

RESOLUTION NUMBER R- 283587

ADOPTED ON MAR 22 1994

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE MASTER ENVIRONMENTAL IMPACT REPORT FOR THE CENTRE CITY REDEVELOPMENT PROJECT AS IT PERTAINS TO THE HORTON PLAZA REDEVELOPMENT PROJECT, AND THE SECONDARY STUDY WITH RESPECT TO THE PROPOSED OWNER PARTICIPATION AGREEMENT FOR PARCEL 4 BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND HSD/HORTON ASSOCIATES, 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 Agency has previously prepared and the Agency and the Council of The City of San Diego (the "City Council") have certified as applicable the following environmental documents at and subsequent to the time of adoption of the Project in 1972:

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, City of San Diego, June 1972.

2. A Supplemental Report to an Environmental Impact Statement on the Horton Plaza Urban Redevelopment Project (EQD

No. 72-11-18), prepared by the Environmental Quality Division of the Planning Department of The City of San Diego on October 1, 1973.

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 the City Council certified on May 23, 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.

4. Supplemental Master Environmental Impact Report for Centre City Redevelopment Projects, which was certified for the Horton Plaza Redevelopment Project by the Agency and the City Council on January 9, 1979 by Resolutions No. 416 and No. 222568, respectively. The Supplemental Master EIR was prepared to evaluate the individual, interactive and cumulative effects of the implementation activities of the adopted Centre City Redevelopment Plans to the extent that the implementation activities within each of the Project areas were defined at that time; and

WHEREAS, the Agency has also prepared, and the Agency by Resolution No. 2081 and the City Council by Resolution No. R-279875 have certified the Final Master Environmental Impact Report for the Centre City Redevelopment Project (referred to herein as the "MEIR"), which updates and supplements the previous environmental documents with respect to the Horton Plaza Redevelopment Project; and

WHEREAS, the City Council proposes to approve an Owner Participation Agreement for Parcel 4 between the Agency and

HSD/Horton Associates, a California general partnership (the "Developer") for the sale of certain property, that is the Use Restriction Revision, in the Project area to the Developer in connection with the construction of a commercial retail development on Parcel 4; and

WHEREAS, the sale of the property, that is the Use Restriction Revision, and the construction of the commercial retail development on Parcel 4 in connection therewith, pursuant to the provisions of the proposed Owner Participation Agreement between the Agency and Developer is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR; 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 the Secondary Study assesses the environmental impacts of the sale of the Use Restriction Revision and the development of Parcel 4 in connection therewith pursuant to the Owner Participation Agreement; and

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

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

1. That the Council hereby certifies that the Secondary Study of environmental impacts with respect to the proposed sale

of the Use Restriction Revision and the development of Parcel 4 in connection therewith pursuant to the Owner Participation 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 thereto.

2. That the Council hereby further certifies that the information contained in the Secondary Study and the MEIR has been reviewed and considered by the members of the City Council.

3. That the 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 the Use Restriction Revision and the development of Parcel 4 in connection therewith pursuant to the Owner Participation Agreement, which will require important revisions in the MEIR as it pertains to the Project, due to the involvement of new significant environmental impacts not covered in the MEIR; 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 for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the MEIR, or that any significant effects previously examined will be substantially more severe than shown in the MEIR, or that any mitigation measures or alternatives previously found not to be feasible or not

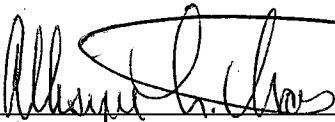
previously considered would substantially reduce or lessen any significant effects of the Project on the environment; and

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

(d) The sale of the Use Restriction Revision and the development of Parcel 4 in connection therewith pursuant to the Owner Participation Agreement will have no significant effect on the environment, except as identified and considered in the MEIR as it pertains to the Project.

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn L. Thomas
Deputy City Attorney

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