RESOLUTION NUMBER R- 310813

DATE OF FINAL PASSAGE DEC 16 2016

ITEM# 201
SUB-A
12/5/16

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT SCH NO. 2015121011 AND ADOPTING FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION, MONITORING, AND REPORTING PROGRAM FOR UNIVERSITY COMMUNITY PLAN AMENDMENT.

WHEREAS, the City of San Diego undertook an amendment to the 1987 University Community Plan; 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 December 5, 2016 and

WHEREAS, the City Council considered the issues discussed in Final Program Environmental Impact (Final PEIR) Report SCH No. 2015121011 (Report) prepared for this Project.

BE IT RESOLVED, by the City Council that it is certified that the Final PEIR 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 Final PEIR reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Final PEIR, 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 Section 15091, the City Council hereby adopts the Candidate Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to State of CEQA Guidelines Section 15093, the City Council hereby adopts the Statement of Overriding Considerations made with respect to the Project, which are attached hereto as Exhibit B.

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 C.

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 Planning Department, 1010 Second Avenue, East Tower, Suite 1200, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that 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
11/17/2016
Or. Dept: Planning Dept.
Doc. No. 1390294

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

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 05 2016

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: 12/14/16
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 05 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	☒	☐	☐	☐
Lorie Zapf	☐	☒	☐	☐
District 3 (Vacant)	☐	☐	☐	☐
Myrtle Cole	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☐	☒	☐	☐
Scott Sherman	☒	☐	☐	☐
David Alvarez	☒	☐	☐	☐
Marti Emerald	☒	☐	☐	☐

Date of final passage DEC 16 2016.

(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.

(Seal)

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

By _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310813

EXHIBIT A

CANDIDATE FINDINGS

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

FOR THE

UNIVERSITY COMMUNITY PLAN AMENDMENT

PROJECT NUMBER 480286

SCH # 2015121011

December 2016

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I. INTRODUCTION

A. Findings of Fact

The following Candidate Findings are made for the University Community Plan (UCP) Amendment (hereinafter referred to as the "Project"). The environmental impacts of the Project are addressed in the Final Program Environmental Impact Report (Final PEIR) dated October 2016 (State Clearinghouse No. 2015121011), which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 California Code of Regulations Sections 15000, *et seq.*) promulgated thereunder, require that the environmental impacts of a proposed project be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the Guidelines require that certain findings be made before project approval. It is the exclusive discretion of the decision maker certifying the environmental impact report (EIR) to determine the adequacy of the proposed candidate findings. Specifically, regarding findings, Guidelines Section 15091 provides:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental impacts of the project unless the public agency makes one or more written findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impact as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

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 project alternatives identified in the Final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental impacts. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements also exist in Section 21081 of the CEQA statute. The "changes or alterations" referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

Should significant and unmitigated impacts remain after changes or alterations are applied to the project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency's views on whether the benefits of a project outweigh its unmitigated adverse environmental impacts. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unmitigated environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the

unmitigated adverse environmental impacts, the adverse environmental impacts may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant impacts 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. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Final PEIR for the UCP Amendment (State Clearinghouse No. 2015121011) as well as all other information in the Record of Proceedings on this matter, the following Findings are made by the City of San Diego (City) in its capacity as the CEQA lead agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

The following Findings have been prepared by the Planning Department as candidate findings to be made by the decision-making body.

B. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation dated December 2, 2015, and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR, dated June 2016;
- The Final PEIR for the Project, dated October 2016;
- All written comments submitted by agencies or members of the public during the public review comment periods on the original Draft PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the original Draft PEIR and included in the Final PEIR;
- The Mitigation Monitoring and Reporting Program;

- The reports and technical memoranda included or referenced in Responses to Comments in the Final PEIR;
- All documents, studies, environmental impact reports, or other materials incorporated by reference in the original Draft PEIR and the Final PEIR;
- 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 Statement of Overriding Considerations; and
- Any other relevant materials required to be in the Record of Proceedings by PRC Section 21167.6(e).

C. Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City's actions related to the Project are located at the City of San Diego, Planning Department, 1010 Second Avenue, 12th Floor, San Diego, CA 92101. The City Planning Department is the custodian of the administrative record for the Project. Copies of these documents, which constitute the Record of Proceedings, are and at all relevant times have been, and will be available upon request at the offices of the City Planning Department. This information is provided in compliance with PRC Section 21081.6(a)(2) and Guidelines Section 15091(e).

II. PROJECT SUMMARY

A. Project Location

The Project is located within the UCP Area in the City of San Diego. The City of San Diego covers approximately 206,989 acres in southwestern San Diego County, in Southern California. The City of San Diego is bordered on the north by the City of Del Mar, the City of Poway, and unincorporated San Diego County land. On the east, the City of San Diego is bordered by the Cities of Santee, El Cajon, La Mesa, and Lemon Grove, as well as unincorporated San Diego County land. To the south, the City of San Diego is bordered by the Cities of Coronado, Chula Vista, and National City, and the United States-Mexico border. The Pacific Ocean is located on the City of San Diego's western border.

The UCP Area encompasses approximately 8,500 acres and is bound by Los Peñasquitos Lagoon and the east-facing slopes of Sorrento Valley on the north; the tracks of the Atchison, Topeka, and Santa Fe Railway, Marine Corps Air Station Miramar, and Interstate 805 (I-805) on the east; State Route (SR) 52 on the south; and Interstate 5, Gilman Drive, North Torrey Pines Road, La Jolla Farms Road, and the Pacific Ocean on the west. The UCP Area also contains two state-controlled properties—the University of California, San Diego (UC San Diego) and Torrey Pines State Natural Reserve, which lie outside the land use jurisdiction of the City.

The UCP Area encompasses UC San Diego; the Westfield University Town Centre shopping center; and many high-tech, bio-tech, and clean-tech businesses and research facilities, as well residential and commercial land uses. Sometimes referred to as the "Golden Triangle," the UCP Area is roughly bordered by La Jolla on the west, SR 52 on the south, Sorrento Valley Road on the north, and I-805 on the east. Rose Canyon separates the higher-density apartments, condominiums, and townhomes of North University from the mainly single-family homes of South University.

B. Project Objectives and Description

Project Objectives

As described in Final PEIR Section 3.1.2, Project Objectives, the Project has been developed to meet the following primary objectives:

- Evaluate the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects.
- Minimize impacts to biological resources at Rose Canyon.
- Identify transportation improvements and accommodations for multiple modes of travel (i.e., transit, bicycle, pedestrian, and vehicle), as part of a balanced transportation network.
- Consider the effects of the Project on the General Plan City of Villages strategies related to emergency access and multi-modal transportation.

Project Description

The City of San Diego is proposing to amend the 1987 UCP and, in particular, the UCP Transportation Element in order to reflect planned mobility improvements that have been approved or completed and to analyze the environmental impacts of development without the construction of the planned Genesee Avenue Widening and the Regents Road Bridge. In addition to the amendment to the UCP, an amendment to the North University City Public Facilities Financing Plan would be required. The UCP is guided by the framework and policy direction in the City's General Plan and reflects new citywide policies and programs from the General Plan for the UCP Area.

The Final PEIR analyzes the impacts related to removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects from the UCP and, in particular, the UCP Transportation Element (proposed project). The proposed project would remove the planned Genesee Avenue Widening project that would expand the roadway from four to six lanes between SR 52 and Nobel Drive, add 26 feet of width to the roadway, construct retaining walls, and reduce the arterial median. The proposed project would also remove the planned Regents Road Bridge project, which would construct two separate, parallel two-lane bridge structures across Rose Canyon to connect the present north and south Regents Road termini on either side

of the canyon. A detailed list of the components of the proposed project is included in Section 3.2 of the Final PEIR.

III. SUMMARY OF IMPACTS

The proposed project in these findings is an amendment to the currently adopted UCP. The UCP is also a component of the City's General Plan as it expresses the General Plan policies in the proposed UCP area through the provision of more site-specific recommendations that implement goals and policies contained within the 10 elements of the General Plan. The Final PEIR concludes that the proposed project will have **no significant impacts** and require no mitigation measures with respect to the following issues:

1. Agricultural and Forestry Resources

2. Mineral Resources

3. Land Use

   - Conflicts with MSCP Subarea Plan
   - Conflicts with an Adopted ALUCP
   - Physically Divides an Established Community

4. Visual Effects and Neighborhood Character

   - Distinctive or Landmark Trees
   - Landform Alteration
   - Light or Glare

5. Energy

   - Electrical Power
   - Fuel and Other Energy

6. Noise
   - Ambient Noise Standards
   - Exceed Noise Ordinance

7. Historical Resources
   - Historic Structures, Objects, or Sites
   - Prehistoric Resources, Sacred Sites, and Human Remains

8. Biological Resources
   - Sensitive Species
   - Sensitive Habitats
   - Wetlands
   - Wildlife Corridor

- Conflict with a Habitat Conservation Plan and Adverse Edge Effects
- Conflict with Local Policy and Ordinances
- Invasive Species

9. Geologic Conditions
   - Seismic Hazards
   - Erosion or Loss of Topsoil
   - Geologic Instability

10. Public Services and Facilities
    - Schools,
    - Libraries
    - Parks, recreational facilities

11. Public Utilities
    - New or Altered Facilities
    - Water

12. Health and Safety
    - Hazardous Materials

13. Population and Housing
    - Displace Persons or Housing
    - Growth Inducing

The Final PEIR concludes that the proposed project will have **less than significant (direct or cumulative) impacts**, and require no mitigation measures with respect to the following issues:

1. Land Use
   - Conflicts with Applicable Land Use Plans

2. Visual Effects and Neighborhood Character
   - Scenic Vistas or Views
   - Creation of a Negative Aesthetic Site or Project
   - Alteration to the Existing or Planned Character

3. Air Quality
   - Exposure of Sensitive Receptors
   - Emission of PM_{10}
   - Create Objectionable Odors

4. Health and Safety
   - Wildland Fires
   - Emergency Response Plans
   - Located at a Hazardous Materials Site

- Airport Influence Areas (AIAs)

The Final PEIR concludes that the proposed project will not have any impacts which are considered **significant but will be reduced to less than significant with implementation of mitigation measures.**

The Final PEIR identifies the following direct and cumulatively significant impacts associated with the proposed project that are considered **significant and unmitigated because feasible mitigation measures do not exist or are not sufficient to reduce impacts to less than significant.**

1. Transportation/Circulation
   - Roadway Segments and Intersections (Issue 1)
   - Freeway Segments and Ramps (Issue 2)
   - Existing or Planned Transportation Systems (Issue 3)
   - Circulation Movements (Issue 4)
   - Alternative Transportation Modes (Issue 5)

2. Air Quality
   - Conflict or Obstruct Implementation of Applicable Air Quality Plan (Issue 1)
   - Conflict with Air Quality Standards (Criteria Pollutant Emissions) (Issue 2)

3. Greenhouse Gas Emissions
   - Increase of Greenhouse Gas Emissions (Issue 1)
   - Conflict with Greenhouse Gas Reduction Plan, Policy, or Regulation (Issue 2)

4. Noise
   - Traffic Noise (Established Standards/Operation) (Issue 3)

5. Public Services and Facilities
   - Police and Fire/Emergency Service Response Times (Issue 1)

IV. FINDINGS REGARDING SIGNIFICANT IMPACTS

A. Findings Regarding Impacts That Will be Mitigated to Below a Level of Significance (CEQA §21081(a)(1)) and CEQA Guidelines §15091(a)(1))

The City, having independently reviewed and considered the information contained in the Final PEIR and the public record, finds, pursuant to Public Resources Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), finds that there are no impacts where mitigation is determined to be feasible and that would mitigate or avoid the significant effects on the environment from the proposed project.

B. Findings Regarding Mitigation Measures, which are the Responsibility of Another Agency (CEQA §21081(a)(2)) and CEQA Guidelines §15091(a)(2))

The City, having independently reviewed and considered the information contained in the Final PEIR and the public record, finds, pursuant to Public Resources Code §21081(a)(2) and State CEQA Guidelines §15091(a)(2), that there are no changes or alterations which would mitigate or avoid the significant effects on the environment that are within the responsibility and jurisdiction of another public agency. The following is a list of those significant environmental impacts identified within the PEIR:

Transportation/Circulation – Freeway Segments and Ramps (Issue 2)

Significant Effects

The proposed project would result in transportation/circulation impacts related to freeway segments and ramps at the following locations:

a. Freeway Segments

- I-5: SR 52 to Gilman Drive
- I-805: SR 52 to Governor Drive
- I-805: Governor Drive to Nobel Drive
- I-805: Nobel Drive to La Jolla Village Drive
- I-805: La Jolla Village Drive to Mira Mesa Boulevard
- SR 52: I-5 to Regents Road
- SR 52: Regents Road to Genesee Ave
- SR 52: Genesee Avenue to I-805

b. Freeway Ramps

- I-5 SB and Gilman Drive
- I-5 SB and Nobel Drive
- I-5 NB and La Jolla Village Drive WB to NB
- I-5 NB and La Jolla Village Drive EB to NB
- I-5 NB and La Jolla Village Drive WB to SB
- I-5 NB and La Jolla Village Drive EB to SB
- I-5 NB and Genesee Avenue
- I-805 SB and Nobel Drive

Facts in Support of Finding

Deteriorated traffic conditions would result in significant environmental impacts at eight freeway segments and eight freeway ramps with implementation of the proposed project. Mitigation Measures TRA-2.4, TRA-2.9, and TRA-2.13 described below and detailed in Table 1-1 could reduce the significant impacts that would occur along study area freeway segments and freeway ramps in the future year. However, while the location of the improvements is within the City of

San Diego land use jurisdiction, and the City is committed to implementing the mitigation measures through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs, the improvements are facilities under the jurisdiction of Caltrans, including SR 52, I-5, and I-805, which would require its review and approval of the project and design prior to the implementation of any improvements.

TRA-2.4: Genesee Avenue and SR 52 Westbound Ramps: providing for the signalization of the intersection and squaring up ramps, adding a protected phase for northbound left-turns from Genesee Avenue to the SR 52 ramp, and adding a second right-turn lane on the exit ramp would require improvements immediately adjacent to those facilities under the jurisdiction of Caltrans. TRA-2.4 was determined to be infeasible because this mitigation measure would require Caltrans as the decision-making authority to review and approve the project and its design prior to the implementation of any improvements. Caltrans review and concurrence for the mitigation proposed therefore make these improvements infeasible at the program level.

TRA-2.9: Gilman Drive and I-5 Southbound Ramps: converting one of the westbound through lanes to a second left-turn lane to create dual left-turns at this intersection would require improvements immediately adjacent to those facilities under the jurisdiction of Caltrans. TRA-2.9 was determined to be infeasible because this mitigation measure would require Caltrans as the decision-making authority to review and approve the project and its design prior to the implementation of any improvements. Caltrans review and concurrence for the mitigation proposed therefore make these improvements infeasible at the program level.

TRA-2.13: Governor Drive and I-805 Northbound Ramps: installing a roundabout at this roadway intersection would require improvements immediately adjacent to those facilities under the jurisdiction of Caltrans. TRA-2.13 was determined to be infeasible because this mitigation measure would require Caltrans as the decision-making authority to review and approve the project and its design prior to the implementation of any improvements. Caltrans review and concurrence for the mitigation proposed therefore make these improvements infeasible at the program level.

Rationale and Conclusion

Implementation of the proposed project would result in a significant impact to the above listed freeway segments and ramps. The City is committed to implementing Mitigation Measures TRA-2.4, TRA-2.9, and TRA-2.13 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs; however, the feasibility of the mitigation measures to reduce the significant impacts that would occur along study area freeway segments and freeway ramps in the future year is limited by the decision making authority of another jurisdiction. The design and implementation of the mitigation measures requires Caltrans review and concurrence. Therefore, impacts would remain significant and unmitigated at the program level for freeway segments and ramps.

C. Findings Regarding Infeasible Mitigation Measures (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, finds pursuant to CEQA Section 21081(a)(2) and Guidelines Section 15091(a)(2) that the proposed project will have significant and unmitigated impacts in the following issue areas:

Transportation/Circulation – Roadway Segments and Intersections (Issue 1)

Significant Effect

The proposed project would result in an increase in projected traffic that is substantial in relation to the existing traffic load and capacity of the street system, and the impact would be significant. The proposed project would result in transportation/circulation impacts related to roadway segments and intersections at the following locations:

a. Roadway Segments

- Genesee Avenue: La Jolla Village Drive to Esplande Court
- Genesee Avenue: Nobel Drive to Centurion Square
- Genesee Avenue: Centurion Square to Governor Drive

b. Roadway Intersections

- Genesee Avenue/Decoro Street
- Genesee Avenue/Centurion Square
- Genesee Avenue/ SR 52 EB Ramps
- La Jolla Village Drive/I-5 SB Off-Ramp
- Gilman Drive/I-5 SB Ramps

Facts in Support of Finding

Table 1-1 summarizes the analysis in the Traffic Impact Study as reflected in Tables 4.2-13 and 4.2-14 in the PEIR and identifies a number of mitigation measures that would reduce the impacts of the Project on local roadway segments and intersections. Ten (10) roadway segments within the traffic study area are proposed for improvements as mitigation measures to address load and capacity deficiencies along roadway segments within the existing street system. Of the 10 roadway segments, impacts along eight segments would be mitigated to less than significant. Impacts along the remaining two roadway segments, TRA-1.6 and TRA-1.7, would only partially be mitigated, and remain significant and unmitigated at the program level.

Of the 13 intersections within the traffic study area that are proposed for improvements as mitigation measures to address load and capacity deficiencies at intersections within the existing street system, impacts at eight intersections would be mitigated to less than significant. Impacts

at the remaining five intersections, TRA-2.2, TRA-2.4, TRA-2.7, TRA-2.9, and TRA-2.13, would only partially be mitigated, and remain significant and unmitigated at the program level.

Table 1-1
Summary of Significance and Feasibility of Proposed Mitigation Measures

PEIR Improvement	Title	Description	Significance	Feasible?
MITIGATION MEASURE TRA-1: Roadway segments shall be enhanced with the following:				
TRA-1.1	Regents Road from Executive Drive to Genesee Avenue	Widen the roadway to a four-lane Major Arterial with bicycle lanes, including relocation of the Genesee Avenue and Regents Road intersection to the east.	LS	Y
TRA-1.2	Miramar Road from I-805 Ramps to 300 feet east of Eastgate Mall	Widen the roadway to an eight-lane Prime Arterial.	LS	Y
TRA-1.3	Eastgate Mall from Judicial Drive to Eastgate Drive	Widen roadway to a four-lane Collector with a continuous left-turn lane and additional right-of way to accommodate bicycle facilities, excluding widening the bridge over I-805.	LS	Y
TRA-1.4	Eastgate Mall from Eastgate Drive to Miramar Road	Widen roadway to a four-lane Collector with a continuous left-turn lane and additional right-of way to accommodate protected bicycle facilities.	LS	Y
TRA-1.5	Genesee Avenue from La Jolla Village Drive to Esplanade Court	Repurpose the right-of-way to provide for a six-lane Prime Arterial with Class II bike facility with buffers.	LS	Y
TRA-1.6	Genesee Avenue from Nobel Drive to SR 52 WB Ramps	Repurpose the right-of-way to provide for a modified six-lane Major Arterial from Nobel Drive to Decoro Street, modified six-lane Prime Arterial from Decoro Street to Centurion Square, and modified six-lane Major Arterial from Centurion Square to SR 52 WB Ramps with bicycle facilities that include a shared pedestrian-bicycle facility accommodated on widened sidewalks or Class II bike facility with buffers as right-of-way permits. The modified design along these segments includes maintaining existing curb to curb width, reducing median width, restriping and widening sidewalks where right-of-way permits to accommodate shared bike and pedestrian facility.	SU (only partially mitigates impacts between Governor Drive and SR 52 WB Ramps)	N
TRA-1.7	La Jolla Village Drive from I-5 Northbound Ramps to Towne Centre Drive	Repurpose the right-of-way to a 6-lane Prime Arterial. This entails removal of on-street parking and provides acceleration and deceleration lanes at existing driveways.	SU (only partially mitigates impacts between Executive Way and Towne Centre	N

PEIR Improvement	Title	Description	Significance	Feasible?
			Drive; removes on-street parking)	
TRA-1.8	Genesee Avenue between SR 52 and North Torrey Pines Road	Implement adaptive traffic control and transit signal priority measures. These measures would improve the quality of traffic flow based on demand, thereby reducing traffic delays.	LS	Y
TRA-1.9	La Jolla Village Drive between Torrey Pines Road and I-805	Implement adaptive traffic control and transit signal priority measures. These measures would improve the quality of traffic flow based on demand, thereby reducing traffic delays.	LS	Y
TRA-1.10	Nobel Drive between La Jolla Village Square and Miramar Road	Implement adaptive traffic control and transit signal priority measures. These measures would improve the quality of traffic flow based on demand, thereby reducing traffic delays.	LS	Y
MITIGATION MEASURE TRA-2: Intersections shall be enhanced with the following:				
TRA-2.1	Genesee Avenue and John Hopkins Drive	Repurpose one of the five westbound through lanes on Genesee Avenue to become a second right-turn lane. Accommodating the high volume right-turn to John Hopkins Drive reduces queues for through traffic on Genesee Avenue. A third through lane on Genesee Avenue is not anticipated to be needed from this intersection and on to the west/north through the intersections along North Torrey Pines Road, providing flexibility in the use of the roadway to accommodate bicycle facilities.	LS	Y
TRA-2.2	Genesee Avenue and Decoro Street	Stripe eastbound and westbound right-turn lanes on Decoro Street. Street intersection to provide right-turn lanes. There is adequate width to add the lane without street width modifications, and bicycles and pedestrians would not be impacted by the changes. Vehicles currently can stack two wide as if there was a right-turn lane, but only if vehicles are not utilizing the curb parking. On-street parking along Decoro Street would need to be removed to add the right-turn pockets.	SU (measures only partially mitigate impacts; no additional mitigation considered feasible)	Y
TRA-2.3	Genesee Avenue and Governor Drive	Construct a grade-separated intersection (removing northbound and southbound through-movements), and construct two northbound and southbound through-lanes in the undercrossing. The topography of Genesee Avenue approaching this intersection allows for the intersection to remain at its current elevation and an undercrossing to be constructed beneath it. Separating the through traffic on Genesee Avenue will significantly increase flow between the north and south areas of the University community. Businesses at the intersection would still have access and provide services to the adjacent community, but would experience less traffic on their	LS	N

PEIR Improvement	Title	Description	Significance	Feasible?
		adjacent roads.		
TRA-2.4	Genesee Avenue and SR 52 Westbound Ramps	Provide for the signalization of the intersection and square up ramps, adding a protected phase for northbound left-turns from Genesee Avenue to the SR 52 ramp, and add a second right-turn lane on the exit ramp. The project not only improves vehicle operation, but improves safety for bicyclists, pedestrians, and vehicles by removing free movements and controlling movements at the signal.	LS; but SU at the program level	N (Caltrans)
TRA-2.5	La Jolla Village Drive and Torrey Pines Road	Relocate the pedestrian crossing from the east leg to the west leg of the intersection and implement signal phasing modification to improve operation. The crosswalk on the east leg of the intersection conflicted with the heaviest movements at the intersection: dual northbound right-turns and dual westbound left-turns. Moving the crosswalk to the other side of the intersection decreases the amount of vehicles that pedestrians would have a potential conflict with, improving safety.	LS	Y
TRA-2.6	La Jolla Village Drive Eastbound Ramps and Gilman Drive	Signalize the intersection, install a protected southbound left-turn phase, and restripe eastbound ramp approach to have a shared left-right lane and an exclusive right-turn lane. Signalizing the intersection improves the operation of the intersection, and also improves the safety for bicyclists, pedestrians, and vehicles. The signal provides control of conflicting movements to avoid potential conflicts between all users. This improvement should be completed concurrent with installation of a protected bikeway on Gilman Drive.	LS	Y
TRA-2.7	La Jolla Village Drive and Villa La Jolla Drive	Construct a second westbound right-turn lane from La Jolla Village Drive to Villa La Jolla Drive. Providing additional queue space and processing time for the right-turn movement reduces the potential of right-turning traffic blocking through traffic on La Jolla Village Drive. There is not a pedestrian crossing on the east leg of the intersection, so the widening would not increase pedestrian crossing distance.	SU (only partially mitigates impacts; would remove parking and require right-of-way acquisition)	Y
TRA-2.8	Miramar Road and Eastgate Mall	Modify the southbound Eastgate Mall approach to have two left-turn lanes and one right-turn lane. Planned protected bicycle lanes would need to be included on Eastgate Mall. Additional roadway width to accommodate the bicycle facilities and turn lanes would require property acquisition from adjacent vacant land.	LS	Y
TRA-2.9	Gilman Drive and	Convert one of the westbound through lanes to	LS; but SU at	N

PEIR Improvement	Title	Description	Significance	Feasible?
	I-5 Southbound Ramps	a second left-turn lane to create dual left-turns at this intersection.	the program level	(Caltrans)
TRA-2.10	Towne Center Drive and Eastgate Mall	Construct a second westbound left-turn lane from Eastgate Mall to Towne Centre Drive. There is adequate width to add a second left-turn lane without widening the curb-to-curb width of the roadway by re-striping and/or modifying the median on Eastgate Mall.	LS	Y
TRA-2.11	Executive Way and Executive Drive	Traffic signal modification for eastbound and westbound left-turns to be "protected-permissive" instead of "permissive."	LS	Y
TRA-2.12	Judicial Drive and Eastgate Mall	Traffic signal modification for northbound and southbound approach of Judicial Drive to be "split-phased" in the traffic signal, and restripe the northbound approach to have a left-turn lane, shared left-through-right lane, and right-turn lane.	LS	Y
TRA-2.13	Governor Drive and I-805 Northbound Ramps	Install roundabout control at this roadway intersection.	LS; but SU at the program level	N (Caltrans)

As discussed, Mitigation Measures included in TRA-1 and TRA-2 would collectively reduce impacts to some local roadways and intersections of the UCP Area that are associated with the proposed project. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. Specifically, the North University City PFFP could be updated subsequent to the approval of this project and could provide partial funding for the proposed mitigation measure improvements. However, program-level impacts cannot be fully mitigated even with implementation of all Mitigation Measures included in TRA-1 and TRA-2. Therefore, traffic impacts associated with the proposed project would remain significant and unmitigated at the program level.

Rationale and Conclusion

Although Mitigation Measures included in TRA-1 and TRA-2 (See Table 1-1) and identified in the Final PEIR would reduce impacts to local roadway segments and intersections, the City is unable to rely on six of these mitigation measures to reduce the impacts to less than significant. The reasons for infeasibility of mitigation measures TRA-1.6, TRA-1.7, and TRA-2.3 are described below. The reasons for infeasibility of mitigation measures TRA-2.4, TRA-2.9, and TRA-2.13 are described above under Finding B.

TRA-1.6: Genesee Avenue from Nobel Drive to SR 52 WB Ramps: the repurposing of the existing developed Genesee Avenue right-of-way to provide for a modified six-lane arterial between Nobel Drive and the SR 52 WB Ramps would require modification of existing street design along this segment, including removal of the center median. TRA-1.6 was determined to be infeasible because the removal of this center median will result in the loss of the trees located

within the median, which is not consistent with the Climate Action Plan (CAP) Strategy 5: Climate Resiliency goal to increase urban tree canopy coverage. In addition, the trees within the Genesee Avenue median are a distinctive feature to the University community. As expressed by the University community during public hearing, this loss of trees would change the overall aesthetic of the roadway, which would affect neighborhood character. This loss of vegetation from removal of the median would also result in an increase in hardscape area (impervious surfaces) that would impede water from otherwise infiltrating into the soil and being filtered naturally, increasing runoff and thereby changing drainage patterns and the potential for flooding. For these reasons, this mitigation measure is therefore determined to be infeasible.

TRA-1.7: La Jolla Village Drive from I-5 Northbound Ramps to Towne Centre Drive: the repurposing of the La Jolla Village Drive right-of-way to a 6-lane Prime arterial would entail modification of existing street design along this segment. TRA-1.7 was determined to be infeasible because on-street parking for offices and residential uses along La Jolla Village Drive, including approximately 75 on-street parking spaces on the south side of the street and 89 spaces on the north side of the street, will be lost as a result of this mitigation measure. In addition, there are currently six driveways along La Jolla Village Drive between the I-5 Northbound Ramps and Towne Centre. The reclassification of this roadway segment to 6-lane Prime will require the construction of acceleration and deceleration lanes at existing driveways in order to meet the roadway design standards for a 6-lane prime arterial. While no roadway widening outside of the existing developed right-of-way is needed for the repurposing, this impact to driveway access coupled with the loss of approximately 164 on-street parking spaces would greatly affect the local businesses and multi-family residences located adjacent to La Jolla Village Drive, and this improvement is therefore determined to be infeasible.

TRA-2.3: Genesee Avenue and Governor Drive: the construction of a grade-separated intersection (removing northbound and southbound through-movements), and constructing two northbound and southbound through-lanes in the undercrossing would require the consideration of a variety of both short- and long-term impacts. Based on public comments on the Draft PEIR, information presented at public hearings on the project, and review of the June 2006 University City North/South Transportation Corridor Study EIR, mitigation measure TRA-2.3 is determined to be infeasible. For this improvement, potential hazardous material issues related to construction adjacent to the four gas stations located on each corner of the intersection could result in soil testing for possible soil contamination and treatment would be required prior to design and construction. Additionally, as presented in public hearings, utilities currently located within the rights-of-way would require both temporary and permanent relocation, and bus stops would need to be relocated during both construction and with the change in the intersection post-construction. Significant short term effects of construction related to increased air pollution, noise, and traffic congestion would also arise.

