

(A) 2/24
(R-2009-838)

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RESOLUTION NUMBER R- 304636

DATE OF FINAL PASSAGE FEB 24 2009

RESOLUTION CERTIFYING NEGATIVE DECLARATION
NO. 18262 – PETRIE RESIDENCES - PROJECT NO. 18262.

WHEREAS, on October 9, 2008, John R. Petrie, Trustee of the John R. Petrie Trust Agreement dated July 21, 2004, Owner/Permittee, submitted an application to the City of San Diego for a site development permit, tentative map, public right-of-way vacation and rezone for the Petrie Residences Project; 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 FEB 24 2009; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in Negative Declaration No.18262; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it is certified that Negative Declaration No. 18262; 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 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 this Council in connection with the approval of site development permit, tentative map, public right-of-way vacation and rezone for the Petrie Residences Project.

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 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: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

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Or.Dept:DSD
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