



THE CITY OF SAN DIEGO

ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Project No. 1049650
Addendum to EIR No. 380611
SCH No. 2016061023

SUBJECT: FIFTH AVENUE MIXED-USE: SITE DEVELOPMENT PERMIT for the demolition of a locally-designated historic resource (Site No. 1453) and construction of a seven-story, 77,928-square foot (SF) residential and commercial/retail building containing 43 residential dwelling units, 22 visitor-serving accommodation units, 1,000 SF of ground-floor office, 2,960 SF of ground-floor commercial space (restaurant) and ground floor/subgrade parking at 3774-3780 Fifth Avenue. The project would include two very low-income dwelling units which would qualify for a 20-percent affordable housing density bonus and design waivers/incentives. Proposed affordable housing waivers and incentives are related to maximum building height, building articulation, visitor accommodation loading zone, and a basement driveway connection. The project site is zoned Commercial (CC-3-9), is designated for Community Commercial, and lies within the Community Plan Implementation Overlay Zone - Type A (CPIOZ-A) of the Uptown Community Plan area. The project site is located in a Transit Priority Area, Residential Tandem Parking Area, Parking Standards Transit Priority Area, Transit Area Overlay Zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) and Airport Influence Area (AIA) Review Area 2 for the San Diego International Airport (SDIA). Property is located within Council District 3. (LEGAL DESCRIPTION: PARCEL A Lots 7 and 8 of Nutt's Addition and PARCEL B Lots 9 and 10 of the Nutt's Addition, in the City of San Diego; APNs 452-056-1400 and 452-056-1300) APPLICANT: Kalonymus.

I. SUMMARY OF PROPOSED PROJECT

SITE DEVELOPMENT PERMIT for the demolition of existing structures one of which is a locally-designed historic resource (Site No. 1453) and construction of a seven-story, 77,928 SF residential and commercial/office building containing 43 residential dwelling units, 22 visitor-serving accommodation units, 1,000 SF of ground-floor office, 2,960 SF of ground-floor commercial space (restaurant) and ground floor/subgrade parking on a 0.32 acre property in the Hillcrest neighborhood (Figures 1 and 2). The project would include two very low-income housing units which would qualify for a 20-percent affordable housing density bonus and waivers/incentives. Affordable housing waivers and incentives are proposed related to maximum building height, building articulation, visitor accommodation loading zone, and basement driveway connection. Figure 3 contains the project site plan.

II. ENVIRONMENTAL SETTING

The urbanized, 13,905-SF site is located at 3774-3780 Fifth Avenue south of the Fifth Avenue/Robinson Avenue intersection in the Hillcrest neighborhood of the Uptown Community Plan (UCP or Community Plan) area (Figure 1). The site is bounded by Fifth Avenue on the east, an unnamed alley connecting Robinson and Pennsylvania Avenues on the west, private commercial property fronting Robinson Avenue to the north, and private commercial property to the south (Figure 2). The site currently contains 10 multi-family residential dwelling units and 1,261 SF of specialty retail space located in four existing structures. Three of the structures are two-story and the fourth is a single-story building; all four were built between 1911 and 1971. Topographically, the subject property is level land at an approximate site elevation of 295 feet mean sea level (msl). Surface drainage currently flows east toward Fifth Avenue. The project site is located in the ALUCOZ, AIA Review Area 2, and the Federal Aviation Administration (FAA) Part 77 Notification Area for SDIA. The project site is outside of the Multi-Habitat Preserve Area (MHPA). Surrounding land uses include multi-family residential development and commercial/retail uses in all directions.

III. SUMMARY OF ORIGINAL PROJECT

The UCP was adopted by City Council on November 14, 2016 and the associated zoning went into effect on February 6, 2017. The UCP area encompasses the project site and its surroundings and consists of approximately 2,700 acres and lies just north of Downtown San Diego. It is bounded on the north by Mission Valley, on the east by Park Boulevard, and on the west and south by Old Town San Diego and Interstate 5 (I-5). The Uptown community is located on a level mesa that is divided by numerous canyons and bordered by two major parks, Presidio and Balboa. The Community Plan area includes the neighborhoods of Mission Hills, Middletown, Hillcrest, the Medical Complex, University Heights, and Bankers Hill/Park West.

The UCP provides detailed policy direction to implement the General Plan with respect to the distribution and arrangement of land uses (public and private), the local street and transit network, the prioritization and provision of public facilities, community and site specific urban design guidelines, and recommendations to preserve and enhance natural open space and historic and cultural resources within the Uptown community.

The UCP included amendments to the General Plan to incorporate the document as a component of the General Plan Land Use Element, adoption of a Land Development Code (LDC) ordinance that rezoned the Planned District Ordinance (PDO) areas within the UCP area with Citywide zones within the LDC and repeal the existing Mid-City Communities PDO, the West Lewis Street PDO, and Interim Height Ordinance. The Community Plan also amended the mapped boundaries of the UCP Implementation Overlay Zone (CPIOZ) to include CPIOZ-Type A and CPIOZ-Type B areas that would limit building heights. A comprehensive update to the existing Impact Fee Study (IFS) was also adopted.

The UCP designates the project site for Community Commercial (O-109 Du/Ac), which provides for shopping areas with retail, service, civic, and office uses for the community at-

large within three to six miles. Housing is allowed in the designation up to a very high residential density as part of a mixed-use development.

IV. ENVIRONMENTAL DETERMINATION

The City previously certified the Uptown Community Plan Update (CPU) Program Environmental Impact Report (PEIR) No. 380611/SCH No. 2016061023. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Sections 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous environmental document;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

The following includes the project-specific environmental review pursuant to CEQA. The analysis in this document evaluates the adequacy of the PEIR relative to the project.

Land Use

Uptown CPU PEIR

Applicable Plans and Policies

According to the UCP PEIR, Uptown is a community with an established land use pattern that is expected to remain, with commercial and mixed-use located along transit corridors, multi-family and single-family uses located adjacent to commercial areas and open space located primarily within single-family neighborhoods. The PEIR evaluated the Community Plan's consistency with the various elements of the General Plan, including the Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services and Safety; Recreation; Conservation; Noise and Historic Preservation Elements. Regarding land use policy, the PEIR determined that the UCP would be consistent with the General Plan and the City of Villages strategy. Furthermore, the policies developed for the UCP associated with each of the elements were drafted consistent with the General Plan. The UCP amended the Land Development Code (LDC) to repeal the Mid-City Communities and West Lewis Street Planned District Ordinances that served as the community's zoning regulations and replaced them with Citywide zoning and amended the Uptown CPIOZ related to building height in specific geographic areas. These proposed amendments accommodated existing desirable uses and encouraged future development consistent with the Community Plan. These changes did not create any conflicts or inconsistencies with the adopted LDC.

Future development in accordance with the UCP would be required to comply with Environmentally Sensitive Lands (ESL) Regulations. The UCP incorporated the multi-modal strategy of *San Diego Forward* through the designation of a high-density mixed-use village. In addition, the UCP included policies related to land use, mobility, and circulation/transportation that promoted *San Diego Forward's* smart growth strategies. As the UCP and associated discretionary actions were consistent with applicable environmental goals, objectives, or guidelines of a General Plan and other applicable plans and regulations, no indirect or secondary environmental impact resulted and impacts were determined to be less than significant. No mitigation was required.

Conversion of Open Space or Farmland

The Community Plan did not convert open space or prime farmland and its implementation did not physically divide an established community. Community connectivity was enhanced by provisions in the UCP that improved pedestrian and transit amenities. No significant impacts were identified in the PEIR; therefore, no mitigation was required.

Conflicts with the MSCP Subarea Plan

The UCP implementation did not have significant impacts on the MHPA and was determined to be consistent with the Multiple Species Conservation Program (MSCP). Therefore, no impacts occurred. No mitigation was required.

Conflicts with an Adopted Airport Land Use Compatibility Plan (ALUCP)

Although the Uptown community is within the SDIA AIA, the UCP and associated discretionary actions did not result in impacts associated with the four compatibility concern areas identified in the ALUCP. Future projects would be required to receive Airport Land Use Commission consistency determinations, as necessary, considering whether that each project is consistent with the SDIA ALUCP. As a result, the UCP and associated discretionary actions did not result in land uses that are incompatible with an adopted ALUCP. Therefore, no impacts resulted, and no mitigation was required.

Project

Applicable Plans and Policies

The project site is zoned Commercial (CC-3-9) and is designated Community Commercial (0-109 dwelling units per acre [DU/Ac]) by the Community Plan. The purpose of the Community Commercial designation is to provide high residential densities within a mixed-use setting. The CC-3-9 zone allows for up to 109 DU/Ac, within a floor area ratio of 3.0, when residential is contained within the mixed-use development. Therefore, the project is an allowable use under the existing zone and land use designation. Consistent with State and local Density Bonus Law (DBL), the project would also incorporate two affordable housing units, thus qualifying for affordable housing waivers and incentives. Specifically, the proposed waivers/incentives would allow the project to exceed the 65-foot building height limit associated with the CPIOZ-Type A Overlay Zone and avoid the strict application of the building articulation, commercial loading zone and driveway access requirements in the commercial (CC-3-9) development regulations outlined in the San Diego Municipal Code (SDMC).

The project site is situated near the Fifth Avenue neighborhood center or commercial node identified on Figure 4-4 of the UCP. As a mixed-use project, it would implement the land use policies of the UCP by providing market-rate and affordable housing, as well as commercial and office uses, in an in-fill setting along a commercial corridor (i.e., Fifth Avenue) in a location where new mixed-use development is encouraged in the UCP land use distribution and commercial/employment policies. The project design would incorporate housing units on the upper floors with office and restaurant space situated on the ground-level, in accordance with the residential policies in the UCP. The commercial visitor-serving units would be situated immediately above the ground-floor commercial (restaurant)/office space. The project would expand mixed-use development at the neighborhood center/commercial node area of Hillcrest as anticipated in the villages policies of the UCP. The project's façade would implement the urban design objectives of the UCP by featuring a mix of building materials/treatments, window fenestrations, balconies and other articulation elements that would create visual interest along the private realm facing Fifth Avenue. Removal of the existing driveways, enhancements of the existing bicycle lane and installation of street trees would make

additional improvements to the public realm along the road, consistent with the UCP policies. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Conversion of Open Space or Farmland

The project site is in a developed, in-fill location that does not contain any open space or prime farm land. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Conflicts with the MSCP Subarea Plan

The project site is outside of and not adjacent to the MHPA, and would not have impacts on the MHPA and the project is consistent with the MSCP. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Conflicts with an Adopted ALUCP

The project site is in the AIA Review Area 2 for the SDIA, where only airspace protection and overflight policies and standards apply. A Self-Certification Agreement (Appendix A) has been implemented between the City and the project applicant and no FAA notification is required as the proposed structure would not adversely affect safety in air navigation. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Visual Effects and Neighborhood Character

Uptown CPU PEIR

Scenic Vistas or Views

Implementation of future discretionary actions under the Community Plan would not result in substantial alteration or blockage of public views from critical view corridors, designated open space areas, public roads, or public parks. New development within the community would take place within the constraints of the existing urban framework and development pattern, thereby not impacting public view corridors and viewsheds along public rights-of-ways. Therefore, public view impacts were determined to be less than significant, and no mitigation was required.

No impacts to the viewshed of the one-mile section of the Officially Designated State Scenic Highway State Route 163 (SR-163) through the Uptown community would occur due to intervening

topography and location of the freeway, which is set below the mesa tops where future development could occur. Additionally, the scenic section of SR-163 is bordered by Balboa Park, thus providing separation from future development areas and precluding structures from impeding on views from SR-163. Impacts were determined to be less than significant, and no mitigation was required.

Neighborhood Character

The PEIR indicates that the community's character, particularly where land is designated for Community Commercial along Fifth Avenue, would be subject to changes in character, primarily where existing properties are undeveloped or underutilized. Higher intensity, mixed-use development is anticipated in the UCP. The Urban Design Element policies contained in the UCP direct future development in a manner that ensures that the physical attributes of the Uptown community will be retained and enhanced by a design that responds to the community's particular context while acknowledging the potential for growth and change. The urban design framework within the UCP provides the overarching concept for the focal points of urban design recommendations that are specific to individual geographies within Uptown. The UCP also recognizes two distinct but inter-related components of the community, the public realm, which consists of the publicly owned right-of-way and other publicly accessible open spaces, and the private realm, which consists of privately-owned properties that have more limited accessibility to the public. The public realm plays a critical role in the area's character and function, including visual character where the community's identity and overall character is established.

Compliance with the Urban Design Element policies, development regulations associated with zoning, and LDC regulations ensures that new development is consistent with the existing neighborhood character in the Uptown community. Impacts were determined to be less than significant, and no mitigation was required.

Distinctive or Landmark Trees

The UCP includes protective measures for the existing Florence Hotel Morton Bay fig, and plan implementation would prevent the loss of existing mature trees except as required because of tree health or public safety. Implementation of the Community Plan would not result in the loss of any distinctive or landmark trees, or any stand of mature trees; therefore, no impacts will result, and no mitigation was required.

