# RESOLUTION NUMBER R- 300293 ADOPTED ON APR 0 5 2005

WHEREAS, in March 2003, the University of San Diego submitted an application to the Development Services Department for a Conditional Use Permit [CUP] and Site Development Permit to amend CUP/Resource Protection Ordinance Permit [RPO]; and

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

WHEREAS, the issue was heard by the City Council on \_\_\_\_APR 0 5 2005 ; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in the Addendum to Environmental Impact Report No. 92-0568; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it be, and it is hereby certified, that

Addendum to Environmental Impact Report No. 92-0568, in connection with the CUP No.

10325 and SDP No. 10326 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 Administrative Code section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council.

BE IT FURTHER RESOLVED, that pursuant to California Administrative Code section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination 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

Douglas K. Humphreys Deputy City Attorney

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# STATEMENT OF OVERRIDING CONSIDERATIONS University of San Diego School of Education

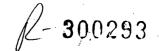
Pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code Sections 21081, and the CEQA Guidelines Section 15093, a decision-making agency is required to balance the economic, legal, social, technological, or other benefits of a proposed project against unavoidable environmental risks when determining whether to approve a project. If the benefits of a project outweigh the unavoidable environmental effects of a project, the environmental effects may be considered "acceptable" by the decision-making agency. If the decision-making agency approves a project that will result in the occurrence of significant unavoidable environmental effects, the agency shall prepare a Statement of Overriding Considerations (SOC). A SOC is a written statement based on substantial evidence in the record that specifies the reasons to approve a project in spite of unavoidable environmental effects. The SOC should be included in the record of the project approval and should be mentioned in the Notice of Determination.

The proposed School of Education is an implementation activity of the University of San Diego's (USD) Master Plan which was addressed in the certified Final Environmental Impact Report (SCH No. 93121032; City EQD No. 92-0568) dated July 17, 1996 (hereinafter referred to as "FEIR"). The City of San Diego adopted Candidate Findings and a SOC with approval of the USD Master Plan Conditional Use Permit and certification of the FEIR. The Candidate Findings for the USD Master Plan concluded that changes or alterations were required of or incorporated into the proposed project which mitigated, avoided, or substantially lessened the significant direct environmental effects identified in the FEIR for traffic circulation/parking, air quality, biological resources, geology/soils, cultural resources, paleontological resources, hydrology, and light/glare. Significant and unmitigated impacts were identified for three master plan projects that are not relevant to the proposed School of Education project. Lastly, significant cumulative impacts were identified for traffic/circulation and air quality.

The City adopted a SOC for the USD Master Plan that addressed the following key benefits of implementing the Master Plan:

- increased community service,
- increased City of San Diego revenues,
- expansion of academic and athletic programs,
- increased employment opportunities,
- enhanced cultural significance, and
- conformance with the Linda Vista Community Plan.

The proposed School of Education was anticipated in the FEIR and as such would not increase the Full Time Equivalent (FTE) population for the University that was addressed in the FEIR. Therefore, the proposed School of Education project would not result in new impacts or increase the severity of impacts that were identified in the FEIR related to enrollment. As an implementation activity of the USD Master Plan, the FEIR adequately covers all environmental issues pertaining to the proposed project with the exception of biology. The proposed project would impact 0.03 acre of disturbed coastal sage scrub habitat and 0.01 acre of undisturbed



coastal sage scrub habitat that was not anticipated in the FEIR. The impacts to 0.04 acre of biological resources would not be considered significant as an individual project, however, the impacts would be significant when added to the acreage of impacts anticipated for the entire Master Plan. This impact would be mitigated to below a level of significance by the following:

Mitigation monies shall be deposited in the City of San Diego's Habitat Acquisition Fund as established by City Council Resolution R-275129, adopted on February 12, 1990. Mitigation monies shall be based on \$25,000 per acre of impact. Specifically, \$1,000 for the proposed project must be deposited.

No new significant impacts have been identified for the proposed project. However, because significant unmitigated impacts were identified for the original project, a Statement of Overriding Considerations is required. No new CEQA Findings are required.

The City, pursuant to the CEQA Guidelines, has balanced the benefits of the proposed project against the unavoidable impact to biological resources. As mentioned previously, the proposed School of Education is an implementation activity of the USD Master Plan. As such, the proposed project would provide a positive contribution to the overall benefits of implementation of the Master Plan that were identified in the SOC for the Master Plan and are summarized above. Specific benefits of the School of Education are discussed below:

## Expansion of Academic Programs

The proposed School of Education would continue and expand the excellent academic programs currently offered by USD which in turn enhances the national image of the City of San Diego.

The School of Education comprises one of the University's five academic divisions, which include the Collage of Arts and Sciences and the Schools of Business Administration, Education, Law and Nursing. The School of Education grants three master's degrees: the Master of Arts, the Master of Education and the Master of Arts in Teaching Credential. A doctor of Education degree is offered in Leadership Studies and Learning and Teaching. Students may also obtain an American Humanics Certificate in conjunction with a Master of Arts in Leadership Studies.

The proposed School of Education would assure that USD continues to be a leader in academic programs. There are four academic program areas within the School of Education: Counseling, Leadership Studies, Learning and Teaching and Marriage and Family Therapy. In addition there are a number of outreach centers and support units.

The proposed School of Education would fulfill the desire to create a facility that will accommodate the University's needs in a professional manner and to make a "statement" about the important role of the School of Education on the USD campus. The School of Education would be located in a prominent location within the academic corridor of the school. The School of Education's location next to the Copley Library and opposite from the recently completed Joan B. Kroc Institute for Peace and Justice is vital to the University's interdisciplinary approach to research and education.

