

RESOLUTION NUMBER R- 303136

1970

DATE OF FINAL PASSAGE NOV 08 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REDEVELOPMENT AGENCY ENTERING INTO AN OWNER PARTICIPATION AGREEMENT FOR THE BOULEVARD APARTMENTS PROJECT IN THE NORTH PARK REDEVELOPMENT PROJECT AREA AND MAKING CERTAIN FINDINGS ON THE ENVIRONMENTAL REVIEW COMPLETED FOR THE PROJECT.

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 Area [Project Area]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Project Area, the Agency has negotiated and proposes to enter into an Owner Participation Agreement [Agreement] with S.V.D.P. Management, Inc. [Developer], pursuant to which the Agency will provide financial assistance to the Developer in the form of a residual receipts loan for the development of a low income residential project known as the Boulevard Apartments Project [Project]; and

WHEREAS, Developer has submitted to the Agency and to the Council of the City of San Diego copies of the proposed Agreement in a form desired by Developer; and

WHEREAS, the Council of the City of San Diego has duly considered all terms and conditions set forth in the proposed Agreement and determines that the Project is in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law and requirements; and

WHEREAS, on the appeal of a Hearing Officer determination, the San Diego Planning Commission reviewed and considered the Boulevard Apartments Project No. 55461 [Project

No. 55461] at a public hearing on March 15, 2007, and by Resolution No. R-4230 PC, certified the Environmental Impact Report [EIR], SCH No. 2005111021, adopted a Statement of Overriding Considerations, with the additional language: Housing is targeted for those at 40% AMI and lower, and approved a Mitigation, Monitoring and Reporting Program for this Project No. 55461, copies of which are on file in the Development Services Department of the City of San Diego; and

WHEREAS, in connection with the consideration of the Agreement for the Project, the City Council considered the issues discussed in the EIR, SCH No. 2005111021, and the public record. NOW, THEREFORE,

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

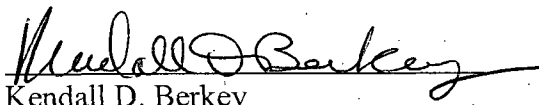
1. That the Council has received and heard all oral and written objections to the proposed Owner Participation Agreement, and to other matters pertaining to the Project, and that all such oral and written objections are overruled.
2. That the Council finds and determines that all consideration to be paid pursuant to the Agreement is in an amount necessary to effectuate the purposes of the Redevelopment Plan for the Project Area.
3. That the Owner Participation Agreement which establishes the terms and conditions for the development and implementation of the Project is hereby approved.
4. That a copy of the Owner Participation Agreement, when executed by the Redevelopment Agency, shall be placed on file in the office of the City Clerk as Document No. D-R-04212
04212/; and

BE IT FURTHER RESOLVED, that the City Council finds that the Agreement is a subsequent discretionary approval of the Project No. 55461 addressed in the EIR and not a

separate project under the California Environmental Quality Act [CEQA] and CEQA Guidelines Sections 15060(c)(3) and 15378(c); and

BE IT FURTHER RESOLVED, that the City Council finds that this subsequent discretionary approval of the Agreement does not involve a change in circumstances, project changes, or new information of substantial importance which would warrant any additional environmental review.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By: 
Kendall D. Berkey
Deputy City Attorney

KDB:nda
10/12/07
Or.Dept:Redev.Agency
R-2008-331
MMS#5470
Comp. RA-2008-48
RA-2008-49
RA-2008-50

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 30 2007.

ELIZABETH S. MALAND
City Clerk

By: *Jana Richardson*
Deputy City Clerk

Approved: 11-8-07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor