

287147

RESOLUTION NUMBER R-

ADOPTED ON APR 02 1996

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY HEIGHTS REDEVELOPMENT PROJECT, AND THE ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT/MITIGATED NEGATIVE DECLARATION WITH RESPECT TO THE PROPOSED FIRST AMENDMENT TO THE REDEVELOPMENT PLAN THEREFOR, THE PROPOSED AMENDMENT TO THE PROGRESS GUIDE AND GENERAL PLAN, THE PROPOSED AMENDMENT TO THE MID-CITY COMMUNITY PLAN AND NEIGHBORHOOD ELEMENTS, AND THE PROPOSED REZONE; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF EACH OF SUCH ACTIONS.

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 City Heights Redevelopment Project (the "Project"); and

WHEREAS, the Agency has previously prepared, and the Agency (Resolution No. 2068) and the City Council (Resolution No. R-279878) have certified the Final Environmental Impact Report for the City Heights Redevelopment Project (referred to herein as the "FEIR"); and

WHEREAS, the City Council proposes to approve a First Amendment to the Redevelopment Plan for the City Heights Redevelopment Project (the "First Amendment") which would delete approximately 78 acres from the Project area, revise the permitted land uses in a six block area to allow for the development of mixed-uses therein, and authorize the Agency to

acquire property within that area by eminent domain if necessary and appropriate; and

WHEREAS, the City Council proposes to approve corresponding amendments to the General Plan and Progress Guide (the "GPA"), Mid-City Community Plan and Neighborhood Elements (the "CP Amendment"), and the Rezone; and

WHEREAS, the Agency has prepared an Environmental Assessment 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 National Environmental Policy Act ("NEPA"), and such Environmental Assessment assesses the environmental impacts of the First Amendment, the GPA, the CP Amendment, and the Rezone; and

WHEREAS, based upon the Environmental Assessment, the Agency has also prepared a proposed Finding of No Significant Impact/Mitigated Negative Declaration ("FONSI/MND") of environmental impacts with respect to the proposed First Amendment, the GPA, the CP Amendment, and the Rezone, and has provided public notice of and circulated the proposed FONSI/MND for public review and comment in the manner provided by law; and

WHEREAS, the City Council has considered the environmental effects of the proposed First Amendment, the GPA, the CP Amendment, and the Rezone as shown in the FEIR and the Environmental Assessment, and has considered the proposed FONSI/MND, including comments received thereon, in connection with its hearings and deliberations on said actions; NOW, THEREFORE,

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

1. That the City Council hereby certifies that the Environmental Assessment of environmental impacts, and the FONSI/MND, with respect to the proposed First Amendment, the GPA, the CP Amendment, and the Rezone have been prepared and completed in compliance with the California Environmental Quality Act of 1970 and state and local regulations and guidelines adopted pursuant thereto, and the National Environmental Policy Act ("NEPA"), and that the Agency has certified thereto with respect to the proposed First Amendment.

2. That the City Council hereby further certifies that the information contained in the Environmental Assessment, the FEIR, and the FONSI/MND, including comments received thereon, has been reviewed and considered by the City Council members.

3. That the City Council hereby finds and determines that:

a. No substantial changes are proposed in the City Heights Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the proposed First Amendment, the GPA, the CP Amendment, or the Rezone, which will require important revisions in the FEIR for the Project, due to the involvement of new significant environmental impacts not covered in the FEIR; 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 FEIR for the Project was certified as complete, and which shows that the

Project will have any significant effects not discussed previously in the FEIR, or that any significant effects previously examined will be substantially more severe than shown in the FEIR, or that any mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or not previously considered, would substantially reduce or lessen any significant effects of the Project on the environment; and

c. The Project will have no significant effect on the environment, except as identified and considered in the FEIR for the Project, provided, however, that the First Amendment, the GPA, the CP Amendment, and the Rezone will not in themselves cause any significant adverse impact on the environment with respect even to those effects of the overall Project which cannot be avoided, as described in Attachment A (attached hereto and incorporated herein by this reference); and

d. The significant environmental effects of the overall Project, which cannot be avoided, remain acceptable as identified and considered in Resolution No. 2068 of the Agency, and Resolution No. R-279878, of the City Council; and

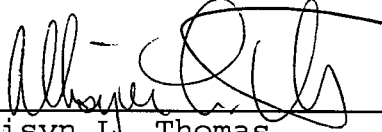
e. The FONSI/MND of environmental effects of the proposed First Amendment, the GPA, the CP Amendment, and the Rezone is hereby approved; and

f. The Mitigation Monitoring and Reporting Program (attached hereto and incorporated herein by this reference as Attachment B) for implementation of the First Amendment,

the GPA, the CP Amendment, and the Rezone, is hereby approved and adopted.