Landform Alteration

Implementation of the Community Plan would result in less than significant impacts related to landform alteration based on compliance with policies that require building forms to be sensitive to topography and slopes, existing protections for steep slopes (i.e., ESL regulations) and grading regulations within the LDC. Thus, impacts related to landform alteration were determined to be less than significant, and no mitigation was required.

Light and Glare

Future development would necessitate the use of additional light fixtures and may contribute to changes in light and glare within the UCP area. Impacts related to lighting and glare would be less than significant due to future project's compliance with urban design policies in the UCP and lighting and glare regulations in the LDC. No mitigation was required.

Project

Scenic Vistas or Views

None of the public viewsheds or view corridors identified in Figure 4-3 of the UCP occur in the project area. Therefore, the project would not result in a substantial alteration or blockage of public views from critical view corridors, designated open space areas, public roads, or public parks in the Community Plan area. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Neighborhood Character

Hillcrest, where the project is proposed, is one of the more intensely developed neighborhoods in Uptown. The neighborhood includes a variety of multi-family residential and mixed-use buildings, including many office and retail uses in the community. The area also includes high-rise buildings that are scattered throughout the neighborhood but tend to be located in the core along Fifth Avenue and other locations. Buildings in Hillcrest include a range of architectural styles, and infill development has introduced new architectural forms and styles, many of which try to complement the form, scale and stylistic precedents found within Hillcrest.

The project would include two affordable housing units and qualify for affordable housing waivers and incentives pursuant to State and local DBL. The proposed incentives/waivers would allow the project to exceed the 65-foot building height limit associated with the CPIOZ-Type A Overlay Zone and construct a 79-foot-tall building. Proposed waivers and incentives also would allow the project to avoid the strict application of building articulation standards in the SDMC, along with other development regulations unrelated to visual character. Nevertheless, the project would integrate architectural elements, such as windows and balconies, and varied finishes and materials along the façade facing Fifth Avenue (Figure 4). The features would provide vertical relief to the façades and create visual focal points around the project for both pedestrians and passing vehicles. According to Section 131.0554 of SDMC, building articulation standards for commercially zoned properties, all building elevations fronting a public right-of-way should be composed of offsetting planes that provide relief in the building facade by inseting or projecting surfaces (planes) of the building. The project is seeking a development waiver from these requirements, but through its design is creating an architectural façade facing Fifth Avenue that would provide visual relief along the Fifth Avenue public right-of-way. The building façade would feature several offsetting planes, including balconies, fenestration around windows and varying material treatments (Figure 4). Thus, the project's façade would implement the intent of the urban design objectives of the UCP and SDMC development regulations by creating visual interest along the private realm facing Fifth Avenue.

The project is not located on a street or other public area that offers framed public views of panoramic aesthetic elements in and around the Uptown community. Therefore, the project would not degrade the visual character of the project site or its surroundings and would not create a negative aesthetic site or property.

Furthermore, Pursuant to Public Resources Code (PRC) Section 21099(d)(1), "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." These provisions apply to projects located on a "... lot within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from parcels that are developed with qualified urban uses ... and it is located within one-half mile of a major transit stop." Based on the provisions of the state law, the project is proposed on an urban infill site located in a transit priority area and is exempt from findings of significance related to aesthetic effects, including views, visual quality, neighborhood character, and light and glare. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Distinctive or Landmark Trees

The project site is in an infill urban location with no mature trees and would not result in the loss of any distinctive or landmark trees, or any stand of mature trees. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Landform Alteration

The project site is in an infill location with level terrain and existing structures. No modifications to natural topography or steep slopes governed by the ESL Regulations would be required to implement the project. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Light and Glare

The proposed mixed-use development would introduce additional light fixtures and may contribute to increases in light in the project area. Additional glare would be minimized by the variety of materials and limited glazing being used on the façade of the structure. The project would comply with the urban design policies in the UCP and regulations in the LDC related to light and glare. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Transportation and Circulation

Uptown CPU PEIR

Transportation and Circulation

Cumulative transportation impacts related to level of service (LOS) to six intersections, 34 roadway segments, six freeway segments and three metered freeway on-ramps were determined to be significant upon buildout of the UCP. In most cases, the improvements identified in the PEIR that would mitigate or reduce vehicular impacts were not recommended as part of the UCP in order to maintain consistency with the overall mobility vision for the Uptown community.

Due to the programmatic nature of the Community Plan, there is uncertainty as to the specific phasing of future development including actual design and specific locations of future projects, and thus, the timing of the mitigation improvements identified in the PEIR was unknown as well. The design of the mitigation improvements for the build-out of the Community Plan and their effectiveness at the project-level was not known at the time of PEIR preparation. Future development projects' transportation studies would be able to more accurately identify potential transportation impacts and provide the mechanism for identifying project-specific mitigation including, but not limited to, physical improvements, fair share contribution, implementation of transportation demand management measures, or a combination of these items. Impacts to intersections and roadway segments. Therefore, the Community Plan's traffic impacts to the local circulation system were determined to remain significant and unavoidable.

Likewise, impacts to California Department of Transportation (Caltrans) facilities (i.e., freeway segments) were determined to be significant and unavoidable because the City cannot ensure that the mitigation necessary to avoid or reduce the impacts to a level below significance would be implemented prior to occurrence of the impact. Therefore, the PEIR determined that impacts to freeway facilities were significant and unavoidable.

Alternative Transportation

Implementation of the UCP would be consistent with adopted policies, plans, or programs supporting alternative transportation. Additionally, the Community Plan provides policies that support improvements to pedestrian, bicycle, and transit facilities. Thus, Community Plan implementation will result in a less than significant impact related to conflicts with adopted policies, plans or programs supporting alternative transportation, and no mitigation was required.

Project

Transportation and Circulation

The project was evaluated under the City's Transportation Study Manual (TSM) Vehicle Miles Travelled (VMT) Screening Criteria for land use development project and LLG prepare a VMT Assessment Memo to assess potential transportation VMT impacts consistent with the TSM(LLG 2022; Appendix B). The TSM guidance was adopted in 2020 and recently updated in 2022 after the Community Plan was approved and in response to SB 743 and CEQA Guidelines Section 15064.3 by

the City as part of the *Complete Communities: Mobility Choices* program. The CEQA significance determination for transportation impacts associated with the project is based on VMT metric and not on the prior LOS metric used in the PEIR.

The project-specific transportation review addresses the project's VMT impacts using the SANDAG Series 14 (ABM2+Base Year 2016) screening maps for residential and commercial projects as well as screening criteria based on proposed use and expected trip generation per the current TSM (September 19, 2022). Specifically, the screening criteria for determining if a project would result in a significant VMT impacts require residential or commercial projects to be located in a census tract that has a VMT/capita or commute VMT/employee of below 85% of the regional average VMT/capita or commute VMT/employee. Several other land use-driven factors are also accounted for in the screening criteria, as described in the project-specific VMT review (LLG 2022).

The project is estimated to generate approximately 804 driveway average daily trips (ADT) and 47 AM peak hour trips (18 inbound/29 outbound) and 72 PM peak hour trips (40 inbound/32 outbound). The project is estimated to generate approximately 687 net new ADT with 41 AM peak hour trips (15 inbound / 26 outbound) and 66 PM peak hour trips (38 inbound / 28 outbound).

- The project is located in Census Tract 3 and the residential component of the project would be expected to generate a 14.9 VMT per capita, which is 78.8% of the regional average VMT per capita. Therefore, the residential portion of the project is screened out from having to conduct a detailed VMT analysis and presumed to have a less than significant VMT impact.
- The visitor accommodation units and the commercial office space are located in Census Tract 3 and would be expected to generate a 15.7 commute VMT per employee, which is 83.1% of the regional average commute VMT per employee. Therefore, the visitor accommodation and commercial office portions of the project would also be screened out from having to conduct a detailed VMT analysis and presumed to have a less than significant VMT impact.
- The proposed restaurant use would generate approximately 296 ADT which is less than 300 ADT threshold defined in the TSM for a small project to be screened out from a VMT analysis. Therefore, the project would be presumed to have a less than significant transportation VMT impact.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project is presumed to not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Alternative Transportation

The project is in a Parking Standards Transit Priority Area and Transit Area Overlay Zone in the CC-3-9 zone. The project site is located within 0.25 mile walking distance of four bus stops that are served by Metropolitan Transit Service (MTS) bus Routes 1, 3, 10 and 11. Routes 1, 3 and 10 provide service within 15-minute headways, while Route 11 provides service with 20-minute headways from

approximately 4:40AM to approximately 11:00 PM or midnight. As such, the project is proposed in a transit-rich area near high-quality bus service.

The project design would implement several alternative transportation features that would encourage residents and users to walk, bike or use transit to and from the project site. The project proposes to close the existing 75-foot wide driveway along Fifth Avenue and install bollards and buffer striping to improve the existing Class IV cycle track located along its Fifth Avenue frontage. The project would replace the driveway with curb, gutter and sidewalk with street trees to improve the pedestrian environment along its frontage as well. The project also proposes to provide four short-term and one long-term bicycle parking spaces for the commercial portions of the project and provide 20 bicycle storage spaces for the residential portion of the project. Therefore, the project would be consistent with the City's adopted policies, plans or programs supporting alternative transportation. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Air Quality

Uptown CPU PEIR

Air Quality Plans

Future operational emissions from build-out of the Community Plan would be less than emissions anticipated under the prior community plan. Thus, emissions associated with the UCP were already accounted for in the Regional Air Quality Standards (RAQS) and did not conflict with the RAQS. Thus, the Community Plan would not conflict with applicable air quality plans and impacts were determined to be less than significant. No mitigation was required.

Air Quality Standards

Regarding construction phase emissions during Community Plan buildout, a hypothetical worst-case construction emissions analysis was conducted in the PEIR. Based on that analysis, air emissions associated with build-out of individual projects under the UCP were determined to be less than significant. Additionally, based on the type and scale of projects that are ministerial, air emissions associated with ministerial projects would not be of a size that would have the possibility of exceeding project-level thresholds for air quality. Thus, no mitigation was required.

Build-out of the entire UCP area would exceed the City's project-level thresholds; however, the Community Plan area would be built out in increments and future land uses would emit fewer pollutants than would have occurred under the prior community plan. Therefore, operational air emissions from the Community Plan area would not substantially increase air pollutants in the region, would not increase the frequency of existing violations of federal or state ambient air quality standards, and would not result in new exceedances. Operational air quality impacts associated with the implementation of the UCP were deemed less than significant. No mitigation was required.

Sensitive Receptors

Regarding impacts to sensitive receptors, implementation of the Community Plan would not result in any carbon monoxide (CO) hotspots at the three intersections evaluated for their CO emissions potential in the PEIR. Additionally, carcinogenic risks associated with diesel-fueled vehicles operating on local freeways would be less than the applicable threshold, and non-carcinogenic risks from diesel particulate matter would be below the maximum chronic hazard index. Thus, air quality impacts to sensitive receptors were determined to be less than significant and no mitigation was required.

Odors

Odor impacts were less than significant, as the UCP and associated discretionary actions do not propose land uses associated with generation of adverse odors. No mitigation was required.

Project

Air Quality Plans

The project would implement the mixed-use development anticipated in the UCP land use plan and its emissions have already been accounted for in the RAQS; therefore, the project would not conflict with any applicable air quality plans. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Air Quality Standards

Implementation of the project would produce temporary air emissions during construction as a result of demolition, soil grading, heavy equipment operations, worker trips, deliveries/material hauling trips, and temporary power production. Emissions associated with constructing the project would be similar in magnitude to the maximum (worst-case) emissions calculated in the UCP PEIR for a typical multi-family residential construction scenario. As such, project construction would not be expected to exceed applicable thresholds for criteria pollutants.

In terms of operational emissions, the proposed project would implement the planned land use for the property contained within the Community Plan. Emissions modelling was conducted for the PEIR and determined that build-out of the entire UCP area would exceed the City's project-level thresholds but would be less than levels anticipated in the prior community plan. As such, project operations would not be expected to exceed applicable thresholds for criteria pollutants. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Sensitive Receptors

The project site is not located near the three intersections in the UCP area that were evaluated for their potential for CO hotspots. Therefore, project residents would not be exposed to harmful concentrations of CO and no localized air quality emissions would occur. Construction of the proposed project would entail the temporary operation of diesel-powered heavy equipment. The UCP PEIR conducted an analysis of worst-case construction activities within the project study area and determined that non-carcinogenic risks from diesel particulate matter would be below the maximum chronic hazard index. Because the project's construction activities would be similar to the construction scenario analyzed for the CPU, the project would not result in the exposure of sensitive receptors to toxic air emissions. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Odors

The project would not introduce an odor-sensitive receptor near an existing odor source, nor would the mix of uses proposed create a new source of odors. A restaurant space would be contained within the proposed structure and can create odors from cooking activities; however, the effects of the odors would not be considered adverse or affecting a substantial number of people. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Greenhouse Gas Emissions

Uptown CPU PEIR

Greenhouse Gas Emissions

Potential impacts related to greenhouse gas (GHG) emissions from implementation of the UCP would be less than significant, as the GHG emissions from the UCP would be less than those assumed in the Climate Action Plan (CAP) GHG Inventory, which was based on the prior community plan before its update in 2016. A CAP Consistency Checklist is part of the CAP and contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emission targets identified in the CAP are achieved. Projects that are consistent with the CAP as determined through the use of the Checklist may rely on the CAP for the cumulative impact analysis of GHG emissions. Thus, the UCP were determined to be consistent with the CAP and resulted in a less than significant impact related to GHG emissions.

