

(R-94-483)

RESOLUTION NUMBER R- 282805
ADOPTED ON OCT 12 1993

WHEREAS, Gatlin Development Company submitted an application to the Planning Department for a planned commercial development permit and a tentative map for the Stonecrest Square Walmart project; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on OCT 12 1993,
and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Environmental Impact Report EAS No. 92-0652, DEP file No. 92-0738, SCH No. 92111023; NOW, THEREFORE,

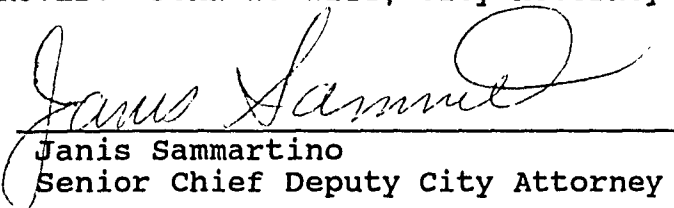
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Environmental Impact Report EAS No. 92-0652, DEP file No. 92-0738, SCH No. 92111023, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Stonecrest Square Walmart.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council hereby adopts the findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Code of Regulations section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By 
Janis Sammartino
Senior Chief Deputy City Attorney

JS:pev
09/28/93
Or.Dept:Plan.
R-94-483
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**CANDIDATE STATEMENT OF FINDINGS AND FACTS AND STATEMENT OF
OVERRIDING CONSIDERATIONS FOR THE STONECREST SQUARE PROJECT**

The California Environmental Quality Act ("CEQA"), Cal. Pub. Resources Code §§ 21000-21177, and the State CEQA Guidelines, Cal. Code of Regulations, Title 14, §§ 15000-15387, require that specific findings be made if a lead agency decides to approve a project which will have significant impacts on the environment. Section 21081 of the California Public Resources Code states:


[N]o public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof unless such public agency makes one, or more, of the following findings:

- (a) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report.
- (b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.
- (c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

The State CEQA Guidelines contain similar provisions. Cal. Code of Regulations, Title 14, § 15091.

The State CEQA Guidelines further require that, where the decision of the public agency allows the occurrence of significant effects which are identified in the final environmental impact report ("final EIR"), but are not at least substantially mitigated, the public agency shall state in writing the specific reasons why the benefits of the proposed project outweigh the unavoidable adverse environmental effects and why the unavoidable environmental effects are considered acceptable. The public agency must base its written statement on information in the final EIR and/or other information in the record. Cal. Code of Regulations, Title 14, § 15093.

The following Candidate Statement of Findings and Facts and Statement of Overriding Considerations have been submitted by the project applicant for consideration by the decisionmaking body. The Environmental Analysis Section of the City of San Diego Planning Department does not recommend that the discretionary body either adopt or reject these Candidate Statement of Findings and Facts and Statement of Overriding Considerations. They are attached to allow readers of this report an opportunity to review the project applicant's position on this matter.

 282805

CANDIDATE STATEMENT OF FINDINGS
AND FACTS FOR THE
STONECREST SQUARE PROJECT

DEP No. 92-0652

September 7, 1993

1.0 Section 21081(a) Findings - Effects Determined To Be Not Significant Or Mitigated To A Less Than Significant Level

The decisionmaker, having independently reviewed and considered the information contained in the Final EIR, the appendices, and the record, finds that, pursuant to the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000-21177, and the State CEQA Guidelines, Cal. Code of Regulations, Title 14, §§ 15000-15387, changes or alterations have been required of, or incorporated into, the Project which mitigate or avoid, to the extent feasible, the significant environmental impacts identified in the Final EIR with respect to direct impacts to traffic; short term and long term direct impacts to air quality; impacts caused by geological and soils conditions; impacts to paleontological resources; impacts to hydrology/water quality; impacts to biology; impacts to land use; and impacts to visual quality.

1.1 Land Use

1.1.1 Impacts. The Project site currently is located in an area designated for urban and industrial uses in the General Plan. The Community Plan, as updated on October 6, 1992, described as its main purpose the preservation and enhancement of the area as an employment center. The Community Plan advances this purpose by designating the majority of the land for industrial, office, and retail commercial uses. The Land Use Element of the Community Plan also addresses issues associated with conservation and open space, urban design, airport, and transportation. The Specific Plan, which controls the Project site, provides for a mix of office, light industrial, retail, hotel and community uses. The Specific Plan also provides for flexibility of uses and density transfers provided the final number of automobile trips generated by all of the uses does not exceed that assumed by the traffic study prepared for the Specific Plan.

The Project would not be compatible with the industrial land use designation in the General Plan. The Project would not preclude future development of a light rail transit system. The Project would comply with the elements of the Community Plan, particularly in light of the Specific Plan. The Project would alter existing boundaries and land uses in the Specific Plan by replacing 950,000 square feet of office, R&D/light industrial, and support commercial with 436,349 square feet of regional commercial use. Traffic associated with the Project would be greater than that anticipated in the original Specific Plan, but traffic in critical peak direction would be reduced.

1.1.2 Finding. The Project would deviate slightly from several of the environmental goals of the Community Plan but the impact would not be significant. The loss of Murphy Canyon Creek is not considered significant because of its disturbed state and the fact that it already has been undergrounded to the north and south of the Project site. The Project would represent a change in land use but such change is not deemed significant because the Specific Plan intended for use to be flexible and market driven. The modification to existing grading concepts and internal street patterns is not considered significant. In addition, the Project will result in amendments to the General Plan and

Specific Plan, thus eliminating any conflict with the land use designations within each document. Implementation of these mitigation measures, which are made conditions of this Project, would reduce potentially significant impacts to land use to below a level of significance.

1.2 Visual Quality

1.2.1 Impacts. The entire Project site has historically been used as a rock quarry and remains in a highly disturbed state. The Project site is most visible from I-15, Murphy Canyon Road, and a residential development to the east of I-15 in Tierrasanta. The closest residence to the west of the site is over 1,750 feet away. A substantial grading operation will be required for the Project, resulting in one large pad and six smaller pads, which would be created by placing up to 50 feet of fill on the existing terrain. Grading on the westerly slope would create a slope with heights ranging from 50 up to 130 feet.

