

RESOLUTION NUMBER R- 258255

Adopted on APR 12 1983

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED SANTA FE PROPERTIES DEVELOPMENT PLAN AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF SAN DIEGO AND THE SANTA FE LAND IMPROVEMENT COMPANY.

WHEREAS, the Redevelopment Agency of The City of San Diego ("Agency") and City Council of The City of San Diego ("City") have heretofore certified environmental documents assessing the environmental effects of the Columbia Redevelopment Project, including the Supplemental Master Environmental Impact Report on the Centre City Redevelopment Projects ("MEIR") and certain previously certified environmental impact reports for each project referenced therein; and

WHEREAS, the Agency proposes to approve an Owner Participation Agreement ("OPA") with Santa Fe Land Improvement Company, ("Santa Fe") which provides for the development of a portion of the project area with office, retail, hotel, parking and other uses; and

WHEREAS, the City proposes to approve a Development Agreement ("Development Agreement") with Santa Fe pursuant to the provisions of Government Code Section 65864 et seq., and Chapter X, Article 5, Division 1 of the San Diego Municipal Code; and

WHEREAS, the Agency has caused to be prepared a Final Supplemental Environmental Impact Report for the proposed Santa

Fe Properties Development Plan ("Final SEIR") to consider additional environmental information now available with respect to the development contemplated under the OPA and the Development Agreement; and

WHEREAS, a duly noticed public hearing was held by the Agency on April 5, 1983, at which time all interested persons were given an opportunity to be heard; 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 Final SEIR with respect to the development proposed in the OPA and the Development Agreement has been prepared and completed in compliance with the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto, and that the Agency has so certified.

2. The City Council hereby further certifies that the information contained in the Final SEIR and the information contained in the MEIR and the other previously certified environmental impact reports for the Columbia Redevelopment Project have been reviewed and considered by the members of the City Council.

3. The City Council hereby finds and determines with respect to the adverse environmental impacts of development under the Development Agreement:

(a) That the development pursuant to the Development Agreement will result in essentially the same environmental impacts identified and considered in the MEIR and the other previously certified

environmental impact reports for the Columbia Redevelopment Project, but there is available additional information or data regarding such impacts, mitigation measures and reasonable alternatives not previously considered, as set forth in the Final SEIR.

(b) That the adverse environmental impacts of the development pursuant to the Development Agreement, including those raised in comments to the draft SEIR, have been considered and recognized by the City Council.

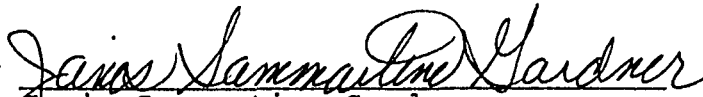
(c) That based upon the additional information set forth in the Development Agreement and the Final SEIR, the City Council hereby finds and determines that changes and alterations have been required or incorporated into the development under the Development Agreement which further mitigate or avoid certain adverse environmental impacts identified in the Final SEIR, as described in Section I of Attachment A (attached hereto and incorporated herein).

(d) That as to the adverse environmental impacts identified in the Final SEIR which cannot be entirely mitigated or avoided if the development under the Development Agreement is implemented, the City Council hereby finds and determines that the specific economic, social and other considerations set forth in the Final SEIR make infeasible the additional

mitigation measures and project alternatives identified in the Final SEIR, as described in Section II of Attachment A.

(e) That the adverse environmental impacts identified in the Final SEIR which cannot be entirely mitigated or avoided if the development under the Development Agreement is implemented, are outweighed and overridden by the beneficial effects of the development in carrying out the Columbia Redevelopment Project, as described in Section III of Attachment A.

APPROVED: John W. Witt, City Attorney

By 
Janis Sammartino Gardner
Deputy City Attorney

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Attachment A

I. The following findings specify changes which have been incorporated into the development under the Development Agreement which mitigate and avoid certain potentially significant adverse environmental impacts and specify other measures which are within the jurisdiction of other public agencies.

