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(R-2004-989)
(COR.COPY)

RESOLUTION NUMBER R- 299035

ADOPTED ON MAR 30 2004

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SAN DIEGO, CA

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 MITIGATED NEGATIVE DECLARATION AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED NORTH PARK CONDOS PROJECT.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] proposes to enter into a Disposition and Development Agreement [DDA] with Western Pacific Housing [Developer] pursuant to which the Agency will sell certain property in the North Park Redevelopment Project area [Project] to the Developer, or its assignee, for the development of a mixed-use residential/commercial project [Development]; and

WHEREAS, the matter was heard by the Agency on March 30, 2004; and

WHEREAS, the Agency has previously prepared, and the Agency by Resolution No. 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 City Council, in connection with its consideration of the approval of the proposed Development has reviewed and considered the information contained in the EIR for the Redevelopment Project and the Mitigated Negative Declaration [MND]; NOW, THEREFORE,

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

1. The City Council hereby certifies that the MND, with respect to the Development within the North Park Redevelopment Project has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto, and that the Agency has certified thereto.

2. The City Council hereby further certifies that the EIR for the Redevelopment Project, and the MND, were presented to the members of the City Council, and that the information contained in the EIR, and the MND, has been reviewed and considered by the members of the City Council.

3. The City Council hereby further certifies that the MND (as with the EIR for the Redevelopment Project) represents the City Council's independent judgment and analysis.

4. The City Council hereby 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 Redevelopment Project is to be undertaken, as a result of the mixed use development, which will require important revisions in the EIR for the Project, due to the involvement of new significant environmental impacts not covered in the EIR for the Project.

b. Except as assessed in the MND, no new information of substantial importance to the Redevelopment 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 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.

c. No subsequent environmental impact report, or supplement or addendum to the EIR, is necessary or required.

d. Based upon specific information now available with respect to the proposed mixed-use development, the Agency prepared a MND with respect to certain potentially significant effects of the development, which will be reduced to a less than significant level, as described in Attachment A hereto. The Final MND is hereby approved and adopted.

e. The Development will have no significant effect on the environment, except as identified and considered in the EIR and the MND for the Redevelopment Project.

5. The activity specific Mitigation Monitoring and Reporting Program with respect to the proposed Development, Attachment A to the MND for the Development, is hereby approved and adopted.

APPROVED: CASEY GWINN, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

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