

RESOLUTION NUMBER R-300079

ADOPTED ON JANUARY 25, 2005

WHEREAS, William R. Olsen Jr. and Wanda W. Tang, Husband and Wife, owner and permittee, submitted an application to the City of San Diego for Coastal Development Permit No. 10258, for the Olsen Residence [Project]; and

WHEREAS, on September 8, 2004, after receiving the staff report and testimony from the public, the Project was approved by the Hearing Officer; and

WHEREAS, Hearing Officer's decision was appealed to the Planning Commission; and

WHEREAS, on November 4, 2004, the Planning Commission of the City of San Diego considered a Coastal Development Permit No. 10258 and Negative Declaration No. 6199, and pursuant to Resolution No PC- 3592, voted to recommend Council approval of the CDP No. 10258 and Negative Declaration No. 6199; and

WHEREAS, in accordance with Public Resources Code section 21115, Joseph F. Marrone appealed the Planning Commission decision to approve the Negative Declaration No. 6199 to the Council of the City of San Diego; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on January 25, 2005; and

WHEREAS, the City Council considered the issues discussed in Negative Declaration LDR No. 6199; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Negative Declaration LDR No. 6199, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for CDP No. 10258.

BE IT FURTHER RESOLVED, that the Council finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and therefore the Negative Declaration is approved.

BE IT FURTHER RESOLVED, that the decision of the Planning Commission is sustained, and the appeal of Joseph F. Marrone is denied.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Karen Heumann
Deputy City Attorney

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Or.Dept:DSD
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MMS#1372