

# 204  
4/23

RESOLUTION NUMBER R- 311699

DATE OF FINAL PASSAGE APR 23 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL, UPHOLDING THE ENVIRONMENTAL DETERMINATION, AND ADOPTING THE MITIGATED NEGATIVE DECLARATION WITH THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HILLCREST 111 PROJECT – PROJECT NO. 522075.

WHEREAS, on February 20, 2018, the Environmental Analysis Section of the Development Services Department (DSD) issued Mitigated Negative Declaration No. 522075 (MND) with the associated Mitigation Monitoring and Reporting Program (MMRP) for the Hillcrest 111 project, Project No. 522075 (Project), which will involve the demolition of an existing surface parking lot and the construction of a 136,816 square foot, seven story, mixed-use development with 4,800 square feet of commercial space and 111 residential dwelling units (102 market rate and nine very-low income units) with 190 underground parking spaces and a detached, subterranean, 86 space parking structure to serve the adjacent AT&T facility; and

WHEREAS, the Project site is 0.96 acres located at 635 Robinson Avenue in the CC-3-9 and RM-3-9 zones (formerly MR-800B and CN-1A zones under the 1988 Uptown Community Plan and the Mid-City Communities Planned District Ordinance), Airport Influence Area (Review Area 2) for San Diego International Airport (SDIA), Federal Aviation Administration (FAA) Part 77 Noticing Area, Residential Tandem Parking Overlay Zone, and Transit Area Overlay Zone within the Uptown Community Plan area; and

WHEREAS the Project will utilize an Affordable Housing Density Bonus with development incentives; and

WHEREAS, Thomas Mullaney, Executive Director of Uptown United submitted an appeal of the MND environmental determination on March 20, 2018; and

WHEREAS, City staff prepared memorandums dated April 6 and 12, 2018 responding to the issues raised in the appeal for the City Council's consideration; and

WHEREAS, the appeal was set for a public hearing and heard by the City Council on April 23, 2018; and

WHEREAS, under San Diego 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 City 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, as follows:

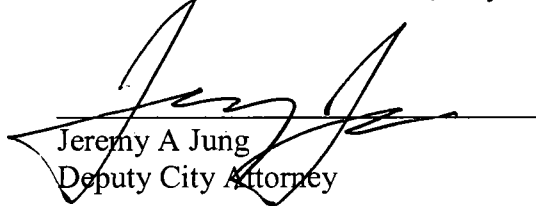
1. That it is certified that the MND has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code section 21000 et seq.), as amended, and the State CEQA Guidelines thereto, that the MND reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the MND, together with comments received during the public review process, have been reviewed and considered by the City Council.

2. That the appeal of the environmental determination for the Project is denied, based upon the determination that no substantial evidence has been provided to support a fair argument that the Project may have a significant effect on the environment.

3. That the MND with the associated MMRP for the Project is approved and adopted.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Jeremy A Jung  
Deputy City Attorney

JAJ:nja  
04/25/18  
Or.Dept: DSD  
Doc. No.: 1737720

Passed by the Council of The City of San Diego on APR 23 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 23 2018

**(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 *Sty Brac*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311699