

RESOLUTION NUMBER R- 304529

DATE OF FINAL PASSAGE DEC 02 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CERTIFYING AND APPROVING THE
SUBSEQUENT ADDENDUM TO THE MITIGATED
NEGATIVE DECLARATION FOR THE CITY HEIGHTS
SQUARE AMENDMENT – PROJECT NO. 146605.

WHEREAS, City Heights Realty, LLC, a California Not-for-Profit Corporation, and the City of San Diego Redevelopment Agency submitted an application to the City of San Diego for permits to demolish existing structures and construct a mixed-use development on portions of a 2.78-acre site, as described in the Subsequent Addendum to the Mitigated Negative Declaration [MND] for this project (Project No. 146605) and the corresponding conditions of approval for the associated Permit Nos. 514696, 518933, 518932 and 519775, and by this reference thereto made a part hereof; and

WHEREAS, the City of San Diego previously prepared MND No. 40960 and Addendum to MND No. 40960; and

WHEREAS, based upon the Addendum and Initial Study Checklist, it was determined that a Subsequent Addendum to the MND was appropriate pursuant to CEQA Guidelines section 15162 and 15164; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; 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 issue was heard by the City Council on DEC 02 2008; and

WHEREAS, the City Council considered the issues discussed in Subsequent Addendum to MND LDR No. 146605; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Subsequent Addendum to MND LDR No. 146605, 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 Planned Development Permit No. 514696, Neighborhood Use Permit No. 518933, Conditional Use Permit No. 518932, and Site Development Permit No. 519775, and the associated Community Plan Amendment, General Plan Amendment, and Rezone for the City Heights Square – Amendment project (Project No. 146605).

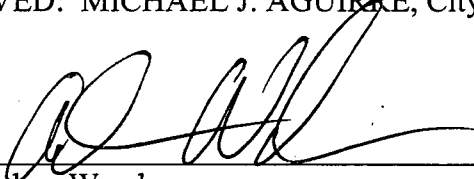
BE IT FURTHER RESOLVED, that the City Council finds that:

1. There are no new significant environmental impacts not considered in the previous MND.
2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken.
3. There is no new information of substantial importance to the project.

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:



Adam Wander
Deputy City Attorney

ARW:cw
11/18/08
12/04/08:COR.COPY
Or.Dept:DSD
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