1.2.2 Finding. The visual impact of the Project is not considered significant. Large commercial and office buildings already have been constructed along the west side of I-15 in the Murphy Canyon area and more are approved for construction. The Project would represent an extension of the development pattern already apparent to motorists on I-15 and residents in Tierrasanta. The proposed landscaping plan would serve to lessen even further any impact to visual quality.

1.3 Traffic Circulation (Direct Impacts)

1.3.1 Impacts. The Project will contribute 21,400 new daily vehicle trips to the areawide roadway system. This represents a 12% (7,000 trips) increase over the traffic which would be generated from the property under the Specific Plan land use designations. However, the net effect of this increase would be minimal since the Project exhibits a different peak-hour traffic volume profile than the office, scientific research, ancillary commercial, and hotel uses currently allowed. The critical traffic movement during both peak hours would be lower with the commercial retail uses than would occur with the existing allowed uses.

The traffic volumes produced by the Project would have a significant direct impact on two of the eight critical intersections affected by the Project. In the existing plus Project condition, the intersection of Ruffin Road/Daley Center Drive with Aero Drive would experience a level of service (LOS) F during the PM peak hour without improvements.

Traffic volumes, with the Project, at the intersection of Daley Center Drive and Stonecrest Boulevard are expected to warrant installation of a traffic signal. Traffic signals are also likely to be warranted at the Murphy Canyon Road/Wal-Mart driveway as well as other Project access points onto Murphy Canyon Road.

The Project would comply with the bicyclists/pedestrians provisions of the Specific Plan, the City's PCD circulation plan standards, and the Transportation System Management ("TSM") measures contained in the Specific Plan. Finally, the Project would comply with the parking requirements in the Specific Plan and exceed the City standards for the number of parking spaces required per square feet of shopping center development.

1.3.2 Finding. The Project will include on and offsite road improvements and

comply with the City's TDM Ordinance, which will mitigate the potential direct impacts of the Project on traffic circulation to below a level of significance. The following mitigation measures will be part of the Project:

Restriping of the southbound approach on Ruffin Road to provide one left-turn lane, one shared through/left-turn lane, and one right-turn lane at the intersection of Aero Drive with Ruffin Road/Daley Center Drive. Restriping of the northbound approach to provide one left-turn lane, one shared through/left-turn lane, one shared through/right-turn lane, and one right-turn lane. Implement a split phase timing sequence in the north/south direction of Aero Drive.

Realign existing Murphy Canyon Road within the Project site and reconstruct as a private driveway as shown on the Project site plan to connect with Aero Drive at the current terminus of the leg of Murphy Canyon Road which extends north from Aero Drive.

Install, or otherwise assure, to the satisfaction of the City Engineer, that the intersection of Aero Drive at Murphy Canyon Road shall be configured to the following: eastbound leg (two left-turn, three through, and a shared through/right-turn lanes); westbound leg (two left-turn, three through, and one right-turn lanes); northbound leg (two left-turn, one through and one right-turn lanes; and southbound leg (two left-turn, and one shared through/right-turn lanes).

Install, or otherwise assure, to the satisfaction of the City Engineer, signalization of the intersection of Daley Center Drive/StoneCrest Boulevard.

Provide an internal circulation system, with signalization if needed, satisfactory to the City Engineer.

The Project shall be required, prior to the issuance of any building permit, to obtain approval of a TDM plan for the Project from the City's TDM Administrator.

1.4 **Biology**

1.4.1 **Impacts.** The Project is part of the approved Specific Plan for which a Land Development ("LD") permit has been issued by the City. The LD permit allows grading over the entire Specific Plan area, and portions of the Project site already have been graded. Implementation of the Project would result in impacts to 2.7 acres of low quality riparian and fresh water marsh habitats, all of which was previously identified as an impact in the EIR prepared for the Specific Plan and will occur as part of the previously approved Specific Plan with or without the Project.

1.4.2 **Finding.** Mitigation measures for the impacts to the low quality riparian and fresh water marsh habitats were approved by the City at the time the Specific Plan was approved. The Specific Plan requires that 5.7 acres of riparian habitat be planted around a series of ponds and a drainage channel on the west side of the Specific Plan area. Implementation of the mitigation measures is the responsibility of the original applicant for the Specific Plan. The Tentative Map for the Project shall contain a condition requiring that the mitigation measures for the riparian and fresh water marsh be implemented concurrently with Project grading and development. Implementation of the mitigation measures of the Specific Plan would reduce potentially significant impacts to biology to below a level of significance.

1.5 Air Quality (Direct Impacts)

1.5.1 Impacts. Construction activities associated with the Project could create significant short-term air quality impacts by increasing the amount of particulate matter emitted into the San Diego Air Basin. The Project could generate between 600 and 900 pounds per day of Particulate Matter (PM-10); any project which contributes more than 250 pounds per day is considered a major source of PM-10.

1.5.2 Finding. The Project would comply with all San Diego County Air Pollution Control District ("APCD") measures regarding control of dust and fumes during construction. The following specific dust control measures would be carried out: twice-daily watering of disturbance areas; chemical stabilization of off-road haul routes; and termination of soil disturbance when hourly wind speeds exceed 25 mph. The Project also shall be required to implement a TDM plan containing provisions recommended for regional shopping centers such as incorporation of transit access considerations into project design, development of employee rideshare incentives, and coordination of rideshare information among all site tenants via ride-matching services provided by the property manager. Implementation of these mitigation measures, which are made conditions of this Project, would reduce potentially significant direct impacts to air quality to below a level of significance.

1.6 Geology/Soils

1.6.1 Impacts. Two geology/soils conditions exist on the site which pose significant hazards to development of the Project. Alluvial and fill materials located in the southern and eastern portions of the site pose liquefaction and settlement problems. Much of this material is a by product of the rock quarry which previously operated on the site. A large cut slope in the Friars geologic formation is proposed along the western side of the Project, which would exhibit a gradient of 1.5:1 in several locations. Large manufactured slopes which exceed a gradient of 2:1 may be unstable if not properly constructed based on specific soils investigations.

