

RESOLUTION NUMBER R- 310707

DATE OF FINAL PASSAGE OCT 04 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING THE APPEAL AND ADOPTING THE
NEGATIVE DECLARATION FOR CHOLLAS WATER
OPERATIONS FACILITY IMPROVEMENTS – PROJECT
NO. 397650.

WHEREAS, on September 29, 2015, the Environmental Analysis Section of the
Development Services Department prepared a final Negative Declaration Initial Study for this
project; and

WHEREAS, on July 13, 2016, the Eastern Area Communities Planning Committee
(EACPC) submitted an Environmental Determination Appeal Application (Appeal) with the
City’s Development Services Department stating that the CEQA Guidelines section 15303
exemption does not apply to the Project; and

WHEREAS, the Appeal was heard before the City Council on October 4, 2016; and

WHEREAS, the Project complies with the minimum required 15-foot setback
requirement, maximum 30-foot height limit, and the maximum allowable floor area ratio of 0.45
(total of all buildings combined) for the RS-1-7 zone; and

WHEREAS, the Project provides improvements to a portion of the existing City of
San Diego Chollas Water Operations Facility at 2797 Caminito Chollas located in the
RS-1-7 Zone, within the Eastern Area of the Mid-City Communities Plan and Council District 4;
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; NOW, THEREFORE,


BE IT RESOLVED, by the City Council of the City of San Diego, that the Appeal is hereby denied.

BE IT FURTHER RESOLVED, by the City Council that the Negative Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

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 Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Mark M. Mercer
Deputy City Attorney

MMM:cw
10/05/16
Or.Dept: Development Services Department
CC No.: N/A
Doc. No.: 1351467

Passed by the Council of The City of San Diego on OCT 04 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 04 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Ginda Irwin, Deputy

Office of the City Clerk, San Diego, California

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