

RESOLUTION NUMBER R- 305759

DATE OF FINAL PASSAGE APR 13 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO STATING FOR THE RECORD THAT THE CITY COUNCIL, AS RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN FINAL ENVIRONMENTAL IMPACT REPORT NO. D-04001a AND THE FIRST, SECOND AND THIRD ADDENDA THERETO AND ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN DECIDING WHETHER TO APPROVE AMENDMENTS TO THE CENTRE CITY PLANNED DISTRICT ORDINANCE TO PERMIT EDUCATIONAL FACILITIES, CULTURAL INSTITUTIONS, AND CHURCHES AND RELIGIOUS ASSEMBLIES TO LOCATE IN THE RESIDENTIAL EMPHASIS LAND USE DISTRICT OF THE CENTRE CITY PLANNED DISTRICT WITH OBTAINING A CONDITIONAL USE PERMIT.

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

WHEREAS, the Centre City Development Corporation [CCDC], acting on behalf of the Redevelopment Agency, prepared a Draft Environmental Impact Report [Draft EIR] in July 2005 for the Downtown Community Plan, amendments to the Centre City Planned Districts Ordinance, and Tenth Amendment to the Redevelopment Plan, and circulated the Draft EIR for a 45-day public comment period pursuant to the California Environmental Quality Act of 1970 [CEQA] and related Guidelines; and

WHEREAS, on February 28, 2006, the Redevelopment Agency, as Lead Agency pursuant to the CEQA, certified Final Environmental Impact Report (Document No. D-04001a) [Final EIR No. D-04001a], and adopted the Findings (Document No. D-04001b), Statement of

Overriding Considerations (Document No. D-04001c), and Mitigation, Monitoring, and Reporting Program (Volume 1.B of Final EIR No. D-04001a) [MMRP] in connection with the approval or adoption of the Project and activities to implement the Project, including the Tenth Amendment to the Redevelopment Plan, the Downtown Community Plan, and the Centre City Planned District Ordinance; and

WHEREAS, on July 31, 2007, the Redevelopment Agency certified the First Addendum to the Final EIR No. D-04001a in connection with the Council of the City of San Diego [City Council] approval or adoption of the Eleventh Amendment to the Redevelopment Plan and amendments to the Downtown Community Plan and the Centre City Planned District Ordinance; and

WHEREAS, on July 31, 2007, the City Council, as Responsible Agency pursuant to CEQA reviewed and considered Final EIR No. D-04001a and the First Addendum thereto in connection with its approval of the Eleventh Amendment to the Redevelopment Plan and amendments to the Downtown Community Plan and the Centre City Planned District Ordinance; and

WHEREAS, on March 23, 2010, the Redevelopment Agency certified the Second Addendum to the Final EIR No. D-04001a in connection with the City Council approval or adoption of amendments to the Downtown Community Plan, the Centre City Planned District Ordinance, and the Marina Planned District Ordinance and revisions to the MMRP to improve mitigation for historical, archaeological and paleontological resources; and

WHEREAS, on March 23, 2010, the City Council, as Responsible Agency pursuant to CEQA reviewed and considered Final EIR No. D-04001a and the Second Addendum thereto in

connection with its approval amendments to the Downtown Community Plan, the Centre City Planned District Ordinance, and the Marina Planned District Ordinance and revisions to the MMRP to improve mitigation for historical, archaeological and paleontological resources; and

WHEREAS, the Redevelopment Agency has prepared and submitted to the City Council for review and approval further amendments to the Centre City Planned District Ordinance to permit educational facilities, cultural institutions and churches and religious assemblies to locate in the Residential Emphasis Land Use District of the Centre City Planned District [Amendments] with a conditional use permit; and

WHEREAS, the proposed Amendments required the preparation of the Third Addendum to Final EIR No. D-04001a; and

WHEREAS, the Redevelopment Agency made findings based on substantial evidence in the record and adopted the Third Addendum to the Final EIR No. D-04001; and

WHEREAS, in connection with the consideration of the proposed Amendments the City Council has reviewed and considered the issues discussed in Final EIR No. D-04001a and the First, Second and Third Addenda thereto; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

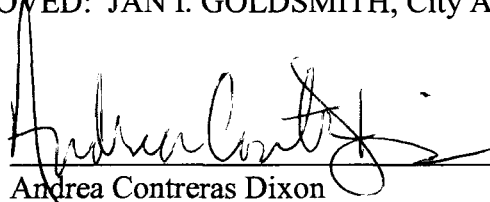
BE IT RESOLVED, by the City Council, stating for the record that the information contained in the Final EIR No. D-04001a and the First, Second and Third Addenda thereto,

including any comments received during the public review process, have been reviewed and considered by this City Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA section 21166 or CEQA Guidelines section 15162 warrant any additional environmental review in connection with approval of the proposed Amendments.

BE IT FURTHER RESOLVED, 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 stating that the City Council, as Responsible Agency, considered Final EIR No. D-04001a and the First, Second and Third Addenda thereto as prepared by the Lead Agency.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Andrea Contreras Dixon  
Deputy City Attorney

ACD:cw  
03/30/10  
04/14/10 REV.  
Or.Dept:CCDC  
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Companion to: RA-2010-79