1.6.2 Finding. Prior to issuance of an amended LD permit, a Soils Investigation shall be completed to the satisfaction of the City Engineer which identifies remedial measures to mitigate soils susceptible to settlement and assures the stability of any slope exceeding a height of 100 feet or possessing a gradient of 2 to 1. The Soils Investigation shall specify necessary remedial measures such as benching of manufactured slopes; planting of slope stabilizing landscaping; monitoring of settlement during construction; removal of existing fill soils, alluvium, and slope wash materials; proper compaction of replaced fill soils; and incorporating specifically-designed foundation systems. The City Engineer shall also assure that the approved remedial measures have been incorporated into the Project's grading plan.

If the Soils Investigation determines that the proposed inclination of the 130-foot slope is not acceptable, the Project shall implement one or a combination of the following measures to the satisfaction of the City Engineer:

Flatten the slope to 2 to 1 by removing the existing parking lot adjacent to Daley Center Drive.

Flatten the slope to 2 to 1 by constructing retaining walls at the top, bottom, and/or mid slope.

Flatten the slope to 2 to 1 by raising the area of Retail I and/or lowering the grade of the existing parking lot adjacent to Daley Center Drive.

Construct a geogrid stabilized fill slope at an inclination steeper than 2 to 1.

Implementation of these mitigation measures, which are made conditions of this Project, would reduce potentially significant impacts to geology/soils to below a level of significance.

1.7 Paleontological Resources

1.7.1 Impacts. Grading operations for the Project could result in significant impacts to paleontological resources should the depth of grading expose the Friars Formation underlying the site. The Friars Formation may contain significant fossil deposits.

1.7.2 Finding. Monitoring of all onsite grading operations would be carried out by a qualified paleontologist in accordance with a City-approved monitoring plan. The paleontologist would have the authority to stop grading and undertake salvage in the event that significant fossil deposits are uncovered during grading. A final report describing any paleontological material uncovered in the grading process would be prepared. Implementation of these mitigation measures, which are made conditions of this Project, would reduce potentially significant impacts to paleontological resources to below a level of significance.

1.8 Water Quality

1.8.1 Impacts. Development of the Project would result in a reduction of runoff. The drainage system proposed for the site would adequately control drainage and runoff. Development of the Project would, however, result in an increase in the cumulative amount of urban pollutants in the San Diego River. During construction, improperly controlled runoff would result in erosion and transport of sediment to the San Diego River. Once completed, the runoff from streets, parking areas, and landscaped areas could carry quantities of harmful materials such as oil, fertilizers, pesticides, and other wastes. These pollutants would adversely affect the water quality in the San Diego River and would contribute incrementally to a cumulative increase in the amount and concentrations of urban pollutants entering this water body.

1.8.2 Finding. To mitigate the Project's contribution to short-term water impacts, pollution control devices shall be installed to intercept flow before discharge into the drainage system and constructing temporary desilting basins to keep sediment from the graded pads from entering the storm drain system. Silt would be removed from these structures after each major rainfall. Sandbagging would be used as an interim erosion control measure along street and utility trenches until completion of final improvements. To mitigate the Project's contribution to long-term water impacts, the Best Management Practices for Stormwater Pollution Control would be implemented to the satisfaction of the City Engineer. Implementation of these mitigation measures, which are made conditions of this Project, would reduce potentially significant cumulative impacts to water quality to below a level of significance.

2.0 Section 21081(b) Findings - Changes or Alterations That Are Within The Responsibility And Jurisdiction Of Another Public Agency

The decisionmaker, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds that there are no changes or alternations to the Project that are within the responsibility and jurisdiction of another public agency which would avoid or substantially lessen the significant effects of the Project.

3.0 Section 21081(c) Findings - Significant Environmental Effects Which Cannot Be Fully Avoided If The Project Is Implemented

The City Council finds and declares that specific economic, social, or other considerations make infeasible any mitigation measures or project alternatives that would avoid or substantially lessen the significant environmental impacts relative to landform alteration, traffic circulation (cumulative), and air quality (cumulative).

3.1 Landform

3.1.1 Impacts. Preparation of the site to accommodate the proposed retail uses will necessitate a substantial amount of grading including the excavation of a portion of a 175-foot slope that occurs along the western side of the Project. A large manufactured slope with a maximum height of 130 feet would be created along the western boundary of the project site. Although this slope would not represent a significant visual impact, it would represent a significant landform alteration.

3.1.2 Finding. Significant landform impacts resulting from the creation of large manufactured slopes onsite would be partially mitigated via contour-grading and slope revegetation using native plant species. No mitigation measures exist, however, that would completely avoid the proposed landform alteration. Creation of a large manufactured bank is necessary to create the required pad area. The landform impact would be fully mitigated or avoided by the following: No Project, Reduced Intensity, and the Offsite alternatives, the infeasibility of which is discussed in section 4.0 below.

3.2 Traffic Circulation (Cumulative Impacts)

3.2.1 Impacts. The Project trips when combined with expected regional traffic volume increases in the future would result in significant impacts at seven of the eight intersections evaluated in the traffic study for the Project. In the short-term cumulative condition, the following intersections along Aero Drive would be significantly impacted: Ruffin Road/Daley Center Drive (PM peak hour LOS D), Murphy Canyon Road (PM peak hour LOS D), I-15 northbound ramps (AM peak hour LOS D, with existing lanes), I-15 northbound ramps (AM peak hour LOS D, with CALTRANS project report improvements), and I-15 southbound ramps (AM & PM peak hour LOS D). In the long-term cumulative condition, significant cumulative impacts would occur at the following intersections along Aero Drive: Sandrock Road (PM peak hour LOS D), Ruffin Road (west) (PM peak hour LOS D), Murphy Canyon Road (AM & PM peak hour LOS F), I-15 southbound ramps (AM & PM peak hour LOS F), Ruffin Road/Daley Center Drive (AM & PM peak hour LOS F), I-15 northbound ramps (AM & PM peak hour LOS F), and Santo Road (AM & PM peak hour LOS F).

3.2.2 Finding. The traffic study prepared for the Project concludes that improvements can be made at the intersections of Aero Drive with Murphy Canyon Road and Daley Center Drive to raise the LOS to D. In addition, planned improvements at the I-15/Aero Drive interchange would also relieve projected congestion. While these improvements would improve the LOS, the LOS would still be below the LOS C. The Project applicant is not proposing to undertake these improvements because they are regional in nature and will be included in the Financing Plan for the Community Plan area. Consequently, the Project will contribute its fair share amount toward their construction, as necessary.

