

RESOLUTION NUMBER R- 312172

DATE OF FINAL PASSAGE JAN 08 2019

ITEM#334A

1/8/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE ENVIRONMENTAL IMPACT REPORT NO. 526167 AND ADOPTING THE MITIGATION, MONITORING, AND REPORTING PROGRAM FOR MORENA APARTMENT HOMES – PROJECT NO. 526167.

WHEREAS, on January 31, 2017, Fairfield SD Coastal LLC, a Delaware limited liability company, Owner/Permittee, submitted an application to Development Services Department for a Municipal Code and Local Coastal Program Amendment, General Plan Amendment, Community Plan Amendment, Rezone, Vesting Tentative Map, Planned Development Permit and Site Development Permit for the Morena Apartment Homes (Project); and

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

WHEREAS, the issue was heard by the City Council on January 8, 2019; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 526167 (Report) prepared for this Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, 14, Title Chapter 3, Section 15000 et seq.), that the

Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.


BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

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

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, 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: MARA W. ELLIOTT, City Attorney

By   
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Corrine L. Neuffer  
Deputy City Attorney

CLN:als  
11/08/2018  
Or.Dept:DSD  
Doc. No.: 1874088  
Attachments: Exhibit A – Findings  
Exhibit B – Mitigation, Monitoring, and Reporting Program

**EXHIBIT A**  
**FINDINGS OF FACT**  
**REGARDING THE ENVIRONMENTAL IMPACT REPORT**  
**FOR THE MORENA APARTMENT HOMES PROJECT**

**PROJECT NO. 526167**  
**SCH No. 2017061040**  
**August 2018**

**SECTION 1: THE PROJECT**

**I. PROJECT DESCRIPTION**

The project includes removal of the existing Coastal Trailer Villa recreational vehicle (RV) park, removal of the truck/RV storage use and demolition of existing residences on the northern project parcel, to allow construction of 150 multi-family dwelling units (available for rental) with on-site amenities on the 5.73-acre project site. As detailed in Table 3-2 of the EIR, amenities would be comprised of common usable open space including clubhouse, fitness center, and pool area. An additional 0.48-acre would be dedicated as street right-of-way along West Morena Boulevard, Morena Boulevard, and Frankfort Street to accommodate project frontage improvements, increased travel way to accommodate public sewer lines.

The 150 dwelling units would be accommodated in nine, three-story buildings surrounded by a landscape perimeter. Building heights would be within allowable height limits (30 feet) as required under the Clairemont Mesa Height Limit Overlay Zone. The project would include total residential square footage of 211,254 square feet and consists of three-unit types. See Table 3-1 of the Final EIR.

The project would include 15,084 square feet of common usable open space and recreational areas. The common usable open space would consist of 8,598 square feet of courtyard areas, and a 6,486 square-foot recreational area that consists of a pool, gym, recreation room, and a clubhouse courtyard. The clubhouse would include a manager office and business center for leasing services associated with the apartment complex. The club room, restrooms and lounge room with kitchen amenities would be available for tenant use. The fitness center with restrooms would also be provided for future tenants. The pool area with a pool, spa, fire pit, lounge chairs, and a pool house (restrooms) would also be provided on-site just west of the fitness center.

The project would provide parking in excess of City requirements with a total of 267 parking spaces, consisting of 99 attached garages, 52 detached carports, 115 open spaces, and 1 detached garage/maintenance space. In addition, the project would provide 16 motorcycle spaces and 70 bicycle parking spaces.

Project construction would require 10,500 cubic yards of cut to a maximum depth of nine feet and require 11,800 cubic yards of fill at a maximum depth of eight feet. The project would incorporate drainage improvements on-site, including three biofiltration basins and three modular wetland units, as well as curb and gutters and a private storm drain system, which would

connect with the public storm drain at the corner of Morena Boulevard and Frankfort Street. The project would include installation of 8-inch domestic water mains in private drives throughout the project site that would connect to the existing 8-inch public water main in Frankfort Street at two connection points. On-site sewer lines would be constructed, and sewage from the project would be collected through a series of private 6-inch collector laterals located within the private on-site drives throughout the project site, connecting to the 6-inch public sewer main in Frankfort Street. Utilities necessary to serve the proposed uses would be installed in conjunction with development of the site. In addition, the project would include 816 square feet of trash and recyclable material storage space.

Primary access to the project site would be from a full-access driveway on Frankfort Street, at the same location as the existing Frankfort Street access driveway. A right-in/right-out only driveway would also provide site access from Morena Boulevard, in the same location as the existing northernmost driveway. The existing access driveway closer to the intersection of Morena Boulevard and West Morena Boulevard would be closed. Internal roadways would be constructed at 24 feet wide and would accommodate fire and emergency vehicles. Internal walkways would be provided throughout the project site, providing access to the on-site amenities and providing pedestrian connections to the surrounding roadways. The main pedestrian access point to the site would be at the corner of Morena Boulevard and Frankfort Street, with another located near the right-in/right-out driveway along Morena Boulevard.

The project would construct new pedestrian facilities along road frontages. This would include installation of appropriate half-width frontage improvements including the removal of sidewalks along the half-width frontage of Morena Boulevard and West Morena Boulevard, to be replaced with new sidewalks, curb and gutter, and landscaping. In addition, new sidewalks, curb and gutter, and landscaping would be installed along Frankfort Street, where no existing pedestrian facilities are located. New curb and gutter would also be installed along Tonopah Avenue at the top of the slope above the project site. The half-width improvements to Morena Boulevard would include a buffered Class II bike lane, along the northbound side of the road. The project would also temporarily remove the bench at the bus stop located along Morena Boulevard and would reinstall the bench at the same general location, along with a concrete bus pad and convenience feature such as a bus shelter and trash can.

