THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

Date of Notice: June 27, 2013
PUBLIC NOTICE OF AN
ADDENDUM to 70797 No. 298899
SAP No.: 24003307

The City of San Diego Development Services Department has prepared a draft Addendum to 70797 No. 298899 for the following project and is inviting your comments regarding the adequacy of the environmental document. The draft Addendum and associated technical appendices (if applicable) have been placed on the City of San Diego web-site at **http://clerkdoc.sannet.gov/Website/publicnotice/pubnotceqa.html**. **Comments must be received by July 17, 2013,** to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Phil Lizzi, Associate Planner, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101 or e-mail your comments to DSDEAS@sandiego.gov with the Project Name and Number in the subject line.**

General Project Information:

- Project Name: **BALBOA MESA**
- Project No. 298899 / SCH No. N/A
- Community Plan Area: Clairemont Mesa
- Council District: 6

Subject: The project proposes a Rezone from CN-1-2 to CC-1-3 on the western side of the project site, Amendment to Planned Commercial Development (PCD) No. 96-7779, Planned Development Permit (PDP) and Site Development Permit (SDP) for Project No. 70797, to allow for the construction of 4 new commercial/retail buildings, with reconfigured square footages as allowed under the previous entitlements, and a new drive-through restaurant. The Rezone would make the zoning on the western side consistent with the zoning on the remainder of the site. The project site is 16.2 acres and is located at 5401-5685 Balboa Avenue and 4104 Genessee Avenue and is zoned CC-1-3, CN-1-2 and CPIOZ B, and Clairemont Mesa Height Overlay Zone within the Clairemont Mesa Community Planning Area in Council District 6 of the City of San Diego. **The site is not included on any Government Code listing of hazardous waste sites.**

Applicant: John Ziebarth

Recommended Finding: The recommended finding that the project will not have a significant effect on the environment is based on an environmental review and project revisions/conditions which now mitigate potentially significant environmental impacts in the following area(s): **NONE.**

Availability in Alternative Format: To request this Notice, the draft Addendum MND No. 298899, and/or supporting documents in alternative format, call Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact Phil Lizzi at (619) 446-5159. The draft Addendum and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. If you are interested in obtaining additional copies, either a Compact Disk (CD) or a hard-copy of the draft Addendum and/or the separately bound technical appendices (If applicable), they can be purchased for an additional cost. **For information regarding public meetings/hearings on this project, contact Sandra Teasley at (619) 446-5271**. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on June 27, 2013.

Cathy Winterrowd
Assistant Deputy Director
Development Services Department

City of San Diego
Development Services
Advanced Planning and Engineering Division
(619) 446-5460

ADDENDUM TO
MITIGATED NEGATIVE DECLARATION No. 70797

Project No. 298899
SCH No. N/A

SUBJECT: The project proposes a Rezone from CN-1-2 to CC-1-3 on the western side of the project site, Amendment to Planned Commercial Development (PCD) No. 96-7779, Planned Development Permit (PDP) and Site Development Permit (SDP) for Project No. 70797, to allow for the construction of four new commercial/retail buildings, with reconfigured square footages as allowed under the previous entitlements, and a new drive-thru restaurant. The Rezone would make the zoning on the western side consistent with the zoning on the remainder of the site. The project site is 16.2 acres and is located at 5401-5685 Balboa Avenue and 4104 Genesee Avenue and is zoned CC-1-3, CN-1-2 and Community Plan Implementation Overlay Zone (CPIOZ) B, and Clairemont Mesa Height Overlay Zone within the Clairemont Mesa Community Planning Area in Council District 6 of the City of San Diego.

I. PROJECT DESCRIPTION:

The current project would rezone the westerly portion of the Balboa Mesa Shopping Center at the southeast corner of Balboa Avenue and Genesee Avenue from the CN-1-2 (Neighborhood Commercial) zone to the CC-1-3 (Community Commercial) zone which would make the site consistent with the Clairemont Mesa Community Plan (see attached zoning map).

Permitted uses within commercial zoning designations are specified in Article 1, Division 5 of the San Diego Municipal Code. The existing Neighborhood Commercial zone permits a 1.00 floor area ratio (FAR) and places limits on the allowed commercial uses within the zone. The Neighborhood Commercial zone prohibits drive-thru restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine. Beer and wine sales are limited in Neighborhood Commercial Zones and regulated in accordance with Chapter 14 Article 1 Separately Regulated Use Regulations. Hours of operation for commercial uses shall not begin before 6 a.m. or end later than 12 midnight in the Neighborhood Commercial zone. Neighborhood Commercial zones are typically located along local and selected collector streets.

Commercial uses permitted within in the Community Commercial but not in Neighborhood Commercial zone include drive-thru restaurants; assembly and entertainment (live entertainment) facilities; funeral and mortuary services; radio and television studios; and visitor accommodations. The Community Commercial zone allows for a 0.75 floor area ratio (FAR). Hours of operation are not restricted. The sale of intoxicating beverages is permitted; however, alcoholic beverage outlets are limited in the Community Commercial zone and are regulated in accordance with Chapter 14 Article 1 Separately Regulated Use Regulations.

The current project (see attached Site Plan) would construct four new commercial/retail buildings that would add a total of 29,829 additional square feet (SF), including a 3,750 SF In-N-Out restaurant at the Retail 1 building pad along Genesee Avenue that would incorporate a drive-thru customer order lane. The project would remove four buildings totaling 13,096 SF. One building (the Togo's restaurant) was removed in 2007. Similar to the prior project, 177,708 SF of existing commercial/retail uses would remain unchanged. Overall, the total amount of commercial/retail uses for the current project is 207,539 SF. The total amount of commercial/retail uses analyzed in the previous MND was essentially similar at 207,537 SF. The current project would provide the same number of parking spaces as the previous project (1,038 spaces), and require minimal surface grading.

The project would relocate Building 4 to create a pedestrian-oriented plaza area at the corner of Balboa Avenue/Genesee Avenue between two retail buildings. This would include outdoor seating areas and enhanced hardscape, landscape and lighting.

Although the westerly portion of the site would be rezoned to Community Commercial, the project would restrict the uses in the buildings along Genesee Avenue to be consistent with the allowed uses for Neighborhood Commercial. The only exception would be the part of the site that would develop the proposed In-N-Out Burger restaurant, which would include a drive thru facility and would operate until 1:30 a.m. daily.

II. ENVIRONMENTAL SETTING: The project site is 16.2 acres and located at the southeast corner of Balboa Avenue and Genesee Avenue. The project site is currently identified as part of the Community Commercial Core. Genesee Plaza, an adjacent community commercial retail center on the north side of Balboa Avenue, forms the other major component of the Community Commercial Core identified in the Community Plan.

The shopping center is presently anchored by a Vons grocery store, Kohl's department store and CVS drug store. The Togo's building has been removed in order to construct the signalized driveway throat. In addition, the Chevron has been demolished on the corner.

Existing land uses surrounding the project site include multi-family residential uses (zoned RM-4-10 and RM-3-7) to the west across Genesee Avenue and to the south across Mt. Alifan Avenue. Commercial/retail uses (zoned CC-1-3) are located to the east, north, and to the northwest.

III. PROJECT BACKGROUND:
On November 15, 2006 the project was approved at Hearing Officer and MND No. 70797 was certified. The project was appealed to Planning Commission (PC) and was heard at PC on January 25, 2007. PC upheld the Hearing Officer decision and the environmental document was appealed to City Council. On April 10, 2007, the City Council denied the environmental document appeal and approved a Planned Development Permit (PDP), to amend PCD No. 96-779, and SDP for development in Community Plan Implementation Overlay Zone Area "B" to demolish four existing buildings totaling 13,096 SF; and construct four new buildings totaling 29,831 SF for an addition of 16,733 SF of the existing 177,708 SF of building; for a total of 207,539 SF of retail/commercial development.

The MND evaluated the existing site and provided a more in depth assessment in the document for transportation, water quality, and human health and public safety. Of these issues, only human health and public safety required mitigation to reduce the impacts to

below a level of significance. These issues are discussed more fully in Section IV of the addendum.

On August 6, 2007, the City approved a Substantial Conformance Review which permitted a drive-thru pharmacy for the drug store, closed the driveway to Balboa Avenue closest to the drug store, and reduced the size of Retail 4 which was east of the signalized driveway on Balboa Avenue while relocating the building are to Retail 1 located on Genesee Avenue. The approved building area was 207,539 SF.

IV. DETERMINATION:

An impact analysis was conducted by City staff to evaluate the proposed project modifications in relation to the previous MND. In addition to the evaluation of the previous MND in relation to the current project, staff evaluated following issues: Waste Management, Noise, Greenhouse Gases, Transportation, Water Quality, Hazardous Materials, Light and Glare, and Land Use. Technical reports were provided for Waste Management, Greenhouse Gases, and Noise. The reports are attached as appendices to this Addendum.

Waste Management

A portion of this project has already been entitled and completed. An evaluation was completed in December 2012 describing the currently proposed project's strategy for waste management. The current project proposes demolition of 13,096 SF of buildings and construction of 29,829 SF of new buildings, for a net increase of 16,733 SF. As part of the redevelopment, site parking would be reconfigured to recover spaces lost due to construction of the new driveway, and to support the additional proposed building square footage. These square footages are below the City of San Diego's Significance Determination Thresholds for requiring a formal Waste Management Plan. The evaluation demonstrated that construction debris and post-construction debris would be handled in accordance with the Municipal Code Chapter 6, Article 6, Division 6. Similar waste generation factors would apply to the types of uses allowed in both the Community Commercial and Neighborhood Commercial zones, so the current project would not increase waste generation from what was previously analyzed. Since the project proposes a similar amount of demolition and development, no additional impacts not previously identified in MND No. 70797 would occur and no mitigation is required.

Noise

The project would rezone the westerly portion of the Balboa Mesa Shopping Center at the southeast corner of Balboa Avenue and Genesee Avenue from the Neighborhood Commercial to the Community Commercial zoning designation. However, the project would restrict the uses in the buildings along Genesee Avenue to be consistent with the allowed uses for Neighborhood Commercial, with the exception of the proposed In-N-Out Burger restaurant, which would include a drive thru facility and would operate until 1:30 a.m. daily.

The current project proposes a similar amount of new construction and demolition as what was considered in the previous MND; therefore any short-term increases in ambient noise levels from construction would be the same as the prior project. The project would be required to comply with the City's Municipal Code pertaining to construction; therefore short-term noise increases would be less than significant.

As discussed in the Traffic section below, the current project would not increase traffic beyond what was considered in the 2007 MND; therefore, the current project would not be expected to generate traffic-related noise levels beyond the prior project and traffic-related noise impacts would be less than significant.

Of the allowed uses that would be proposed on the site, only the drive-thru restaurant has the potential to generate operational exterior noise beyond what was analyzed in the 2007 MND. The current project includes the development of an In-N-Out Burger restaurant, which would incorporate a drive-thru pickup lane along Genesee Avenue. Drive-thru restaurants have the potential to generate exterior noise from idling cars in the drive-thru lane (engine and radio noise) and the customer order speakers. Vehicle engine noise is largely dependent on velocity. Vehicles traveling through the order lane would be moving at a much lower speed than those traveling along Genesee Avenue, and therefore the noise level from idling cars would be less than what is currently audible at the adjacent residences across Genesee Avenue from the proposed In-N-Out. Radio noise would be intermittent and dependent on the individual vehicle. Therefore, of the potential operational noise sources, customer order speaker noise would likely be the loudest and most consistent noise source that could affect nearby multi-family residential uses.

An acoustical analysis was prepared by HELIX Environmental Planning in February 2013 that evaluated the potential for the In-N-Out Burger restaurant to generate noise levels that would adversely impact the multi-family residential uses along Genesee Avenue. The analysis quantified the anticipated noise from the drive-thru order speakers and based on these anticipated noise levels, determined whether the project-generated noise would exceed the City of San Diego Municipal Code noise level limits.

The project plans for the In-N-Out restaurant include a 6-foot high noise barrier along Genesee Avenue that would shield noise from vehicles and the 3-foot high order speakers. Per the City of San Diego's Municipal Code, the most restrictive exterior one-hour noise level limit is 52.5 dBA between the hours of 10 p.m. and 7 a.m. The limit is the arithmetic mean of the respective exterior noise level limits for multi-family residential (45 dBA) and commercial (60 dBA) uses.

As part of the study, a measurement was taken at a In-N-Out Burger restaurant located at 7160 Broadway in Lemon Grove (which is similar in structure to the proposed restaurant) to provide a reference noise level for the order speakers. Speaker noise has the potential to range from around 65 dBA-86 dBA. The speaker noise measurement was 86 dBA at a distance of 4.5 feet, which was relatively high. The noise analysis was based on the measurement and therefore provides a conservative estimate of speaker noise. Noise from a single-point source typically attenuates at a rate of 6 decibels per doubling of distance from the source, and the nearest residence across Genesee Avenue is located at a distance of 150 feet from the speaker.

Taking into account the noise barrier, the expected short term noise level from the speakers would be 43 dBA at the nearest residence across Genesee Avenue. To provide a comparison, the expected noise level from traffic along Genesee Avenue at its most quiet nighttime one-hour average would also be about 43 dBA at the residence. Individual vehicle pass-bys would likely exceed that level by 6 dBA or greater. Further, the one-hour average from the speaker noise would be dependent on the number of hourly orders and would likely be reduced by 6 dBA to 9 dBA from the noise level from an individual speaker order. Noise levels would not exceed the limits established in the City noise ordinance.

In June 2013, HELIX reviewed the updated site plan (May 2013) for the In-N-Out, which includes additional improvements that would further reduce noise. Specifically, the proposed site plan includes a glass noise control wall in the pick-up area of the drive thru; the order speaker box was moved further from the property line and angled towards the northwest; and the queue line is located at a greater distance from the property line. These features would further reduce noise levels compared to what was analyzed in the February 2013 report, which were already within compliance with all applicable noise control requirements for the City. Therefore,

the expected noise level from the project would not exceed the City noise ordinance and impacts would be less than significant.

Greenhouse Gases

The issue of Greenhouse Gas emissions was added to the CEQA Guidelines in 2010 and was not analyzed in the 2007 MND. Therefore, a greenhouse gas study, "Greenhouse Gas Analysis for the Balboa Mesa Project" by Scientific Resources Associated, was prepared in December 2012 to address the potential impacts of all the proposed uses included in the Balboa Mesa Shopping Center project (not just the changes between the prior and currently prepared project).

The report evaluated the greenhouse gases that would be generated from the following sources, electrical use, natural gas use, water use, solid waste management, vehicle emissions, and construction emissions. The project proposes adding 49 new trees to provide shading and reduction to the "heat sink" in the parking lot. In addition the project is applying for LEED certification on the new redevelopment including replacing existing parking lot lights with high efficiency LED light fixtures with dimmer capability.

The California Air Resources Board has established requirement of a 28.3 percent reduction of greenhouse gases from "Business as Usual" by 2020. "Business as Usual" is defined as emissions that would occur without any greenhouse gas reduction measures. The report determined that the project would result in a total of 1,021 metric tons of CO_2 equivalents per year with the proposed building measures incorporated into the project. These measures would include a reduction in vehicle emissions from Corporate Average Fuel Economy (CAFÉ) standards implemented at the federal level. In addition the project would incorporate building measures which would be compliant with Title 24 of the California Building Code which would include use of compliant building materials, led lighting in parking lots, and enhanced pedestrian walkways to promote walkabality, a reduction in electricity and natural gas use, solid waste management which would include recycling and a reduction in water usage. "Business as Usual" would result in 1,458 metric tons of CO_2 equivalents per year. Therefore, the project as proposed would result in a reduction of 29.97% which is higher than the required 28.3 percent reduction from "Business as Usual." Thus, the project would be in compliance with AB 32 and would not result in cumulatively considerable significant global climate impacts.

Transportation

The previous MND evaluated the transportation impacts associated with the prior project. The study estimated that a total of 773 average workday trips would be generated, 24 a.m. peak trips and 78 p.m. peak trips. The trip generation rate of 70 trips per day/1,000 SF for Community Commercial was used to estimate daily traffic for the entire site. It also evaluated the impacts on intersections and roadway segments in the area. No significant impacts were identified both either current year analysis or in the 2030 horizon year condition. In addition, the report provided a queuing analysis and required design specifications for the site to address potential queuing issues on adjacent roadways. These specifications have been incorporated into the current site plan.

Parking was analyzed and it was determined that the site would need to provide 1,038 parking spaces, which it does. No change in transit services was anticipated or required as part of the previous or currently proposed project.

As noted earlier, the project would rezone a portion of the site from Neighborhood Commercial to Community Commercial. Although the previous MND used the Community Commercial trip generation rate for the entire site, it should be noted that the City of San Diego Trip Generation Manual (May 2003) identifies a higher daily trip generation rate for Neighborhood Commercial

(120 trips per day/1,000 SF) than Community Commercial (70 trips per day/1,000 SF) to be used in analyzing direct project impacts. The trip generation rate for cumulative impacts is similarly higher (72 trips per day/1,000 SF for Neighborhood Commercial versus 49 trips per day/1,000 SF for Community Commercial). This reduction in trip generation rate reflects the synergy of Community Commercial Centers where customers shop at more tenants in a given trip to a Community Commercial Center than a Neighborhood Center. The Community Commercial Center rate takes into account drive thru restaurants which are permitted in Community Commercial Centers. Thus, the lower trip generation rate for Community Commercial combined with no increase in building area supports the conclusion that there would be no increase in traffic compared to what was previously analyzed in the 2007 MND.

Section 142.0560(i) of Municipal Code addresses stacking requirements associated with drive up service. Queue space for a minimum of five cars is required to be provided for each drive up service window or position. The queue space for each car is required to be 10 feet wide and 20 feet long. Required queue spaces must not obstruct access to parking aisles or parking spaces. The proposed site plan for the In-N-Out restaurant provides queuing space for twelve cars, and therefore satisfies the city code requirements. In addition, the currently proposed site plans were reviewed by City transportation staff and determined that the project complies with all city traffic requirements. Future projects proposed within the Balboa Mesa Shopping Center site would be required to undergo City staff review. Therefore, no additional impacts not previously identified in MND No. 70797 would occur and no mitigation is required.

Water Quality

The previous MND evaluated storm water and the project's affect on water quality. It was considered a priority project due to development of over 5,000 SF. The MND identified an increase in sediment discharge from the site due to concentration of flows, nutrients, trash and debris, pesticides, oil and grease, heavy metals and other hydrocarbons from landscaped areas, parking lots, and buildings. However, the proposed post construction Best Management Practices (BMPs) would include site design BMPs, source control BMPs and treatment control BMPs. Because the BMPs were a required feature of the permit, no additional mitigation was required. The currently project proposes to add 9,000 SF of high efficiency flow-through planters combined with filters to treat the storm water from the entire site (not just the area of new development). This exceeds the requirements of the previous approval and complies with current regulations. The proposed rezone would not affect impacts to water quality. The current project would also comply with current site BMPs and would not result in any impacts and no mitigation is required.

Hazardous Materials/Human Health/Public Safety

The previous MND concluded that the project would result in a potentially significant impact associated with hazardous materials associated with an underground storage tank below the former Chevron gasoline station. The MND included mitigation that required that a site investigation be conducted prior to any redevelopment activities on the site to demonstrate that there would not be an adverse risk to construction workers or future site occupants.

Since that time, a site investigation was conducted and on May 7, 2012 a letter was issued from the County of San Diego Department of Environmental Health that concurred that the site investigation and remediation carried out at the site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with the corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code, and that no further action related to the petroleum release at the site is required.

Therefore, the requirements of the 2007 MND have been satisfied. The currently proposed project would not result in any new impacts to hazardous materials/human health/public safety. Therefore, no impacts would result and no further mitigation is required.

Lighting/Glare

The previous MND acknowledged that the proposed buildings and associated parking lots would include exterior lighting; however, the project site is located in a developed urban area where lighting currently exists. Proposed lighting would comply with all current street lighting standards in accordance with the City of San Diego Street Design Manual and would not create substantial light or glare. No significant impacts were identified.

The current project proposes similar uses as the prior project. The rezone would permit a broader range of commercial uses than the Neighborhood Commercial zone. However, the project would restrict commercial uses in the buildings along Genesee Avenue only to those allowed within the Neighborhood Commercial zone, which prohibits operating hours after 12 midnight. The only exception would be the In-N-Out restaurant, which would include a drive-thru and remain open until 1:30 a.m. daily. However, the proposed site design for the In-N-Out includes several features to minimize light and glare impacts. These include using LED lighting fixtures, shielding spillover light, and landscaping with mature trees to screen views of the building. In addition, no signage would be installed on the west side of the building.

Further, on July 24, 2012 the City Council adopted an ordinance with amendments to Land Development Code Section 142.0740 and Chapter 14, Article 10 relating to local adoption of the California Green Building Regulations to reduce light pollution. The City's outdoor lighting regulations are intended to minimize light pollution, promote lighting design that conserves electrical energy, and provide adequate lighting for public safety. The amendments allow for use of some broad spectrum lighting alternatives with better color rendition for safety and better energy saving technology for consumers. The ordinance includes new limits on color temperature and the amount of up-light allowed by new outdoor light fixtures. The action also included adoption of a new local lighting zone map to facilitate implementation of state and local requirements. The ordinance is effective and applies to areas located outside of the coastal zone as of September 6, 2012.

With the incorporation of the currently proposed lighting features and compliance with current City regulations pertaining to light impacts, no significant impact associated with light or glare is expected and no mitigation is required.

Land Use

Consistency with Community Plan

The current project would rezone the westerly portion of the Balboa Mesa Shopping Center at the southeast corner of Balboa Avenue and Genesee Avenue from Neighborhood Commercial to Community Commercial consistent with the Clairemont Mesa Community Plan. The 1989 Clairemont Mesa Community Plan identified that the shopping center had split zoning with the westerly part being zoned Neighborhood Commercial and the easterly part being zoned community commercial, and recommended that the westerly part of the shopping center be rezoned from neighborhood commercial center to community center. Balboa and Genesee Avenues are primary arterials that serve as the primary east-west, north-south major thoroughfares through the community.

Per California Government Code (Sections 65000 et seq.) the local general plan (i.e. community plan) is described as the city's or county's "blueprint" for future development. It represents the

community's view of its future; a constitution made up of the goals and policies upon which the city council, board of supervisors, and planning commission will base their land use decisions. To illustrate its importance, all subdivisions, public works projects, and zoning decisions (except in charter cities other than Los Angeles) must be consistent with the general plan. If inconsistent, they must not be approved.

San Diego is a charter city and thus not legally obligated to make the zoning and the community plan consistent, but clearly it is the intent of the California Government Code. The City Council, however, agreed with the State's policy of consistency in approving the Land Development Code (LDC) in 2000. They established the Community Plan Implementation Overlay Zone (CPIOZ) and identified this project site (Balboa Mesa Shopping Center) as well as other properties as important to the implementation of the vision of the various community plans to ensure consistency with the community plan. The purpose of the CPIOZ is to provide supplemental development regulations that are tailored to specific sites within community plan areas of the City. The intent of these regulations is to ensure that development proposals are reviewed for consistency with the use and development criteria that have been adopted for specific sites as part of the community plan update process (LDC).

Review of the zoning map for Clairemont Mesa reinforces the appropriateness of the proposed rezoning from Neighborhood Commercial to Community Commercial. The Neighborhood Commercial zones are surrounded by single family residential zones and served by small residential streets. The project site is served by the two prime arterials and is surrounded by multi-family development as is the rest of the community core. Thus, Community Commercial zoning is the appropriate zoning designation for the entire Balboa Mesa Shopping Center.

As it presently exists, the zoning for the Balboa Mesa site is inconsistent with the recommendation of the Community Plan. The majority of the Balboa Mesa site is presently zoned Community Commercial, however the westernmost portion of the site, fronting Genesee Avenue from Balboa Avenue to Mount Alifan Drive, falls within a Neighborhood Commercial Zone.

When the Clairemont Mesa Community Plan was implemented, the existing project zoning was not brought into compliance with the zoning as recommended by the Community Plan. When the Land Development Code was later approved in 2000, inconsistency between the Community Plan and the existing zoning was again raised as a general concern. More recent efforts to update the Community Plan are intended to prevent similar future conflicts.