The new facility would reflect and respect the University's mission and vision statement which embraces three central themes:

- Prepare students with the professional knowledge, skills, and ethical perspectives with which they will need for effective leadership and practice in a diverse society;
- Seek to become, and encourage the students to become lifelong learners engaged in scholarly inquiry, research and professional development; and
- Value professional and community service and encourage such service by the students.

The enhanced programs will draw superior students and faculty to the institution and result in increased academic-related benefits to the community and region. Improved and expanded academic facilities provided by the School of Education will provide state-of-the-art programs that are competitive with other institutions of higher learning. These improvements in academic training will benefit local businesses and industries by providing local graduates that meet the growing demand for highly skilled professionals.

## 2. <u>Increased Employment Opportunities and Regional Economic Benefits</u>

The proposed new School of Education would increase employment opportunities on- and off-campus. Students, faculty and support staff associated with the School of Education will significantly contribute to the regional economy.

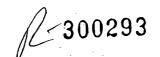
The proposed School of Education would provide several additional on-campus job opportunities. In addition, in the interim, construction jobs would also be created. However, of greater value is the number of long-term jobs created in the industries that provide goods and services to the University created by purchases from campus faculty, staff and students as well as support industry jobs.

Each year, USD purchases services, supplies and equipment from more than 2,000 businesses in San Diego County. The fiscal year 2001-2002, USD expenditures totaled more than \$43.6 million, generating approximately \$93.6 million in local economic impact. In addition, USD employs more than 2,500 full-time and part-time staff, making the University one of the 20 largest employers in San Diego County. As faculty and staff spend their income on purchases and services within the community, the total value of their spending is estimated at \$101.5 million. Recent figures indicate that approximately \$14,000 is spent per student in the local economy on rent, food, entertainment and other expenses.

# 3. <u>Continuation and Expansion of Community Service</u>

USD plays a vital role in providing community service learning to the Linda Vista Community and the City as a whole. Many of these services are in the educational field. The proposed School of Education would increase the University's capacity to provide and expand such services.

The School of Education would result in the addition of several faculty, administrators and staff to accommodate the projected student enrollment. The proportionate increase in students and



university related personnel dedicated to the proposed project would proportionately increase the number of persons providing service within the Linda Vista Community and the region as a whole. Specifically, the proposed School of Education would contribute to the estimated 7,740 hours of additional community service that would be brought to the community from buildout of the Master Plan.

As an integral part of the University of San Diego's mission to educate the whole person, community service learning creates opportunities for students, faculty and staff to enrich their lives while making San Diego a better place to live. During the student's academic careers, more than two-thirds of USD's undergraduates are involved in a range of volunteer community service projects including Family Learning Center, Habitat for Humanity, Homeless Outreach, Linda Vista Kids Project, Senior Outreach, Special Olympics and Volunteers for Youth. The following lists a few community programs oriented toward educational programs that have been or are currently implemented by USD undergraduates:

- At Bayside Settlement House, USD students revived a defunct, after-school, recreation program. USD students also tutor and mentor youngsters at Carson Elementary; tutor low-income children at the University Canyon Housing project; organize recreation facilities at Montgomery Jr. High; and, provide homework assistance at the Linda Vista Library.
- The Linda Vista KIDS project was created by the University to address concerns from the community regarding a rise in vandalism and problems with youth gangs. The project created after-school recreation, tutoring and mentoring programs at the Linda Vista Boy's and Girl's Clubs, the Linda Vista Park and Recreation Center, the Linda Vista Public Library, Montgomery Junior High and Carson Elementary Schools. Hundreds of Linda Vista children have benefited from this program.

#### 4. Continuation of Architectural Heritage

The School of Education has been designed to be visually appealing and compatible with the architecture and landscaping of the existing university facilities.

The proposed School of Education will match the existing campus architecture in design and craftsmanship in accordance with the USD Master Plan & Design Guidelines dated October 29, 1996 (CUP 92-0568). The architecture of the building will reflect the 16<sup>th</sup> century Spanish Renaissance style of the existing campus structures. The building will be light in color, with ornate detailing on entrances and roof lines. There will be extensive use of arches, arcades, articulated parapets and finials. The main entrance will have a domed roofline which is used for landmark buildings throughout the campus. Cobalt blue tile will be used for accent areas consistent with other buildings on the campus.

Landscaping around the School of Education will also be in compliance with the USD Master Plan & Design Guidelines. A unifying campus plant palette will be used along the eastern façade to conform to the existing campus landscaping. A dense landscape buffer will be



provided along the northern façade to give separation from the neighboring residential areas and the existing campus residence. The existing vegetation along Marian Way will be preserved. Distinctive and decorative plants will mark entrances to the proposed structure, and bare expanses of wall will be screened with shrubs or vines. Irrigated natural landscape will be located adjacent to the western edge of the building that will transition to the native vegetation to remain within the canyon further to the west.

#### EXHIBIT A

# MITIGATION MONITORING AND REPORTING PROGRAM CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT

#### PROJECT NO. 6242

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum to an Environmental Impact Report No. 92-0568 shall be made conditions of CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT as may be further described below.

#### **Biological Resources**

Prior to the issuance of the first grading permit, direct impacts to approximately 0.04 acres of coastal sage scrub shall be mitigated to the satisfaction of the City Manager through the following:

(a) Mitigation monies shall be deposited in the City of San Diego's Habitat Acquisition Fund as established by City Council Resolution R-275129, adopted on February 12, 1990. Mitigation monies shall be \$25,000 per acre of impact, specifically \$1,000 for the proposed project must be deposited.

The above mitigation monitoring and reporting program may require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

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