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn L. Thomas
Deputy City Attorney

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03/15/96
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ATTACHMENT A

The following discussion explains the reasons why the First Amendment, the GPA, the CP Amendment, and the Rezone, will have no significant effect on transportation/circulation or air quality, nor contribute to the cumulative effects of the Project with respect thereto:

Transportation/Circulation (Project-Specific and Cumulative)

According to the traffic generation comparison prepared by Urban Systems Associates and as summarized in the Environmental Assessment, the six-block mixed-use development permitted by the proposed First Amendment, the GPA, the CP Amendment, and Rezone will result in a net reduction of approximately 1,990 average daily vehicular trips from existing uses on Blocks 5, 6, 7, 10, 11, and 12. On an A.M. peak hour in/out basis there is a reduction of 167 outbound peak hour trips (an approximate 31 percent reduction). For the A.M. inbound trips, there would be a slight increase of 61 trips. On a P.M. peak hour in/out basis, there is a reduction in both the inbound and outbound trips of 209 and 64 trips respectively. Additionally, the traffic diversion analysis prepared by Urban Systems Associates which analyzed the potential traffic impacts as a result of modifications to Wightman Street and the effect on diverting traffic to other adjacent roadways, indicates that all intersections analyzed are projected to operate at an acceptable Level of Service "C."

Air Quality (Cumulative)

The replacement of proposed land uses on Blocks 5, 6, 7, 10, 11, and 12 would result in a net reduction in air emissions from what is currently generated by the existing land uses of the site. The net reduction is attributed to the fact that the proposed project replaces existing development on the site, and will result in a net decrease of approximately 1,990 average vehicular trips from existing uses.

MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP)
CPA NO. 35-0391
EAS NO. 96-0135BG
CITY HEIGHTS URBAN VILLAGE

This Mitigation, Monitoring and Reporting Program is designed to ensure compliance with AB 3180 (1988) during implementation of mitigation measures. The program specifies what is to be monitored, how the monitoring shall be accomplished, what the monitoring and reporting schedule is, and completion requirements. The City of San Diego Development Services Department and the Redevelopment Program are responsible for ensuring that this program is carried out.

Cultural Resources

- A. CityLink Investment Corporation and the City of San Diego Redevelopment Program Project Manager shall provide verification that a qualified archaeologist and/or an archaeological monitor have been retained to implement the archaeological monitoring program. Verification shall be given in the form of a letter from the Project Manager to the Principal Planner of the Environmental Analysis Section (EAS) of the Development Services Department prior to construction activities.

A qualified archaeologist is defined as an individual who is certified in prehistoric archaeology by the Society of Professional Archaeologists (SOPA). At least 200 hours of the field experience required for certification must be obtained in Southern California.

An archaeological monitor is defined as an individual who has expertise in the salvage and collection of cultural resources and who is working under the direction of a qualified archaeologist.

ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT SHALL BE APPROVED BY EAS AT LEAST 30 DAYS PRIOR TO THE PRECONSTRUCTION MEETING. EAS shall be contacted for questions regarding the archaeological sites.

- B. The qualified archaeologist shall attend any preconstruction meetings to consult with the excavation contractor and to make comments and/or suggestions concerning the monitoring program. The archaeologist's duties shall consist of monitoring, evaluation, analysis of collected materials, and preparation of a monitoring results report. These duties are further defined as follows:

a. Monitoring

The qualified archaeologist or archaeological monitor shall be present on-site during excavation activities that involve removal of previously undisturbed native

materials from surface level to the depth at which the underlying formations are exposed.

b. Evaluation

In the event that archaeological resources are discovered, the archaeologist shall have the authority to divert, direct or temporarily halt any ground disturbance operations in the area of discovery to allow evaluation of potentially significant archaeological resources. **THE ARCHAEOLOGIST SHALL NOTIFY EAS AND THE RESIDENT ENGINEER AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist, in consultation with EAS staff. In the event historic resources are encountered, a historic archeologist shall be contacted for further evaluation, as needed. For significant archaeological resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts. EAS must concur with the evaluation procedures to be performed before construction activities are allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

c. Analysis

All collected cultural remains shall be cleaned, catalogued, and permanently curated with an appropriate scientific institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed as appropriate.

d. Report Preparation

A monitoring results report (with appropriate graphics) summarizing the results, analyses, any conclusions of the above program shall be prepared and submitted to EAS within three months following termination of the archaeological monitoring program. Also, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and at the San Diego Museum of Man.