The Land Development Code created the CPIOZ and the Clairemont Mesa Height Limitation Zone (CMHLZ). The Balboa Mesa site lies within both of these zones. The CPIOZ requires all proposed developments within the zone to process a Site Development Plan to ensure the goals of the Community Plan are implemented. The CMHLZ restricts the height of all buildings within the zone to less than 30 feet in height.

Future development projects within the Balboa Mesa Shopping Center would be required to undergo environmental review as part of the process for a Site Development Plan and to ensure that the project complies with CEQA. The proposed rezone would be consistent with all underlying zoning and community plans and would better implement the recommendations of the community plan and CPIOZ B and create a project site which would be consistent with the community plan zoning.

Compatibility with Surrounding Uses

The project site is adjacent to multi-family uses on the west across Genesee Avenue and south across Mt. Alifan Avenue. The potential impacts of the proposed community commercial

rezoning to surrounding multi-family residential uses would be similar to what was analyzed in the prior MND. In addition, Community Commercial zoning currently exists adjacent to the multi-family residential uses on the north side of Balboa Avenue.

As noted earlier, the project is proposing to rezone the portion of the site that is currently zoned as Neighborhood Commercial to Community Commercial. However, as noted earlier, the project would restrict the uses in the buildings along Genesee Avenue to be consistent with the allowed uses for Neighborhood Commercial. The only exception would be the part of the site that would develop the proposed In-N-Out Burger restaurant, which would include a drive thru facility and would operate until 1:30 a.m. daily. Potential noise impacts associated with drive-thru restaurants were analyzed for the proposed project (see discussion under Noise). The project was determined to have less than significant impacts associated with customer order noise. Therefore, potential conflicts associated with noise would be less than significant.

Because the buildings along Genesee Avenue would be restricted to only those uses permitted within the Neighborhood Commercial zone, no additional impacts not previously identified in MND No. 70797 would occur and no mitigation is required.

The City of San Diego previously prepared a Mitigated Negative Declaration No. 70797 for the project described in the attached MND and Initial Study.

Based upon a review of the current project, it has been determined that:

a. There are no new significant environmental impacts not considered in the previous MND;
b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
c. There is no new information of substantial importance to the project.

V. MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT: None required.

Jeff Szymanski, Senior Planner
Development Services Department

June 27, 2013
Date of Draft Report

Date of Final Report

Attachments: Figure 1 – Site Plan
MND No. 70797

Analyst: Lizzi

DISTRIBUTION:

The Addendum to Mitigated Negative Declaration No. 70797, was distributed for a two week public review period pursuant to San Diego Municipal Code (SDMC) Chapter 6, Article 9, Paragraph 69.0211 (Addenda to Environmental Reports). The SDMC requires for addenda to environmental documents certified more than three years previously, to be distributed by Development Services Division (DSD) for public review for a fourteen calendar day period,

along with the previously certified Environmental Impact Report or Mitigated Negative Declaration. Since the Mitigated Negative Declaration was previously certified on April 10, 2007, and is not within the three year timeline, additional public review is required. The draft addendum to MND No. 70797 was distributed to the following groups/individuals for public disclosure in accordance with CEQA Section 15164.

City Of San Diego

Ron Carter, Fire Plan Review, Development Services Department
Julius Ocen, Engineering, Development Services Department
Patrick Thomas, Geology, Development Services Department
Terre Lien, Landscape, Development Services Department
Peter Chou, Planning, Development Services Department
Brian Schoenfisch, Long Range Planning Development Services Department
Rudy Jarque, Transportation, Development Services Department
Mehdi Rastakhiz, Water, Public Utilities Department
Sandra Teasley, Project Manager, Development Services Department
Lorie Zapf, Council Member District 6

Other Individuals/Organizations

John Ziebarth, Applicant
Balboa Avenue Citizens Advisory Committee (246)
Clairemont Mesa Planning Committee (248)
Clairemont Senior Citizens Club (252)
Clairemont Town Council (257)

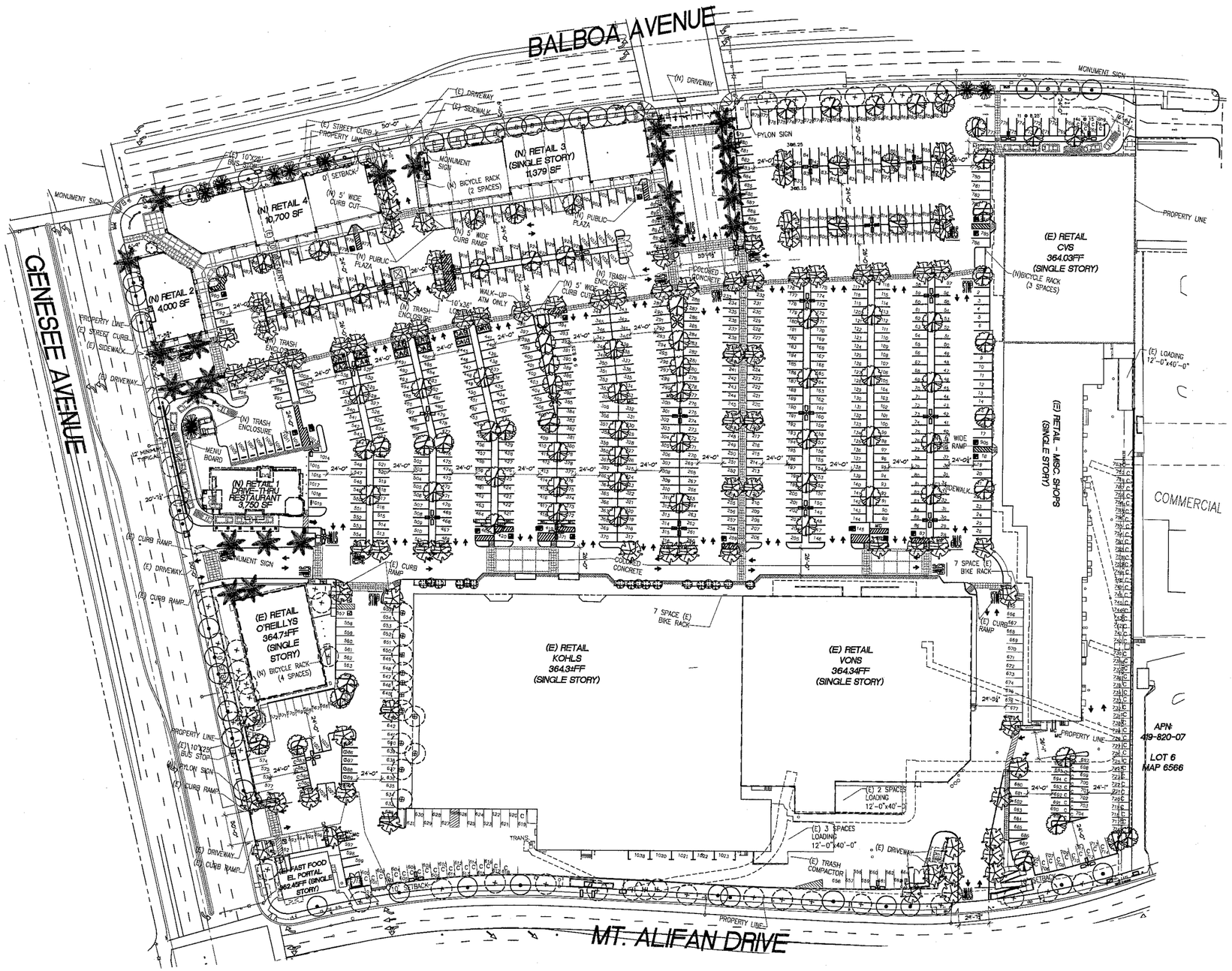
VII. Results of Public Review:

( ) No comments were received during the public input period.

( ) Comments were received but did not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the EIR.

( ) Comments addressing the accuracy or completeness of the EIR were received during the public input period. The letters and responses follow.

Copies of the addendum, the final MND, the Mitigation Monitoring and Reporting Program, and any technical appendices may be reviewed in the office of the Entitlements Division of the Development Services Department, or purchased for the cost of reproduction.



SITE ANALYSIS		PARKING
SITE AREA:	706,722 SF	16.224 ACRES
EXISTING BUILDINGS TO BE REMOVED		
SD NATIONAL BANK	6,435 SF	
SHOPS	4,329 SF	
TOGO'S	1,210 SF	
BASKIN ROBBINS	1,122 SF	
	13,096 SF	
EXISTING RETAIL W/NO CHANGE		
LONGS/CVS DRUGSTORE	24,114 SF	1/200 = 120.57
MISC. SHOPS	25,503 SF	1/200 = 127.5
MERVYN'S/KOHL'S	76,760 SF	1/200 = 383.8
KRAGEN/O'REILLYS	7,200 SF	1/200 = 36
EL PORTAL	1,864 SF	1/200 = 9.32
VON'S	42,267 SF	1/200 = 211.4
TOTAL	177,708 SF	= 889
PROPOSED RETAIL		
RETAIL 1 DRIVETHRU	3,750 SF	1/200 = 19
RETAIL 2	4,000 SF	1/200 = 20
RETAIL 3	11,379 SF	1/200 = 56
RETAIL 4	10,700 SF	1/200 = 53
TOTAL	29,829 SF	= 149
OVERALL TOTAL	207,537 SF	

PARKING ANALYSIS	
TOTAL AUTOMOBILE PARKING REQUIRED:	1,038
TOTAL AUTOMOBILE PARKING PROVIDED:	1,038
TOTAL MOTORCYCLE PARKING REQUIRED:	21
TOTAL MOTORCYCLE PARKING PROVIDED:	25
TOTAL BICYCLE PARKING PROVIDED:	25 MAX. PER CODE
TOTAL COMPACT PARKING PROVIDED: (11% OF PROPOSED PARKING = COMPACT SPACES)	112
PREVIOUSLY APPROVED EXISTING SF:	177,708 SF
PREVIOUSLY APPROVED PROPOSED SF:	29,831 SF
PREVIOUSLY APPROVED TOTAL SF:	207,539 SF

Site Plan
Environmental Analysis Section Project No. 298899
CITY OF SAN DIEGO · DEVELOPMENT SERVICES DEPARTMENT

Figure
1

City of San Diego
Development Services

Land Development
Review Division
(619) 446-5460

Mitigated Negative Declaration

Mitigated Negative Declaration

Project No. 70797

SUBJECT: **Balboa Mesa**: PLANNED DEVELOPMENT PERMIT (PDP) TO AMEND PLANNED COMMERCIAL DEVELOPMENT (PCD) NO. 96-7779, AND SITE DEVELOPMENT PERMIT (SDP) FOR DEVELOPMENT IN COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE AREA "B" to demolish four existing buildings (totaling 13,096 square feet), and construct four new buildings totaling 29,430 square feet; for an addition of 15,720 square feet to the existing 177,708 square feet ~~of~~ building; for a total of ~~193,428~~ 207,158 square feet of retail/commercial development. The project site is approximately 16.2 acres and is located at 5401-5685 Balboa Avenue and 4104 Genesee Avenue within the CN-1-2 Zone, the CC-1-3 Zone, the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone Area "B" within the Clairemont Mesa Community Plan area and Council District 6. Legal Description: Lot 3, of Parcel Map No. 6045. Applicant: Ziebarth and Associates.

Update: **Minor revisions to this document have been made when compared to the draft Mitigated Negative Declaration. These changes do not affect the environmental analysis or conclusions of this document. Revisions are shown in the ~~strikeout~~ (delete)/underline (addition) format.**

I. PROJECT DESCRIPTION: See attached Initial Study.

II. ENVIRONMENTAL SETTING: See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following area(s): Human Health/Public Safety/Hazardous Materials. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental

Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures is the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

General

Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental requirements: Balboa Mesa commercial development project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration 70797.

HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS

1. Prior to Redevelopment Activities on the former Chevron Property located at 5401 Balboa Avenue, pursuant to the County of San Diego, Department of Environmental Health, Site Assessment and Mitigation Program (SAM), Chevron or whomever proposes redevelopment on the site, shall conduct a soil vapor investigation and prepare a human health risk assessment on the former Chevron Property to determine if there would be any adverse risk to construction workers or future site occupants. In the event the results of those studies do reveal an adverse risk, mitigation measures shall be required in connection with construction activities on the Former Chevron Property, such as remediation plan or installation of a vapor barrier. The results of this plan shall be summarized in a written letter and submitted to the Assistant Director of LDR.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

County Government

County of San Diego, Department of Environmental Health, Richard Haas Acting Chief (MS D-561)
City of San Diego
Planning Department
Councilmember Frye, District 6 (MS 10A)
Development Services Department (MS 501)
Clairemont Mesa Planning Committee (248)
Clairemont Chamber of Commerce (249)
Clairemont Seniors Citizens Club (252)
Clairemont Town Council (257)
San Diego Mesa College (250)
Tecolote Canyon Citizens Advisory Commission (254)
Friends of Tecolote Canyon (255)
Applicant: John Ziebarth, Ziebarth and Associates

VII. RESULTS OF PUBLIC REVIEW:

( ) No comments were received during the public input period.

( ) Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.

(X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program, and any Initial Study material is available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.

Martha Blake, Senior Planner
Development Services Department

June 27, 2006
Date of Draft Report

September 27, 2006
Date of Final Report

Analyst: H. Warren

Elliot Paul Hurwitz
3012 Old Bridgeport Way
San Diego, CA 92111

July 16, 2006

Development Services Department DSDEAS@sandiego.gov
Date of Notice: June 27, 2006
Notice of DRAFT MITIGATED NEGATIVE DECLARATION
JO-42-4447

Project Number 70797
Balboa Mesa Planned Development Permit to Amend Planned Commercial Development (PCD) NO. 96-7779
Applicant: Ziebarth and Associates

Comments:

In order to make this project more acceptable to the community, it would be useful to make pedestrian and transit improvements that encourage walking access and safe pedestrian travel, both within the project and to and from the project. In the spirit of this major redevelopment of a classical strip shopping center, it would be useful to provide some simple, low cost and helpful enhancements as follows:

H-1

1. Add a Route 27 bus stop at the new traffic signal 60 feet east of the new signalized intersection proposed on Balboa Avenue. This would reinstall a bus stop that had been in existence for more than 20 years until CALTRANS requested it be removed due to pedestrian crossing safety. The old bus stop location was just farside (east) of the driveway next to Longs Drug and was used by many seniors and others to access the shopping center. The new bus stop should have at least a 25-foot long by 10-feet wide concrete sidewalk area contiguous to the curb with the start 35 feet east of the pedestrian crosswalk (or ADA ramp) of the intersection in the eastbound direction. At least an 8-foot sidewalk should connect the bus stop area with the pedestrian ramp and intersection pathways. This will allow for future placement of a bus stop shelter and bench and passenger amenities within the requirements of the Americans with Disabilities Act and significantly improve access to Longs Drug and the shopping center.

H-2

2. At the new traffic signal proposed on Balboa Avenue (at existing TOGOS), there should be at least eight (8) feet wide sidewalk areas on both sides of the road going into the shopping center in the south leg of the intersection.

H-3

3. All four corners of the new intersection should have wheelchair pedestrian ramps and all four sides of the intersection should have marked pedestrian crossings - both sides of Balboa Avenue in the north-south direction and each side of the intersection going East and West.

Response to Public Comments

Letter from Elliott Paul Hurwitz dated July 16, 2006.

H-1. Comment noted. The Metropolitan Development Board (MTDB)/Metropolitan Transit System (MTS) were included as a reviewing discipline (i.e. Environmental, Planning, Engineering, etc.) with its own review cycle in the Project Tracking System (PTS). MTDB/MTS has the opportunity to review and comment on projects during the plan review stage and can make suggestions and changes during this process such as adding a second bus stop at the new intersection on Balboa Avenue.

H-2. The proposed sidewalk would be designed to engineering standards. However, this comment does not address the adequacy of the environmental analysis or the Mitigated Negative Declaration.

H-3. All four corners of the new intersection would have Americans with Disabilities Act (ADA) compliant curb ramps for pedestrians and marked crosswalks.

H-4

4. The existing bus stop areas at Balboa Avenue and Genesee Avenue (southeast corner) at the old Chevron site and along Genesee Avenue just north of Mt. Alifan (north of Mervyns driveway past Mexican restaurant) should be retained with existing 10 feet depth sidewalk areas. New landscaping and street trees, if installed, should be placed behind the sidewalks outside of the bus loading areas.

H-5

5. The pedestrian ramp at the southwest corner of Balboa Avenue and Genesee Avenue (next to Pacific Bluffs) should be reconfigured and upgraded to a updated design that meets ADA requirements. The shrubbery should be realigned to provide safe sight distance. There should be at least an 8 feet-wide clear of sidewalk space, near the intersection transitioning to the 10-foot wide bus stop sidewalk area southwest on Genesee Avenue.

H-6

6. The stop bar (painted on the pavement) of the two left turn lanes going north on Genesee Avenue to westbound Balboa Avenue plus the respective loop detectors must be moved back southerly at least 20 feet in order for two lanes to make a left turn from Balboa Westbound to southbound Genesee Avenue without encroaching into the bus area on southwest corner of Genesee and Balboa Avenue. Additionally, there is a very small (approximately two foot side) median on Genesee Avenue, just south of Balboa, that will need to be removed for a length of twenty (20) feet in order for cars to make the westbound Balboa Avenue to Southbound Genesee movement from the far left lane.

H-7

7. On Genesee Avenue northbound, north of Mt. Alifan Drive and just north of the first Mervyns driveway. Install additional concrete in the street to replace the failed asphalt from the existing bus stop pad just north of the Mervyns driveway (near Mexican restaurant) approximately 40 feet south across the driveway. This area is in significant disrepair. Recommend a concrete pad 40 feet long by 12 feet wide by 9 inches deep with appropriate base. This will accommodate the bus traffic on Genesee Avenue and the traffic from the driveway in a safe manner.

H-8

8. Mt. Alifan Drive driveway access on the south near the Irish Pub/Vons. Redo the pedestrian walkway that comes from Mt. Alifan Drive on the east side of the roadway. Provide at least a six-foot wide path and reduce the steep slope of the pathway up the driveway if possible. Redo the bollard and turn radius of the driveway from Mt. Alifan Dr. westbound turning right into the driveway. The bollard has been hit many times due to the lack of adequate turning radius.

H-9

9. Driveway in front of Vons going east west in parking lot. When going eastbound in front of Vons, the driveway has a stop sign at the T intersection with the driveway (across from the Coffee shop/Cleaners area). The right turn from the Vons driveway to south to the driveway to exit to Mt. Alifan Drive is poorly designed. The storm drain and pedestrian ramp

H-4. The existing bus stops will be maintained and new landscaping will be outside the bus loading zones.

H-5. The design detail would be addressed with the traffic signal modification plans.

H-6. The location of the stop bar and the median will be reviewed during the design phase of this project to make sure that the dual left turn lanes can make the left turn without encroaching into the bus stop area. The traffic signal modification plan and the striping and civil improvement plans will address any necessary changes at the intersection.

H-7. This will be addressed through the public improvement plans and does not relate to the adequacy of the environmental document.

H-8. The project proposes to provide a pedestrian path at the location identified in the comment.

H-9. Comment noted. However, comment does not relate to the adequacy of the environmental document.

should be redesigned with greater turn radius so the cars are easily able to make the right turn without the back wheels hitting the storm drain or curb, which most cars do.

H-10

10. The two intersections at Genesee Avenue and Balboa Avenue and the new signal on Balboa Avenue to be installed should have visible pedestrian timers installed for the crossing of the roadway in a pedestrian crossing. These timers which are used in several locations in high pedestrian activity in downtown San Diego are very useful at enhancing safety and would be beneficial at these intersections where pedestrian safety has been a very big community concern.

H-11

Finally, it appears this Draft Mitigated Negative Declaration report was not well publicized or distributed as I did not get access to it until the July 13. I also noticed that a copy was not provided to the Metropolitan Transit System. I would request that the environmental documents be provided to the Metropolitan Transit System (MTS), attention community planner, Denis Desmond at 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101 and that MTS be given at least two additional weeks to respond, in the event they have not received a copy prior to the July 16 deadline.

Thank you for the opportunity to respond.

Elliot Hurwitz
3012 Old Bridgeport Way
San Diego, CA 92111

Cc: Donna Frye, City of San Diego Council District 6

H-10. The pedestrian countdown heads are planned to be incorporated into the design of the new traffic signal at Balboa Avenue/new driveway and the modification of the Genesee Avenue/Balboa Avenue traffic signal.

H-11. Comment Noted. The document was circulated using the City's most up-to-date distribution list and was done so in accordance with state requirements. In addition, the Metropolitan Transit System (MTS) was included as a review discipline during project review and had the opportunity to recommend design changes during their review.

Balboa Avenue Citizens Advisory Committee
3089 C Clairemont Dr, Suite 220
San Diego, Ca 92117
619-276-8333
FAX 619-276-8333

26 July 06

City of San Diego Development Service Center
1222 First Avenue, MS 501
San Diego, CA 92101

Subject: Project No. 63208
Draft Mitigated Negative Declaration
JO: 42-4037

Comments to the Draft Mitigated Negative Declaration as approved by a vote (6 to 3) to be the official position taken by the Balboa Avenue Citizens Advisory Committee on 26 July 2006.

1-1 The Balboa Avenue CAC is particularly concerned about the location and operation of the newly proposed signal. In previous years, the Balboa Avenue CAC conducted numerous workshops to discuss the problems with existing conditions along Balboa Avenue. In the adopted RAP, it states, *"Most participants wanted a way to safely cross Balboa Avenue on foot between the two large shopping centers in the Community Core."* (p.23, BA RAP).

1-2 The Clairemont Mesa Community Plan (CMCP) stipulates, *"Internal walkways should be a minima of ten feet wide and connect to public sidewalks. The walkway should be landscaped with trees, shrubs, and ground cover. A bicycle/pedestrian bridge should be constructed over Balboa Avenue to connect the two shopping areas in order to improve pedestrian circulation, reduce traffic congestion, and provide a landmark feature for the core area. The construction of the bridge should be an integral part of the pedestrian circulation and shopping environment."* (p.44, CMCP).

1-3 The bridge concept was discussed at length by the Balboa Avenue CAC, and while the bridge concept was the safest and least disruptive to traffic, the costs were prohibitive as well as concerns about other aspects of the structure. *"The benefits and disadvantages were discussed in detail. In brief, pedestrian overpasses can work in certain specialized situations, but fail in more general applications. It was acknowledged that some type of pedestrian crossing needs to be*

Letter from Balboa Avenue Citizen Advisory Committee
Dated July 26, 2006

BA-1 Comment noted.

BA-2 Comment noted. This is a recommendation and not a stipulation of the community plan. See response to BP-1.

BA-3 Comment noted.

designed near the midpoint between Mt. Abernathy Avenue and Genesee Avenue. This can be accomplished by redesigning the entrance to both shopping centers to allow for a new signalized entrance with pedestrian crossings, or to design a crossing for pedestrians only."(p.23, BA RAP)(Underline added.)

14 The Balboa Avenue RAP goes on to discuss the proposed pedestrian crossing at the midpoint, which is where Long's Drug Store is located. *"At minimum, a split-phased signalized crossing should be provided between Mt. Abernathy and Genesee Avenue near Longs Drug Store."* (p.23,BA RAP). It was always expected that a pedestrian-safe crossing would be provided at or near the midpoint so that pedestrians would find the crossing convenient and user friendly.

15 Because the the CMCP discusses a Bridge crossing which is shown to be at the midpoint in the Community Plan (see Figure 14, p. 26, CMCP), and the Balboa Avenue RAP describes the pedestrian crossing as "near the midpoint" or "near Longs Drug Store" (p. 23, BA RAP), to have the developer propose a crossing that is not at the midpoint should prompt some discussion about the location in the Draft MND and its effect on pedestrian circulation.

16 In the Draft MND, while there are concerns about traffic conditions, there are no references to pedestrian safety. Since there is a requirement for the project to comply with the Community Plan Implementation Overlay Zone Area (which includes walkability and bicycle paths), then it must consider pedestrian safety and bikeways as they are discussed in the CMCP. It needs to have *"pedestrian walkways and bikeways..."* that create *" a pleasant and convenient shopping environment for residents in Clairemont Mesa."* (p.43, CMCP). Certainly, an unsafe crosswalk does not create this type of environment, and therefore, the safety of the intersection is an important aspect of walkability.

