

**SUBSEQUENT ACTION NOTICE OF DETERMINATION
(Consistency Determination Pursuant to CEQA Guidelines Section 15162)**

To: Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: PRJ-1076060

State Clearinghouse Number: 2003041001

Project Title: Two American Plaza Tentative Map

Project Location: 1111 Kettner Bl, San Diego, CA 92101

City/County: San Diego/San Diego

Description of Previous Action and Project: The Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), and 10th Amendment to the Centre City Redevelopment Plan (State Clearinghouse (SCH) No. 2003041001) was certified by the former Redevelopment Agency (Former Agency) and the Council of the City of San Diego (City Council) on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), August 3, 2010 (Former Agency Resolution R-04544) and certified by City Council on February 12, 2014 (Resolution R-308724) and July 14, 2014 (Resolution R309115), and November 17, 2020 (Resolution R-313302); and the Final Supplemental Environmental Impact Report (SEIR) for the Downtown San Diego Mobility Plan (SCH No. 2014121002) certified by the City Council on July 6, 2016 (Resolution R-310561).

Development within the Downtown Community Planning area is also covered under the following documents, referred to collectively as the CAP FEIR: the FEIR for the City of San Diego Climate Action Plan (CAP) (Project No. 416603/SCH No. 2015021053) certified by the City Council on January 4, 2016 (Resolution R-310176); the Addendum to the CAP FEIR for the CAP Consistency Checklist (Project No. 416603/SCH No. 2015021053) adopted by the City Council on July 19, 2016 (Resolution R-310595); and the Addendum to the CAP FEIR for the City of San Diego CAP Update (Project No. 416603/SCH No. 2015021053) adopted by the City Council on August 10, 2022 (Resolution R-314298).

The Downtown FEIR and CAP FEIR are both Program EIRs prepared in compliance with the California Environmental Quality Act ("CEQA") Guidelines Section 15168.

Description of Current Project: Tentative Map to create one commercial condominium and 48 residential condominiums for a 13-story mixed-use development previously approved under CCDP/CCPDP/NUP No. 2018-58. The 1.5-acre (65,317-square-foot) site is located at 1111 Kettner

Boulevard in the Columbia neighborhood of the Downtown Community Plan area (Council District 3). LEGAL DESCRIPTION: PARCEL 5, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN ON PAGE 15843, IN BOOK OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON OCTOBER 26, 1989.

Project Applicant: Lisa Leweck, 1620 Fifth Avenue, Suite 675, San Diego CA 92101. (619) 269-3444.

Determination: Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162, 15163, and 15164 the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent/supplemental EIR or subsequent Negative Declaration/Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

This is to advise that the Hearing Officer of the City of San Diego on January 31, 2024 approved the above-described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous FEIR was certified, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous FEIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous FEIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous FEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Furthermore, the City has made the following determinations:

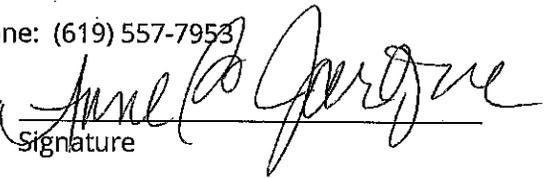
1. The proposed project would, or would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in FEIR.

2. Mitigation measures were, were not, made a condition of the approval of the project;
3. New Findings were, were not, required pursuant to CEQA Guidelines Section 15091.
4. New Statement of Overriding Considerations were, were not, required.

It is hereby certified that the CEQA Guidelines Section 15162 Consistency Analysis Memorandum and final environmental document(s) are available to the public at the office of the City's Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Ajarque

Telephone: (619) 557-7953

Filed by: 

Signature

Senior Planner

Title

Reference: California Public Resources Code, Section 15162/63.



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: March 22, 2023

TO: County of San Diego – Assessor/Recorder/County Clerk

FROM: James Alexander, Senior Planner, Urban Division

SUBJECT: Notice of Determination Filing for Project Relying on Previously Certified Downtown Final Environmental Impact Report

Per the attached Notice of Determination (NOD), the City of San Diego determined that the previously certified Downtown Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2003041001) adequately addressed all environmental impacts for the enclosed project and that no further environmental review is required under the California Environmental Quality Act (CEQA). The Downtown FEIR was adopted by City Council on February 28, 2006.

