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(R-2016-89)

RESOLUTION NUMBER R- 309873

DATE OF FINAL PASSAGE AUG 0 3 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, MAKING FINDINGS, AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE UNIVERSITY AVENUE MOBILITY PLAN PROJECT NO. 115295.

WHEREAS, on October 10, 2006, City of San Diego, Public Works-Engineering and Capital Projects Department submitted an application to Development Services Department for a review for the University Avenue Mobility Plan (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on July 27, 2015; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. Project No. 115295, SCH No. 2010031029 prepared for this Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Sections 15091 and 15093, the City Council hereby adopts the Findings and the

Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101 or Office of the City Clerk, 202 C Street, San Diego, CA 92101.

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 Project.

APPROVED: JAN GOLDSMITH, CITY ATTORNEY

By: Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:als
07/27/2015
Or.Dept: DSD
Doc. No. 1070440

ATTACHMENT(S): Exhibit A, Findings and Statement of Overriding Considerations
Exhibit B, Mitigation Monitoring and Reporting Program

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 27 2015

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: 8/3/15
(date)

_____
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

_____
KEVIN L. FAULCONER, Mayor

EXHIBIT A

CANDIDATE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE UNIVERSITY AVENUE MOBILITY PLAN
Project No. 115295
SCH No. 201003129

I. INTRODUCTION

The following Candidate Findings and Statement of Overriding Considerations are made for the University Avenue Mobility Plan (UAMP) project (hereinafter referred to as the "project"). The environmental effects of the project are addressed in the Final Environmental Impact Report (EIR) dated April 2013, which is incorporated by reference herein.

A. Findings of Fact and Statement of Overriding Considerations

The California Environmental Quality Act (CEQA) [§21081(a)] and the State CEQA Guidelines [§15091(a)] require that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof, unless such public agency makes one or more of the following findings:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment;

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can or should be, adopted by that other agency; or

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

CEQA also requires that the findings made pursuant to §15091 be supported by substantial evidence in the record (§15091(b) of the State CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided (and reasonable inferences from this information may be made) that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (§15384 of the State CEQA Guidelines).

CEQA further requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (§15093(a) of the State CEQA Guidelines). When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its actions based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record, and does not substitute for, and shall be in addition to, findings required pursuant to §15091 (§15093(b) and (c) of the State CEQA Guidelines).

The following Candidate Findings and Statement of Overriding Considerations have been submitted by the City of San Diego Engineering and Capital Projects Department, as Candidate Findings and Statement of Overriding Considerations to be made by the decision making body. The Development Services Department (DSD), Environmental Analysis Section of the Entitlements Division, does not recommend that the discretionary body either adopt or reject these Findings. They are attached to allow readers of this report an opportunity to review the City of San Diego Engineering and Capital Projects Department's position on this matter. It is the exclusive discretion of the decision-maker certifying the EIR to determine the adequacy of the proposed Candidate Findings and Statement of Overriding Considerations.

B. Record of Proceedings

For purposes of CEQA and these Findings, the record of proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP), dated March 5, 2010, and all other public notices issued by the City in conjunction with the project;
- The Final EIR for the project;
- All written comments submitted by agencies or members of the public during the public review comment period of the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period of the Draft EIR;
- The project's Mitigation Monitoring and Reporting Program (MMRP);
- The reports, documents, studies, technical memoranda or other materials included or referenced in the Final EIR;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings and/or the Statement of Overriding Considerations;
- All notices issued by the City to comply with CEQA or with any other law governing the processing and approval of the project; and
- Any other relevant materials required to be in the record of proceedings by §21167.6(e) of CEQA.

C. Custodian and Location of Records

The documents and other materials which constitute the record of proceedings for the City's actions on the project are located at the City DSD, 1222 First Avenue, 5th Floor, San Diego, CA 92101. The City DSD is the custodian of the project's administrative record. Copies of the documents that constitute the record of proceedings are and at all relevant times have been available upon request at the offices of the City DSD. The draft EIR also was placed on the City's website at **http://clerkdoc.sannet.gov/Website/publicnotice/pubnotceqa.html.** This information is provided in compliance with Public Resources Code §21081.6(a)(2) and CEQA Guidelines §15091(e).

II. PROJECT SUMMARY

A. Project Location

The 1.25-mile linear project site is located along University Avenue between Florida Street and Boundary Street in the North Park community in the City of San Diego. The project site also extends to Lincoln Avenue to the north and Wightman Street and North Park Way to the south.

