

CITY COUNCIL OF THE
CITY OF SAN DIEGO, CALIFORNIA

Resolution No.
CC-EIR-M
Revised 1-9-79

RESOLUTION NO. 222569
(R-79-1187)

JAN 9 1979

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA CERTIFYING THAT THE FINAL SUPPLEMENTAL MASTER ENVIRONMENTAL IMPACT REPORT FOR THE MARINA REDEVELOPMENT PROJECT HAS BEEN PREPARED IN COMPLIANCE WITH CEQA AND STATE AND LOCAL ENVIRONMENTAL GUIDELINES; CERTIFYING THAT THE AGENCY HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL SUPPLEMENTAL MASTER EIR; AND MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACT OF SAID REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of San Diego (the "Council") by Ordinance No. 11977, adopted December 29, 1976, adopted and approved the Redevelopment Plan for the Marina Redevelopment Project; and

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

WHEREAS, the Centre City Development Corporation, Inc. (the "CCDC") on behalf of the Agency has caused to be prepared a Supplemental Master Environmental Impact Report (EIR) with respect to the Marina, Columbia and Horton Plaza Redevelopment Projects; and

WHEREAS, said Supplemental Master EIR, with respect to the Marina Redevelopment Project supplements the Supplemental Environmental Impact Report on the Marina Subarea Redevelopment Plan (EQD No. 76-09-37C), prepared by the Environmental Quality Department of the City of San Diego in October, 1976, submitted to the Redevelopment Agency as part of the Report to City Council on the Proposed Redevelopment Plan for the Marina Redevelopment Project and certified by the Redevelopment Agency on December 10, 1976 (Resolution No. 309); and

WHEREAS, the Supplemental Environmental Impact Report on the Marina Subarea Redevelopment Plan incorporates by reference and includes the following documents:

1. Environmental Impact Report on the Centre City Plan (EQD No. 74-11-013-C) prepared by the Environmental Quality Department of the City of San Diego in September, 1975 and certified by the City Council on May 12, 1976 (Resolution No. 215957).

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2. Final Environmental Impact Report for the Embarcadero Development Plan (UPD #7563-EIR-17), prepared by the San Diego Unified Port District Planning Department and the SWA Group in January, 1976. This Final EIR was certified by the Board of Port Commissioners of the San Diego Unified Port District on January 20, 1976 (Resolution No. 76-17); and

WHEREAS, the Draft Supplemental Master EIR has been prepared and circulated pursuant to the California Environmental Quality Act of 1970 (CEQA), and State and local regulations and guidelines adopted pursuant thereto; and

WHEREAS, a duly noticed public hearing was held by the Agency on October 23 and October 30, 1978, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Final Supplemental Master EIR relating to the Marina Redevelopment Project and responding to the concerns raised at the public hearing and during the public review period has been prepared pursuant to said statute, regulations and guidelines; and

WHEREAS, the Council has reviewed and considered the information contained in the Final Supplemental Master EIR.

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

1. The Council hereby certifies that the Final Supplemental Master Environmental Impact Report with respect to the Marina Redevelopment Project has been prepared and completed in compliance with the Environmental Quality Act of 1970 (CEQA), and State and local regulations and guidelines adopted pursuant thereto and that the Agency has certified said Final Supplemental Master EIR.
2. The Council hereby further certifies that the information contained in the Final Supplemental Master EIR and the information contained in the previously certified EIRs on the Marina Redevelopment Project has been reviewed and considered by the members of the City Council of the City of San Diego, California.

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3. The Council hereby find with respect to the adverse environmental impacts detailed in the Final Supplemental Master Environmental Impact Report:
- a. That the adverse environmental impacts of the Marina Redevelopment Project set forth in the Supplemental Master Environmental Impact Report, including those raised in comments to the Draft Supplemental Master Environmental Impact Report, have been considered and recognized by the Council.
 - b. That the comments on the Final Supplemental Master EIR and the responses thereto made at the January 9, 1979 joint public hearing of the Agency and the Council on the proposed Disposition and Development Agreements between the Agency and Pardee Construction Company and San Diego Federal Savings and Loan Association and between the Agency and Shapell Government Housing, Inc. and Goldrich Kest and Associates have been considered and recognized by the Council and will be incorporated into the Final Supplemental Master EIR.
 - c. That based on information set forth in the Marina Redevelopment Plan and the Final Supplemental Master EIR, and set forth in Attachment "A" (attached hereto and incorporated herein by this reference), the Council finds and determines that measures have been incorporated into the Redevelopment Plan which mitigate or avoid each of the adverse environmental impacts identified in Sections 3.2, 4.2, 6.2, 7.2, 9.2 and 10.2 of said Final Supplemental Master EIR.
 - d. That as to the adverse environmental impacts of the Marina Redevelopment Project identified in Sections 1.2, 2.2, 5.2 and 8.2 of the Final Supplemental Master EIR and set forth in Attachment "A", which cannot be entirely mitigated or avoided if the Marina Redevelopment Project is implemented, the Council hereby finds and determines that the specific economic, social, financial, environmental and other considerations set forth in said Final Supplemental Master EIR and the Marina Redevelopment Plan make infeasible the mitigation measures and project alternatives identified in the Final Supplemental Master EIR with respect to each such adverse environmental impact which cannot be entirely mitigated or avoided.

