

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Revocation Appeal for the property known as the Stuart Hotel located at 718 South Union Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DETERMINE based on the whole of the administrative record, as supported by the justification prepared and found in the case file, the project is exempt for California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15321, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways or hazardous waste sites or historical resources applies.
2. ADOPT the FINDINGS of the Department of City Planning (DCP) as the Findings of Council.
3. RESOLVE TO GRANT THE APPEALS filed by Pravin Ahir (Representative: Frank A. Weiser, Esq., Law Offices of Frank A. Wiser), Mayur B. Patel (Representative: Frank A. Weiser, Esq., Law Offices of Frank A. Wiser), and Balubhai G. Patel, Trustee of Balubhai Patel Trust (Representative: Frank A. Wiser, Esq., Law Offices of Frank A. Weiser), and THEREBY OVERTURN the decision of the Zoning Administrator in determining that the operation of the Stuart Hotel has substantially complied with corrective conditions set forth in Case No. DIR-2002-3323-RV-PA1, and the continued imposition of conditions is necessary in order to mitigate the land use impacts caused by the hotel; in denying the request for modification of Condition Nos. 1 and 5; in modifying Condition Nos. 1, 5, 9, 15, 16, 18, 19, 23, 24, 26, 28, 29, 31, 32, 34; in adding Condition Nos. 35 and 36; and in deleting Condition Nos. 11, 22, and 30, for the continued operation of the hotel known as the Stuart Hotel, located at 718 South Union Avenue, subject to Conditions of Approval.

Applicant: Balubhai G. Patel

Representative: Frank A. Weiser Esq., Law Offices of Frank A. Weiser

Case No. DIR-2002-3323-RV-PA2

Environmental No. ENV-2018-5644-CE

Fiscal Impact Statement: None submitted by the DCP. 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 November 5, 2020, the PLUM Committee considered a DCP report relative to a Revocation Appeal for the property known as the Stuart Hotel located at 718 South Union Street. Staff from the Department of City Planning provided an overview of the matter.

After an opportunity for public comment, presentations from the applicant and appellants, the Committee recommended to grant the appeal and thereby overturn the determination by the Zoning Administrator. 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:	ABSENT
PRICE, JR.:	ABSENT
CEDILLO:	YES
LEE:	YES

LC 11/05/20

-NOT OFFICIAL UNTIL COUNCIL ACTS-