

Grantville Focused Plan Amendment
Final Programmatic Environmental Impact Report

STATEMENT OF OVERRIDING CONSIDERATIONS
(PUBLIC RESOURCES CODE §21081(B))
Regarding Final Environmental Impact Report for the
Grantville Focused Plan Amendment

Project Number 346289

SCH NO. 2013111017

May 2015

Pursuant to Section 21081 (b) of CEQA and CEQA Guidelines §15093 and 15043, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

If the specific economic, legal, social, technological, or other benefits, including considerations for a wider range of employment opportunities outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to Public Resources Code §21081. CEQA further requires that when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the FEIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the FEIR and/or other information in the record.

Pursuant to the Public Resources Code §21081 (b) and Guidelines § 15093, the City Council, having considered all of the foregoing, finds that the following specific overriding economic, legal, social, or other benefits associated with the proposed Project outweigh unavoidable adverse direct impacts related to land use, traffic/circulation, air quality and odor, and noise. Each of the separate benefits of the proposed Project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in the Findings.

The City Council also has examined alternatives to the Project, and finds that the proposed FPA alternatives discussed in the FEIR should not be adopted because while each alternative meets some of the basic objectives of the FPA, they do not meet them to the same extent as with the FPA, and do not meet the General Plan policies as further documented below; specifically, that economic, legal, social, or other considerations make the alternatives infeasible. The City also finds that the economic, legal, social, and technological benefits of the proposed FPA that the City has found to override the alternatives' environmental benefits would be negated by the proposed FPA's alternatives.

The City finds that the Project most fully implements the City's desire to incorporate the General Plan's goals and policies into its neighborhoods as part of the long-term community plan update process.

The City Council declares that it has adopted all feasible mitigation measures to reduce the proposed FPA's environmental impacts to an insignificant level; considered the entire administrative record, including the FEIR; and weighed the proposed FPA's benefits against its environmental impacts. After doing so, the City Council has determined that the proposed FPA's benefits outweigh its environmental impacts, and deem them acceptable.

The City Council identified the following public benefits in making this determination. Each of these public benefits serves as an independent basis for overriding all unavoidable adverse environmental impacts identified in these Findings and the FEIR. The City Council considers these impacts to be acceptable, consistent with CEQA Guidelines section 15093.

The California Supreme Court has stated that, “[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” *Citizens of Goleta Valley v. Bd. of Supers.* (1990) 52 Cal.3d 553, 576.

Courts have upheld overriding considerations that were based on policy considerations including, but not limited to, new jobs, stronger tax base, implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plans and general plans, and provision of construction jobs. See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal. App.3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal. App.3d 1029; *City of Poway v. City of San Diego* (1984) 155 Cal.App.3d 1037; *Markley v. City Council* (1982) 131 Cal.App.3d 656.

Therefore, the decision-making body expressly finds that in accordance with Public Resources Code §21081 (b) and 21081.5, and CEQA Guidelines §§15093 and 15043, based on the following specific considerations, the benefits of the Project would outweigh the Project’s significant effects on the environment:

1. The proposed FPA is necessary to promote the redesign and development of areas which are underutilized.

The proposed FPA area is generally characterized by underutilized land and buildings, incompatible land uses, parcels of irregular sizes and forms which hinder development, limit parking, and provide inadequate vehicle access. The rezone and community plan amendment looks to make major changes to the area by providing mixed-use housing and commercial development, and public amenities.

The General Plan states that the Grantville area is unlikely to attract new industrial growth due to the changing needs of modern industrial businesses. The proposed FPA includes a rezone to allow for new development rather than continue to support industrial uses. The General Plan also encourages residential uses in targeted Grantville locations with refined community plan land use designations to assist in separating potentially incompatible uses.

To promote new growth and development envisioned in the General Plan, the FPA rezones the primarily industrial and commercial area to allow high density, mixed use development. The new growth should attract residents, and community serving commercial businesses to the area. The potential growth should revitalize and improve Grantville, thus overriding the potential environmental impacts.

2. The proposed FPA will promote Transit-Oriented Development and a multi-modal strategy.

The Grantville Trolley Station provides an opportunity for Grantville to become a hub for Transit-Oriented Development. New residential and commercial uses allowed in the proposed FPA should utilize the transit station, allowing residents and visitors the opportunity to travel without the use of a car.

