

RESOLUTION NUMBER R-289744

ADOPTED ON FEB 17 1998

WHEREAS, on September 4, 1997, Marriott International, Incorporated, submitted an application to the Development Services Business Center for a community plan amendment, rezone, and planned industrial development permit amendment for the Residence Inn by Marriott project; 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 FEB 17 1998; and

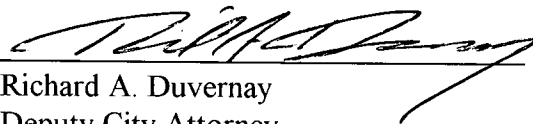
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 96-7709; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-7709, 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 community plan amendment, rezone, and planned industrial development permit amendment for the Residence Inn by Marriott project.

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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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COMMUNITY PLAN AMENDMENT, REZONE AND PLANNED INDUSTRIAL DEVELOPMENT PERMIT
AMENDMENT

LDR NO. 96-7709

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. 96-7709) shall be made conditions of the Community Plan Amendment, Rezone and Planned Industrial Development Permit Amendment as may be further described below.

Noise

The following mitigation measures are required to reduce traffic noise impacts from Mira Mesa Boulevard and projected aircraft noise levels from Marine Corps Air Station (MCAS) Miramar on the proposed structures to below a level of significance.

1. Upon submittal of plans for a building permit, an interior acoustical analysis shall be prepared and submitted to the Noise Abatement Officer, Development Services. The report shall demonstrate that interior noise levels would be reduced to 45 dB(A) CNEL or less, based on future traffic volumes of Mira Mesa Boulevard and projected aircraft noise levels from Marine Corps Air Station (MCAS) Miramar.
2. Prior to issuance of building permits, construction plans shall be reviewed by the City Manager to determine that the noise mitigation measures have been incorporated into the plans. During construction, the City Manager shall verify compliance with the mitigation measures.

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

Paleontology

The following mitigation measures are required to reduce paleontological impacts to below a level of significance.

3. A qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. A qualified paleontologist is defined as an individual with a PhD or MS 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.

4. Prior to issuance of land development or building permits, the requirement for paleontological monitoring shall be noted on the construction drawings. 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 results report. These duties are defined as follows:

- a. Monitoring

The paleontologist or paleontological monitor shall be on site during the initial cutting of previously undisturbed areas 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.

- 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 Results Report

Prior to the issuance of a building permit, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the above program shall be submitted to EAS for approval.

These measures will reduce paleontological 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.