

RESOLUTION NUMBER R-301816

DATE OF FINAL PASSAGE AUGUST 7, 2006

WHEREAS, on June 17, 2004, Pacific Beach Investment Trust submitted an application to the City of San Diego for a coastal development permit/planned development permit for the Mission at PB Drive project; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; 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 August 7, 2006; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration Project No. 41256; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration Project No. 41256, 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 a coastal development permit/planned development permit for the Mission at PB Drive Project.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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, as Exhibit A, and incorporated herein by reference.

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

  
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Douglas K. Humphreys  
Deputy City Attorney

DKH:pev  
08/14/06  
Or.Dept:Clerk  
R-2006-141  
MMS #3604  
ENVIRONMENTAL - MND 11-01-04

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM  
MISSION @ PB DRIVE

PROJECT NO. 41256

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 Mitigated Negative Declaration No. 41256 shall be made conditions of Coastal Development Permit/Planned Development Permit as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM:

Prior to foundation inspection, the Owner/Permittee shall provide the Environmental Analysis Section (EAS) and the Assistant Deputy Director of Land Development Review Division of the Development Services Department documentation from the San Diego County of Environmental Health (DEH) indicating that a certified environmental hygienist was present during the installment of the Liquid Boot vapor barrier, and, after inspection of the vapor barrier, determined it was properly and satisfactorily installed, and has been approved by DEH. Compliance of this mitigation measure would adequately mitigate any potential environmental impacts.

R-301816

Passed by the Council of The City of San Diego on AUG 07 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 07 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Manuel E. Kitchman, Deputy

Office of the City Clerk, San Diego, California

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