A. With respect to transportation and circulation:

1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Santa Fe shall provide certain right of way dedications, improvements and traffic signalization and limit access to the Site, as required by the City Engineer (Att. C-1, paragraph A.5);
 - (b) Santa Fe shall provide for a setback for the light rail transit line for the San Diego Trolley adjacent to Broadway and either provide up to one million dollars of construction costs and a kiosk to accommodate the Trolley or dedicate the required right of way for such light rail transit line adjacent to Broadway (Att. C-1, paragraph A.5.viii);
 - (c) Santa Fe shall participate in the formation of one or more assessment districts for the purpose of providing transportation improvements in the downtown area of San Diego and shall not oppose the concept of transportation system management policies for the downtown area of San Diego (Att. C-1, paragraph 5.viii);
 - (d) Santa Fe shall cooperate with the City in reviewing the feasibility and applicability of traffic management programs and, if feasible, Santa Fe shall participate in their implementation for reducing traffic congestion and vehicle emissions (Att. C-1, paragraph C.2).
2. Other significant means of improving traffic circulation which are within the jurisdiction of other public agencies are as follows:
 - (a) Reconstruction or improvement of existing freeway on and off ramps serving downtown San Diego;
 - (b) Expanded public transit in the form of light rail system or improved bus service.

B. With respect to air quality:

1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Transportation circulation measures set forth in paragraph A.1.(a), A.1.(b), A.1.(c) and A.1.(d) above will reduce total vehicle emissions;

- (b) Cogeneration facilities and other additional energy conservation features will reduce energy generation emissions (Att. C-1, paragraph C.8; Att. B-3, paragraph B.2.e).
 - 2. Other significant means of reducing air quality impacts including major new public transit and establishment of vehicle emission standards are within the jurisdiction of other public agencies.
- C. With respect to noise:
- 1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) The residential and hotel structures on the Site will be designed to maintain an interior sound level as required by the then current state or local law and appropriate exterior sound levels in residential areas (Att. C-1, paragraph C.3);
 - (b) A noise control plan which includes provisions for limiting noise producing activities during construction will be prepared, subject to approval of City Engineer (Att. C-1, paragraph C.1.iii).
- D. With respect to public services and infrastructure:
- 1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Neither the City nor Agency shall be responsible for providing the cost and expense of franchise utilities (telephone, electricity, gas, cable television) or public utilities (sewer, water, storm drain) to the Site (Att. C-1, paragraph A.5.x.a and 5.x.b);
 - (b) Santa Fe shall bear the cost and expense for all expenses for public utility abandonment and relocation (Att. C-1, paragraph A.5.x.c);
 - (c) In the event public utilities are not adequate to serve the Site at the time of development, Santa Fe shall agree to participate in the formation of one or more assessment districts to provide utilities and improvements to the Site (Att. C-1, paragraph A.5.x.f);
 - (d) Santa Fe shall prepare necessary sewer and water utility studies to determine the adequacy and any necessary improvements to the utilities prior to Council approval of the final map or prior to the construction of the first building on the Site (Att. C-1, paragraph A.5.x.e);
 - (e) Santa Fe shall design the improvements to accommodate maintenance and replacement of the B Street flume or construct a new flume or structure replacing the B Street flume to the satisfaction of the City Engineer (Att. C-1, paragraph A.5.x.h);

- (f) The enclosures surrounding the railroad tracks shall be constructed, operated and ventilated according to the highest applicable structural and operational standards (Att. C-1, paragraph C.4.i);
- (g) Santa Fe shall provide adequate security and lighting on the Site and submit such security and lighting plans to the City of San Diego Police Department for their review and reasonable approval (Att. C-1, paragraph C.4.ii);
- (h) The City of San Diego Fire Department shall review and approve all construction plans and all onsite fire protection including hydrants, fire department connections, fire suppression systems and fire vehicle access (Att. C-1, paragraph C.4.iii);
- (i) The maximum height of buildings allowed by the Development Agreement will be consistent with maximum building height under Federal Aviation Administration rules and regulations (Att. B-1, paragraph III, A.2 and paragraph III, B.2.);
- (j) Santa Fe shall provide certain right-of-way dedications and improvements (Att. C-1, paragraph A.5).

