

FILED

JUN 02 2004

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

2004-0063

NOTICE OF FINAL DETERMINATION
COMMUNITY DEVELOPMENT DEPARTMENT

Project Title: Ocean View Plaza

Contact Person: Bill Fell Telephone Number: (831) 646-3885

Project Location: 465, 470, 565, 570 Cannery Row, City of Monterey, County of Monterey

Project Description: Use Permit, Vesting Tentative Map and Tentative Condominium Plan to allow mixed use project of Cannery Row History Center, 87,362 square feet of retail use; 8,408 square feet of Coastal/community use, 38 condominiums, 13 inclusionary housing units, 377 parking spaces and on-site water desalination plant. Requires California Coastal Commission permit.

This is to advise that the City of Monterey (lead agency) has approved the project above on June 1, 2004, and has made the following determinations regarding the project:

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

This is to certify that the X Final Environmental Impact Report Negative Declaration with comments and responses and record of project approval is available to the general public in the City of Monterey, Community Development Department/Planning Division, Pacific and Madison Streets, Monterey, CA.

Bill Fell
Signature

Chief of Planning June 2, 2004
Title/Date

Note: The filing and posting of this Notice of Determination starts a 30 calendar-day statute of limitations on court challenges to the project's approval under CEQA. For more information, please contact the City of Monterey's Community Development Department (831/646-3885).

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

[X] County Clerk
County of Monterey
240 Church Street
Salinas, CA 93908

Note: Fish and Game (Certificate of Fee Exemption/ Fee) is attached to County Clerk's copy.

EXHIBIT

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

**Project Title/Location Name and Address of Project Proponent
(include county):**

Ocean View Plaza / 465, 470, 565, 570 Cannery Row, City of Monterey, County of Monterey, Project Proponent is Cannery Row Marketplace, LLC.

Project Description:

Use Permit, Vesting Tentative Map and Tentative Condominium Plan to allow mixed use project of Cannery Row History Center, 87,362 square feet of retail use; 8,408 square feet of Coastal/community use, 38 condominiums, 13 inclusionary housing units, 377 parking spaces and on-site water desalination plant.

Findings of Exemption (attach required findings):

The project includes resubdivision of 26 commercially zoned lots into 2 lots and 38 residential condominiums and infill of redeveloped urban lots. A Supplemental Environmental Impact Report was completed, circulated through state and regional clearinghouses and certified. A Statement of Overriding Considerations was adopted for the project.

Certification:

I hereby certify that the lead agency has made the above findings of fact and that based upon the initial study and hearing record 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.

Bill Feil
(Chief Planning Official)

Title: Chief of Planning
Lead Agency: City of Monterey
Date: June 2, 2004

LAFCO

RESOLUTION NO. 04-116

DEC 20 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY RATIFYING
STATEMENT OF OVERRIDING CONSIDERATIONS, FINDINGS AND MITIGATION
MONITORING TABLE FOR OCEAN VIEW PLAZA MIXED USE PROJECT AT 470,
565 AND 570 CANNERY ROW.

WHEREAS, on June 1, 2004 the City Council of Monterey approved the Ocean View Plaza Project subject to 39 Conditions of Approval and based on draft Statement of Overriding Considerations, Findings and Mitigation Monitoring Table; and

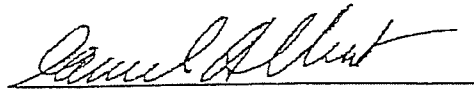
WHEREAS, the Statement of Overriding Considerations, Findings and Mitigation Monitoring Table are being brought back to the City Council, as corrected to reflect the City Council's decision on June 1, 2004.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that it ratifies as correct and adopts the attached Statement of Overriding Considerations (Exhibit A), Findings (Exhibit B) and Mitigation Monitoring Table (Exhibit C), pursuant to its approval of the Ocean View Plaza Project.

PASSED AND ADOPTED BY the COUNCIL OF THE CITY OF MONTEREY this 20th day of July 2004, by the following votes:

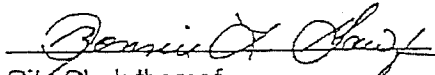
AYES:	4	COUNCILMEMBERS:	ALBERT, CANEPA, DELLA SALA VREELAND
NOES:	1	COUNCILMEMBERS:	ROBERSON
ABSENT:	0	COUNCILMEMBERS:	

APPROVED:



Mayor of Said City

ATTEST:


City Clerk thereof

01007