

**DRAFT CANDIDATE FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE JUNIPERS PROJECT**

SCH No. 2018041032

Project No. 586670

January 2021

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SECTION I: INTRODUCTION

I. PROJECT DESCRIPTION

A. Project Background

The Junipers Project ("Project") entails the redevelopment of a 112.3-acre site currently encompassing an inactive golf course and five tennis courts. The Project site is located within the northeast portion of the City of San Diego's Rancho Peñasquitos Community Plan (RPCP) area, which lies 17 miles north of downtown San Diego and 8 miles south of the City of Escondido. It is covered under an existing Conditional Use Permit (CUP) 87-0346, associated with the prior golf course use. The current Rancho Peñasquitos Community Plan Land Use Map designates the site as Open Space, while the specific map for the site's neighborhood (Glens) identifies the site as "Golf Course." Existing zoning is primarily Residential (RS-1-14.) A small area in the southeast portion of the site is zoned Commercial Visitor (CV-1-1) and was previously associated with the former Hotel Karlan property.

The Project site is immediately west of Interstate 15 (I-15), north of Carmel Mountain Road, and east of Peñasquitos Drive. Surrounding land uses include single- and multi-family residential to the west and north, and a recently closed hotel (Hotel Karlan) to the south. Residential uses are primarily low-density single-family detached to the north and west, with multi-family residences to the northwest and southwest. Farther to the west is the Black Mountain Open Space Park. To the east across I-15 are commercial shopping centers and office buildings. The runway for Marine Corps Air Station (MCAS) Miramar is situated approximately 7 miles south of the Project site along Miramar Road.

The Carmel Highland Golf Course was constructed in the 1960s and began operations in 1967 as the Rancho Peñasquitos Golf Course. The golf course was closed in 2015, due to reduced golf course usage and higher water costs. There is currently no active land use on the site.

Topography on the site ranges from approximately 750 feet above mean sea level (AMSL) at the extreme northern corner of the Project site to approximately 620 feet AMSL at the central eastern portion of the Project site. The site is mapped primarily as ornamental, developed, or disturbed vegetation communities. The site drains into an existing man-made ditch which extends along the northeastern and eastern portions of the Project site. The channel is earthen-bottomed for its northern extent, but transitions to being concrete-lined before connecting to an off-site storm drain system that continues under I-15. All flows are ultimately conveyed into Peñasquitos Creek.

B. Project Objectives

The primary goals and objectives of the Project are to:

1. Address the City's housing supply needs by providing an expanded residential footprint which includes both for-sale market rate and for rent affordable age-qualified (55+) residences.
2. Provide a diversity of housing opportunities and include 15 percent affordable housing rental units on site.
3. Provide compact infill residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood with access to services;
4. Construct and maintain a multimodal circulation system for vehicles, bicycles, and pedestrians to enhance accessibility and support active transportation and public transit use;
5. Provide a new public community-accessible park and provide public access to certain on-site private parks and trails to create a connected trail system for additional public recreational opportunities and to promote general community-wide health and wellness;
6. Reconstruct the on-site drainage as a natural drainage feature with native and wetland species, resulting in a gain in native habitat;
7. Provide solar panels on 100 percent of the Project's for-sale and affordable housing structures;
8. Improve emergency access and enhance egress routes on and off site; and
9. Provide electric vehicle (EV) charging stations and a centralized mobility area to support multi-modal transportation options, ride-sharing, and informational kiosks to support walking, cycling and transit use.

C. Junipers Project Description

The Project would entail the redevelopment of the 112.3-acre site with up to 455 for-sale, age-restricted (55+) residential units and 81 for-rent, affordable, age-restricted housing units (536 units total), a public park, a private park and social loop trail with public recreation easements, and other private parks and usable open space. The proposed vesting tentative map (VTM) and Planned Development Permit (PDP) would subdivide the site into a total of 13 lots: 5 residential lots (including 4 for-sale lots and 1 for-rent affordable lot), 7 park and open space lots, and 1 lot designated for private driveways. The Project would also require a community plan amendment (CPA) to redesignate land use from Open Space - Golf Course to Low-Medium Density Residential and rezone from the existing RS-1-14 and CV-1-1 zones to RM-1-1 (lower density multiple dwelling unit with some characteristics of single dwelling unit for market rate development) and RM-3-7 (medium density multiple dwelling units for affordable housing) residential zones and OR-1-1 and OP-1-1 open space zones. A

Community Plan Implementation Overlay Zone (CPIOZ) is proposed for the Project site, to limit future development to no more than 536 units. Should a new PDP be processed, new discretionary review would be required. In addition, rescission of existing CUP 87-0346 that covered the prior golf course use is required.

The Project's for-sale residential housing unit types include 133 50x90 single detached units, 136 duplex units, and 186 six-plex units for a total of 455 for-sale residential units. All single detached units would be one to two stories high, with floor plans ranging from 1,738 to 2,527 square feet (SF), including three or four bedrooms and two to three bathrooms. While the proposed zoning would allow for a 30-foot structure height, the maximum height for the single-story units is planned to be 21 feet 6 inches, and the maximum height for the two-story units is planned to be 28 feet 7 inches.

Duplex units would range from 1,946 to 2,106 SF, with 3 bedrooms and 2 or 2.5 bathrooms each. These structures would all incorporate two-story elements. The maximum allowable height is 30 feet. The proposed maximum height is 27 feet 10 inches. The six-plexes would range from 1,199 to 2,240 SF, with 2 to 4 bedrooms and 2 to 3 bathrooms each. Six-plex one-story units would have a maximum height of 20 feet, 11 inches and two-story units would reach a maximum of 26 feet, 9 inches high.

For-rent, affordable housing units account for 15 percent of the total proposed units on the site at 81 units. The units would be one- and two-bedroom apartment homes. The structure is anticipated to be three stories ranging up to just under 40 feet in height (39 feet, 11 inches). The RM-3-7 zone would allow building heights of up to 40 feet. Incorporation of these income-restricted units would exceed the Project's affordable housing obligation, consistent with the City's inclusionary housing policies as required in the San Diego Municipal Code (SDMC) Chapter 14, Article 2, Division 13, the Inclusionary Housing Ordinance. Additionally, a variance from the Inclusionary Affordable Housing Regulations to address comparable bedroom mix requirement between affordable and market rate units is part of the discretionary actions of the Project.

Sustainable design elements implemented throughout the Project include features, techniques, and materials to reduce energy demand, water and resource consumption, and environmental waste, and to generate renewable energy on site. These elements include: water savings through use of native and drought-tolerant plant species, hydrozoning, use of high-efficiency irrigation technology, and fully-automatic, weather-based irrigation controllers; strategic placement of trees to provide shade and cooling and use of light-colored stone pavers to reduce heat absorption; heat-reflective roofing; use of grasscrete, permeable pavers, and other methods to reduce surface runoff; rooftop photovoltaic (PV) solar system); pre-wiring (i.e., cabinets and conduits provided for future wiring) of 37 spaces for the future installation of EV charging stations, with 50 percent of that number (19 spaces) to be active vehicle charging stations consistent with the City Climate Action Plan, and provision of EV-ready pre-wiring in all 455 market-rate residential garages (exceeding requirements by 419 spaces). These elements are implemented to minimize electrical draw and emissions; increase transit accessibility as discussed below; divert between 70 and 90 percent of construction/demolition debris and over 50 percent of operational waste from landfills; reduce electricity consumption through use of energy-conserving lighting; and restrict number and type of fireplaces (natural gas only, and only in the 133 single detached

units with 4 additional natural gas fireplaces in and around the Clubhouse) to lessen impact on timber resources and fire-related emissions.

A Fire Protection Plan (FPP) and Wildland Fire Evacuation Plan have been prepared for the Project, which would become Homeowners Association (HOA) documents. All new structures would be constructed to ignition-resistant standards that exceed the SDFRD Fire Code, including requirements of the CBC Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure," and CFC Chapter 49 "Requirement for Wildland-Urban Interface Areas." These requirements address roofs, eaves, exterior walls, vents, appendages, windows, and doors, and result in hardened structures that have been proven to perform at high levels (resist ignition) during the typically short duration of exposure to burning vegetation from wildfires. In addition, the Project would include fire-resistive landscaping. The Community HOA would oversee enforcement of fire-safe landscaping, ensure continued incorporation and maintenance of fire-resistive building materials, and provide for continued education of residents regarding evacuation plans. Improvements to on- and off-site emergency access/egress options to/from Del Diablo Way, Carmel Mountain Road, and Andorra Way/Corte Raposo would serve the entire Glens community, including the Project.

