

RESOLUTION NUMBER R-289508

ADOPTED ON DECEMBER 2, 1997

WHEREAS, on January 7, 1997, Presley Homes submitted an application to the Development Services Department for a rezone, street vacation, tentative map, and planned residential development/ resource protection ordinance permit for the Mercy Road Homes Development; 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 issue was heard by the Council on December 2, 1997; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 96-7108; NOW, THEREFORE,

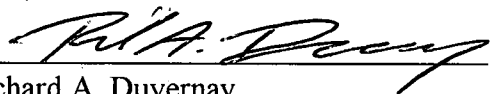
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-7108, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 the related actions for Mercy Road Homes Development.

APPROVED  
DATE 12-15-97  
CITY CLERK

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

RAD:lc  
11/04/97  
12/09/97 REV. - Attached Exhibit A  
Or.Dept:Dev.Svcs.  
R-98-540  
Form=mndr.frm

## EXHIBIT A

## MITIGATION MONITORING AND REPORTING PROGRAM

MERCY ROAD HOMES REZONE, STREET VACATION, PLANNED RESIDENTIAL DEVELOPMENT, TENTATIVE MAP AND RESOURCE PROTECTION ORDINANCE PERMIT

DEP NO. 96-7108

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 (DEP No. 96-7108) shall be made conditions of the permit as may be further described below.

Biology

The following mitigation measures are required to reduce biological impacts from development of the project to upland and wetland biological habitats to below a level of significance.

1. Prior to the issuance of a grading permits the mitigation parcel (15-acre parcel of land (APN# 315-040-49), as described in the Biological Resources Report and Impact Analysis prepared by Dudek & Associates on June 6, 1997) shall be conveyed by the applicant to the City for preservation as permanent open space. The applicant shall provide the Director of the Development Services Department with proof of conveyance of the offsite mitigation parcel to the City prior to issuance of the grading permit.
2. Prior to the issuance of a grading permit for the project, the applicant shall initiate implementation of the Wetland Mitigation and Monitoring Plan (Appendix F of the Biological Resources Report and Impact Analysis prepared by Dudek & Associates on June 6, 1997). To ensure compliance with the requirements of the Revegetation Plan, a surety bond shall be posted with the Environmental Services Manager at this time. Prior to the release of the bond the revegetated wetland area shall be reviewed by a certified biologist, and the Director of Development Services will concur that the measures required in the Wetland Mitigation and Monitoring Plan have been implemented. Additional requirements are contained in the Wetland Mitigation and Monitoring Plan.
3. Prior to the issuance of a grading permit for the project, the applicant shall have received a federal Clean Water Act Section 404 permit from the Army Corps of Engineers and an agreement under Section 1603 of the Fish and Game Code which will be required for proposed disturbance of onsite wetland habitat. The applicant shall demonstrate compliance with the Wetland Mitigation and Monitoring Plan to the satisfaction of the permitting agencies.

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Noise

The following mitigation measures are required to reduce traffic noise impacts from Mercy Road on the proposed residential structures to below a level of significance.

4. Prior to the issuance of building permits, submitted plans shall be routed to the Environmental Analysis Section for review and approval of the following noise mitigation measures:
  - a. The owner/permittee shall be responsible for constructing noise attenuation barriers as recommended in the "Acoustical Assessment Report" for Mercy Road Homes prepared by Dudek & Associates and dated February 28, 1997.
  - b. The location of on-site noise attenuation barriers shall be consistent with Figure 3, "Noise Barrier Locations and Heights" of the above referenced report.
  - c. Prior to the issuance of a building permit, an interior acoustical analysis shall be prepared and submitted to the Noise Abatement Officer, Building Inspection Department. The report shall demonstrate that interior noise levels would be reduced to 45 dB(A) CNEL or less, based on future traffic volumes of Mercy Road and Interstate 15.

These measures will reduce noise impacts to below a level of significance.

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.