

#202
10/21

RESOLUTION NUMBER R- 312711

DATE OF FINAL PASSAGE OCT 21 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE ENVIRONMENTAL DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO GUIDELINES SECTION 15301 (EXISTING FACILITIES), SECTION 15303 (NEW CONSTRUCTION), AND SECTION 15332 (IN-FILL DEVELOPMENT) FOR NEWMAN RESIDENCE – PROJECT NO. 607808.

WHEREAS, on July 2, 2019, an application for a demolition permit was submitted to the City of San Diego to demolish a one-story 3,040 square-foot single dwelling unit with a studio loft on a 0.55-acre lot, and construction of a new two-story 10,121 square-foot single dwelling unit with a basement and an attached 740 square-foot 3-car garage located at 7742 Whitefield Place (Project), within the La Jolla Community Plan area; and

WHEREAS, on June 19, 2019, the Environmental Analysis Section (EAS) of the Development Services Department (DSD) made the determination that the Project was exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines Sections 15301 (Existing Facilities), Section 15303 (New Construction), and Section 15332 (In-Fill Development); and

WHEREAS, on July 2, 2019, an environmental determination appeal was filed by Robert Steiner; and

WHEREAS, the appeal was heard by the City Council on October 21, 2019; 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, that the appeal of the Environmental Determination is denied, based upon the substantial evidence provided in the record to support the exemption and the determination that no substantial evidence has been provided to support a fair argument that one of the exceptions to the categorical exemption applies.

BE IT FURTHER RESOLVED, that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Sections 15301 (Existing Facilities), Section 15303 (New Construction), and Section 15332 (In-Fill Development).

APPROVED: MARA W. ELLIOTT, City Attorney

By



Noah J. Brazier
Deputy City Attorney

NJB:als
10/23/2019
Or.Dept:DSD
Doc. No.: 2206812

Passed by the Council of The City of San Diego on OCT 21 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 21 2019.

(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.

(Seal)

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

By *Stacy Brady*, Deputy

Office of the City Clerk, San Diego, California

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