The Project would construct a public park accessed by Janal Way for use by Project residents and other members of the public. This public park would provide approximately 2.87 net usable acres of parkland. The land set aside for public park would be dedicated to and maintained by the City. The public park includes a dog run area, children's play areas, picnic and game areas, bike racks, and a large turf area. In addition to the proposed public park, the Project includes an HOA-owned and maintained 0.52-acre private park and 2.75-mile social loop trail that would have public access easements. With the easements in place, members of the public and the larger Glens community also would be permitted to access these facilities. The private mobility zone park with a recreation easement would incorporate sport courts and a mobility zone and bicycle hub. These uses would promote bicycling, walking, transit, and carpooling. The mobility zone is proposed to include a drop-off/pickup area for rideshare, carpool and similar purposes; signage regarding transit options and schedule; and shaded seating areas. The bicycle hub is proposed to include bicycle racks (14 spaces), pneumatic air pressure facilities, bike stands with tethered repair tools, outdoor day use lockers and two bike vending kiosks, a staging area for shared scooters and ebikes with posted user information, and posted information regarding local and regional streets and trails showing bike routes.

This would tie directly into off-site multimodal connections. The site is within 2,000 feet of existing east- and west-bound bus stops adjacent to Carmel Mountain Road and is located regionally between the Sabre Springs Transit Center and the Rancho Bernardo Transit Station. The Project also provides a network of on-site trails that connect to Project amenities, as well as providing non-vehicular access routes that connect to off-site bicycle and pedestrian routes. The social loop trail noted above would connect to Peñasquitos Drive, Del Diablo Way (pedestrians may pass through bollards at this emergency access point), and Carmel Mountain Road; and thereby would provide easy access to the loop for residents of the Glens. Project residents would connect to the perimeter trail via internal

private sidewalks or DG pathways. Class II bike lanes are also proposed, connecting Peñasquitos Drive and Carmel Mountain Road through the Project.

Primary vehicular access to the Project, as well as fire and emergency access, would be from a new driveway, connecting to Janal Way at the intersection of Janal Way with Peñasquitos Drive, to form a new four-way intersection designed as a traffic-calming roundabout. A secondary right-in only access point from Carmel Mountain Road would be provided to the southern portion of the Project. Additionally, a traffic signal is proposed by the Project at the intersection of Peñasquitos Drive/Cuca Street/Hotel Karlan driveway. These two intersection designs have been incorporated into the Project design to mitigate the traffic impacts of the Project. A right-turn-in only access to the site from Carmel Mountain Road is also proposed. Internal connections within the Project site would be provided with privately maintained driveways and pathways.

The access point driveway from Carmel Mountain Road would capture the majority of the trips from points east and minimize additional Project trips on Peñasquitos Drive. It also would provide emergency-only egress, through an emergency personnel-operated RF (radio frequency) gate, and a mountable median with delineators in the median center. Emergency vehicles would thus be able to turn right or left, into or out of the development, and this route also could be opened by emergency personnel in the event of an emergency evacuation. The Project also proposes a road widening on Carmel Mountain Road for the deceleration lane, which would result in a 315-foot long deceleration lane plus a 90-foot long bay taper for a total of 405 linear feet. This lane would not extend to the I-15 southbound ramps intersection and would not affect the traffic signal; however, it would be necessary to make improvements in both City and California Department of Transportation (Caltrans) right-of-way (ROW). The Project would provide a Class II buffered bike lane and non-contiguous sidewalk along this section of Carmel Mountain Road.

Two intersection improvements are based on Project mitigation and have been incorporated into Project design. A new four-way intersection designed as a traffic-calming roundabout occurring within the public road right-of-way and a portion of the Project site, would be located at Peñasquitos Drive and Janal Way, as noted above. The roundabout would provide single-lane approaches on all sides with a single circulating lane, consistent with the existing cross-section of Peñasquitos Drive. Bicyclists in the existing buffered bike lanes would merge into the auto lane and navigate the roundabout as would a vehicle, returning to the bike lane thereafter. The radii, width, and hardscape to retain line-of-sight of the roundabout would meet design requirements for emergency vehicle usage. In addition, a traffic signal is proposed at the intersection of Peñasquitos Drive and Cuca Street to mitigate both Project impacts and a currently failing condition. The traffic signal would be consistent with the existing cross-section of Peñasquitos Drive, providing left-turn lanes with protected phasing on Peñasquitos Drive.

