

RESOLUTION NUMBER R- 290783

ADOPTED ON SEP 29 1998

WHEREAS, on February 10, 1998, ESA Management, Inc., submitted an application to the Development Services Department for a Rezone, Mission Valley Planned District Permit, and Resource Protection Ordinance Permit for the development of a 204 unit Extended Stay America hotel in Mission Valley; 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 SEP 29 1998; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 96-7233; NOW, THEREFORE,

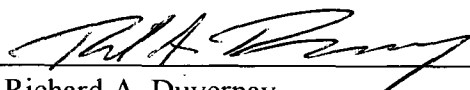
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-7233, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 land use actions for the development of the Extended Stay America hotel in Mission Valley.

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
09/04/98
Or.Dept:Dev.Svcs
R-99-278
Form=mndr.frm

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

REZONE, MISSION VALLEY PLANNED DISTRICT PERMIT, RESOURCE PROTECTION ORDINANCE PERMIT

LDR NO. 96-7233

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. 96-7233) shall be made conditions of the Rezone, Mission Valley Planned District Permit, and Resource Protection Ordinance Permit as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM

The following mitigation measures are required to reduce potential adverse impacts of the project to below a level of significance:

Biology

To avoid impacts on potential nesting raptors, on-site eucalyptus trees should not be removed during the raptor breeding season (February 1 through August 31). If trees must be removed during this period, the applicant shall conduct a pre-construction survey for active raptor nests. The pre-construction survey shall be conducted by a qualified biologist and the survey results shall be submitted to the Environmental Review Manager prior to grading permit issuance. If the survey identifies active nests, then construction work shall not be conducted until young are independent of their parents.

Hydrology/Water Quality

Prior to grading permit issuance, the applicant shall submit an erosion control plan for review and approval by the Environmental Review Manager. The plan shall include, but not be limited to, the following best management practices:

- a) Short-term placement of sediment trapping facilities such as sand bags, matting, mulch, brush barriers, filters, berms, hay bales, silt fences, and/or sediment pools (or similar devices) along all pertinent graded areas to minimize off-site sediment transport. Such facilities would likely be required at the base of manufactured slopes as well as all areas adjacent to or upstream of drainage courses.
- b) Revegetation/landscaping of manufactured slopes within 30 days of their creation.
- c) Use of proper fill materials, placement methodology, and compaction to increase the stability of fill slopes.

R-290783

- d) Concentrated local runoff shall be conveyed in stabilized paths to preclude runoff flow on graded slopes. Stabilization may consist of erosion control mats, temporary culverts, rock stabilization, use of vegetation-lined swales and/or drainage ditches to filter runoff from the project site and remove suspended sediment, benching, berms, check dams, brow ditches, slope drains, and outlet protection.
- e) Placement of temporary and/or permanent desilting basins, dikes, check dams, sediment basins, rip rap, or other appropriate structures shall be provided at applicable points upstream of all drainage courses and wetlands, or where substantial drainage alteration is proposed.
- f) Construction entrances shall be stabilized. Stabilization of construction vehicle and equipment access points by temporary paving, graveling, and/or use of sediment trapping devices to reduce the movement of sediment onto public roadways and rights-of-way. Construction fencing shall be placed where necessary to keep vehicles or equipment from inadvertently entering natural areas.
- g) Specified vehicle fueling and maintenance procedures and hazardous materials storage areas shall be designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants, and solvents). Such designations shall include specific measures to preclude spills or contain hazardous materials, including proper handling and disposal techniques, and the use of temporary impervious liners and/or barriers to prevent soil and water contamination. The described program to control and contain construction-related hazardous materials shall be subject to review and approval by the Development Services Manager.
- h) Energy dissipating structures (e.g., sediment basins, rip rap aprons, water bars, or drop structures) shall be placed at all storm drain, subdrain, and pipe outlets.
- i) Subdrains shall be used in applicable areas to redirect subsurface flows.
- j) Project grading shall be restricted during the rainy season (approximately mid-November to mid-April) unless related erosion control measures are implemented to the satisfaction of the Environmental Review Manager. Measures shall follow standards specified in the City Standard Specifications for Public Work (Green Book).

Noise

Prior to building permit issuance, a detailed noise study shall be submitted for review and approval by the Environmental Review Manager. The study shall provide measures that ensure interior noise levels do not exceed 45 d(B) CNEL.

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.