E. As to geology and soils:

- 1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Prior to final site planning and design, and prior to obtaining the first grading permit, Santa Fe shall conduct a specific geotechnical investigation of the Site (Att. C-1, paragraph C.5);
 - (b) Santa Fe shall prepare an erosion control plan prior to commencing demolition, construction or grading on the Site, subject to approval of City Engineer (Att. C-1, paragraph C.1.iv);
 - (c) Santa Fe shall construct all private improvements on the Site in accordance with the building codes then applicable and construct all public improvements in accordance with the construction, engineering and design standards then applicable (Development Agreement, paragraph 7(a));

F. With respect to water resources:

- 1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Santa Fe shall provide measures in implementing the development in order to minimize the introduction of contaminants and sediment in runoff from the Site (Att. C-1, paragraph C.6);
 - (b) Santa Fe shall implement water conservation measures in the development of the Site (Att. C-1, paragraph C.8).

G. With respect to cultural resources:

1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Santa Fe shall not substantially change the exterior facade of the Depot and any alteration to the facade shall be subject to design review and approval by City to assure maintenance of the architectural and historical integrity of the Depot (Att. C-1, paragraph A.6);
 - (b) Santa Fe shall grant a facade easement on the Depot within 60 days after the Depot is open for use other than a passenger train station but not later than 16 years after the date of execution of the Development Agreement (Att. C-1, paragraph A.6);
 - (c) Santa Fe shall alter, remodel or demolish the Baggage Building only with prior review and approval of the City and subject to prior preparation and approval of supplemental environmental documentation (Att. C-1, paragraph A.6);
 - (d) The rehabilitation and renovation of the exterior and interior of the Depot and Baggage Building shall be in substantial conformance with the Secretary of Interior Standards (Att. C-1, paragraph C.7);
 - (e) Any development on the Site shall compliment the Santa Fe Depot and the Bekins Building (Design Standards, Att. B-3, 2d.)

H. With respect to aesthetics and urban design:

1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Santa Fe shall conform to specific design standards in establishing the urban design concept, view corridors, architectural and landscaping features for the development of the Site (Att. B-3, Design Standards);
 - (b) All development on the Site will comply with CCDC's Urban Design Program (Att. B-3, Design Standards);
 - (c) Santa Fe shall submit all schematic drawings, grading plans, landscaping plans, preliminary and final construction plans and documents to the Agency (Owner Participation Agreement § 300 et seq.);
 - (d) A fine arts program shall be provided by Santa Fe in development of the Site (Att. C-1, paragraph A.11).

- I. With respect to energy consumption and conservation:
1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows:
 - (a) Santa Fe shall provide energy conservation design and construction techniques, including cogeneration facilities and active/passive solar energy design and improvements (Att. B-3, Design Standards);
 - (b) Santa Fe shall provide other additional energy conservation features in the development of the Site (Att. C-1, paragraph C.8.ii);
 - (c) The impacts of sun, shadow and wind shall be considered in siting the buildings on the Site (Att. B-3, Design Standards).
- J. With respect to economics:
1. Changes or alterations which have been incorporated into the development under the Development Agreement which mitigate or avoid certain potentially significant adverse environmental impacts are as follows: Santa Fe shall provide relocation benefits for eligible businesses and households.
- II. The following findings describe specific economic, social and other considerations which make further mitigation measures and alternatives infeasible.
- A. The project proposes the application of site specific design standards which includes bridging the railroad tracks by a platform and the creation of a pedestrian above-grade platform from Ash Street to Broadway in order to give access across the Site and create a gateway from the downtown central business area to the waterfront. A less intense level of development could inhibit the economic feasibility of such design standards which depend on the economy of the large scale development.
 - B. A longer schedule for development of the project would dilute the effectiveness of the proposed development plan by prolonging the interim phases of development and the current uses on the Site. In addition, an overly extended schedule of development would likely reduce or eliminate opportunities for development. The anticipated negative effect of prolonging interim uses on the Site could also adversely effect achievement of the goals and objectives of the adopted Redevelopment Plan by inhibiting redevelopment and the growth of the Project Area's tax increment. Any extended schedule of development would not eliminate the potential adverse environmental impacts of the proposed development.
 - C. The "No Project" alternative does not eliminate the possibility of a developer developing all or part of the project site without an agreement with Agency and City. The lack of an agreement and the resultant lack of an integrated developmental plan for the project could have a significant adverse environmental and land use impacts in the Redevelopment Project area and would not implement the goals and objectives of the adopted Redevelopment