The proposed landscape plan includes a Mediterranean landscaping theme, retaining walls, decorative walls, and noise attenuating walls/fencing around the perimeter of the project site. An approximate 10-foot-wide landscaped area would be provided around all proposed structures on the project site and landscaping would be installed around the project perimeter at street frontages. A pedestrian entrance with enhanced paving and an entry monument wall would be provided at the corner of Morena Boulevard and Frankfort Street.

Along the street frontages, a six-foot-high combination theme wall would be installed that includes a 2-foot-high wall with stucco to match the project architecture combined with four-foot-high decorative fencing. The wall is designed with articulation through the use of pilasters. Cascading shrubs and vines would be utilized to help mask and screen the wall. A six-foot-high combination stucco and glass wall would be installed around the pool and recreational areas in order to attenuate road noise at outdoor use areas. A six-foot-high block wall would be installed at the northwest property line bordering the adjacent property. At the northeastern property line at the bottom of the slope below Tonopah Avenue, an 18-foot-high split face block

retaining wall with an additional 42 inches of cable guardrail fencing would be installed to support the existing slope. The base of the wall would be planted with shrubs that would climb and screen the wall. At the top of the slope at Tonopah Avenue, a new 6-foot-high tube steel fence would be installed to replace the existing chain link fence.

As described in Section 1.3, Responsible and Trustee Agencies, of the Final EIR, implementation of the project would require consultation with the Federal Emergency Management Agency (FEMA), as the southwestern portion of the project site lies within a Special Flood Zone Area, or FEMA flood area, Zone AO. The project requires FEMA review and approval of a Conditional Letter of Map Revision based on fill prior to discretionary project approval and a final Letter of Map Revision based on fill after grading and construction is complete to demonstrate that the project site is raised outside of a 100-year flood zone. There are no responsible agencies that would have discretionary approval power over the project.

## II. PROJECT OBJECTIVES

The primary purposes, goals, and objectives of the project are:

- Provide housing to accommodate increasing growth in the region.
- Enhance the visual character of the site as viewed from Morena Boulevard.
- Provide development that is consistent with the City of Villages and Smart Growth principles.

Develop the site consistent with the scale and character of development in the surrounding area and the CMCP area.

## III. DISCRETIONARY ACTIONS

All discretionary approvals required from the City to implement the project have been subject to review and approval by the City's Planning Commission and City Council. The following discretionary actions are required for the Morena Apartment Homes project:

- **General Plan Amendment** – The project site is currently designated as Residential and Commercial Employment, Retail, & Services in the General Plan's Land Use and Street System Map (contained in the Land Use Element). The project requires a General Plan Amendment to amend the Land Use and Street System Map to identify the site as entirely Residential.
- **Community Plan Amendment** – The project site is composed of two parcels. The Community Plan designates the northern parcel as Low Density Residential (5-10 dwelling units/acre) and General Commercial, while the southern parcel is designated Mobile Home Park and General Commercial. A Community Plan Amendment is required to amend the CMCP as follows:
  - Remove the mobile home park overlay; and
  - Apply a medium density residential (15 to 30 dwelling units per acre) designation to the project site.

In addition, the CMCP would be revised to remove reference to the need to preserve the existing Coastal Trailer Villa recreational vehicle park on the project site.

- **Rezone** – A rezone is required to change the existing zoning of CC-4-2 and RS-1-7 to a residential–multiple unit (RM-2-5) zone.
- **Land Development Code and Local Coastal Program Amendment** – The project site is currently located within a designated Mobile Home Park Overlay Zone. The project requires a Land Development Code (Chapter 13, Article 2, Division 7) and Local Coastal Program Amendment to remove the project site from the Mobile Home Park Overlay Zone.
- **Planned Development Permit** – Consistent with City Municipal Code Table 143-04A, the project requires a Planned Development Permit to allow proposed deviations from applicable zone regulations. Proposed deviations would allow for carports and trash enclosures to encroach approximately 2 feet into the northern property line setback (at the slope below Tonopah Avenue), allow the clubhouse building to encroach into the front yard setback along Morena Boulevard, allow Building #6 to encroach into the side yard setback along Morena Boulevard, allow deviations from the retaining wall height regulations, and allow for a deviation to the 7-foot horizontal dimension requirement for outside assigned unit storage to account for proposed tenant storage within the building envelope.
- **Site Development Permit** – Due to the presence of Environmentally Sensitive Lands, the project requires a Site Development Permit. Specifically, the project site is located within a special flood hazard area (100- and 500-year floodplain), which qualifies as Environmentally Sensitive Lands pursuant to City Municipal Code Section 143.0110.
- **Vesting Tentative Map** – A Vesting Tentative Map would be required to create a 150-unit condominium map. Individual units would be offered for rent, not for individual sale.

## SECTION 2: ENVIRONMENTAL REVIEW PROCESS

The Lead Agency approving the project and conducting environmental review under the California Environmental Quality Act (CEQA; California Public Resources Code §§21000, et seq.), and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, §§15000 et seq. (CEQA Guidelines), hereinafter collectively, (CEQA) shall be the City. The City as Lead Agency shall be primarily responsible for carrying out the project. In accordance with CEQA Guidelines Section 15082(a), a Notice of Preparation (NOP), dated June 16, 2017 was prepared for the project and distributed to agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR. Comments were submitted by the California Department of Transportation, San Diego County Archeological Society, Inc., Native American Heritage Commission, San Diego Association of Governments (SANDAG), Rincon Band of Luiseño Indians, and Viejas Band of Kumeyaay Indians. Several emails from private citizens were also

received in response to the NOP. A copy of the NOP and public comment letters received on the NOP are provided in Appendix A of the Final EIR.