B. Project Description

The proposed project entails improvements or modifications related to roadways, transit, pedestrian access, parking, and utilities along University Avenue between Florida Street and Boundary Street. Proposed roadway improvements would consist of the installation of two traffic signals (Arnold Avenue/University Avenue and Oregon Street/University Avenue), removal of an existing traffic signal (Ohio Street/University Avenue), signal modifications at several intersections, construction of a raised median, re-striping, and installation of additional left-turn pockets at the following intersections:

- Florida Street;
- Mississippi Street;
- Texas Street;
- Arnold Avenue;
- Oregon Street;
- Utah Street;
- 30th Street;
- Illinois Street;
- 32nd Street; and
- Boundary Street.

The transit improvements would consist of the provision of transit-only lanes along portions of University Avenue in both the eastbound and westbound directions. The westbound transit-only lane would extend the full length of the project site along University Avenue between Florida Street and Boundary Street, and the eastbound transit-only lane would extend between Utah Street and Boundary Street. Additionally, the project proposes consolidation of transit stops along the University Avenue to reduce the existing 18 stops to 14 stops.

Pedestrian improvements would consist of the installation of four enhanced pedestrian crossings across University Avenue and four crossings on abutting side streets. The four proposed crosswalks along University Avenue include:

- Idaho Street/28th Street;
- Ohio Street;
- Kansas Street; and
- Iowa Street/Herman Avenue.

The four proposed side street crossings include:

- Alabama Street (north leg);
- Alabama Street (south leg);Idaho Street; and
- 28th Street.

The enhanced crossings on University Avenue may include in-pavement flashing devices and reflective pavement markings to warn motorists of pedestrians, activation equipment (push button or automatic sensors), and a control unit. Existing pedestrian crosswalks within the project site (both along University Avenue and side streets) would be re-striped with highly reflective paint or modified. An existing pedestrian crosswalk at Pershing Street would be removed to accommodate the proposed improvements.

In addition, curb extensions would be installed to reduce the distance between sidewalks on either side of the street. Curb extensions are proposed at several side streets within the project site (contingent upon turning radius evaluations), including:

- Alabama Street (north leg);
- Louisiana Street (north leg);
- Arizona Street (north leg);
- Oregon Street;
- Idaho Street;
- 28th Street;
- Utah Street;
- Granada Street;
- Kansas Street;
- 29th Street;
- Ray Street;
- Ohio Street;
- Illinois Street; and
- Iowa Street.

Parking modifications would consist of the removal of on-street parallel parking along University Avenue and the re-striping of on-street parallel parking spaces to angled parking spaces along both sides of the following adjacent side streets north of University Avenue:

- Alabama Street;
- Louisiana Street;
- Arizona Street;
- Oregon Street;
- Ohio Street;
- Illinois Street; and
- Iowa Street.

The project would require relocation of some existing utilities and infrastructure. Construction of the proposed curb extensions and raised median would necessitate relocation of existing storm drain inlets, sewer manholes, and water valve cans. The re-striping and reconstruction of University Avenue also would require relocation of electrical and telecommunications utility lines, as well as some existing utility boxes and street lights.

The project would be constructed in phases, as funding is procured. Specific improvements during Phase 1 would include the following contingent upon available funding:

- University Avenue, between Texas Street and Boundary Street, would be re-striped to provide a painted median, left-turn pockets at signalized intersections, and improved lane widths;
- Installation of a raised median on University Avenue, between Utah Street and Grim Avenue;
- Installation of nine curb extensions at four intersections on University Avenue: Oregon Street (2), Idaho Street (2), 28th Street (1), and Utah Street (4);
- Installation of new traffic signals at University Avenue's intersections at Arnold Avenue and Oregon Street;
- Removal of an existing traffic signal at the intersection of University Avenue and Ohio Street;
- Installation of an enhanced pedestrian crosswalks at University Avenue's intersections with Idaho Street/28th Street, Ohio Street, and Kansas Street;
- Existing crosswalks would be re-striped with highly reflective paint at five signalized intersections on University Avenue: Utah Street, 30th Street, Grim Street, Illinois Avenue, and 32nd Street;
- Removal of most parallel on-street parking on University Avenue, between Texas Street and Boundary Street;
- Some side streets between University Avenue to Lincoln Avenue may be re-striped to provide angled parking on both sides of the street;
- Re-stripe University Avenue, between Utah Street and Boundary Avenue to provide one transit-only lane and one mixed-flow lane in the EB and WB directions;
- Consolidation of transit stops along University Avenue; and
- Installation of 110 pedestrian countdown signal heads at 15 intersections on University Avenue, Lincoln Avenue, and North Park Way.

Subsequent phases would construct the following improvements and modifications:

- Installation of a raised median on University Avenue, between Florida Street and Utah Street, and between Grim Avenue and Boundary Street;
- Re-stripe University Avenue, between Florida Street and Utah Street, to provide one transit-only lane and one mixed-flow lane in the WB direction, and two mixed-flow lanes in the EB direction;
- Provision of left-turn pockets and signal phase modifications at intersections, as required;
- Some side streets between University Avenue to Lincoln Avenue could be re-striped to provide angled parking on both sides of the street;
- Installation of curb extensions at several intersections: Alabama Street (2), Louisiana Street (2), Arizona Street (2), Granada Avenue (2), Kansas Street (2), 29th Street (2), Ohio Street (2), Illinois Street (2), and Iowa Street (2);

- Installation of an enhanced pedestrian crosswalk at the intersection of University Avenue and Iowa Street/Herman Avenue;
- Installation of enhanced side street crossings at Alabama Street, Idaho Street, and 28th Street;
- Existing crosswalks would be re-striped with highly reflective paint at University Avenue's intersection at Florida Street, Mississippi Street, Texas Street, and Oregon Street; and
- Removal of on-street parking on University Avenue, between Florida Street and Texas Street.

C. Discretionary Actions

To approve the project, the City must take the following actions:

- Certify the Final EIR;
- Approve these Findings and Statement of Overriding Considerations;
- Adopt the MMRP; and
- Approve angled street parking.

The Final EIR also may be used by responsible and trustee agencies in connection with project-related approvals, including the California Department of Transportation and the Regional Water Quality Control Board.

D. Statement of Objectives

As described in Section 3.1 of the Final EIR, the objectives of the project include:

(1) Improve mobility within the project site for pedestrians and transit users;

(2) Reduce the current automobile/pedestrian conflicts at numerous street crossings within the project site; and

(3) Reduce automobile traffic trips within the project site.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

In 2010, the City determined that the proposed project may have a significant effect on the environment and that an EIR should be prepared to analyze the potential impacts associated with the project. On March 5, 2010, in accordance with State CEQA Guidelines §15082, the City distributed a Notice of Preparation (NOP) of the Draft EIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties and held a noticed public scoping meeting on March 24, 2010 to provide information regarding the project and an opportunity for public input regarding project issues that should be addressed in the Draft EIR. The NOP was properly distributed under CEQA, placed on the City's website, and published in the San Diego Daily Transcript. The NOP, NOP distribution list, and NOP comments received during the 30-

day public review period are contained in Appendix A to the Draft EIR. Comments received during the public scoping process were considered in the preparation of the Draft EIR.

The Draft EIR was circulated for a 45-day review period, from June 1, 2012 until July 16, 2012. At the request of the North Park Planning Committee, the public comment period was extended until July 31, 2012. A Notice of Completion of the Draft EIR was sent to the State Clearinghouse and the Draft EIR was circulated to State agencies for review through the State Clearinghouse, Office of Planning Research (SCH No. 2010031029). The City received comments on the Draft EIR and completed responses to those comments in April 2013, and those responses to comments have been incorporated into the Final EIR.

IV. SUMMARY OF IMPACTS

The Final EIR concludes that the project would have no significant direct and/or cumulative impacts with respect to the following issues:

- Land Use;
- Air Quality;
- Hydrology/Water Quality;
- Visual Effects and Neighborhood Character; and
- Greenhouse Gas Emissions.

As described in Section V. of these Findings, potentially significant and/or cumulative impacts could occur with respect to the following issues:

- Transportation/Circulation/Parking (direct and cumulative); and
- Health and Public Safety (direct).

Direct impacts resulting from the project related to Health and Public Safety would be mitigated to below a level of significance by existing regulations/standard conditions and mitigation measures that would be made conditions of project approval. Some, but not all, of the direct and cumulative impacts of the project related to Transportation/Circulation/Parking would be reduced to below a level of significance by mitigation measures identified in Section V.

V. FINDINGS REGARDING SIGNIFICANT IMPACTS

In making each of the findings below, the City has considered the project design features; plans, programs, and policies; and mitigation measures discussed in the Final EIR. The project design features described in the Final EIR are part of the project that the City has considered, and are explicitly made conditions of project approval. The plans, programs, and policies discussed in the Final EIR are existing regulatory plans and programs the project is subject to and, likewise, are explicitly made conditions of project approval. The mitigation measures will be made conditions of project approval and included in the MMRP.

V.A. Findings Regarding Impacts that Can Be Mitigated to Below a Level of Significance (CEQA §21081(a)(1) and State CEQA Guidelines §15091(a)(1)

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(1) and State CEQA Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the project which would mitigate, avoid, or substantially lessen to below a level of significance potentially significant direct and/or cumulative environmental effects related to traffic impacts on roadway segments and intersections, and hazardous materials. The basis for this conclusion follows.

1. Transportation/Circulation/Parking (DIRECT and CUMULATIVE impact to intersection of North Park Way/I-805 southbound (SB) ramps/Boundary Street)

Impact: Implementation of the proposed project would result in a significant direct and cumulative impact to the intersection of North Park Way/I-805 Southbound (SB) ramps/Boundary Street. This intersection would operate at level of service (LOS) F during the PM peak period under all of the analyzed traffic scenarios in the project traffic analysis, including Existing Plus Project (Phase 1), Existing Plus Full Project, Near-term (Year 2013) and Year 2030 conditions. Since the project would contribute over a 1.0-second increase in delay to this intersection under all traffic scenarios, the project's traffic contribution is considered to result in a significant direct and cumulative impact to the North Park Way/I-805 SB ramps/Boundary Street intersection.

Finding: Significant but mitigated.

Facts in support of Finding: Significant direct and cumulative impacts to the intersection of North Park Way/I-805 SB ramps/Boundary Street would be fully mitigated by implementation of Mitigation Measure 5.2-1, the details of which are described in the Final EIR in Section 5.2.2, and incorporated by reference herein. The physical improvements that would mitigate direct and cumulative impacts to this intersection include installation of a traffic signal at the affected intersection.

As shown in the Final EIR in Tables 5.2-14, 5.2-15, 5.2-16, and 5.2-17, the delay at the intersection of North Park Way/I-805 SB ramps/Boundary Street would decrease compared to no project conditions under all of the analyzed traffic scenarios (Existing Plus Project [Phase 1], Existing Plus Full Project, Near-term [Year 2013] and Year 2030 conditions) during the PM peak period with implementation of Mitigation Measure 5.2-1 at project approval. Mitigation Measures 5.2-1 is feasible, and has been made binding through incorporation in the project's conditions of approval and through the MMRP.

2. Transportation/Circulation/Parking (DIRECT and CUMULATIVE impact to intersection of El Cajon Boulevard/30th Street)

Impact: Implementation of the proposed project would result in a significant direct and cumulative impact to the intersection of El Cajon Boulevard/30th Street. Under Near-term (Year 2013) conditions, the LOS at this intersection would degrade from D to E during the PM peak

period with the project. Therefore, direct impacts to the El Cajon Boulevard/30th Street intersection would be significant. Under Year 2030 conditions, the intersection would continue to operate at LOS F during the PM peak period with the project, and the project would contribute over a 1.0-second increase in delay to this intersection. Accordingly, the project would result in a significant cumulative impact to the El Cajon Boulevard/30th Street intersection.

Finding: Significant but mitigated.

Facts in support of Finding: Significant direct and cumulative impacts to the intersection of El Cajon Boulevard/30th Street would be fully mitigated by implementation of Mitigation Measures 5.2-2 and 5.2-6, the details of which are described in the Final EIR in Section 5.2.2, and incorporated by reference herein. Phased improvements that would mitigate direct and cumulative impacts to this intersection include optimizing intersection timing splits and offsets and modifying cycle lengths.

As shown in the Final EIR in Table 5.2-16, the intersection of El Cajon Boulevard/30th Street would operate at acceptable LOS D under Near-term (Year 2013) conditions during the PM peak period with implementation of Mitigation Measure 5.2-2 at project approval. Table 5.2-17 in the Final EIR shows that the delay at the intersection of El Cajon Boulevard/30th Street would decrease with implementation of Mitigation Measure 5.2-6 compared to no project conditions under Year 2030 conditions. Mitigation Measures 5.2-2 and 5.2-6 are feasible, and have been made binding through incorporation in the project's conditions of approval and through the MMRP.

3. Transportation/Circulation/Parking (CUMULATIVE impact to intersection of Lincoln Avenue/Ohio Street)

Impact: Implementation of the proposed project would result in a significant cumulative impact to the intersection of Lincoln Avenue/Ohio Street. Under Year 2030 conditions, the LOS at this intersection would degrade from C to E during the PM peak period with the project. Therefore, the project would result in a significant cumulative impact to the Lincoln Avenue/Ohio Street intersection.

Finding: Significant but mitigated.

Facts in support of Finding: Significant cumulative impacts to the intersection of Lincoln Avenue/Ohio Street would be fully mitigated by implementation of Mitigation Measure 5.2-3, the details of which are described in the Final EIR in Section 5.2.2, and incorporated by reference herein. The physical improvements that would mitigate cumulative impacts to this intersection include re-striping the eastbound approach of the intersection to add an exclusive right-turn lane.

As shown in the Final EIR in Table 5.2-17, the intersection of Lincoln Avenue/Ohio Street would operate at acceptable LOS C under Year 2030 conditions during the PM peak period with implementation of Mitigation Measure 5.2-3 at project approval. Mitigation Measure 5.2-3 is

feasible, and has been made binding through incorporation in the project's conditions of approval and through the MMRP.

4. Transportation/Circulation/Parking (CUMULATIVE impact to intersection of Lincoln Avenue/Illinois Street)

Impact: Implementation of the proposed project would result in a significant cumulative impact to the intersection of Lincoln Avenue/Illinois Street. Under Year 2030 conditions, the LOS at this intersection would degrade from B to E during the PM peak period with the project. Therefore, the project would result in a significant cumulative impact to the Lincoln Avenue/Illinois Street intersection.

Finding: Significant but mitigated.

Facts in support of Finding: Significant cumulative impacts to the intersection of Lincoln Avenue/Illinois Street would be fully mitigated by implementation of Mitigation Measure 5.2-4, the details of which are described in the Final EIR in Section 5.2.2, and incorporated by reference herein. The physical improvements that would mitigate cumulative impacts to this intersection include re-striping the eastbound approach of the intersection to add an exclusive right-turn lane.

As shown in the Final EIR in Table 5.2-17, the intersection of Lincoln Avenue/Illinois Street would operate at acceptable LOS C under Year 2030 conditions during the PM peak period with implementation of Mitigation Measure 5.2-4 at project approval. Mitigation Measure 5.2-4 is feasible, and has been made binding through incorporation in the project's conditions of approval and through the MMRP.

5. Transportation/Circulation/Parking (CUMULATIVE impact to intersection of El Cajon Boulevard/I-805 SB ramps)

Impact: Implementation of the proposed project would result in a significant cumulative impact to the intersection of El Cajon Boulevard/I-805 SB ramps. Under Year 2030 conditions, the intersection would continue to operate at LOS E during the PM peak period with the project, and the project would contribute over a 2.0-second increase in delay to this intersection. Accordingly, the project would result in a significant cumulative impact to the El Cajon Boulevard/I-805 SB ramps intersection.

Finding: Significant but mitigated.

Facts in support of Finding: Significant cumulative impacts to the El Cajon Boulevard/I-805 SB ramps intersection would be fully mitigated by implementation of Mitigation Measure 5.2-5, the details of which are described in the Final EIR in Section 5.2.2, and incorporated by reference herein. Improvements that would mitigate cumulative impacts to this intersection include optimizing intersection timing splits and offsets and modifying cycle lengths.

As shown in the Final EIR in Table 5.2-17, the delay at the El Cajon Boulevard/I-805 SB ramps intersection would decrease with implementation of Mitigation Measure 5.2-6 compared to no project conditions under Year 2030 conditions. Mitigation Measure 5.2-6 is feasible, and has been made binding through incorporation in the project's conditions of approval and through the MMRP.

6. Health and Public Safety (DIRECT impact related to potential presence of hazardous materials)

Impact: Impacted soils, hazardous materials, and/or subsurface features (e.g., underground storage tanks) may be present within street rights-of-way and could be encountered or disturbed during project construction. Other hazardous materials, such as asbestos-containing materials, polychlorinated biphenyls, lead-based paint, and other hazardous building materials may be present within street rights-of-way, which could be encountered during project construction. Such disturbances may result in potentially significant impacts to human health and public safety.

Finding: Significant but mitigated.

Facts in support of Finding: Potentially significant impacts related to hazardous materials to human health and public safety would be fully mitigated by implementation of Mitigation Measure 5.5-1, , the details of which are described in the Final EIR in Section 5.5.2, and incorporated by reference herein. This measure involves preparation and approval of a Health and Public Safety Work Plan. Mitigation Measure 5.5-1 is feasible, and has been made binding through incorporation in the project's conditions of approval and through the MMRP.

V.B. Findings Regarding Mitigation Measures which are the Responsibility of Another Agency (CEQA §21081(a)(2))

The City, having reviewed and considered the information contained in the Final EIR and administrative record of proceedings, finds pursuant to CEQA §21081(a)(2) and State CEQA Guidelines §15091(a)(2) that there are no changes or alterations which would reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

V.C. Findings Regarding Infeasible Mitigation Measures And Alternatives (CEQA §21081(a)(3))

The City, having reviewed and considered the information contained in the Final EIR, finds pursuant to CEQA §21081(a)(3) and State CEQA Guidelines §15091(a)(3) that (i) the EIR considers a reasonable range of project alternatives, and (ii) specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible specific mitigation measures and project alternatives identified in the Final EIR which could reduce the following significant direct and/or cumulative Transportation/Circulation/ Parking impacts to below a level of significance:

- University Avenue between Bancroft Street and Boundary Street (direct);

- El Cajon Boulevard between Illinois Street and the I-805 SB ramps (direct and cumulative);
- Lincoln Avenue between Oregon Street and Utah Street (cumulative); and
- North Park Way between Utah Street and 30th Street (cumulative).

1. Infeasibility of Mitigation for Significant Unmitigated Impacts

a. Transportation/Circulation/Parking (DIRECT impact to roadway segment of University Avenue between Bancroft Street and Boundary Street)

Impact: Implementation of the proposed project would result in a significant direct impact to the roadway segment of University Avenue between Bancroft Street and Boundary Street. Under Existing Plus Project (Phase 1) and Near-term (Year 2013) with project conditions, the volume of this roadway would exceed its capacity and the LOS would be F. Since the project would contribute over 0.01 to the volume-to-capacity (V/C) ratio at this segment, the project would result in a significant direct impact.

Finding: Significant and not mitigated.

Facts in support of Finding: In order to avoid a significant direct impact to the roadway segment of University Avenue between Bancroft Street and Boundary Street, the capacity of this segment would need to be increased, which can only be achieved by road widening, or by not implementing the transit-only lanes, which would not accomplish the objectives of the project. Widening this segment of University Avenue would require right-of-way acquisition and would result in associated property impacts to land uses fronting the roadway. Additionally, this segment of University Avenue is built to its classification and additional widening beyond the Community Plan designation would not retain the community character of the adjacent neighborhood. Therefore, there is no feasible mitigation to reduce direct impacts to below a level of significance for the roadway segment of University Avenue between Bancroft Street and Boundary Street. Direct impacts to this roadway segment would be significant and unmitigated.

b. Transportation/Circulation/Parking (DIRECT AND CUMULATIVE impact to roadway segment of El Cajon Boulevard between Illinois Street and the I-805 SB ramps)

Impact: Implementation of the proposed project would result in a significant direct and cumulative impact on the roadway segment of El Cajon Boulevard between Illinois Street and the I-805 SB ramps. Under Near-term (Year 2013) and Year 2030 with project conditions, the volume of this roadway would exceed its capacity and the LOS would be E. Since the project would contribute over 0.02 to the V/C ratio at this segment under Near-term (Year 2013) and Year 2030 conditions, the project would result in a significant direct and cumulative impact.

Finding: Significant and not mitigated.

Facts in support of Finding: In order to avoid significant direct and cumulative impacts to the roadway segment of El Cajon Boulevard between Illinois Street and the I-805 SB ramps, either

the capacity of this segment would need to be increased or the traffic diversion avoided, which can only be achieved by road widening or by not implementing the proposed transit-only lanes on University Avenue, which are projected to cause traffic diversion onto El Cajon Boulevard. Widening this segment of El Cajon Boulevard would require right-of-way acquisition and would result in associated property impacts to land uses fronting the roadway. Additionally, this segment is built to its ultimate classification and widening beyond the Community Plan designation would not retain the community character of the adjacent neighborhood. Therefore, there is no feasible mitigation to reduce impacts to below a level of significance for the roadway segment of El Cajon Boulevard between Illinois Street and the I-805 SB ramps. Direct and cumulative impacts to this roadway segment would be significant and unmitigated.

c. Transportation/Circulation/Parking (CUMULATIVE impact to roadway segment of Lincoln Avenue between Oregon Street and Utah Street)

Impact: Implementation of the proposed project would result in a significant cumulative impact on the roadway segment of Lincoln Avenue between Oregon Street and Utah Street. Under Year 2030 conditions, the LOS along this roadway segment of Lincoln Avenue would degrade from D to E with the project. Because the project would cause the LOS to degrade to E, cumulative impacts to this roadway segment would be significant.

Finding: Significant and not mitigated.

Facts in support of Finding: In order to avoid a significant cumulative impact to the roadway segment of Lincoln Avenue between Oregon Street and Utah Street, the capacity of this segment would need to be increased, which can only be achieved by road widening, or by not implementing the proposed transit-only lanes on University Avenue. Widening this segment of Lincoln Avenue would require right-of-way acquisition and would result in associated property impacts to land uses fronting the roadway. Additionally, this segment is built to its ultimate classification and widening beyond the Community Plan designation would not retain the community character of the adjacent neighborhood. Therefore, there is no feasible mitigation to reduce impacts to below a level of significance for the roadway segment of Lincoln Avenue between Oregon Street and Utah Street. Cumulative impacts to this roadway segment would be significant and unmitigated.

d. Transportation/Circulation/Parking (CUMULATIVE impact to roadway segment of North Park Way between Utah Street and 30th Street)

Impact: Implementation of the proposed project would result in a significant cumulative impact to the roadway segment of North Park Way between Utah Street and 30th Street. Under Year 2030 with project conditions, the volume of this roadway would exceed its capacity and the LOS would be E. Since the project would contribute over 0.02 to the V/C ratio at this segment, the project would result in a significant cumulative impact.

Finding: Significant and not mitigated.

Facts in support of Finding: In order to avoid a significant cumulative impact to the roadway segment of North Park Way between Utah Street and 30th Street, the capacity of this segment

would need to be increased, which can only be achieved by road widening. Widening this segment of North Park Way would require right-of-way acquisition and would result in associated property impacts to land uses fronting the roadway. Additionally, this segment is built to its ultimate classification and widening beyond the Community Plan designation would not retain the community character of the adjacent neighborhood. Therefore, there is no feasible mitigation to reduce impacts to below a level of significance for the roadway segment of North Park Way between Utah Street and 30th Street. Cumulative impacts to this roadway segment would be significant and unmitigated.