In the traffic analysis, the study only considered vehicle traffic circulation and not other impacts such as pedestrian circulation and bike paths which are important to our community and members of the Balboa Avenue CAC. While there is a plan for a new signalized intersection to be built, there is one small comment about it in the Transportation/Circulation section, *"Also, the analysis assumes a new intersection with a traffic signal that would align a driveway from the north site (Genesee Plaza) with a driveway from the south side (Balboa Mesa)."* (p.4, Draft MND).

There is another comment about the proposed signal, in the queuing analysis, *"A queuing analysis was conducted to demonstrate that the new traffic signal proposed for construction approximately 550 feet east of Balboa Avenue and Genesee Avenue intersection. The analysis focused specifically at the Genesee Avenue and Balboa Avenue intersection westbound approach and the eastbound and westbound approaches for the proposed new signal at the main driveway and Balboa Avenue intersection for the 2030 Horizon Year with project condition. The analysis recommended several design features that would ensure the intersection would be interconnected and coordinated with the surrounding road network. This design features would be included as a condition of the permit as opposed to traffic mitigation as the signal would not result in a potential significant environmental impact."*(p.5, Draft MND). The above comment uses a lot of words to give out very little information and discloses absolutely nothing about the proposed signal, other than it is 550 feet from Genesee Avenue and will be

BA-4 See response to P-3 and P-4.

BA-5 The CMCP provides a recommended location for the pedestrian bridge/crossing. City staff has determined that the proposed location of the signalized crossing meets the intent of the community plan.

BA-6 The protected/permissive operation would allow the queued left turn vehicles to clear on the protected left turn and then change to the permissive green ball. Thus, the number of potential pedestrian-left turn conflicts will be reduced because most of the left turns will turn during the protected left turn phase. The traffic analysis analyzed pedestrian crossing at a rate of 3.5 feet/second. It was concluded that the proposed location would provide a safe pedestrian crossing and improve interconnectivity between the shopping centers without resulting in a significant impact to future traffic circulation.

timed with it. It does not tell us that due to this close proximity, the signal cannot be designed as a Class 1 fully functioning signal.

The document does not discuss the design feature of the signal, which is a new type of design, but is totally inappropriate for the proposed application at this intersection. The signal proposed is a non-standard protected plus permissive phasing (a left turn arrow would appear permitting left turns, when the left turn disappears, the green ball indicator would appear permitting through traffic), for the traffic coming out of the two shopping centers. The planned signal for this intersection is not considered safe by the Balboa Avenue CAC and many residents of the community.

It must be pointed out that pedestrians will also be crossing when the green ball appears and cars will continue to be turning left. As well as the oncoming through traffic, pedestrians will start to cross and be in the path of left turning cars. There is no discussion of this problem of pedestrians crossing the street while cars are turning through the pedestrian walkway at the same time. This is a major flaw in the document.

This type of signal, in this application, creates a hazard for both pedestrians and persons riding bicycles. While the signal has a green arrow (which gives cars the right of way), pedestrians are held at the curb, waiting to cross, then the green arrow turns to a green ball, a car turning left will still have a green light and may not realize pedestrians are now crossing in front of the car's path. Many cars do not signal when they turn left in an intersection, and about 50% don't signal most of the time. Because of this, the pedestrians crossing the roadway will not be aware of cars planning to turn left into them. With this signal configuration, we have a very dangerous situation for pedestrians (and bicyclists) and this certainly does not make our community walkable!

This signal configuration presents a health and safety issue to the community of Clairemont and needs to be addressed in the environmental report. While the other signals on Balboa Avenue at each end of the shopping center (at Genesee Avenue and at Mt. Abernathy) have signals with a green arrow followed by a red arrow, which make it safe for pedestrians, this signal does not. The proposed signal is unsafe for pedestrians, and it needs to be made as safe as the other two signals or safer, as it joins the two shopping centers together.

-7 This problem should have been discussed in the Draft MND in a number of places, and these locations are noted as follows:

IV. DISCUSSION:

-8 Human health/Public Safety (p.3)
There is no discussion of the pedestrian safety problem here.

-9 Transportation/Circulation (p.4)
There is no discussion of pedestrian or bicycle circulation here. There is no discussion of the type of signal proposed.

Queuing Analysis (p.5)

BA-7 The pedestrian crossing would be designed to accepted traffic engineering standards. However, the traffic analysis did analyze pedestrian crossing and did not identify any pedestrian safety problem. Thus, pedestrian safety is not required to be discussed in the MND. See response to S-3, and BP-5.

BA-8 See response to BP-19 and P-8.

BA-9 See response to P-8.

The description of the signal is given as, *"The analysis recommended several design features that would ensure the intersection would be interconnected and coordinated with the surrounding road network."* This description tells us absolutely nothing about the signal or its makeup. The proposed signal is a protected/permissive signal for traffic exiting the two shopping centers and allows left-turn traffic to drive through the pedestrian crossing area while pedestrians are also in the crossing area attempting to cross the street. This signal is totally unsafe for pedestrians and unacceptable to the Balboa Avenue CAC.

In addition, the ENVIRONMENT ANALYSIS CHECKLIST is incorrect and inaccurate, and needs to be corrected in the following areas:

VIII. HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS:

Would the proposal:

A. Create any known health hazard (excluding mental health)? (p.7)

YES should be marked.

A-10 There is a health hazard created for people using the cross walk at the "new intersection", because of potential for pedestrians to be run over by cars turning left through the "non-standard" signal proposed for this intersection. With the green arrow changing to a green ball rather than the standard red arrow (as the signals at Genesee Avenue and Mt. Abernathy do), pedestrians will more likely be run over by drivers who don't recognize the signal change and may not see the pedestrians through the cross traffic.

BA-10 See response BP-19.

XVI. TRANSPORTATION/CIRCULATION - Would the proposal result in:

A-11 G. Increase in traffic hazards for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? (p.13-14)

YES should be marked.

BA-11 See response to BA-6 and P-12.

A-12 The "new signal" at this location has a non-standard protected /permissive configuration which is not used on other cross streets where pedestrians have to cross a total of 8 lanes on a main roadway from a cross street that has 5 lanes. All other intersections with the configuration of this many lanes, have the appropriate signal that has a green arrow followed by a red arrow, which allows pedestrians to cross the street with out having left turning cars running them over. This proposed signal is also unsafe for those people riding bicycles as well.

Drivers in cars turning left have an obscure view of pedestrians (or bicycles) crossing the street due to on-coming left-turning and through traffic headed toward them. Pedestrians will not be aware of left-turning traffic as they are crossing Balboa Avenue because of the large distances involved (8 lanes of traffic), and the fact through traffic and left turning traffic going in their direction will block the view of on-coming traffic. As proposed, this intersection is truly dangerous and unsafe.

BA-12 See response to BA-6.

H. A conflict with adopted policies, plans, or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?(p.14)

YES should be marked.

1-13 The proposed "new signal" is unsafe for pedestrians or bicyclists to use to cross Balboa Avenue. This is in conflict with the concept of encouraging alternative transportation use, or making our communities more walkable as proposed in the CMCP or the City of San Diego's General Plan. The only purpose of having this non-standard type of signal at this location is to allow traffic to flow at an improper location proposed by the developer.

1-14 It is the location of the signal that is the problem, as it is too close to the signal located at Genesee Avenue to allow it to be a fully functioning signal with the green arrow followed by a red arrow. The BA RAP recognizes this problem when it states, *"that some type of pedestrian crossing needs to be designed near the midpoint between Mt. Abernathy Avenue and Genesee Avenue."* (p.23, BA RAP). The term midpoint was purposefully used to give some flexibility to the exact location of the proposed intersection, but it does need to be located at a point where it can be a fully functioning Class 1 signal that has a green arrow followed by a red arrow (for the left turn lane).

1-15 If the location is not the problem, then the signal needs to be configured with a safe pedestrian crossing and have the green arrow followed by a red arrow (like the signals at Genesee Avenue and Mt. Abernathy Avenue).

If the location is the problem, then the signal needs to be moved to a midpoint location so it can be safely used by pedestrians and bicycles alike.

The proposed signal must be configured to be as safe for pedestrians crossing Balboa Avenue as the signals located at Genesee Avenue and Mt. Abernathy Avenue.

It is important for this environmental document to point out the deficiencies of this signal and that there is a community concern about safety. This concern should trigger an effort to look at other options, other locations, or the no project alternative.

Thank you for your consideration,

Billy Paul

Billy Paul
Chair, Balboa Avenue Citizens Advisory Committee

BA-13 See response to P-14 and BP-20.

BA-14 See BP-5.

BA-15 See P-12

Herbert Warren,
Environmental Planner
City of San Diego
Development Services Center
1222 First Avenue - MS 501
San Diego Ca, 92101

Re: Project No. 70797 Balboa Mesa

Mr. Herbert Warren,

Comments on this project, in order of occurrence in the document are:

I. PURPOSE AND MAIN FEATURES

This proposal involves demolition of 14,688 square feet of buildings, construction of 29,430 square feet of new buildings, (net gain + 14,742 SF), grading of 7 acres of land, and creating 201 new parking spaces. Yet is not in compliance with the **CLAIREMONT MESA COMMUNITY PLAN**, **(CMCP)** which specifically states:

BB-1

"Parking in the community core should be underground".

Additionally noted in the **CMCP** is:

"The Community Plan Implementation Overlay Zone (CPIOZ), Type B with a Planned Commercial Development permit should apply to the community core located on Balboa Avenue & Genesee Avenue (Figure 38). Development under the existing CA Zone lacks a pedestrian environment in the core area, including walkways, which should provide direct access to adjacent residential neighborhoods. The development should be enhanced with landscaping in the public right-of-way, setbacks & parking lots. The internal automobile & bicycle circulation system & transit stops are also not well defined in the core area. As redevelopment occurs with CPIOZ, emphasis should be placed on creating a pleasant & convenient shopping environment for residents in Clairemont Mesa."

BB-2

The addition of more commercial building space and more parking spaces reduces the area available for landscaping, bicycle and pedestrian accommodations as required by the **CMCP**. Underground parking in the 7 acres of graded area

Letter from Beverly J. Boys

BB-1 See response to BH-1 and BP-13.

BB-2 Comment noted. The author is restating guidelines from the community plan. No response necessary. The project was reviewed for consistency with the CMCP and determined to be consistent with the plan. See response to BP-1.

3-2

must be provided as required by the CMCP, which would provide more surface space for landscaping, bike lanes and sidewalks. Other direct quotes from the CMCP are:

"An improved internal automobile, bicycle & pedestrian circulation system is also needed, in addition to improving the landscaping along the sidewalks on Balboa Avenue."

"Objectives for Commercial Development

1. *"Develop the community core as a town center with unique, architectural, sign & landscaping theme with pedestrian walkways & bikeways.*

2. *"Ensure the availability of adequate commercial facilities within the community core to meet the needs of the existing & projected residential population of Clairemont Mesa.*

3. *"Require commercial areas to incorporate landscaping which will help to integrate the commercial development into the surrounding neighborhood.*

4. *"Design commercial areas to best utilize the existing transportation system & provide pedestrian linkages to & within commercial development as well as connections to adjacent uses."*

"3 Architectural and Site Design

*"a. Development in the core should include plazas in a park-like setting. The plazas should be the focal point for the community core (**Figure15**).*

"b. Outdoor restaurants should be located on the ground floor incorporating views and physical access into the plazas. Restaurants will be an important feature in establishing pedestrian activity in the core area.

"c. Direct internal pedestrian, bicycle and automobile linkages to adjacent commercial areas should be incorporated in the site design in order to reduce traffic congestion and circulation conflicts on public streets.

"d. New commercial development should be integrated into existing development to provide direct pedestrian access by linking the public right-of-way and the internal walkways

of the core area.

*"e. Internal walkways should be a minimum of ten feet wide and connect to public sidewalks. The walkway should be landscaped with trees, shrubs and ground cover. A pedestrian/bicycle bridge should be constructed over Balboa Avenue to connect the two shopping centers in order to improve pedestrian circulation, reduce traffic congestion and provide a landmark feature for the core area (**Figure 15**). The recommended bridge should accommodate bicycles, as well as pedestrians, and should be designed in such a manner as to separate the two functions to reduce potential conflicts, that is using both smooth and cobbled pavement surfaces to distinguish between bike and pedestrian ways. The construction of the bridge should be an integral part of the pedestrian, circulation and shopping environment.*

"4 Parking Design

"a. Parking in the community core should be underground, behind the building or within the building. If parking is located on the first and second levels of the building, automobiles should be screened from the public right-of-way with landscaping, and the faÁade of the parking structure should be sensitive to the pedestrian environment. The automobile or parking facilities should not be the dominant element of the community core.

"c. Large parking areas should e broken up with landscaped islands and screened from the public right-of-way by landscaping. This can be accomplished through the use of trees, shrubs or mounding, where appropriate, to enhance the visual character of the core area. Large parking areas should also include colored concrete paving (instead of asphalt) as a means to visually enhance surface areas."

BB-3

The entire north side of the project along Balboa Avenue will have all buildings demolished and reconstructed as well as the total reconstruction of two entrances and should be required to comply with the **CMCP** and the **BALBOA AVENUE REVITALIZATION ACTION PLAN**, (RAP) which requires development to provide **non-contiguous** sidewalks with a landscaped (**CMCP** Fig. 28) buffer from traffic. Three of the seven driveway access points will be reconstructed and provide an opportunity for landscaping to separate noncontiguous sidewalks from traffic but as proposed are not

BB-3 See response to BP-1 and BH-3.

in compliance with the **CMCP**.

B-4 As proposed this project would leave the vast center heart of the site with an unbroken sea of 23 rows of parking lanes from the east row of existing shops to the west side with a few new shops along Genesee Avenue in direct contradiction to the ideas expressed in the **CMCP.** Where are the "Park-line plazas" and outdoor seating for restaurants as prescribed by the **CMCP**? Underground parking at the demolished and reconstructed building sites in the northwest 7 acres of grading area would allow the vast unbroken sea of parking lanes to be interspersed with the pedestrian friendly plazas.

B-5 After relinquishment, a signalized intersection at the Longs Drugs driveway (**CMCP** Fig. 14) was proposed with public funding to provide more control of turning traffic along with a safer pedestrian crossing. To reduce the risk to pedestrians, all other driveways on Balboa were to be closed except for the signalized one. This proposal will only close the two driveways at the demolished gas station leaving pedestrians at risk to traffic in 6 uncontrolled driveways across contiguous sidewalks.

B-6 The entire area to the west and south of the project is 100% residential and years of community studies, surveys and review effort have emphasized the need for more pedestrian friendly access through this area. The Balboa **RAP** specifically targeted a pedestrian crossing of Balboa Avenue at the Longs Drugs driveway (**CMCP** Fig. 14). It was this community desire and the actions of the **Balboa Avenue Citizens Advisory Committee,** (**BACAC**) that was instrumental in the relinquishment of Balboa Avenue from a state highway to a city street with the specific goal of making it more pedestrian friendly.

While the **CMCP** and the Balboa Ave. **RAP** are adopted City documents readily available before this proposal was developed, the developer took no note of the requirements and did no research or studies of the preferred location and signal configuration.

III. ENVIRONMENTAL ANALYSIS: - (Initial Study Checklist)
I. ASTHETICS / NEIGHBORHOOD CHARACTER

BB-7 C. This section makes the claim that it is - ***"consistent with the Clairemont Mesa Community Plan"*** and as noted above that is totally false. The "NO" column is

BB-4 This is a recommendation, not a requirement of the CMCP. Long range planning has determined that the project meets the goals and objectives of the community plan by creating plazas with exterior seating areas to accommodate outdoor dining. See response to BP-13.

BB-5 See response to BP-9.

BB-6 See response to BH-5 and P-3.

BB-7 See response to BH-6.

checked as a blatant affront to all in the community who have worked at developing and adopting plans to make this area a better neighborhood through work on the **CMCP** and the Balboa **RAP**.

D. With the dismissive reference of ***"See I.C. above*** it ignores the fact that 7 acres or 43% of the site will be graded, substantial demolition and expansion of commercial building area and parking space is needed and the proposal is far from compliance with the **CMCP** and the Balboa **RAP**.

V. ENERGY

BB-8

A. The failure to provide the pedestrian friendly facilities as required by the **CMCP**, and the expansion of this project and the adjacent center across Balboa Avenue will greatly increase traffic from out-of-area shoppers and force even local area residents to use their cars for one and two block trips in order to ensure their safety. Specifically the proposed new signalized intersection with its inadequate configuration that does not provide for a red arrow phase when pedestrians can cross Balboa Avenue with no conflict from left turning vehicles will cause the more mature residents of the area to drive their cars just to cross the street. The combined effect will be more driving for more short trips in polluting autos rather than furthering the goal of a more pedestrian friendly community.

X. LAND USE

BB-9

A. Checking the "NO" box and the statement of ***"This proposed project would be consistent with the Clairmont Mesa Community Plan"*** is blatantly false as noted above.

B. Again, checking the "NO" box and the dismissive See X.A is blatantly false as noted above.

XIV. PUBLIC SERVICES

BB-10

E. The new intersection in this proposed project is poorly located and designed contrary to the design and location previously endorsed by the community and City traffic engineers as a public funded project. As presented here it is a poorly contrived modification sacrificing pedestrian safety in a false economy to accommodate more vehicle

BB-8 The additional traffic generated by the expansion project was evaluated in the traffic study. In addition, the project would improve pedestrian safety and walkability by providing a protected/permissive traffic signal between the two shopping centers and improving their internal pedestrian pathways and plazas.

BB-9 The project is consistent with the community goals and objectives for commercial development. The community plan provides recommendations but not requirements.

BB-10 See response to BH-8.

traffic in a constrained location too close to another major intersection. When in the future it fails to provide safety for motorists and pedestrians it will fall on the City to remedy the problem at taxpayers expense.

BB-11 XVI. TRANSPORTATION/CIRCULATION

A. A check in the "Maybe: box is insufficient in recognition of the substantial violations of the **CMCP** and the **RAP** requirements.

B. Again, more study and review of alternate locations for the new signal are required from all the earlier community efforts.

D. It is a false claim to propose new surface parking that is in violation of the **CMCP** requirement for underground parking on all new development in the community core.

G. A new signal that does not provide a protected 'Red Arrow" phase for pedestrians in conflict with turning traffic does create an increase in traffic hazards and is in conflict with the design and location previously planned through community and City traffic studies.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

BB-12 C. In fact, this proposal is very definitely part of a combination and was driven by the community desire for a joint consideration of this and the Genesee Plaza Expansion project to work out a joint plan for a new safe pedestrian crossing of Balboa Avenue. The additional traffic and parking problems of both projects will exacerbate the core community of Clairemont.

The separation of the two proposals, this Balboa Mesa and the Genesee Plaza Expansion makes a underhanded effort to hide the cumulative traffic impacts and the failure to even discuss cumulative traffic impacts at the site is irresponsible.

(End of Initial Study Checklist)

IV. **Discussion**

OTHER ISSUES

Queuing Analysis

BB-11 Comment noted. A. BH-6 for B Underground parking is not a requirement for D. BH-6 for G..

BB-12 See response to BH-10.

BB-13

As a state highway, the community request for a new mid-block traffic signal on Balboa at the Longs Drugs driveway (**CMCP** Fig. 14) was deemed too close to the adjacent signals and this proposal would never have been allowed.

BB-14

The proposed signalized intersection is located so close to the Genesee Avenue intersection that a full phased timing would back traffic across the Genesee Avenue intersection. If this should occur at some future time, the probable reaction would be to close all mid-block pedestrian crossing of Balboa Avenue in direct conflict with the community's expressed desires and force pedestrians to walk to either Genesee Avenue or Mount Abernathy in order to cross the street.

Now with the new development and the additional traffic, the community desires of a safer pedestrian crossing are being sacrificed for an unsafe signal at a poor location. A red arrow preventing left turns when pedestrians cross Balboa Avenue is a requirement for pedestrian safety at this location in same the way the signals at Genesee Avenue and Mount Abernathy are now configured.

> "About half of all intersection accidents in the U.S. involve left-turning vehicles -- even though less than 15% of all intersection traffic turns left." *(Stamatiadis, Agent and Bizakis. Guidelines for Left-Turn Phasing Treatment. Transportation Research Record 1605, TRB, 1997).*
>
> "The 'Protected' (signal) is the BEST understood by (CA) drivers – and the 'protected/permissive' (signal) is the LEAST understood." *(Hummer, Montgomery and Sihna. Motorist understanding of and preferences for Left-Turn Signals. Transportation Research Record 1281, TRB, 1990).*
>
> "Changing from permitted to protected signaling has been shown to provide an 85% reduction in left-turn accidents." *(Agent, KR. Warrants for Left Turn Signal Phasing. Transportation Research Record 737, TRB, 1979* cited in *Kim and Teng. Time Separation Control Between Pedestrian and Turning Vehicles at Intersections. 83rd Annual TRB Meeting, 2004).*

BB-15

The close proximity of the proposed signalized intersection to the Genesee Avenue intersection requires double left turn lanes for traffic entering the two centers. This compounds the danger that pedestrians must face in running the gauntlet of crossing six lanes of through traffic and two lanes of left turn storage while hoping to dodge the late north and south bound

BB-13 SEE RESPONSE TO BH-11 AND P-14

BB-14 SEE RESPONSE TO BA-5

BB-15 See response to BH-14.

left turning traffic trying to jump through a late gap in oncoming traffic under the "Permissive" left turn phase of this deficient signal.

And in conclusion I feel that the City Development Services Department has performed a breech of public trust with the timing of the release of the environmental document and the Genesee Plaza Expansion document at an inopportune time slipped between the scheduled meetings of the Clairemont Mesa Planning Committee and the Balboa Avenue Citizens Advisory Committee. Getting copies of the environmental document and the limited time for a response has not been a timely or convenient task that serves the community and those volunteers who strive to give input to make our community a better place to live. And the electronic (.pdf) version that was made available was flawed in some way that I could not do a search for specific words or terms as normal .pdf documents allow.

BB-16 The **BACAC** was established with State and Local endorsement when Balboa Avenue was still a State highway and was instrumental in the relinquishment of the roadway from state to city responsibility. The committee has worked for many years with broad community reviews and input to develop studies, the **RAP** and the current landscape project yet was not included in the circulation of this document.

Thank you for your time and cooperation in the review on my comments on this DRAFT MITAGATED NEGATIVE DECLARATION for PROJECT NO. 70797. I look forward to seeing the positive revisions in the next version.

Beverly J. Boys
4950 Mt. Casas Dr.
San Diego, CA 92117-4829
858-277-5991

BB-16 See response to P-1.

From: "BEVERLY BOYS" <bjboys@msn.com>
To: <DSDEAS@sandiego.gov>
Date: 7/14/2006 8:34:24 AM
Subject: #70797

Mr. Herbert Warren, I am a resident that lives just blocks from the site refered to in document #70797
HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS
"Chervon or whomever proposes redevelopment on the site, shall conduct a soil vapor investigation"
WHAT ASSURANCE WILL THE CLAIREMONT RESIDENTS HAVE, THAT THIS PROCEDURE AND SOLUTION IS PROPERLY AND COMPLETELY IMPLEMENTED, AND HOW WILL THE RESIDENTS BE ABLE TO VERIFY THE WORK?
MY CONCERN IS... THAT A QUALITY BUSINESS, WITH OUTSTANDING LANDSCAPING WILL LEASE THAT CORNER, AND IF A RESTAURANT GOES IN AT THIS SITE.... IT WILL ABSOLUTLEY BE NECESSARY, ALL MEASURES ARE TAKEN TO CLEAN UP THIS SITE COMPLETELY AND PERMANENTLY, NOT JUST A TEMPORARY FIX.
THANK YOU FOR YOUR TIME.
BEVERLY J. BOYS
4950 Mt. Casas Dr.
San Diego CA 92117-4829
858-277-2991

BB-EMAIL

Beverly Boys – Email 7/14/06

BBE –1: As noted in the MND, prior to any development on the corner where the Chevron was, a clearance letter must be prepared by County Environmental Health.

