

RESOLUTION NUMBER R- 290166

ADOPTED ON MAY 26 1998

WHEREAS, on August 15, 1997, Hallmark Communities, Inc., submitted an application to Development Services for a Tentative Map, Rezone, Community Plan Amendment and Planned Residential Development for the Hallmark Legends PRD; 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 May 26, 1998; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 96-7622; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-7622, 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 Hallmark Legends PRD permit and related actions.

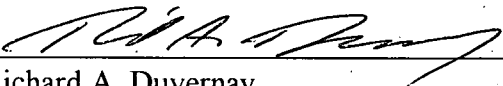
BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and

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

04/28/98

Or.Dept:Dev.Svcs.

R-98-1201

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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
Hallmark Legends PRD

Tentative Map/Rezone/Community Plan Amendment/Planned Residential Development PERMIT
LDR NO. 96-7622

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with AB 3180 (1989) 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. All mitigation measures contained in the Mitigated Negative Declaration (Dep No. 96-7622) shall be made conditions of Tentative Map/Rezone/Community Plan Amendment/Planned Residential Development Permit 96-7622 as may be further described below.

Noise

The applicant has agreed to the following mitigation measures which would mitigate potential noise impacts to below a level of significance:

- A. Prior to the issuance of the first building permit, the applicant shall incorporate sound attenuation measures as described in the Acoustical Report dated December 18, 1997, to the satisfaction of the City Manager. Specifically, plans shall indicate a solid six-foot sound attenuation barrier located at the property perimeter along Carmel Mountain Road and Entreken Way and be called out as an "Environmental Mitigation Measure" on building plans submitted for permit purposes. This wall shall attenuate exterior noise for the ground floor to below 65 dBA CNEL. This barrier shall be solid and continuous with no gaps or openings, except where access to the project site is required off Carmel Mountain Road.
- B. An acoustical report shall be submitted to include measures indicating that interior noise levels are below 45 dBA based on the average daily traffic volumes (ADT's) along Carmel Mountain Road (12,000 ADT's). Construction measures needed to reduce noise levels shall be called out on plans as "Environmental Mitigation Measures". The Acoustical Plan Check Section shall review all building plans to ensure that interior noise levels in the five units along Carmel Mountain Road will not exceed 45 dBA CNEL. The Environmental Analysis Section of Development Services, shall not approve any final building plans until EAS, in conjunction with the Acoustical Plan Check Section has reviewed the plans to determine conformance

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.

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