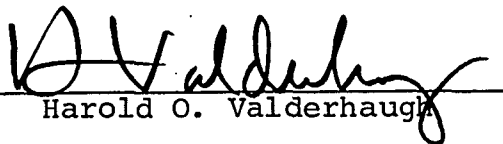
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- e. That no additional adverse impacts will have a significant impact or result in a substantial or potentially substantial adverse change in the environment as a result of the Marina Redevelopment Project.
4. The Council hereby finds and determines that the Marina Redevelopment Project may have a significant effect or result in certain substantial adverse impacts on the environment. The Council further finds that such potential adverse impacts are outweighed by the beneficial effects of the Project and that the benefits, as set forth in Section IV of Attachment "A" override any potential adverse environmental impacts described in the Final Supplemental Master EIR.

APPROVED AND ADOPTED on this 9th day of January, 1979 by the City Council of the City of San Diego by the following vote of its members:

APPROVED: JOHN W. WITT, CITY ATTORNEY

By 
Harold O. Valderhaug

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ATTACHMENT "A"

I. SIGNIFICANT ADVERSE EFFECTS AND MITIGATING MEASURES RELATING TO THE MARINA REDEVELOPMENT PROJECT

A. Section 3.2.1 (pg. V-45) of the Final Master Supplemental Environmental Impact Report (the "EIR") identifies the following possibly significant land use conflicts:

1. The railroad right-of-way may act as a barrier to interaction between the residential area and the waterfront.

The CCDC, on behalf of the Agency is currently involved in negotiations with developers for the construction of the proposed Marina/Columbia Residential Development.

Section III-C of the Scope of Development, a part of the proposed Disposition and Development Agreement between the Agency and the Developer of the residential development (the "Agreement") provides that the Agency is responsible for the development of a pedestrian overcrossing of the railroad right-of-way. This provision mitigates the effect of the railroad as a barrier.

2. The noise generated by the passing trains may not be compatible with residential use.

Section II-G of the Scope of Development, of the proposed Agreement for residential development, cited above, provides that the Developer shall site and design the buildings in such a manner as to mitigate the noise impact produced by adjacent major streets, public facilities, and the railroad.

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The additional mitigation measures recommended by the EIR such as a lowering of the railroad tracks and construction of earthen berms (Section 3.3.1, pg. V-46) are not economically feasible and are not required if proper building design and site techniques are employed.

B. Section 3.2.2 (pg. V-45) of the EIR indicates that the existing zoning in the Project area may be incompatible with the proposed development.

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1. Section 460.6 of the Marina Redevelopment Plan (the "Plan") provides that all purchasers or lessees of property from the Agency shall be obligated to use the property for the purposes designated in the Plan. Section 570.2 of the Plan provides that all new construction and rehabilitation within the Project shall comply with all State and local laws including the City Zoning Ordinance.

As Parcels are sold by the Agency for development purposes, the Agency will agree to insure that the zoning is compatible with the type of development called for in the Plan.

- C. Section 4.2 (pg. V-49) of the EIR indicates that redevelopment activities may result in the loss of historic sites.

Figure IV-5 (pg. IV-67 of the EIR, indicates the Sites of Cultural and Historical Significance in the Project areas. None of the sites will be affected by the development of a residential community pursuant to the Plan and as described in the EIR. (Section 540.1). Pantoja Park will be saved and expanded; the U.S. Customs and Court House and the San Diego Barracks site will not be affected.

Figure IV-5A (pg. IV-68) indicates "Additional Buildings of Interest."

The Ying On Labour and Merchant Association Building, Chinese Benevolent Society and the Stingaree Bordello will be subject to demolition due to the proposed residential development, if a feasible alternative is not found. Section 420 of the Marina Redevelopment Plan provides the Agency with the authority to cause or assist in the rehabilitation or moving of buildings or structures within the Project areas. However the structural soundness of these buildings or economic feasibility of such actions will be determined as the time for site preparation for each affected Parcel is planned. The Agency is currently conducting an inventory of buildings and seeking alternatives to demolition when feasible (Appendix "C").

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D. Section 6.2 (pgs. V-88-91) indicates a number of adverse effects relating to infrastructure and services.