The Draft EIR for the project was then prepared and circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on May 22, 2018 and ended on July 6, 2018. A Notice of Completion of the Draft EIR was sent to the State Clearinghouse, and the Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2017061040). A Notice of Availability of the Draft EIR was filed with the County Clerk. Comments on the Draft EIR were received from SANDAG, San Diego County Archeological Society, Viejas Band of Kumeyaay Indians, and several individuals. After the close of the public review period, the City provided in the Final EIR responses in writing to all comments received on the Draft EIR.

The Final EIR has been prepared in accordance with CEQA and the State CEQA Guidelines. The City, acting as the Lead Agency, has reviewed and edited as necessary the submitted drafts and certified that the Final EIR reflects its own independent judgment and analysis under Guideline §15090(a)(3) and CEQA Statute §21082.1(a)-(c).

The Final EIR addresses the environmental effects associated with implementation of the project. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project. The Final EIR addressed the potential significant adverse environmental impacts associated with the project and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. The Final EIR is incorporated by reference into this CEQA Findings document.

The Final EIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with CEQA, if a Lead Agency approves a project that has significant unavoidable impacts that cannot be mitigated to a level below significance, the agency must state in writing the specific reasons and overriding considerations for approving the project based on the final CEQA documents and any other information in the public record for the project (CEQA Guidelines §15093).

## **I. RECORD OF PROCEEDINGS**

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

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All written and verbal public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken;

- The Mitigation Monitoring and Reporting Program (MMRP);
- The Final EIR for the proposed project;
- The reports and technical memoranda included or referenced in Responses to Comments and/or in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e);
- All ordinances and resolutions adopted in connection with the project; and
- All project application materials.

## II. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Development Services Center, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. The City Development Services Center 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 Development Services Center. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

### SECTION 3: SUMMARY OF IMPACTS

The Final EIR Sections 4.0, 5.0, 6.0, and 7.0 demonstrate, and the City hereby finds, based on the Final EIR and the Record of Proceedings, that the project would have **less than significant impacts** and require no mitigation with respect to the following issues:

- Visual Quality/Neighborhood Character
- Health and Safety/Hazardous Materials
- Hydrology
- Water Quality
- Public Services
- Utilities
- Air Quality
- Greenhouse Gas Emissions

Section 4.0 of the Final EIR demonstrates, and Section 4(II) of these Findings include the corresponding findings, that potentially **significant impacts of the project would be mitigated** to below a level of significance with respect to the following issue:

- Land Use
- Noise
- Paleontological Resources



- Cultural Resources
- Tribal Cultural Resources
- Transportation/Traffic Circulation/Parking

**The project would not result in any significant unmitigated impacts.**

## **SECTION 4: FINDINGS OF FACT**

### **I. INTRODUCTION**

The CEQA Guidelines require that no public agency shall approve or carry out a project which identifies one or more significant environmental impacts of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The findings shall be supported by substantial evidence in the record. 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 effect 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.

CEQA requires that the Lead Agency adopt mitigation measures or alternatives where feasible to avoid or mitigate significant environmental impacts that would otherwise occur with the implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency (Guidelines §15091(a)(b)). For those significant impacts that cannot be mitigated to a less than significant level, the Lead Agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (CEQA §21081(b) and Guidelines §15093). If such findings can be made, the Guidelines state in §15093 "the adverse environmental effects may be considered acceptable." CEQA also requires that findings made pursuant to §15091 be supported by substantial evidence in the record (State CEQA Guidelines, §15091(b)). Under CEQA, substantial evidence means enough relevant information has been provided (reasonable inferences from this information may be made) to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts (State CEQA Guidelines, §15384).

The findings reported in the following pages incorporate the facts and discussions in the Final EIR for the project as fully set forth therein. The CEQA Guidelines §15091 do not require findings to address environmental impacts that an EIR identifies as not significant or less than significant without mitigation. Section 3 above identifies those areas and includes the finding that the respective impacts are either not significant or less than significant without mitigation. The findings in subsections II and III below are focused on the potentially significant effects of the project that can be reduced to a less than significant level with mitigation. Subsection IV below includes findings regarding the reasonable range of alternatives analyzed in the Final EIR. For each of the significant impacts associated with the project, the following sections are provided:

*Description of Potentially Significant Impacts:* A description of the potentially significant environmental impacts identified in the Final EIR. If unavoidable, impact is so noted.

*Facts in Support of the Finding:* Identified feasible mitigation measures or actions that are required as part of the project to mitigate the project's impacts plus a description of the evidence that demonstrates that the impacts will be reduced to less than significant levels. If mitigation is infeasible, the reasons supporting the finding that the rejected mitigation is infeasible.

*Reference:* A notation on the specific section in the Final EIR which includes the factual evidence and discussion of the identified significant impact.

Having received, reviewed, and considered the Final EIR for the Morena Apartment Homes, Project No. 526167, State Clearinghouse No. 201706040 (Final EIR), as well as all other information in the record of proceedings on this matter, the following Findings are made, and Statement is adopted by the City in its capacity as the CEQA Lead Agency. These Findings and Statement 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.

## **II. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION**

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), adopts the following findings regarding the significant effects of the project described in this Subsection II, as follows:

*Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects on the environment as identified in the Final EIR (Project No. 360009/SCH No. 2014071065) as described below:*

### **A. Land Use**

1. *Description of Potentially Significant Impacts:* As described in Section 4.1.9 of the Final EIR, the project could result in a direct land use compatibility impact due to its potential to expose people to interior noise levels in excess of standards established in the Noise Element of the General Plan for interior noise levels. Noise modeling revealed that exterior noise levels at the façades of residences and

at the proposed clubhouse building would experience noise levels up to 74 CNEL. Based on the anticipated noise levels at these locations, interior noise levels would be in excess of noise compatibility standards of the General Plan resulting in a significant direct impact.