Conflicts with Plans or Policies

The Community Plan implements the General Plan's City of Villages Strategy and includes policies for the promotion of walkability and bicycle use, policies promoting transit-supportive development and was, thus, deemed consistent with the CAP and the General Plan. Impacts related to conflicts with

applicable plans and policies addressing GHG emissions were determined to be less than significant and no mitigation was required.

Project

Greenhouse Gas Emissions

A project-specific CAP Consistency Checklist was prepared to evaluate the project's consistency with the GHG emissions reductions and underlying assumptions of the CAP (DFH Architects 2022a; Appendix C). The CAP Consistency Checklist requires a three-step review of the project to determine consistency with the GHG projections and programs outlined in the City's CAP. For the applicable steps, the project has been found to be consistent with the CAP, as summarized below.

The first step is determining CAP consistency for discretionary development projects is to assess the project's consistency with the land use assumptions used in the CAP. As discussed in the Land Use section of this Addendum, the project is an allowable use under the existing zone and land use designation of the Community Plan.

In regards to Step 2 of the CAP Consistency Checklist, the project design would comply with the GHG reduction strategies in the CAP by including the following components, which would be included conditions of approval:

- Cool/green roofs
- Use of low-flow fixtures/appliances
- Electrical vehicle charging stations
- Designated and secure bicycle parking spaces
- Designated parking spaces for low-emitting, fuel-efficient, and carpool/vanpool vehicles

A Step 3 conformance evaluation is not required because the project does not require a land use designation amendment (i.e., the project is consistent with the planned land use for the site) and Step 1 demonstrates the project would be consistent with the General Plan and UCP.

As shown in the CAP Consistency Checklist, the project's contribution cumulative statewide GHG emissions would be less than considerable. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Conflicts with Plans or Policies

The project consists of a mixed-use development that is consistent with the planned land use in the UCP. The project site is in a Transit Priority Area, supports the City of Villages Strategy, and promotes walkability and bicycle use. As the project would be consistent with applicable strategies for the reduction of GHG emissions, as discussed above, the project would not result in a significant impact relative to plans, policies, or regulations aimed at reducing GHG emissions. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the

PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR.

Noise

Uptown CPU PEIR

Ambient Noise

The General Plan policy indicates that mixed-use commercial/residential uses are compatible with noise levels between 65 and 70 dB CNEL. The City conditionally allows multi-family and mixed-use residential uses in areas within a noise exposure of up to 75 dBA CNEL in areas affected by motor vehicle traffic noise. Future residential uses exposed to exterior noise levels up to 75 dBA CNEL must include attenuation measures to ensure an interior noise level of up to 45 dBA CNEL consistent with the City's Significance Determination Thresholds (2020) and the California Noise Insulation Standards. Proposed new construction must demonstrate compliance with City interior noise standards through submission and approval of a Title 24 Compliance Report.

An increase in ambient vehicular traffic noise in the UCP area would result from continued build-out of the community resulting in increases in traffic due to regional growth. A significant increase would occur adjacent to several street segments in the Community Plan area that feature existing noise sensitive land uses (NSLUs). The increase in ambient noise levels could result in the exposure of existing NSLUs to noise levels in excess of the compatibility levels established in the General Plan, and impacts were determined to be significant requiring mitigation at the programmatic level. However, no feasible mitigation measures are identified in the PEIR to address this impact because there is no mechanism or funded program in place to provide noise attenuation to existing NSLUs. Thus, impacts to existing NSLUs due to increases in ambient noise levels in the Uptown community were determined to be significant and unavoidable.

For new discretionary development, there is an existing regulatory framework in place that would ensure future projects implemented in accordance with the UCP would not be exposed to ambient noise levels in excess of the compatibility levels in the General Plan. Thus, noise impacts to new discretionary projects were determined to be less than significant and no mitigation was required.

However, in the case of ministerial projects, there is no procedure to ensure that exterior noise would be adequately attenuated. Therefore, exterior noise impacts for ministerial projects located in areas that exceed the applicable land use and noise compatibility level were determined to be significant and unavoidable.

Vehicular Noise

Vehicular traffic noise from adjacent freeways and local roads are the dominant vehicle noise sources affecting the Community Plan area. Specifically, freeways and streets generating the greatest noise level in the Uptown CPU are Interstate 5 (I-5), Interstate 8 (I-8), SR-163, Sixth Avenue, India Street, Park Boulevard, Robinson Avenue, University Avenue, and Washington Street. In the UCP area, noise levels for all land uses would be incompatible (i.e., greater than 75 decibels A-weighted [dB(A)] community noise equivalent level [CNEL]) closest to the freeways and specific

segments of Sixth Avenue and Grape Street. These areas with highest noise exposure are currently developed and the Community Plan did not change their planned land use. Thus, while land uses in these high noise exposure areas would exceed General Plan land use-noise compatibility standards, the noise exposure would not be a significant noise impact resulting from implementation of the Community Plan. No mitigation was required.

An existing regulatory mitigation framework and review process exists for new discretionary development in areas exposed to high levels of vehicle traffic noise. Implementation of the policies in the UCP and General Plan would preclude or reduce traffic noise impacts because those projects would be required to demonstrate that exterior and interior noise levels would be compatible with City standards. Noise compatibility impacts associated with future discretionary projects implemented in accordance with the UCP would be less than significant due to compliance with existing regulations and City noise standards. However, in the case of ministerial projects, there is no procedure in place to ensure that exterior noise from vehicular noise will be adequately attenuated. Therefore, exterior noise impacts on future ministerial projects located in areas that exceed the applicable land use and noise compatibility levels in the General Plan were determined to be significant and unavoidable.

Amtrak, Coaster, and freight train noise levels at the nearest planning area boundary and the nearest sensitive receptors would not exceed 60 dB(A) CNEL. Noise impacts due to trolley and train operations would be compatible with General Plan standards. Thus, impacts were determined to be less than significant and no mitigation was required.

Airport Compatibility

Residential uses located generally in the southwestern portion of the Uptown community have the potential to be exposed to aircraft noise levels exceeding 60 dB CNEL. However, the Community Plan did not change the land use designations of the existing residential land uses located within the 65 dB and above CNEL contours for the SDIA. At the project-level, future development must include noise attenuation consistent with the Noise Element of the General Plan and the ALUCP for the SDIA. Therefore, impacts related to airport noise were determined to be less than significant and no mitigation was required.

Noise Ordinance Compliance

Mixed-use areas would contain residential and commercial interfaces. Areas where residential uses are located in proximity to commercial sites would expose sensitive receptors to noise. Noise-sensitive residential land uses would be exposed to noise associated with the operation of these commercial uses. However, City policies and regulations would control noise and reduce impacts between various land uses. In addition, enforcement of federal, state, and local noise regulations would control impacts. With implementation of these policies and enforcement of the Noise Abatement and Control Ordinance of the SDMC, impacts were determined to be less than significant, and no mitigation was required.

Construction Noise and Vibration

Construction activities related to the implementation of the Community Plan would potentially generate short-term noise levels in excess of 75 dB(A) equivalent continuous sound level (Leq) at adjacent properties. The City regulates noise associated with construction equipment and activities through enforcement of noise ordinance standards (e.g., days of the week and hours of operation) and imposes conditions of approval for building or grading permits, thus, there is a procedure in place that allows for variance to the noise ordinance. Due to the highly developed nature of the UCP area with sensitive receivers potentially located in proximity to construction sites, there is a potential for construction of future projects to expose existing sensitive land uses to significant noise levels. Future development projects would be required to incorporate feasible mitigation measures, nevertheless, due to the proximity of sensitive receivers to potential construction sites, significant construction noise impacts were identified. Mitigation measure NOISE 6.6-1 identified in the CPU PEIR would reduce construction noise levels emanating from sites, limit construction hours, and minimize disruption and annoyance; therefore, the substantial temporary increase in ambient noise levels was determined to be less than significant after mitigation is imposed.

By the use of administrative controls, such as scheduling construction activities with the highest potential to produce perceptible vibration to hours with the least potential to affect nearby properties, perceptible vibration can be kept to a minimum and, as such, would result in a less than significant impact with respect to perception. However, pile driving within 95 feet of existing structures has the potential to exceed 0.20 inch per second and would be potentially significant of community buildout. Implementation of Mitigation Measure NOISE 6.6-2 in the mitigation framework in the UCP PEIR would reduce construction-related vibration impacts; however, at the program-level it was not known whether the measures would be adequate to minimize vibration levels to less than significant. Thus, even with implementation of mitigation, construction-related vibration impacts were determined to be significant and unavoidable.

Post-construction operational vibration impacts could occur as a result of commercial operations. The commercial uses that would be constructed in the Uptown area would include uses such as retail, restaurants, and small offices that do not require heavy mechanical equipment that would generate groundborne vibration or heavy truck deliveries. Residential and civic uses do not typically generate vibration. Thus, operational vibration impacts associated with the UCP and were deemed less than significant. No mitigation was required.

Project

Ambient Noise

Sources of ambient noise in the project area consist of vehicle traffic and stationary noise (such as commercial uses). Vehicular traffic along Fifth Avenue and Robinson Avenue are the dominant sources affecting ambient noise levels in the project vicinity. The project is consistent with the uses envisioned for the property in the UCP, and thus, is included in the ambient noise projections contained in the PEIR. According to Table 6.6-2 of the PEIR, ambient noise levels along Fifth Avenue, between Robinson Avenue and Walnut Avenue, would increase from 65.8 dB in the existing condition to 66.9 dB in 2035, resulting in an increase of 1.1 dB over the buildout of the Community Plan. Likewise, noise produced along Robinson Avenue would increase from an existing level of 63.8

dB to 65 dB in 2035, resulting in a 1.2 dB increase over time. The proposed project's traffic noise is assumed in these increases in ambient noise since it would be consistent with the UCP's traffic projections. Changes in ambient noise levels of 3 dB or greater are perceptible to the human ear. The 1.1 to 1.2 dB increase in ambient noise predicted in the project vicinity would not be perceptible and would not result in significant noise exposure to existing and future NSLUs. The project site would also not be subject to ambient noise levels exceeding established standards associated with Amtrak, Coaster, and freight trains because these noise sources are not in the project vicinity. Therefore, the project would not expose NSLUs to ambient noise that exceeds the City's noise standards. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Vehicular Noise

The project site is not located within areas identified by the PEIR as having incompatible noise levels (i.e., greater than 75 dB(A) CNEL). The two closest sources of vehicle noise to the project site are Robinson Avenue and Fifth Avenue. According to Table 6.6-3 of the PEIR, future vehicle traffic contour distances along Robinson Avenue, between Third Avenue and Eighth Avenue, would be 75 CNEL at 5 feet from the roadway centerline, 70 CNEL at 16 feet, 65 CNEL at 50 feet, and 60 CNEL at 158 feet. Along Fifth Avenue, between Robinson Avenue and Walnut Avenue, vehicular noise would be 75 CNEL at 8 feet from the roadway centerline, 70 CNEL at 24 feet, 65 CNEL at 77 feet, and 60 CNEL at 245 feet. The project site is over 80 feet from the centerline of Robinson Avenue and approximately 50 feet from the centerline of Fifth Avenue. Based on these distances from the roadway centerlines, the proposed building exterior would be exposed to noise levels between 65 and 70 CNEL due to future vehicular traffic noise in the project area. Therefore, the project would be compatible use with the future noise environment described in the PEIR.