1. The majority of these impacts are not significant and are of an economic rather than an environmental nature (e.g. increased requirements for police and fire protection).
2. Increased school enrollments can be accommodated by an adjustment of school boundaries (see Tables V-11, V-12 and Section 6.3 of the EIR). The alteration of the boundaries is within the responsibility and jurisdiction of the School Board and not within the jurisdiction of the Agency or City Council.
3. The EIR (Section 6.3, pg. V-93) proposes that pilotless gas appliances and other energy efficient appliances be used within the residential area to mitigate the anticipated increase in consumption of natural gas.

All appliances and construction will meet current code requirements. Additional energy saving measures will be determined by the Agency and Developer during the design of the structures.

E. Section 7.2 (pg. V-101) indicates that increased air pollution may result on a short-term basis, due to construction activities. Sections 9.2 (pg. V-111) and 10.2.3.1 (pg. V-118) indicate that adverse impacts on water resources may result from soil and silt run-off during project construction.

All construction activities within the Project area will comply with all local codes (Section 510.2 of the Plan). The Agency will require that developers take steps to insure that dust, disturbance and the exposure of soil is minimized during all construction.

Any alternative which does not involve new construction would lessen the short-term effects of air-pollution and erosion and noise, however, as discussed in Chapter VI, such alternatives preclude achievement of the goals and objectives of the Redevelopment Plan as the scale of development and land assembly required for completion of the Project as currently planned could not occur.

F. Section 10.2.2 (pg.-118) indicates that structures in the Project area will not be subject to unavoidable significant impacts should seismic activity occur, if structural design codes are observed.

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Compliance with all codes is insured by Section 510.2 of the Marina Redevelopment Plan which provides that all new construction and rehabilitation in the Project area shall comply with all applicable State and local laws, including local Building Codes.

In addition, the Centre City Development Corporation, Inc. (the "CCDC") has contracted for seismic studies of each Redevelopment Project area to determine if active faults are present. Should such faults be identified, construction plans would be developed or altered accordingly.

- G. Section 10.2.1 (pg. V-117) indicates the possible existence of expansive or uncompacted soils in the Project area.

This potential effect will be mitigated as soils tests will be conducted prior to construction on any specific Parcel (Section 10.3.1, V-118) and all construction will meet code requirements.

II. UNAVOIDABLE ADVERSE IMPACTS RESULTING FROM THE MARINA REDEVELOPMENT PROJECT

A. HOUSING/SOCIAL

1. Relocation of residents and demolition of "atypical" residential units are an unavoidable consequence of the Marina Redevelopment Project (Sections 1.2.2, 1.2.3, and 2.2.1 of EIR).

Construction of the residential development within the Marina Project area will involve the demolition of 8 structures including 65 dwelling units. A relocation plan has been approved by the Agency for the first phase of the residential development.

As population levels and available replacement housing and business space may vary, final relocation data will be obtained prior to each phase of development within the Project area.

The Agency will be responsible for the mitigation measures outlined in Sections 1.3.1 and 2.3.1 (pgs. V-19, 20 and 33) for all development involving displacement within the Project area. (See Agency Relocation Plan for Phase I of the Marina/Columbia Residential Development), Sections 33410-33417.5 of the State Community Redevelopment Law (Health and Safety Code), and Sections 450-455.2 of the Marina Redevelopment Plan.

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Such mitigation measures include:

- a. approval of a relocation plan for each phase of displacement
- b. assurance that comparable, decent, safe, and sanitary housing will be available for relocation
- c. payment of relocation costs as required by law
- d. relocation advisory services
- e. a minimum of 90 days notice to move
- f. opportunities for displaced residents to take part in the relocation process
- g. provision that at least 15% of the new or rehabilitated housing in the Project area will be for low or moderate income households.

Participation by owners and tenants is further provided for in Section 430 of the Marina Redevelopment Plan.

While there may be some unavoidable disruption of social networks and individual emotional stress and lifestyle changes resulting from relocation (Section 1.2.3, pg. V-18), relocation is a necessary step to assemble adequate parcels to implement the provisions of the Redevelopment Plan and to reach the objectives set forth in the Plan (Section 110, Marina Redevelopment Plan).

Chapter VI, sections 2.1, 2.2, and 4.1, indicates that implementation of the alternatives outlined in Chapter VI would not significantly mitigate the adverse effects of relocation and would diminish the likelihood of achieving the goals set forth in the Redevelopment Plan.

B. TRANSPORTATION

A certain number of street closures will be required to accommodate the development called for by the Plan. These closures and the changes in land use will result in increased traffic congestion (Section 5.2, pg. V-63).

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The EIR proposes a number of possible mitigation measures (Section 5.3.1, pgs. V-64-66). The particular mitigation measures which will be taken have not yet been completely determined.

A traffic study for the entire Centre City area is currently being finalized by DMJM as consultant to the City and the Agency. Preliminary findings have been submitted and are included in the EIR.