By their nature, cumulative impacts are beyond the control of individual projects. Limitations on future projects cannot be accomplished by the Project proponent; that power rests with the governing agency. The cumulative traffic impacts would be avoided by implementation of the No Project alternative, the infeasibility of which is discussed in section 4.0 below. Development under the existing land use designations of the Specific Plan would result in significant cumulative traffic impacts as identified in the EIR prepared for the Specific Plan. Analysis of the two offsite locations considered for the Project indicated that the significant cumulative traffic impacts would occur due to the large number of trips generated by the proposed commercial retail uses and the limited capacity of local roadway systems to accommodate additional traffic.

3.3 Air Quality (Cumulative Impacts)

3.3.1 Impacts. The Project will generate long-term emissions related to the estimated 21,400 daily automobile trips that would occur after the center opens as well as short-term emissions related to construction activities. Daily Automobile trips emissions are approximated to be: reactive hydrocarbons (250 pounds), nitrogen oxides (380 pounds) and carbon monoxide (2,000 pounds). Construction is expected to produce between 600 and 900 pounds of particulate matter (PM-10) per day.

3.3.2 Finding. As the San Diego Air Basin currently does not attain all mandatory state and federal clean air standards, any emissions attributable to new projects compounds existing problems and, thus, have a cumulatively significant impact on air quality. Two factors associated with the Project serve to reduce the cumulative impact of the Project but not below a level of significance. First, the Project will implement a TDM plan as required by the City TDM Ordinance. This TDM plan will focus on controlling the amount of trips related to employees of the retail stores by encouraging car and van-pooling, and flexible working hours. Controlling trips by shoppers is largely beyond the control of the retail operators; however, the site plan has accommodated pedestrians and bicyclists. Second, to some degree, shopping trips made to the retail center would not be new trips added to the San Diego Air Basin. Shopping trips in the area will occur whether the Project is approved or not. The net effect of this factor is difficult to estimate as no estimate exists as to whether the diverted trips would involve less or more vehicle miles travelled.

The cumulative air quality impact of the Project would be avoided fully only by implementation of the No Project alternative, the infeasibility of which is discussed in section 4.0 below. All other alternatives would bring about a similar cumulative impact by generating automobile trips and construction dust within the San Diego Air Basin.

4.0 Feasibility of Project Alternatives

Because the Project would result in unavoidable significant environmental effects, as outlined above, the City Council must consider the feasibility of any environmentally superior alternative to the Project. The City must evaluate whether one or more of these alternatives could avoid or substantially lessen the unavoidable significant environmental effects. The City need only consider those environmental impacts that are significant and cannot be avoided or substantially lessened through mitigation. A number of alternatives are identified in the Final EIR which are intended to mitigate the significant unavoidable environmental impacts associated with the Project: No Project, Existing Land Use Designation, Reduced Intensity, and Offsite. A brief discussion of each alternative, their ability to reduce the significant unmitigated environmental impacts, and the basis for determining their infeasibility follows.

These Findings contrast and compare the alternatives, where appropriate, to demonstrate that the selection of the Project, while still resulting in significant unavoidable environmental impacts, has substantial environmental and other benefits. In rejecting certain alternatives, the objectives of the Project must be weighed against the ability of the various alternatives to meet these objectives. The Project objectives considered in these Findings are:

Provide a regional shopping center to serve the Kearny Mesa and Tierrasanta areas.

Provide convenient shopping opportunities by co-locating both a Wal-Mart discount department store and a Sam's Club membership wholesale store on the same site.

Provide additional commercial space onsite for lease to a variety of users.

The City Council, having reviewed and considered the information in the Final EIR and the public record for the Project, finds that there are specific economic, social, or other considerations which make infeasible the Project alternatives identified in the Final EIR.

4.1 **No Project Alternative**

4.1.1 Impacts. The No Project alternative assumes that the site would remain in its present state and no further development would take place. Under this assumption, the Project site would continue to be used by the Daley Corporation for its corporate headquarters as well as for equipment maintenance and storage. This alternative would avoid the significant, unmitigated impacts related to landform, traffic circulation (cumulative), and air quality (cumulative). The additional trips and associated air emissions would be eliminated under the No Project alternative. Construction dust would also be avoided. As the existing landform features would remain in their present condition, the landform alteration impacts would be avoided with the No Project alternative.

4.1.2 Finding. While the No Project alternative would eliminate the Project's significant, unmitigable impacts to below a level of significance, this alternative would not fulfill the Project objective of developing commercial uses at the site. The No Project alternative would be economically infeasible as the landowner would continue to pay property taxes on the Project site without providing for offsetting revenues.

4.2 Existing Land Use Designation Alternative

4.2.1 Impacts. The land within the Project boundary is designated for a variety of commercial uses under the Specific Plan. The Specific Plan calls for 50,000 square feet of retail commercial, 400,000 square feet of research and development/light industrial uses, and 400,000 square feet (400 rooms) of hotel uses. This alternative would develop the site in accordance with these approved uses.

The environmental impacts associated with developing the subject property in accordance with the Specific Plan are described in the original EIR prepared for the Specific Plan (EQD No.86-0509). The EIR concluded that development of the Specific Plan area would result in significant, unmitigated cumulative traffic and air quality impacts. Although no specific analysis was done for the Project site in the EIR prepared for the Specific Plan, it is appropriate to conclude that the cumulative impact to landform features of developing the subject property would also be significant and unmitigated under the Specific Plan in that the grading plans indicated that the entire site would be graded and a manufactured slope in excess of 100 feet would be created along the western boundary of the site.

4.2.2 Finding. Development of the subject property under the land uses allowed under the Specific Plan does not offer any substantial reduction in the significant, unmitigated impacts of the Project. In addition, this alternative is not considered feasible because it would not achieve the Project objective of constructing a regional commercial center to support a Wal-Mart and Sam's Club store.

4.3 Reduced Intensity Alternative

4.3.1 Impacts. This alternative would assume the same level of retail development but would modify the Project design to reduce landform impacts. The primary goal of a modified design alternative would be to utilize the existing flat portion of the site for commercial development. This would avoid the alteration of the westerly slope.

