

(R-88-2522)

RESOLUTION NO. R- **271316**
ADOPTED ON JUN 28 1988

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE AGENCY HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN CERTAIN ENVIRONMENTAL IMPACT REPORTS AND THE SECONDARY STUDY WITH RESPECT TO THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND HSD/HORTON ASSOCIATES AND OLIVER MCMILLAN FOURTH AVENUE, LTD., AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT 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 (the "Project"); and

WHEREAS, the following environmental documents, among others, 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 City Council on the Redevelopment Plan for the Horton Plaza Redevelopment Project) prepared by the Community Development Department, The 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 Division of the City Planning Department of The City of San Diego on October 1, 1973.

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3. Environmental Impact Report on the Centre City Plan (EQD No. 74-11-013-G); the Centre City Plan was approved by the City Planning Commission on February 3, 1976, and by the Council of San Diego certified on May 13, 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 on January 9, 1979, by the Agency (Resolution No. 416) and the Council (Resolution No. 222568). The MEIR was prepared to evaluate the individual, interactive and cumulative effects of the implementation activities of the three adopted Centre City Redevelopment Plans to the extent that the implementation activities within each of the three Project areas were defined at that time; and

WHEREAS, the Council proposes to approve a Disposition and Development Agreement with HSD/Horton Associates ("Developer") and Oliver McMillan Fourth Avenue, Ltd. ("Lessee") for the lease and sale of certain real property in the Project area to the Lessee for the construction of a residential, office and retail development; 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 lease and sale and development of the real property pursuant to the Disposition and Development Agreement; and

WHEREAS, the lease and sale of the property and the construction of the residential, office and retail development thereon, pursuant to the provisions of the proposed Disposition and Development Agreement between the Agency and Developer and Lessee is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR, the Secondary Study, and other previous environmental documents; and

WHEREAS, the Council has considered the environmental effects of the proposed development as shown in the MEIR, the Secondary Study and other previous environmental documents; NOW, THEREFORE,

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

1. The Council hereby certifies that the Secondary Study of environmental impacts with respect to the proposed lease and sale and development of the real property pursuant to the Disposition and Development Agreement has been prepared pursuant to the California Environmental Quality Act of 1970 (CEQA) and State and local regulations and guidelines adopted pursuant thereto.

2. The Council hereby further certifies that the information contained in the Secondary Study, the MEIR, and the other previous environmental documents for the Project has been reviewed and considered by the members of the Council.

3. The Council hereby finds and determines that:

(a) No substantial changes are proposed in the Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the lease and sale and development pursuant to the Disposition and Development Agreement, which will require 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 would in fact be feasible and would substantially reduce any significant effects of the Project on the environment, or that any mitigation measures or alternatives which were not previously considered in the MEIR or the other environmental documents would substantially lessen any

significant effects of the Project on the environment;
and

(c) No negative declaration, or subsequent environmental impact report, or supplement or addendum to the MEIR or the other previous environmental documents is necessary or required; and

(d) The lease and sale and development of real property pursuant to the Disposition and Development Agreement 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 
Allisyn L. Thomas
Deputy City Attorney

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Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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