*Facts in Support of Finding:* As described in the Final EIR, Mitigation Measure LU-1 would be required to mitigate potential impacts associated with land use compatibility associated with the noise standards as provided for in the General Plan Noise Element. This measure would ensure that the project would reach acceptable interior noise levels for apartment homes within the project site.

The City finds that with implementation of Mitigation Measure LU-1, the potential for adverse project impacts associated with land use compatibility will be reduced to a less than significant level.

*Reference:* Final EIR Section 4.1.

## **B. Noise**

1. *Description of Potentially Significant Impacts:* As described in Section 4.2, the project could result in direct noise impacts associated with construction activity because construction activity would temporarily increase ambient noise levels in the project vicinity up to 78 A-weighted decibels [dB(A)] at sensitive receptor locations surrounding the project site, which would exceed the City's Municipal Code noise limit of 75 dB(A).

*Facts in Support of Finding:* The Final EIR identifies Mitigation Measure NOI-1, which would reduce construction noise levels emanating from the site; limit the number of construction machinery operating at any one time and provide noise barriers between the site and adjacent residential uses. With the implementation of this mitigation measure, temporary increases in noise levels from construction would be less than significant.

*Reference:* Final EIR, pages 4.2-1 through 4.2-9.

2. *Description of Potentially Significant Impacts:* As described in Section 4.2, the project could result in direct noise impacts associated with operation of mechanical equipment, including split-system outdoor condensing units (air conditioning units), which could reach a power level sound of 75 dB(A), thereby exceeding the nighttime single-family residential property line limit of 40 dB(A).

*Facts in Support of Finding:* The Final EIR identifies Mitigation Measure NOI-2, which would reduce on-site noise generation through specific placement of noise producing equipment within specific distance from the property line. With the implementation of this mitigation measure, operational noise levels would be less than significant.

*Reference:* Final EIR, pages 4.2-1 through 4.2-9.

### **C. Paleontological Resources**

1. *Description of Potentially Significant Impacts:* As described in Section 4.3, the project would require grading (cut) at the higher elevations of the site near Tonopah Avenue. The geology underlying the site near Tonopah Avenue is underlain by Bay Point Formation at a depth of approximately 4 feet. In this location, grading may occur up to a depth of 9 feet and would have the potential to impact Bay Point Formation, which has a high potential for paleontological resources. Thus, although grading depth would not exceed 10 feet per the City's significance threshold, the site has been previously graded and a geologic formation with high resource potential is located near the surface. Thus, impacts to paleontological resources would be potentially significant, resulting in a direct impact.

*Facts in Support of Finding:* Mitigation Measure PALEO-1 would be required to mitigate potential project impacts to paleontological resources located within formations with "High" paleontological sensitivity. The measure would ensure paleontological resources uncovered during grading activities are properly evaluated, and if appropriate, removed and subjected to laboratory procedures in accordance with the City's Paleontological Resource Guidelines. Specifically, Mitigation Measure PALEO-1 establishes protocols for project paleontological monitoring, including requirements prior to permit issuance, prior to the start of construction, and during construction. Mitigation Measure PALEO-1 also contains requirements associated with night/weekend work and post construction reporting requirements.

The City finds that with implementation of Mitigation Measure PALEO-1, the potential for adverse project impacts to paleontological resources in formations with "High" sensitivity will be reduced to a less than significant level

*Reference:* Final EIR, pages 4.3-3 through 4.3-8.

### **D. Cultural Resources**

1. *Description of Potentially Significant Impacts:* As described in Section 4.4, the entire project site is developed and has been subject to prior disturbance and placement of fill. However, according to the City's Historical Resources Sensitivity Maps the project area is located within an area identified as having a high sensitivity level for archaeological resources. A review of the California Historic Resources Information System (CHRIS) digital database determined that no recorded sites have been identified within the project boundaries, but several previously recorded historic and prehistoric sites have been identified in the project vicinity, including a very well-known prehistoric Native American village located west of the project site. As such, resources could be buried beneath the level of disturbance, and there is a potential for buried cultural resources to be impacted through implementation of the project. Therefore, there is the potential for ground-disturbing activities to result in impacts to unknown historical resources (archaeology), resulting in a significant direct impact

*Facts in Support of Finding:* Mitigation Measure CUL-1 would be required to mitigate the impacts of the project on archeological resources by requiring archaeological and Native American monitoring during ground disturbance and would be implemented during project grading. Mitigation Measure CUL-1 establishes performance standards and requirements with respect to the potential discovery of such an unknown, subsurface resource. The measure addresses matters such as the retention of qualified monitors prior to permit issuance, involvement of monitors in the pre-construction process, participation and authority of monitors during construction and reporting requirements post construction. The measure also contains requirements that would apply in the event of the discovery of human remains or the occurrence of night and/or weekend work.

The City finds that with implementation of Mitigation Measure CUL-1, the project's potential to result in an alteration, including the adverse physical or aesthetic effects and/or destruction of a prehistoric or historic building (including an architecturally significant building), structure, object or site will be reduced to a less than significant level.

*Reference:* Final EIR, pages 4.4-13 through 4.4-21.

2. *Description of Potentially Significant Impacts:* As described in Section 4.4 of the Final EIR, no known burial sites or cemeteries exist within the vicinity of the project site and it is not expected that human remains would be disturbed as a result of the project. In the unlikely event of the discovery of human remains during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and state Health and Safety Code (Section 7050.5) shall be undertaken, although it is not expected that human remains would be located on the project site, there is a potential for buried human remains to be disturbed by grading and construction activities. Therefore, impacts associated with human remains would be potentially significant.