An existing man-made ditch trends through the eastern portion of the site. This does not qualify as a City wetland, but is subject to the jurisdiction of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and California Regional Water Quality Control Board as a non-wetland Waters of the U.S./Waters of the State. Impacts to this jurisdictional feature would be mitigated through on-site reestablishment of the drainage, off-site creation or preservation of wetland habitat, and/or purchase of wetland credit within

a mitigation bank, subject to permit approvals by the noted resource agencies (currently under review by the resource agencies, with final issuance requiring completion of the CEQA process through EIR certification). Project plans addressed in the EIR reflect the proposed on-site mitigation currently under resource agencies review. As proposed, the drainage would be reestablished along the eastern perimeter of the site and enhanced with native wetland habitat, such as southern willow scrub, mule fat scrub, and baccharis scrub. Only non-invasive landscape species would be permitted adjacent to this biology mitigation area.

Approximately 12,250 feet of retaining walls are proposed around the site perimeter, with heights of up to 12 feet, to support Project slopes and protect certain utilities in place, including an SDG&E north-to-south gas transmission line and existing underground AT&T distribution line. Other existing utilities on site would be vacated or retained and realigned to occur within Project streets. Approximately 820,000 cubic yards of cut and fill are anticipated during Project grading, and little to no import or export of graded material is anticipated.

The Project would comply with applicable laws and regulations (e.g., the Migratory Bird Treaty Act [MBTA] addressing nesting birds, California Department of Fish and Game Code, the City's MSCP Subarea Plan, landscape water use requirements [Chapter 14, Article 2, Division 4] and the California Model Water Efficient Landscape Ordinance [MWEL0], International Building Code/California Building Code, and Title 24 energy efficiency standards, etc.). It also includes construction traffic control plans (TCPs) as incorporated design features. The TCPs would be reviewed and determined to be satisfactory to the City Engineer prior to construction activities for the Project. Construction activities also would comply with San Diego Municipal Code Section 59.5.0404 regarding restricted construction hours.

II. DISCRETIONARY ACTIONS

The Final Environmental Impact Report (FEIR) is intended to provide documentation pursuant to CEQA to cover all local, regional, and state permits and/or approvals that may be needed to implement the Project.

Implementation of the Project would require the following discretionary approvals from the City:

- Vesting Tentative Map (VTM)
- General Plan Amendment (GPA)/ Community Plan Amendment
- Rezone
- Community Plan Implementation Overlay Zone (CPIOZ)
- Planned Development Permit (PDP)
- Rescind Conditional Use Permit 87-0346, associated with the prior golf course use.
- Sewer Easement Vacation

- Variance to Bedroom Equivalency Requirements in the City of San Diego Inclusionary Housing Guidelines.

Permits/Discretionary Approvals required by other agencies and entities:

- Streambed Alteration Agreement - California Department of Fish and Wildlife (CDFW)
- Section 404 Nationwide or Individual Permit - U.S. Army Corps of Engineers (USACE)
- Section 401 Certification - Regional Water Quality Control Board (RWQCB)
- National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit Compliance - City of San Diego and RWQCB
- NPDES General Construction Activity Permit for Stormwater Discharges Compliance - RWQCB and State Water Resources Control Board (SWRCB)
- MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Consistency Determination - San Diego County Regional Airport Authority
- ROW Encroachment Permit - Caltrans
- Relocation of SDG&E gas distribution lines and regulating facilities
- Relocation of AT&T underground telecommunication easements

SECTION II: ENVIRONMENTAL REVIEW PROCESS

The City of San Diego (City) is the lead agency conducting environmental review under the California Environmental Quality Act (CEQA; California Public Resources Code Sections 21000, *et seq.*, and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, Sections 15000, *et seq.* (CEQA Guidelines). The City as lead agency is primarily responsible for carrying out the Project. In compliance with Section 15082 of the CEQA Guidelines, the City published an initial Notice of Preparation on April 10, 2018, which began a 30-day period for comments on the appropriate scope of the Project EIR. Consistent with Public Resources Code Section 21083.9, the City held a Scoping Meeting on April 18, 2018. The purpose of this meeting was to seek input and concerns from public agencies as well as the general public regarding the environmental issues that may potentially result from the Project.

