

RESOLUTION NUMBER R- 300388

ADOPTED ON MAY 03 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE MASTER ENVIRONMENTAL IMPACT REPORT FOR THE CENTRE CITY REDEVELOPMENT PROJECT, THE SUBSEQUENT ENVIRONMENTAL IMPACT REPORT TO THE MEIR FOR THE PROPOSED BALLPARK AND ANCILLARY DEVELOPMENT PROJECTS, AND ASSOCIATED PLAN AMENDMENTS, AND THE SECONDARY STUDY WITH RESPECT TO THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND OLIVERMCMILLAN, LLC; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT 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 Centre City Redevelopment Project (Project); and

WHEREAS, the Agency has previously prepared, and the Agency, by Resolution No. 2081, and the Council of the City of San Diego (Council), by Resolution No. 279875, have certified the Final Master Environmental Impact Report for the Centre City Redevelopment Project (MEIR); and

WHEREAS, the Agency has also previously prepared by Resolution No. 03058, and the Council by Resolution No. 292363, have certified the Final Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments (referred to herein as the SEIR); and

WHEREAS, the MEIR, as supplemented by the SEIR, for the Centre City Redevelopment Project is sometimes referred to collectively herein as the MEIR/SEIR; and

WHEREAS, the Council proposes to approve an Amended and Restated Disposition and Development Agreement between the Agency and Oliver McMillan LLC (Developer) for the development of a mixed-use, residential/commercial project on a 17,225 square-foot parcel located on the northwest corner of the block at 6th, 7th, G and Market in the Project area and the Centre City Development Permit No. 2002-51; and

WHEREAS, the sale of the real property and development of a mixed-use, residential/commercial project on the real property pursuant to the provisions of the proposed Amended and Restated Disposition and Development Agreement between the Agency and the Developer is a redevelopment implementation activity whose environmental impacts are assessed in the MEIR/SEIR; and

WHEREAS, the Centre City Development Corporation, Inc. (CCDC), acting on behalf of the Agency and the Council, 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 such Secondary Study assesses the environmental impacts of the development of the real property pursuant to the Amended and Restated Disposition and Development Agreement and the Centre City Development Permit No. 2002-51; and

WHEREAS, the Council has considered the environmental effects of the proposed development as shown in the MEIR/SEIR, and the Secondary Study; 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 and development of the real property pursuant to the Amended and Restated Disposition and Development Agreement and the proposed Centre City Development Permit No. 2002-51 has been prepared and completed in compliance with the CEQA Act of 1970, as amended, and state and local regulations and guidelines adopted pursuant thereto.

2. That the Council hereby further certifies that the MEIR/SEIR and the Secondary Study were presented to members of the Council, and that the information contained in the

MEIR/SEIR and the Secondary Study have been reviewed and considered by the members of the Council.

3. That the Council hereby further certifies that the Secondary Study (as with the MEIR/SEIR for the Centre City Redevelopment Project) represents the Council's independent judgment and analysis.

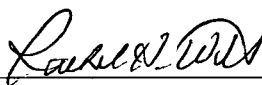
4. That the Council finds and determines that:

- a. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken as a result of the sale and development of the real property pursuant to the Amended and Restated Disposition and Development Agreement and the Centre City Development Permit No. 2002-51, which will require major revisions to the MEIR/SEIR 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 MEIR/SEIR; and
- b. No new information of substantial importance to the Project has become available which was not known or could have not been known with the exercise of reasonable diligence at the time the MEIR/SEIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the MEIR/SEIR, or that any significant effects previously examined will be substantially more severe than shown in the MEIR/SEIR, 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. The sale and development of the real property pursuant to the Amended and Restated Disposition and Development Agreement and the Centre City Development Permit No. 2002-51 will have no significant effect on

the environment, except as identified and considered in the MEIR/SEIR
for the Project; and

- d. No negative declaration, or subsequent environmental impact report, or
supplement or addendum to the MEIR/SEIR is necessary or required.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Rachel H. Witt
Deputy City Attorney

RHW:mm

04/04/05

Or.Dept: CCDC

R-2005-1022

Aud.Cert:N/A

MMS#1696

Companion: Agency RA-2005-120, 121 & 122