Additionally, the Grantville Community Plan Implementation Overlay Zone (CPIOZ) requires new development to provide amenities for pedestrian and bicycle travel. Supplemental Design Regulations will require development to include bike racks, wayfinding signage, and pedestrian and bicycle connections to adjacent properties. The intent is to make Grantville a place where residents and visitors can access their homes, places to shop, and transit stations without using a car.

Although the project has significant impacts on traffic and transportation, the inclusion of high-density housing, properly designed and implemented, meet the overall goals of the General Plan City of Villages strategy. The strategy focuses growth into mixed-use activity centers that are pedestrian-friendly districts linked to an improved regional transit system. Grantville's redevelopment will transform the area into this type of community.

3. The project will provide more market-rate and affordable housing opportunities.

The 2013 City of San Diego Housing Element included a policy to ensure the provision of sufficient housing for all income groups to accommodate San Diego's anticipated share of regional growth. The housing should be provided in a manner consistent with the development pattern of the Sustainable Communities Strategy that will help meet regional GHG targets by improving transportation and land use coordination and jobs/housing balance, creating more transit-oriented, compact and walkable communities, providing more housing capacity for all income levels, and protecting resource areas.

The proposed FPA increases the amount of housing allowed in Grantville from an existing 101 units to a total of 8,376 units. The proposed FPA will promote Transit Oriented Development within walking distance to the Grantville Trolley Station, with a mix of residential, commercial, and industrial uses that would be designed for the pedestrians and allow for the ability to reduce vehicle miles traveled and reduce associated air pollution and GHG emissions. This would allow the City to continue to be a leader in providing affordable housing options while improving overall sustainability.

4. The FPA implements the City's goal to incorporate its General Plan policies and goals into its neighborhoods as part of its long term community plan update process.

The FPA is superior in meeting the General Plan's Guiding Principles and the goals generated by the community planning group and stakeholders because it provides for a new transit/pedestrian-oriented compact mixed-use village with a wide variety of housing types and densities. The FPA implements the Housing Elements major goals 1 and 4 with the provision of sufficient housing for all income groups and providing affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity, while facilitating compliance with all applicable federal, state, and local laws and regulations.

The alternatives considered include the No Project Alternative, and two Reduced Density Alternatives. The Reduced Density (<43 du/acre) Alternative is identified as the Environmentally Superior Alternative, as it would reduce the proposed FPA's density and intensity by more than 60 percent. However, this alternative would reduce the extent of residential development within areas designated for community commercial development. This alternative would not achieve the level of density and intensity necessary to support the village goals and objectives that are included in the City's General Plan. The alternative does not support transit-level densities in the Grantville that would implement the General Plan's Mobility Element policy ME-B.9.

The FPA implements the Economic Prosperity Element's goals and Appendix C, EP-3. The increased residential density will assist in meeting the City's affordable housing needs and provide for a mix of housing types and the integration of affordable housing. The CPIOZ would ensure that both private and public development is constructed to a high quality and high aesthetic standard.

The CPIOZ also provides a multi-modal transportation strategy that will enhance the quality of life for the community through street design solutions as identified the General Plan's Mobility Element.

These recommendations that are based on the General Plan goals will create diverse new housing near transit opportunities in an area designated as a high propensity for a village and determined to be a viable option for redevelopment. Therefore, the FPA is consistent with the General Plan's Guiding Principles. These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the PEIR.

5. The project will implement the City's San Diego River Master Plan and improve Alvarado Creek.

A goal of the proposed FPA is to implement the City's San Diego River Master Plan. The Plan contains policy recommendations for the entire River Park Area and for specific sections of the River Park. The proposed FPA implements both types in several ways.

The proposed FPA is consistent with the Master Plan recommendations pertaining to the use of appropriate native riparian and upland vegetation, hydrology and water quality considerations, corridor establishment, providing active uses fronting the river, encouraging development to face the river, and including access to the river through new development. Future project would be encouraged to create public parks and opportunities for water recreation in the Grantville area as well.

The active transportation and signage required in the CPIOZ is intended to orient pedestrians and bicyclists to the San Diego River and to Alvarado Creek. These areas are currently underused and Alvarado Creek is prone to flooding. Transforming these waterways into natural amenities will provide a benefit to residents within Grantville and the surrounding communities.