As the increased traffic congestion anticipated over the next 20 years will be due to a variety of factors, of which redevelopment activities are only a part, a comprehensive long-term approach to mitigation will be developed through the cooperative efforts of the City, the Agency, the Metropolitan Transit District Board and The San Diego Transit Authority.

Section 470 of the Marina Redevelopment Plan establishes the Agency's authority to explore alternate transportation concepts and provides that the Agency shall review all design plans in order to determine that necessary easements and rights-of-way can be effectuated.

Section 440.2 of the Plan provides the Agency with the authority to make public improvements including street improvements and traffic signals.

Individual street closures and vacations require a separate action which will be initiated by the City. The effect of and specific mitigation measures for each closure will be reviewed at the time of the action to vacate the public right-of-way.

Alternatives to the Project are discussed in Chapter VI. Development to a lesser intensity (Section 2.2) would lessen the magnitude of the environmental effects, but would also preclude achievement of the goals and objectives set forth in the Plan.

Changing of the land uses to those not related to the movement of vehicles (see 5.1) would also preclude achievement of a balanced commercial, retail, residential and entertainment focus for Centre City San Diego.

C. NOISE

A secondary unavoidable impact resulting from the Marina Project is an increase in noise during the construction period (several years) and a long-term increase in the ambient noise level due to an overall increase in traffic and a possible increase in police helicopter overflights (Section 8.2, pg. V-106).

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Possible mitigation measures including changing bus routes and the time of rail switching operations are outlined in Section 8.3.2 and 8.3.7 (pgs. V-108-109). These measures, with the exception of speed zoning of residential parking lots, are not within the direct jurisdiction of the Agency.

As pointed out in the EIR, some increased noise from police helicopters may be required to insure adequate, efficient police protection of the Project area. (Section 8.3.6, pg. V-108).

Development to a lesser intensity or in a manner which would result in less traffic would reduce the long-term increase in the ambient noise level. However, as noted in Chapter VI, these alternatives would negate the objectives of the Plan and perhaps result in other adverse environmental effects due to continued deterioration of the economic base.

III. AREAS SUBJECT TO NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT DUE TO THE MARINA REDEVELOPMENT PROJECT

The following areas have been identified in the EIR as not being subject to significant adverse environmental impacts due to the Marina Redevelopment Project:

Section 3.2.1 - Land use

Section 5.2 - Pedestrian, rail and air travel

Section 6.3 - Health services, solid waste, domestic water, chilled water, commercial stream, electrical consumption, fuel oil, telephone service, sewage, storm drains, and long-term air pollution

Section 11.2 - Biology

Section 12.2 - Aesthetics

Chapter X - Geological, biological and hydrological resources.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

The Marina Redevelopment Project may have significant or certain substantial adverse impacts on the environment, as discussed hereinabove.

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The Marina Redevelopment Project will have a tremendous overall positive impact on the environment in removing blighted conditions and creating a residential environment which is greatly beneficial to the public health, safety and welfare of the citizens of the City of San Diego. Any adverse effects are more than mitigated by the Redevelopment Project, in fact, the adverse effects described in the Environmental Impact Report are greatly out-weighed by the positive impacts which will result from development in accordance with the Redevelopment Plan. These positive impacts include the creation of a residential development which will be an integral part of a modern urban center for San Diego, and will provide an environment where a socially balanced community can work and live by providing housing for persons of varying social, economic and ethnic groups.

Implementation of the Marina Redevelopment Project is consistent with the State Urban Development Strategy which lists as priorities for the location of urban development, the renewal and maintenance of existing urban areas and the development of under-utilized land within urban areas (Chapter IX, Section 2.1).

San Diego's Comprehensive Planning Organization and the City of San Diego have adopted growth management strategies with similar objectives (Chapter IX, Sections 2.2 and 2.3). The Marina Redevelopment Project also conforms with the City objectives of achieving proximity of place of employment and residence and infill within city neighborhoods.

Higher density development within the Centre City reduces the necessity for land consumption in peripheral areas to accommodate population growth and is more energy efficient than lower density development (Chapter IX, Section 3.0).

The completion of the Marina Redevelopment Project is essential to the success of the Horton Plaza and Columbia Redevelopment Projects. The Marina Project will improve the aesthetic, economic and social environment of the Centre City. Residents will live within walking distance of jobs, retail and entertainment facilities.

The Project will result in the elimination of blighting influences and environmental deficiencies, preserve artistically and architecturally worthwhile structures, and provide for the orderly development of a portion of Centre City in accordance with the General Plan for the City of San Diego and the Centre City Community Plan.

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Passed and adopted by the Council of The City of San Diego on JAN 9 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Bovard, Deputy.

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Office of the City Clerk, San Diego, California	
Resolution Number	<u>222569</u> Adopted <u>JAN 9 1979</u>