As stated above, the project's traffic would contribute to these future noise levels but would not be a significant source of vehicular noise due to the low volume of traffic it would produce (i.e., 687 net new ADT) relative to the existing and future traffic volumes anticipated in the Community Plan area. The existing regulatory framework and review process for new development in areas exposed to high levels of vehicle traffic noise, in combination with compliance with policies in the Community Plan and General Plan, would ensure that the project would not be exposed to incompatible exterior noise levels. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Airport Compatibility

The project site not located within the SDIA noise contours, as identified in the SDIA ALCUP (Exhibit 2-1). As such, the project site would not be exposed to airport-associated noise in excess of 60 dB CNEL. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Noise Ordinance Compliance

The project features residential and commercial interfaces and contains parking areas and loading zones that would be considered new stationary noise sources in the project area. City policies and regulations would control these noise sources and reduce potential impacts between the project and the nearby land uses. The project would comply with the existing regulatory framework and the City's development review process, which would ensure compliance with applicable noise standards and protect NSLUs in the project area from noise in excess of the required standards. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Construction Noise and Vibration

Construction associated with the project would include demolition of the existing structures, asphalt, and concrete; site preparation work; excavation of subgrade parking; foundation work; and building construction. These activities would generate construction noise. As discussed in the PEIR, construction equipment would generate maximum noise levels between 85 to 90 dB at 50 feet from the source when in operation. Hourly average noise levels would be 82 dB(A) at 50 feet from the center of construction activity when assessing the loudest pieces of equipment working simultaneously. Noise levels would vary depending on the nature of the construction including the duration of specific activities, nature of the equipment involved, location of the particular receiver and nature of intervening barriers. Construction noise impacts for the project would be potentially significant, consistent with the construction noise impacts identified for the Community Plan PEIR. The project would implement PEIR mitigation framework NOISE 6.6-1 to reduce construction noise impacts to a less than significant level.

Construction activities associated with the project would have the potential to generate construction vibration, particularly associated with demolition and, excavation. The project would not require pile driving to construct the proposed structure; therefore, impacts from construction vibration would be less than significant. In addition, the proposed mixed-use project does not include components that would generate vibration during long-term operation.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Historical Resources

Uptown CPU PEIR

Historic Structures, Objects or Sites

The Community Plan would have a significant direct impact on historical resources if they result in the demolition, relocation, or substantial alteration of a resource listed in, or formally determined

eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR), including contributors to NRHP and CRHR-eligible Historic Districts, or the San Diego Historical Resources Register, including contributors to San Diego Register Historic Districts, or which otherwise meet CEQA criteria for historic resources. Direct impacts may include substantial alteration, relocation, or demolition of historic buildings, structures, objects, sites, and districts. Indirect impacts may include the introduction of visual, audible, or atmospheric effects that are out of character with a historic property or alter its setting, when the setting contributes to the resource's significance. The UCP contains a Historic Preservation Element that supports the Historic Preservation Element of the General Plan through goals and policies for identifying and preserving historical, archaeological and tribal cultural resources, and educating citizens about the benefits of, and incentives for, historic preservation.

Development implemented in accordance with the UCP that would result in impacts to significant historical resources would be required to incorporate feasible mitigation measures consistent with Mitigation Measure HIST 6.7-1 in the mitigation framework of the PEIR, as required by the Historic Resources Regulations and Historic Resources Guidelines. Implementation of the mitigation framework combined with compliance with the Community Plan policies promoting the identification and preservation of historical resources would reduce the program-level impacts related to historical resources of the built environment. However, even with implementation of the mitigation framework, the degree of future impacts and applicability, feasibility, and success of future mitigation measures could not be adequately known for each specific future project at the program level of analysis.

With respect to Potential Historic Districts, supplemental development regulations to the Historical Resources Regulations would address how and where modifications can be made on residential properties identified as potentially contributing to specified Potential Historic Districts and provide some protections until such time as the Potential Historic Districts identified in the Community Plan are intensively surveyed, verified, and brought forward for designation consistent with City regulations and procedures. Potential impacts to the Potential Historic Districts would be significant. Even with mitigation incorporated, potential impacts to historical resources within the UCP area, including historic structures, objects or sites and historic districts, were determined to be significant and unavoidable.

Prehistoric Resources, Sacred Sites and Human Remains

Development implemented in accordance with the Community Plan would potentially result in impacts to significant archaeological and tribal cultural resources, and therefore would be required to implement Mitigation Measure HIST 6.7-2 in the mitigation framework identified in the PEIR to minimize impacts to archaeological and tribal cultural resources. Implementation of the mitigation, combined with compliance with the policies of the General Plan and UCP promoting the identification, protection, and preservation of archaeological resources, in addition to compliance with Public Resources Code Section 21080.3.1 requiring tribal consultation early in the development review process, and the City's Historic Resources Regulations (SDMC Section 143.0212) would reduce the program-level impact related to prehistoric or historical archaeological resources and tribal cultural resources. However, even with application of the existing regulatory and mitigation framework, the feasibility and efficacy of mitigation measures could not be determined at this program level of analysis. Thus, impacts to prehistoric resources, sacred sites, and human remains

were determined to be minimized, but not below a level of significance, and significant unavoidable impacts were identified in the PEIR.

Project

Historic Structures, Objects or Sites

The project site contains a locally designated historic resource, the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Community/Albert Bell Building, which was also considered eligible for listing in the National Register of Historic Places and the California Register of Historical Resources. The LGBTQ Community/Albert Bell Building was identified in the UCP Area Historic Resources Survey Report (November 2016) as a potentially significant, individual resource and as a contributor to a potential "Hillcrest Historic District". Additionally, the building was included in the San Diego Citywide LGBTQ Historic Context Statement (September 2016). The LGBTQ Historic Context Statement did not make eligibility determinations for properties, but rather, provided guidance for identifying and evaluating historic resources related to San Diego's LGBTQ history.

Historical research indicates that between 1982 and 1994, the LGBTQ Community/Albert Bell Building was associated with a number of individuals and organizations important in the local LGBTQ community, including serving as the location for the Gay Center for Social Services (1983-1992), the San Diego Gayzette (1982-1983), the San Diego Walks for Life (1988-1993), AIDS Response Program (1989), and AIDS Wholistic (1989-1994). In addition, Albert Bell, who was a local activist and leader in the LGBTQ community, was known to have been an occupant of the property in 1985 and served as property manager from at least 1985 to 1992.

The LGBTQ Community/Albert Bell Building is comprised of four distinct sections, each of which was constructed at different times. The oldest, and original building section (3780 5th Avenue) is two stories and was constructed as a single-family residence in 1911. The second building section (3782, 3784, and 3786 5th Avenue) is two-story and was constructed as apartments in 1932. The third building section (3780 5th Avenue) is a two-story addition to the original 1911 building and was constructed as an office building in 1968. The fourth building section is a one-story addition to the original 1911 building (3780 5th Avenue) completed in 1971. Each building section has been substantially modified and altered from its original design and appearance. In addition, the vast majority of the materials, workmanship and aesthetics which today exist in the LGBTQ Community/Albert Bell Building are largely not original and do not retain its historic integrity.

A Historic Resource Technical Report (HRTR; Moomjian 2022; Appendix D) was prepared for the LGBTQ Community/Albert Bell Building to determine the potential historical and/or architectural significance of the one- and two-story buildings located at 3780 and 3786 5th Street, in accordance with PEIR mitigation framework measure HIST 6.7-1 and the City's Historical Resources Guidelines. Based on the research and analysis contained in the HRTR, the property has been determined to be historically significant. The building housed a number of LGBTQ support, education, and fundraising organizations in Hillcrest that provided critical information and capital needed to assist people impacted by the AIDS crisis in San Diego from 1982 to 1994. As a result, the structure is significant under City of San Diego Historical Resources Board (HRB) Criterion A (Community Development). Additionally, the property is associated with Albert Bell, a historically significant person, who used, occupied, and managed the building between 1985 and 1992. Bell was a local activist and leader in

the LGBTQ community who fought for gay rights and sought relief for victims of the AIDS crisis in San Diego by creating various activist and support organizations. Thus, the property is significant under HRB Criterion B (Historic Person) and California Register Criterion 2/ National Register Criterion B (Person at the local level). Due, in part to the modifications and alterations that the building has sustained over time, the property does not embody the distinctive characteristics of a style, type, period, or method of construction; and does not represent the notable work of a "master" architect, builder, or craftsman, or important, creative individual. As such, the property is not significant under HRB Criterion C or Criterion D.

Specific to historic districts, the LGBTQ Community/Albert Bell Building has been deemed a contributor to a potential "Hillcrest Historic District" as part of the Uptown Historic Survey. However, no such historic district presently exists. As a result, the property does not qualify as a contributor to any established or proposed historic district. The property is not a finite group of resources related together in a clearly distinguishable way, nor is it related together in a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value, nor does it represent one or more architectural periods or styles in the history and development of San Diego. Therefore, the property does not qualify under HRB Criterion F (Historic District).

The property was designated historic (Site No 1453) by the City's HRB under HRB Criterion A and Criterion B as the LGBTQ Community/Albert Bell Building in April 2022. As a property designated at the local level, the property is also eligible for listing in the National Register of Historic Places and the California Register of Historical Resources. As noted above, the property is eligible for state and federal listing in accordance with California Register Criterion 2/ National Register Criterion B (Person at the local level). The LGBTQ Community/Albert Bell Building has not been determined to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. The building, therefore, does not qualify as a historical resource under CEQA Guidelines §15064.5(a)(3).

The project would require a Site Development Permit (SDP) for the demolition of a locally-designated historic resource. The demolition of the resource would result in a significant impact, requiring project-level mitigation. Implementation of Mitigation Measure HIST-1, included in the Mitigation Monitoring and Reporting Program (MMRP) in Section VI of this Addendum, would reduce the project impacts to the extent feasible. However, the proposed demolition of the LGBTQ Community/Albert Bell Building would result in the loss of a designated historical resource and the project would result in an unavoidable change to the significance of a historical resource. This significant and unavoidable project-level impact is consistent with the analyses and conclusions reached at a program-level in the Community Plan PEIR. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Prehistoric Resources, Sacred Sites and Human Remains

As discussed in the UCP PEIR, the majority of the Uptown community, including the project site and surrounding areas, is developed and is designated for low cultural sensitivity. The project site has previously been developed, may contain undocumented fills, and has historically had underground

storage tanks in the southwestern portion of the site (Partners 2021a, 2021b). Based on the low cultural sensitivity in the project area and the previous disturbance of the project site, no impacts to prehistoric resources, sacred sites, and human remains are expected.

In accordance with the requirements of Public Resources Code Sections 21080.3.1 and 21080.3.2 (i.e., Assembly Bill 52) and PEIR Mitigation Measure HIST 6.7-2, the City of San Diego sent notifications via email to the Native American Tribes traditionally and culturally affiliated with the project area. The Notifications were distributed to the local Kumeyaay community for consultation on July 13, 2022 for 30 days concluding on August 13, 2022. Lipay Nation of Santa Ysabel, Jamul Indian Village and San Pasqual Band of Mission Indians did not respond within the 30-day consultation period. As such, no impacts to tribal cultural sites are anticipated for the project. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Biological Resources

Uptown CPU PEIR

Sensitive Wildlife Species

Implementation of the UCP would result in land use changes that would affect primarily developed areas. Thus, impacts to sensitive species would not be anticipated to occur since any sensitive species that could occur within the Uptown community are likely to occupy canyon bottoms that are often designated as open space and/or MHPA. Additionally, any impact to sensitive vegetation communities would be subject to the City's ESL Regulations, which would ensure impacts to vegetation communities and potential sensitive species that may occupy those communities would be addressed. Based on the lack of sensitive species anticipated to occur in the developable areas of the UCP area, in addition to the regulatory framework in place that protects sensitive species, impacts to wildlife species were determined to be less than significant and no mitigation was required.

Sensitive Habitats

The Uptown CPU area has sensitive vegetation communities (Tier II – coastal sage scrub, chaparral; Tier IIIB – grassland; wetland–riparian scrub) primarily within the canyons and some native upland habitat remnants along the canyon rims. The remainder of the Uptown CPU area is built out and supports very few sensitive vegetation communities. Implementation of the Community Plan would impact primarily disturbed land and urban/developed land, which are not considered sensitive vegetation communities. Implementation of the UCP has a low potential to impact any of the five sensitive plant species previously recorded in the UCP area. As described previously, implementation of the Community Plan would result in land use changes that would affect primarily developed areas. The potential for sensitive plant species to still occur is low due to the extent of development that has taken place within the UCP area and along the urban-canyon interface. Impacts to sensitive plant species were determined to be less than significant and no mitigation was required.

Wetlands

Implementation of the UCP would not result in impacts to wetlands (riparian scrub), as area where this habitat occurs would remain within open space and/or the MHPA. No impacts to riparian scrub are expected; therefore, impacts were determined to be less than significant and no mitigation was required.

Wildlife Corridors and Nursery Sites

MHPA boundary line corrections approved as part of the Community Plan approval increased the amount of protected open space in canyons, which is beneficial for wildlife movement in canyon areas. Thus, no impact to wildlife corridors were anticipated in the PEIR.

Impacts to wildlife nursery sites, particularly migratory birds, was avoided through compliance with the Migratory Bird Treaty Act in addition to compliance with protections afforded to property within and adjacent to MHPA lands. Development must avoid impacts to wildlife nursery sites in adjacent habitat areas. Thus, with the existing regulatory framework in place, potential impacts to wildlife nursery sites were determined to be less than significant. No mitigation was required.