Letter from Billie Hame's

Herbert Warren,
Environmental Planner
City of San Diego
Development Services Center
1222 First Avenue - MS 501
San Diego Ca, 92101

Re: Project No. 70797 Balboa Mesa

Mr. Herbert Warren,

Comments on this project, in order of occurrence in the document are:

I. PURPOSE AND MAIN FEATURES

This proposal involves demolition of 14,688 square feet of buildings, construction of 29,430 square feet of new buildings, (net gain + 14,742 SF), grading of 7 acres of land, and creating 201 new parking spaces. Yet is not in compliance with the CLAIREMONT MESA COMMUNITY PLAN, (CMCP) which specifically states:

BH-1 *"Parking in the community core should be underground".*

Additionally noted in the CMCP is:

BH-2 *"The Community Plan Implementation Overlay Zone (CPIOZ), Type B with a Planned Commercial Development permit should apply to the community core located on Balboa Avenue & Genesee Avenue (Figure 38). Development under the existing CA Zone lacks a pedestrian environment in the core area, including walkways, which should provide direct access to adjacent residential neighborhoods. The development should be enhanced with landscaping in the public right-of-way, setbacks & parking lots. The internal automobile & bicycle circulation system & transit stops are also not well defined in the core area. As redevelopment occurs with CPIOZ, emphasis should be placed on creating a pleasant & convenient shopping environment for resident in Clairemont Mesa."*

The addition of more commercial building space and more parking spaces reduces the area available for landscaping, bicycle and pedestrian accommodations as required by the CMCP. Underground parking in the 7 acres of graded area must be provided as required by the CMCP, which would provide more surface space for landscaping, bike lanes and sidewalks. Other direct quotes from the CMCP are:

"An improved internal automobile, bicycle & pedestrian circulation system is also needed, in addition to improving the landscaping along the sidewalks on Balboa Avenue."

BH-1 The proposed project is consistent with the Community Goals and Objectives of the Clairemont Mesa Community Plan (CMCP) for commercial development. An underground parking structure is a recommendation for consideration and not a requirement.

BH-2 Comment noted. The author is restating guidelines from the community plan. No response necessary. The project was reviewed for consistency with the (CMCP) and determined to be consistent with the plan. See response to BP-1.

"Objectives for Commercial Development

1. *"Develop the community core as a town center with unique, architectural, sign & landscaping theme with pedestrian walkways & bikeways.*

2. *"Ensure the availability of adequate commercial facilities within the community core to meet the needs of the existing & projected residential population of Clairemont Mesa.*

3. *"Require commercial areas to incorporate landscaping which will help to integrate the commercial development into the surrounding neighborhood.*

4. *"Design commercial areas to best utilize the existing transportation system & provide pedestrian linkages to & within commercial development as well as connections to adjacent uses."*

The entire north side of the project along Balboa Avenue will have all buildings demolished and reconstructed as well as the total reconstruction of two entrances
4-3 and should be required to comply with the CMCP and the BALBOA AVENUE REVITALIZATION ACTION PLAN, (RAP) which requires development to provide non-contiguous sidewalks with a landscaped buffer from traffic. Three of the seven driveway access points will be reconstructed and provide an opportunity for landscaping to separate noncontiguous sidewalks from traffic but as proposed are not in compliance with the CMCP.

After relinquishment, a signalized intersection at the Longs Drugs driveway was proposed with public funding to provide more control of turning traffic along with a safer pedestrian crossing. To reduce the risk to pedestrians, all other driveways on
4-4 Balboa were to be closed except for the signalized one. This proposal will only close the two driveways at the demolished gas station leaving pedestrians at risk to traffic in 6 uncontrolled driveways across contiguous sidewalks.

The entire area to the west and south of the project is 100% residential and years of community studies, surveys and review effort have emphasized the need for more pedestrian friendly access through this area. The Balboa RAP specifically targeted a
4-5 pedestrian crossing of Balboa Avenue at the Longs Drugs driveway. It was this community desire and the actions of the Balboa Avenue Citizens Advisory Committee, (BACAC) that was instrumental in the relinquishment of Balboa Avenue from a state highway to a city street with the specific goal of making it more pedestrian friendly.

While the CMCP and the Balboa Ave. RAP are adopted City documents readily available before this proposal was developed, the developer took no note of the requirements and did no research or studies of the preferred location and signal configuration.

BH-3 Comment noted. This comment does not relate to the adequacy of the environmental document. The goals/objectives of the CMCP were considered during project review and the proposed project has been determined to be consistent with the CMCP.

BH-4 The traffic analysis was based on only the two driveways at the demolished Chevron Station being closed on Balboa Avenue. There would be two right in/right out driveways and one signalized driveway. The proposed project would would improve pedestrian access and safety over existing conditions.

BH-5 The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and the Transportation Development Section of the City of San Diego. It has been concluded that the proposed location would provide a safe pedestrian crossing that would also provide improved interconnectivity between the two shopping centers without resulting in a significant impact on traffic circulation.

III. ENVIRONMENTAL ANALYSIS: - (Initial Study Checklist)
I. ASTHETICS / NEIGHBORHOOD CHARACTER

H-6 C. This section makes the claim that it is - ***"consistent with the Clairemont Mesa Community Plan"*** and as noted above that is totally false. The "NO" column is checked as a blatant affront to all in the community who have worked at developing and adopting plans to make this area a better neighborhood through work on the CMCP and the Balboa RAP.

D. With the dismissive reference of ***"See I.C. above*** it ignores the fact that 7 acres or 43% of the site will be graded, substantial demolition and expansion of commercial building area and parking space is needed and the proposal is far from compliance with the CMCP and the Balboa RAP.

X. LAND USE

H-7 A. Checking the "NO" box and the statement of ***"This proposed project would be consistent with the Clairmont Mesa Community Plan"*** is blatantly false as noted above.

B. Again, checking the "NO" box and the dismissive See X.A is blatantly false as noted above.

XIV. PUBLIC SERVICES

H-8 E. The new intersection in this proposed project is poorly located and designed contrary to the design and location previously endorsed by the community and City traffic engineers as a public funded project. As presented here it is a poorly contrived modification sacrificing pedestrian safety in a false economy to accommodate more vehicle traffic in a constrained location too close to another major intersection. When in the future it fails to provide safety for motorists and pedestrians it will fall on the City to remedy the problem at taxpayers expense.

XVI. TRANSPORTATION/CIRCULATION

H-9 A. A check in the "Maybe: box is insufficient in recognition of the substantial violations of the CMCP and the RAP requirements.

B. Again, more study and review of alternate locations for the new signal are required from all the earlier community efforts.

D. It is a false claim to propose new surface parking that is in violation of the CMCP requirement for underground parking on all new development in the community core.

BH-6 Comment noted. The project has been reviewed and determined to be consistent with the CMCP.

BH-7 See response BH-6.

BH-8 The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and Transportation Development Services at the City of San Diego. The conclusion of both is that the proposed location would provide a safe pedestrian crossing. See response P-2 and P-3.

BH-9 A: Comment noted. See response to BP-1. B: See response to BA-5. D: See response to BP-1 and BP-13. G. See response to P-7 and BA-6.

G. A new signal that does not provide a protected 'Red Arrow" phase for pedestrians in conflict with turning traffic does create an increase in traffic hazards and is in conflict with the design and location previously planned through community and City traffic studies.

H-10 XIX. MANDATORY FINDINGS OF SIGNIFICANCE

C. In fact, this proposal is very definitely part of a combination and was driven by the community desire for a joint consideration of this and the Genesee Plaza Expansion project to work out a joint plan for a new safe pedestrian crossing of Balboa Avenue. The additional traffic and parking problems of both projects will exacerbate the core community of Clairemont.

The separation of the two proposals, this Balboa Mesa and the Genesee Plaza Expansion makes a underhanded effort to hide the cumulative traffic impacts and the failure to even discuss cumulative traffic impacts at the site is irresponsible

(End of Initial Study Checklist)

IV. Discussion

H-11 OTHER ISSUES

Queuing Analysis

As a state highway, the community request for a new mid-block traffic signal on Balboa at the Longs Drugs driveway was deemed too close to the adjacent signals and this proposal would never have been allowed.

The proposed signalized intersection is located so close to the Genesee Avenue intersection that a full phased timing would back traffic across the Genesee Avenue intersection. If this should occur at some future time, the probable reaction would be to close all mid-block pedestrian crossing of Balboa Avenue in direct conflict with the community's expressed desires and force pedestrians to walk to either Genesee Avenue or Mount Abernathy in order to cross the street.

Now with the new development and the additional traffic, the community desires of a safer pedestrian crossing are being sacrificed for an unsafe signal at a poor location. A red arrow preventing left turns when pedestrians cross Balboa Avenue is a requirement for pedestrian safety at this location in same the way the signals at Genesee Avenue and Mount Abernathy are now configured.

"About half of all intersection accidents in the U.S. involve left-turning vehicles -- even though less than 15% of all intersection traffic turns left." *(Stamatiadis, Agent and Bizakis, Guidelines for Left-Turn Phasing Treatment, Transportation Research Record 1605, TRB, 1997)*.

BH-10 The cumulative traffic impacts of both centers have been analyzed and discussed in the Draft MND. See comment to P-2 and P-3.

BH-11 See comments to BA-5. The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and the Transportation Development Section of the City of San Diego.

The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and the Transportation Development Section of the City of San Diego. The conclusion of both is that the proposed location would provide a safe pedestrian crossing. The proposed left turn lanes will not require any widening of Balboa Avenue. Thus, the pedestrian crossing distance would be the same as it currently is today at the Genesee Avenue intersection.

"The 'Protected' (signal) is the BEST understood by (CA) drivers – and the 'protected/permissive' (signal) is the LEAST understood." *(Hummer, Montgomery and Sihna. Motorist understanding of and preferences for Left-Turn Signals. Transportation Research Record 1281, TRB, 1990)*.

BH-12 "Changing from permitted to protected signaling has been shown to provide an 85% reduction in left-turn accidents." *(Agent, KR. Warrants for Left Turn Signal Phasing. Transportation Research Record 737, TRB, 1979* cited in *Kim and Teng. Time Separation Control Between Pedestrian and Turning Vehicles at Intersections. 83rd Annual TRB Meeting, 2004)*.

The close proximity of the proposed signalized intersection to the Genesee Avenue intersection requires double left turn lanes for traffic entering the two centers. This compounds the danger that pedestrians must face in running the gauntlet of crossing six lanes of through traffic and two lanes of left turn storage while hoping to dodge the late north and south bound left turning traffic trying to jump through a late gap in oncoming traffic under the "Permissive" left turn phase of this deficient signal.

And in conclusion I feel that the City Development Services Department has performed a breech of public trust with the timing of the release of the environmental document and the Genesee Plaza Expansion document at an inopportune time slipped between the scheduled meetings of the Clairemont Mesa Planning Committee and the Balboa Avenue Citizens Advisory Committee. Getting copies of the environmental document and the limited time for a response has not been a timely or convenient task that serves the community and those volunteers who strive to give input to make our community a better place to live. And the electronic (.pdf) version that was made available was flawed in some way that I could not do a search for specific words or terms as normal .pdf documents allow. BH-13

The BACAC was instrumental in the relinquishment of the roadway from state to city responsibility and has worked for many years to develop the RAP and the current landscape project yet was not included in the circulation of this document.

Thank you for your time and cooperation in the review on my comments on this DRAFT MITAGATED NEGATIVE DECLARATION for PROJECT NO. 70797. I look forward to seeing the positive revisions in the next version.

Billie Hame
5224 Mt. Alifan Dr..
SAN DIEGO, CA 92111
858-278-0594

Billie Hame
Pacific Bluff HOA Board Member
286 Residents

OVER

BH-12 Comment noted. See comment to BH-11.

BH-13 See response P-1.

BH-14

-14 The residents of Pacific Bluffs reside just across from both shopping centers. The traffic flow is tremendous & pedestrian safety is really "pedestrian hazzard." We along with The VILLAGE SQUARE, BALBOA ARMS, & numerous smaller HOA's immediately surround both centers. You are talking about a lot of people dealing with this congestion 24/7. Please review this RESPONSE with a great deal of care as it is representative of a large population of Claremont residents,

BH-14 Comment noted. Please see above responses regarding pedestrian safety and traffic circulation.

Billy Paul
3089 C Clairemont Dr, Suite 220
San Diego, Ca 92117
619-276-8333
FAX 619-276-8333

23 July 06

Herbert Warren, Environmental Planner
City of San Diego Development Service Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Project No. 70797
Draft Mitigated Negative Declaration
JO: 42-4447

Subject: Comments to the Draft Mitigated Negative Declaration

Dear Mr. Herbert Warren:

P1 I am a member or the Clairemont Mesa Planning Committee, and while the Committee voted 14 to 1, to approve the project (with concerns about pedestrian safety in the new intersection), I was the lone "NO" vote. While I agree with the Committee that there is a pedestrian safety issue with the intersection, I feel there are compelling reasons to not approve the project because the project does not comply with our Community Plan. I wish to present my position in disagreement with the Committee.

The Clairemont Mesa Community Plan (CMCP) stipulates, *"Internal walkways should be a minimum of ten feet wide and connect to public sidewalks. The walkway should be landscaped with trees, shrubs, and ground cover. A bicycle/pedestrian bridge should be constructed over Balboa Avenue to connect the two shopping areas in order to improve pedestrian circulation, reduce traffic congestion, and provide a landmark feature for the core area. The construction of the bridge should be an integral part of the pedestrian circulation and shopping environment."* (p.44, CMCP).

Clearly, pedestrian safety and walkability, as well as bicycle usability are an important aspect of of the concept of how the shopping center should be developed. In the Draft MND, while there are concerns about traffic conditions, there are no references to pedestrian safety or walkability, or
P2 bikeways or bicycle paths. Since there is a requirement for the project to comply with the Community Plan Implementation Overlay Zone Area (which includes walkability and bicycle paths), then it must consider pedestrian safety and bikeways that are discussed in the CMCP. It needs to have *"pedestrian walkways and bikeways..."* that create *" a pleasant and convenient shopping*

Letter from Billy Paul dated July 23, 2006

BP-1 Comment noted. While the project may not include all the recommendations of the community plan, the project does not conflict with the goals and objectives of the community plan. If the project did conflict with the goals and objectives of the community plan, the conflict still need to be linked to a physical effect on the environment to be considered a potential significant impact pursuant to the California Environmental Quality Act (CEQA).

BP-2 The project was reviewed for consistency with the Clairemont Mesa Community Plan (CMCP) and was determined to be consistent. Because the traffic signal and pedestrian crossing would be designed to current traffic engineering standards, pedestrian crossing hazards would not be present and a discussion on pedestrian safety is not warranted.

environment for residents in Clairemont Mesa." (p.43, CMCP). Certainly, an unsafe crosswalk does not create this type of environment.

THE PROPOSED PROJECT DOES NOT COMPLY WITH THE COMMUNITY PLAN FOR THE FOLLOWING REASONS:

23 1) The proposed sidewalks are not *"a minimum of ten feet wide"* and are not *"landscaped with trees, shrubs, and ground cover."* as recommended in the Community Plan, and noted above. THE SIDEWALKS ARE NOT COMPLIANT WITH THE COMMUNITY PLAN.

2) The proposed new intersection is not designed to provide the pedestrian connection as required, to link the two shopping centers together in a safe, pedestrian friendly manner. The Community Plan requires (as noted above), ***"A bicycle/pedestrian bridge should be constructed over Balboa Avenue to connect the two shopping areas in order to improve pedestrian circulation,..."***. It goes on to stipulate, ***"The construction of the bridge should be an integral part of the pedestrian circulation and shopping environment."*** Either the bridge should be built, or if a signalized intersection is considered as an acceptable alternative, it should be built with the same sense of pedestrian safety that is commensurate with a bridge, and that pedestrian safety should be the priority and not traffic movement. Clearly the new intersection DOES NOT provide this pedestrian safety nor the required pedestrian linkage between the two shopping centers. 24

The new intersection is solely designed to allow for vehicle traffic, and pedestrian safety was not given proper consideration. The proposed signal, in this application, is not safe with the amount of left turn traffic having to weave its way through the opposing left turn and oncoming through traffic, and then driving through the pedestrian crossing. As described in the Draft MND, ***"the proposed new signal would operate with protected plus permissive phasing (a left turn arrow would appear permitting left turns, when the left turn arrows disappears, the green ball indicator would appear permitting through traffic)."*** (p.7, D MND). It must be pointed out that pedestrians will also be crossing when the green ball appears and cars will continue to be turning left. As well as the oncoming through traffic, pedestrians will start to cross and be in the path of left turning cars. There is no discussion of this problem of pedestrians crossing the street while cars are turning through the pedestrian walkway at the same time. THERE IS A MAJOR FLAW IN THE DRAFT MND DOCUMENT AND THE PROJECT IS NOT COMPLIANT WITH THE COMMUNITY PLAN WHICH REQUIRES, **"THE CONSTRUCTION OF A BRIDGE SHOULD BE AN INTEGRAL PART OF THE PEDESTRIAN CIRCULATION AND SHOPPING ENVIRONMENT."**. THE PROPOSED SIGNAL IS IN NO WAY COMMENSURATE WITH THE REQUIRED BRIDGE IN ITS UNSAFE CONFIGURATION. 25

3) The proposed intersection is not in compliance with the Community Plan nor the Balboa Avenue RAP because of its proposed location. The CMCP discusses a Bridge crossing which is shown to be at the midpoint in the Community Plan (see Figure 14, p. 26, CMCP), and the Balboa Avenue RAP describes the pedestrian crossing as "near the midpoint" or "near Longs Drug Store" (p. 23, BA RAP). To have pedestrians go out of their way to cross at a point that is not at midpoint, does not comply with with the Community Plan where it states, ***"The construc-*** 26

BP-3 Comment noted. The project was reviewed against the CMCP and determined to be consistent with the plan. See response to BP-1 and P-3.

BP-4 Safe pedestrian crossing crossings are provided at the signalized driveway. See response to S-3 and P-3.

BP-5 The traffic analysis did analyze pedestrian crossing. Safe pedestrian crossing at a protected/permissive intersection is considered a valid alternative to the pedestrian bridge. The bridge is a recommendation, not a requirement, of the community plan. See response to S-3, P-3, P-6 and BA-6.

BP-6 The community plan provides a recommended location for the Balboa Avenue pedestrian crossing. As noted in the Balboa Ave RAP, the pedestrian bridge is no longer the preferred option for safely crossing Balboa Avenue. The proposed intersection satisfies the issue of a safe crossing on Balboa Avenue and its location has been reviewed and approved by City traffic engineering staff. See response to BP-1.

tion of the bridge should be an integral part of the pedestrian circulation and shopping environment." (p.44, CMCP). The proposed location does not provide a signal that is convenient for pedestrians in the shopping centers, nor is it as safe as the signals on the corners of the shopping centers on Balboa Avenue at Genesee Avenue, and at Mt. Abernathy Avenue. THE SIGNAL LOCATION IS NOT COMPLIANT WITH THE COMMUNITY PLAN WHICH SHOWS A PEDESTRIAN CROSSING AT MID-BLOCK.

7 4) THE NEW SIGNAL IS NOT SAFE FOR TRAFFIC. As proposed, the middle area on Balboa Avenue is 26 feet wide (two lanes of 11 feet each for left turning traffic and a 4 foot wide landscaped "pedestrian area"), which doesn't allow traffic to actually turn left till it gets through this 26 foot wide middle area. As presented, there are three lanes coming out of the shopping centers, and with two going in, the middle left turn lanes are configured to be head-on. When there is a green arrow, vehicles will travel to the left of oncoming traffic, but when it changes to a green ball, there will now be traffic headed directly at these vehicles in the left turn lane area (in this 26 foot middle area), from the traffic traveling straight through. When the signal turns to a green ball, the left turn traffic now needs to pass to the right of oncoming through traffic and to the left of oncoming left turning traffic, to travel through this 26 foot wide middle area. CONFUSED?? IT MAKES NO SENSE AND PRESENTS A DANGEROUS TRAFFIC PROPOSAL. It has never been demonstrated with a traffic template, how the traffic will actually travel through this intersection. **THERE IS A CRITICAL FLAW IN THE INTERSECTION PROPOSAL BECAUSE IT JUST DOESN'T WORK!**

8 5) To comply with the Community Plan there needs to be pedestrian sidewalks on both sides of all entrances, particularly on both sides of the new signalized intersection, and at the only entrance on the south that goes onto Mt. Alifan Drive. The Community Plan says it should have sidewalks for ***"a pedestrian environment in the core area, including walkways which should provide direct access to adjacent residential neighborhoods."*** (p.43, CMCP). The proposed project does not provide sidewalks with direct access on both sides of the entrances. It only provides indirect access by having non-compliant sidewalks on one side. At minimum, these sidewalks should be required to be 10 feet wide, but an acceptable compromise would be to have a minimum of a 5 foot wide sidewalk on both sides of the all roadways (where there are demonstrated constraints). THE PEDESTRIAN SIDEWALKS ARE NOT COMPLIANT WITH THE COMMUNITY PLAN AND NEED TO BE ON BOTH SIDES OF ALL THE ENTRANCES.

9 6) There is a need to close the driveways by Mucho Gusto (in the other project) and by Long's Drugs (in this project), to enhance walkability and to have ***"pedestrian walkways and bikeways...."*** that create ***"a pleasant and convenient shopping environment for residents in Clairmont Mesa."*** (p.43, CMCP). In addition, all the driveways to the west of the proposed signal need to be closed as well. This needs to be done for the same reasons so that pedestrians can safely use the sidewalks to get from the residential areas to the shopping centers in a manner that complies with the requirement in the Community Plan to have ***"walkways which should provide direct access to adjacent residential neighborhoods"*** (p.43, CMCP). THE PROJECT DOES NOT COMPLY WITH THE COMMUNITY PLAN BECAUSE OF OPEN DRIVEWAYS., PARTICULARLY THE ONE IN FRONT OF LONG'S DRUGS.

BP-7 Standard driveway signal phasing for this particular location in the City of San Diego would be permissive left turn phasing for both pedestrian and vehicular safety. The geometrics are similar to other city locations where multiple lanes and turning pockets are involved.

BP-8 The stated recommendation, CMCP (page 43) states, " a pedestrian environment in the core areas, including walkways should provide direct access to adjacent residential neighborhoods." It does not say that pedestrian walkways are required on both sides of every drive aisle leading into the centers. The project proposes a network of pedestrian pathways that connect to the public right of way and between on-site commercial buildings. See response to BP-1.

BP-9 The City is requiring the closure of a driveway (Mucho Gusto) to facilitate pedestrian access to the food court area.

7) As mentioned previously, there is an inadequate pedestrian link on the south side of the project to and across Mt. Alifan Drive. This driveway currently is hazardous for vehicles and totally unsafe for pedestrians. There needs to be a signalized intersection at this driveway because of the left turning east bound traffic from Mt. Alifan Drive into the project, and left turning south bound traffic out of the project driveway. There needs to be a signalized intersection at this location for safe pedestrian crossing as well. Directly across the street there are several high-density, multi-family, low-income complexes which makes it compelling to build a safe pedestrian crossing at this driveway. Due to the configuration of the driveway as a "T" intersection, the pedestrian crossing would only need to be on the west side of the intersection, so pedestrians could safely cross on the west side, and the out-bound, left turning traffic would not create a hazard. In addition, this driveway needs to have a pedestrian link on both sides of the driveway for pedestrian circulation and safety. This should be required because the Community Plan stipulates that the shopping center should provide a pedestrian environment with ***"walkways which should provide direct access to adjacent residential neighborhoods"*** (p.43, CMCP). THE PROPOSED PROJECT DOES NOT HAVE PEDESTRIAN ACCESS ON BOTH SIDES OF THE DRIVEWAY AND NEEDS TO BE SIGNALIZED, AND AS PROPOSED IS NOT COMPLIANT WITH THE COMMUNITY PLAN.

2-10

8) The project is lacking in having public areas called out in the Community Plan, ***"Development in the core should include plazas in a park-like setting. The plazas should be the focal point for the community core..."*** (p.44, CMCP). THE PROJECT IS TOTALLY LACKING IN PUBLIC **"PLAZAS IN A PARK-LIKE SETTING"** AND HAS NO PUBLIC SPACES, AND IS NOT COMPLIANT WITH THE COMMUNITY PLAN.

