

(R-2009-704) 340B
(COR. COPY) 12/02
MEET

RESOLUTION NUMBER R- 304525

DATE OF FINAL PASSAGE DEC 02 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CERTIFYING ENVIRONMENTAL REVIEW
FOR THE CITY HEIGHTS SQUARE MIXED-USE
RESIDENTIAL/COMMERCIAL PROJECT LOCATED IN
THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA.

WHEREAS, the Council of the City of San Diego [Council] is considering a proposed Second Implementation Agreement [Second Implementation Agreement] to the Disposition and Development Agreement [DDA] by and between the Redevelopment Agency of the City of San Diego [Agency] and City Heights Realty, LLC (as assignee of the DDA) for the development of the City Heights Square mixed-use residential/commercial project [Project] located in the City Heights Redevelopment Project Area [Project Area]; and

WHEREAS, the City of San Diego previously certified for the original project described in the DDA a Mitigated Negative Declaration [MND], referenced by MND No. 40960, and an Addendum to MND No. 40960 (Project No. 95232); and

WHEREAS, based upon a review of the current Project, the Addendum and Initial Study Checklist, it was determined that a Subsequent Addendum to the Mitigated Negative Declaration was appropriate pursuant to California Environmental Quality Act [CEQA] Guidelines Sections 15162 and 15164; and

WHEREAS, a Subsequent Addendum to the MND, referenced by LDR No. 146605, has been prepared for the proposed Project; and

WHEREAS, a Mitigation, Monitoring and Reporting Program was prepared pursuant to the MND and previously adopted by the Agency and the City Council, and all mitigation

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measures included in the previous MND No. 40960 and in the previous Addendum No. 95232 have been incorporated into the Subsequent Addendum; NOW, THEREFORE,

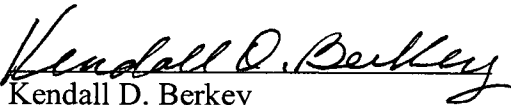
BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. That the Council hereby certifies that the information contained in the Subsequent Addendum to the Mitigated Negative Declaration [MND], referenced by LDR No. 146605, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 [CEQA] (California Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency, and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the Project and the Second Implementation Agreement to the Disposition and Development Agreement for the City Heights Square mixed-use residential/commercial Project.

2. That the Council finds and determines that there are no new significant environmental impacts not considered in the previous Mitigated Negative Declaration, referenced by MND No. 40960, and Addendum to MND No. 40960 (Project No. 95232) and that there is no substantial change in circumstance under which the Project is undertaken or additional information of substantial importance to the Project.

3. That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above Project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Kendall D. Berkey
Deputy City Attorney

KDB:nda
11/20/08
12/08/08 Cor.Copy
Or.Dept:Redev.Agency
R-2009-704
MMS#7104
Comp. R-2009-698
RA-2009-50
RA-2009-51
RA-2009-52

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 02 2008.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk