

(R-2001-1465)

RESOLUTION NUMBER R-293621

ADOPTED ON AUGUST 1, 2000

WHEREAS, on December 7, 1999, Andy Hsu submitted an application to the City of San Diego for a Planned Commercial Development and Tentative Map for the Regents Townhomes 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 August 1, 2000; and

WHEREAS, the Council of the City of San Diego considered the issues discussed in Mitigated Negative Declaration, LDR No. 99-1231; NOW, THEREFORE,

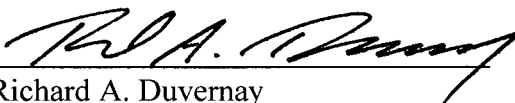
BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration, LDR No. 99-1231, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code 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 Regents Townhomes 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

RAD:lc  
05/14/01  
Or.Dept:Clerk  
R-2001-1465  
Form=mndr.frm

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM  
REGENTS TOWNHOMES  
TENTATIVE MAP AND PLANNED COMMERCIAL DEVELOPMENT PERMIT  
LDR NO. 99-1231

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. 99-1231) shall be made conditions of the Tentative Map and Planned Residential Development Permit as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM:

As conditions of the Tentative Map and Planned Commercial Development Permit, the following mitigation measures are required to reduce potentially adverse impacts associated with noise and human health/public safety to below a level of significance.

1. Noise

Prior to the issuance of the first building permit, the applicant/owner shall incorporate sound attenuation measures as described in the acoustical report, *Regents Road Townhomes TM, PCD, LDR No. 99-1231, Douglas Eilar & Associates, March 1, 2000*, to achieve a 45 dB(A) CNEL interior noise level for the proposed residential units and 65 dB(A) CNEL for the exterior use area, to the satisfaction of the City Manager. This requirement shall be noted on the construction plans under the heading "Environmental Requirements." Specifically, plans shall indicate a ten-foot-high sound attenuation barrier (combination wall and earth berm/mound as indicated on Exhibit "A") located along Regents Road. The sound attenuation barrier shall be solid, continuous with no gaps or openings and architecturally articulated and/or enhanced with landscape softening to the satisfaction of the City Manager.

2. Human Health/Public Safety

Prior to the issuance of the first grading permit, the applicant/owner shall submit verification of approval of the project's grading plan through the County of San Diego's Department of Environmental Health, Land and Water Quality Division, regarding the

past fuel-contaminated soil. This grading plan approval may include implementing measures required by the County, such as a Safety Plan (dust and vapor control), monitoring during excavation work by a qualified professional, and management of any petroleum impacted soils in accordance with the County's regulations.

3. General

Prior to the recordation of the final map and/or issuance of the first grading permit, the applicant/owner shall submit \$450.00 to EAS to cover the City's costs associated with implementation of the Mitigation, Monitoring, and Reporting Program.