

CITY COUNCIL OF THE CITY OF SAN DIEGO

(R-83-460)

RESOLUTION NO. R-257193

SEP 21 1982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE SECONDARY STUDY OF ENVIRONMENTAL IMPACTS WITH RESPECT TO THE PROPOSED THIRD AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND EWH 1979 DEVELOPMENT COMPANY L.P., AND THE PROPOSED SALE OF REAL PROPERTY AND CONSTRUCTION OF A MAJOR REGIONAL SHOPPING CENTER, OFFICE BUILDING (AND/OR ALTERNATE RESIDENTIAL USE), AND RELATED PARKING FACILITIES PURSUANT THERETO

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

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency has heretofore entered into a certain Second Amended Disposition and Development Agreement and Fourth and Fifth Implementation Agreements (collectively referred to as the "Disposition and Development Agreement") with EWH 1979 Development Company, L.P. (the "Developer") in which Ernest W. Hahn, Inc. is the general partner, which provides for the development of a major regional shopping center, an office building (and/or alternate residential use), and related parking facilities within the Project area; and

WHEREAS, the following environmental documents have been prepared in connection with and subsequent to the approval and adoption of the Redevelopment Plan for the Horton Plaza Redevelopment Project:

1. "Environmental Impact Statement, Plaza Redevelopment Project", (Chapter VIII of the Report to City Council on the Redevelopment Plan for the Plaza Redevelopment Project) prepared by the Community Development Department, City of San Diego, June, 1972.

2. A Supplemental Report to an Environmental Impact Statement on the Horton Plaza Urban Redevelopment Project, (EQD 72-11-18) prepared by the Environmental Quality Department, City of San Diego, October 1, 1973.

3. Environmental Impact Report on the Centre City Plan (EQD No. 74-11-013-C); the Centre City Plan was approved by the City Planning Commission on February 3, 1976, and the City Council of the City of San Diego certified on May 12, 1976 (Resolution No. 215957) that the information in the EIR on the Centre City Plan had been completed and that the EIR has been reviewed by the City Council of the City of San Diego.

4. Supplemental Master Environmental Impact Report for the Centre City Redevelopment Projects (the "MEIR") certified by the Agency and the City Council January 9, 1979.

5. Environmental Impact Secondary Study Re: Horton Plaza Retail Center certified on August 1, 1979 by the Agency (Resolution No. 460) and the City Council (Resolution No. 224151); and

6. Environmental Impact Secondary Study Pertaining to the Second Amended DDA for the Horton Plaza Retail Center, certified on October 27, 1981 by the Agency (Resolution No. 694) and the City Council (Resolution No. R255269); and

WHEREAS, this City Council proposes to approve a Third Amendment to the Disposition and Development Agreement with the Developer providing for certain changes in the terms and conditions pursuant to which the Agency shall sell certain real properties in the Horton Plaza Redevelopment Project area to the Developer; and

WHEREAS, the sale of real property pursuant to the Disposition and Development Agreement as proposed to be amended by the Third Amendment, and the construction of a major regional shopping center, office building (and/or alternate residential use), and related parking facilities pursuant to the terms and conditions set forth in the Disposition and Development Agreement as proposed to be amended by the Third Amendment, and the Horton Plaza Redevelopment Plan, is one of the redevelopment activities assessed by the MEIR for the Centre City Redevelopment Projects and the other previous environmental documents; and

WHEREAS, the Centre City Development Corporation, Inc., acting on behalf of the Agency, has prepared a Secondary Study in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto and such Secondary Study assesses the environmental impacts of the sale of real property and construction of a major regional shopping center, office building (and/or alternate residential use), and related parking facilities pursuant to the Disposition and Development Agreement as proposed to be amended by the Third Amendment.

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

1. The City Council hereby certifies that the Secondary Study of environmental impacts with respect to the proposed sale of real property and the construction of a major regional shopping center, office building (and/or alternate residential use), and related parking facilities pursuant to the Disposition and Development Agreement as proposed to be amended by the Third Amendment has been prepared pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto and that the Agency has certified said Secondary Study.
2. The City Council hereby further certifies that the information contained in the Secondary Study, the MEIR, and the other previous environmental documents for the Horton Plaza Redevelopment Project has been reviewed and considered by the members of the City Council.

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3. The City Council hereby finds and determines that:

- (a) No substantial changes are proposed in the Horton Plaza Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the sale of real property and construction of a major regional shopping center, office building (and/or alternate residential use), and related parking facilities pursuant to the Disposition and Development Agreement as proposed to be amended by the Third Amendment, which will require major or important revisions in the MEIR or the other previous environmental documents certified for the Project, due to the involvement of new significant environmental impacts not covered in the MEIR or the other previous environmental documents; and
- (b) No new information of substantial importance to the Project has become available which was not known or could not have been known at the time the MEIR and the other previous environmental documents for the Project were certified as complete, and which shows that the Project will have any significant effects not discussed previously in the MEIR or the other environmental documents, or that any significant effects previously examined will be substantially more severe than shown in the MEIR or the other environmental documents, or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment; and
- (c) No subsequent or supplement to the MEIR or the other previous environmental documents is necessary or required; and
- (d) The sale of real property and construction of a major regional shopping center, office building (and/or alternate residential use), and related parking facilities pursuant to the Disposition and Development Agreement as proposed to be amended by the Third Amendment will have no significant effect on the environment except as identified and considered in the MEIR and the other previous environmental documents.

APPROVED: JOHN W. WITT, City Attorney

By: 
Janis Sammartino Gardner

9/17/82

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Passed and adopted by the Council of The City of San Diego on _____, 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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-257193** Adopted **SEP 21 1982**