Pursuant to CEQA Guidelines Section 15084(d)(3), HELIX Environmental Planning, Inc. prepared and submitted environmental documents to the City on behalf of the applicant. The City reviewed and approved the Draft EIR (DEIR) for public circulation. The City posted a Notice of Availability of the DEIR pursuant to CEQA Guidelines Section 15087. The DEIR was circulated for 45 days for public review and comment beginning on February 19, 2020 and ending on April 6, 2020. After the close of public review, the City prepared the FEIR, which provided responses in writing to all comments received on the DEIR. The FEIR, which was published in January 2021 has been prepared in accordance with CEQA.

The FEIR addresses the environmental effects associated with implementation of the Project. The FEIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Project. The FEIR addresses the potential significant adverse environmental impacts associated with the Project, and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts.

The FEIR is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program (MMRP) for the Project. All Project impacts would be mitigated to less than significant through implementation of the MMRP. No impacts would remain significant and unmitigated.

The City, acting as the Lead Agency, certifies with these Findings that the FEIR reflects the City's own independent judgment and analysis under Public Resources Code Section 21082.1(a)-(c) and CEQA Guidelines Section 15090(a)(3).

I. RECORD OF PROCEEDINGS

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

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the Project;
- All responses to the NOP received by the City;
- The FEIR;
- The DEIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR;
- All responses to the written comments included in the FEIR;
- All written and oral public testimony presented during a noticed public hearing for the Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The reports and technical memoranda included or referenced in any responses to comments in the FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of the DEIR and FEIR;
- Matters of common knowledge to the City, including, but not limited to, federal, state, and local laws and regulations;

- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Office of the City Clerk, 202 C Street, 2nd Floor, San Diego, California 92101. This information is provided in compliance with CEQA Guidelines Section 15091(e).

Copies of the document that constitute the record of proceedings are on the City's website and at all relevant times have been available upon request at the offices of the City's DSD. The DEIR was also placed on the City's website at www.sandiego.gov/city-clerk/officialdocs/public-notice, and the FEIR was placed on the City's website at www.sandiego.gov/final. This information is provided in compliance with the Public Resources Code 21081.6(a)(2) and State CEQA Guidelines 15091(e).

SECTION III: FINDINGS

I. INTRODUCTION

CEQA states that no public agency shall approve or carry out a Project which identifies one or more significant environmental impacts of a Project unless the public agency makes one or more written findings for each of those significant effects, and, in the case of impacts that have not been mitigated to less than significant, that findings are accompanied by an overriding justification and rationale for each (no significant and unmitigated impacts would occur for the Project; all significant impacts would be mitigated to less than significant). The possible findings are:

- Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the Final FEIR.

(Pub. Res. Code, § 21081; CEQA Guidelines, §15091)

CEQA requires that the lead agency adopt mitigation measures or alternatives where feasible to avoid or lessen significant environmental impacts that would otherwise occur with the implementation of a project. Project mitigation or alternatives are not required, however, when they are infeasible or when the responsibility for modifying a proposed project lies with another agency (CEQA Guidelines, §15091[a][b]). For those significant

impacts that cannot feasibly be reduced to a less than significant level, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefit of a proposed project outweighs the significant effects on the environment (Pub. Res. Code, §21081 [b]; CEQA Guidelines, §15093). If such findings can be made, the CEQA Guidelines state that “the adverse environmental effects may be considered acceptable” (CEQA Guidelines, §15093). As noted, no significant and unmitigated impacts were identified for the Project.

CEQA also requires that the Findings made pursuant to Section 15091 be supported by substantial evidence in the record, meaning enough relevant information has been provided, including reasonable inferences that may be made from this information, to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts. (CEQA Guidelines, § 15384.)

The Findings reported in the following pages incorporate by reference the facts and discussions of the FEIR, and summarize pertinent sections of the Project FEIR and relevant information, including the responses to comments. For each of the significant impacts associated with the Project, the following discussion is provided:

- *Impact or Description of Significant Effects:* The specific impact being addressed by the Finding.
- *Finding:* Specific description of the environmental effects identified in the FEIR, including a conclusion regarding the significance of the impact. One or more of the three specific findings set forth in CEQA Guidelines Section 15091.
- *Mitigation Measures:* Identifies feasible mitigation measures in the FEIR or actions, that are required as part of the Project.
- *Rationale:* A summary of the reasons for the Finding(s).
- *Reference:* A notation on the specific section in the FEIR that includes the evidence and discussion of the identified impact.