Multiple Species Conservation Program

Within the UCP area there are sensitive biological resources and MHPA lands situated in canyons that occur within the community, as shown in Figures 6.8-3 and 6.8-4 of the PEIR. The UCP would be consistent with the City's MHPA Land Use Adjacency Guidelines and SDMC Section 142.0740 requirements relative to lighting adjacent to the MHPA. Additionally, in complying with the MHPA Land Use Adjacency Guidelines, landscape plans for future projects would require that grading would not impact environmental sensitive land, that potential runoff would not drain into MHPA land, that toxic materials used on a development do not impact adjacent biologically sensitive land, that development includes barriers that would reduce predation by domestic animals, and that landscaping does not contain exotic plants/invasive species. In addition, the MHPA Land Use Adjacency Guidelines direct development so that any brush management activities are minimized within the MHPA and contain requirements to reduce potential noise impacts to listed avian species. Compliance with the City's MHPA Land Adjacency Guidelines and adherence to the policies in the Conservation Element of the Community Plan would reduce potential impacts to less than significant. No mitigation was required.

Project

Sensitive Wildlife Species

The project site is in an urbanized area, is fully developed, and does not contain habitat for sensitive wildlife species. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Sensitive Habitats

The project site is in an infill urban location and is fully developed. There are no mature trees and no sensitive habitats present on the project site. No sensitive vegetation communities are identified as occurring in the project vicinity, per Figure 6.8-3 of the UCP PEIR. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Wetlands

There are no wetlands on the developed project site. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Wildlife Corridors and Nursery Sites

The project site is not located adjacent to or near canyon areas and open space portions of the UCP and thus, would not result in impacts to wildlife corridors. Additionally, no mature trees are present on site. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Multiple Species Conservation Program

The project site is within an urbanized area and completely surrounded by development, as shown in the aerial photograph contained in Figure 2. It is not located within or adjacent to the MHPA portions of the UCP area. No impact associated with sensitive resources protected by the MSCP or the MHPA would occur. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Geologic Conditions

Uptown CPU PEIR

Seismic Hazards

Future development associated with implementation of the Community Plan could result in the exposure of more people, structures, and infrastructure to seismic hazards. Based on regional geologic conditions, the UCP area would be subjected to hazards caused by moderate to severe ground shaking during seismic events on regional active faults. The potential for liquefaction and seismically induced settlement occurring for the mesa top areas is very low due to the very dense cemented condition of the geologic formations and lack of groundwater. Based on the seismic

hazards analysis in the UCP PEIR, implementation of the Community Plan would not have direct or indirect significant environmental impacts with respect to seismic hazards because future development would be required to comply with the SDMC and California Building Code (CBC). Specifically, project design in accordance with the CBC would reduce potentially significant impacts to future structures from strong seismic ground shaking to a less than significant level. The City's regulatory framework includes a requirement for site-specific geologic investigations to identify potential seismic hazards or concerns that would need to be addressed during project design development, grading and/or construction. Thus, impacts were determined to be less than significant, and no mitigation was required.

Erosion or Loss of Topsoil

Conformance to City-mandated grading requirements and standards in the Land Development Manual would ensure that proposed grading and construction operations would avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, is subject to National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit provisions. Additionally, any development of significant size within the City would be required to prepare a Storm Water Pollution Prevention Plan that would consider the full range of erosion control Best Management Practices (BMPs). Project compliance with NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development. Impacts were determined to be less than significant and no mitigation was required.

Geologic Instability

The majority of the UCP area is mapped as Geologic Hazard Category 52, characterized as low risk with favorable geologic structure. Future projects built in accordance with the Community Plan would be required to prepare a geotechnical investigation that specifically addresses slope stability if located on landslide-prone formations or slopes steeper than 25 percent (slope ratio of 4:1 horizontal to vertical) (per SDMC Table 145.1803). Additionally, based on the subsurface soil conditions and the lack of groundwater extraction that would be associated with future development, the risk associated with ground subsidence hazard is low. Potential hazards associated with slope instability would be addressed by the site-specific recommendations contained within geotechnical investigations as required by the CBC and SDMC. Thus, impacts related to landslide and slope instability were determined to be less than significant and no mitigation was required.

Expansive Soils

Site-specific geotechnical investigations would be required for future projects within the UCP area in accordance with the SDMC to identify the presence of expansive soils and provide recommendations to be implemented during grading and construction to ensure that potential hazards associated with expansive soils are minimized. Thus, with implementation of the recommendations included in site-specific geotechnical investigations required under the CBC and SDMC, potential impacts associated with expansive soils were determined to be less than significant and no mitigation was required.

Project

Seismic Hazards

A project-specific geotechnical investigation was prepared to address the geologic hazards of the project site (Partner 2021a; Appendix E). The project site is located in a seismically active region and the area is prone to ground shaking. The three faults most relevant to the project site are the Old Town fault (1.1 miles from the site), Florida Canyon fault (1 mile from the site), and Mission Gorge fault (1.5 miles from the site).

Surficial geology at the site consists of very old paralic deposits, undivided (Qvop₉), which generally include silty sandy soils with bedrock located at depth below the ground surface. The site grades are relatively flat, gently sloping down towards the west side of the property. The project site is fully developed and may contain undocumented fills and/or other remnants of previous construction. The project site is located within the City of San Diego's Geologic Hazard Category 52, which is considered low risk and includes level areas, gently sloping to steep terrain, and favorable geologic structure. The project site is not mapped within a zone of seismically induced hazards for landslide or tsunamis (Partner 2021a). Hazards identified in the project geotechnical report consist of ground shaking and expansive soils. No other geologic hazards are known or suspected on the project site (Partner 2021a).

As discussed in the PEIR, new projects would be required to comply with the CBC and SDMC. Project design in accordance with the CBC would reduce potentially significant impacts associated with seismic hazards to a less than significant level. Additionally, the project-specific geotechnical investigation (Partners 2021) contains recommendations to be implemented during project design development, grading, and construction. The project would comply with the CBC, SDMC, and geotechnical investigation recommendations, which would be conditions of project approval. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Erosion or Loss of Topsoil

The project would require the removal of existing buildings, asphalt, and concrete at the project site and the removal of soil for the subgrade parking. The project would implement an erosion control plan that conforms to City-mandated grading requirements and standards in the Land Development Manual, which would ensure that proposed grading and construction operations would avoid significant soil erosion impacts. Soil disturbance would be required during construction, and compliance with the project-specific erosion control plan and local and state regulations related to erosion control would ensure there would not be a substantial loss of top soil or erosion. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Geologic Instability

The project site is mapped as Geologic Hazard Category 52, which is considered low risk and includes level areas, gently sloping to steep terrain, and favorable geologic structure. The project geotechnical report did not identify geologic instability, landslides, lateral spreading, subsidence, or liquefaction hazards at the project site. The project would be designed and constructed in accordance with CBC and SDMC requirements, and would incorporate geotechnical recommendations during project design development, grading, and construction. Compliance with these requirements would ensure that no significant impact associated with geologic instability would occur. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Expansive Soils

According to the project's geotechnical report, the project is located in an area prone to moderately expansive soils. The project geotechnical report contains recommendations to be implemented during project design development, grading, and construction. The project would comply with the SDMC, CBC, and geotechnical investigation recommendations, which would be project conditions of approval. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Paleontological Resources

Uptown CPU PEIR

Because of high and moderate sensitivity for paleontological resources within the San Diego, Pomerado Conglomerate, Mission Valley Formations and other formations, grading into these sensitive formations could potentially destroy fossil resources. Therefore, implementation of future discretionary and ministerial projects within the UCP area within these formations has the potential to result in significant impacts to paleontological resources. Build-out of future projects proposed in conformance with the UCP would likely result in a certain amount of disturbance to the native bedrock within the study area. Since ministerial projects are not subject to a discretionary review process, there would be no mechanism to screen for grading quantities and geologic formation sensitivity and apply appropriate requirements for paleontological monitoring. Thus, impacts related to future ministerial development that would occur with build-out of the UCP were determined to result in significant and unavoidable. Impacts from discretionary projects were determined to be less than significant with mitigation incorporated (i.e., Mitigation Measure PALEO 6.10-1).

Project

The uppermost geologic formation underlying the soils at the project site consist of very old paralic deposits (formerly Lindavista Formation; Partner 2021a). These deposits are generally composed of

marine and non-marine deposited soils during the middle to early Pleistocene. The site may contain undocumented fills and/or remnants of previous construction. According to the City's CEQA Significance Determination Thresholds, Lindavista Formation is broadly correlative with Qvop 1-13. According to the PEIR, Lindavista Formation in areas outside of Mira Mesa/Tierrasanta are considered to have moderate sensitivity for paleontological resources. As the project would occur in an area having moderate sensitivity for paleontological resources, would exceed 2,000 cubic yards of excavation, and would excavate at depths greater than 10 feet, impacts to paleontological resources would be potentially significant. The project's impacts would be reduced to less than significant levels through the implementation of PEIR Mitigation Measure PALEO 6.10-1 contained in the MMRP in Section VI of this Addendum. The project would be required to comply with the mitigation framework of the PEIR and any other applicable grading permit conditions. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Hydrology/Water Quality

Uptown CPU PEIR

Flooding and Drainage Patterns

All development is subject to drainage and floodplain regulations in the SDMC, and would be required to adhere to the City's Drainage Design Manual and Storm Water Standards Manual. Therefore, with future development, the volume and rate of overall surface runoff within the UCP area would be reduced when compared to the existing condition. Impacts were determined to be less than significant and mitigation was not required.

Water Quality

New development under the Community Plan would be required to implement low impact development (LID) and storm water BMPs into project design to address the potential for transport of pollutants of concern through either retention or filtration. The implementation of LID design and storm water BMPs would reduce the amount of pollutants transported from the UCP area to receiving waters. Impacts were less than significant, and no mitigation was required.

Future development would adhere to the requirements of the Municipal Storm Water Permit for the San Diego Region and the City's Storm Water Standards Manual for water quality conditions—both surface and groundwater—and are not expected to have an adverse effect on water quality. Additionally, the City has adopted the Master Storm Water Maintenance Program to address flood control issues by cleaning and maintaining the channels to reduce the volume of pollutants that enter the receiving waters. Impacts were determined to be less than significant, and no mitigation was required.

Groundwater

Groundwater within the San Diego Mesa is exempt from municipal and domestic supply beneficial use and does not support municipal and domestic supply. Groundwater within the Mission San

Diego area of the Lower San Diego portion of the San Diego Hydrologic Unit has a potential beneficial use for municipal and domestic supply. Storm water regulations that encourage infiltration of storm water runoff and protection of water quality would also protect the quality of groundwater resources and support infiltration where appropriate. Thus, implementation of the UCP were determined to result in a less than significant impact on groundwater supply and quality and no mitigation was required.

Project

Flooding and Drainage Patterns

The project site is located in Flood Zone X, which is not a Federal Emergency Management Agency designated floodway, and is not located within a 100-year flood hazard area or other known flood area. The site currently slopes from east to west at less than a five percent slope. There is no run-on to the site, and storm runoff from the project site sheet flows easterly into the public street (Labib Funk + Associates 2022a; Appendix F). Runoff enters the public storm drain system and eventually drains into the San Diego Bay. In the existing condition, the project site is fully developed and includes impervious areas of approximately 0.32 acre, or 99 percent, of the project site. Construction of the project would result in changes to the existing runoff quantities but not drainage patterns (as described under Utilities). The project would result in an increase in pervious areas on site. Following construction, approximately 86 percent of the 0.32-acre project site (approximately 0.27 acre) would be covered with impervious surfaces, while the balance would contain pervious surfaces, including planters on the second floor and the roof of the project. The project would decrease the runoff generated from the project site, as compared to the existing condition. The project site drainage has been designed to handle required flows. The project has been reviewed by the City's engineering staff and would be conditioned to follow building construction guidelines to avoid flooding. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Water Quality

The project is a Low Priority Development Project and is required to develop and implement a Water Pollution Control Plan (WPCP) to ensure water quality is maintained during construction (Labib Funk + Associates 2022b; Appendix G). The project WPCP would identify all pollutant sources which may affect the quality of storm water discharges from the site associated with construction activities; identify authorized non-storm water discharges and eliminate unauthorized non-storm water discharges; and establish, construct, implement, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the project site. The project proposes infiltration pollutant control for water quality. The project would be conditioned to comply with the City's Storm Water Regulations during and after construction, and appropriate BMPs would be utilized. Implementation of project specific BMPs would preclude violations of any existing water quality standards or discharge requirements. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Groundwater

The project would be serviced by the public water supply using existing private connections. While the project would demolish existing development and construct new uses at the site, it would not substantially alter the amount of impervious groundcover or substantially alter the rate of groundwater recharge at the project site. As discussed above, the project would reduce impervious areas of the project site, from approximately 99 percent of the site in the existing condition to approximately 86 percent of the project site following project implementation. As evidenced by boring data in the project geotechnical investigation (Appendix E) and the infiltration test conducted for the project (Partner 2022; Appendix H), groundwater was not encountered however on-site soils feature infiltration rates that would allow for the percolation of surface water. The project would include drainage features and landscape that would allow for infiltration; proper surface and subsurface drainage would be required. The project would not rely on groundwater in the area and would not significantly deplete any resources. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Public Services and Facilities

Uptown CPU PEIR

Regarding police protection, the UCP do not include construction of new police facilities. As population growth occurs and the need for new facilities is identified, any future construction of police facilities would be subject to a separate environmental review at the time design plans are available. Therefore, implementation of the UCP would result in less than significant environmental impacts associated with the construction of new facilities in order to maintain service ratios, response times, or other performance objectives related to police services, and no mitigation was required.