4.3.2 Finding. This alternative is considered in the Final EIR but rejected. Due to a variety of controlling factors related to the existing topography and the Specific Plan, design modifications substantial enough to reduce landform impacts associated with the Project are not considered feasible. Construction of StoneCrest Boulevard and the associated freeway interchange on the Project site would result in significant landform alterations even without the Project. The placement of up to 110 feet of fill material on the subject property would be required to construct StoneCrest Boulevard and the interchange. If the existing grade on the site was maintained, the fill required to support StoneCrest Boulevard would have a width at the base of over 500 feet. Thus, a modified design alternative would not offer substantial reductions in the landform impacts, nor would it offer any substantial relief from the cumulative traffic and air quality impacts associated with the Project.

4.4 Kaiser Foundation OffSite Alternative

4.4.1 Impacts. An offsite alternative, known as the Kaiser Foundation site, was identified within the Mira Mesa Community at the southwest corner of the Mira Mesa Boulevard/I-15 interchange. The vacant site, which is owned by the Kaiser Foundation Hospitals, is designated by the Mira Mesa Community Plan for hospital use, visitor commercial use, and office commercial use. The Mira Mesa Community Plan, accounting for the possibility that a hospital might not be constructed, states

that a mixed-use project (office, support commercial and residential) should be proposed for the entire site if a hospital is not constructed. Because a detailed site plan showing the actual location of the proposed uses on the alternative site is beyond the scope of this Final EIR, it is assumed in this analysis that the entire site would be converted to a commercial retail center. In order for the Project to be located at the offsite location, the site would have to be rezoned, and the Mira Mesa Community Plan would have to be amended to change the hospital and visitor commercial designations on the site to retail commercial.

As the Kaiser Foundation site generally lacks significant topographic relief, the development of this site would not involve large manufactured banks. Thus, this alternative would avoid the significant landform alteration impacts associated with developing the Project site.

A comparison of the Mira Mesa Community Plan travel forecast for the site and the estimated traffic to be generated by the Project shows that implementation of this alternative would result in significant traffic impacts similar to those of the Project in that the proposed Wal-Mart center would generate considerably more traffic than the Mira Mesa Community Plan land use. During peak hours, the interchange of I-15 and Mira Mesa Boulevard and intersection of Mira Mesa Boulevard/Black Mountain Road are already congested. Implementation of this alternative would result in a significant contribution to an already congested condition at the PM peak hour.

Because of the non-attainment status of the San Diego Air Basin, location of the proposed retail center anywhere within the Air Basin would have significant cumulative and unmitigated impacts on regional air quality. It is also anticipated that the I-15/Mira Mesa Boulevard interchange would be extremely congested during peak travel periods potentially resulting in CO hot spot areas.

The alternative site is minimally disturbed and exhibits chamise and grassland vegetation. While the site is surrounded by development, it appears to exhibit biological constraints that may result in a significant biological impact if the Project were pursued at the alternative site.

4.4.2 Finding. While the Kaiser Foundation offsite location would avoid the landform alteration impacts, it would not avoid or significantly reduce Project impacts related to cumulative traffic and air quality impacts and would result in additional direct biological and traffic impacts. Consequently, it is not environmentally preferred over the Project.

Moreover, siting the Project at this location is considered infeasible because the applicant has no control over the site and the acquisition cost would be significantly higher than that of the Project site. In addition, a K-Mart store, a direct competitor of Wal-Mart, already has constructed a store adjacent to the Kaiser Foundation offsite location.

4.5 Allred/Collins Business Park West OffSite Alternative

4.5.1 Impacts. Another offsite location was identified within the Allred/Collins Business and Industrial Park West within the Community Plan area. The site is located adjacent and east of I-805 and south of State Route 52. The site is currently graded and would comprise the northeastern approximately 47 acres of the business park. Permitted uses on the site include light industrial uses, manufacturing and corporate headquarters/business and professional offices and industrial/commercial uses. Implementation of this alternative would require an amendment to the PID and a rezone to permit the proposed retail commercial uses.

Location of the Project at this site would avoid the significant landform impacts because the site already has been graded but not the cumulative traffic and air quality impacts.

As further specified in the Final EIR, this alternative would result in a significant cumulative traffic impact as any additional traffic would contribute to the regional transportation network. Such cumulative impacts would be significant and unmitigable because intersections in the Kearny Mesa area will be operating at LOS E after all feasible improvements have been completed. Impacts at the intersections of Clairemont Mesa Boulevard/Shawline Street and Convoy Street/Copley Drive also would be significant. Impacts at these intersections may not be possible to mitigate because of adjacent development and the close proximity to a freeway interchange.

Because of the non-attainment status of the San Diego Air Basin, location of the Project anywhere within the Air Basin would have significant cumulative and unmitigated impacts on regional air quality.

4.5.2 Finding. This alternative site would avoid the landform alteration impacts but not cumulative traffic and air quality impacts. As with the Kaiser Foundation property, siting the Project at this location is considered infeasible because at the time the applicant was identifying a site for acquisition, this location was unavailable. Moreover, Costco, a direct competitor of Wal-Mart, already has constructed a store with the Allred/Collins Business and Industrial Park West. Locating a Wal-Mart store next to an existing competitor does not make good market sense. Finally, the market price for lots in this location was substantially higher than that of the Project site.