II. ENVIRONMENTAL EFFECTS FOUND NOT SIGNIFICANT DURING PROJECT SCOPING

The Council of the City of San Diego hereby finds that the Project would not have the potential to cause significant impacts associated with the impact categories outlined below. These findings are based upon initial study environmental review where the City determined that the Project would not have the potential to cause significant impacts associated with the following issue areas:

- Agriculture and Forestry Resources
- Mineral Resources
- Paleontology
- Population and Housing
- Schools

III. ENVIRONMENTAL IMPACTS ANALYZED IN FEIR THAT ARE LESS THAN SIGNIFICANT AND DO NOT REQUIRE MITIGATION

The Council of the City of San Diego hereby finds that direct and cumulative environmental impacts in the following areas would be less than significant. Pursuant to CEQA Guidelines section 15091(a) written findings by the public agency are only required for each of the significant effects identified in the FEIR. For those areas not addressed in Sections IV, V, VI and VII of these Findings, no significant impact was determined in the FEIR. These Findings are based on the analyses conducted for the Project as described in Section 5.0 of the FEIR, which are incorporated by reference herein to these Findings.

The City, as the Lead Agency, prepared an EIR and found no significant impacts would occur in the following areas, with no mitigation required:

- Land Use (inconsistency/conflict with the environmental goals, objectives, or guidelines of the General/Community Plan; deviation or variance resulting in a physical impact on the environment; and incompatibility with the City Noise Element, or an adopted ALUCP)
- Transportation (potential for traffic congestion related to construction, traffic load and capacity of street segments, or traffic added to any congested freeway segment, interchange or ramp; conflict with planned transportation systems; traffic hazards to motor vehicles, bicyclists, or pedestrians; and conflict with adopted policies, plans, or programs supporting alternative transportation modes)
- Visual Effects/Neighborhood Character (blockage of public views to scenic vistas; creation of a negative aesthetic site or project; impacts to neighborhood character relative to incompatibility to surrounding development or substantial alteration to existing or planned character of the area; substantial change to existing landform, and generation of substantial light or glare)
- Noise (exposure to operational or construction noise, creation of a significant permanent increase in ambient noise levels, and vibration)
- Air Quality (Air Quality Management Plan Consistency, criteria pollutant emissions, exposure of sensitive receptors to substantial pollutant concentrations, and exposure to objectionable odors)
- Greenhouse Gas Emissions (generation of GHGs and Climate Action Plan consistency)
- Energy (potential for wasteful energy use)
- Biological Resources (sensitive species and habitats including plant species, City Environmentally Sensitive Lands [ESL] wetlands, sensitive vegetation communities (excludes jurisdictional streambed/non-vegetated wetlands addressed below), raptor foraging, nesting western bluebird and Cooper's hawk, or nesting birds in general)

[including raptors]; wildlife corridors; and conflict with local policies or ordinances protecting biological resources)

- Hydrology/Water Quality (increase in impervious surfaces and runoff, drainage alteration, development within a floodplain/resulting in flood hazard, increase in pollutant discharge and effects on waters quality)
- Geology and Soils (potential for geologic instability, erosion and sedimentation, and geologic hazards)
- Historical and Tribal Cultural Resources (structures)
- Public Utilities (need for construction of new water, sewer or solid waste management systems or substantial alterations to existing utilities resulting in physical impacts)
- Public Services and Facilities (potential for inadequate public service facilities related to police, fire, libraries, and park and recreation facilities)
- Health and Safety (fire risk, emergency response/evacuation, airport hazards)

References: FEIR, § 5.1.2 and 5.1.3, 5.2.2 through 5.2.4, 5.3.2 through 5.3.6, 5.4.2 through 5.4.4, 5.5.2 through 5.5.5, 5.6.2, 5.7.2, 5.8.2 through 5.8.5, 5.9.2 through 5.9.5, 5.10.2 through 5.10.4, 5.11.2, 5.12.2, 5.13.2, and 5.14.3 through 5.14.5.

