

RESOLUTION NUMBER R- 263021

ADOPTED ON APR 23 1985

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN CERTIFYING THAT THE FINAL AMENDED SUPPLEMENT TO ENVIRONMENTAL IMPACT REPORTS FOR THE HORTON PLAZA REDEVELOPMENT PROJECT WITH RESPECT TO A PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT AND LEASE BETWEEN THE REDEVELOPMENT AGENCY AND ART CENTER REDEVELOPMENT, LTD. HAS BEEN PREPARED IN COMPLIANCE WITH CEQA AND STATE AND LOCAL GUIDELINES; MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED DEVELOPMENT; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

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 (the "Project"); 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 Project:

1. "Environmental Impact Statement, Plaza Redevelopment Project," (Chapter VIII of the Report to the Council of The City of San Diego (the "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 of an Environmental Impact Statement on the Horton Plaza Urban Redevelopment Project, (EQD No. 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 Council 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 Council;

4. Supplemental Master Environmental Impact Report for the Centre City Redevelopment Projects (the "MEIR") certified by the Agency and the Council January 9, 1979 by Resolution Nos. 416 and R-222568, respectively; and

WHEREAS, the Council proposes to approve a Disposition and Development Agreement and Lease between the Agency and Art Center Redevelopment, Ltd. (the "Developer") pursuant to which: the Agency shall acquire certain real property in the Project area, relocate occupants from said real property, and lease such real property (with options to purchase) to the Developer for rehabilitation and redevelopment of the building thereon for art center and retail-commercial uses; and

WHEREAS, the lease (with option to purchase) of real property and the rehabilitation of the building for art center and retail-commercial uses pursuant to the terms and conditions set forth in the Disposition and Development Agreement, the Lease 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. ("CCDC"), acting on behalf of the Agency, pursuant to a Secondary

Study has prepared a Final Amended Supplement to the Environmental Impact Reports for the Horton Plaza Redevelopment Project ("Final Amended Supplement") in accordance with and pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local guidelines and regulations adopted pursuant thereto to assess additional environmental information now available with respect to the rehabilitation of the building and development of art center and commercial uses contemplated under the Disposition and Development Agreement and Lease; NOW, THEREFORE,

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

1. The Council hereby certifies that the Final Amended Supplement with respect to the rehabilitation and development proposed in the Disposition and 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 certified said Final Amended Supplement.

2. The Council hereby further certifies that the information in the Final Amended Supplement and in the MEIR and the other previously certified EIRs has been reviewed and considered by the Council members.

3. The Council hereby finds and determines:

a. That the adverse environmental impacts of the proposed development set forth in the Final Amended Supplement, including those raised in comments on the Draft Amended Supplement, have been considered and recognized by the Council;

b. That based on information set forth in the Final Amended Supplement and in Section II of Attachment A (attached hereto and incorporated herein by this reference), and in the public record on file in the offices of the Agency incorporated herein by this reference, Council finds and determines that measures have been required in or incorporated into the proposed development which mitigate or avoid each of the adverse environmental impacts identified in the Final Amended Supplement relating to transportation, relocation, public safety and land use;

c. That based on information set forth in the Final Amended Supplement and Sections III and IV of Attachment A hereto, the adverse environmental impacts relating to historical resources are significant environmental effects which cannot be entirely mitigated or avoided if the project is implemented;

d. That no additional adverse impacts will have a significant effect or result in a substantial or potentially substantial adverse change in the environment as a result of the proposed development.

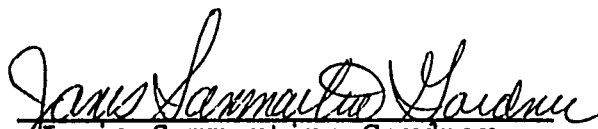
4. Council hereby finds and determines that all significant environmental effects identified in the Final Amended Supplement have been reduced to an acceptable level in that:

a. All significant environmental effects that can feasibly be avoided have been eliminated or substantially lessened as determined through the findings set forth in paragraph 3.b. of this resolution;

b. As to the significant environmental effects which cannot be entirely mitigated or avoided, specific economic, social and other considerations set forth in the Final Amended Supplement and in Attachment A, and other documents and information in the record, make infeasible the additional mitigation measures and project alternatives identified in the Final Amended Supplement;

c. All unavoidable significant effects of the proposed development, as set forth in paragraph 3.c. of this resolution, are overridden by the benefits of the development as described in Section V of Attachment A, and the Council hereby approves and adopts said Section V of Attachment A as a Statement of Overriding Considerations for the proposed development and implementing actions.

APPROVED: John W. Witt, City Attorney

By   
Janis Sammartino Gardner  
Deputy City Attorney

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Or.Dept:CCDC  
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Passed and adopted by the Council of The City of San Diego on APR 23 1985,  
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Roger Hedgecock	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

(Seal)

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

By *Jane A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-263021</u>	Adopted <u>APR 23 1985</u>

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