2-11

9) Restaurants need to have patios and outdoor areas which ***"are an important feature in establishing pedestrian activity in the core area."*** (p.44 & p.47, CMCP). In the proposed project, there are some areas where restaurants have patios, but they are minimal and need to be enlarged to present an area that is inviting for pedestrians and need to be facing Balboa Avenue to invite in the public. THE RESTAURANT PATIO AREAS NEED TO BE ENLARGED TO COMPLY WITH THE GOALS OF THE COMMUNITY PLAN.

2-12

10) The proposed project contains compact parking and this is not even mentioned in the discussion on parking at the project in the Draft MND (p.2, Draft MND), nor in the Parking section (p.8, Draft MND). In this section it states that the parking requirement is 1030 spaces, and that the project contains 1046 spaces. Clearly the compact parking needs to be removed. There are 16 extra spaces, and as compact parking does not work, it should not be allowed. Even if there are 20 spaces of compact parking, people will park so that only 16 cars can fit anyway, because some cars will take two spaces so they don't get door-banged. It just doesn't work. It would be better to require full sized spaces in the compact parking area and reduce the parking requirement by the spaces lost in this area. That would be a reasonable compromise. DO NOT ALLOW COMPACT PARKING AS IT IS NOT IN COMPLIANCE WITH THE COMMUNITY PLAN.

2-13

11) The proposed parking is not in compliance with the Community Plan. ***"Parking in the community core should be underground, behind the building or within the building. If***

2-14 ... CONTINUES TOP OF PAGE 5.

BP-10 The location identified on Mt. Alifan does not meet the established signal warrant to allow a traffic signal.

BP-11 Outdoor areas similar to Figure 15 of the CMCP would be provided to be utilized for outdoor dining. Sitting walls would be included at the "plazas." See response to BP-1.

BP-12 See response to BP-11.

BP-13 The driveway on south side can remain. The driveway on north side must be closed. Compact parking spaces okay w/o deviation as you are decreasing the degree of non-conformity.

14 *parking is located on the first or second levels of the building, automobiles should be screened from the public right-of-way with landscaping, and the facade of the parking structure should be sensitive to the pedestrian environment. The automobile or parking facilities should not be a dominant element of the community core."* (p.48, CMCP). Clearly, the Community Plan recognizes the problem of the existing project already being built out with constraints on parking, and with compact parking no longer being allowed, the only reasonable solution is underground parking or a parking structure. And the parking structure should be screened with landscaping. The lack of compliance with the Community Plan in the parking plan is the cause of almost all the previous issues presented in this paper. Other communities have underground parking. There is underground parking in Pacific Beach at the Ralph's Grocery Store. There is even underground parking in Ocean Beach at the corner of Santa Monica and Abbot Streets. Numerous places in La Jolla have underground parking, as well as the shopping center at University Town Center which has two parking structures. The Community Plan clearly states, *"The automobile or parking facilities should not be a dominant element of the community core."* (p.48, CMCP). This project presents a development where the parking is the dominant feature and it is this parking element which leads to problems with not having 10 foot wide sidewalks, inadequate landscaping along the walkways, a lack of required bicycle paths, inadequate pedestrian amenities such as *"plazas in a park-like setting"* (p.44, CMCP), walkways on both sides of the roadway, and almost all the problems relate to this issue. With the north-west corner being totally demolished and re-built, the opportunity presents itself now, as in no other time. If this project is approved, the underground parking opportunity will be lost forever. The parking proposed in this project is not underground, is not screened by the buildings, nor is it in a parking structure. The expanse of the parking area with a sea of asphalt and cars, is the dominant element of this project. THE PARKING ELEMENT IS NOT IN COMPLIANCE WITH THE COMMUNITY PLAN, AND UNDERGROUND PARKING OR A PARKING STRUCTURE SHOULD BE REQUIRED.

These problems should have been discussed in the Draft MND in a number of places:

IV. DISCUSSION:

Human health/Public Safety (p.3)

15 There is no discussion of the pedestrian safety problem with the intersection. This signal configuration presents a health and safety issue to the community of Clairemont and needs to be addressed in the environmental report. While the other signals on Balboa Avenue at each end of the shopping center (at Genesee Avenue and at Mt. Abernathy) have signals with a green arrow followed by a red arrow, which make it safe for pedestrians, this signal does not. The proposed signal is unsafe for pedestrians, and it needs to be made as safe as the other two signals or safer, as it joins the two shopping centers together.

Transportation/Circulation (p.5)

16 There is no discussion of pedestrian or bicycle circulation There needs to be a discussion of pedestrian access on both sides of all entrances and there needs to be a bicycle path or lane included in the project to comply with the Community Plan..

OTHER ISSUES (p.7)

-17 ... CONTINUES ON TOP OF PAGE 6

BP-14 The underground parking structure is a recommendation and not a requirement of the Clairemont Mesa Community Plan (CMCP). Page 48 of the CMCP states that, "Parking in the community core should be underground, behind the building or within the building." It also states that " Large surface parking areas should be broken up with landscaped islands and screened from the public right of way by landscaping. This can be accomplished through the use of trees, shrubs or mounding, where appropriate, to enhance the visual character of the core area. Large parking areas should also include colored concrete paving..." A significant portion of the parking area is located behind buildings and include landscaped islands, landscape screening (trees, shrubs, etc), as well as colored concrete paving at intersection areas and where pedestrian activity is anticipated.

BP-15 The pedestrian crossing would be designed to accepted traffic engineering standards. However, the traffic study did analyze the pedestrian crossing and did not identify any pedestrian safety problems. Thus, pedestrian safety is not required to be discussed in the MND. The standard driveway signal phasing for both pedestrian and vehicular safety for this particular location would be permissive left turn phasing. The project proposes to provide additional safety timing with a protected/permissive left turn movement out of the driveways.

BP-16 See response BP-3 and BP-8.

BP-17 See response to BP-2.

Here, the new signals unique timing characteristics are discussed, but not the safety problems associated with pedestrians crossing while vehicles are turning left through the pedestrian walkway. It is important to discuss pedestrian safety in this intersection, especially when compared to the other two intersections nearest to it.

In addition, the ENVIRONMENT ANALYSIS CHECKLIST is incorrect and inaccurate in the following:

BP-18 I AESTHETICS/NEIGHBORHOOD CHARACTER - Will the proposal result in:

B.The creation of a negative aesthetic site or project? (p.1)
YES should be marked.

A negative site would be created by not having the parking placed underground as recommended in the CMCP ***"Parking in the community core should be underground, behind the building, or within the building."*** (p.48, CMCP). It goes on to state, ***"The automobile should not be a dominant element of the community core."*** (p.48, CMCP). Clearly, with all the area available in the north-west corner of the project, there is ample room for underground parking to be implemented and should be required for this project.

Currently there is compact parking on this site, yet there is no mention of this in the Draft MND. COMPACT PARKING SHOULD NOT BE ALLOWED.

C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? (p.1)
YES should be marked.

BP-19 I have just presented 11 reasons why the project is not in compliance with the Community Plan. CLEARLY, THE PROPOSED PROJECT IS NOT IN COMPLIANCE WITH THE COMMUNITY PLAN. In particular, the proposed signalized intersection and the parking plan are the two biggest problems. The parking proposal is not consistent with the CMCP which requires, ***"The automobile or parking facilities should not be a dominant element of the community core."*** (p.48, CMCP). Currently all one sees is cars parked in a large lot. Considering there is compact parking on the site which should be required to be removed, the only reasonable way to make up for this removed benefit, would to have the parking be underground in the north-west corner where there is ample room. The CMCP recognizes that this site has compact parking and recognizes the need to better utilize the site, therefore, it boldly states, ***"Parking in the community core should be underground, behind the building, or within the building."*** Since this site has two large buildings in the rear portion, underground parking in the front north-west corner is the best practical solution.

VIII. HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS:
Would the proposal:
A. Create any known health hazard (excluding mental health)? (p.6)
YES should be marked.
There is a health hazard created for people using the cross walk at the "new intersection", because

BP-18 See BP-14.

BP-19 The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and Transportation Development Services at the City of San Diego. The conclusion of both is that the proposed location would provide a safe pedestrian crossing. See response P-2 and P-3.

of the potential for pedestrians to be run over by cars turning left through the "non-standard" signal proposed for this intersection. With the green arrow changing to a green ball rather than the standard red arrow (as the signals at Genesee Avenue and Mt. Abernathy do), pedestrians will more likely be run over by drivers who don't recognize the signal change and may not see the pedestrians through the cross traffic.

P-20 XVI. TRANSPORTATION/CIRCULATION - Would the proposal result in:

G. Increase in traffic hazards for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? (p.12 & 13)

YES should be marked.

The "new signal" at this location has a non-standard protected /permissive configuration which is not used on other cross streets where pedestrians have to cross a total of 8 lanes on a main roadway from a cross street that has 5 lanes. All other intersections (that I am aware of) with the configuration of this many lanes, have the appropriate signal that has a green arrow followed by a red arrow, which allows pedestrians to cross the street with out having left turning cars running them over. This proposed signal is also unsafe for those people riding bicycles as well.

In addition, the signal is dangerous and confusing for drivers turning left while in the 26 foot wide middle section where there can be left turning cars passing to the right and head on traffic passing to the left. The proposed signal has a non-standard design feature which makes it unsafe. See the comments in item 4 of this paper.

H. A conflict with adopted policies, plans, or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? (p. 13)

YES should be marked.

P-21 The proposed "new signal" is unsafe for pedestrians or bicyclists to use to cross Balboa Avenue. This is in conflict with the concept of encouraging alternative transportation use, or making our communities more walkable as proposed in the CMCP or the City of San Diego's General Plan. The only purpose of having this non-standard type of signal at this location is to allow traffic to flow at an improper location proposed by the developer.

The signal needs to be moved to a midpoint location so it can be safely used by pedestrians. It is important for this environmental document to point out the deficiencies of this signal and that there is a community concern about safety. This concern should trigger an effort to look at other options, other locations, or the no project alternative.

Thank you for your consideration,

Billy Paul

Billy Paul

BP-20 Standard driveway signal phasing would be permissive left turn phasing to address vehicular, pedestrian, and bicycle crossings. In response to comments through the application process the phasing of the signal was modified to a protected/permissive left turn phasing to increase pedestrian safety. See response to P-4.

BP-21 The maintenance of existing bus stops, the addition of Class II bike lanes on Balboa Avenue, and the addition of pedestrian crossings between Mt. Abernathy Avenue and Genesee Avenue on Balboa Avenue encourage alternative forms of transportation. See response P-2 and P-3.

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16 July 06

Herbert Warren, Environmental Planner
City of San Diego Development Service Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Project No. 70797
Draft Mitigated Negative Declaration
JO: 42-4447

Subject: Comments to the Draft Mitigated Negative Declaration

Dear Mr. Herbert Warren:

To begin, I am the Chair of the Balboa Avenue Citizens Advisory Committee, which is a City recognized community group and was also recognized by the State of California when Balboa Avenue was owned by the State. We were the community group that was instrumental in having the State relinquish Balboa Avenue to the City. Since then, we have worked closely with city staff to form a redevelopment plan for all along Balboa Avenue. This plan, called the Balboa Avenue Revitalization Action Program (BA RAP), was adopted by the City of San Diego on 12 September 2005, and has recommendations for the area where this project is located.

P-1 In the public review distribution of the Draft MND, the Balboa Avenue Citizens Advisory Committee was completely ignored and was not included in draft notice or copies of the draft. I hereby request that the time to respond be extended to allow for input from this group.

I also understand that the draft response time was so arranged, either by intent, or mistake, so that the Clairemont Mesa Planning Committee could not provide a response within the window of opportunity. Again, I request that the allowed response time be extended for this group to respond.

I also understand that the Clairemont Town Council has not received a copy of the Draft MND and has not had an opportunity to review it either.

The notice stated that comments must be received by 16 July 2006. How does a person get comments to you on Sunday? Time needs to be extended for proper input by all groups.

Letter from Billy Paul dated July 16, 2006

P-1 Public notice was provided in accordance with state and local ordinances and was noticed in a widely circulated newspaper (The Daily Transcript) pursuant to the California Environmental Quality Act (CEQA). In addition, the Clairemont Mesa Town Council was included on the original distribution list.

This is the largest project to ever be developed in Clairemont and without adequate public review this is colossal injustice to our community. We need to have adequate time to give intelligent input to this project. This rush is totally unwarranted, and there are several aspects of this project that has caused major concern to the Balboa Avenue CAC and many members of our community.

-2 The Balboa Avenue CAC is particularly concerned about the location and operation of the newly proposed signal. In previous years, the Balboa Avenue CAC conducted numerous workshops to discuss the problems with existing conditions along Balboa Avenue. In the adopted RAP, it states, *"Most participants wanted a way to safely cross Balboa Avenue on foot between the two large shopping centers in the Community Core."* (p.23, BA RAP).

The Clairemont Mesa Community Plan (CMCP) stipulates, *"Internal walkways should be a minimum of ten feet wide and connect to public sidewalks. The walkway should be landscaped with trees, shrubs, and ground cover. A bicycle/pedestrian bridge should be constructed over Balboa Avenue to connect the two shopping areas in order to improve pedestrian circulation, reduce traffic congestion, and provide a landmark feature for the core area..The construction of the bridge should be an integral part of the pedestrian circulation and shopping environment."* (p.44, CMCP).

The bridge concept was discussed at length by the Balboa Avenue CAC, and while the bridge concept was the safest and least disruptive to traffic, the costs were prohibitive as well as concerns about other aspects of the structure. -3 *"The benefits and disadvantages were discussed in detail. In brief, pedestrian overpasses can work in certain specialized situations, but fail in more general applications. It was acknowledged that some type of pedestrian crossing needs to be designed near the midpoint between Mt. Abernathy Avenue and Genesee Avenue. This can be accomplished by redesigning the entrance to both shopping centers to allow for a new signalized entrance with pedestrian crossings, or to design a crossing for pedestrians only."(p.23,* BA RAP)(Underline added.)

-4 The Balboa Avenue RAP goes on to discuss the proposed pedestrian crossing at the midpoint, which is where Long's Drug Store is located. *"At minimum, a split-phased signalized crossing should be provided between Mt. Abernathy and Genesee Avenue near Longs Drug Store."* (p.23,BA RAP). It was always expected that a pedestrian-safe crossing would be provided at or near the midpoint so that pedestrians would find the crossing convenient and user friendly.

Because the the CMCP discusses a Bridge crossing which is shown to be at the midpoint in the Community Plan (see Figure 14, p. 26, CMCP), and the Balboa Avenue RAP describes the pedestrian crossing as "near the midpoint" or "near Longs Drug Store" (p. 23, BA RAP), to have the developer propose a crossing that is not at the midpoint should prompt some discussion about the location in the Draft MND and its effect on pedestrian circulation.

-5 In the Draft MND, while there are concerns about traffic conditions, there are no references to pedestrian safety. Since there is a requirement for the project to comply with the Community Plan Implementation Overlay Zone Area (which includes walkability and bicycle paths), then it must

P-2 The proposed project provides a safe pedestrian crossing of Balboa Avenue between the two large shopping centers in the Community Core in accordance with signal warrants and pedestrian timing as implemented by the City of San Diego.

P-3 As noted in the comment, the Balboa Avenue Revitalization Plan acknowledges that "some type of pedestrian crossing needs to be designed near the midpoint between Mt. Abernathy Avenue and Genesee Avenue." The proposed signalized pedestrian and vehicular crossing connecting the two shopping centers would be located between Mt. Abernathy Avenue and Genesee Avenue meeting city standards for pedestrian and vehicular safety.

P-4 A protected/permissive traffic signal is proposed for the signalized driveway. A split phased traffic signal would increase the dwell time for pedestrians waiting to cross Balboa Avenue, as well as extend vehicular queues on Balboa Avenue. Increasing dwell time for pedestrians at signalized intersections has been shown to increase jaywalking violation rates. The location of the intersection has been reviewed and approved by the City of San Diego Transportation Engineering staff.

P-5 The project adds a series of new pedestrian pathways throughout the center interconnecting the buildings as well as providing pedestrian connection from Balboa Avenue to Balboa Arms Drive and from Genesee

-5 consider pedestrian safety and bikeways as they are discussed in the CMCP. It needs to have *"pedestrian walkways and bikeways..."* that create *" a pleasant and convenient shopping environment for residents in Clairemont Mesa."* (p.43, CMCP). Certainly, an unsafe crosswalk does not create this type of environment, and therefore, the safety of the intersection is an important aspect of walkability.

In the traffic analysis, the study only considered vehicle traffic circulation and not other impacts such as pedestrian circulation and bike paths which are important to our community and members of the Balboa Avenue CAC. While it is considered to be safe for vehicles to have a "new design" signal with the left turn traffic coming out of the shopping centers so that *" the proposed new signal would operate with protected plus permissive phasing (a left turn arrow would appear permitting left turns, when the left turn arrows disappears, the green ball indicator would appear permitting through traffic)."* (p.7, D MND). But it must be pointed out that pedestrians will also be crossing when the green ball appears and cars will continue to be turning left. As well as the oncoming through traffic, pedestrians will start to cross and be in the path of left turning cars. There is no discussion of this problem of pedestrians crossing the street while cars are turning through the pedestrian walkway at the same time. This is a major flaw in the document. -6

This type of signal, in this application, creates a hazard for both pedestrians and persons riding bicycles. While the signal has a green arrow (which gives cars the right of way), pedestrians are held at the curb, waiting to cross, then the green arrow turns to a green ball, a car turning left will still have a green light and may not realize pedestrians are now crossing in front of the car's path. Many cars do not signal when they turn left in an intersection, and I have noticed that about 50% don't signal most of the time. Because of this, the pedestrians crossing the roadway will not be aware of cars planning to turn left into them. With this signal configuration, we have a very dangerous situation for pedestrians (and bicyclists) and this certainly does not make our community walkable!

This signal configuration presents a health and safety issue to the community of Clairemont and needs to be addressed in the environmental report. While the other signals on Balboa Avenue at each end of the shopping center (at Genesee Avenue and at Mt. Abernathy) have signals with a green arrow followed by a red arrow, which make it safe for pedestrians, this signal does not. The proposed signal is unsafe for pedestrians, and it needs to be made as safe as the other two signals or safer, as it joins the two shopping centers together. -7

This problem should have been discussed in the Draft MND in a number of places, and these locations are noted as follows:

IV. DISCUSSION:

-8 <u>Human health/Public Safety</u> (p.3)
There is no discussion of the pedestrian safety problem here.

-9 <u>Transportation/Circulation</u> (p.5)
There is no discussion of pedestrian or bicycle circulation here.

Avenue to Mt. Abernathy Avenue. In addition, it provides new pedestrian crossing across Balboa Avenue between Mt. Abernathy Avenue and Genesee Avenue. New Class II bike lanes are being added on Balboa Avenue and new bike racks are being located throughout the shopping center.

P-6 The pedestrian crossing would be designed to accepted traffic engineering standards. However, the traffic analysis did analyze pedestrian crossing and did not identify any pedestrian safety problem. Thus, pedestrian safety is not required to be discussed in the MND. The standard driveway signal phasing for both pedestrian and vehicular safety for this particular location would be permissive left turn phasing. The project proposes to provide additional safety timing with a protected/ permissive left turn movement out of the driveways.

P-7 The conditions are different because the vehicular volumes coming out of the shopping center driveways are not comparable to the volumes on Balboa/Genesee Avenue and Balboa/Mt Abernathy/Mt. Alifan. This location does not warrant the use of protected left turns because the opposing turn volumes are expected to be low. See response to S-4.

P-8 The phasing of the traffic signal with the protected/permissive left turn provides increased pedestrian safety above the city standard for signalized driveways.

P-9 See response P-8.

OTHER ISSUES (p.7)
Here, the new signals unique timing characteristics are discussed, but not the safety problems associated with pedestrians crossing while vehicles are turning left through the pedestrian walkway. It is important to discuss pedestrian safety in this intersection, especially when compared to the other two intersections nearest to it, which are considered safe for pedestrians.

In addition, the ENVIRONMENT ANALYSIS CHECKLIST is incorrect and inaccurate, and needs to be corrected in the following areas:

VIII. HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS:
Would the proposal:
-10 A. Create any known health hazard (excluding mental health)? (p.6)
YES should be marked.
There is a health hazard created for people using the cross walk at the "new intersection", because of potential for pedestrians to be run over by cars turning left through the "non-standard" signal proposed for this intersection. With the green arrow changing to a green ball rather than the standard red arrow (as the signals at Genesee Avenue and Mt. Abernathy do), pedestrians will more likely be run over by drivers who don't recognize the signal change and may not see the pedestrians through the cross traffic.

XVI. TRANSPORTATION/CIRCULATION - Would the proposal result in:

-11 G. Increase in traffic hazards for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? (p.12-13)
YES should be marked.

The "new signal" at this location has a non-standard protected /permissive configuration which is not used on other cross streets where pedestrians have to cross a total of 8 lanes on a main roadway from a cross street that has 5 lanes. All other intersections (that I am aware of) with the configuration of this many lanes, have the appropriate signal that has a green arrow followed by a red arrow, which allows pedestrians to cross the street with out having left turning cars running them over. This proposed signal is also unsafe for those people riding bicycles as well.

Drivers in cars turning left have an obscure view of pedestrians (or bicycles) crossing the street due to on-coming left-turning and through traffic headed toward them. Pedestrians will not be aware of left-turning traffic as they are crossing Balboa Avenue because of the large distances involved (8 lanes of traffic), and the fact through traffic and left turning traffic going in their direction will block the view of on-coming traffic. As proposed, this intersection is truly dangerous and unsafe.

-12 H. A conflict with adopted policies, plans, or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? (p.13)
YES should be marked.

P-10 Standard driveway signal phasing for this particular location would be a permissive left turn phasing to address vehicular, pedestrian, and bicycle crossings. In response to comments during the site plan review process, the phasing of the signal was modified to a protected/permissive left turn phasing. The findings of the traffic study, which has been reviewed and accepted by the City of San Diego Transportation Development Review, support the position that there are no increases in traffic hazards.

P-11 See response to P-10.

P-12 The finding of the traffic study which has been reviewed and accepted by the City of San Diego Transportation Development Section supports the position that there are no increase in traffic hazards (vehicular or pedestrian). No such conflict would result.

P-13 The proposed "new signal" is unsafe for pedestrians or bicyclists to use to cross Balboa Avenue. This is in conflict with the concept of encouraging alternative transportation use, or making our communities more walkable as proposed in the CMCP or the City of San Diego's General Plan. The only purpose of having this non-standard type of signal at this location is to allow traffic to flow at an improper location proposed by the developer.

P-14 It is the location of the signal that is the problem, as it is too close to the signal located at Genesee Avenue to allow it to be a fully functioning signal with the green arrow followed by a red arrow. The BA RAP recognizes this problem when it states, ***"that some type of pedestrian crossing needs to be designed near the midpoint between Mt. Abernathy Avenue and Genesee Avenue."*** (p.23, BA RAP). The term midpoint was purposefully used to give some flexibility to the exact location of the proposed intersection, but it does need to be located at a point where it can be a fully functioning Class 1 signal that has a green arrow followed by a red arrow (for the left turn lane).

If the location is not the problem, then the signal needs to be configured with a safe pedestrian crossing and have the green arrow followed by a red arrow (like the signals at Genesee Avenue and Mt. Abernathy Avenue).

If the location is the problem, then the signal needs to be moved to a midpoint location so it can be safely used by pedestrians and bicycles alike.

The proposed signal must be configured to be as safe for pedestrians crossing Balboa Avenue as the signals located at Genesee Avenue and Mt. Abernathy Avenue.

It is important for this environmental document to point out the deficiencies of this signal and that there is a community concern about safety. This concern should trigger an effort to look at other options, other locations, or the no project alternative.

Thank you for your consideration,

Billy Paul

Billy Paul
Chair, Balboa Avenue Citizens Advisory Committee

P-13 See response P-10.

P-14 As noted in the Balboa Ave RAP, the pedestrian bridge is no longer the preferred option for safely crossing Balboa Avenue. The proposed location of the signalized crossing has been reviewed by a professional traffic engineer and Transportation Development Services at the City of San Diego. It has been concluded that the proposed location would provide a safe pedestrian crossing. The maintenance of existing bus stops, the additions of Class II bike lanes on Balboa Avenue, and the addition of pedestrian crossings between Mt. Abernathy Avenue and Genesee Avenue on Balboa Avenue encourage alternative transportation models.

Mr. Herbert Warren
Environmental Planner
City of San Diego Development Services
1222 First Ave, Mail Stop 501
San Diego, CA 92101

16 July 2006 -- re. Draft MND Project 70797, JO 42-4447, Balboa Mesa

As a Member of the Clairemont Mesa Planning Committee (CMPC), Director and Public Safety Chair of the Clairemont Town Council (CTC), and Vice-Chair of the Balboa Avenue Citizens Advisory Committee (BACAC) – I trust that these comments will be given due consideration.

Introduction

Going back more than two-years, I have attended every single presentation ever made (open to the public and pertaining to this project and/or the directly related Genesee Plaza) – now totaling more than a dozen (at the CMPC, CTC, BACAC and City Administration Building). And, prior to that, there were numerous BACAC meetings with LDR-Transportation regarding the preliminary design of a new Mid-Block Intersection/Driveway between the two shopping centers, which would fulfill guidelines set forth in the City Adopted "Balboa Ave Revitalization Action Plan" (which received an Award from APA in 2006 – and with the BACAC also receiving an Award from APA in 2005 for the prior effort and dedication leading to that end-product).

However, the preliminary design developed by Senior Traffic Engineers in Long Range Planning (near the Mid-Point between Genesee and Abernathy -- actually consisting of two variations in an attempt to address Developers' concerns) were rejected based on the claim they would not be acceptable to the Balboa Mesa tenant (Longs) – but with no objective evidence that any actual presentation of the proposal with tenant refusal had actually occurred. Similarly, a "compromise" location immediately east of the Blockbuster building was dismissed as being unacceptable to the Genesee Plaza tenant (Blockbuster) because "customers would no longer be able to park directly in front" and/or "the entrance would need to be relocated to the other side".

The reason this is brought to your attention is because a more Mid-Point location (further from Genesee) would enhance Transportation/Circulation, and is also closer to the locus of pedestrian demand -- based on Caltrans Pedestrian Survey (which was provided to Development Services).

Indeed, a BACAC request to Caltrans (prior to relinquishment to the City) for a Mid-Block signal with pedestrian crossing was rejected, because even at the exact Mid-Point, it was deemed to be too close to the existing intersections (at Genesee and Abernathy/Alifan).

PART A – Review and Comment

The present RECOMMENDATION is that "Although the proposed project could have a significant effect on the environment (based on the check-list), there will not be a significant effect in this case because the mitigation measures described in Section IV have been added to the project".

Regarding TRANSPORTATION/CIRCULATION, the Item "checked" is MAYBE for XXI.A – with Section IV indicating that the Mitigating Actions are creation of a new Intersection/Driveway (only 550-ft from the existing Balboa/Genesee Intersection) and an additional left-turn lane (Balboa west, turning south) such that the near term and horizon year impact on the roadway segments is less than the City Threshold limit of 0.02-seconds.

Letter from Thomas C. Schmidt, PE, dated July 16, 2006.

Part A

S-1. Comment noted. The proposed location for the traffic signal has been reviewed and approved by the City of San Diego.

Rather, the issue relates to the fact that the Queuing Analysis "assumed that the northbound left-turn and southbound left-turn exiting the Genesee Plaza and Balboa Mesa projects using the proposed new signal would operate with protected plus permissive phasing" and "copy of memos summarizing the queuing analysis findings can be found in Appendix F of the site specific traffic study". Although they might possibly be relevant to this review and comment, unfortunately the memos are not appendixes to the Draft

Regardless, during more than one of the public presentations, it was indicated that there would be in-pavement sensors in the shopping center driveways, which (similar to the adjacent intersections crossing Balboa) indicate when the left-turning queues have emptied. And although it has been asked repeatedly – no answer has ever been forthcoming to the following question. If the left-turning queues have emptied – then why can't the left-turn green arrow become a red-arrow (vs a green ball) thereby providing a fully protected (left-turning) signal which would be SIGNIFICANTLY safer for pedestrians crossing Balboa – as well as significantly safer regarding straight thru traffic driving from one shopping center to the other.

Both of the existing adjacent intersections provide a protected-left (crossing Balboa) – while the proposed intersection does not. Using intersection Pedestrian LOS criteria (Ref 1) based on FHWA's Pedestrian Facilities Users Guide, ITE's Traffic Control Handbook and FDOT's (2001) Point Level of Service Report, the intersection immediately to the east (Abernathy/Alifan) has a Pedestrian LOS D, with about 0.5 pedestrian crashes annually (Ref 2) – the one immediately to the west (Genesee) has a Pedestrian LOS E, with about 1.5 pedestrian crashes annually – the portion across Balboa of the proposed intersection/signal has a Pedestrian LOS F – and pedestrian demand at the proposed intersection/signal will be greater than the number crossing at Genesee (east side crosswalk) and Abernathy/Alifan (west side crosswalk) combined (Ref 3).

Indeed, this cannot possibly be considered in accordance with City of San Diego design criteria that "The design must consider the mobility and safety of the pedestrian ensuring that maximizing traffic capacity and speeds are not the dominant consideration" (Ref 4) and to "Design new intersections and redevelop existing intersections to maximize pedestrian convenience, accessibility, and safety as a priority over maintaining high levels of service for vehicles" (Ref 5).

Although the Draft NMD inherently assumes that left-turning vehicles (esp. late arrivers after the INITIAL left-turning queues have emptied ?) – (in 2002 in CA) 98.6 of all pedestrian crosswalk collisions resulted in injury or fatality, and 96.4 of those were at an INTERSECTION, with most of those being related to driver behavior (Ref 6). For example, at non-protected left-hand turns, while some drivers cautiously halt at the stop line and wait to turn until there is a suitable gap in the opposing traffic and all pedestrians have cleared the vehicle's projected path, others proceed dangerously through a left-turn at the intersection without stopping (Ref 7). Similarly, in another study, the greatest number of traffic violations in pedestrian injury crashes was "driver failed to yield to pedestrians in the crosswalk"; 78% were at signalized INTERSECTIONS; and this disproportionately involved left-turns, with 58% turning left and 14% turning right (Ref. 8).

Indeed, about half of all INTERSECTION accidents in the U.S. involve left-turning vehicles, even though less than 15% of all intersection traffic turns left (Ref 9); a pedestrian is four times more likely to be hit by a left-turning (vs right-turning) vehicle (Ref 7); and a left-turn movement is also four times more dangerous to pedestrians than a through movement (Refs 10, 11). And reasons why the greatest threat at intersections is from left-turning vehicles include the following.

S-2. The traffic study analysis for the Balboa Mesa project included the traffic generated by the Genesee Plaza project. The new traffic signal on Balboa Avenue was included as a design feature because it was the primary access point for both projects. The queuing analysis was conducted primarily to demonstrate that traffic would not block the Genesee Avenue/Balboa Avenue intersection. The referenced memos are incorporated into the draft mitigated negative declaration by reference, as appendices to the traffic study.

S-3. Fully protected left turns out of the driveways were evaluated. Fully protected left turns required longer signal cycle times for the driveways and reduced the amount of time allotted for eastbound and westbound Balboa Avenue, resulting in longer queues at the driveway intersection. The eastbound queue length at the proposed driveways could potentially be long enough to block the Balboa/Genesee intersection during the PM peak hour in the horizon year condition. Additionally, the projects' driveway intersection with Balboa Avenue does not meet established warrants for fully protected left turns. Instead of permissive left turns, to make it safer for pedestrians, protected/permissive left turns will be installed on the driveway approaches at the new signalized intersection.

S-4. The conditions are different because the vehicular volumes coming out of the driveways are not comparable to the volumes on Balboa/Genesee Avenue and Balboa/Mt Abernathy/Mt. Alifan.

S-5. See response to S-3.

S-6. The project traffic volumes at this location do not warrant the use of protected left turns. California Vehicle Code requires permissive left turning drivers to yield to on coming pedestrians. See response S-3.

-6 A DRIVER moving towards the intersection must constantly shift attention between the signal and crosswalk (looking for pedestrians plus oncoming traffic); as the DRIVER gets closer, the angle between the crosswalk and signal increases, giving them less time to look at the crosswalk; the DRIVER'S visual search turning left at intersections is actually more frequent to the right than to the left; and in the case of left (vs right) turning vehicles, there is a much greater chance of the pedestrian becoming lost in the "A-pillar" of the vehicle (Refs 10, 12).

And, regarding PEDESTRIANS crossing at signalized intersections, they attempt very little visual search for left-turning vehicles; the vision of CHILDREN is limited by a restricted capacity to use information in the periphery of the visual field and they make fewer head movements at signalized crossings than at other crossing situations; and the visual search of OLDER PEOPLE is usually less efficient than that of younger people, and may need more time to differentiate relevant and non-relevant information (Ref 13).

Similarly, in regard to both crossing pedestrians and oncoming vehicles, the "Protected" signal is the BEST understood by CA drivers, and "protected/permissive" is LEAST understood (Ref 14) -- and at non-protected left-turns although pedestrians may be in conflict, left-turning drivers feel pressured to turn if they are in a lane shared with through traffic, or if the driver is in a left turn pocket and a queue follows; drivers may not notice pedestrians as they are focused instead on judging gaps between oncoming vehicles; and turning vehicles may become stranded in the path of the Principal Other Vehicles while waiting for the pedestrian to clear its path (Ref 7).

Indeed, "'concurrent' timing which does not separate conflicts between turning vehicles and pedestrians is referred to as '*standard*' timing" and "at intersections with traffic signals, those with standard-timed pedestrian signals had NO safety benefit compared to those that had no pedestrian signals" (Ref 15) – with the following comparison to that which is being proposed. Changing from permitted to protected signals was shown to result in an 85% reduction in left-turning accidents (Ref 16) and exclusive-timed locations were associated with a 50% decrease in ALL pedestrian accidents (Ref 17). Similarly, introduction of exclusive pedestrian phasing resulted in a 66% reduction in pedestrian-vehicle crashes at locations where turning vehicles were not able to complete their turns due to conflicting pedestrians (Ref 18).

Although the signalized intersection with protected/permissive signal phasing does not provide a level of pedestrian safety that commensurate with that at the immediately adjacent intersections (one of which borders the Balboa Mesa project, and both of which border the directly associated Genesee Plaza project) -- that could be provided by the following additional mitigating changes.

Based on the criteria set forth in Ref 1 – the Pedestrian LOS (across Balboa) can be increased to "E" (the same as the present intersection at Genesee, which is one lane less than the intersection being proposed) by changing the "protected/permissive" phasing to "protected"; eliminating the "semi-slip" configuration of the right-turn lanes (which expands out to almost two lane widths at 18-ft) coming out of each driveway thus providing a smaller effective corner radius; and changing -7 the crosswalk from simple transverse lines to "ladder-type" or textured/colored. And, it could be further improved to LOS D (the same as the Abernathy/Alifan intersection) by also providing a leading countdown display with a walking speed of 3.5 ft/sec ** (vs 4 ft/sec) and adding a no right turn on red coming out of the driveways.

-8 ** NOTE: The Traffic Engineer assigned in Development Services was provided with copy of a MUTCD Revision which will (in almost all likelihood) be forthcoming that will make a 3.5 ft/sec walking speed mandatory in the not too distant future – such that the most prudent action would be to use that value in the associated Traffic (and Queuing) Analyses.

S-6. The project traffic volumes at this location do not warrant the use of protected left turns. California Vehicle Code requires permissive left turning drivers to yield to on coming pedestrians. See response S-3.

S-7. The issue of configuration and striping would be addressed within the public improvement plans and does not address to the adequacy of the environmental document.

S-8. The 3.5 ft/sec walking speed was assumed for the analysis.

PART B – Review and Comment

Whereas the Draft MND reflects the Items checked in the Initial Study Checklist – based on the following, the Items so noted in the initial study are NOT CORRECT regarding X (LAND USE).

S-9 X.A. indicates "the proposed project would be consistent with the Clairemont Mesa Community Plan". However, the Clairemont Mesa Community Plan shows the requirement for a pedestrian overpass linking the two shopping centers and the ONLY feasible Mitigating Action in lieu of that is the provision of a new intersection with a commensurate level of pedestrian safety.

However, as discussed and documented (both qualitatively and quantitatively) in Part A – the proposed intersection does NOT provide a degree of safety for pedestrians crossing Balboa that is commensurate with a pedestrian overpass, nor the immediately adjacent pedestrian crossings.

Similarly, regarding "conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project" – as discussed and documented (qualitatively and quantitatively) in Part A, the proposed intersection does NOT *"consider the mobility and safety of the pedestrian ensuring that maximizing traffic capacity and speeds are not the dominant consideration"* as set forth in Ref 4 – nor does it *"maximize pedestrian safety as a priority over maintaining high levels of service for vehicles"* as set forth in Ref 5.

S-10 X.B. indicates that there is no "conflict with the goals, objectives and recommendations of the community plan in which it is located. In addition to the comment regarding X.A. (above) -- the "Balboa Avenue Revitalization Action Plan" (RAP) is a Council Adopted Planning Document which supplements the Community Plan in regard to future development – and there IS conflict with the goals, objectives and recommendations set forth therein (e.g., reduce number of lanes, improved safety for pedestrians crossing Balboa within the Commercial Core, and install a new major intersection for shopping centers near the MID-POINT).

Rather, the additional (double left-turn) lane being added as a "mitigating action" further reduces the pedestrian safety of the east crosswalk (across Balboa) at Genesee, and the south crosswalk across Genesee – an intersection already having pedestrian crashes in excess of one per year.

S-11 Indeed, although the above is not attributable to "non-standard" design features, the INCREASE in hazard to pedestrians would otherwise invoke a "Yes" check-mark in XVI.G. – but which could be mitigated by other (additional) changes to those being made at the Genesee Intersection.

In summary, X.A, X.B. and/or X.V.I.G should be "Yes" and/or "Maybe" (vs "No") – and the (actual and/or potential) Environmental Impacts have not been adequately addressed, nor mitigated.

Respectfully submitted,

Thomas C. Schmidt, PE
(CA SAFETY # 3296)

5953 Castleton Drive
San Diego 92117-4038

Part B

S-9. The proposed project provides a safe pedestrian crossing of Balboa Avenue between the two large shopping centers in the Community Core in accordance with signal warrants and pedestrian timing as implemented by the City of San Diego.

S-10. There is no conflict with the goals and objectives of the Clairemont Mesa Community Plan. See response to S-9.

S-11. The intersection would provide a safe pedestrian crossing consistent with current traffic engineering standards. The project would not result in potential significant impacts to human health and safety and is therefore checked "NO" in the initial study checklist.

City of San Diego
Development Services Department
Land Development Review Division
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INITIAL STUDY
Project No. 70797

SUBJECT: **Balboa Mesa**: PLANNED DEVELOPMENT PERMIT (PDP) TO AMEND PLANNED COMMERCIAL DEVELOPMENT (PCD) NO. 96-7779, AND SITE DEVELOPMENT PERMIT (SDP) FOR DEVELOPMENT IN COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE AREA "B" to demolish four existing buildings (totaling 13,096 square feet), and construct four new buildings totaling 29,430 square feet; for an addition of 15,720 square feet to the existing 177,708 square feet ~~of~~ building; for a total of ~~193,428~~ 207,158 square feet of retail/commercial development. The project site is approximately 16.2 acres and is located at 5401-5685 Balboa Avenue and 4104 Genesee Avenue within the CN-1-2 Zone, the CC-1-3 Zone, the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone Area "B" within the Clairemont Mesa Community Plan area and Council District 6. Legal Description: Lot 3, of Parcel Map No. 6045. Applicant: Ziebarth and Associates.

I. PURPOSE AND MAIN FEATURES:

The project would require a PDP to amend existing PCD Permit No. 96-7779 and SDP for development within the Community Plan Implementation Overlay Zone Area "B" to demolish four existing buildings totaling 13,096 square feet. A Chevron Station which totaled 1,592 square feet was demolished on June 4, 2004. The project also proposes to construct four new buildings totaling 29,430 square feet. The proposed demolition would include the Togo's Sandwich Shop, Baskin Robbins store, Marie Calendar's Restaurant, and the San Diego National Bank.

The proposed new construction would consist of a 5,460-square-foot Retail Building (1) located east of Genesee Avenue, south of Balboa Avenue, and north of Mount Alifan Drive; a 6,400-square-foot Retail Building (2) located on the southeast corner of Balboa Avenue and Genesee Avenue; a 10,970-square-foot Retail Building (3) located just south of Balboa Avenue and west of an entrance and exit point from Balboa Avenue; and a 6,600-square-foot Retail Building (4) located south of Balboa Avenue on the east side of the entrance and exit point from Balboa Avenue. Each of the proposed four buildings would be one-story (see Figure 2).

Existing on-site parking for current retail uses totals 883 spaces. The proposed project retail use would require an additional 150 surface parking spaces. The total parking spaces provided for the Balboa Mesa commercial site would total ~~1,046~~ 1,038 parking spaces. Additionally, 23 motorcycle and 28 bicycle stalls would be provided.

The site is currently occupied by several small businesses and large retail stores including Kragens, Salazars, Mervyn's, Vons Supermarket, Longs Drugs, and other miscellaneous shops. These retail shops would remain with implementation of the proposed project. The four buildings proposed for demolition as well as the previously demolished Chevron Building are less than 45 years old, thus there would not be any potentially significant impact to historical resources (structures).

The project is proposing to grade 43 percent (7.0 acres), of the 16.2 acres site. The grading would have a total cut amount of 1,500 cubic yards with a maximum cut of 2.5 feet and a maximum fill of 3.0 feet. The total fill amount proposed is 3,500 cubic yards. Proposed net import would be 2,000 cubic yards. No new 2:1 cut slopes or fill slopes would be proposed with the proposed project. No new retaining walls are proposed for the project.

Site access would occur at seven driveway points from Mt. Alifan Drive; Genesee Avenue, and Balboa Avenue: (1) access from Genesee Avenue via an existing 31-foot wide driveway with contiguous sidewalk at the southwest boundary of the property just north of Mount Alifan Drive; (2) access from Genesee Avenue via an existing 30-foot wide driveway with contiguous sidewalk between Mount Alifan Drive and Balboa Avenue; (3) access from Genesee Avenue-via a proposed 30-foot wide driveway; (4) access from Balboa Avenue via an existing 30-foot wide driveway with contiguous sidewalk east of Genesee Avenue; (5) access from Balboa Avenue via a proposed new traffic signal and a 61-foot wide entry; (6) access from Balboa Avenue via a proposed ~~26~~ 30-foot wide driveway with contiguous sidewalk and (7) access from Mt. Alifan Drive via an existing 30-foot wide driveway just west of the site's eastern boundary.

Landscaping would be provided pursuant to the City of San Diego's Landscape Development Manual and the Land Development Code section 142.0400, *Landscape Regulations*. No invasive species would be introduced.

The proposed development would be governed by an existing Planned Commercial Development Permit (PCD) and Community Plan Implementation Overlay Zone Permit No. 96-7779. A Planned Development Permit (PDP) would be required for the proposed deviations from the existing PCD Permit No. 96-7779. A Site Development Permit would be required for the proposed development within the Community Plan Implementation Overlay Zone Type B.

II. ENVIRONMENTAL SETTING:

The 16.2-acre site is located at 5401-5685 Balboa Avenue and 4104 Genesee Avenue in the Clairemont Mesa Community Plan area. The site is currently developed with several existing retail shops, four of which would be demolished under the proposed project. The site is in the CN-1-2, Zone (Community-Commercial, Neighborhood Community, and Commercial Office) and the proposed project would be consistent with the Clairemont Mesa Community Plan, the Clairemont Mesa Height Limit Overlay Zone (30'), and the Community Plan Implementation Overlay Zone Area "B" within the Clairemont Mesa Community Plan.

The area surrounding the project site is comprised of both residential (south and west) and retail-oriented commercial shops (north and east).

The site is entirely developed and is not within or adjacent to the Multi-Habitat Planning Area (MHPA) of the Multiple Species Conservation Program (MSCP). No vegetation types/land covers were identified on-site.

The proposed project site is within a developed area currently served by existing public services, including fire and police protection. Engine 36 from Fire Station 36, located at Chateau Drive and Mt. Abernathy Avenue would provide the primary response to the proposed project address with response times of approximately 2.1 minutes. Additionally, Engine 27 from Fire Station 27 located at Clairemont Drive and Cole Street would service the proposed project site with response times of approximately 4.2 minutes. Police protection services for the 5401-5685 Balboa Avenue and the 4104 Genesee addresses are provided by the San Diego Police Department, Northern Division, which operates out of the station located at 4275 Eastgate Mall. Response times for police emergency priority calls within the Northern Division for the 5401-5685 Balboa Avenue site address (Beat 111) have averaged approximately 9.91 minutes for priority "E" calls and 8.54 minutes for priority "E" calls for the 4104 Genesee Avenue address (Beat112). (February 15 to October 31, 2005).

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION:

The following issues were considered during the environmental review of this project and determined to be potentially significant:

Human Health/Public Safety

The project is proposing to demolish four existing commercial buildings built in approximately 1966. Due to the age of the building, asbestos and lead-based paint may be present and if so, could potentially pose a risk to human health and public safety. While the City of San Diego does not have permitting authority over the

handling of hazardous material, all demolition activities must be conducted in accordance with the San Diego County Air Pollution Control District (SDAPCD) Rules 361.140 through 361.156 and the California Code of Regulations Title 8 and 17 regarding the handling and disposal of Asbestos-containing materials and Lead-based paints, respectively.

The SDAPCD requires a project follow special procedures during demolition, renovation, and removal of asbestos containing material. In addition, the SDAPCD must be notified in writing at least 10 days in advance of any demolition regardless of whether any asbestos is present or not. Failure to meet these requirements would result in the issuance of a Notice of Violation.

If the testing shows the presence of asbestos or lead-based paints, then proper precautions must be made during the removal and disposal of asbestos or lead-based paint containing materials. The removal and disposal of these materials is regulated by state agencies (Cal-OSHA and Cal-EPA), the SDAPCD, and the County of San Diego Department of Environmental Health (DEH). These agencies ensure that the demolition crew, adjacent residents, or other individuals are not exposed to these hazardous building materials.

Because the above-mentioned State and County agencies oversee asbestos and lead-based paint removal, and it is required of the applicant to involve these agencies prior to any demolition activities as per state and county law, human health and public safety impacts due to the demolition of four commercial structures would be below a level of significance. No additional mitigation would be required.

Additionally, a Chevron Station previously occupied the portion of the site located at 5401 Balboa Avenue and that portion of the proposed development site is listed as an open Hazardous Materials Investigation Case (H-12456-001 and 003). Therefore, the applicant was required to obtain and submit a letter from the County of San Diego, Department of Environmental Health, Site Assessment and Mitigation Program (SAM), addressing any potential risk to construction workers or future tenants resulting from project implementation. A letter was written and submitted entitled, *Shopping Center Redevelopment Corner of Balboa Avenue and Genesee Avenue Unauthorized Release #H-12456-003, 5401 Balboa Avenue, San Diego, California* by County of San Diego, Department of Environmental Health, Site Assessment and Mitigation Program dated May 17, 2006.

According to the letter, "Based on information provided to this agency, the only area of the Shopping Center that has been affected by the Chevron Impacts is the western corner of the proposed Shopping Center bounded by Genesee and Balboa Avenues ("Former Chevron Property"). SAM has no concerns relative to redevelopment activities commencing on the balance of the Shopping Center. Environmental impacts at the Former Chevron Property are being investigated by SECOR International Corporation on behalf of Chevron. SAM will require Chevron to conduct a soil vapor investigation on the Former Chevron Property and to prepare a

human health risk assessment prior to redevelopment activities occurring on this small portion of the Shopping Center. In the event the results of those additional studies do not reveal any adverse risk to construction workers or future site occupants, SAM will have no objection to construction activities commencing on the Former Chevron Property. In the event the results of those studies do reveal an adverse risk, mitigation measures will be required in connection with construction activities on the Former Chevron Property, such as remediation or installation of a vapor barrier.

In conclusion, SAM has no objection to construction activities moving ahead on the Shopping Center at this time, other than with respect to the Former Chevron Property. Following completion of the additional investigation activities on the Former Chevron Property, SAM will either be in a position to issue a similar clearance letter for construction activities on that portion of the Shopping Center, or inform the City as to what mitigation measures should be implemented in connection with construction activities" (See Section V, Mitigation Monitoring and Reporting Program of the Mitigated Negative Declaration).