R - 282805

**STATEMENT OF
OVERRIDING CONSIDERATIONS
FOR
STONECREST SQUARE PROJECT**

DEP 92-0652

September 7, 1993

The San Diego City Council ("City Council"), pursuant to the State CEQA Guidelines, after balancing the benefits of the StoneCrest Square Project ("Project") against the significant landform alteration, traffic circulation (cumulative), and air quality (cumulative) impacts, which remain significant after all feasible mitigation measures and alterations have been incorporated into the Project, and after all Project alternatives that would lessen or avoid such significant impacts have been rejected as infeasible, determines that the impacts are acceptable due to the following, each of which individually would be sufficient to outweigh the adverse environmental impacts of the Project:

1.0 Increased Revenues To The City Of San Diego

The Project would provide substantial public revenues to the City of San Diego ("City") in the form of sales tax revenues. The Market Analysis and Tax Revenue Study prepared for the Project by the London Group Realty Advisors, Inc. ("London Group Study") concludes that the Project is expected to achieve a stabilized annual revenue in excess of \$199 million dollars based on the average sales per square foot of the proposed tenants of the Project. The London Group Study defines the Primary Market Area ("PMA") of the Project as including households located in the City of San Diego South Central, North Central and San Carlos area, as well as significant portions of Santee, Lemon Grove, Spring Valley/Rancho San Diego, La Mesa, and El Cajon; the Secondary Market Area ("SMA") as a fifteen mile radius from the Project; and the Employee Market ("EM") as those employees located within a five mile radius of the Project. Based on a proportionate redistribution of the Project revenue from retail facilities located outside of the City but in the PMA, it can be determined that the Project would generate an additional \$17 to \$18 million in taxable revenues for the City. According to the Board of Equalization, the City receives one percent of sales revenue. Consequently, it is estimated that the Project would generate approximately \$700,000 of additional sales tax revenue for the City per year.

Generating additional sources of revenue is a high priority of the City in light of the budget deficits which have faced the City in recent years and which are expected to be a problem in the coming years as well. Thus, the \$700,000 of sales tax revenue expected to be generated by the Project would represent a significant economic benefit to the City.

2.0 Increased Employment Opportunities

The Project would generate an estimated 450 construction related jobs and 800 new permanent jobs. Thus, the Project would enhance the economic base of the region. These new jobs are desperately needed in the region to compensate for job opportunities which have recently been lost due to the general downturn in the economy and, in particular, a significant decline in the local defense industry which has traditionally been an important employer in the San Diego region.

3.0 Provision of Regional Retail Facility

The Project would fulfill an existing demand within the community for a regional retail facility. The fact that significant sales currently are being diverted to retail facilities located outside of the City but within the PMA of the Project, is the best evidence of such an unfulfilled demand. Moreover, as the London Group Study specifically concluded, the Project would "add significantly to the quality of retailing" in the community, which would inure to the benefit of the residents of the community.

**MITIGATION MONITORING
AND
REPORTING PROGRAM**

for

**STONECREST SQUARE
San Diego, California**

DEP No. 92-0652

September 9, 1993

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MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program was prepared for the City of San Diego StoneCrest Square project (DEP No. 92-0652) to comply with the mitigation monitoring statute (Public Resources Code Section 21081.6) which requires public agencies to adopt such programs to ensure effective implementation of the mitigation measures. This program shall be a requirement of the General Plan/Community Plan/Specific Plan Amendment, Planned Commercial Development Permit, Rezone, Conditional Use Permit, Revised Tentative Map, and land development permit modification from the City of San Diego.

Project Description

The proposed StoneCrest Square project would develop a total of 436,349 square feet of commercial retail uses on a 66-acre site located on the west side of I-15, south of Aero Drive. The project site is located in the southeasterly portion of the Kearny Mesa community planning area and is within the adopted StoneCrest Specific Plan area.

The project site was formerly part of a large quarry operation which has since been closed. Much of the rock processing equipment remains on the subject property. Currently, the site is the headquarters of the Daley Corporation as well as supporting equipment storage and maintenance facilities of the Daley Corporation.

The proposed StoneCrest Square would be anchored by a Wal-Mart discount store and a Sam's membership warehouse store. With a combined square footage of 321,149 square feet, these two stores would represent nearly 75% of the project. At 55,000 square feet, the proposed Von's grocery store would be the next largest retailer. The balance of the retail center would be composed of smaller retail shops and services.

Implementation of the project would require a number of discretionary actions. The land use designation applied to the site by the City of San Diego's General Plan and the StoneCrest Specific Plan must be amended from General Industrial to Commercial to allow the proposed retail uses; the zoning must also be changed from M-1B to CA. A planned commercial development permit must be issued for the proposed center and a conditional use permit would be required for the proposed automobile service station. The existing Specific Plan text, Development Agreement and Tentative Map associated with the overall StoneCrest Specific Plan must be amended to allow for the proposed project. The existing land development permit for the StoneCrest Specific Plan must be also be amended to accommodate the proposed grading plans.

Project Impacts, Mitigation Measures and Monitoring Program

The following text includes a summary of the potentially significant project impacts, a list of mitigation measures identified in the environmental impact report, and the monitoring efforts necessary to ensure that the mitigation measures are properly implemented.

Mitigation measures, monitoring and reporting requirements shall be further detailed prior to construction and, as required, following project implementation. All mitigation measures shall be implemented through conditions of approval for the proposed Planned Commercial Development Permit and Tentative Map.

LANDFORM ALTERATION/VISUAL QUALITY

Significant Impacts

- 1) The proposed project would have a significant impact on the landform features found onsite. In order to create the necessary pad area, the westerly 175-foot slope would be graded creating a manufactured slope which would reach a maximum height of 130 feet with a slope gradient ranging from 2:1 to 1.5:1. In addition, the northern portions of the site would be filled up to 50 feet.

Mitigation

- 1) Measures to reduce landform alteration impacts including contour grading and natural slope vegetation are included as project features and would reduce landform alteration impacts. However, no mitigation measures are available to reduce landform impacts to a level less than significant. The pad area requirements of the proposed use necessitate the disturbance of the entire portion of the westerly slope. The impact would only be avoidable through the no project, modified design, or offsite alternatives.

Monitoring & Reporting

- 1) Prior to approval of a modified land development permit for the project, the City Engineer shall review final grading and landscape plans to insure that sensitive grading techniques and landscaping of the manufactured slopes is proposed. Prior to issuance of a Notice of Completion and Acceptance, the Field Engineering Division of the Engineering and Development Department shall conduct a final inspection of the site to confirm that sensitive grading and landscaping has been implemented pursuant to the approved plans.

TRAFFIC CIRCULATION

Significant Impacts

- 1) The project would have significant direct impacts on the intersection of Aero Drive at Ruffin Road/Daley Center Drive (PM peak hour LOS F).

