

RESOLUTION NUMBER R- 315880
DATE OF FINAL PASSAGE NOV 12 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO GRANTING ENVIRONMENTAL APPEAL –
KLAUBER DEVELOPMENT, 1362 KLAUBER AVENUE,
PROJECT NO. PRJ-0693289.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. Klauber Development Corp. submitted an application to the City of San Diego (City) for a subdivision of a 5.66-acre project site into 25 lots and the development of 25 single-story, single-family homes and two private drives, for the Klauber Project (Project) located at 1362 Klauber Avenue.

B. On June 10, 2024, the City through the Development Services Department (DSD) determined that the Project met the requirements of California Environmental Quality Act (CEQA) (California Public Resources Code sections 21000-21189.3) under CEQA Guidelines section 15183 (titled “Projects Consistent with a Community Plan, General Plan, or Zoning”) and did not require additional environmental review (Environmental Determination).

C. On June 28, 2024, Mellie M. Gray (Appellant) appealed the Environmental Determination for the Klauber Project to the Council.

D. On October 3, 2024, upon additional review, the DSD reviewed its Environmental Determination and determined that the Project did not meet the requirements of CEQA Guidelines section 15183 because the local community plan would only allow 23 units on the Project site. Based on this conclusion, the DSD recommended granting this appeal.

E. On November 12, 2024, the Council heard the environmental appeal of the Project. The Council considered, in light of the whole record, the Environmental Determination, the potential environmental impacts associated with the Klauber Project, and the issues raised on appeal and brought up at the hearing through testimony and public participation.

F. The Office of the City Attorney prepared this Resolution based on the information provided, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

G. Under San Diego Charter section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the 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.

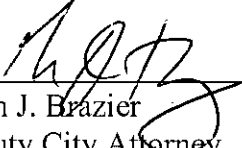
ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council finds, based upon the representations of City staff, public testimony and the whole record before it, that the appeal is granted, and the Environmental Determination is set aside.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Noah J. Brazier
Deputy City Attorney

NJB:cc
November 14, 2024
Or.Dept: DSD
Doc. No. 3877205

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
NOV 12 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk
for Gil Sanchez

Passed by the Council of The City of San Diego on NOV 12 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 12 2024.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **315880**