2. Infeasibility of Project Alternatives to Reduce or Avoid Significant Impacts

Pursuant to §15126.6(a) of the State CEQA Guidelines, the Final EIR for the project examines project alternatives in terms of their ability to meet the primary objectives of the project and eliminate or further reduce significant environmental effects. Based on these parameters, the following alternatives were considered:

- No Project Alternative; and
- No Transit-only Lanes Alternative;

A brief description of each of the alternatives and the basis for concluding their infeasibility follows. The Final EIR concludes that the No Transit-only Lanes Alternative would be the environmentally superior alternative because it would reduce the number of significant traffic impacts compared to the proposed project.

a. No Project Alternative

Description: Under the No Project Alternative, the proposed multi-modal improvements along University Avenue would not occur and University Avenue, between Florida Street and Boundary Street, would remain in its current configuration.

Finding: The No Project Alternative would avoid all impacts resulting from the proposed project. For some environmental issues, however, the No Project Alternative would result in greater impacts compared to the proposed project. Although this alternative would not necessarily conflict with the City of San Diego General Plan or the Greater North Park Community Plan, it would not fully meet the goals and objectives of these plans regarding improved mobility. Similarly, while the No Project Alternative would not result in changes to traffic flows and trip diversions, more roadway segments and intersections would operate at LOS E or F in both the Near-term (year 2013) and Year 2030 conditions compared to the proposed project. As a result, the No Project Alternative has the potential to result in greater long-term air quality and transportation/circulation/parking related impacts compared to the proposed project.

Although the No Project Alternative would avoid the project's significant and unmitigated impacts, it would not meet any of the project objectives. As a result, this alternative was rejected by the City.

b. No Transit-only Lanes Alternative

Description: Under the No Transit-only Lanes Alternative, all improvements of the proposed project would be constructed, except University Avenue would contain four mixed-flow general lanes (two in each direction), instead of one-mixed flow general purpose lane and one transit lane in each direction.

Finding: The No Transit-only Lanes Alternative would avoid three of the four significant unmitigated traffic impacts to roadway segments and all significant impacts to the five intersections resulting from the proposed project. Overall, this alternative would reduce the number of roadway segments and intersections that would operate at LOS E or F compared to the proposed project. As a result, this alternative also has the potential to result in reduced air emissions compared to the proposed project. It would not, however, fully meet the goals and objectives of the City of San Diego General Plan and the Greater North Park Community Plan regarding improved mobility. Impacts to Hydrology/Water Quality, Health and Public Safety, Visual Effects and Neighborhood Character, and Greenhouse Gas Emissions would be the same as the proposed project.

Under the No Transit-only Lanes Alternative, travel times for buses through the project corridor would decrease due to the consolidation of bus stops, but not as much as the proposed project since buses would share travel lanes with passenger vehicles. Travel times for passenger vehicles through the project corridor would be similar to, or slightly decrease compared to the proposed project because there would continue to be two travel lanes in each direction.

The No Transit-only Lanes Alternative generally, but not fully, meets the project objectives, but not to the same degree as the proposed project. While this alternative would improve mobility for pedestrians and transit users through bus stop consolidation, enhanced crosswalks, curb extensions, and other roadway improvements, it would not provide dedicated transit lanes that would also benefit bicycles (since bicyclists would be allowed to use the transit lanes). For this reason and the fact that it does not avoid all of the project's significant unmitigated impacts, the No Transit-only Lanes Alternative was rejected by the City.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to §21081(b) of CEQA, §15093 and 15043(b) of the State CEQA Guidelines, the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable adverse environmental impacts when determining whether to approve the project.

If the specific economic, legal, social, technological, or other benefits, including considerations for the provision of employment opportunities for highly trained workers outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to Public Resources Code §21081. CEQA further requires that when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in

writing the specific reasons to support its action based on the Final EIR and/or other information in the record.

Pursuant to Public Resources Code § 21081(b) and State CEQA Guidelines §15093, the City has balanced the benefits of the project against its unavoidable adverse impacts to Transportation/ Circulation/Parking (direct and cumulative), and has adopted all feasible mitigation measures with respect to these significant and unmitigable impacts. The City also has examined alternatives to the proposed project and has rejected them as infeasible, finding that none of them would fully meet the project objectives and result in substantial reduction or avoidance of all the project's significant and unmitigated environmental impacts.