*Facts in Support of Finding:* As disclosed in Section II.D.1 of these Findings, Mitigation Measure CUL-1 establishes protocols for project archaeological monitoring and reporting during construction. Those same measures, as they require the retention and involvement of appropriately qualified experts including a Native American monitor, would be required to mitigate potential project impacts resulting in the disturbance of any human remains, including those interred outside of formal cemeteries.

The City finds that with implementation of Mitigation Measure CUL-1, the potential for adverse effects on previously unidentified human remains, including those interred outside of formal cemeteries, will be reduced to a less than significant level.

*Reference:* Final EIR, pages 4.4-22 through 4.4-23

## **E. Tribal Cultural Resources**

1. *Description of Potentially Significant Impacts:* As described in Section 4.5 of the Final EIR, the City received consultation requests from the Iipay Nation of Santa Ysabel and the Jamul Indian Village of Kumeyaay Nation. During tribal consultation, neither tribe identified any known tribal cultural resources on the project site but requested that Native American monitors be present during ground disturbance activities. In addition, no archaeological sites or known burial sites or cemeteries are located within the vicinity of the project area, and it is not expected that human remains would be disturbed as a result of the project. Although unlikely based on the prior site disturbance, grading activities may uncover and destroy subsurface cultural deposits, thereby resulting in a significant impact to tribal cultural resources.

*Facts in Support of Finding:* As disclosed in Section II.D.1 of these Findings, Mitigation Measure CUL-1 establishes protocols for project archaeological monitoring and reporting during construction. Those same measures, as they require the retention and involvement of appropriately qualified experts including a Native American monitor, would be required to mitigate potential project impacts resulting in the disturbance of any tribal cultural resources.

The City finds that with implementation of Mitigation Measure CUL-1, the potential for adverse effects on tribal cultural resources will be reduced to a less than significant level.

*Reference:* Final EIR, pages 4.5-4 through 4.5-5.

## **F. Traffic and Circulation**

1. *Description of Potentially Significant Impacts:* As discussed in Section 4.6 of the Final EIR, implementation of the project would result in two project area road segments to exceed the allowable significance thresholds associated with traffic generation. As shown in Table 4.6-5 of the EIR, the increase in the volume over capacity (V/C) ratio resulting from project traffic in the Existing Plus Project scenario would exceed City thresholds along two project area road segments: Morena Boulevard, from Frankfort Street to Knoxville Street, and from Knoxville Street to Tecolote Road, resulting in a significant direct impact. Under the Near-Term Plus Project condition, as shown in Table 4.6-7 of the EIR, increases in the V/C ratio resulting from project traffic would exceed City thresholds along the same two project area road segments (Morena Boulevard, from Frankfort Street to Knoxville Street, and from Knoxville Street to Tecolote Road), resulting in a significant direct impact. Additionally, as shown in Table 4.6-10 of the EIR, under Year 2035 plus project conditions increases in the V/C ratio resulting from project traffic would exceed City thresholds along the same two project area road segments (Morena Boulevard, Knoxville Street to Tecolote Road), resulting in a significant cumulative impact.

*Facts in Support of Finding:* Mitigation Measure TRA-1 would be required to mitigate potential project impacts associated with traffic and circulation. This mitigation measure requires installation of an adaptive signal control system at three intersections along West Morena Boulevard.

The City finds that with implementation of Mitigation Measure TRA-1, the potential for adverse project impacts to traffic and circulation will be reduced to a less than significant level.

*Reference:* Final EIR, pages 4.6-12 through 4.6-26.

### **III. FINDINGS REGARDING ALTERNATIVES**

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed project, even if the alternative would impede the attainment of some project objectives or would be more costly. In accordance with Section 15126.6(f)(1) of the State CEQA Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; and (6) jurisdictional boundaries.

As required in CEQA Guidelines Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given regarding an alternative's ability to meet most of the basic objectives of the project. Because the project would result in potentially significant environmental effects related to land use, noise, paleontological resources, cultural resources, tribal cultural resources, and traffic and circulation, the City must consider the feasibility of project alternatives that could avoid or substantially lessen these environmental effects while achieving most of the objectives of the proposed project. The project objectives are presented above.

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code §21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following findings with respect to the alternatives identified in the Final EIR.

#### **A. Project Alternatives**

As required by CEQA, the Final EIR evaluated a reasonable range of potentially feasible project alternatives. Alternatives already considered but rejected as infeasible are discussed in Section 8.3. As part of that evaluation, the Final EIR considered a driveway access location alternative, whereby the project would be developed as proposed except the main project access driveway

would be located on Morena Boulevard, with a secondary driveway access at the north end of Morena Boulevard. This alternative was rejected from further consideration due to the proximity of the driveway to the intersection and safety of ingress and egress.

With respect to the alternate location alternative, it was determined that while an alternative location could potentially avoid the significant impacts identified for the project, the project would likely need to be relocated outside of the community to avoid adding traffic impacts to Morena Boulevard, which would not achieve the project purpose. In addition, this would not achieve the project objective of providing development consistent with the City of Villages and Smart Growth principles to the same extent as locating the project adjacent to transit. This alternative was rejected from further consideration.

The Final EIR evaluated the following four alternatives and compared the impacts of each alternative to those of the project:

- Alternative 1 – No Project (No Development) Alternative
- Alternative 2 – Current Plan Alternative
- Alternative 3 – Relocated Community Open Space Alternative

1. *No Project (No Development) Alternative (Section 9.2)*

**Alternative Description/Impacts:** The No Project (No Development) Alternative assumes that the site would remain in its current condition (i.e., RV park) and would maintain the other existing structures and uses on the project site including two duplexes, two single-family residences, and outdoor storage of trucks and RVs. The alternative analyzes the CEQA impacts under circumstances where the project site would not be developed with the proposed project uses or any other uses permitted under the existing approvals. Compared to the project, the No Project (No Development) Alternative would eliminate the potential for direct significant impacts to paleontological resources, cultural resources, and tribal cultural resources, as no new development would occur, and subsurface deposits would not be disturbed. The No Project (No Development) alternative would also reduce environmental effects associated with noise, as no construction would occur within the project site, and thus no construction noise would occur under this alternative. The No Project (No Development) Alternative would also reduce environment impacts associated with Traffic Circulation, as no new trips would occur under this alternative.