IV. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The Council of the City of San Diego, having reviewed and considered the information contained in the FEIR, hereby finds pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1) that the following potentially significant impacts would be less than significant after implementation of the specified mitigation measures. These findings are based on the discussion of impacts in Sections 5.0 of the FEIR, incorporated by reference herein, and as more fully described below.

The draft FEIR concludes that the Project would result in less than significant environmental impacts with implementation of mitigation measures with regard to:

- Transportation/Circulation (intersection capacity)
- Biological Resources (jurisdictional streambed/unvegetated waters)
- Historical and Tribal Cultural Resources (potential for unknown buried resources)
- Health and Safety (potential for contaminant exposure during construction/operations)

Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.

A. Transportation

Impact: Potential for Traffic Congestion

Issue 1: Would the Project result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?

Issue 3: Would the Project have a substantial impact upon existing or planned transportation systems?

(a) Finding

Significant direct and cumulative impacts would occur at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections under the Existing Conditions Plus Project, Near- Term Plus Project, and Year 2050 Plus Project scenarios.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures TRA1 and TRA2, these impacts would be less than significant.

(b) Mitigation Measures

TRA-1: Traffic Signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway Intersection Prior to issuance of the first building permit, Owner/Permitee shall assure by permit and bond the construction of a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes with protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches, satisfactory to the City Engineer. Improvements shall be completed and operational prior to the Project's first occupancy.

TRA-2: Roundabout at Peñasquitos Drive/Janal Way/Project Access Intersection Prior to issuance of the first building permit, Owner/Permitee shall assure by permit and bond the construction of a single-lane roundabout at Peñasquitos Drive/Janal Way/Project Access, satisfactory to the City Engineer. Improvements shall be completed and operational prior to the Project's first occupancy.

(c) Rationale

The trip generation for all 536 proposed housing units was calculated using the City of San Diego Trip Generation Manual (2003) trip generation rate for "Retirement/Senior Citizen Housing." Peak hour rates are not provided by the City's trip generation manual. The SANDAG (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (2002) was used to calculate the peak hour trip generation.

The Traffic Impact Analysis (TIA) prepared for the FEIR at Appendix B analyzed potential effects to study area intersections under Existing, Near-Term (Opening Day), and Horizon Year conditions, with and without the Project. The Project is forecasted to generate a total of

2,144 average daily traffic (ADT) with 107 trips during the AM peak hour (43 inbound/ 64 outbound) and 150 trips during the PM peak hour (90 inbound/ 60 outbound).

Trip distribution was based on the existing travel patterns in the area, the proximity of the Project land uses to complementary uses, proximity to I-15, the type of housing proposed, and general knowledge of the area. Residents of age-qualified housing include both retirees who would tend to avoid unnecessary peak hour trips and travel to a variety of local and regional destinations, and those still in the workforce whose travel patterns reflect that of a more typical commuter.

Based on the City significance criteria contained in FEIR Table 5.2-3 and the analysis methodologies described in the FEIR evaluation (and discussed in more detail in the Project Traffic Impact Analysis, LLG 2019), the Project would result in significant direct and cumulative impacts at two study area intersections, including Intersection #6, Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway, and Intersection #7, Peñasquitos Drive/Janal Way/Future Project Access. All other impacts would be less than significant and would not require mitigation measures.

The Existing Plus Project condition represents the effect of Project traffic on the existing street network at the time of traffic data collection (February 2018) without assuming either additional reasonably foreseeable development projects or additional road improvements in the baseline condition other than those proposed as part of the Project (i.e., the fourth leg of the Peñasquitos Drive/Janal Way intersection and the right-turn in only access and frontage improvements on Carmel Mountain Road). Anticipated trips associated with buildout of the Project were then distributed throughout the study area to determine the changes in operations for intersections and roadway segments.

Traffic generated by the Project was added to the existing traffic volumes to develop the Existing Plus Project volumes. Without including reasonably foreseeable development, or installation of a traffic signal at the intersection of Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and a roundabout at Peñasquitos Drive/Janal Way/Future Project Access, all intersections are calculated to continue to operate at LOS D or better except for Intersections #6 and #7.

Based on City significance criteria, Project-related increases in delay at Intersection #6 and Intersection #7 would result in significant impacts because both intersections would be degraded from LOS E and B, respectively, to LOS F and E, respectively. Intersection #11 would not be significantly impacted by the Project because the LOS grade would not change, and the allowable delay threshold of 2.0 seconds would not be exceeded.

