

RESOLUTION NO R- 298904

ADOPTED ON FEB 10 2004

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NORTH PARK REDEVELOPMENT PROJECT AND THE SECONDARY STUDY WITH RESPECT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND ARNOLD "BUD" FISCHER FOR THE DEVELOPMENT OF THE NORTH PARK PARKING FACILITY IN THE NORTH PARK REDEVELOPMENT PROJECT AREA.

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 North Park Redevelopment Project [Project]; and

WHEREAS, the Agency has previously prepared, and the Agency by Resolution No. R-2710, adopted on January 28, 1997, and the Council by Resolution No. R-288303 adopted on January 28, 1997, has previously certified the Final Environmental Impact Report for the North Park Redevelopment Project [EIR]; and

WHEREAS, the Agency has prepared a Secondary Study in accordance with and pursuant to the California Environmental Quality Act of 1970 [CEQA], the adopted State and local regulations and guidelines, and the Agency's amended "Procedures for Implementation of the CEQA and State CEQA Guidelines" (adopted July 17, 1990), and the Secondary Study assesses the environmental impacts of the development of the proposed North Park Parking Structure and related activities; and

WHEREAS, the Council proposes to approve the Disposition and Development Agreement between the Agency and Arnold “Bud” Fischer for the development of the North Park Parking Facility, in the Project Area; and

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

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

1. The Council certifies that the Secondary Study of environmental impacts with respect to the proposed development of the North Park Parking Facility has been prepared and completed in compliance with the California Environmental Quality Act of 1970 [CEQA], the adopted State and local regulations and guidelines, and the Agency's amended “Procedures for Implementation of CEQA and the State Guidelines” (adopted July 17, 1990), and the Secondary Study assesses the environmental impacts of the development of the North Park Parking Facility and related activities.

2. The Council further certifies that the EIR for the North Park Redevelopment Project, and the Secondary Study, were presented to the members of the Council, and that the information contained in the Secondary Study, and the EIR, has been reviewed and considered by the Council members.

3. The Council further certifies that the EIR and the Secondary Study represents the Council's independent judgment and analysis.

4. The Council finds and determines that:

a. No substantial changes are proposed in the North Park Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the development of the North Park Parking Facility Project pursuant to the Disposition and Development Agreement between the Agency and Arnold "Bud" Fischer, which will require major revisions in the EIR for the Project, due to the involvement of new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, not covered in the EIR; and

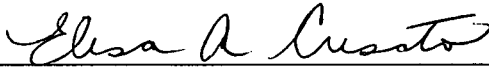
b. No new information of substantial importance to the Project has become available which was not known or could not have been known with the exercise of reasonable diligence at the time the EIR for the Project was certified as complete, and which shows that the North Park Parking Facility will have 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 North Park Parking Facility 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 development of the North Park Parking Facility pursuant to the Disposition and Development Agreement will have no significant effect on the environment, except as identified and considered in the EIR for the Project.

5. The activity-specific Mitigation Measures for the Proposed North Park Theatre Rehabilitation, attached as Attachment A to the Secondary Study, is approved and adopted.

APPROVED: CASEY GWINN, City Attorney

By 
Elisa A. Cusato
Deputy City Attorney

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