

RESOLUTION NUMBER R- 309115

ADOPTED ON JUL 14 2014

ITEM # S400

SUB-A

7/14/14

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE SIXTH ADDENDUM TO THE 2006 FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DOWNTOWN COMMUNITY PLAN, CENTRE CITY PLANNED DISTRICT ORDINANCE AND THE TENTH AMENDMENT TO THE CENTRE CITY REDEVELOPMENT PLAN FOR THE INDIA AND DATE STREETS PROJECT.

WHEREAS, on February 3, 2014, H.G. Fenton Development Company, LLC submitted an application to Civic San Diego for a Centre City Development Permit/Planned Development Permit/Neighborhood Use Permit/Site Development Permit No. 2013-10, and Street Vacation No. 1094595 for the India and Date Streets Project (Project); and

WHEREAS, on February 28, 2006, the Redevelopment Agency of the City of San Diego adopted Resolution No. R-04001 certifying the 2006 Final Environmental Impact Report for the Downtown Community Plan, Centre City Planned District Ordinance and Tenth Amendment to the Centre City Redevelopment Plan (SCH No. 2003041001), a copy of which is on file in the offices of Civic San Diego (2006 FEIR), in accordance with the California Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), and acting as the responsible agency for the purposes of CEQA, the City Council adopted Resolution No. R-301265 certifying that it reviewed and considered the 2006 Final EIR; and,

WHEREAS, a series of addendums to the 2006 Final EIR have been prepared and certified (the Redevelopment Agency adopted Resolution No. R-04193 certifying an addendum to the 2006 Final EIR for the Eleventh Amendment to the Redevelopment Plan, Resolution No. R-04508 certifying the Second Addendum to the 2006 Final EIR related to certain

amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, Resolution No. 04510 certifying the Third Addendum to the 2006 Final EIR related to certain amendments to the Residential Emphasis District Amendments to the Centre City Planned District Ordinance, Resolution No. 04544 certifying the Fourth Addendum to the 2006 Final EIR related to the proposed Civic Center Complex Project, and, the City Council adopted Resolution No. 308724 certifying the Fifth Addendum to the 2006 Final EIR related to amendments to the Centre City Planned District Ordinance establishing an Industrial Buffer Overlay Zone;

WHEREAS, a Sixth addendum to the 2006 Final EIR has been prepared for the Proposed Project; 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, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is 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 that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the information contained in the 2006 Final EIR and subsequent addenda, thereto, including any comments received during the public review process, has been reviewed and considered by this City Council prior to making a decision on the Project.

BE IT FURTHER RESOLVED, that there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the 2006 Final EIR or subsequent addenda thereto, for the Project.

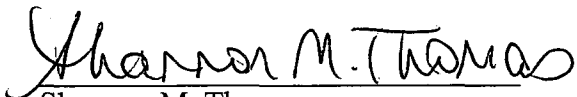
BE IT FURTHER RESOLVED, that no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the 2006 Final EIR and addenda thereto, or that any significant effects previously examined will be substantially more severe than shown in the 2006 Final EIR and addenda thereto.

BE IT FURTHER RESOLVED, that no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the City Council adopts the Sixth Addendum to 2006 Final EIR with respect to the Project, a copy of which is on file in the office of the City Clerk as Document No. ^{RR} 309115

BE IT FURTHER RESOLVED, that City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN GOLDSMITH, CITY ATTORNEY

By: 
Shannon M. Thomas
Deputy City Attorney

SMT:als
07/01/14
Or.Dept:Civic San Diego
Doc. No. 809998_2

Passed by the Council of The City of San Diego on JUL 14 2014, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Harris | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Todd Gloria | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marti Emerald | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage JUL 14 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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