Construction of the grade-separation would likely take a minimum of two years to complete, during which time north-south traffic would need to use the I-5 and I-805 freeways, as Genesee Avenue is the only north-south route through the University community. There are also community concerns for the safety of children who walk to school during construction of the grade-separation, since Marie Curie Elementary School is located on the northeast corner of the intersection, and Stanley Middle School is located on the southwest corner of the intersection.

Once completed, the addition of concrete and retaining walls from the grade-separation would change the overall aesthetic of the intersection, significantly impacting the neighborhood character of the area. Given all of these impacts and the consideration of the significant $51 million cost estimate with only marginal improvement to automobile circulation as documented in the traffic impact study data, the grade-separation is therefore determined to be infeasible.

The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. For example, the North University City PFFP could be updated subsequent to the approval of this project to reflect all feasible mitigation measures. However, due to the fact that impact fees are not due and payable until building permits are obtained, full funding for the construction of the improvements, and the uncertainty of the availability and timing of other sources of funding, such as those listed above, construction of the improvements cannot be assured to be in place prior to the impact occurring. Therefore, impacts of the proposed project on local roadway segments and intersections will be significant and unmitigated at the program level.

Transportation/Circulation – Existing or Planned Transportation Systems (Issue 3)

Significant Effect

The proposed project would result in a substantial impact upon existing or planned transportation systems, and the impact would be significant.

Facts in Support of Finding

As shown in the analysis of Issue 1, there would be significant traffic impacts to roadway segments and intersections by future year with implementation of the proposed project. As described in the analysis above, some transportation impacts would occur regardless of implementation of the proposed project.

As discussed, feasible mitigation for freeway impacts, which would be under the responsibility of Caltrans for approval and implementation, is not available to reduce the significant impacts that would occur along study area freeway segments and freeway ramps in the future year. Mitigation Measures included in TRA-1 and TRA-2 would reduce impacts to local roadways and intersections of the UCP Area that are associated with the proposed project. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. Specifically, the North University City PFFP could be updated subsequent to the approval of this project and could provide partial funding for the proposed mitigation measure improvements. However, program-level impacts cannot be fully mitigated even with implementation of Mitigation Measures TRA-1 and TRA-2. Therefore, traffic impacts to existing or planned transportation systems associated with the proposed project would remain significant and unmitigated at the program level.

Rationale and Conclusion

Although Mitigation Measures included in TRA-1 and TRA-2 (See Table 1-1) and included in the Final PEIR would reduce impacts to existing or planned transportation systems, the City is unable to rely on these mitigation measures to reduce the impacts to less than significant levels for the reasons presented above for Issue 1. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. For example, the North University City PFFP could be updated subsequent to the approval of this project to reflect all feasible mitigation measures. However, due to the fact that impact fees are not due and payable until building permits are obtained, full funding for the construction of the improvements, and the uncertainty of the availability and timing of other sources of funding, such as those listed above, construction of the improvements cannot be assured to be in place prior to the impact occurring. Therefore, impacts of the proposed project on existing or planned transportation systems will be significant and unmitigated at the program level.

Transportation/Circulation – Circulation Movements (Issue 4)

Significant Effect

The proposed project would result in a substantial impact to present circulation movements, including effects on existing public access areas and the impact would be significant.

Facts in Support of Finding

With implementation of the proposed project, future traffic conditions would worsen on certain roadway segments, intersections, freeway ramps, and freeway segments by the future year. While some significant transportation impacts would occur regardless of implementation of the proposed project, operational deterioration would be worsened by removal of the planned Regents Road Bridge from the UCP. As shown in the Traffic Impact Study and the PEIR, the mitigation measures would not substantially change the existing roadway network or circulation movements, but would simply make adjustments to the existing roadways to minimally improve traffic operations. Even with implementation of the feasible mitigation measures, significant traffic impacts would still result and would present increased difficulty in accessing areas due to poor traffic conditions, including long queues, crowded maneuvering conditions, slow speeds, and other traffic-related delays.

As discussed above for Issue 1, feasible Mitigation Measures included in TRA-1 and TRA-2 would collectively reduce impacts to some local roadways and intersections of the UCP Area that are associated with the proposed project. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. Specifically, the North University City PFFP could be updated subsequent to the approval of this project and could provide partial funding for the proposed

mitigation measure improvements. However, program-level impacts cannot be fully mitigated even with implementation of all Mitigation Measures included in TRA-1 and TRA-2. Therefore, traffic impacts associated with the proposed project would remain significant and unmitigated at the program level.

Rationale and Conclusion

Although Mitigation Measures included in TRA-1 and TRA-2 (See Table 1-1) and included in the Final PEIR would reduce impacts to existing or planned transportation systems, the City is unable to rely on these mitigation measures to reduce the impacts to less than significant levels for the reasons presented above for Issues 1 and 3. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. For example, the North University City PFFP could be updated subsequent to the approval of this project to reflect all feasible mitigation measures. However, due to the fact that impact fees are not due and payable until building permits are obtained, full funding for the construction of the improvements, and the uncertainty of the availability and timing of other sources of funding, such as those listed above, construction of the improvements cannot be assured to be in place prior to the impact occurring. Therefore, impacts of the proposed project on circulation movements will be significant and unmitigated at the program level.

Transportation/Circulation – Alternative Transportation Modes (Issue 5)

Significant Effect

The removal of the planned Regents Road Bridge from the UCP would eliminate the planned crossing of Rose Canyon that would have been designed to accommodate pedestrians and bicyclists, and the impact would be significant.

Facts in Support of Finding

The elimination of the Regents Road Bridge would remove a north-south bicycle connection across Rose Canyon identified in the Bicycle Master Plan and would be in conflict with some of the overarching goals and policies of transit plans to provide balanced and safe bicycle networks within and between communities. Elimination of the planned Regents Road Bridge from the UCP would also remove any sidewalk improvements associated with this project, including the new Regents Road pedestrian crossing over Rose Canyon. As discussed above for Issue 1, feasible Mitigation Measures included in TRA-1 and TRA-2 would collectively reduce impacts to alternative transportation modes within and connecting to the UCP Area that are associated with the proposed project. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. Specifically, the North University City PFFP could be updated subsequent to the approval of this project and could provide partial funding for the proposed mitigation measure improvements. However, program-level impacts cannot be fully mitigated even with

implementation of all Mitigation Measures included in TRA-1 and TRA-2. Therefore, impacts to alternative transportation modes associated with the proposed project would remain significant and unmitigated at the program level.

Rationale and Conclusion

Although Mitigation Measures included in TRA-1 and TRA-2 (See Table 1-1) and included in the Final PEIR would reduce impacts to alternative transportation modes in the UCP Area, the City is unable to rely on these mitigation measures to reduce the impacts to less than significant levels for two reasons. The improvements could be funded by various sources such as development impact fees, however, due to the fact that impact fees are not due and payable until building permits are obtained, full funding for the construction of the improvements, and the uncertainty of the availability and timing of other sources of funding such as those listed above, construction of the improvements cannot be assured to be in place prior to the impact occurring. Second, the removal of the Regents Road Bridge from the UCP would eliminate the plans to include a 6-foot-wide striped bike lane along each side of the bridge that would provide bicycle connectivity from the north and south sides of Rose Canyon. Thus, removal of the planned Regents Road Bridge from the UCP would be in conflict with planned bicycle network improvements of the Bicycle Master Plan, as well as a similar pedestrian connection envisioned for this corridor. Impacts of the proposed project on alternative transportation modes will be significant and unmitigated at the program level.

Air Quality - Conflict or Obstruct Implementation of Applicable Air Quality Plan (Issue 1)

Significant Effect

Because the proposed project would not construct Regents Road Bridge, the proposed project would not be consistent with the assumptions for roadway design and VMT in the General Plan and the Regional Air Quality Strategy (RAQS). As such, the proposed project would conflict with or obstruct implementation of the applicable air quality plan. Therefore, the impact would be significant.

Facts in Support of Finding

The air quality impact associated with the exceedances of air quality standards cannot be mitigated as the proposed project would result in a roadway design that would result in a greater VMT than was utilized in the development and the current assumptions in the RAQS. The conflict with implementation of the applicable air quality plan would be significant and unmitigated at the program level for the proposed project.

Rationale and Conclusion

There are no mitigation measures available that could reduce this impact at the program level. Air quality impacts associated with the proposed project would remain significant and unmitigated at the program level. When the RAQS are updated again, the VMT resulting from the circulation network would be used to reflect the current regional emissions analysis.

Greenhouse Gas Emissions – Increase of Greenhouse Gas Emissions (Issue 1)

Significant Effect

The total greenhouse gas (GHG) emissions for the proposed project would increase. Since the increase in emissions would occur, this would be in conflict with the San Diego Forward: The Regional Plan (the 2015 RTP/SCS), and would have a significant impact on the environment. The impact of the proposed project on regional GHG emissions would be significant and unmitigated at the program level.

Facts in Support of Finding

As detailed within the PEIR, the proposed project would result in a roadway design that would result in a greater VMT than was utilized in the development and the current assumptions in the City's Climate Action Plan. No feasible mitigation measures were identified to reduce the VMT increase associated with the proposed project. The impact of the proposed project on regional GHG emissions would be significant and unmitigated at the program level.

Rationale and Conclusion

There are no mitigation measures available that could reduce this impact at the program level. Greenhouse gas emissions impacts associated with the proposed project would remain significant and unmitigated at the program level. When the City conducts a comprehensive update to the University Community Plan, land use policies and planning will be required to address greenhouse gas emissions for the community, and identify methods to improve the use of alternative modes of transportation for commuters within Transit Priority Areas and encourage sustainable building techniques to reduce greenhouse gas emissions from water and energy use. The impact of the proposed project on regional GHG emissions would be significant and unmitigated at the program level.