Per the California Department of Fish and Wildlife (CDFW), only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife (Cal. Code Regs. Tit. 14, § 753.5, Subd. (e)(3)). A copy of that receipt shall be attached to any additional notices of determination that may be required for the same project, which shall suffice as documentation that the fee was paid (Cal. Code Regs. Tit. 14, § 753.5, Subd. (e)(4)).

Therefore, the NOD for the enclosed project includes a copy of the original NOD for the Downtown FEIR and CDFW Certificate of Fee Exemption, filed in the Office of the County Clerk on March 17, 2006. County of San Diego Recorder/County Clerk management has confirmed that this approach is acceptable as proof of CDFW review and payment. If you have any questions, feel free to reach out to me at (619) 446-5188 or JamesA@sandiego.gov.

019482

Recording Requested by
and Mail to:

Centre City Development Corporation
Attn: Planning Department
225 Broadway, Suite 1100
San Diego, CA 92101

FILED
Gregory J. Smith, Recorder/County Clerk

MAR 17 2006

BY 
DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on MAR 17 2006
Posted MAR 17 2006
Returned to agency on
Deputy 

THIS SPACE FOR RECORDER'S USE ONLY

NOTICE OF DETERMINATION

TO: County Clerk
County of San Diego
Records Division
1600 Pacific Highway, Room 260
San Diego, CA 92101

FROM: Centre City Development Corporation (CCDC)
225 Broadway, Suite 1100
San Diego, CA 92101

Subject:

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

SCH #2003041001	Alexandra Elias	(619) 235-2200
State Clearinghouse Number	Contact Person	Area Code/Telephone

Project Location: The area included in the Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project ("Redevelopment Plan"), and Centre City Planned District Ordinance ("PDO") covers the downtown area of the City of San Diego, west of Interstate 5.

Project Description: The Downtown Community Plan and Redevelopment Plan establish land use designations as well as goals and policies to govern development through the year 2030. The Centre City PDO provides more specific standards for future downtown development.

Action: On March 14, 2006, the Mayor signed the Resolution approving the Downtown Community Plan, pursuant to San Diego City Charter section 280(c) [Resolution No.301264, which was passed by the City Council on February 28, 2006]. On February 28, 2006, the City Council also introduced the ordinance approving the Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, and the Centre City PDO, which ordinances will be considered for adoption at a subsequent Council meeting and shall also be subject to the mayoral approval provisions of Charter section 280.

Determination: The Council of the City of San Diego has made the following determinations:

1. The project will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not] made a condition of the approval of the project.
4. Findings and a Statement of Overriding Considerations were were not] adopted for this project.

The Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City PDO, and Tenth Amendment to the Redevelopment Plan was certified on February 28, 2006 by Resolution No. 301265, which Resolution was also signed by the Mayor on March 14, 2006. The FEIR with comments and responses and record of project approval are available to the public at Centre City Development Corporation, 225 Broadway, Suite 1100, San Diego, CA 92101 and City of San Diego, City Clerk, 202 C Street, San Diego, CA 92101.

Notice: This Notice of Determination is filed and posted with respect to the City Council and Mayor's approval of the Downtown Community Plan, pursuant to CEQA Guidelines section 15094(a). A separate Notice of Determination will be filed and posted, pursuant to Section 15094(a), upon the City Council's adoption of the ordinances approving the Tenth Amendment to the Redevelopment Plan and the Centre City PDO and the Mayor's subsequent approval thereof.

Alexandra Elias, Senior Planner


Date
17 March 2006

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include county):

The area included in the Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project ("Redevelopment Plan"), and Centre City Planned District Ordinance ("PDO") covers the downtown area of the City of San Diego, west of Interstate 5.

Project Description:

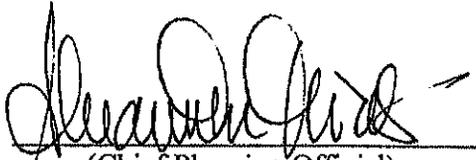
The Downtown Community Plan and Redevelopment Plan establish land use designations as well as goals and policies to govern development through the year 2030. The Centre City PDO provides more specific standards for future downtown development.

Findings of Exemption (attach as necessary):

An Environmental Impact Report was prepared for the project. The project site is a developed urban environment that does not contain wildlife resources. The project would not have adverse impact on wildlife resources and the De Minimis Impact finding can be made.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



(Chief Planning Official)
Title: Senior Planner
Lead Agency CCDC
Date: 17 March 2006

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