

RESOLUTION NUMBER R- 30364S

DATE OF FINAL PASSAGE /ypft 1g grjQg

A RESOLUTION OF THE COUNCIL OF SAN DIEGO CERTIFYING THAT THE COUNCIL HAS PREVIOUSLY REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT FOR THE SAN DIEGO DOWNTOWN COMMUNITY PLAN, CENTRE CITY PLANNED DISTRICT ORDINANCE AND TENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTRE CITY REDEVELOPMENT PROJECT, AND THE FINAL SECONDARY STUDY RELATING TO THE DEVELOPMENT OF THE TEN FIFTY B PROJECT, AN AFFORDABLE HOUSING PROJECT; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING ENVIRONMENTAL IMPACTS OF THE DEVELOPMENT.

WHEREAS, the Council of the City of San Diego [Council] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project Area [Project Area]; and

WHEREAS, Council of the City of San Diego, by Resolution No. R-301265, and the Agency, by Resolution No. R-04001, have previously certified the Final Environmental Impact Report for the San Diego Downtown Community Plan, Centre City Planned District Ordinance and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project [EIR]; and

WHEREAS, the Council previously reviewed and approved the Final Environmental Secondary Study for the Project as well as approving a Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, the Council proposes to take such actions necessary for the development and construction of the Ten Fifty B Project, a proposed affordable rental housing project, in accordance with an Amended and Restated Owner Participation Agreement [the "OPA"] and Amended and Restated Ground Lease [the "Ground Lease"]; and

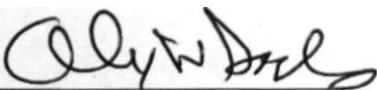
- a. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken, as a result of the development contemplated by the OPA and Ground Lease and related activities.
  
- b. No new information of substantial 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 completed, and which shows that the development contemplated by the OPA and Ground Lease and related activities 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 on the environment of the development contemplated by the OPA and Ground Lease and related activities.
  
- c. No negative declaration, or subsequent environmental impact report, or supplement or addendum to the EIR is necessary or required.

d. The development contemplated by the OPA and Ground Lease and related activities will have no significant effect on the environment, except as identified and considered in the EIR previously certified; NOW, THEREFORE,

BE IT RESOLVED, that the Council has previously reviewed and considered information contained in the EIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance and Tenth Amendment to the Plan, as well as the Final Secondary Study relating to the development of the Ten Fifty B Project and hereby finds that there are no changes to the Project that would have any additional or significant effect on the environment, except those previously identified and considered in the EIR and accounted for in the Mitigation Monitoring and Reporting Program for the Project.

BE IT FURTHER RESOLVED, that a Notice of Determination shall be filed with the Clerk of the Board of Supervisors for the County of San Diego regarding the development contemplated by the Amended and Restated Owner Participation Agreement and related activities.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 

Alex W. Sachs  
Deputy City Attorney

AWS:mm  
04/15/08  
Or Dept: CCDC  
R-2008-911  
MMS#6089  
Companion: Council - R-2008-872  
Agency - RA-2008-100, and 101.

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of APR 29 2008.

ELIZABETH S. MALAND  
City Clerk



Approved:

(date)

JERRY SANDER, Mayor

Vetoed:

(date)

JERRY SANDERS, Mayor