Greenhouse Gas Emissions - Conflict with Greenhouse Gas Reduction Plan, Policy, or Regulation (Issue 2)

Significant Effect

The VMT is projected to increase as a result of the proposed project and would affect commute routes for local residents by increasing future trip distances as a result of the removal of the Regents Road Bridge and the rerouting trips to other existing local arterials. Further, the removal of the Regents Road Bridge from the UCP would eliminate the plans to include a 6-foot-wide striped bike lane along each side of the bridge that would provide bicycle connectivity from the north and south sides of Rose Canyon. Therefore, the proposed project would conflict with an applicable plan, policy, or regulation for the purpose of reducing GHG emissions.

Facts in Support of Finding

As detailed within the PEIR, the proposed project would result in a roadway design that would result in a greater VMT than was utilized in the development and the current assumptions in the

City's Climate Action Plan. No feasible mitigation measures were identified to reduce the VMT increase associated with the proposed project. The impact of the proposed project on regional GHG emissions would be significant and unmitigated at the program level.

Rationale and Conclusion

There are no mitigation measures available that could reduce this impact at the program level. Greenhouse gas emissions impacts associated with the proposed project would remain significant and unmitigated at the program level. When the City conducts a comprehensive update to the University Community Plan, land use policies and planning will be required to address greenhouse gas emissions for the community, and identify methods to improve the use of alternative modes of transportation for commuters within Transit Priority Areas and encourage sustainable building techniques to reduce greenhouse gas emissions from water and energy use. The impact of the proposed project on regional GHG emissions would be significant and unmitigated at the program level.

Public Services and Facilities – Police and Fire/Emergency Service Response Times (Issue 1)

Significant Effect

The proposed project would result in an increase in projected traffic in the future year, which is substantial in relation to the existing traffic load and capacity of the street system. The impact on police service response times and fire and emergency response times would be significant.

Facts in Support of Finding

As discussed, feasible mitigation for freeway impacts, which would be under the responsibility of Caltrans for approval and implementation, is not available to reduce the significant impacts that would occur along study area freeway segments and freeway ramps in the future year. Mitigation Measures included in TRA-1 and TRA-2 would reduce impacts to local roadways and intersections of the UCP Area that are associated with the proposed project. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. Specifically, the North University City PFFP could be updated subsequent to the approval of this project and could provide partial funding for the proposed mitigation measure improvements. However, program-level impacts cannot be fully mitigated even with implementation of mitigation measures TRA-1 and TRA-2. These would make alterations to the existing roadway network in an effort to improve areas of poor operation. Even with implementation of these transportation mitigation measures, significant traffic impacts would still result and would present increased difficulty in police, fire, and emergency vehicles accessing areas within the community due to poor traffic conditions, including long queue lengths, crowded maneuvering conditions, slow speeds, and other traffic-related delays. Therefore, impacts to police service response times and fire and emergency response times associated with the proposed project would remain significant and unmitigated at the program level.

Rationale and Conclusion

Although Mitigation Measures included in TRA-1 and TRA-2 (Table 1-1) and included in the Final PEIR would reduce impacts to police service response times and fire and emergency response times, the City is unable to rely on these mitigation measures to reduce the impacts to less than significant levels for the reasons presented above for Transportation/Circulation Issues 1 and 3. The City is committed to implementing all mitigation measures indicated as feasible on Table 1-1 through funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs. For example, the North University City PFFP could be updated subsequent to the approval of this project to reflect all feasible mitigation measures. However, due to the fact that impact fees are not due and payable until building permits are obtained, full funding for the construction of the improvements, and the uncertainty of the availability and timing of other sources of funding, such as those listed above, construction of the improvements cannot be assured to be in place prior to the impact occurring. Therefore, impacts of the proposed project to police service response times and fire and emergency response times would remain significant and unmitigated at the program level.

D. Findings Regarding Alternatives (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, and pursuant to PRC Section 21081(a)(3) and Guidelines Section 15091(a)(3), makes the following findings with respect to the alternatives identified in the Final PEIR.

Background

The Final PEIR evaluated the following alternatives:

- No Project Alternative – Construction of Regents Road Bridge and Widening of Genesee Avenue;
- Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative;
- No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative;
- Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative; and
- Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative.

These Project alternatives are summarized below, along with the findings relevant to each alternative.

No Project Alternative – Construction of Regents Road Bridge and Widening of Genesee Avenue

The No Project Alternative would result in the planned widening of Genesee Avenue and the construction of the Regents Road Bridge. Genesee Avenue is currently a four-lane road. The No Project Alternative would widen Genesee Avenue from four to six lanes between SR 52 and Nobel Drive. This would involve adding a travel lane in each direction between SR 52 and Nobel Drive in an effort to increase the capacity of this roadway to carry anticipated traffic volumes. The No Project Alternative would involve widening of the bridge crossing Rose Canyon, construction of retaining walls, and temporary construction easements, which may require property acquisition. This alternative would also include a new traffic signal at the Genesee Avenue intersection with SR 52 westbound ramps.

The No Project Alternative would involve construction of two separate parallel two-lane bridge structures across Rose Canyon to connect the present north and south Regents Road termini on either side of the canyon. The bridge/roadway would extend north from the present end of Regents Road on the south side of Rose Canyon just north of Lahitte Court, over a tributary drainage to Rose Canyon (which would be filled, not spanned), and through a small ridge adjacent to Rose Canyon. The bridge portion spanning Rose Canyon would be approximately 870 feet long.

The No Project Alternative would include construction of surface-level improvements at the intersection of Genesee Avenue and Governor Drive. These improvements would be the addition of a northbound and a southbound through lane, maintaining exclusive right-turn lanes in each direction. This requires some modifications to the existing curb to accommodate the right-turn pockets.

Potentially Significant Impacts

Significant and unmitigated impacts of the No Project Alternative are summarized below.

- Transportation/Circulation (Issues 1 through 5)
- Greenhouse Gas Emissions (Issues 1 and 2)
- Public Services and Facilities (Issue 1)

Finding and Supporting Facts

Implementation of the No Project Alternative would eliminate two of the significant impacts associated with the Project. The No Project Alternative would not result in a significant and unmitigated impact related to air quality (Issue 1) or noise (Issue 3 - operational). However, the No Project Alternative would result in significant but mitigable impacts related to land use (Issue 2), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issues 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issues 2 and 4 - hazardous materials) that would not occur under the Project. Under the No Project Alternative, significant and unmitigated impacts would remain related to transportation (Issues 1 through 5), GHG emissions (Issues 1

and 2), and public services and facilities (Issue 1); however, they would be reduced compared to the Project. With adoption of the No Project Alternative, two out of the four Project objectives would not be achieved. These include the following:

- Evaluate the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects.
- Minimize impacts to biological resources at Rose Canyon.

Rationale and Conclusion

While the No Project Alternative would eliminate two of the significant and unmitigated impacts (air quality and noise) associated with the proposed project, it is rejected as infeasible because it would not substantially reduce the significant impacts associated with the proposed project. In addition, it would result in additional significant but mitigable impacts related to construction that would not occur under the proposed project. Further, the No Project Alternative would not eliminate or substantially reduce any of the significant impacts associated with the proposed project, and, in fact, would result in additional significant but mitigable impacts related to land use (Issue 2), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issues 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issues 2 and 4 - hazardous materials) that would not occur under the proposed project. In addition, the No Project Alternative would result in additional significant but mitigable impacts related to air quality and noise during construction that would not occur under the proposed project.

Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative

The Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would involve construction of two separate parallel two-lane bridge structures across Rose Canyon as described in the No Project Alternative. This alternative would not result in the widening of Genesee Avenue. The Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would include repurposing the existing footprint of Genesee Avenue to have three through lanes in each direction by reducing median width, adjusting lane utilizations at intersections, and narrowing lanes. The Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would construct surface-level improvements at the intersection of Genesee Avenue and Governor Drive. These improvements would be the addition of a northbound and a southbound through lane, maintaining exclusive right-turn lanes in each direction. The Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would require modifications to the existing curb to accommodate the right-turn pockets. This alternative would include a new traffic signal at the Genesee Avenue intersection with SR 52 westbound ramps.

Potentially Significant Impacts

Significant and unmitigated impacts of the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative are summarized below.

- Transportation/Circulation (Issues 1 through 5)
- Air Quality (Issues 1 and 2)
- Greenhouse Gas Emissions (Issues 1 and 2)
- Noise (Issue 2 and Issue 3 - operational for removal of Genesee Avenue Widening only)
- Public Services and Facilities (Issue 1)

Finding and Supporting Facts

Implementation of the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would not eliminate any of the significant impacts associated with the proposed project. In fact, the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative would result in significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 3 - construction), noise (Issues 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issues 2 and 4 - hazardous materials) that would not occur under the proposed project. Under the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative, significant and unmitigated impacts would remain related to transportation (Issues 1 through 5), air quality (Issues 1 and 2), GHG emissions (Issues 1 and 2), noise (Issue 2 and Issue 3 - operational for removal of Genesee Avenue Widening only), and public services and facilities (Issue 1); however, they would be either reduced compared to the proposed project or similar to the proposed project. Significant and unmitigated impacts related to transportation/circulation (Issue 1 - roadway segments), air quality (Issue 1), and noise (Issue 3 – operational for removal of Genesee Avenue Widening only) would be similar compared to the proposed project. Significant and unmitigated impacts related to transportation/circulation (Issues 1 and 2 - intersections, freeway segments and ramps), air quality (Issue 2 - criteria pollutants), GHGs emissions (Issues 1 and 2), and public services and facilities (Issue 1) would be reduced compared to the proposed project. With adoption of the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative, two out of the four Project objectives would not be achieved. These include the following:

- Evaluate the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects.
- Minimize impacts to biological resources at Rose Canyon.

Rationale and Conclusion

The Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative is rejected as infeasible because it would not eliminate or substantially reduce any of the significant and unmitigated impacts associated with the proposed project, and, in fact, would result in additional significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 3 - construction), noise (Issue 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project.

