

RESOLUTION NUMBER R-294249

ADOPTED ON NOVEMBER 21, 2000

WHEREAS, on August 28, 1999, I Beam Development Company submitted an application to the City of San Diego for a Coastal Development Permit, La Jolla Planned District Development Permit and a Tentative Map for the Draper Condominiums 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 City Council on November 21, 2000; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration LDR No. 98-0835; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration LDR No. 98-0835, 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 Draper Avenue Condominiums project.

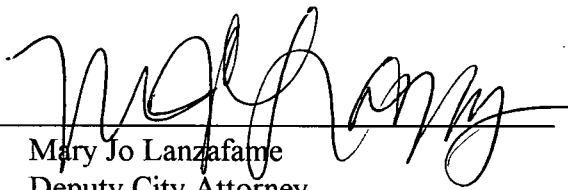
BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study

and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:lc
08/22/01
Or.Dept:Clerk
R-2001-1589
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

DRAPER AVENUE CONDOMINIUMS, COASTAL DEVELOPMENT, LA JOLLA PLANNED DISTRICT DEVELOPMENT PERMIT AND TENTATIVE MAP

LDR NO. 98-0835

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. 98-0835) shall be made conditions of Coastal Development/La Jolla Planned District Development Permit and Tentative Map as may be further described below.

Historical Resources

1. Prior to issuance of a demolition permit, the applicant shall relocate the front portion (approximately 20' X 30') of the residence located at 7520 Draper Avenue (Historic Site No. 375) to 7210 La Jolla Boulevard, to the satisfaction of the City Manager.
2. Prior to the preconstruction meeting, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified archaeologist and/or archaeological monitor (as defined in the City of San Diego Historical Resources Guidelines) have been retained to implement the monitoring program. The requirement for archaeological monitoring shall be noted on the grading plans. **THE APPLICANT SHALL NOTIFY LDR OF THE START AND ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING AND OF CONSTRUCTION.**
3. The qualified archaeologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager.
4. The qualified archaeologist or archaeological monitor shall be present on site full-time during grading of native soils.
5. **WHEN REQUESTED BY THE ARCHAEOLOGIST, THE CITY RESIDENT ENGINEER OR HIS/HER DESIGNEE SHALL DIVERT, DIRECT, OR TEMPORARILY HALT GROUND DISTURBANCE ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW EVALUATION OF POTENTIALLY SIGNIFICANT HISTORICAL RESOURCES. THE ARCHAEOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist, in consultation with LDR. LDR must concur with the evaluation before grading activities will be allowed to resume. For significant historical resources, a Research Design and Data Recovery program shall be prepared and carried out to mitigate impacts before grading activities in the area of

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discovery will be allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

6. All cultural materials collected shall be cleaned, catalogued, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate.
7. Prior to the release of the grading bond, a monitoring results report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to and approved by the Environmental Review Manager of LDR. For significant historical resources, a Research Design and data Recovery Program shall be included as part of the evaluation report. A mitigation report for significant historical resources, if required, shall be submitted to and approved by the Environmental Review Manager of LDR prior to the release of the grading bond.

Paleontological Resources

8. Prior to issuance of the first grading permit, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontological monitor (as defined in the City of San Diego Paleontological Guidelines) have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. **ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING. THE APPLICANT SHALL NOTIFY LDR OF THE START AND END OF CONSTRUCTION.**
9. The qualified paleontologist shall attend any preconstruction meetings to discuss the paleontological monitoring program with the construction manager.
10. The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of previously undisturbed areas. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and shall depend on the rate of excavation, the materials excavated and the abundance of fossils.
11. **WHEN REQUESTED BY THE PALEONTOLOGIST, THE CITY RESIDENT ENGINEER OR HIS/HER DESIGNEE SHALL DIVERT, DIRECT, OR TEMPORARILY HALT CONSTRUCTION ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW RECOVERY OF FOSSIL REMAINS. THE PALEONTOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. LDR SHALL APPROVE SALVAGING PROCEDURES TO BE PERFORMED BEFORE CONSTRUCTION ACTIVITIES ARE ALLOWED TO RESUME.**
12. The paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego Paleontological Guidelines and submittal of a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recorded by the paleontologist at the San Diego Natural History Museum.

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13. Prior to the release of the grading bond, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the paleontological monitoring program, shall be submitted to and approved by the Environmental Review Manager of LDR.

General

14. This mitigation monitoring and reporting program will require an additional deposit of \$450.00, to be collected prior to the issuance of grading permits to ensure the successful completion of the program.

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