

RESOLUTION NUMBER R- 300616

ADOPTED ON JUN 28 2005

WHEREAS, Francis Parker School, a California Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to increase the number of students, and accommodate phased modifications on the campus to include demolition, renovation and construction of new school facilities to include deviations to height and setback requirements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 84874, 84875, 215276, and 215168), on portions of a 23-acre site; 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 JUN 28 2005; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration LDR No. 31079, dated April 27, 2005; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration LDR No. 31079, 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.

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, as Exhibit A, and incorporated herein by reference.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:ai
05/23/05
Or.Dept:DSD
R-2005-1226

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Conditional Use Permit No. 84874, Planned Development Permit No. 84875, Site Development Permit No. 215276, Sewer Easement Vacation No. 215168
Project No. 31079

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 (Project No. 6655) shall be made conditions of Conditional Use Permit, Site Development Permit, Planned Development Permit, and Sewer Easement Vacation as may be further described below.

General

1. Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading "*Environmental Requirements: Francis Parker Upper-Middle School Campus project is subject to a Mitigation, Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration 31079.*"

Biology

1. Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading permit and Building Plans/Permits, direct impacts to 0.36 acres of Diegan coastal sage scrub habitat (Tier II) shall be mitigated to the satisfaction of the City Manager, through one of the following: (a) off-site land acquisition within the MHPA; (b) off-site land acquisition in an approved conservation mitigation bank; (c) payment into the City's Habitat Acquisition Fund as described below, or (d) a combination of a, b, and c.
 - a. Impacts to 0.36 acres of Diegan coastal sage scrub habitat (Tier II) outside of the MHPA shall be mitigated with equivalent Tier II habitat or better. These impacts would be mitigated via preservation within the MHPA at a ratio of 1:1 for a requirement of 0.36 acres within the MHPA. If the preservation occurs outside of the MHPA, a 1.5:1 ratio shall be utilized, for a requirement of 0.54 acres, or
 - b. Prior to the first preconstruction meeting, the applicant shall provide verification to the Assistant Deputy Director (ADD) in the Development Services Department (DSD) that conservation credits equivalent to 0.36 acres of Tier II upland habitat has been assigned in the City's Marron Valley Conservation Bank as mitigation for impacts to 0.36 acres of Diegan coastal sage scrub, or
 - c. Prior to the issuance of the first grading permit, the owner/permittee shall contribute a total of \$9,000.00 to the City of San Diego Habitat Acquisition Fund to mitigate for the loss of 0.36 acres of Diegan coastal sage scrub (Tier II). This contribution amount is based on a value of \$25,000 per acre. This contribution amount is also based on a mitigation ratio of 1:1 for Diegan coastal sage scrub

(impact occurred outside the MHPA, yet mitigation would be required inside the MHPA).

- d. A combination of *a*, *b*, or *c* as referenced above.

Health and Safety

1. Prior to the issuance of any demolition permits, proper testing shall be conducted by the applicant, to the satisfaction of the City Engineer, to determine if asbestos or lead-based paints exist within the structures slated for demolition. If testing shows the presence of asbestos or lead-based paints, then proper precautions shall be made during the removal and disposal of these materials, as regulated by state agencies (Cal-OSHA and Cal-EPA) and the San Diego Air Pollution Control District Rule 361.145 Standard for Demolition and Renovation and the San Diego County Department of Environmental Health, to ensure that no hazards to the demolition crew, adjacent residents, or other individuals are created.

Noise

Due to the potential noise impacts related to field and sporting events at the school campus, particularly during the evening hours, the following mitigation is required to reduce noise impacts to below a level of significance as required by the City of San Diego Municipal Code Section 59.5.0401, *Sound Level Limits*.

1. Relocation of athletic fields as far from residences as practical and relocating the main bleachers away from the eastern property line.
2. Loudspeaker and other public address systems on campus shall be located at the spectator bleachers facing away from residential units adjacent to the field.
3. The public address systems shall be designed by a qualified sound engineer with the following minimum specifications:
 - a. Only low-pressure type speakers shall be used, which are designed to have a minimum coverage area of approximately 300 square feet each.
 - b. The distance between speakers shall not exceed 20 feet, and speaker orientation shall be directed toward the target audience.
 - c. The maximum speaker output shall be limited to 80 dB at 20 feet from the front of the speaker along the primary speaker axis.
4. Weekend special events using the athletic fields, such as fundraisers or athletic tournaments, shall not be planned before 8 A.M. on Saturday or 9 A.M. on Sunday, and shall use portable public address systems clearly audible only within the immediate vicinity of the activity.
5. The parking structure shall have textured concrete on drive aisles to reduce tire squeal, and coated wall surfaces to reduce echo effects.

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.