The following issues were considered during the environmental review of this project and determined not to be significant:

Transportation/Circulation

A project-specific traffic report was prepared by Kimley-Horn and Associates, Inc., dated May 8, 2006 to determine and evaluate the traffic impacts associated with the proposed project. The project would be estimated to generate a net total of 773 average weekday trips, 24 (14 in, 10 out) a.m. peak- hour trips, and 78 (39 in, 39 out) p.m. peak-hour trips. The addition of a new traffic signal on Balboa Avenue/Driveway B will alter the site's existing and proposed traffic distribution slightly because more site traffic will use this primary access point instead of other driveways and intersections. The findings and conclusions of the traffic report are summarized below.

It should be noted that no roadway network changes are assumed to take place under the near term scenario except for the following:

- Installation of a traffic signal on Balboa Avenue at the primary access driveway (discussed in the project description section); and
- Addition of a second westbound left turn lane at the intersection of Balboa Avenue and Genesee Avenue. (To be completed in conjunction with the traffic signal installation at the Balboa Avenue and primary access driveway).

Near Term Conditions:

Traffic Volumes

Traffic volumes for the near term baseline condition were estimated by adding the proposed Genesee Plaza project (No. 63208) traffic to the existing traffic volumes. In

addition, the Balboa Mesa traffic was added to the near term baseline condition trips to estimate the Near Term plus Project conditions. It should be noted that the existing traffic turning movements on the proposed project driveways were modified to reflect the future shift in traffic expected due to the proposed signal at the primary access to the site. No additional projects are proposed within the area.

Intersection Analysis
All intersections within the study area under Near Term with Project Conditions would be expected to operate at acceptable Levels of Service (LOS). No significant direct traffic impacts would be expected to occur at the study intersections. Therefore, no additional project features beyond the above referenced traffic signal installation on Balboa Avenue and the addition of a second westbound left turn lane at the intersection of Balboa Avenue and Genesee Avenue are proposed in the near term scenario.

Roadway Segment Analysis
Roadway segment analysis under the Near Term scenario indicates that all study roadway segments would be expected to operate at LOS D or better except for the following:

- Balboa Avenue between Mount Albertine Avenue and Charger Boulevard (LOS E)
- Mount Alifan between Mount Aguilar and Balboa Avenue (LOS E)

The increase in volume to capacity (v/c) ratio expected due to the project traffic on these roadway segments is 0.011 or less. (near term baseline v/c for these roadways are 0.97/LOS-E and 0.89/LOS-E, respectively; with project addition 0.97/LOS-E and 0.90/LOS-E, respectively), as a result, the Balboa Mesa project would not be considered to have a significant cumulative impact under near term condition with project addition. Therefore, no roadway segment mitigation would be required in the near term because it is less than City Threshold amount of 0.02 seconds.

2030 Horizon Year Conditions:

Traffic Volumes
The horizon year Average Daily Trips (ADT) volumes on the roadway segments in the study area were obtained from SANDAG's Series 10 traffic forecast model. The traffic forecasts were determined from the 2030 Regional Transportation Plan (Mobility 2030) and the Final 2030 Regional Growth Forecast. To estimate the horizon year turning movement volumes at the study intersections, the existing turning movements at each respective study intersection were factored up based on the projected ADT volumes along each approach.

Intersection Analysis
The LOS analysis results for the study intersections under the 2030 Horizon Year with Balboa Mesa scenario indicate that all study intersections would be expected to

operate at LOS D or better during both peak periods with or without the addition of the project traffic.

Roadway Segment Analysis
The roadway segments analysis under the Horizon Year with Balboa Mesa scenario indicates that all study roadway segments would be expected to operate at LOS D or better except for the following:

- Balboa Avenue from Mt. Alifan Drive-Mt. Abernathy Avenue to Charger Boulevard (LOS F)
- Mt. Alifan/Mt. Abernathy Avenue from Mt. Aguilar Drive to Balboa Avenue (LOS E)

The addition of Balboa Mesa project traffic would not be expected to cause an increase in the volume to capacity ratio (v/c) greater than the City's significance threshold of 0.02 seconds on these roadway segments (horizon year baseline v/c for these roadways are 1.15/LOS-F and 0.94/LOS-E, respectively; with project addition 1.16/LOS-F and 0.95/LOS-E, respectively), as a result, the Balboa Mesa project would not be considered to have a significant cumulative impact. Therefore, no roadway segment mitigation would be required in the long term.

OTHER ISSUES

The following section discusses the queuing analysis at the proposed new signalized intersection at the Balboa Avenue/Genesee Avenue intersection, as well as on-site circulation, parking and transit.

Queuing Analysis
Queuing analysis was conducted to demonstrate that the new traffic signal proposed to be constructed approximately 550 feet east of the Balboa Avenue and Genesee Avenue intersection would function adequately with the existing Balboa Avenue and Genesee Avenue intersection. The analysis focuses specifically on the Genesee Avenue and Balboa Avenue intersection westbound approach and the eastbound and westbound approaches for the proposed new signal at the Main Driveway and Balboa Avenue intersection for the 2030 Horizon Year with Project Condition. It should be noted that for this analysis it was assumed that the northbound left-turn and southbound left-turn exiting the Genesee Plaza and Balboa Mesa projects using the proposed new signal would operate with protected plus permissive phasing (a left turn arrow would appear permitting left turns, when left turn arrow disappears, the green ball indicator would appear permitting through traffic). A copy of memos summarizing the queuing analysis findings can be found in Appendix F of the site specific traffic study.

Based on the queuing analysis, the following is required:

- The westbound dual left turn pockets at the Genesee Avenue and Balboa Avenue

intersection should be 210 feet in length.

- Improve the storage capacity of the main driveway by adding additional lanes at the proposed new signal.
- The eastbound and the westbound dual left turn pockets at the Main Driveway and Balboa Avenue intersection should have a length of at least 120 feet and 220 feet, respectively.
- All left turn movements at the Balboa Avenue/Genesee Avenue intersection were assigned to operate with leading phases while the westbound left turn and eastbound left turn movements at the Balboa Avenue and Main Driveway intersection were assumed to operate with lagging phases.

Site Access

The proposed Balboa Mesa project site will continue to have access from the north along Balboa Avenue, from the west along Genesee Avenue, and from the south along Mount Alifan Drive. On Balboa Avenue, the project site is proposed to have three driveways: the westernmost driveway will continue to be restricted to right-in right-out movements only; the center driveway will be signalized and aligned with the Genesee Plaza project driveway and the easternmost driveway is proposed to continue to be restricted to right-in right-out movements only; however, removal of this driveway would allow the new signal to operate more effectively and discourage pedestrian crossing of Balboa Avenue at an unsignalized location according to LDR-Transportation staff. On Genesee Avenue, the project is proposed to continue to have three access points; all three driveways would continue to be restricted to right-in right out only movements. On Mount Alifan Drive, the proposed Balboa Mesa project will continue to take access from an existing driveway.

Parking

The summary of parking information for the proposed Balboa Mesa project as shown in the traffic study indicates that, after the completion of the proposed project, the minimum parking requirement for the site would be ~~1030~~ 1,036 spaces. The proposed number of parking stalls to be provided at the completion of the project is 1,046, therefore; onsite parking would be sufficient. Minimum required parking per the City's Land Development Code must be provided for each phase of the project if phasing is proposed.

Transit

The Balboa Mesa Shopping Center is currently served by two Metropolitan Transit System (MTS) routes (Routes 27 and 41). MTS route 27 runs along Balboa Avenue while route 41 runs along Genesee Avenue. Both services are provided seven days a week with service starting around 5:40 a.m. and ending around 9:05 p.m. for route 27 and starting around 5:46 a.m. and ending around 11:31 p.m. for route 41. Route 27 service is provided with 60-minute headways while route 41 is provided with 15-minute headways.

No change in transit services is proposed as part of this project.

Water Quality

The project site is located within the Tecolote Hydrologic Sub-Area (HAS 906.50), of the Los Penasquitos Hydrologic Unit (906.00) which is part of the Tecolote Creek Hydrologic Area. The most immediate receiving water for the project site is the Tecolote Creek located approximately 0.9 miles downstream from the site. According to the California 2002 303(d) list published by the San Diego Regional Water Quality Control Board (RWQCB Region 9), the Tecolote Creek watershed is an impaired water body with bacterial indicators, cadmium, copper, lead, toxicity, and zinc.

According to the City of San Diego Storm Water Manual and the completed Storm Water Requirements Applicability Checklist, this project is considered a "priority project" due to the proposed project being a significant redevelopment over 5,000 square feet, proposes a parking lot greater than 5,000 square feet, proposes a restaurant, and because the project would discharge into receiving waters within Water Quality Sensitive Areas. Therefore, the applicant was required to submit a Water Quality Technical Report.

The report, entitled *Water Quality Technical Report Balboa Mesa*, prepared by Fuscoe Engineering, dated April 2006, addressed potential water quality impacts during both construction and post-construction phases of the project. During the construction phase, a "Water Pollutions Control Plan" (WPCP) would be included on the grading plans to illustrate the location of BMPs. A "Storm Water Pollution Prevention Plan" (SWPPP) would be implemented to address erosion control, sediment control, and construction material management by designing features which attempt to minimize and/or contain contamination of the surrounding areas and watershed.

To address potential post-construction water quality impacts, the report identified the expected pollutants. In accordance with Table 2, Section III of the City's Storm Water Standards Manual, the anticipated pollutants of concern from this development include an increase in sediment discharge from the site due to concentration of flows (which may carry absorbed pollutants of concern), nutrients, trash and debris, pesticides, oils and grease, heavy metals and other hydrocarbons from landscaped areas, parking lots, and buildings. The proposed post-construction Best Management Practices (BMPs) would include site design BMPs, source control BMPs, and treatment control BMPs. Because the BMPs are a required feature of the permit, no additional mitigation would be required. LDR Engineering staff reviewed and approved the referenced Water Quality Technical Report.

V. RECOMMENDATION:

On the basis of this initial evaluation:

_____ The proposed project would not have a significant effect on the environment,

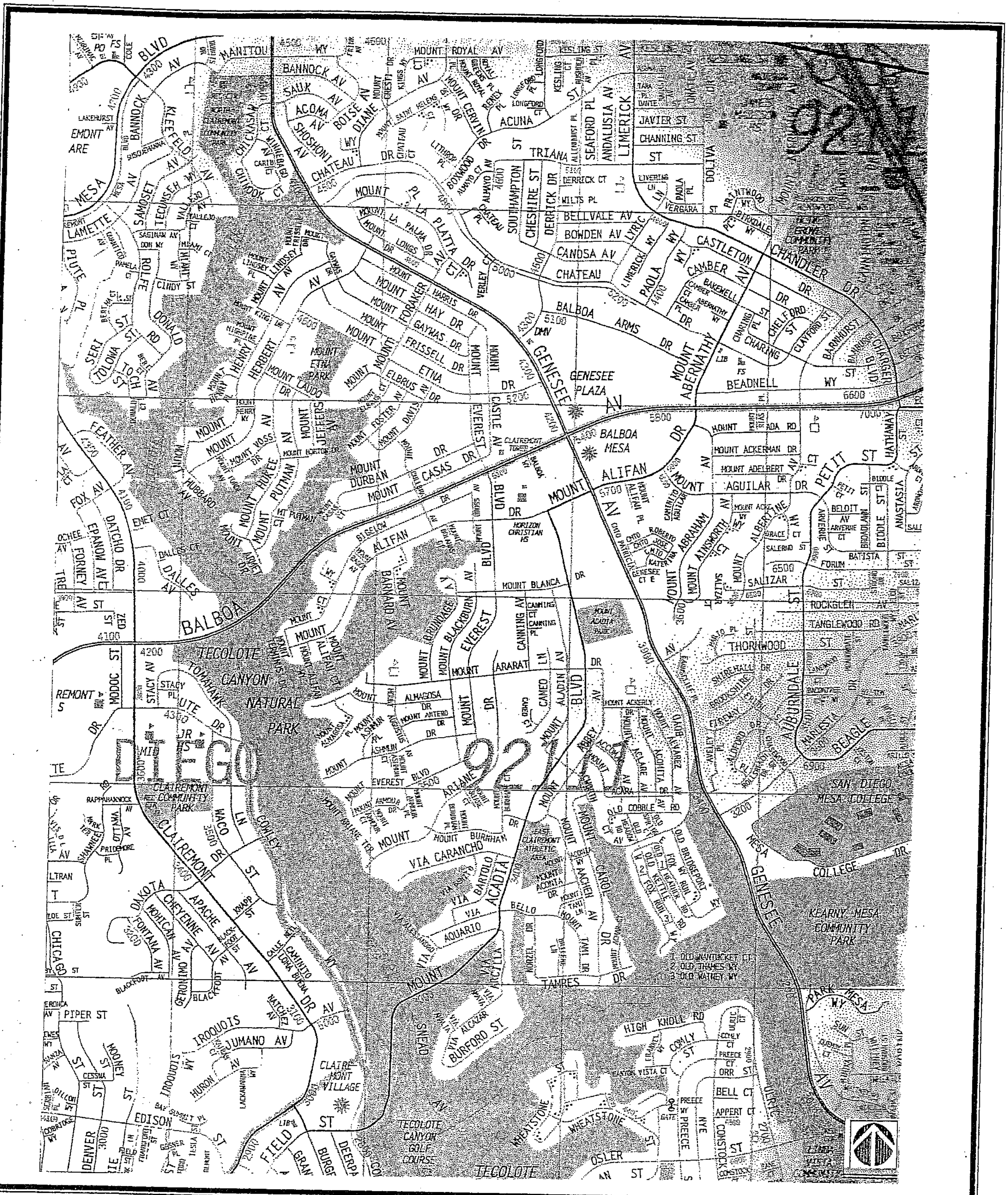
_____ and a NEGATIVE DECLARATION SHOULD BE PREPARED.

X Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

_____ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Herbert Warren

Attachments: Initial Study Checklist
Figure 1: Location Map
Figure 2: Site Map
Figure 3a: Building Elevations
Figure 3b: Building Elevations
Figure 3c: Building Elevations
Figure 3d: Building Elevations



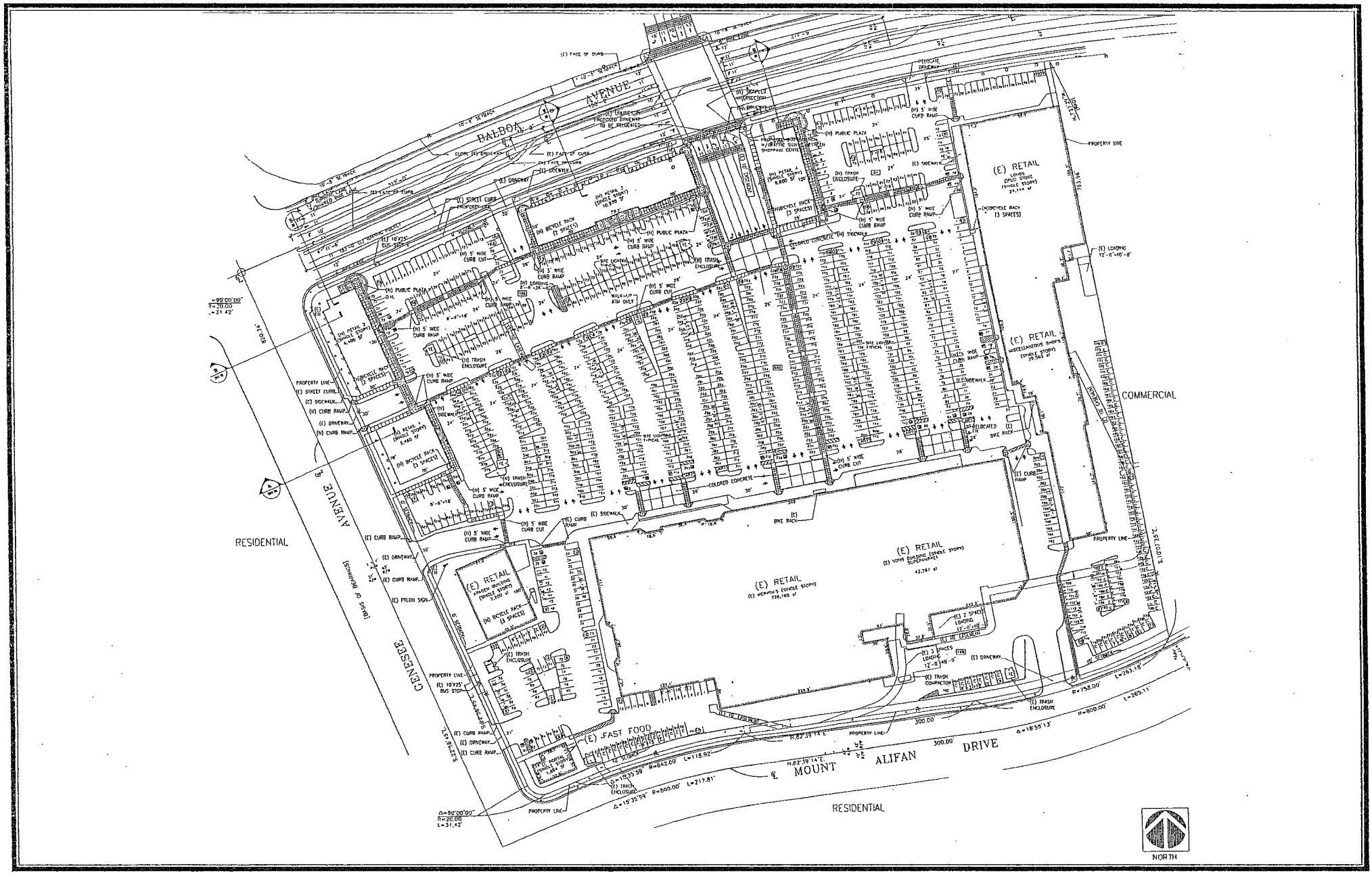
Balboa Mesa

Location Map

Environmental Analysis Section - Project No. 70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure 1



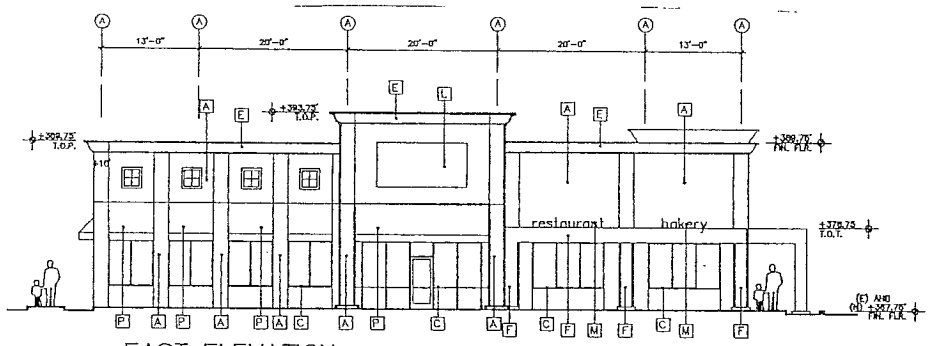
Balboa Mesa

Site Plan

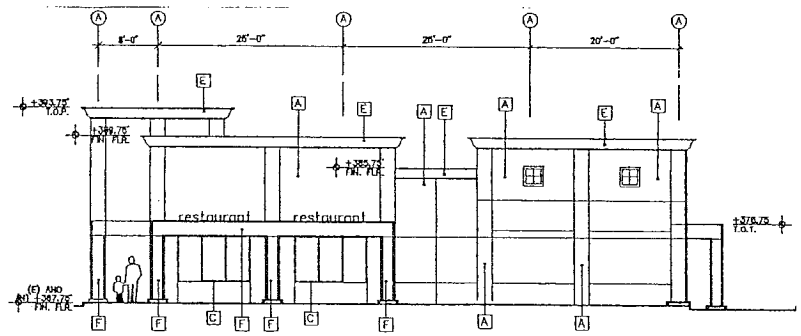
Environmental Analysis Section - Project No.70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure 2



EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
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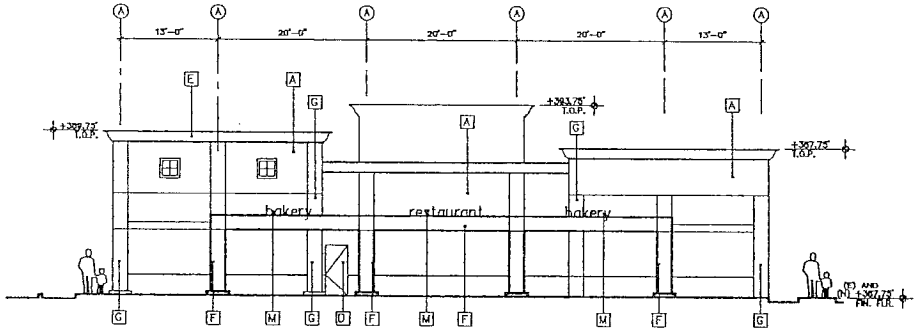

WEST ELEVATION
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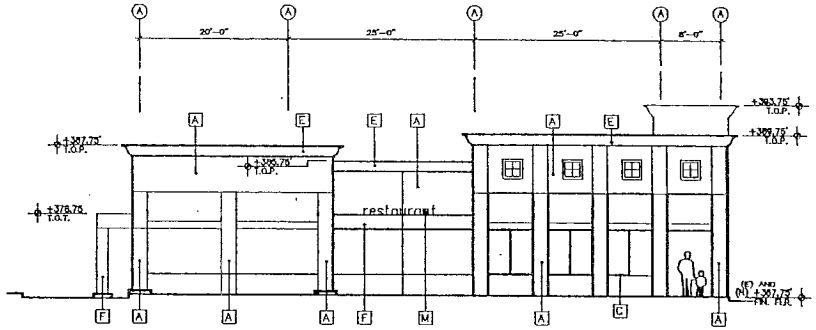


SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

RETAIL 1 ELEVATIONS

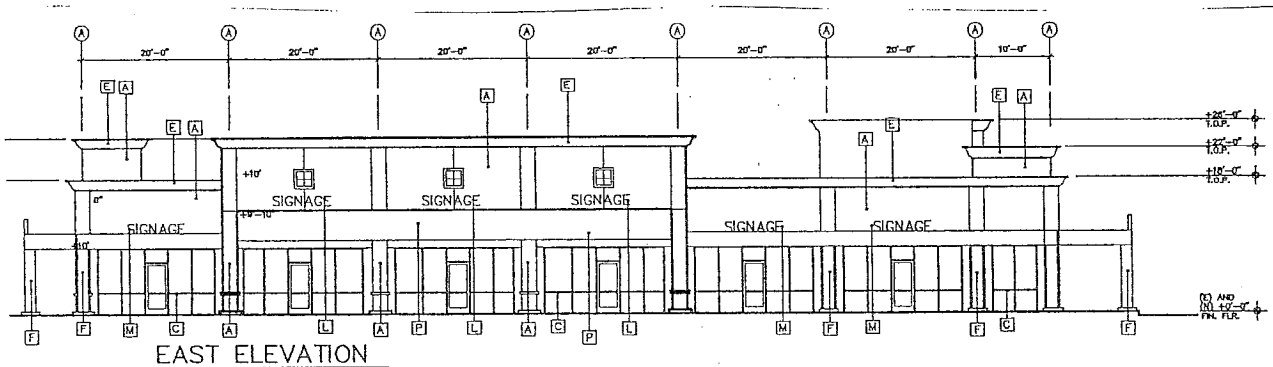
Balboa Mesa

Building Elevations

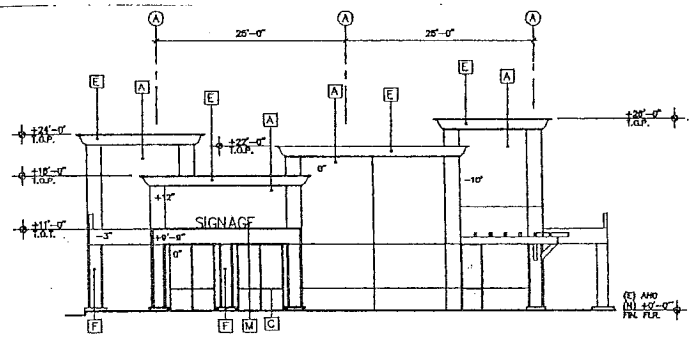
Environmental Analysis Section - Project No. 70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3a



EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
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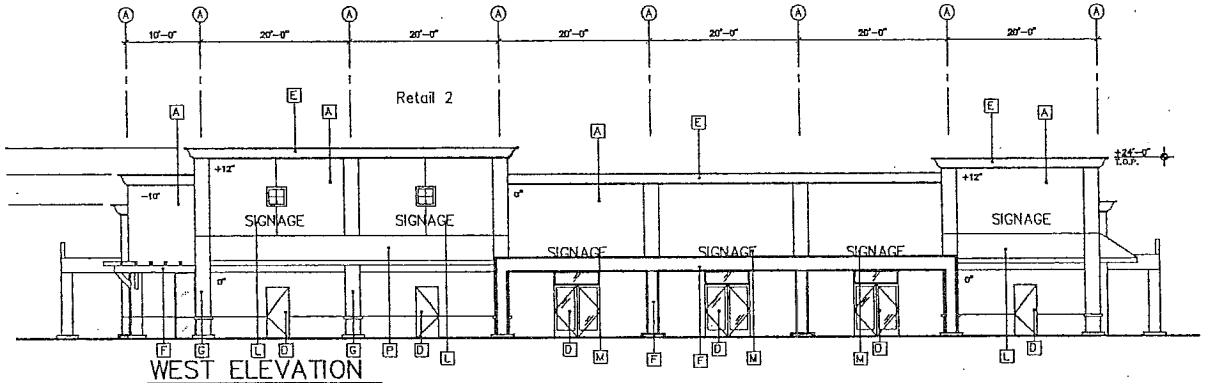
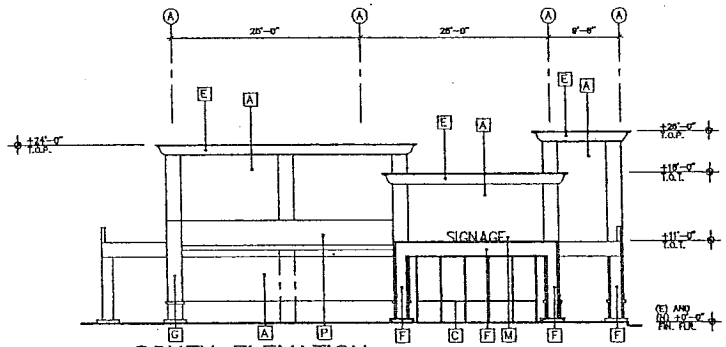


WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

RETAIL 2 ELEVATIONS

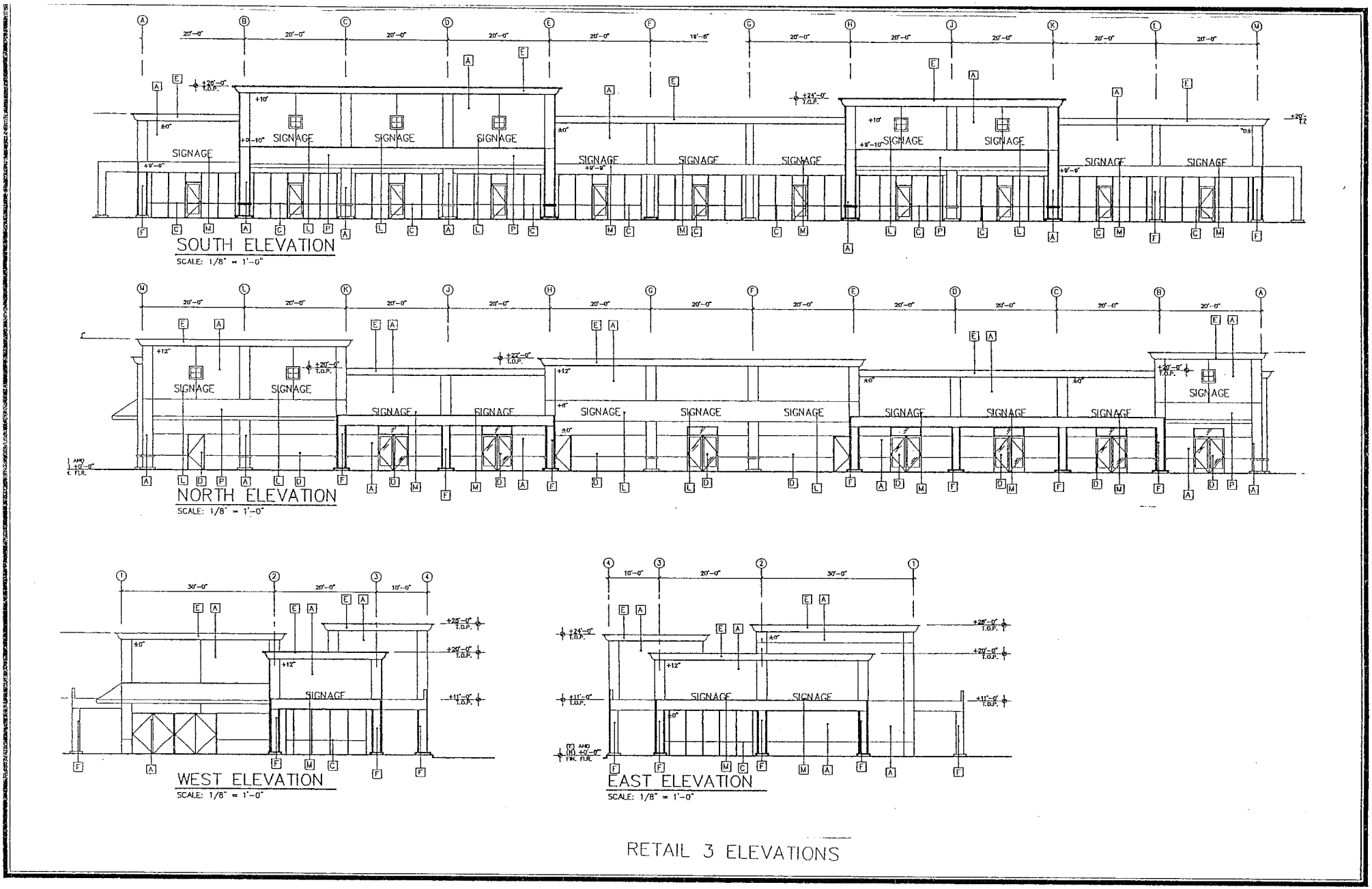
Balboa Mesa

Building Elevations

Environmental Analysis Section - Project No. 70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3b



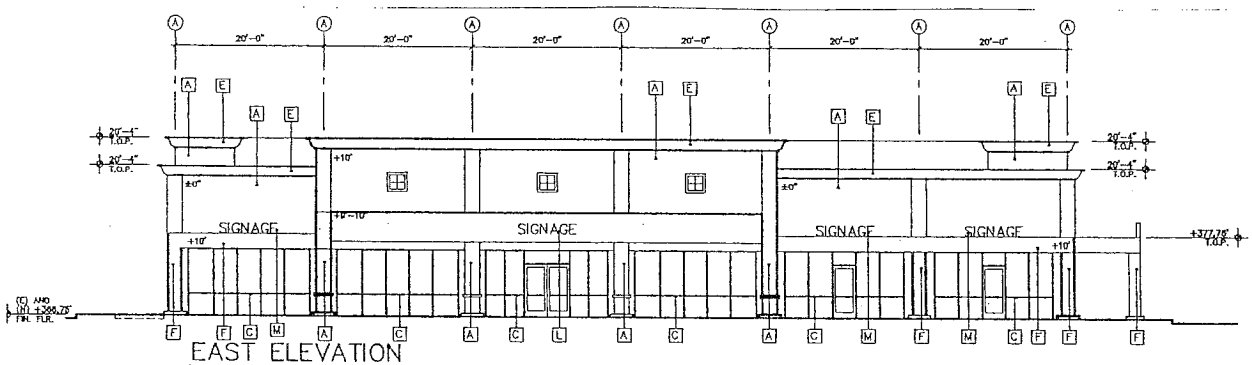
Balboa Mesa

Building Elevations

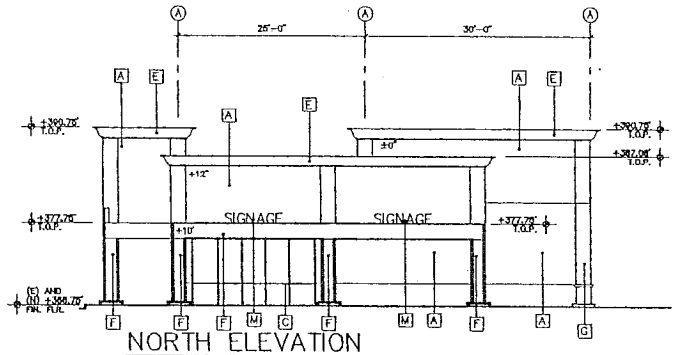
Environmental Analysis Section - Project No. 70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

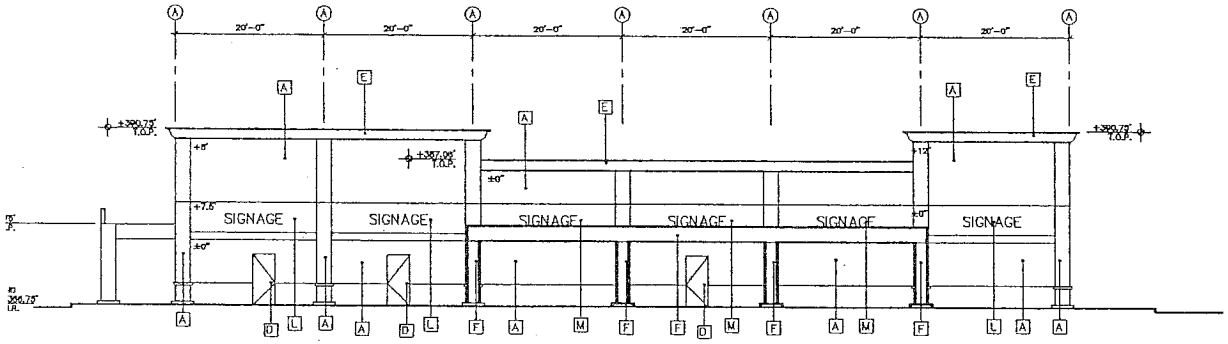
Figure 3c



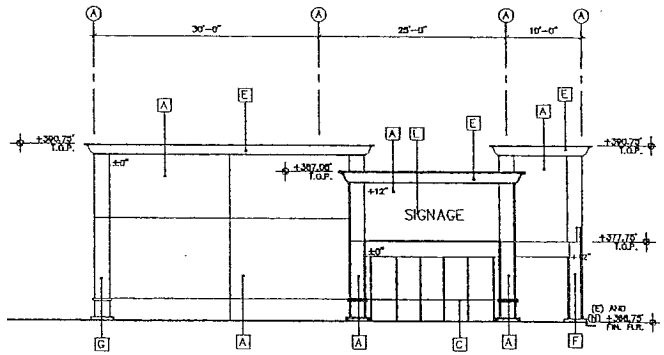
EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

RETAIL 4 ELEVATIONS

Balboa Mesa

Building Elevations

Environmental Analysis Section - Project No. 70797

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3d

Initial Study Checklist

Date: January 17, 2006

Project No.: 70797

Name of Project: Balboa Mesa South

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

	Yes	Maybe	No
I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:			
A. The obstruction of any vista or scenic view from a public viewing area? **No such vista or scenic views are identified on or adjacent to the project site.**	___	___	X
B. The creation of a negative aesthetic Site or project? **No such negative aesthetic site would be created by the proposed project.**	___	___	X
C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? **Proposed bulk, scale, materials and style of the project is compatible with the surrounding development and consistent with the Clairemont Mesa Community Plan and Development Guidelines.**	___	___	X
D. Substantial alteration to the existing			

	Yes	Maybe	No
character of the area? **See I.C. above.**	___	___	X
E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? **No such distinctive or landmark tree(s) or stand of mature trees exist on-site.**	___	___	X
F. Substantial change in topography or ground surface relief features? **No such change would result.**	___	___	X
G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? **No such unique geological or physical features exist on site.**	___	___	X
H. Substantial light or glare? **The proposed buildings and associated parking lots would include exterior lighting; however, the project site is located in a developed urban area where lighting currently exists. Proposed lighting would comply with all current street lighting standards in accordance with the City of San Diego Street Design Manual and would not create substantial light or glare.**	___	___	X
I. Substantial shading of other properties? **The project would not result in substantial shading of adjacent properties.**	___	___	X

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?	___	___	X

	Yes	Maybe	No
The project site is within an urban area and is not suitable for mining of mineral resources.			
B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? **The site is located in an urban area. No such agricultural lands exist on-site.**	___	___	X
III. AIR QUALITY – Would the proposal:			
A. Conflict with or obstruct implementation of the applicable air quality plan? **The proposed project would not conflict with or obstruct implementation of any applicable air quality plan.**	___	___	X
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? **The proposed project could result in temporary emissions such as dust from grading operations. However, standard dust control practices would be implemented during grading and construction operations.**	___	___	X
C. Expose sensitive receptors to substantial pollutant concentrations? **See III.A and B.**	___	___	X
D. Create objectionable odors affecting a substantial number of people? **See III.A and B.**	___	___	X
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? **See III.A and B.**	___	___	X
F. Alter air movement in the area of the project?	___	___	X

The four, single story structures would not alter air movement in the area.

	Yes	Maybe	No
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? **The project would not cause such alterations.**	___	___	X
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? **The proposed project site is entirely developed and no such reduction would result from the proposed project.**	___	___	X
B. A substantial change in the diversity of any species of animals or plants? **See IV.A.**	___	___	X
C. Introduction of invasive species of plants into the area? **Any project landscaping would adhere to the City's Landscaping Standards.**	___	___	X
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? **No such corridors exist on site.**	___	___	X
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? **See IV.A.**	___	___	X
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? **No such resources exist on site.**	___	___	X
G. Conflict with the provisions of the City's			

	Yes	Maybe	No
Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? **The project is not within or adjacent the MHPA.**	___	___	X
V. ENERGY – Would the proposal:			
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? **The project would not result in the use of excessive amounts of fuel or energy.**	___	___	X
B. Result in the use of excessive amounts of power? **See V.A.**	___	___	X
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? **According to the City's Seismic Safety Study Maps, the project site lies within the geologic hazard categories 52, with favorable geologic structure, low risk. No such exposures would result from the proposed project.**	___	___	X
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? **No such increase would result, either on- or off-site from the proposed project.**	___	___	X
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? **See VI.**	___	___	X
VII. HISTORICAL RESOURCES – Would the proposal result in:			

	Yes	Maybe	No
A. Alteration of or the destruction of a prehistoric or historic archaeological site? **The project site is located outside of the City's mapped historical resources sensitivity area and is located within a completely developed urban area. No historic structures exists on-site.**	___	___	X
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? **No such buildings or structures exist on site.**	___	___	X
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? **See VII.A.**	___	___	X
D. Any impact to existing religious or sacred uses within the potential impact area? **See VII.A.**	___	___	X
E. The disturbance of any human remains, including those interred outside of formal cemeteries? **See VII.A.**	___	___	X

VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:

A. Create any known health hazard (excluding mental health)? **The portion of the proposed project site that was once a Chevron Gas Station (5401 Balboa Avenue) is listed as an open Hazardous Materials Case (H-12456-001 and 003). The applicant must provide a disclosure from the County of San Diego Department of Environmental Health stating that the site does not pose any risk to construction workers or future tenants as a result of project implementation. See Initial Study discussion, Section IV, Public Health and Safety.**	___	X	___

	Yes	Maybe	No
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? **The project does not propose to routinely transport, use or dispose of hazardous materials.**	___	___	X
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? **See VIII.A.**	___	X	___
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? **No such impairment or interference with plan would result from the project.**	___	___	X
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? **See VIII.A.**	___	X	___
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? **See VIII.A.**	___	X	___

IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:

A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. **The proposed project is required to comply with the City's Stormwater Regulations. See Initial Study discussion, Section IV, Hydrology/Water Quality.**	___	___	X

	Yes	Maybe	No
B. An increase in impervious surfaces and associated increased runoff? **See IX.A.**	___	___	X
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? **No substantial alterations in drainage patterns would result.**	___	___	X
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(d) list)? **See IX.A.**	___	___	X
E. A potentially significant adverse impact on ground water quality? **See IX.A.**	___	___	X
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? **See IX.A.**	___	___	X
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? **The proposed project would be consistent with the Clairemont Mesa Community Plan.**	___	___	X
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? **See X.A.**	___	___	X
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding			

	Yes	Maybe	No
or mitigating an environmental effect for the area? **The proposed project is not within or adjacent to the MHPA. No such conflict would occur.**	___	___	X
D. Physically divide an established community? **The proposed project would not divide an established community.**	___	___	X
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? **The proposed project site is not located within a CLUP.**	___	___	X
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? **A temporary increase in noise may occur during project construction. However, should this noise increase occur, it would not be considered significant due to its temporary, short term nature. Furthermore, all construction related noise must comply with the City's Municipal Code. See Initial Study discussion, Section IV, Construction Noise.**	___	___	X
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? **See XI.A.**	___	___	X
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? **See X.E.**	___	___	X
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological			

	Yes	Maybe	No
resource or site or unique geologic feature? **The proposed project is underlain with the geologic Lindavista and Friars Formation, which has been assigned a moderate to high fossil resource potential, respectively. However, due to the proposed quantities of grading and excavation work (2.5 feet depth and 1,500 cubic yard cut) Paleontological monitoring would not be required for the proposed project.**	___	X	___
XIII. POPULATION AND HOUSING – Would the proposal:			
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? **The project would redevelop an existing commercial site with new commercial development and would not alter local population characteristics.**	___	___	X
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **The project would redevelop an existing commercial site with new commercial development and would not would not displace existing housing.**	___	___	X
C. Alter the planned location, distribution, density or growth rate of the population of an area? **See XIII.A.**	___	___	X
XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service level ratios, response times or other performance objectives for any of the public services:			

	Yes	Maybe	No
A. Fire protection? **Urbanized area, all services exist. Site served by fire station 27 and 36.**	___	___	X
B. Police protection? **Urbanized area, all services exist. Project site is within the Northern Division Substation.**	___	___	X
C. Schools? **Commercial Development would not result in the need for such services.**	___	___	X
D. Parks or other recreational facilities? **Commercial Development would not result in the need for such services.**	___	___	X
E. Maintenance of public facilities, including roads? **The project would be assessed Development Impact Fees (DIF) to maintain such facilities.**	___	___	X
F. Other governmental services? **Urbanized area, services exist.**	___	___	X

XV. RECREATIONAL RESOURCES – Would the proposal result in:

A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? **The proposed project is not anticipated to substantially increase usage of any parks or other recreational facilities such that substantial deterioration of the facility would occur.**	___	___	X
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	___	___	X

	Yes	Maybe	No
The proposed commercial retail project does not require such recreational facilities. No adverse effects on the environment would occur.			

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

A. Traffic generation in excess of specific/ community plan allocation? **The proposed project would require a traffic study to determine traffic generation excess. See Initial Study Discussion, Section IV, Transportation/Circulation.**	___	X	___
B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? **See XVI.A.**	___	___	X
C. An increased demand for off-site parking? **No increased demand for off-site parking.**	___	___	X
D. Effects on existing parking? **Adequate on-site parking would be provided with no effects on adjacent properties.**	___	___	X
E. Substantial impact upon existing or planned transportation systems? **No such impact would result as the project would not add a substantial amount of trips to the existing and planned transportation systems.**	___	___	X
F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? **No significant alterations to the present circulation pattern would occur with this project.**	___	___	X
G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed,			

	Yes	Maybe	No
non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? **The project would be designed to engineering standards.**	___	___	X
H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? **The project would not conflict with any such plans or programs.**	___	___	X

XVII. UTILITIES

Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

A. Natural gas? **Urbanized area, no new system required.**	___	___	X
B. Communications systems? **Urbanized area, no new system required.**	___	___	X
C. Water? **Urbanized area, no new system required.**	___	___	X
D. Sewer? **Urbanized area, no new system required.**	___	___	X
E. Storm water drainage? **Urbanized area, no new system required.**	___	___	X
F. Solid waste disposal? **Adequate services are provided.**	___	___	X

XVIII. WATER CONSERVATION – Would the proposal result in:

A. Use of excessive amounts of water?	___	___	X

	Yes	Maybe	No
The proposed project would not result in excessive water use.			
B. Landscaping which is predominantly non-drought resistant vegetation? **Required landscaping would be consistent with the City's Landscaping Regulations.**	___	___	X
XIX. MANDATORY FINDINGS OF SIGNIFICANCE:			
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? **There is a potential for impacts to public health and safety and hydrology/water quality. See Initial Study discussion, Section IV, Public Health and Safety and Hydrology /Water Quality.**	___	X	___
B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.) **Project would not have the potential to achieve short-term, to the disadvantage of the long-term, environmental goals.**	___	___	X
C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small,			

	Yes	Maybe	No
but where the effect of the total of those impacts on the environment is significant.) **The project would not have cumulative impacts.**	__	__	X
D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? **The project could have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. See Initial Study Discussion, Section IV, Human Health/Public Safety**	__	X	__

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

____ City of San Diego Progress Guide and General Plan.

_X_ Community Plan.

____ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

____ City of San Diego Progress Guide and General Plan.

_X_ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

____ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

____ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

____ Site Specific Report: _____.

III. Air N/A

____ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

____ Regional Air Quality Strategies (RAQS) - APCD.

____ Site Specific Report: _____.

IV. Biology

_X_ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

_X_ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

_X_ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.

_X_ Community Plan - Resource Element.

___ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.

___ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.

_X_ City of San Diego Land Development Code Biology Guidelines.

___ Site Specific Report:

V. Energy N/A

___

VI. Geology/Soils

_X_ City of San Diego Seismic Safety Study.

_X_ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

___ Site Specific Report:

VII. Historical Resources

_X_ City of San Diego Historical Resources Guidelines.

_X_ City of San Diego Archaeology Library.

_X_ Historical Resources Board List.

___ Community Historical Survey:

___ Site Specific Report:

VIII. Human Health / Public Safety / Hazardous Materials

_X_ San Diego County Hazardous Materials Environmental Assessment Listing, 2006.

___ San Diego County Hazardous Materials Management Division

___ FAA Determination

___ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.

_X_ Airport Comprehensive Land Use Plan.

___ Site Specific Report:

IX. Hydrology/Water Quality

_X_ Flood Insurance Rate Map (FIRM).

___ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.

___ Clean Water Act Section 303(b) list, dated May 19, 1999, http://www.swrcb.ca.gov/tmdl/303d_lists.html).

_X_ *Water Quality Technical Report, Balboa Mesa,* April, 2006 by FUSCOE Engineering.

_X_ *Hydrology/Hydraulic Report, Balboa Mesa,* April, 2006 by FUSCOE Engineering.

X. Land Use

___ City of San Diego Progress Guide and General Plan.

_X_ Community Plan.

_X_ Airport Comprehensive Land Use Plan

_X_ City of San Diego Zoning Maps

___ FAA Determination

XI. Noise

X Community Plan

___ Site Specific Report:

___ San Diego International Airport - Lindbergh Field CNEL Maps.

___ Brown Field Airport Master Plan CNEL Maps.

___ Montgomery Field CNEL Maps.

___ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ City of San Diego Progress Guide and General Plan.

___ Site Specific Report:

XII. Paleontological Resources

X City of San Diego Paleontological Guidelines.

___ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.

X Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, Californi Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

___ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

___ Site Specific Report:

XIII. Population / Housing

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Series 8 Population Forecasts, SANDAG.

___ Other:

XIV. Public Services

___ City of San Diego Progress Guide and General Plan.

_X_ Community Plan.

XV. Recreational Resources

___ City of San Diego Progress Guide and General Plan.

_X_ Community Plan.

___ Department of Park and Recreation

___ City of San Diego - San Diego Regional Bicycling Map

___ Additional Resources:

XVI. Transportation / Circulation

___ City of San Diego Progress Guide and General Plan.

_X_ Community Plan.

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ San Diego Region Weekday Traffic Volumes, SANDAG.

_X_ Site Specific Report: *Traffic Impact Analysis Balboa Mesa South,* March 28, 2006 by Kimley-Horn and Associates, Inc.

XVII. Utilities

___

XVIII. Water Conservation N/A

___ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.