**Facts in Support of Finding:** CEQA requires the analysis of this alternative. While the alternative may avoid project impacts, the alternative would not meet any of the basic project objectives listed above or in Section 3.2. Accordingly, the City rejects this Alternative as infeasible on the basis that it fails to meet the project objectives. The City finds that although the No Project (No Development) Alternative would avoid all potentially significant project-related impacts to land use, noise, paleontological resources, cultural resources, tribal cultural resources, and traffic circulation, specific economic, legal, social, technological, or other considerations, including that this alternative would not meet any of the project objectives make the No Project (No Development) Alternative infeasible, and rejects the No Project (No Development) Alternative on such grounds.



2. Alternative 2 – Current Plan Alternative (Section 9.3)

*Alternative Description/Impacts:* The Current Plan Alternative was evaluated in order to determine if development of the project site under the existing General Plan and Zoning designations would attain most of the project's basic objectives while reducing or avoiding significant impacts associated with the project. The northern third of the project site is currently designated as Residential in the General Plan Land Use Element, Land Use and Street System Map, and the lower two-thirds is designated Commercial Employment, Retail & Services. With respect to existing zoning the western edge of the project site is designated with a base zone of CC-4-2, permitting a maximum density of 1 dwelling unit for each 1,500 square feet of lot area. The remainder of the project site is designated with a base zone of RS-1-7, requiring minimum 5,000-square-foot lots.

The Current Plan Alternative would construct a total of 24 single-family lots (minimum of 5,000 square feet) located in the RS-1-7 zone. An additional 17,500 square feet of commercial and 15 multi-family apartments would be constructed within two 2-story buildings located in the CC-4-2 zone. This alternative would also include internal streets and parking to accommodate the residential and commercial uses. In addition, development under the Current Plan Alternative would be similar in scale to the project; however, development would all be focused immediately at the project frontage and would not provide the low scale transition area along the project frontage where the project has sited community open space. The bulk of buildings would be similar or greater than the project with the two-story, mixed-use structures located adjacent to the project frontage and not set back as with the project. At the rear of the site, the single-family residential area would be at a smaller scale when compared to the project. The Current Plan Alternative would include a landscaping plan in order to assist in visual consistency with the surrounding neighborhood.

When compared to the project, the Current Plan Alternative would increase the number of ADT due to the commercial component, resulting in incrementally greater impacts to traffic, air quality, and greenhouse gas emissions when compared to the project. The Current Plan Alternative would generate 1,036 ADT, as compared to 900 ADT under the project. As such, roadway segment impacts identified under the project would also occur under the Current Plan Alternative and would likely be slightly greater. This increased ADT would result in slightly greater emissions of criteria pollutants and incrementally greater GHG emissions.

For all other potentially significant impact areas (i.e., land use, noise, paleontological resources, cultural resources, tribal cultural resources) Current Plan Alternative would result in the same level of environmental effects as the proposed project.

*Facts in Support of Finding:* When compared to the project, the Current Plan Alternative would increase the number of ADT due to the commercial component, resulting in incrementally greater impacts to traffic, air quality, and greenhouse gas emissions when compared to the project. For all other potentially significant impact areas (i.e., land use, noise, paleontological resources, cultural resources, tribal cultural resources) Current Plan Alternative would result in the same level of environmental effects as the proposed

project. As such, this alternative would not avoid or substantially lessen any of potentially significant impacts of the project.

Thus, the City finds that the Current Plan Alternative is not environmentally superior to the project. The City further finds that specific economic, legal, social, technological, or other considerations, make the Current Plan Alternative infeasible. Thus, the City rejects the Current Plan Alternative on such grounds.

3. *Alternative 3 – Relocated Community Open Space Alternative*

*Alternative Description/Impacts:* The Relocated Community Plan Alternative was evaluated in order to determine if a revised development plan would attain most of the project's basic objectives while reducing or avoiding significant impacts associated with the project. The Relocated Community Open Space Alternative would be similar to the project with the same number of multi-family residential units on the project site (150 units); however, the buildings would be oriented with the three-story multi-family structures and tuck under garages adjacent to Morena Boulevard and the community open space and pool areas located internal to the project site, closer to Frankfort Street. All other project features would be the same as the project with similar main access points, parking, landscaping and open space.

When compared to the project, this alternative would place the pool and other community open space uses in areas outside the 75 CNEL noise contour. Therefore, this alternative would subject outdoor use areas at the pool to reduced noise levels compared to the project and would be more consistent with the City's Noise Element Compatibility Guidelines. Overall, because this alternative would be more consistent with exterior noise standards established in the Noise Element, land use impacts related to Noise Element compatibility would be slightly reduced when compared to the project. For all other potentially significant impact issue areas (i.e., noise, paleontological resources, cultural resources, tribal cultural resources, traffic circulation), the Relocated Community Open Space Alternative would result in the same level of environmental effects as the proposed project. Because this alternative would slightly reduce impacts related to Noise Element compatibility, it is identified in Section 8.8 as the Environmentally Superior Alternative to the project.

