

RESOLUTION NO. 021-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
APPROVING AND ADOPTING AN ADDENDUM TO MITIGATED NEGATIVE
DECLARATION (AEIS2018-2) TO PERMIT THE CONSTRUCTION OF A 62-UNIT
CONGREGATE CARE FACILITY WITH UP TO THREE STORIES AND 57 FEET IN
HEIGHT ON A 2.74-ACRE VACANT PARCEL LOCATED AT 11000 SUNSET TRAIL IN
THE R-14 (MEDIUM HIGH DENSITY RESIDENTIAL) ZONE**

**APPLICANT: M. GRANT REAL ESTATE, INC. (MICHAEL GRANT)
APN: 384-142-04**

(RELATED CASE FILE: MAJOR REVISION MJR2021-1)

WHEREAS, on September 9, 2020, the City Council adopted Resolution No. 105-2020, adopting a Mitigated Negative Declaration (AEIS2018-2; State Clearinghouse No. 2020029092) and approving Conditional Use Permit (P2017-4) for the development of a 50-unit congregate care facility on a 2.74-acre vacant parcel of land located at 11000 Sunset Trail in the R-14 Zone; and

WHEREAS, on October 27, 2021 the applicant submitted a request a Major Revision to approved Conditional Use Permit (P2017-4) to enlarge the approved three-story congregate care facility to include 62 residential units and remove two, single-story duplexes that would have provided four independent senior living units (villas), for a net increase 12 units (“Revised Project”); and

WHEREAS, Major Revision (MR2021-1) would result in a similar project as that approved under Conditional Use Permit (P2017-4) with the size, height, and building footprint of the congregate care facility substantially the same as the original approval; and

WHEREAS, the height of the revised building is 57 feet which is less than the previously approved height of 59 feet; and

WHEREAS, under Public Resources Code section 21067, and section 15367 of the State CEQA Guidelines (tit. 14, Cal. Code Regs., § 15000 et seq.), the City is the lead agency for the Revised Project; and

WHEREAS, a Supplemental Environmental Checklist Form was prepared to evaluate whether any supplemental or subsequent environmental review is required for the Revised Project. City staff concluded that none of the circumstances described in Public Resources Code section 21166 or State CEQA Guidelines section 15162 have occurred, and thus no supplemental or subsequent environmental review is required; and

WHEREAS, an Addendum to the adopted Mitigated Negative Declaration has been prepared to address any minor technical changes or additions to the Project under State CEQA Guidelines section 15164; and

WHEREAS, City Council has reviewed the Addendum and adopted Mitigated Negative Declaration, along with the information in the Supplemental Environmental Checklist Form, prior to taking action on the Revised Project. The Addendum reflects the independent judgement and analysis of the City Council and complies with all requirements of the Public

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Resources Code and the State CEQA Guidelines; and

WHEREAS, the City Council conducted a duly-noticed public hearing on February 23, 2022, to review the Project, the Addendum to the Mitigated Negative Declaration, and all other relevant information contained in the administrative record for the Revised Project; and

WHEREAS, as contained herein, the City Council has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Revised Project and the Project, which are incorporated herein by this reference, and not based solely on the information provided in this Resolution; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the Mitigated Negative Declaration, the Addendum, and the Supplemental Environmental Checklist Form; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1. RECITALS. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. As the decision-making body for the Revised Project, the City Council has reviewed and considered the information contained in the Mitigated Negative Declaration, the Addendum to the Mitigated Negative Declaration and Supplemental Environmental Checklist Form, any comments received, other documents contained in the administrative record for the Project and the Revised Project, and all other written and oral evidence presented to the City Council for the Revised Project (collectively, the "Record"). The City Council finds that the Addendum and the Supplemental Environmental Checklist Form contains a complete, objective, and accurate reporting of the environmental impacts associated with the Revised Project and reflects the independent judgment and analysis of the City Council. The City Council further finds that the Addendum has been completed in compliance with CEQA and the State CEQA Guidelines.

SECTION 3. FINDINGS ON ADDENDUM. The City Council finds that the City was the lead agency for the project and is the lead agency for the Revised Project. Based on substantial evidence in light of the whole Record and pursuant to State CEQA Guidelines section 15162, the Revised project would not result in substantial changes to the Project, no substantial changes have occurred with respect to the circumstances under which the Revised Project is undertaken and there is no new information of substantial importance which was not known and could not have been known at the time the Mitigated Negative Declaration was adopted

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showing the Revised Project would have new significant effects. The project specific mitigation measures identified in the Supplemental Environmental Checklist Form/Addendum and the Mitigation Monitoring and Reporting Program have been incorporated into the Revised Project. No new mitigation measures are required to mitigate environmental impacts associated with the Revised Project.

SECTION 4. ADOPTION OF THE ADDENDUM. The Addendum to the previously adopted Mitigated Declaration is hereby approved and adopted.

SECTION 5. NOTICE OF DETERMINATION. Staff is directed to file a Notice of Determination with the San Diego County Clerk within five (5) working days of adoption of the Addendum. The City of Santee hereby notifies the applicant that in order to file the Notice of Determination, the applicant shall remit to the City of Santee Department of Development Services, within two (2) working days of the effective date (as defined in Section 7 below) of this approval, a certified check payable to the "County Clerk, County of San Diego" in the amount of \$50.

SECTION 6. LOCATION AND CUSTODIAN OF RECORDS. The documents and materials associated with Project and the Revised Project that constitute the record of proceedings on which these findings are based are located at Santee City Hall, 10601 Magnolia Avenue, Building #3, Santee, CA 92071. The City Clerk is the custodian of the record of proceedings.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 23rd day of February, 2022, by the following roll call vote to wit:

AYES: HALL, MCNELIS, TROTTER

NOES: NONE

ABSENT: KOVAL, MINTO

APPROVED:



RONN HALL, VICE MAYOR

ATTEST:



ANNETTE ORTIZ, CMC, CITY CLERK