

(R-99-339)

RESOLUTION NUMBER R- 290787

ADOPTED ON SEP 29 1998

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 REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND THE ARTIE M. OWEN, AND THE PROPOSED SALE OF REAL PROPERTY AND CONSTRUCTION OF AN APPROXIMATELY 16,400 SQUARE FOOT, TWO STORY STRUCTURE PURSUANT THERETO.

WHEREAS, the Redevelopment Agency of The City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Gateway Center West Redevelopment Project [Project]; and

WHEREAS, the following environmental document has been prepared in connection with and subsequent to the approval and adoption of the Project: Negative Declaration for the Gateway Center West Redevelopment Plan (EQD No. 75-01-00.22BG); the Gateway Center West Redevelopment Plan was approved by the Council of The City of San Diego and the Agency on November 17, 1976, and the City Council certified on October 5, 1976 by Resolution No. 216896, that the information in the Negative Declaration for the Gateway Center West Redevelopment Plan was completed and that it was reviewed by the Council; and

WHEREAS, the Council proposes to approve a Disposition and Development Agreement [Agreement] with the Artie M. Owen [Developer], for the sale of real property to the Developer

for the construction of an approximately 16,400 square foot, two story structure [Facility]; and

WHEREAS, the sale of the property pursuant to the Agreement and the construction of the Facility pursuant to the terms and conditions set forth in the proposed Agreement between the Agency and Developer and the Gateway Center West Redevelopment Plan is one of the redevelopment activities assessed by the Negative Declaration 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 the real property and construction of the Facility pursuant to the Agreement; NOW, THEREFORE,

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

1. That the Council certifies that the Secondary Study of environmental impacts with respect to the proposed sale of real property and the construction of the Facility pursuant to the 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 further certifies that the information contained in the Secondary Study and the Negative Declaration for the Project has been reviewed and considered by the Council members.
3. That the Council 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 real property and construction of the Facility pursuant to the Agreement, which will require major or important revisions in the Negative Declaration for the Project, due to the involvement of new significant environmental impacts not covered in the Negative Declaration; 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 EIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the Negative Declaration, or that any significant effects previously examined will be substantially more severe than shown in the Negative Declaration, 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 new negative declaration, or subsequent environmental impact report, or supplement or addendum to the Negative Declaration is necessary or required; and

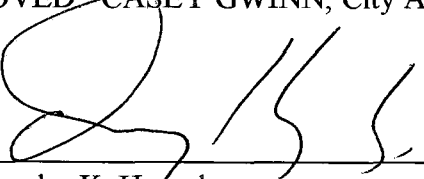
d. The sale of real property and construction of the Facility pursuant to the Agreement will have no significant effect on the environment, except as identified and considered in the Negative Declaration for the Project.

4. That the Council finds and determines that the certifications, findings and determinations with respect to environmental impacts in the Project as set forth in Resolution

No. 216896 include as an implementation activity the sale of property and construction of the Facility pursuant to the Agreement and the certifications, findings and determinations are ratified in their entirety.

APPROVED: CASEY GWINN, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:lc
09/15/98
Or.Dept:SEDC
R-99-339
Form=r&t.frm