Having considered the entire administrative record on the project, and (i) made a reasonable and good faith effort to eliminate or substantially mitigate the impacts resulting from the project, adopting all feasible mitigation measures; (ii) examined a reasonable range of alternatives to the project and, based on this examination, determined that all of these alternatives are either environmentally inferior, fail to meet the project objectives, or are not economically or otherwise viable, and therefore should be rejected; (iii) recognized all significant, unavoidable impacts; and (iv) balanced the benefits of the project against the project's significant and unavoidable effects, the City hereby finds that the following economic, legal, social, technological, aesthetic, environmental and other benefits of the project outweigh the potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable based upon the following considerations, set forth below. Each of the separate benefits of the proposed project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. Project benefits include:

- The proposed improvements would improve mobility for pedestrians, bicyclists, and transit users within the North Park community consistent with the City of San Diego General Plan or the Greater North Park Community Plan.
- The proposed improvements would reduce conflicts between transportation modes, including pedestrians, bicycles, buses, and automobiles.
- Buses traveling through the project corridor would experience improved travel times.
- The proposed improvements would provide enhanced pedestrian safety and access within the project corridor.
- The proposed improvements would implement regional and local land use plans that call for transit and pedestrian improvements in high-activity areas to reduce reliance on the automobile.
- The project would provide improvements to support and promote local and regional transit operations.
- The project would create skilled employment opportunities for activities associated with designing, constructing, and maintaining planned improvements.

VII. CONCLUSION

For the foregoing reasons, the City finds that the project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the project. Therefore, the City has adopted these Findings and Statement of Overriding Considerations.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

UNIVERSITY AVENUE MOBILITY PLAN

PROJECT NO. 115295, SCH No. 2010031029

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 Environmental Impact Report No. 115295, SCH NO. 2010031029 shall be made conditions of as may be further described below.

GENERAL REQUIREMENTS

1. Prior to the commencement of work, a pre-construction meeting shall be conducted and include City's Mitigation Monitoring and Coordination (MMC) staff, Resident Engineer, Applicant, and other parties of interest.

2. Prior to Notice to Proceed (NTP) for any construction 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 MITIGATION REQUIREMENTS**: "***The University Avenue Mobility Plan project is subject to a Mitigation, Monitoring, and Reporting Program and shall conform to the mitigation conditions as contained in Environmental Impact Report No. 115295.***"

TRANSPORTATION/CIRCULATION/PARKING

Mitigation Measure 5.2-1: Prior to completion of Phase 1 project improvements, the City of San Diego shall install a traffic signal at the intersection of North Park Way/I-805 SB ramps/Boundary Street.

Mitigation Measure 5.2-2: Prior to completion of Phase 1 project improvements, the City shall optimize intersection timing splits and offsets, and utilize an 80-second cycle length at the intersection of El Cajon Boulevard/30th Street.

Mitigation Measure 5.2-3: Prior to bid opening/bid award of full project implementation, the City shall re-stripe the eastbound approach of the Lincoln Avenue/Ohio Street intersection to include an exclusive right-turn lane by removing two or three on-street parking spaces on the south side of Lincoln Avenue.

Mitigation Measure 5.2-4: Prior to bid opening/bid award of full project implementation, the City shall re-stripe the eastbound approach of the Lincoln Avenue/Illinois Street intersection to include an exclusive right-turn lane by removing two or three on-street parking spaces on the south side of Lincoln Avenue.

Mitigation Measure 5.2-5: Prior to bid opening/bid award of full project implementation, the City shall optimize signal timing splits and offsets, and utilize a 150-second cycle length at the intersection of El Cajon Boulevard/I-805 southbound ramps.

Mitigation Measure 5.2-6: Prior to bid opening/bid award of full project implementation, the City shall optimize intersection timing splits and offsets, and utilize a 150-second cycle length at the intersection of El Cajon Boulevard/30th Street.

12.3 HEALTH AND PUBLIC SAFETY

Mitigation Measure 5.5-1: Prior to bid opening award, the applicant shall provide verification, in letter form, to the Mitigation Monitoring and Coordination Section (MMC) that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed Health and Safety Work Plan for the treatment and disposal of hazardous materials or contaminated soils that may be encountered within the project site.

The work plan would contain specific procedures for encountering both expected and unexpected contaminants. The plan would prescribe safe work practices, contaminant monitoring, personal protective equipment, emergency response procedures, and safety training requirements for the protection of construction workers and third parties. The health and safety plan would meet the requirements of 29 CFR 1910 and 1926 and all other applicable federal, state, and local requirements.

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.

Passed by the Council of The City of San Diego on JUL 27 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	☑	☐	☐	☐
Lorie Zapf	☐	☐	☑	☐
Todd Gloria	☑	☐	☐	☐
Myrtle Cole	☑	☐	☐	☐
Mark Kersey	☑	☐	☐	☐
Chris Cate	☑	☐	☐	☐
Scott Sherman	☑	☐	☐	☐
David Alvarez	☑	☐	☐	☐
Marti Emerald	☑	☐	☐	☐

Date of final passage AUG 03 2015.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309873