Regarding park and recreational facilities, there is an existing and projected deficit in population-based parks, which is an adverse impact but not considered significant at the program level. Implementation of the Community Plan would provide policy support for increasing the acreage of population-based parks in the Uptown area. However, any expansion of existing facilities or the development of a new facility would be subject to separate environmental review at the time design plans are available. Thus, implementation of the UCP, which did not propose construction of new facilities, would result in a less than significant impact to parks and recreation facilities, and no mitigation was required.

Regarding fire/life safety protection, implementation of the UCP would result in an increase in overall population, which could result in a change in fire-rescue response times and a demand for new or expanded facilities. However, any expansion of existing facilities or the development of a new facility would be subject to separate environmental review at the time design plans are available. Therefore, the Community Plan impacts related to fire/life safety facilities were deemed less than significant, and no mitigation was required.

Although a new library was planned for the Uptown area at the time of the UCP PEIR preparation, the Community Plan did not include construction of additional library facilities. Development of new facilities would be subject to separate environmental review at the time design plans are available. Therefore, impacts related to library facilities were determined to be less than significant, and no mitigation was required.

Regarding school facilities, future residential development that occurs in the Community Plan area would be required to pay school fees as outlined in Government Code Section 65995, Education Code Section 53080, and Senate Bill 50 to mitigate any potential impact on district schools. The City is legally prohibited from imposing any additional mitigation related to school facilities by Senate Bill 50, and the school district would be responsible for potential expansion or development of new facilities. Therefore, impacts to schools were deemed less than significant, and no mitigation was required.

The UCP contains policies to address the maintenance and improvement of public facilities. Impacts on the maintenance of such facilities were, therefore, less than significant and no mitigation was required.

Project

The project site is in an area served by the Western Division of the San Diego Police Department. The proposed project would increase demand for police services through the intensification of on-site uses but would implement the planned land use for the property contained within the UCP. As discussed in the PEIR, individual projects within the UCP would be subject to applicable Development Impact Fees (DIF) for public facilities financing in accordance with SDMC Section 142.0640 to offset demands for new police facilities identified in the community.

The project would generate new park users where there is an existing deficiency of population-based parks. The proposed development would be consistent with the planned land use and population projections for the property contained within the UCP PEIR. New development would be subject to payment of DIF to offset demands for new parks identified in the community.

The project site is in an area served by San Diego Fire-Rescue Department. Residential population associated with buildout of the project would be consistent with the proposed uses of the site analyzed in the UCP PEIR; therefore, population-based fire service impacts associated with the implementation of the project would be consistent with those analyzed in the PEIR. The project would be subject to payment of DIF to offset demand for new fire protection facilities identified in the community.

As discussed in the PEIR, construction of additional library facilities to meet library service requirements of the Uptown community is not required. At the time of PEIR preparation, a new facility was planned and this library has since been constructed. As the project is consistent with the planned land uses of the UCP and was considered in the overall needs analysis, the project would not result in impacts associated with need for library facilities.

The project is consistent with the planned land uses for the project site, the development of which was included in population and growth projections analyzed in the UCP PEIR. Therefore, the number

of students generated by the project would be consistent with those envisioned in the PEIR. The project would be required to pay mitigation fees to the applicable school district, consistent with the requirements of Senate Bill 50.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Public Utilities

Uptown CPU PEIR

Water Supply

According to the Water Supply Assessment conducted on the Community Plan, there is sufficient water supply to serve existing and projected demands of the Uptown community, and future water demands within the Public Utilities Department' PUD's service area in normal and dry year forecasts during a 20-year projection. Therefore, no significant impacts to water supply were anticipated with implementation of the Community Plan. No mitigation was required.

Utilities

Future projects would be required to exercise strict adherence to existing storm water regulations and conformance with General Plan and UCP policies. Project-specific review under the Municipal Storm Water Permit and CEQA would assure that significant adverse effects related to the storm water system and the installation of storm water infrastructure would be avoided. Thus, impacts related to storm water facilities were deemed less than significant and no mitigation was required.

The Community Plan acknowledges that upgrades to sewer lines are an ongoing process. These upgrades are administered by the PUD and are handled on a project-by-project basis. Because future development of properties under the UCP would likely increase demand, there may be a need to increase sizing of existing pipelines and mains for both wastewater and water. The Community Plan took into consideration the existing patterns of development, and the update was a response to the community's needs and goals for the future. The necessary infrastructure improvements to storm water, wastewater, and water infrastructure would be standard practice for new development to maintain or improve the existing system in adherence to sewer and water regulations and conformance with General Plan and Community Plan policies. Additionally, future discretionary projects would be required to undergo project-specific review under CEQA that would assure that impacts associated with the installation of storm water infrastructure would be reduced below a level of significance. Therefore, impacts to sewer and water utilities from CPU implementation were determined to be less than significant and no mitigation was required.

Given the number of private communication systems providers available to serve the Community Plan area, there is capacity to serve the area. Impacts were determined to be less than significant and no mitigation was required.

Solid Waste and Recycling

To ensure that waste generation and recycling efforts during construction and post-construction operation (i.e., residential, commercial, industrial, mixed-use, etc.) are addressed, a waste management plan (WMP) would be prepared for any project proposed under the UCP exceeding the threshold of 40,000 SF or more. Implementation of the waste reduction measures identified in the WMPs would ensure that project impacts would be less than significant. Non-discretionary projects proposed under the Community Plan that would fall below the 60 ton per year operational waste generation threshold would be required to comply with the SDMC sections addressing construction and demolition debris, waste and recyclable materials storage, and recyclable materials and organic materials collection. Therefore, at the program level of review, the UCP would not require an increase in landfill capacity, and impacts associated with solid waste were deemed less than significant. No mitigation was required.

Project

Water Supply

The project would implement a 77,928-square foot (SF) residential and commercial/retail building in a mixed-use configuration, as consistent with the land use designation applied to the site in the UCP. The structure would not exceed the criteria to be considered a project by the State Water Code and thus does not need a project-specific Water Supply Assessment (WSA). As discussed above, the WSA for the Community Plan determined that there is sufficient water supply to serve existing and projected demands of the Uptown community, and future water demands within the PUD's service area in normal and dry year forecasts during a 20-year projection. In addition, the project is not a "project" subject to the WSA requirements defined in Water Code Section 10912. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Utilities

The project would construct an on-site storm drainage system to connect to the existing storm drain overflow point of connection at the eastern project boundary, adjacent to Fifth Avenue. The proposed improvements would include the placement of a drywell and sump pump in the subgrade parking area, with an overflow point of connection at the eastern project boundary and a new curb drain on Fifth Avenue. The entirety of the project site's stormwater runoff would be directed to the infiltration drywell and overflow would discharge through the curb face before eventually being conveyed through the municipal storm drain system (Appendix F). The project would be conditioned to comply with the City's Storm Water Regulations during and after construction. The project would not require new or expanded off-site facilities.

The project would result in an increase in sewage flows from the project site. A Sewer Utility Study (Labib Funk + Associates 2022c; Appendix I) measured existing sewage flows, projected estimated sewage flows associated with the project, and analyzed the existing infrastructure's capacity to handle project flows. The project site is near the most upstream manhole on an existing 10-inch

sewer line located to the west in the alley between Fourth Avenue and Fifth Avenue between Robinson Avenue and Pennsylvania Avenue. The existing buildings at the project site connect to the existing 10-inch gravity sewer main. Based on the analysis in the Sewer Utility Study, the project is expected to increase sewage generation at the site by approximately 4,256 gallons per day above the existing uses; however, the existing 10-inch sewer main is adequately sized for the project and no upgrades to the existing sewer infrastructure would be needed to meet the standards and requirements of the City of San Diego Sewer Design Guidelines. The project would not require new or expanded off-site facilities.

A Water Utility Study (Labib Funk + Associates 2022d; Appendix J) was prepared for the project to identify existing and future constraints with existing water infrastructure. The project would include new water meters and lateral connections to the existing water system in Fifth Avenue to provide domestic, fire, and irrigation water to the project. All connections would adhere to the standards and requirements of the City of San Diego Water Design Guide. Based on proposed peak hour water demand calculated for the project, the existing water infrastructure would adequately provide all of the water required for the proposed development. The project would not require new or expanded off-site facilities.

Given the developed nature of the project site and surrounding area and the number of private communication systems providers available to serve the UCP area, there is capacity to provide communications systems services to the project site. The project would not require new or expanded off-site facilities. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Solid Waste and Recycling

A WMP was prepared for the project (Baranek Consulting Group 2022; Appendix K). Based on the detailed analysis of construction and operational waste sources and diversion practices, the project would not result in significant direct impacts to solid waste facilities, would comply with the City's ordinances related to the diversion and recycling of waste, and would not affect the City's ability to achieve its waste reduction goals. In addition, the project would implement the provisions of its WMP as part of the construction and operational phases to offset its cumulative impacts related to disposing of more than 60 tons of waste. Implementation of a project-specific waste management program identified in the WMP would reduce the project's cumulative impacts on solid waste, per the City's CEQA Significance Determination Thresholds, to a less than significant level. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Health and Safety

Uptown CPU PEIR

Wildfire Hazards

Existing policies and regulations would help reduce, but not completely abate, the potential risks of wildland fires within the Uptown area. The General Plan and Community Plan contain goals and policies aimed at reducing the risk of wildfire hazard to be implemented by the City's Fire-Rescue Department. Public education, firefighter training, and emergency operations efforts would reduce the potential impacts associated with wildfire hazards. Additionally, future development would be subject to conditions of approval that require adherence to the City's Brush Management Regulations and other applicable requirements of the California Fire Code. As such, impacts relative to wildfire hazards were determined to be less than significant and no mitigation was required.

Hazardous Substances Near Schools

The UCP would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school because any existing contaminated site identified within the hazardous materials database search would be required to undergo cleanup in accordance with applicable regulatory oversight agencies. Any new development that involves contaminated property would necessitate the cleanup and/or remediation of the property in accordance with applicable requirements and regulations of local, state, and or federal requirements. Health hazard impacts to schools were deemed less than significant. No mitigation was required.

Emergency Evacuation and Response Plans

Development would occur on infill sites and the community is largely built-out with existing major roads that provide a means for emergency evacuation. As such, the Community Plan would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, impacts were determined to be less than significant and no mitigation was required.

Hazardous Materials Sites and Health Hazards

Although there are hazardous material sites within the Uptown area, there are local, state, and federal regulations and programs in places that minimize the risk to sensitive receptors on or adjacent to hazardous materials sites. Adherence to these regulations would result in less than significant impacts relative to these sites and no mitigation was required.

Aircraft Hazards

As discussed under the Land Use section of the PEIR, impacts relative to safety hazards related to being located within an AIA for SDIA were deemed less than significant. No mitigation was required.

Project

Wildfire Hazards

The project is in a heavily urbanized area, surrounded by development, and has no interface with wildlands. According to the City of San Diego Official Very High Fire Hazard Severity Zone (VHFHSZ) Map No. 20, the project site is not located within a "VHFHSZ & 300' Brush Buffer" (City of San Diego 2009). As part of standard development procedures, the project plans would be submitted to the City for review and approval to ensure that adequate emergency access is provided to and from the project site. The project would be constructed to comply with the California Fire Code and SDMC requirements, and as such, would not expose people or structures to a significant risk of loss, injury, or death involving wildfire hazards. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Hazardous Substances Near Schools

Florence Elementary School is located approximately 0.25 mile northwest of the project site, and All Saints' Episcopal Preschool is located approximately 0.2 mile southeast of the project site. The project consists of a mixed-use development with residential, visitor-serving accommodations, and commercial office/restaurant uses. These types of uses would not generate hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Emergency Evacuation and Response Plans

The proposed project would occur on an infill site in a developed area. Existing major roadways would provide a means for emergency evacuation. The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Hazardous Materials Sites and Health Hazards

Historic uses at and adjacent to the project site are identified as recognized environmental conditions (RECs). Historical residential uses may have disposed of waste by burning piles of trash, a common practice for residents of San Diego between 1930 and 1960. Thus, burn ash is a potential REC for the project site. Historic uses on adjacent properties include drycleaning, printing, and awning manufacturing, which potentially used petroleum hydrocarbons and/or chlorinated solvents. The project site formerly housed underground storage tanks (USTs), a fuel pump, and associated piping, which were removed under San Diego Department of Environmental Health supervision in

1990. Evidence of contamination from the USTs was observed during removal activities, and a leaking underground storage tank (LUST) cleanup case was created for the site, which received closure in 2001. The 2001 closure contained management requirements, which include the following: 1) contaminated soil excavated as part of subsurface construction work must be managed in accordance with the legal requirements at the time; and 2) if structures are to be placed over the former excavation [of the USTs and associated equipment], further evaluation may need to be completed to evaluate vapor risk.