No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative

The No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would not involve construction of the bridge structures spanning Regents Road. This alternative would result in the reconfiguration of Genesee Avenue, which would consist of restriping the existing four-lane roadway to a six-lane roadway within the existing right-of-way. This alternative would not involve improvements outside of the existing Genesee Avenue right-of-way. It would potentially involve modification of the existing median. The No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would construct a grade-separated intersection at Genesee Avenue and Governor Drive, removing northbound and southbound through-movements at the existing intersection and replacing them with two northbound and southbound through-lanes in an undercrossing along Genesee Avenue. The topography of Genesee Avenue approaching this intersection could allow for the grade separation to be achieved. Separating the through traffic on Genesee Avenue would significantly increase flow between the north and south areas of the UCP Area. All proposed roadway improvements would be within the existing right-of-way. Under the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative, businesses at the intersection would still have access and provide services to the adjacent community, but would experience less traffic on their adjacent roads. This alternative would include a new traffic signal at the Genesee Avenue intersection with SR 52 westbound ramps.

Potentially Significant Impacts

Significant and unmitigated impacts of the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative are summarized below.

- Transportation/Circulation (Issues 1 through 5)
- Air Quality (Issue 1)
- Greenhouse Gas Emissions (Issues 1 and 2)
- Public Services and Facilities (Issue 1)

Finding and Supporting Facts

Implementation of the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would eliminate one of the significant impacts associated with the proposed project, the significant impact related to noise (Issue 3 - operational). However, the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would result in significant but mitigable impacts related to visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 2 - construction), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project. Under the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative, significant and unmitigated impacts would be the same as those for the proposed project related to transportation (Issues 1 through 5), air quality (Issue 1), GHG emissions (Issues 1 and 2), and public services and facilities (Issue 1). Significant and unmitigated impacts under this alternative related to transportation/circulation (Issues 1 and 2 - roadway segments, freeway segments and ramps), and GHG emissions (Issues 1

and 2) would be reduced compared to the proposed project; while significant and unmitigated impacts related to transportation/circulation (Issue 1 – roadway segments and intersections) would be more significant compared to the proposed project, especially within the short-term condition during construction of the grade separation at Genesee Avenue and Governor Drive. With adoption of the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative, one out of the four Project objectives would not be achieved. This includes the following:

- Consider the effects of the Project on the General Plan City of Villages strategies related to emergency access and multi-modal transportation.

Rationale and Conclusion

While the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would eliminate one of the significant and unmitigated impacts (noise) associated with the proposed project, it is rejected as infeasible because it would not substantially reduce the significant impacts associated with the proposed project related to transportation (Issues 1 through 5), air quality (Issue 1), GHG emissions (Issues 1 and 2), and public services and facilities (Issue 1). Impacts to emergency services under the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative would be similar when compared to the proposed project. In addition, it would result in additional significant but mitigable impacts related to visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 2 - construction), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project. However, this alternative would have reduced impacts to land use, historical resources, biological resources, and geological resources when compared to the other alternatives because the Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative is the only alternative that would not involve construction of a bridge structure spanning Regents Road or widening of Genesee Avenue, and would perform all proposed roadway improvements within the existing right-of-way.

Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative

The Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would involve construction of a single bridge structure across Rose Canyon to connect the present north and south termini on either side of Regents Road. The pedestrian bike bridge with emergency access would extend north from the present end of Regents Road on the south side of Rose Canyon just north of Lahitte Court, over a tributary drainage to Rose Canyon (which would be filled, not spanned), and through a small ridge adjacent to Rose Canyon. The bridge portion spanning Rose Canyon would be approximately 870 feet long. The bridge structure would provide emergency access that would provide an alternative route for emergency service providers. The Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would result in the widening of Genesee Avenue and would include all the features as described in the No Project Alternative. The Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would also construct a

grade-separated intersection at Genesee Avenue and Governor Drive as described in the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative.

Potentially Significant Impacts

Significant impacts of the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative are summarized below.

- Transportation/Circulation (Issues 1 through 5)
- Air Quality (Issue 1)
- Greenhouse Gas Emissions (Issues 1 and 2)
- Public Services and Facilities (Issue 1)

Finding and Supporting Facts

Implementation of the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would eliminate one of the significant impacts associated with the proposed project. The Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would not result in a significant impact related to noise (Issue 2 - operational). However, the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would result in significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project. Under the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative, significant and unmitigated impacts would remain related to transportation (Issues 1 through 5), air quality (Issue 1), GHG emissions (Issues 1 and 2), and public services and facilities (Issue 1). Significant and unmitigated impacts under the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative related to transportation/circulation (Issues 1 through 5), and GHG emissions (Issues 1 and 2) would be reduced compared to the proposed project. Significant and unmitigated impacts related to air quality (Issue 1) and public services and facilities (Issue 1) would be similar to the proposed project. With adoption of the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative, two out of the four Project objectives would not be achieved. These include the following:

- Evaluate the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects.
- Minimize impacts to biological resources at Rose Canyon.

Rationale and Conclusion

While the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative would eliminate one of the significant and unmitigated impacts (noise) associated with the proposed project, it is rejected as infeasible because it would not substantially reduce the

significant impacts associated with the proposed project. In addition, it would result in additional significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issues 2 and 4 - hazardous materials) that would not occur under the proposed project.

Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative

The Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative would involve construction of the single-lane bridge structure spanning Regents Road as described in the Pedestrian Bike Bridge with Emergency Access and the Widening of Genesee Avenue Alternative. The bridge structure would provide emergency access that would provide an alternative route for emergency service providers. The Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative would include repurposing the existing footprint of Genesee Avenue to have three through lanes in each direction by reducing median width, adjusting lane utilizations at intersections, and narrowing lanes, as described in the Construction of Regents Road Bridge and No Widening of Genesee Avenue Alternative. The Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative would construct a grade-separated intersection at Genesee Avenue and Governor Drive as described in the No Construction of Regents Road Bridge and Reconfiguration of Genesee Avenue Alternative.

Potentially Significant Impacts

Significant impacts of the Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative are summarized below.

- Transportation/Circulation (Issues 1 through 5)
- Air Quality (Issue 1)
- Greenhouse Gas Emissions (Issues 1 and 2)
- Noise (Issue 2 and Issue 3 - operational for removal of Genesee Avenue Widening only)
- Public Services and Facilities (Issue 1)

Finding and Supporting Facts

Implementation of the Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative would not eliminate any of the significant impacts associated with the proposed project. In fact, the Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative would result in significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions

(Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project. Under the Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative, significant and unmitigated impacts would remain related to transportation (Issues 1 through 5), air quality (Issue 1), GHG emissions (Issues 1 and 2), noise (Issue 2 and Issue 3 - operational for removal of Genesee Avenue Widening only), and public services and facilities (Issue 1); however, they would be either reduced compared to the proposed project or similar to the proposed project. Significant and unmitigated impacts related to transportation/circulation (Issues 1 and 2 - roadway segments, freeway segments and ramps), air quality (Issue 1), noise (Issue 3 – operational for removal of Genesee Avenue Widening only), and public services and facilities (Issue 1) would be similar compared to the proposed project. Significant and unmitigated impacts related to transportation/circulation (Issue 1 - intersections) and GHG emissions (Issues 1 and 2) would be reduced compared to the proposed project. With adoption of the Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative, two out of the four Project objectives would not be achieved. These include the following:

- Evaluate the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects.
- Minimize impacts to biological resources at Rose Canyon.

Rationale and Conclusion

The Pedestrian Bike Bridge with Emergency Access and No Widening of Genesee Avenue Alternative is rejected as infeasible because it would not eliminate or substantially reduce any of the significant impacts associated with the proposed project, and, in fact, would result in additional significant but mitigable impacts related to land use (Issues 1 through 4), visual effects and neighborhood character (Issues 1 through 6), air quality (Issue 2 - construction), noise (Issue 1 and 3 - construction), historical resources (Issues 1 through 3), biological resources (Issues 1 through 8), geological conditions (Issues 1 through 3), public utilities (Issues 1 and 2), and health and safety (Issue 2 and 4 - hazardous materials) that would not occur under the proposed project.

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Doc. No. 1395369

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

(PUBLIC RESOURCES CODE §21081(b))

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

FOR THE

UNIVERSITY COMMUNITY PLAN AMENDMENT

PROJECT NUMBER 480286

SCH # 2015121011

December 2016

STATEMENT OF OVERRIDING CONSIDERATIONS
(PUBLIC RESOURCES CODE §21081(b))

Pursuant to Section 21081(b) of the California Environmental Quality Act (CEQA) and CEQA Guidelines Sections 15093 and 15043, CEQA 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 risks when determining whether to approve the University Community Plan Amendment Project (hereinafter referred to as the "Project"), as defined in the Final Program Environmental Impact Report (Final PEIR). As set forth in the Findings, the Planning Department staff's recommendation for the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects from the UCP and, in particular, the UCP Transportation Element (proposed project), as defined in the Final PEIR, will result in significant and unmitigable impacts related to transportation/circulation, air quality, greenhouse gas emissions, noise, and public services and facilities.

The City Council of the City of San Diego, (i) having independently reviewed the information in the PEIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the Project to the extent feasible by adopting the mitigation measures identified in the EIR; and (iii) having balanced the benefits of the Project against the significant environmental impacts, chooses to approve the proposed project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the proposed project render the significant environmental impacts acceptable.

The following statement identifies why, in the City Council's judgment, the benefits of the proposed project outweigh the unavoidable significant impacts. Each of these benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the proposed project. Substantial evidence supports the various benefits and such evidence can be found either in the preceding sections, which are incorporated by reference into this section, the PEIR, or in documents that compose the record of proceedings in this matter.

A. FINDINGS FOR STATEMENT OF OVERRIDING CONSIDERATIONS

1. The University Community Plan (UCP) Amendment Project fulfills the Project objective of evaluating the environmental impacts of the removal of the planned Genesee Avenue Widening and the Regents Road Bridge projects, including the minimization of impacts to biological resources in Rose Canyon.