*Facts in Support of Finding:* Compared to the project, implementation of the Relocated Community Open Space Alternative would lessen only the potentially significant land use impacts associated with Noise Element compatibility. The Relocated Community Open Space Alternative would meet all project objectives however, to a lesser extent than the project. The open space was sited in its location under the project at the request of community members to reduce the scale of the project at the frontage and enhance the visual character and consistency with the surrounding community. Under this alternative, placement of the three-story apartment buildings directly adjacent to Morena Boulevard would be less compatible with neighborhood character compared to the project, as it would conflict with this request of the community members and would not provide a greater visual transition from the community to the larger apartment structures. Thus, while this alternative would achieve the second and fourth project objectives related

visual and community character, it would do so to a lesser extent than the project since it would conflict with the request of community members to reduce the scale of the project.

Thus, the City finds that specific economic, legal, social, technological, or other considerations, make the Relocated Community Open Space Alternative infeasible. Thus, the City rejects the Relocated Community Open Space Alternative on such grounds.

#### **IV. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS**

##### **A. Growth Inducement (Section 6.0)**

Based on the discussion contained in Section 6.0, the City finds that the project would not result in significant growth-inducing impacts. While the project would increase the number of residential units that could be accommodated on the project site compared to the current planned land use, the project would accommodate existing growth and demand for housing. Further, the proposed densities would provide transit supportive land uses within a transit priority area, consistent with the City General Plan City of Villages Strategy and Climate Action Plan. In addition, the project site is located within an Existing/Planned Mixed-Use Transit Corridor, a Smart Growth Opportunity Area identified on the SANDAG Smart Growth Concept Map and would be consistent with the SANDAG target density of 25 dwelling units per acre for this area. Thus, the project is considered to accommodate growth rather than induce growth. Construction of the project would not spur or remove barriers to growth in the area as the project area is already largely developed. The project would not extend roads or other infrastructure that exceeds the needs of the project that could accommodate future developments. While the project would exceed the land use density/intensity envisioned in the community plan, the project would not induce population and growth. Therefore, the project would not result in any adverse impacts associated with growth inducement.

##### **B. Significant Irreversible Environmental Changes (Section 5.0)**

Section 15126.2(c) of the CEQA Guidelines requires an EIR to address any significant irreversible environmental changes that may occur as a result of project implementation. Consistent with the analysis in Section 5.0, the City finds that implementation of the project would not result in significant irreversible impacts to agricultural resources, biological resources, or mineral resources. The project would have the potential to disturb archaeological and paleontological resources during grading activities; however, the requirement for a paleontological and archaeological monitor during grading activities would ensure that potentially buried resources are recovered.

Development would occur as a result of the proposed project that would entail the commitment of energy and natural resources. The primary energy source would be fossil fuels, representing an irreversible commitment of this resource. Construction of the project would also require the use of various raw materials, including cement, concrete, lumber, steel, etc. These resources would also be irreversibly committed.

To minimize the use of energy, water, and other natural resources, the project would incorporate sustainable building practices into the site, architectural and landscape designs. Design considerations aimed at improving energy efficiency and reducing water use have been

incorporated into the project design and may serve to reduce irreversible water, energy, and building materials consumption associated with construction and occupation of the project. Further, the project will be required to comply with the requirements of the City of San Diego Climate Action Plan Consistency Checklist.

Once constructed, use of the project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the proposed structures are likely to have a useful life of 20 to 30 years or more. However, the project's energy consumption would be commensurate with its types of uses and would not be excessive. The impact of increased energy usage is not considered significant adverse environmental impacts.

## EXHIBIT B

### MITIGATION, MONITORING, AND REPORTING PROGRAM

#### **General Plan & Community Plan Amendments, Rezone, Land Development Code & Local Coastal Program Amendments, Vesting Tentative Map, Planned Development Permit & Site Development Permit Project No. 526167**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 526167 shall be made conditions of **General Plan & Community Plan Amendments, Rezone, Land Development Code & Local Coastal Program Amendments, Vesting Tentative Map, Planned Development Permit & Site Development** as may be further described below.

#### **A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the DSD Director's Environmental Designee shall review and approve all CDs (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **“ENVIRONMENTAL/MITIGATION REQUIREMENTS.”**
3. These notes must be shown within the first three sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
  
<https://www.sandiego.gov/development-services/industry/information/standtemp#guidelines>
4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhe

**B. GENERAL REQUIREMENTS – PART II**

**Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT:** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit Holder's Representative(s), Job Site Superintendent and the following consultants: *Archeologist, Native American Monitor, and Paleontologist.*

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
  - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #526167, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

**Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.

- **Final Letter of Map Revision from the Federal Emergency Management Agency (after grading complete)**

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17-inch reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

<b>DOCUMENT SUBMITTAL/INSPECTION CHECKLIST</b>		
<b>Issue Area</b>	<b>Document Submittal</b>	<b>Associated Inspection/Approvals/Notes</b>
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Waste Management	Waste Management Reports	Waste Management Inspections
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

### **C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

All the mitigation measures identified in the EIR are stated herein and Table 10-1 summarizes the potentially significant project impacts and lists the associated mitigation measures and the monitoring efforts necessary to ensure that the measures are properly implemented.

#### **LU-1: Interior Noise**

Prior to issuance of a building permit, the project applicant shall provide evidence to the City to demonstrate that buildings will achieve a 45 CNEL interior noise level. Interior noise levels of the habitable residential spaces were calculated based on typical dimensions for similar projects of this type. The project could reach acceptable interior noise levels for all three-zone based on use of the following window/door ratings:

- Zone A: Utilizing sound transmission class (STC) 40 glazing would result in interior noise levels ranging from 41-45 CNEL.

- Zone B: Utilizing STC 35 glazing would result in interior noise levels ranging from 41-45 CNEL.
- Zone C: Utilizing STC 30 glazing would result in interior noise levels ranging from 40-45 CNEL.
- Remaining Façades: No requirement by code but STC 30 glazing is recommended and would result in interior noise levels  $\leq 45$  CNEL.
- STC 30 glazing would be required at the recreation building in order to meet CALGreen interior noise standards at non-residential spaces

**NOI-1: Construction Noise**

Adherence to the following measures would reduce construction noise levels at adjacent properties to acceptable levels.

