

ITEM NO. 9

File No. [23-0189](#)

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a haul route appeal for the property located at 645 North Walther Way.

Recommendations for Council action:

1. FIND that the project is Categorically Exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Section 15303 (Class 3) and Section 15332 (Class 32) of the State CEQA Guidelines (Case No. ENV-2022-1371-CE), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies, per the Notice of Exemption prepared by the Department of City Planning.
2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners (BBSC) as the Findings of Council.
3. RESOLVE TO DENY THE APPEAL filed by Friends of Walther Way (Representative: Jamie T. Hall, Channel Law Group, LLP), from the determination of the BBSC; and, THEREBY SUSTAIN the decision of the BBSC in approving a Categorical Exemption as the environmental clearance and an application to export 2,255 cubic yards of earth, for the property located at 645 North Walther Way, subject to Conditions of Approval. (The proposed Project is for the demolition of an existing one-story single-family dwelling and the construction of a new two-story, 2,784 square-foot single-family dwelling, 4,145-square foot basement, swimming pool/spa, 1,909 cubic yards of grading, in conjunction with an application for a haul route of the export of approximately 2,255 cubic yards of soil.)

Applicant: Elaha Bahadori

Owner: Walther Way Holding Company LLC, c/o Sima Bokhoor

Board File No. 220055

Environmental No. ENV-2022-1371-CE

TIME LIMIT FILE - MARCH 30, 2023

(LAST DAY FOR COUNCIL ACTION - MARCH 24, 2023)

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

Summary:

At a regular meeting held on March 21, 2023, the PLUM Committee considered a report from the BBSC and a haul route appeal for the property located at 645 North Walther Way. The Appellant's Representative Jamie T. Hall, Channel Law Group, LLP submitted a communication dated March 21, 2023 withdrawing the appeal, and attached to the Council file. After an opportunity for public comment, the Committee recommended to deny the appeal and sustain the determination of the BBSC relative to the haul route application. 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
RODRIGUEZ:	YES
YAROSLAVSKY:	YES
LEE:	YES
HUTT:	ABSENT

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