A Phase II Environmental Site Assessment (Partners 2021b; Appendix L) was conducted at the project site and included a geophysical survey, six borings, and collection of soil and soil gas samples. Based on the results of the on-site sampling, benzene, tetrachloroethene (PCE), and trichloroethene (TCE) concentrations in soil gas samples were detected at concentrations in excess of established residential and commercial soil gas screening levels. Benzene concentrations increase in proximity to the location of the former USTs, which suggests a release or releases occurred with the former USTs. Concentrations of PCE and TCE increase with proximity to the location of the former off-site dry cleaning facility, suggesting that releases occurred from the former off-site dry cleaning facility.

The soil vapor contamination present at the project site is a potential health hazard. To minimize any risk, soil movement and excavation at the project site would be conducted in compliance with applicable local, state, and federal regulations and programs in place to minimize health hazards associated with contamination. No construction would be permitted without a "no further action" clearance letter from the San Diego Department of Environmental Health, or similar determination is issued by the City's Fire-Rescue Department, California Department of Toxic Substances Control, Regional Water Quality Control Board, or other responsible agency. As discussed for the Community Plan PEIR, there are local, state, and federal regulations and programs in place that minimize the risk to sensitive receptors on or adjacent to hazardous materials sites. The project would adhere to those regulations, as assured by a condition of approval. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

Aircraft Hazards

The project site is located in the ALUCOZ, AIA Review Area 2, and the FAA Part 77 Notification Area for SDIA. In Review Area 2, only airspace protection and overflight policies and standards apply. A Self-Certification Agreement (Appendix A) has been implemented between the City and the project applicant and no FAA notification is required as the proposed structure would not adversely affect safety in air navigation. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the PEIR. The project would not result in any new significant impact, nor would the project result in a substantial increase in the severity of impacts from that described in the PEIR result.

VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The project shall be required to comply with the applicable mitigation measures outlined within the MMRP of the previously certified Program EIR (No. 380611/SCH No. 2016061023) (PEIR) and those identified in the project-specific analyses herein. The following MMRP identifies measures that specifically apply to this project.

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED 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 (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/standtemp.shtml>
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, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS: PART II – Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRECONSTRUCTION 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: Qualified Acoustical Monitor and Qualified Paleontological Monitor.

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 No. 1049650 and/or Environmental Document No. 1049650, 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: Not Applicable

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 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:

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
Noise	Noise Control Measures	Prior to Preconstruction Meeting
Historical Resources	Historical Resources Technical Report	Prior to Preconstruction Meeting
Paleontological Resources	Paleontological Resources Measures	Prior to Preconstruction Meeting
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:

PEIR NOISE 6.6-1: Prior to issuance of any construction permits, including but not limited to, the first Grading Permit or Demolition Plans/Permits, and during construction, the following measures shall be implemented by the project applicant/project contractor:

- Construction activities shall be limited to the hours between 7:00 A.M. and 7:00 P.M. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays. (Consistent with Section 59.5.0404 of the San Diego Municipal Code).
- Equip all internal combustion engine- driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.
- Acoustically shield stationary equipment located near residential receivers with temporary noise barriers. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

HIST-1: Consistent with PEIR HIST 6.7-1, the project applicant shall implement and complete the following:

1. *Historical American Building Survey.* Prior to issuance of a demolition permit, the Owner/Permittee shall submit a Historic American Buildings Survey (HABS) Level III to Staff of the Historical Resources Board (HRB) for review and approval, which shall include the following:
 - a. Photo Documentation
 - i. HABS documentation shall include professional-quality photo documentation of the resource prior to any construction at the site. Pictures should be 35-

millimeter black-and white photographs, 4x6-inch standard format. Photographs should be taken of all four exterior elevations. Photographs should be taken of all four exterior elevations. Photographs should be of archival quality and easily reproducible.

b. Written History and Description

- i. A written history and description of the LGBTQ Community/Albert Bell Building, developed in accordance with standards and format meeting the Department of the Interior's National Park Service requirements, shall be developed. The history will begin with a statement of significance supported by the development of the architectural and historical context in which the structure was built and subsequently evolved. The written history will also include an architectural description and bibliographic information.
- ii. The written history and description will also include a methodology section specifying the name of the researcher, date of research, sources consulted, the limitations of the project, and include the final, recorded Historical Designation Resolution.

c. Sketch Plan

- i. A Sketch Plan shall be prepared, include a floor or site plan (not drawn to exact scale but drawn from measurements). The Sketch Plan will include the location of site features shown in proper relation and proportion to one another based upon the significant site activities undertaken by the LGBTQ community over the course of its period of historic association. Specifically, the Sketch Plan will label significant interior spaces that were used by Albert Bell and the various important LGBTQ community groups that used the property.
- d. Once the HABS documentation is deemed complete, one set of all original HABS documentation shall be submitted for archival storage to each of the following: the California Room of the City of San Diego Public Library, the San Diego History Center, and the City of San Diego HRB.

2. *Interpretative Display.* Prior to issuance of the first building permit, the Owner/Permittee shall work with the San Diego Lesbian, Gay, Bisexual, and Transgender Community Center, The Center and/or the Lambda Archives to create a metal plaque or display, featuring a QR barcode link to online interpretive material outlining the historical events and activities associated with the former community spaces and occupants of the 3780 Fifth Avenue building. The online material shall include site drone flyover footage and a 3D walk through of the onsite buildings, as well as relevant portions of the oral history project outlined in Mitigation Measure 3. The historical interpretive material shall be developed and displayed as follows:

- a. The Owner/Permittee shall submit a plan showing the location, size and content of the interpretive display to be placed proximate to the new sidewalk frontage at 3870-3786 Fifth Avenue. The location, size and content of the interpretative display shall be presented to the HRB's Design Assistance Sub-Committee (DAS) as an advisory item for input. Staff will be responsible for reviewing and approving the location, size, and content used for the display. Upon request, the interpretive material shall be made available to schools, museums, archives and curation facilities, libraries, nonprofit organizations, the public, and other interested agencies. Prior to issuance of the certificate of occupancy, the display shall be installed by the Owner/Permittee at the site

in the approved location. The Owner/Permittee shall be responsible for funding and implementing long-term management and maintenance of the display in perpetuity.

3. *Oral History.* The Owner/Permittee shall work with the Lambda Archives and a qualified Historical Documentarian, well-versed in LGBTQ history, and the familiarity with the LGBTQ Community/Albert Bell Building, to fund an oral history project involving the community members who participated in the previous organizations which operated on site that were important to its significance. Documentation of the establishment of the oral history project fund and a plan for use of the funds will be submitted to staff prior to the certificate of occupancy.

PEIR PALEO 6.10-1 Monitoring for paleontological resources is required during construction activities and shall be implemented as follows:

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 of San Diego 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 OSHA 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 (CSVR). The CSVR's 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 8AM on the next business day.
 - b. Discoveries - All discoveries shall be processed and documented using the existing procedures detailed in Sections 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 8AM 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 Construction Manager 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.

VII. SIGNIFICANT UNMITIGATED IMPACTS

The UCP Program EIR No. 380611/SCH No. 2016061023 (PEIR) indicated that significant impacts related to traffic/circulation, noise, historical resources and paleontological resources would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the Community Plan would result in cumulatively significant traffic/circulation impacts, which would remain significant and unmitigated after the imposition of feasible mitigation. Because there were significant unmitigated impacts associated with the original project approval, the decision maker was required to make specific and substantiated CEQA Findings, which stated: (a) specific economic, social, or other considerations which make infeasible the mitigation measures or project alternatives identified in the FEIR, and (b) the impacts have been found acceptable because of specific overriding considerations and adopt a Statement of Overriding Considerations. Given that there are no new or more severe significant impacts that were not already addressed in the PEIR, new CEQA Findings and Statement of Overriding Considerations are not required.

The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified PEIR.

VIII. CERTIFICATION

Copies of the addendum, the certified PEIR, the **Mitigation Monitoring and Reporting Program**, and associated project-specific technical appendices, if any, may be reviewed by appointment in the office of the Development Services Department, or purchased for the cost of reproduction.

Courtney Holowach

Courtney Holowach, Associate Planner
Development Services Department

11/17/22

Date of Final Report

Analyst: Holowach

Attachments:

Figure 1: Regional Location

Figure 2: Project Location on Aerial Photograph

Figure 3: Project Site Plan

Environmental Impact Report No. 380611/SCH No. 2016061023

IX. REFERENCES

Baranek Consulting Group

2022 Waste Management Plan 5th Avenue Mixed Use Project. September.

City of San Diego

2022 Transportation Study Manual. September 18.

2015 Climate Action Plan. December

2009 Very High Fire Hazard Severity Zone Map.

DFH Architects

2022a Climate Action Plan Consistency Checklist.

2022b No FAA Notification Self-Certification Agreement. May 11.

Labib Funk + Associates

2022a Hydrology & Drainage Report for 5th Avenue, 3774 5th Avenue, San Diego, CA 92103. August 12.

2022b Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) for 3774 5th Avenue. August 11.

2022c Sewer Utility Study for 3774 5th Avenue, San Diego, CA 92103. August 12.

2022d Water Utility Study for 3774 5th Avenue, San Diego, CA 92103. August 18.

Linscott, Law, & Greenspan (LLG)

2022 Transportation Impact Analysis - VMT, Fifth Avenue Mixed-Use, San Diego, California. September.

Moomjian, Scott

2022 Historical Resource Technical Report for the LGBTQ Community/Albert Bell Building, 3780-3786 Fifth Avenue, San Diego, California 92103. September.

Partner

2022a Geotechnical Report Addendum – Letter to Planning, Fifth Avenue Mixed-Use Development. May 13.

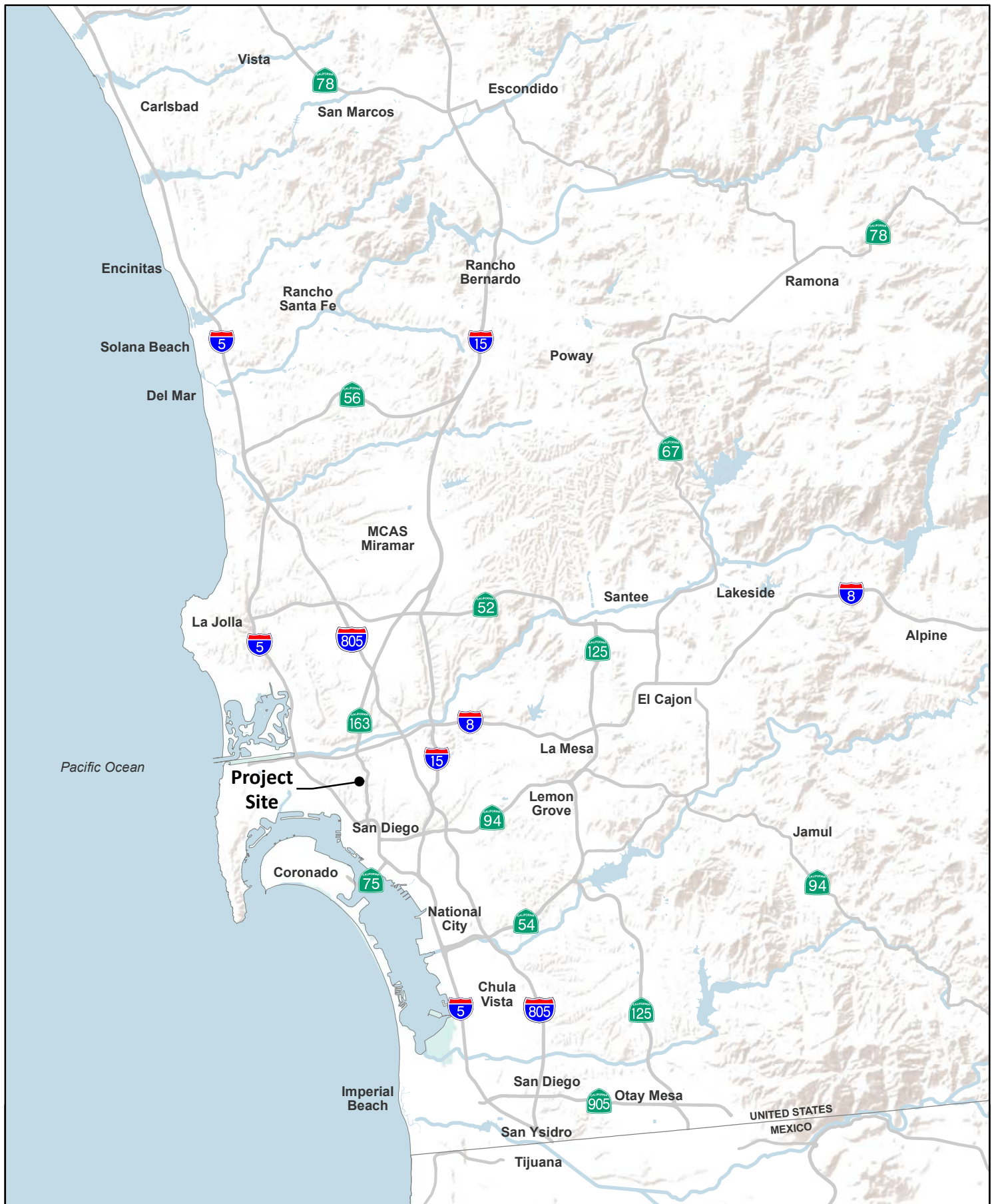
2022b Supplemental Infiltration Testing – Addendum No. 1. Fifth Avenue Mixed-Use Development. September 23.