- 2) The project would have potentially significant direct impacts on the following proposed intersections:
 - StoneCrest Boulevard/Daley Center Drive
 - Aero Drive/Murphy Canyon Road
 - project driveways along Murphy Canyon Road

- 3) The project would have significant, short-term cumulative impacts on the following intersections:

Aero Drive at:

 - Ruffin Road/Daley Center Drive (PM peak hour LOS D)
 - Murphy Canyon Road (PM peak hour LOS D)
 - I-15 northbound ramps (AM peak hour LOS D, with existing lanes)
 - I-15 northbound ramps (AM peak hour LOS D, with CALTRANS project report improvements)
 - I-15 southbound ramps (AM & PM peak hour LOS D)

- 4) The project would have significant, long-term cumulative impacts on the following intersections:

Aero Drive at:

 - Sandrock Road (PM peak hour LOS D)
 - Ruffin Road (west) (PM peak LOS D)
 - Murphy Canyon Road (AM & PM peak hour LOS F)
 - I-15 southbound ramps (AM & PM peak hour LOS F)
 - Ruffin Road/Daley Center Drive (AM & PM peak hour LOS F)
 - I-15 northbound ramps (AM & PM peak hour LOS F)
 - Santo Road (AM & PM peak hour LOS F).

Mitigation

Implementation of the following mitigation measures would reduce direct project impacts to the intersection of Aero Drive at Ruffin Road/Daley Center Drive to below a level of significance:

- 1) Install, or otherwise assure, restriping of the southbound approach on Ruffin Road to provide one left-turn lane, one shared through/left-turn lane, and one right-turn lane at the intersection of Aero Drive with Ruffin Road/Daley Center Drive. The northbound approach shall also be restriped to provide one left-turn lane, one shared through/left-turn lane, one shared through/right-turn lane, and one right-turn lane. In addition, a split phase timing sequence in the north/south direction shall be implemented.

Implementation of the following mitigation measures would reduce potential direct impacts to the intersection of Aero Driveway at Murphy Canyon Road and the project driveways to below a level of significance:

- 2) Install, or otherwise assure, the following lane configurations at the intersection of Aero Drive at Murphy Canyon Road and the project driveway:

Eastbound: Two left, Three through, and a shared through/right lane, with enough width for right turns to squeeze by

Westbound: Two left, Three through, and a right-turn lane

Northbound: Two left, One through and a right-turn lane

Southbound: Two left, and a shared through/right-turn lane, with enough width for right turns to squeeze by

Install, or otherwise assure, signalization of the intersections of Daley Center Drive and Murphy Canyon Road with StoneCrest Boulevard.

- 3/4) Cumulative impacts of the project would be reduced but not fully mitigated by the implementation of a Transportation Demand Management Plan as required by the City Transportation Demand Management Ordinance. The project's short-term and long-term cumulative impacts on seven of the eight intersections of the study area are significant and unmitigated, even with improvements made on two of the most severely impacted intersections under the long-term scenario. Individual measures which would mitigate the project's significant and cumulative impacts on intersections to below a level of significance are infeasible. Only the No Project alternative would avoid the cumulative traffic impacts of the project.

Monitoring & Reporting

- 1) Prior to recordation of the final map, the project applicant shall install, or otherwise assure, to the satisfaction of the City Engineer, restriping of the southbound and northbound approach on Ruffin Road at the intersection of Aero Drive with Ruffin Road/Daley Center Drive as well as the split phase timing sequence in the north/south direction.

- 2) Prior recordation of the Final Map, the project applicant shall install, or otherwise assure, to the satisfaction of the City Engineer, the mitigating lane configurations at the intersection of Aero Drive at Murphy Canyon Road and the project driveway.

Eastbound: Two left, Three through, and a shared through/right lane, with enough width for right turns to squeeze by

Westbound: Two left, Three through, and a right-turn lane

Northbound: Two left, One through and a right-turn lane

Southbound: Two left, and a shared through/right-turn lane, with enough width for right turns to squeeze by

Prior to recordation of the Final Map, the project applicant shall install, or otherwise assure, to the satisfaction of the City Engineer, signalization of the intersections of Daley Center Drive and Murphy Canyon with StoneCrest Boulevard.

- 3/4) Prior to the issuance of any building permit, a Transportation Demand Management (TDM) Plan shall be approved. The Transportation Demand Management Plan shall contain enforcement provisions subject to the satisfaction of the TDM Administrator.

BIOLOGICAL RESOURCES

Significant Impacts

- 1) As concluded in the original EIR, the loss of biological resources from development of land uses allowed within the entire Specific Plan area would have significant impacts related to the loss of coastal sage scrub and associated habitat for the California Gnatcatcher as well as the loss of wetlands. The certified 1987 FEIR for the StoneCrest Specific Plan identified that impacts to riparian and freshwater marsh habitat would be mitigable with implementation of the proposed revegetation plan; however, impacts to the California gnatcatcher and Diegan coastal sage scrub habitat were considered significant and unmitigated. No change in this conclusion would occur as a result of the proposed project as the resources would be equally impacted by the existing land use designations of the StoneCrest Specific Plan.

Mitigation

- 1) The StoneCrest Specific Plan includes mitigation measures for the loss of wetland and coastal sage scrub. The Plan includes a 5.7-acre wetland restoration program. It also requires the revegetation of manufactured slopes with coastal sage scrub plant material wherever they are adjacent to retained open space. Implementation of each of these mitigation measures is the responsibility of the original applicant for the StoneCrest Specific Plan.

Monitoring & Reporting

- 1) Not applicable.

AIR QUALITY

Significant Impacts

- 1) The project's incremental contribution to the non-attainment status of the San Diego Air Basin would be cumulatively significant in conjunction with all other planned regional growth.
- 2) Construction of the proposed project could create short-term construction impacts that would create a potentially significant temporary air quality impact.

Mitigation

Potential air quality impacts would be decreased to below a level of significance with implementation of the following mitigations measures:

- 1) A Transportation Demand Management Plan shall be prepared which includes the measures recommended for regional shopping centers which include but are not limited to:
 - Incorporation of transit access considerations into project design;
 - Development of employee rideshare incentives; and
 - Coordination of rideshare information among all site tenants via ride-matching services provided by the property manager.
- 2) The developer shall comply with all San Diego County APCD measures regarding control of nuisance from the generation of dust and fumes during construction. Dust control measures capable of attaining dust control efficiencies of 75 percent shall be implemented. Measures shall include: (1) twice-daily watering of disturbance areas, and (2) chemical stabilization of off-road haul routes.

