

RESOLUTION NUMBER R- 308107

DATE OF FINAL PASSAGE APR 15 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING THE APPEAL AND APPROVING
ENVIRONMENTAL DETERMINATION FOR DOUMA
RESIDENCE – PROJECT NO. 236671.

WHEREAS, on January 14, 2013, the Environmental Analysis Section (EAS) of the Development Services Department determined that the proposed construction of a 3-level, single-family residence located at 5168 W. Point Loma Boulevard for Douma Residence, Project No. 236671 was exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction); and

WHEREAS, on January 22, 2013, Jane Gawronski, Chair of the Ocean Beach Community Planning Board, filed an appeal of the environmental determination; and

WHEREAS, the appeal was set for public hearing to be conducted by the City Council of the City of San Diego on April 15, 2013, and

WHEREAS, the issues on appeal were heard, and evidence in the form of testimony and other evidence was accepted into the record by the City Council on April 15, 2013; and

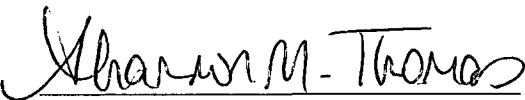
WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter required the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was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

WHEREAS, the City Council considered, in the light of the whole record, the environmental determination made by EAS, the potential impacts associated with the project,

and the issues raised on appeal, including in testimony provided at the hearing; NOW,
THEREFORE,

BE IT RESOLVED, based upon substantial evidence in light of the whole record, the
City Council of the City of San Diego denies the appeal and approves the environmental
determination that the project is exempt from CEQA pursuant to Guidelines Section 15302
(Replacement or Reconstruction).

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
04/22/13
Or.Dept:DSD
Doc. No. 547602