

RESOLUTION NUMBER R- 287989

ADOPTED ON OCT 29 1996

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE SECONDARY STUDY OF ENVIRONMENTAL IMPACTS WITH RESPECT TO THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE AGENCY AND WHITAKER INVESTMENT; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF THE PROPOSED SALE OF REAL PROPERTY AND THE DEVELOPMENT AND CONSTRUCTION OF A 20,000 SQUARE FOOT INDUSTRIAL BUILDING PURSUANT THERETO LOCATED IN THE MT. HOPE REDEVELOPMENT PROJECT AREA.

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 Mt. Hope Redevelopment Project (the "Project"); and

WHEREAS, the following environmental document has been prepared in connection with and subsequent to the approval and adoption of the Project: Environmental Impact Report (the "EIR") for the Mount Hope Redevelopment Plan (EQD No. 82-0214). The Mount Hope Redevelopment Plan was adopted by the Council of The City of San Diego (the "Council") and the Agency on November 22, 1982; and the Council and the Agency certified, on November 9, 1982 (Resolutions No. R-257472 and No. 816, respectively), that the information in the EIR on the Mount Hope Redevelopment Plan had been completed and reviewed; and

WHEREAS, the Agency proposes to approve a Disposition and Development Agreement (the "Agreement") with Whitaker Investment (the "Developer") whereby the Agency shall sell real

property to the Developer for the development and construction by the Developer of a 20,000 square foot industrial building; and

WHEREAS, the sale of the real property pursuant to the provisions of the proposed Agreement and the construction of a 20,000 square foot industrial building pursuant to the terms and conditions set forth in the proposed Agreement and the Mt. Hope Redevelopment Plan is one of the redevelopment activities assessed by the EIR for the Project; and

WHEREAS, the Southeastern Economic 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), as amended, and State and local regulations and guidelines adopted pursuant thereto, and the Secondary Study assesses the environmental impacts of the sale of real property and the construction of a 20,000 square foot industrial building thereon pursuant to the proposed Agreement; 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 real property and the construction of a 20,000 square foot industrial building pursuant to the proposed Disposition and Development Agreement has been prepared and completed in compliance with the California Environmental Quality Act of 1970 (CEQA), as amended, and State and local regulations and guidelines adopted pursuant thereto.
2. That the Council hereby further certifies that the information contained in the Secondary Study and the EIR for the Project has been reviewed and considered by the Council members.
3. That 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 sale of the real property and the construction of the development pursuant to the proposed Agreement, which will require important or major revisions in the EIR certified for the Project, due to the involvement of new significant environmental impacts not covered in the EIR; and

(b) No new information of substantial importance to the Project has become available which was not known or could not have been known with the exercise of reasonable diligence at the time the EIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the EIR, or that any significant effects previously examined will be substantially more severe than shown in the EIR, 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

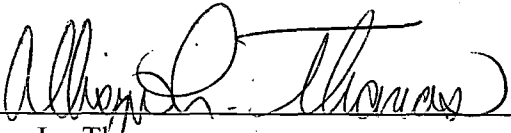
(c) No negative declaration, or subsequent environmental impact report, or supplement or addendum to the EIR is necessary or required; and

(d) The sale and development of the real property pursuant to the proposed Agreement will have no significant effect on the environment except as identified and considered in the EIR for the Project.

4. That the Council hereby finds and determines that the certifications, findings, and determinations with respect to environmental impacts in the Project as set forth in Council Resolution No. R-257472 and Agency Resolution No. 816 include as an implementation activity

the sale of property and construction of the facilities pursuant to the proposed Agreement and the certifications, findings, and determinations are hereby ratified in their entirety.

APPROVED: JOHN W. WITT, City Attorney

By   
Allisyn L. Thomas  
Deputy City Attorney

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