

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03066

ADOPTED ON OCTOBER 26, 1999

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO IMPLEMENTING GENERAL REDEVELOPMENT BY CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT TO THE FINAL MASTER ENVIRONMENTAL IMPACT REPORT FOR THE CENTRE CITY REDEVELOPMENT PROJECT (AND ADDRESSING THE CENTRE CITY COMMUNITY PLAN AND RELATED DOCUMENTS) FOR THE PROPOSED BALLPARK AND ANCILLARY DEVELOPMENT PROJECTS, AND ASSOCIATED PLAN AMENDMENTS, AS IT PERTAINS TO CENTRE CITY DEVELOPMENT PERMIT NO. 99-0491 REFERRED TO IN THE PROPOSED SECOND HOTEL AMENDMENTS TO THE CENTRE CITY COMMUNITY PLAN AND PLANNED DISTRICT ORDINANCE, MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED HOTEL DEVELOPMENT AND RELATED ACTIONS, ADOPTING A MITIGATION, MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") is engaged in activities necessary and appropriate to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project (the "Redevelopment Project"); and

WHEREAS, the Agency has previously prepared, and the Agency by Resolution No. 2081 and the City Council of the City of San Diego (the "City Council") by Resolution No. R-279875 have certified the Final Master Environmental Impact Report for the Centre City Redevelopment Project (referred to herein as the "MEIR"); and

WHEREAS, in order to carry out the Redevelopment Project, the Agency is considering approving a specific hotel and residential mixed use development proposal within the Redevelopment Project Area, on the block bounded by Sixth and Seventh Avenues, L Street, and Harbor Drive, independent of any amendments made to establish the Sports/Entertainment District and Related Matters, or to approve a baseball park therein, if accomplished in accordance with a specific Centre City Development Permit approved by the Agency within the Redevelopment Project Area; and

WHEREAS, in order to implement the hotel and residential mixed use development and related activities, the City Council proposes to approve Second Hotel Amendments to the Centre City Community Plan and Planned District Ordinance, and the Agency proposes to approve Centre City Development Permit No. 99-0491 referred to therein (the "Second Hotel Development Permit"), and the City Council and Agency propose to approve other related activities implementing such hotel and residential mixed use development (including without limitation a disposition and development agreement pertaining thereto); and

WHEREAS, the Agency was designated as the lead agency to prepare a Subsequent Environmental Impact Report to the Final Master Environmental Impact Report for the Centre City Redevelopment Project (and Addressing the Centre City Community Plan and Related Documents) for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments (referred to herein as the "Subsequent EIR") to assess, among other things, the environmental impacts which may result from the proposed hotel and residential mixed use development as an implementation activity within the Redevelopment Project, and including without limitation the activities referred to in the immediately preceding recital (collectively referred to herein as the "Proposed Development"); and

WHEREAS, the Centre City Development Corporation, acting on behalf of the Agency, prepared and circulated a Draft Subsequent EIR for review, comment and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970 ("CEQA") and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, duly noticed public hearings were held by the Agency and the Centre City Development Corporation with respect to the Draft Subsequent EIR, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, the Final Subsequent EIR relating to the Proposed Development (including the Second Hotel Development Permit, and related implementing activities), and responding to the concerns raised during the review period and at the public hearings, has been prepared pursuant to CEQA and said guidelines and regulations; and

WHEREAS, the Agency, in connection with its consideration of the approval of the Proposed Development (including the Second Hotel Development Permit, and related implementing activities), has reviewed and considered the information contained in the MEIR and the Final Subsequent EIR; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, as follows:

1. The Agency hereby certifies that the Final Subsequent EIR for the Proposed Development within the Centre City Redevelopment Project (including the Second Hotel Development Permit, and related implementing activities) has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto, and that the Agency has certified thereto.

2. The Agency hereby further certifies that the MEIR and Final Subsequent EIR

were presented to the members of the Agency, and that the information contained in the MEIR and Final Subsequent EIR has been reviewed and considered by the members of the Agency.

3. The Agency hereby further certifies that the Final Subsequent EIR (as with the MEIR) represents the Agency's independent judgment and analysis.

4. The Agency hereby finds and determines that:

a. The Proposed Development within the Redevelopment Project (including the Second Hotel Development Permit, and related implementing activities), will not result in significant environmental effects in certain respects identified in the Final Subsequent EIR, as described in Attachment A (attached hereto and incorporated herein by this reference).

b. Changes or alterations have been required in, or incorporated into, the Proposed Development (including the Second Hotel Development Permit, and related implementing activities) which avoid or substantially lessen certain significant environmental effects of the Proposed Development identified in the Final Subsequent EIR, as described in Attachment A.

c. Changes or alterations which avoid or substantially lessen certain significant environmental effects of the Proposed Development (including the Second Hotel Development Permit, and related implementing activities) as identified in the Final Subsequent EIR, are within the responsibility and jurisdiction of another public agency and not the Agency or the City Council, and such changes have been adopted by such other agency, or can and should be adopted by such other agency, as described in Attachment A.

d. With respect to significant environmental effects of the Proposed Development (including the Second Hotel Development Permit, and related implementing activities) which cannot be avoided or substantially lessened, specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Final Subsequent EIR, as described in Attachment A.

e. The significant environmental effects of the Proposed Development (including the Second Hotel Development Permit, and related implementing activities) which cannot be avoided or substantially lessened are acceptable due to economic, legal, social, technological or other benefits of the Proposed Development which outweigh the unavoidable adverse environmental effects, as described in Attachment B (attached hereto and incorporated herein by this reference).

5. The Mitigation, Monitoring and Reporting Program for the Proposed Development (including the Second Hotel Development Permit, and related implementing activities) within the Redevelopment Project, as contained in Section 14.0 of the Final Subsequent EIR, as applicable to the mitigation measures identified in Attachment A, is hereby approved and adopted to monitor and ensure that the mitigation measures identified in Attachment A will be carried out.

6. The Executive Director of the Agency (or his designee) is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Final Subsequent EIR upon approval of the Second Hotel Development Permit.

APPROVED: CASEY GWINN, General Counsel

By  
Douglas K. Humphreys  
Deputy Counsel

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Attachment A

**[Findings to be added.]**

Attachment B

**[Statement of Overriding Considerations, to be added.]**