

RESOLUTION NUMBER R- 288969

ADOPTED ON JUL 15 1997

WHEREAS, on , July 18, 1996, Westfield Corporation, Inc., Owner/Applicant submitted an application to Community and Economic Development for a General Plan Amendment, Amendment of the Mission Valley Community Plan, and Amendment of the First San Diego River Improvement Project (FSDRIP) Specific Plan; and

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

WHEREAS, the issues were heard by the Council on JUL 15 1997; and

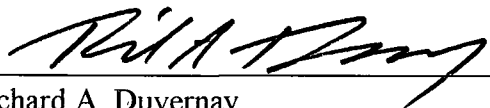
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 35-0397; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 35-0397, 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 declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a General Plan Amendment, Amendment of the Mission Valley Community Plan, and Amendment of the FSDRIP Specific Plan.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the 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: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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06/16/97
Or.Dept:Comm.&Eco.Dev.
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

MISSION VALLEY WEST SHOPPING CENTER RENOVATION
FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT (FSDRIP)
SPECIFIC PLAN AMENDMENT NO. 7

LDR NO. 35-0397

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 35-0397) shall be made conditions of the First San Diego River Improvement Project (FSDRIP) Specific Plan Amendment No. 7 as may be further described below.

TRAFFIC CIRCULATION:

To adequately mitigate both short-term and long-term impacts (by improving the LOS at both the Mission Center Road/Camino del Rio North and Mission Center Road/Camino de la Reina intersections to an acceptable LOS D during the afternoon peak hour), the developer has agreed to provide the following improvements to the satisfaction of the City Engineer:

1. The segment of Mission Center Road between the Interstate 8 (I-8) Freeway bridge and Camino de la Reina shall be improved by adding a seventh lane between Camino del Rio North and Camino de la Reina. The additional travel lane shall allow for dual left turn lanes. Widening of the street shall be accomplished by relocating the westerly curb approximately 12 feet to the west. Additionally, widening to the east side of Mission Center Road shall be accomplished by modifying its center median.
2. Camino de la Reina shall be improved along the project frontage to a four-lane major street. This shall involve construction of curb, gutter, sidewalks and landscaping consistent with the First San Diego River Improvement Project (FSDRIP) design recommendations.
3. Camino del Rio North shall be improved to a 50-foot-wide two-lane collector street along the project frontage consistent with FSDRIP design recommendations. The existing 11 driveways shall be replaced by two new driveways. The existing four-foot median shall be removed. A raised median shall be maintained from just west of the easternmost driveway to Mission Center Road. Left turns out of the easternmost driveway shall be prohibited.
4. A traffic signal shall be installed at the Mission Gate/Camino de la Reina access driveway to the project site, satisfactory to the City Engineer.
5. In the event that improvement of Camino de la Reina west of Camino de la Siesta is necessary in the future, the developer has agreed not to oppose the formation of an assessment district for this improvement, provided that all benefiting commercial, industrial and residential properties are included in the assessment district.

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CULTURAL RESOURCES:

While there are no archaeological resources identified on the project site, the potential for buried archaeological resources is high in the San Diego River floodplain. It is the policy of EAS to require a cultural resources monitoring program even for the redevelopment of project sites where such a high potential for resources exists.

In order to mitigate potentially significant impacts to cultural resources, an archaeological construction monitoring program shall be performed during grading and trenching for the construction site area as follows:

1. Prior to issuance of building permits, the developer shall provide verification that a qualified archaeologist and/or archaeological monitor has been retained to implement the archaeological construction monitoring program. This verification shall be in the form of a letter from the developer to the Principal Planner of the Environmental Analysis Section (EAS) of the City Development Services Department. A qualified archaeologist is defined as an individual with a graduate degree in Anthropology plus certification by the Society of Professional Archaeologists (SOPA) and at least two years of full-time experience at a supervisory level working with archaeological resources of southern California. A qualified archaeological monitor is defined as an individual who has expertise in the identification and recovery of archaeological resources and is working under the direction of a qualified archaeologist. All persons involved in the archaeological construction monitoring of this project shall be approved by EAS prior to construction. For questions regarding the archaeological site, EAS shall be contacted.
2. The qualified archaeological monitor shall attend any preconstruction meetings to make comments and/or suggestions concerning the archaeological construction monitoring program and discuss plans with the construction contractors. The requirement for archaeological construction monitoring shall be noted on the building plans. The archaeologist's duties shall include artifact recovery, analysis of collected material and preparation of a monitoring report. These duties are defined as follows:
 - a. Monitoring

The qualified archaeologist or archaeological monitor shall be present on-site during all grading to ensure that unanticipated archaeological resources are handled in a timely manner.
 - b. Artifact Recovery

In the event that significant archaeological resources are discovered during construction, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow for recovery of the resources. The archaeologist shall contact EAS at the time of discovery. Human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.
 - c. Analysis

All cultural materials collected during monitoring shall be cleaned, catalogued and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history

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of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate.

d. Report Preparation

A monitoring report that describes the results, analyses and conclusions of the above program (with appropriate graphics) shall be submitted to and approved by the Principal Planner of EAS within three months following termination of the monitoring program and prior to issuance of a certificate of occupancy.

3. The developer shall notify EAS staff of the start and end of construction.

GEOLOGY/SOILS:

According to the City of San Diego Seismic Safety Study map series (updated 1995), the project site lies in Geological Risk Zone C (moderate risk to development) and Hazard Category 31 (soil liquefaction). To address this issue, a full geotechnical investigation shall be performed under the supervision of a Certified Engineering Geologist at the time of grading and building permits. The investigation shall identify and analyze the potential for liquefaction, and provide for mitigation if necessary. Preparation of the geotechnical investigation and implementing its recommended mitigation measures would reduce the impact to below a level of significance.

PUBLIC HEALTH AND SAFETY:

The Unocal incident is considered to pose a public health and safety risk, which is a significant environmental impact. The Unocal station land carwash are proposed for demolition and removal.

The site assessment and remediation program for the Unocal incident shall be completed to the satisfaction of the San Diego County Department of Environmental Health, Hazardous Materials Management Division (HMMD), prior to the issuance of building permits. The underground tank has been removed and the contaminated soil removed and replaced with clean earth. The plan shall provide for a cleanup program and site monitoring under the supervision of HMMD. Additionally, the plan shall address the safe removal of asbestos and other hazardous and toxic materials from the site. Implementation of these measures would reduce the public health and safety impact to below a significant level.

These measures shall be incorporated into the First San Diego River Improvement Project (FSDRIP) Specific Plan Amendment, and as conditions of the Special Permit and Grading Review Permit; additionally they shall be shown on grading and building plans. The Environmental Analysis Section shall review the plans to ensure the notes have been provided.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.