The PEIR presents the environmental analysis of the proposed project (see Table 9-1 for summary of the significant impacts identified). The proposed project was analyzed and determined to have less than significant impacts, with no mitigation required for the following issue areas:

1. Land Use

    - Conflicts with Applicable Land Use Plans

2. Visual Effects and Neighborhood Character

    - Scenic Vistas or Views
    - Creation of a Negative Aesthetic Site or Project
    - Alteration to the Existing or Planned Character

3. Air Quality

    - Exposure of Sensitive Receptors
    - Emission of PM_{10}
    - Create Objectionable Odors

4. Health and Safety

    - Wildland Fires
    - Emergency Response Plans
    - Located at a Hazardous Materials Site
    - Airport Influence Areas (AIAs)

No significant impacts were identified for the following issue areas:

1. Agricultural and Forestry Resources

2. Mineral Resources

3. Land Use

    - Conflicts with MSCP Subarea Plan
    - Conflicts with an Adopted ALUCP
    - Physically Divides an Established Community

4. Visual Effects and Neighborhood Character

    - Distinctive or Landmark Trees
    - Landform Alteration
    - Light or Glare

5. Energy

    - Electrical Power
    - Fuel and Other Energy

6. Noise

- Ambient Noise Standards
- Exceed Noise Ordinance

7. Historical Resources

- Historic Structures, Objects, or Sites
- Prehistoric Resources, Sacred Sites, and Human Remains

8. Biological Resources

- Sensitive Species
- Sensitive Habitats
- Wetlands
- Wildlife Corridor
- Conflict with a Habitat Conservation Plan and Adverse Edge Effects
- Conflict with Local Policy and Ordinances
- Invasive Species

9. Geologic Conditions

- Seismic Hazards
- Erosion or Loss of Topsoil
- Geologic Instability

10. Public Services and Facilities

- Schools,
- Libraries
- Parks, recreational facilities

11. Public Utilities

- New or Altered Facilities
- Water

12. Health and Safety

- Hazardous Materials

13. Population and Housing

- Displace Persons or Housing
- Growth Inducing

One of the primary objectives of the Project is to minimize impacts to biological resources within Rose Canyon. The Rose Canyon open space system provides for passive outdoor recreation uses that are consistent with environmental preservation of the canyon. There are currently approximately 2.86 miles of multi-use trails, four trailheads, and three trail kiosks with interpretive signage in Rose Canyon. The provision of the trail system and passive amenities through Rose Canyon ensures that the public is provided access to the City-owned open space park lands. Passive recreational uses may include hiking, walking, bicycling, bird and wildlife watching, scenic overlooks and viewpoints. In addition, the Rose Canyon trail system also provides a linkage between San Diego communities, neighborhoods, parks, and open space systems.

The proposed project would conserve and protect Rose Canyon by ensuring construction of a bridge structure does not occur. The proposed project would not result in the addition of travel lanes, construction of retaining walls, construction of the planned Regents Road Bridge, or any of the planned elements associated with the construction of the Regents Road Bridge and planned Genesee Avenue Widening as described in the UCP.

Rose Canyon is an Urban Habitat Area of the Multiple Species Conservation Program (MSCP). These areas contain a mix of habitats including coastal sage scrub, grasslands, riparian/wetlands, chaparral and oak woodland. MSCP covered species found in these areas include, but are not limited to, wart-stemmed ceanothus, short-leaved dudleya, snake cholla, California gnatchatcher, and least Bell's vireo.

The proposed project would avoid construction in any of the biologically sensitive areas; preserve the Multi-Habitat Planning Area (MHPA) lands, particularly Rose Canyon and San Clemente Canyon; and be consistent with the Multiple Species Conservation Program and MHPA. The proposed project would not result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in the MSCP or other local or regional plans, policies, or regulations, or by CDFW or USFWS. The proposed project would not result in substantial adverse impacts, on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or on other sensitive natural communities identified in local or regional plans, policies, or regulations, or by CDFW or USFWS. The proposed project would not result in substantial adverse impacts on federal and-or state waters or wetland habitats through direct removal, filling, hydrological interruption, or other means, and would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites.

2. The Project fulfills the objectives of considering the effects of the Project on the General Plan City of Villages strategies related to emergency access and multi-modal transportation, and providing appropriate mitigation for a balanced transportation network.

The City of Villages strategy focuses growth into mixed-use activity centers that are pedestrian-friendly districts linked to an improved regional transit system. Guided by the City of Villages growth strategy and "complete streets" principles contained in the General Plan, the proposed project addresses the street and transit network with the development of a balanced, multi-modal transportation network that improves pedestrian, bicycle and transit mobility while also addressing vehicular traffic capacity. Mitigation Measures TRA-1 and TRA-2 would include improvements to the existing circulation system which address multiple modes of transportation including pedestrian, bicycle and vehicle travel. Improvements to pedestrian and bicycle facilities (i.e., dedicated lanes, crosswalks) could assist with shifting single occupancy vehicle trips to alternative modes of travel such as walking and bicycling, while providing a safer and more reliable transportation network. Mitigation measures that will improve pedestrian and bicycle circulation, for example, working in tandem with adaptive traffic control and priority signalization for transit (TRA-1.8, TRA-1.9, and TRA-1.10), would increase the viability and choice of alternative modes of transportation in place of single occupancy vehicle use.

As stated in the PEIR, emergency analysis was conducted for the proposed project and alternative scenarios. Based on the modeling, it was shown that there will be failing levels of service to street segments and intersections with or without construction of the bridge, which would affect emergency response and accessibility. However, Station 50, to be located south of Nobel and Shoreline drives, is currently planned, programmed, and partially funded in the North University City PFFP to address emergency service response needs within the University Community.

Emergency service responders would utilize the existing circulation network for emergency access. However, Mitigation Measures TRA-1 and TRA-2 include improvements to the existing circulation network, which address vehicle congestion, thereby making the existing paths of travel more accessible for emergency response vehicles during peak vehicle congestion periods. Adaptive traffic control (TRA-1.8, TRA-1.9, and TRA-1.10), and signalization of intersections, signal phasing to improve operation, and improved turning lanes (TRA-2.5 and TRA-2.6) are examples of the improvements proposed as mitigation measures that would address the needs of emergency personnel for improved access and reduced response times. Greater efficiency and optimization of the existing transportation network would provide pedestrians, bicyclists, motorists, and transit users with safer, balanced, and more convenient travel in a manner that is suitable to the University community and consistent with the General Plan City of Villages strategies.

3. The Project would avoid the need for right-of-way acquisition, permitting, and landform modification required for construction of the bridge through Rose Canyon.

The Genesee Avenue Widening and Regents Road projects have been on hold due to a variety of technical, environmental, and community concerns relating to issues such as right-of-way acquisition and construction of improvements in Rose Canyon. The Regents Road Bridge requires permits from United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW) and the Regional Water Quality Control Board (RWQCB). The proposed project would avoid construction of a bridge structure and widening within Rose Canyon and therefore would avoid the need for right-of-way acquisition and outside agency permits for the bridge. In addition, no substantial changes to the landform from construction of a new bridge, abutments, or other associated visual elements of a bridge structure that could affect the natural visual setting of Rose Canyon would be constructed. Under the proposed project, Regents Road would remain in its current configuration and would not require construction or roadway modification activities involving excavation or fill or other grading activities that could affect landforms or other scenic resources.

B. CONCLUSION

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

Doc. No. 1395209

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

FOR THE

UNIVERSITY COMMUNITY PLAN AMENDMENT

PROJECT NUMBER 480286

SCH # 2015121011

December 2016

Doc. No. 1395387

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EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

UNIVERSITY COMMUNITY PLAN AMENDMENT
CITY OF SAN DIEGO, CALIFORNIA
PROGRAM ENVIRONMENTAL IMPACT REPORT No. 480286
SCH No. 2015121011

This Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. The environmental analysis reflects all mitigation measures determined to be feasible in the Findings for the proposed project (SCH No. 2016061023; PROJECT NUMBER 21002568) and resulted in the identification of a mitigation framework that would reduce potentially significant impacts. The mitigation monitoring and reporting program for the UCP PEIR is under the jurisdiction of the City. 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.

1.1 Transportation/Circulation

Impact:

Implementation of the proposed project would have a significant impact at roadway segments and intersections as detailed in the PEIR. The impacts at these roadway segments and intersections would occur because the Level of Service (LOS) would degrade to an unacceptable E or F, or because the v/c ratio increase would exceed the allowable threshold at a location operating at LOS E or F.

There would also be significant traffic impacts to the existing or planned transportation system and circulation movements at build-out of the community plan area with implementation of the proposed project. As described in the analysis within the PEIR, these significant impacts would result in an increased difficulty in accessing areas due to poor traffic conditions, including long queues, crowded maneuvering conditions, slow speeds, and other traffic-related delays.

Significant impacts would also occur to alternative transportation modes from the proposed project. The removal of the planned Regents Road Bridge from the UCP would eliminate the planned crossing of Rose Canyon that would have been designed to accommodate pedestrians and bicyclists. This connection was identified in the Bicycle Master Plan. Because this future linkage would no longer occur with implementation of the proposed project, the loss of this

planned pedestrian and bicycle modes of transit would conflict with adopted policies, plans, or programs supporting alternative transportation modes and the impact would be significant.

Mitigation Framework

The PEIR identified several roadway segment and intersection improvements that would reduce potentially significant impacts to all of the Transportation/Circulation impacts summarized above. Program-level impacts would be reduced through implementation of transportation improvements adopted in association with the UCP Amendment. Mitigation, including construction of these improvements, would be carried out at the project-level and when associated with development projects are assured through permit and bonds. The City is committed to implementing all Mitigation Measures indicated as feasible on Table 1-1 of the Findings; funding sources include but are not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs to be determined at the project-level.

As discussed in the Findings, a number of mitigation measures are infeasible for the reasons presented in detail within the Findings. These mitigation measures are TRA-1.6, TRA-1.7, and TRA-2.3, and are not included in this MMRP. Three mitigation measures, TRA-2.4, TRA-2.9, and TRA-2.13, were also determined to be infeasible due to the necessary concurrence from Caltrans on design and construction; however, because mitigation can be accomplished within the right-of-way, the measures have been included into the mitigation framework for future development contribution.

