

(R-99-939)

RESOLUTION NUMBER R- 291375

ADOPTED ON MAR 23 1999

WHEREAS, on December 17, 1998, Jason Fong for Irvine Apartment Communities, LP, submitted an application to The City of San Diego for a Rezone for The Colony at Aventine 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 MAR 23 1999; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in the Addendum No. 98-1204 to Mitigated Negative Declaration No. 96-0638; NOW, THEREFORE,


BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Addendum No. 98-1204 to Mitigated Negative Declaration No. 96-0638, 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 Rezone for The Colony at Aventine (No. 98-1204).

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 Addendum No. 98-1204 to Mitigated Negative Declaration No. 96-0638, 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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Or.Dept.Plan.&Dev.Rvw.  
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## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM

#### THE COLONY AT AVENTINE, REZONE

LDR NO. 98-1204

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 Addendum No. 98-1204 to Mitigated Negative Declaration No. 96-0638 (LDR No. 98-1204) shall be made conditions of REZONE No. 98-1204, as may be further described below.

1. Prior to the issuance of the first building permit, balconies on the first three floors of all units abutting La Jolla Village Drive shall require a solid noise attenuation wall of not less than 3.5 feet in height; balconies in the fourth floor units shall be required to have a solid noise attenuation wall of not less than 2 feet in height. For the units on all floors in Building A abutting Lebon Drive, balconies shall require a solid noise attenuation wall of not less than 2 feet in height. The noise attenuation walls can be constructed of block, masonry, wood, glass or plexiglass, or a combination of materials. The noise attenuation measures as described above, shall be shown on the building plans to the satisfaction of the City Manager to achieve a 65 dB (A) exterior noise level for those units abutting and near La Jolla Village Drive.
2. Prior to issuance of the first certificate of occupancy, the City Engineer shall verify that the sound attenuation barrier has been installed in accordance with the approved building plans.
3. Prior to the issuance of the first building permit, a final acoustical report and specific noise attenuation measures shall be submitted to and approved by the City Manager to achieve a 45 dB (A) interior noise level for all units abutting and near La Jolla Village Drive. Attenuation of interior noise levels may be accomplished through upgraded construction materials with mechanical ventilation and special construction techniques. This may include the use of glazing products sound rated as high as STC 45, which generally require a double, double-paned slider (a window inside of a window). Baffling or elimination of attic vents, and resilient channels in exterior walls may also be required.
4. The Mitigation, Monitoring and Reporting Program (MMRP) shall require a deposit of \$450 to be collected prior to the issuance of building permits to cover the City's costs associated with implementation of the MMRP.

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