Monitoring & Reporting

- 1) The project applicant shall prepare a Transportation Demand Management Plan for approval by City Council prior to building permit issuance. The Transportation Demand Management Plan shall contain enforcement provisions subject to the satisfaction of the TDM Administrator.
- 2) Prior to approval of a modified land development permit, the plans shall be reviewed by the City Engineer to assure that appropriate dust control measures are proposed. Implementation of these measures shall be confirmed during periodic inspections by the Field Engineering Division during the grading operation.

GEOLOGY/SOILS

Significant Impacts

- 1) The proposed grading could result in potentially significant geologic impacts associated with the alluvium and fill soils in the eastern and southern portions of the project as well as slope stability associated with the 1.5:1 slopes along the western side of the project.

Mitigation

Implementation of the following mitigation measure would reduce geologic impacts to below a level of significance:

- 1) A soils investigation shall be prepared which identifies remedial measures to mitigate soils susceptible to settlement and assures the stability of any slope exceeding a height of 100 feet or gradient of 2 to 1. The Soils Investigation shall specify necessary remedial measures such as benching of manufactured slopes; planting of slope stabilizing landscaping; monitoring of settlement during construction; removal of existing fill soils, alluvium, and slope wash materials; proper compaction of replaced fill soils; and incorporating specifically-designed foundation systems.

If the Soils Investigation determines that the proposed inclination of the 130-foot slope is not acceptable, the project applicant shall implement one or a combination of the following measures:

- a) Flatten the slope to 2 to 1 by removing the existing parking lot adjacent to Daley Center Drive.
- b) Flatten the slope to 2 to 1 by constructing retaining walls at the top, bottom, and/or mid slope.
- c) Flatten the slope to 2 to 1 by raising the area of Retail I and/or lowering the grade of the existing parking lot adjacent to Daley Center Drive.
- d) Construct a geogrid stabilized fill slope at an inclination steeper than 2 to 1.

Monitoring & Reporting

- 1) Prior to issuance of a modified land development permit, a soils investigation shall be prepared by the project applicant to the satisfaction of the City Engineer. The City Engineer shall assure that the approved remedial measures have been

incorporated into the project's grading plan. Prior to issuance of a Notice of Completion and Acceptance, the Field Engineering Division of the Engineering and Development Department shall conduct a final inspection of the site to confirm that remedial grading measures have been implemented pursuant to the approved plans.

PALEONTOLOGICAL RESOURCES

Significant Impacts

- 1) Grading for project development could result in significant impacts to paleontological resources. The Friars Formation found on the project site may contain significant fossil deposits.

Mitigation

- 1) Paleontological impacts would be fully mitigated with the preparation and implementation of a paleontological resource recovery program.

Monitoring & Reporting

- 1) Prior to issuance of a modified land development permit, the applicant shall provide written verification that a qualified paleontologist and/or paleontological monitor has been retained to implement this monitoring program. Verification shall be in the form of a letter from the project applicant to the Principal Planner of the Environmental Analysis Section (EAS) of the City of San Diego Planning Department. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, who is a recognized expert in the application of paleontological procedures and techniques such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist. All persons involved in the paleontological monitoring shall be approved by EAS prior to any pre-construction meetings.

The qualified paleontologist shall attend any pre-construction meetings to consult with the excavation contractor. The project applicant shall notify EAS staff of any pre-construction meeting dates, and of the start and end of construction. The requirement for paleontological monitoring shall be noted on all grading plans. The paleontologist's duties shall include monitoring, salvaging, preparation of materials for deposit at a scientific institution that houses paleontological collections, and

preparation of a report summarizing the results of the monitoring efforts. The duties are defined as follows:

a. Monitoring

The paleontologist or paleontological monitor shall be onsite during the original cutting of previously undisturbed areas of the formations to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.

b. Salvaging

In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely manner. Recovery is anticipated to take from one hour to a maximum of two (2) days. At the time of discovery, the paleontologist shall contact EAS. EAS must concur with the salvaging methods before construction is allowed to resume.

c. Preparation

Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).

d. Monitoring Report

A monitoring report, with appropriate graphics, summarizing the results, analysis and conclusions of the above program shall be prepared and submitted to EAS within three (3) months following termination of the paleontological monitoring program. Building permits shall not be approved prior to receipt of this report.

HYDROLOGY/WATER QUALITY

Significant Impacts

- 1) Pollutants contained in urban runoff would have a significant direct and cumulative impact on water quality within the San Diego River.

Mitigation

Implementation of the following mitigation measures, project impacts associated with water quality would be reduced to below a level of significance:

- 1) Water pollution control devices shall be installed by the project applicant to intercept flow before discharge into the drainage system to the extent determined feasible by the City Engineer.

Appropriate measures shall be utilized during construction to control runoff from construction sites. Temporary desilting basins shall be incorporated to keep sediment from the graded pads from entering the storm drain system. The collected silt shall be removed from these inlet structures after each major rainfall. Sandbagging along street and utility trenches shall be used for temporary erosion control prior to completion of final improvements.

The City's Best Management Practices for Stormwater Pollution Control shall be identified and implemented.

Monitoring & Reporting

- 1) Prior to issuance of a modified land development permit, the City Engineer shall review the grading plan to ensure that erosion control measures are provided. Prior to issuance of a modified land development permit, the developer shall provide evidence to the City Engineer indicating compliance with the National Pollutant Discharge Elimination System requirements by filing a Notice of Intent with the State of California Water Resources Control Board (SWRCB), and by implementing a Storm Water Pollution Prevention Plan satisfactory to the SWRCB.

Prior to issuance of a Certificate of Occupancy and Final Inspection, the Inspection Services Division of the Building Inspection Department shall conduct a final inspection of the site to confirm that water pollution control devices have been installed pursuant to the approved building plans.

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Passed and adopted by the Council of The City of San Diego on OCT 12 1993
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Mary Cepeda, Deputy.

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CITY CLERK'S OFFICE

Office of the City Clerk, San Diego, California

Resolution Number 282805 Adopted OCT 12 1993

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