- Site preparation and grading phases should be scheduled to limit the number of heavy construction machines operating simultaneously.
- Install a temporary construction noise barrier at the northern, southern, and eastern property lines of the project site in order to reduce the noise impacts to the residential uses. The barrier should block the line of sight from the noise source to the receiver and have no holes or gaps. The minimum density should be 2 lbs./sq. ft.
- Limit construction activity to the hours of 7:00 am to 7:00 pm.
- Schedule highest noise-generating activity and construction activity away from noise-sensitive land uses.
- Equip internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers which are maintained in good condition.
- Prohibit and post signs prohibiting unnecessary idling of internal combustion engines.
- Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
- Utilize “quiet” air compressors and other stationary equipment where feasible and available. Designate a noise disturbance coordinator who would respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and require implementation of reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

**NOI-2: Mechanical Equipment Siting and Screening**

Prior to approval of building permits, the applicant shall demonstrate on building plans that the residential split-system condensing units (air conditioning units) are located a minimum of 60 feet from the closest single family residential property line or shall provide acoustical screening between the unit and the property line.



## **CUL-1: Archaeological and Native American Monitoring**

### **I. Prior to Permit Issuance**

#### **A. Entitlements Plan Check**

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

#### **B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to the Mitigation Monitoring and Coordination (MMC) office identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

### **II. Prior to Start of Construction**

#### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search (¼-mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼-mile radius.

#### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The

qualified archaeologist and Native American monitor shall attend any grading/excavation related precon meetings to make comments and/or suggestions concerning the archaeological monitoring program with the CM and/or Grading Contractor.

- a. If the PI is unable to attend the precon meeting, the applicant shall schedule a focused precon meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
    - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
    - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
  3. When Monitoring Will Occur
    - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
    - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
  1. The archaeological monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances Occupational Safety and Health Administration (OSHA) safety requirements may necessitate modification of the AME.
  2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the archaeological monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The monitor shall immediately notify the PI (unless monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If human remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and

documented in the final monitoring report. The letter shall also indicate that that no further work is required.

#### IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.3(e), the California Public Resources Code (Section 5097.98) and state Health and Safety Code (Section 7050.5) shall be undertaken:

##### A. Notification

1. Archaeological monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the monitor is not qualified as a PI. MMC will notify the appropriate senior planner in the Environmental Analysis Section of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the medical examiner after consultation with the RE, either in person or via telephone.

##### B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the medical examiner in consultation with the PI concerning the provenance of the remains.
2. The medical examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the medical examiner will determine with input from the PI, if the remains are or are not most likely to be of Native American origin.

##### C. If human remains ARE determined to be Native American

1. The medical examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the medical examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the most likely descendent (MLD) and provide contact information.
3. The MLD will contact the PI after the medical examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.3(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours after inspection of the site to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American human remains will be determined between the MLD and the PI, and, if:

- a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR
- b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with Public Resources Code 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
- c. In order to protect these sites, the landowner shall do one or more of the following:
  - (1) Record the site with the NAHC;
  - (2) Record an open space or conservation easement on the site;
  - (3) Record a document with the County.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures, the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

- 1. The PI shall contact the medical examiner and notify them of the historic era context of the burial.
- 2. The medical examiner will determine the appropriate course of action with the PI and City staff (Public Resources Code 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, Environmental Analysis Section, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract:

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
  - a. No Discoveries
 

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 a.m. of the next business day.

- b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
- c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV – Discovery of Human Remains shall be followed.
- d. The PI shall immediately contact MMC, or by 8 a.m. of the next business day, to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- B. If night and/or weekend work becomes necessary during the course of construction:
  - 1. The CM shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

## VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms—DPR 523A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City’s HRG, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and cataloged.
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## **PALEO-1: Paleontological Monitoring**

### **I. Prior to Permit Issuance**

#### **A. Entitlements Plan Check**

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

#### **B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

### **II. Prior to Start of Construction**

#### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

#### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.



2. Identify Areas to be Monitored  
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances Occupational Safety and Health Administration safety requirements may necessitate modification of the PME.
  2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
  3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
  1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
  - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
  1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8 a.m. on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Section III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8 a.m. on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
  - B. If night work becomes necessary during the course of construction
    1. The CM shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
    2. The RE, or BI, as appropriate, shall notify MMC immediately.
  - C. All other procedures described above shall apply, as appropriate.
- V. Post Construction
- A. Preparation and Submittal of Draft Monitoring Report
    1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
      - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
      - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
    2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
    3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
    4. MMC shall provide written verification to the PI of the approved report.
    5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
  - B. Handling of Fossil Remains
    1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
    2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  
- D. Final Monitoring Report(s)
  - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

### **TRA-1: Installation of Adaptive Signal Control Systems**

Prior to issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the installation of an adaptive signal control system at three intersections on Morena Boulevard, to the satisfaction of the City Engineer. The three intersections would include West Morena Boulevard, Knoxville Street, and Tecolote Road. Improvements shall include enhanced fiber-optic signal interconnects and communications, additional detection sensors and computer equipment at each intersection, and a remote link to the Traffic Management Center downtown as well as an advance flashing beacon, satisfactory to the City Engineer. A proposed implementation plan for installation of the adaptive signal control system shall be provided to the City of San Diego by the applicant as early as possible. All improvements shall be completed and accepted by the City Engineer prior to issuance of the certificate of occupancy.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

Passed by the Council of The City of San Diego on JAN 08 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 08 2019

**(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 *Hy Brad*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312172