2021a Geotechnical Report, Fifth Avenue Mixed-Use Development. October 25.

2021b Phase II Subsurface Investigation Report. October 19.

San Diego County Regional Airport Authority Airport Land Use Commission

2014 San Diego International Airport Land Use Compatibility Plan. April, amended May 1.



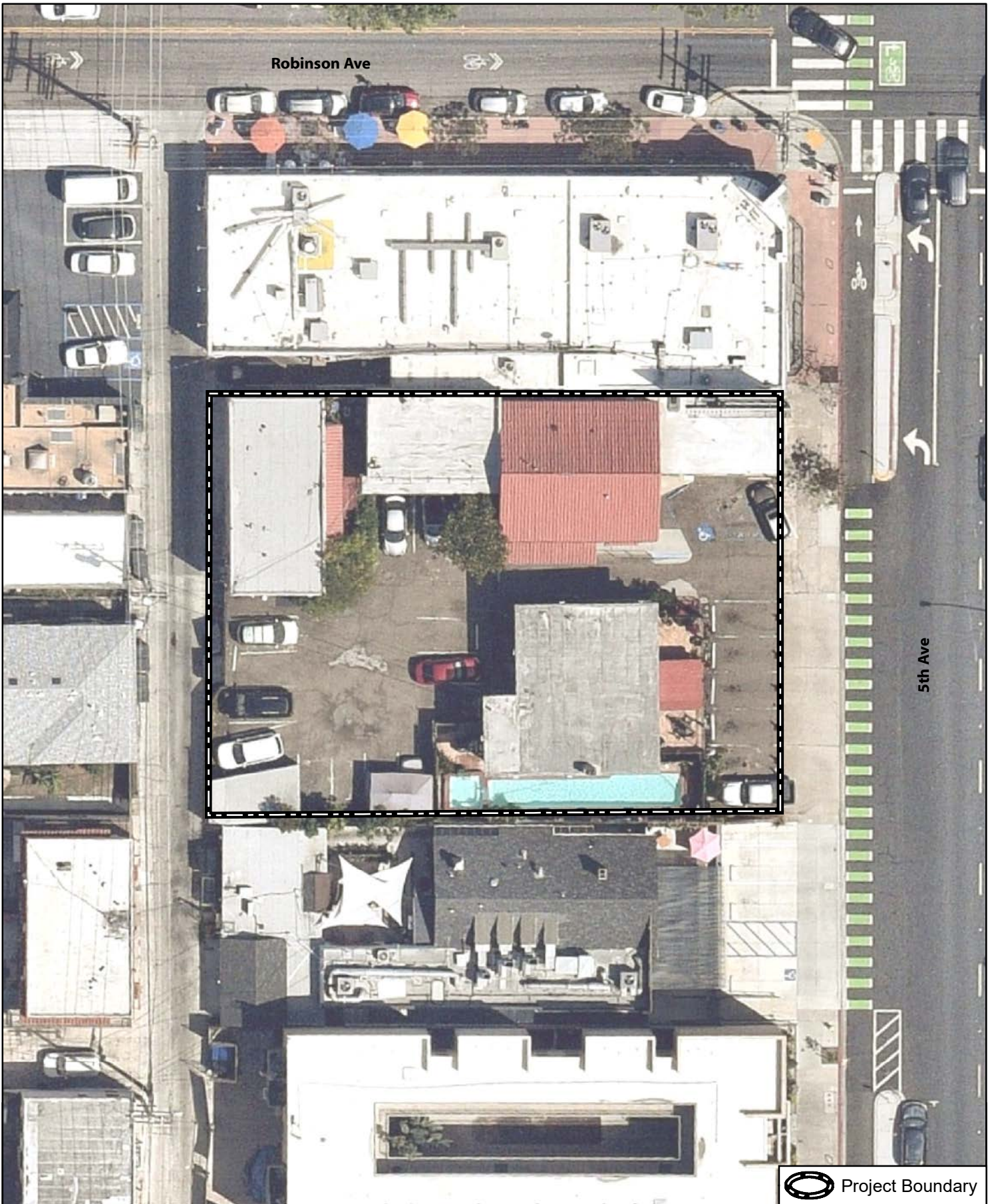
Sources: Esri, USGS, NOAA



Figure 1

Regional Location

5TH AVENUE MIXED USE PROJECT



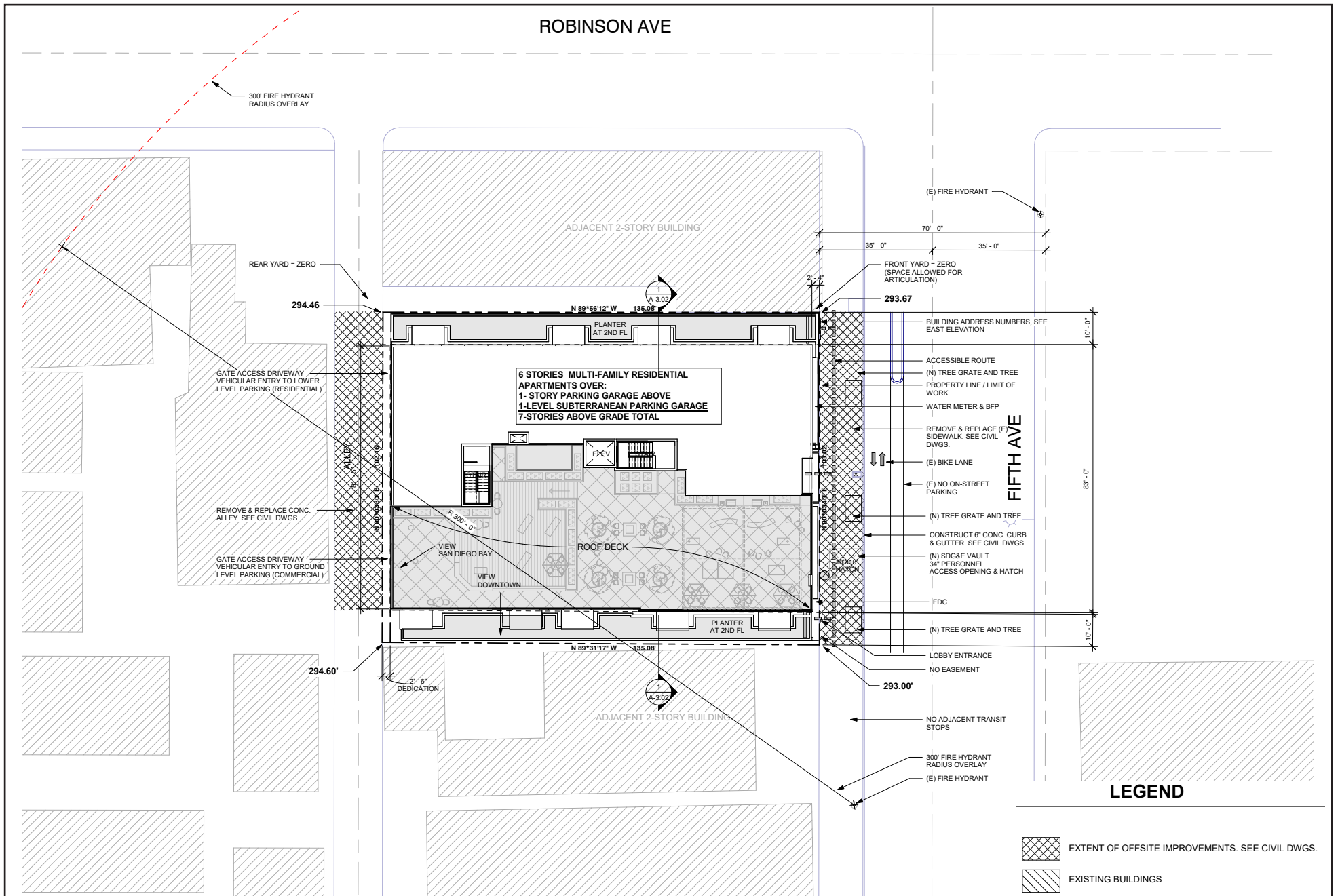
Aerial Photo: Nearmap 2022



Project Location on Aerial Photograph

5TH AVENUE MIXED USE PROJECT

Figure 2

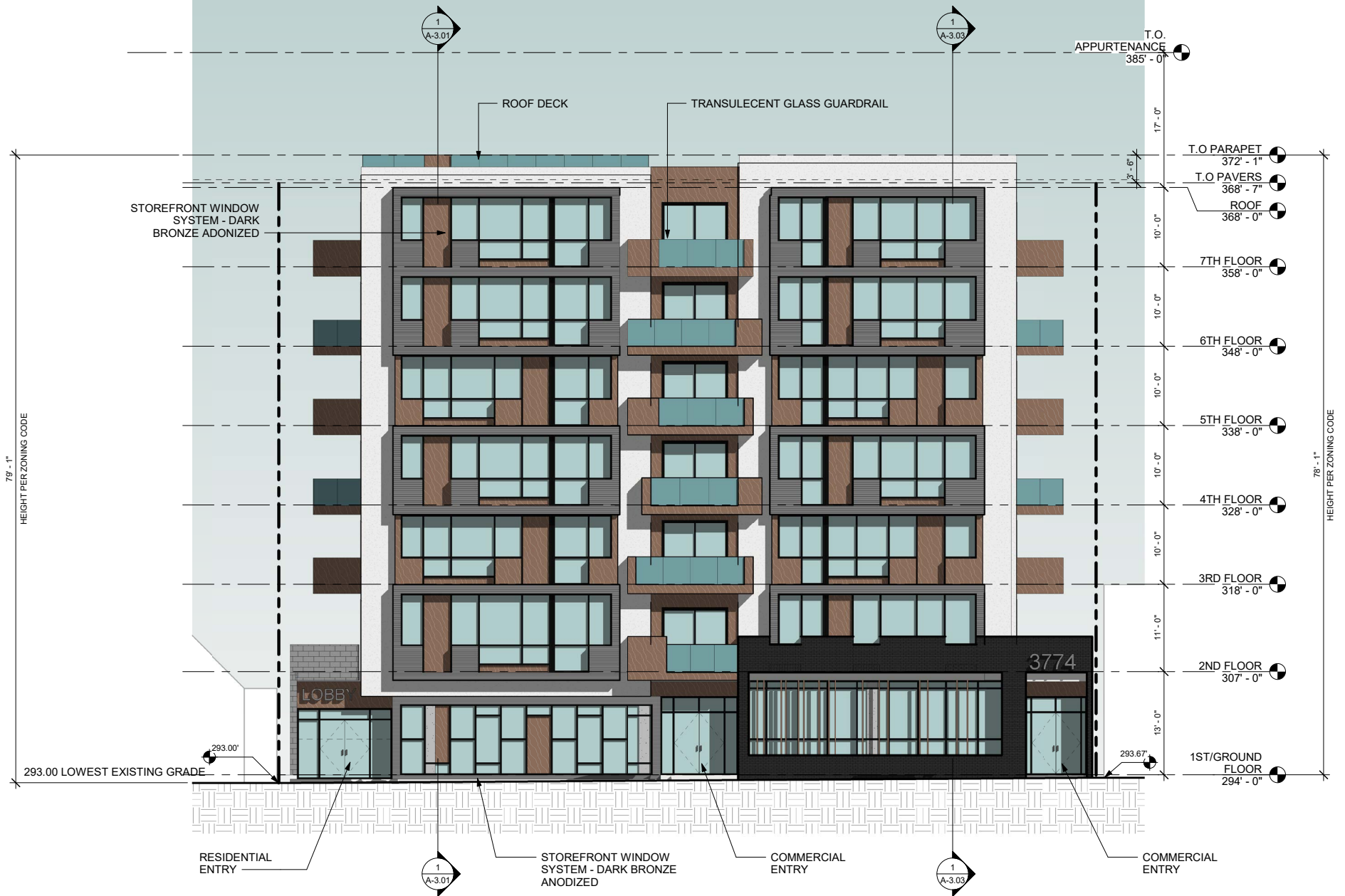


Source: DFH Architects 2022

Figure 3

Project Site Plan

5TH AVENUE MIXED USE PROJECT



Source: DFH Architects 2022

Figure 4

Architectural Façade

5TH AVENUE MIXED USE PROJECT