the property located at 1314-1320 West Court Street (aka: 215 North Toluca Street).

Recommendations for Council action:

1. FIND that with the imposition of the Mitigation Measures described in the MND (No. ENV-2016-4577-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 (BBSC) as the Findings of Council.
3. RESOLVE TO GRANT THE APPEAL filed by Fred Shaffer, Aragon (Toluca/Colton) Properties Corporation, and THEREBY NOT SUSTAIN the decision of the BBSC in approving Condition C.1. of the application to export 8,790 cubic yards of earth for the property located at 1314-1320 West Court Street (aka: 215 North Toluca Street), subject to Conditions of Approval.

Applicant: Aragon (Toluca/Colton) Properties Corporation

Owner: Aragon Properties Corporation

Board File No. 180110

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 - MARCH 11, 2019**

**(LAST DAY FOR COUNCIL ACTION - MARCH 8, 2019)**

Summary:

At a regular meeting held on February 26, 2019, the PLUM Committee considered an appeal of a haul route for Condition C.1., for the property at 1314-1320 West Court Street (aka: 215 North Toluca Street). Staff from the Department of Building and Safety provided the Committee an overview of the haul route and commented on the findings. The applicant/appellant also commented on the appeal and wanted to change the start time of the haul route from 9:00 am to 7:00 am. After an opportunity for public comment, the Committee recommended to grant the appeal and not sustain the decision of the BBSC. This matter is now submitted to the Council for consideration.

Respectfully Submitted,



PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON	YES
BLUMENFIELD	YES
PRICE	YES
CEDILLO	YES
SMITH	YES

SD

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**