

RESOLUTION NUMBER R- 312060DATE OF FINAL PASSAGE NOV 13 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND UPHOLDING THE ENVIRONMENTAL EXEMPTION FOR 10671 ROSELLE STREET MARIJUANA PRODUCTION FACILITY – PROJECT NO. 585605.

WHEREAS, an application for a Conditional Use Permit (CUP) was submitted to operate a Marijuana Production Facility (MPF) at 10671 Roselle Street within a 7,447 square foot space encompassing Suites 200-203, 102, and a portion of 101 of an existing 9,687 square-foot, two-story building located on a 0.44-acre site in the IL-3-1 Zone within the Torrey Pines Community Plan area (the Project); and

WHEREAS, on August 31, 2018, the Environmental Analysis Section (EAS) of Development Services Department made the determination that the Project was exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303(c) (new construction or conversation of small structures); and

WHEREAS, on September 17, 2018, Jim Matson and Mark Gonsalvez each filed an appeal of that environmental determination; and

WHEREAS, EAS staff prepared a memorandum for the City Council's consideration that contains responses to the issues raised in the appeals; 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; and

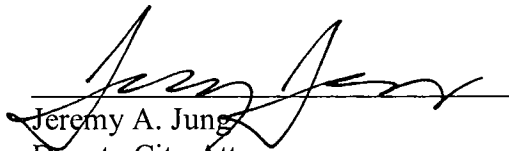
WHEREAS, the appeals were heard before the City Council on November 13, 2018, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the appeals are hereby denied.

BE IT FURTHER RESOLVED, that the environmental determination that the Project is exempt under CEQA Guidelines section 15303(c) is hereby upheld.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Jeremy A. Jung
Deputy City Attorney

JAJ:als
11/14/2018
Or.Dept:DSD
Doc. No.: 1862948

NOV 13 2018

Passed by the Council of The City of San Diego on _____, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 13 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 [Signature], Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Resolution Number R- <u>312060</u></p>
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