Construction of the mitigation measures determined to be feasible in the Findings would be located completely within the existing rights-of-way. Implementation of Mitigation Measures determined to be feasible in TRA-1 and TRA-2 would reduce impacts to the circulation network of the UCP Area; however, not to below a level of significance in all cases.

MITIGATION MEASURE TRA-1: Roadway segments shall be enhanced with the following:

- **TRA-1.1:** Regents Road from Executive Drive to Genesee Avenue: Widen the roadway to a four-lane Major Arterial with bicycle lanes, including relocation of the Genesee Avenue and Regents Road intersection to the east.
- **TRA-1.2:** Miramar Road from 1-805 Ramps to 300 feet east of Eastgate Mall: Widen the roadway to an eight-lane Prime Arterial.
- **TRA-1.3:** Eastgate Mall from Judicial Drive to Eastgate Drive: Widen roadway to a four-lane Collector with a continuous left-turn lane and additional right-of way to accommodate bicycle facilities, excluding widening the bridge over I-805.
- **TRA-1.4:** Eastgate Mall from Eastgate Drive to Miramar Road: Widen roadway to a four-lane Collector with a continuous left-turn lane and additional right-of way to accommodate protected bicycle facilities.

- **TRA-1.5:** Genesee Avenue from La Jolla Village Drive to Esplanade Court: Repurpose the right-of-way to provide for a six-lane Prime Arterial with Class II bike facility with buffers.

- **TRA-1.8:** Genesee Avenue between SR 52 and North Torrey Pines Road: Implement adaptive traffic control and transit signal priority measures.

- **TRA-1.9:** La Jolla Village Drive between Torrey Pines Road and I-805: Implement adaptive traffic control and transit signal priority measures.

- **TRA-1.10:** Nobel Drive between La Jolla Village Square and Miramar Road: Implement adaptive traffic control and transit signal priority measures.

MITIGATION MEASURE TRA-2: Intersections shall be enhanced with the following:

- **TRA-2.1:** Genesee Avenue and John Hopkins Drive (Intersection 2): Repurpose one of the five westbound through lanes on Genesee Avenue to become a second right-turn lane.

- **TRA-2.2:** Genesee Avenue and Decoro Street (Intersection 15): Stripe eastbound and westbound right-turn lanes on Decoro Street. On-street parking would need to be removed from Decoro Street to add the right-turn pockets.

- **TRA-2.4:** Genesee Avenue and SR 52 Westbound Ramps (Intersection 18): An Intersection Control Evaluation (ICE) will be conducted to determine the best measure for mitigation. One option is to signalize the intersection and square up ramps, adding a protected phase for northbound left-turns from Genesee Avenue to the SR 52 ramp, and add a second right-turn lane on the exit ramp. The City of San Diego shall coordinate with Caltrans on the design and construction of the intersection improvements that are adjacent to the Caltrans ramps and freeways.

- **TRA-2.5:** La Jolla Village Drive and Torrey Pines Road (Intersection 21): Relocate the pedestrian crossing from the east leg to the west leg of the intersection and implement signal phasing modification to improve operation.

- **TRA-2.6:** La Jolla Village Drive Eastbound Ramps and Gilman Drive (Intersection 23b): Signalize the intersection, install a protected southbound left-turn phase, and restripe eastbound ramp approach to have a shared left-right lane and an exclusive right-turn lane.
- **TRA-2.7:** La Jolla Village Drive and Villa La Jolla Drive (Intersection 24): Construct a second westbound right-turn lane from La Jolla Village Drive to Villa La Jolla Drive.

- **TRA-2.8:** Miramar Road and Eastgate Mall (Intersection 34): Modify the southbound Eastgate Mall approach to have two left-turn lanes and one right-turn lane.

- **TRA-2.9:** Gilman Drive and I-5 Southbound Ramps (Intersection 69): Convert one of the westbound through lanes to a second left-turn lane. The City of San Diego shall coordinate with Caltrans on the design and construction of the intersection improvements that are adjacent to the Caltrans ramps and freeways.

- **TRA-2.10:** Towne Center Drive and Eastgate Mall (Intersection 73): Construct a second westbound left-turn lane from Eastgate Mall to Towne Centre Drive.

- **TRA-2.11:** Executive Way and Executive Drive (Intersection 76): Traffic signal modification for eastbound and westbound left-turns to be "protected-permissive" instead of "permissive."

- **TRA-2.12:** Judicial Drive and Eastgate Mall (Intersection 77): Traffic signal modification for northbound and southbound approach of Judicial Drive to be "split-phased" in the traffic signal, and restripe the northbound approach to have a left-turn lane, shared left-through-right lane, and right-turn lane.

- **TRA-2.13:** Governor Drive and I-805 Northbound Ramps (Intersection 79): An ICE will be conducted to determine the best measure for mitigation. One option is to install roundabout control at this roadway intersection. The City of San Diego shall coordinate with Caltrans on the design and construction of the intersection improvements that are adjacent to the Caltrans ramps and freeways.

Mitigation Funding, Timing, and Responsibility

The overall responsibility for mitigation monitoring, enforcement, and reporting for all mitigation measures determined to be feasible in the Findings, with the exception of TRA-2-4, TRA-2.9, and TRA-2.13 that involve coordination with Caltrans, is with the City of San Diego. The City will coordinate with Caltrans regarding those improvements adjacent to Caltrans facilities. As discussed above and in the Findings, specific funding and timing of the roadway segment and intersection improvement is not known at this time. However, the City is committed to implementing all Mitigation Measures indicated as feasible, and will utilize funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs to be determined at the project-level.

However, program-level improvements cannot be fully mitigated even with implementation of mitigation measures TRA-1 and TRA-2. Therefore, traffic impacts associated with the proposed project would remain significant and unmitigated at the program level.

1.2 Air Quality

Impact

The proposed project would remove planned changes to the physical roadway network that would affect future vehicle circulation on local roadways and freeways. As on-road vehicles would need to reroute their trips without the planned Regents Road Bridge, it is anticipated that the proposed project would affect the ADT volumes on various local roadway segments. Rerouted trips would cause changes to ADT volumes on roadways that would affect the V/C ratios, LOS, and ultimately average vehicle speeds on those roadway segments in the Project area. As shown in Table 4.4-6, the net increase in emissions of ROG, PM_{10}, and $PM_{2.5}$ would not exceed applicable daily or annual thresholds established by the City of San Diego. However, the net increase in emissions of NO_X and CO for the total Project area VMT would exceed the applicable annual thresholds established by the City of San Diego. The impact would be significant.

Mitigation Framework

Mitigation Measures included in TRA-1 and TRA-2 that were determined to be feasible as detailed in the Findings would reduce impacts to the local roadways and intersections of the UCP Area that are associated with the proposed project. See mitigation framework listed above for Transportation/Circulation.

Mitigation Funding, Timing, and Responsibility

As stated above, the overall responsibility for mitigation monitoring, enforcement, and reporting for all Transportation/Circulation mitigation measures determined to be feasible in the Findings, with the exception of TRA-2-4, TRA-2.9, and TRA-2.13 that involve coordination with Caltrans, is with the City of San Diego. The City will coordinate with Caltrans regarding those improvements adjacent to Caltrans facilities. As discussed above and in the Findings, specific funding and timing of the roadway segment and intersection improvement is not known at this time. However, the City is committed to implementing all Mitigation Measures indicated as feasible, and will utilize funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs to be determined at the project-level.

1.3 Noise

Impact

The removal of the planned Regents Road Bridge and the Genesee Avenue Widening from the UCP would increase the distance of the 65 dBA CNEL contour from the centerline of the Genesee Avenue Corridor to the residences along the Genesee Avenue Corridor and therefore

would expose people along the Genesee Avenue Corridor to future transportation noise levels that exceed standards established in the Noise Element of the General Plan. This is a potentially significant impact.

Mitigation Framework

In order to mitigate impacts related to transportation noise, the following mitigation measures would be implemented.

NOI-1 Implement Noise Control Measures: Prior to the issuance of construction permits, site-specific interior noise analyses demonstrating compliance with the interior noise compatibility standards of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility standards of the City's General Plan. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings; placing HVAC in noise-reducing enclosures; or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

Prior to the issuance of construction permits, site-specific exterior noise analyses that demonstrate that the Project would not place future residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility standards of the City's General Plan shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

Mitigation Funding, Timing, and Responsibility

The overall responsibility for mitigation monitoring, enforcement, and reporting would be with the City of San Diego. Development implemented within the University Community Plan area that would potentially result in significant noise impacts are required to implement Mitigation Measure NOI-1, which addresses the significant impacts related to operational noise along the Genesee Avenue Corridor. If effective noise measures cannot be implemented for existing and future residences along the Genesee Avenue Corridor, operational noise impacts would be significant and unmitigated at the program level.

1.4 Public Services and Facilities

Impact

The proposed project would result in an increase in projected traffic in the future year, which is substantial in relation to the existing traffic load and capacity of the street system. The impact on police service response times and fire and emergency response times would be significant.

Mitigation Framework

Mitigation Measures included in TRA-1 and TRA-2 that were determined to be feasible as detailed in the Findings would reduce impacts to the local roadways and intersections of the UCP Area that are associated with the proposed project. See mitigation framework listed above for Transportation/Circulation.

Mitigation Funding, Timing, and Responsibility

As stated above, the overall responsibility for mitigation monitoring, enforcement, and reporting for all Transportation/Circulation mitigation measures determined to be feasible in the Findings, with the exception of TRA-2-4, TRA-2.9, and TRA-2.13 that involve coordination with Caltrans, is with the City of San Diego. The City will coordinate with Caltrans regarding those improvements adjacent to Caltrans facilities. As discussed above and in the Findings, specific funding and timing of the roadway segment and intersection improvement is not known at this time. However, the City is committed to implementing all Mitigation Measures indicated as feasible, and will utilize funding sources, including but not limited to, development impact fees required of future development; developer contributions and/or construction; special assessment districts; grants; regional, state and Federal funding sources; and other fee programs to be determined at the project-level.