Plan to the maximum extent possible. Development of the Site without a guiding development plan would result in a less integrated product and would inhibit the feasibility of the beneficial design standards incorporated in the Project, especially the proposed concept of enclosing and bridging the railroad tracks from Ash Street to Broadway. The "No Project" concept alternative would also remove the incentive or requirement for cleaning up the property and removing the blighted conditions in the proposed project area. The "No Project" alternative could significantly reduce development opportunities for the adjacent Redevelopment Project areas.

III. The following findings describe the beneficial effects of the development which outweigh and override any remaining impacts which cannot be mitigated.

A. The project provides substantial public benefits, including:

- (1) The proposed project would remove unsightly and undesirable uses from the Site including billboards, warehouses, freight sheds and excess railroad tracks;
- (2) The resulting streamlining of railroad operations through the Project area will reduce railroad generated noise and activity in the vicinity of the railroad tracks and benefit the San Diego downtown area;
- (3) The proposed fine arts program will provide a specific opportunity for arts and artistic attractions to be incorporated in the proposed development;
- (4) The integrated nature of development which includes creating a pedestrian environment, the bridging of railroad tracks by an enclosure, and creating an above-grade pedestrian access platform is an important factor in downtown development and implementation of the Urban Design Program;
- (5) The project will result in significant new tax benefits to the City of San Diego, the Redevelopment Agency, the County, and state and federal governments. Such taxes will include: real property, taxes, sales taxes, transient occupancy taxes and income taxes.
- (6) The proposed development will generate significant economic benefits for the Project area and the region. The estimated economic benefits are summarized as follows:

Additional permanent jobs - 15,900

Additional construction jobs - 12,000

Additional tax revenues
during the development - \$70.4 million

Estimated market value
of improvements - \$800 million

Estimated total annual retail
sales tax, property tax and

transient occupancy tax - \$13.5 million

- (7) The proposed development is expected to enhance continued redevelopment in the Center City area through a substantial contribution to the general downtown economic base and specifically to the contribution to the Redevelopment Project's tax increment;
 - (8) The proposed development is also anticipated to provide a potentially significant catalytic effect on continued implementation of the adopted Center City Redevelopment Plans and enhance the market for future development in the Redevelopment Project area;
 - (9) The project will be built at no cost to the public;
 - (10) The integration of mixed uses throughout the Site will provide for the benefits of reducing the overall number of vehicle trips and parking demand generated at the Site;
 - (11) The proposed development will provide for continued passenger rail service to downtown San Diego and an interface with other local and regional public transit, specifically including opportunities for an interface with the San Diego Trolley (light rail transit).
 - (12) The proposed density of the project reduces the necessity for land consumption in suburban areas to accommodate population growth and is more energy efficient than lower density development.
 - (13) The project will have an overall positive impact on the environment in removing blighted conditions on the Site, preserving the historic and architectural integrity of the Santa Fe Depot, and by creating a mixed use development which is considered beneficial to the public health, safety and welfare of the citizens of the City of San Diego.
- IV. The following evidence is incorporated herein by this reference and serves as further support for the findings herein:

All maps, exhibits, written documents, materials contained in the file regarding this Project on record in the City of San Diego and the Redevelopment Agency, the written documents referred to herein and the oral presentations given.

Passed and adopted by the Council of The City of San Diego on APR 12 1983,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/> Vacant

AUTHENTICATED BY:

BILL CLEATOR
 Deputy Mayor of The City of San Diego, California.

(Seal)

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

By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-258255</u>	Adopted <u>APR 12 1983</u>