The Near-Term Opening Day scenario adds traffic anticipated to be generated by three other nearby development projects in the near future, and then adds the traffic generated by the Project to develop the Near-Term Opening Day Plus Project volumes. This scenario assumes existing lane geometrics, except that the Near-Term Plus Project scenario includes additional road improvements as part of the Project (i.e., the fourth leg of the Peñasquitos Drive/Janal Way intersection and the right-turn in only access and frontage improvements on Carmel Mountain Road). The resulting conditions at intersections and roadway segments are shown

on FEIR Table 5.2-7. Intersections #6 and #7 continue to show a significant Project contribution to these cumulative impacts.

The Horizon Year volumes were obtained from the SANDAG Series 12 Year 2050 forecast traffic model to forecast the baseline traffic volumes representing the Horizon Year without Project conditions. The analysis assumes that no improvements to the study area street segments and intersections would occur by the Year 2050 and that the existing on-the-ground conditions would remain.

The net increase in traffic with the Project was added to the baseline Horizon Year traffic volumes to arrive at Horizon Year Plus Project conditions, as demonstrated on FEIR Table 5.2-9. Intersections #6 and #7 would have significant impacts in the Horizon Year Plus Project.

After mitigation measures TRA-1 and TRA-2 are applied, the above stated impacts would be less than significant. FEIR Tables 5.2-12 and 5.2-13 show the delay in both Near Term and Horizon Year scenarios with mitigation applied. Both intersections would operate at LOS A in both the AM and PM peak hours.

Reference: FEIR § 5.2.2

B. Biological Resources

Impact: Sensitive Species and Habitat

Issue 1: Would the Project result in a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by CDFW or USFWS?

Issue 2: Would the Project result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats, as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS?

(a) Finding

Construction of the Project would result in impacts to the man-made drainage feature that occurs within the eastern/northeastern portion of the Project site, which qualifies as a non-wetland Waters of the US/Waters of the State subject to USACE and RWQCB jurisdiction and a streambed habitat subject to CDFW jurisdiction. The Project would be required to notify the regulatory agencies of impacts to jurisdictional resources and would be required to implement any compensatory mitigation determined by those agencies.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measures

BIO-1: Impacts to 0.10 acre of USACE- and RWQCB-jurisdictional non-wetland waters of the U.S./State shall be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, re-establishment, rehabilitation, and/or enhancement of a minimum of 0.10 acre waters of the U.S./State; and/or off-site purchase of waters of the U.S./State credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the USACE and RWQCB. Impacts to waters of the U.S./State would require notification to the USACE for issuance of a Section 404 CWA permit and notification to the RWQCB for issuances of a Section 401 CWA permit from the RWQCB.

BIO-2: Impacts to 0.15 acre of CDFW-jurisdictional streambed will be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, reestablishment, rehabilitation, and/or enhancement of a minimum of 0.15 acre riparian and/or stream habitat; and/or off-site purchase of riparian and/or stream credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the CDFW. Impacts to CDFW-jurisdictional resources would require notification to the CDFW for a CFG Section 1602 Streambed Authorization Agreement.

(c) Rationale

A jurisdictional wetland delineation of the Project site was conducted by HELIX on March 9, 2018, and results are included in the FEIR Biological Resources Letter Report (HELIX 2019c) at FEIR Appendix F. The delineation was conducted to identify and map any water and wetland resources potentially subject to USACE, RWQCB, and/or CDFW jurisdiction. The delineation was also conducted to determine the presence or absence of wetlands characterized by the City as Environmentally Sensitive Lands (ESL).

The site supports a single jurisdictional feature in the form of a man-made ditch, which was identified as being subject to USACE, RWQCB, and CDFW jurisdiction. The ditch was created during grading and development of the prior on-site golf course in the 1960s. There are no areas within the Project site that meet the criteria to be considered City ESL wetlands. The on-site ditch is man-made and ephemeral in nature being fed primarily by urban runoff from the adjacent residential development and lacks sufficient hydrology to support significant and self-sustaining stands of wetland dependent vegetation. Despite the lack of native riparian habitat or

vegetation within the ditch, it qualifies as a non-wetland WUS/WS subject to USACE and RWQCB jurisdiction and a streambed subject to CDFW jurisdiction. Unavoidable impacts would occur to non-wetland waters of the U.S./State and CDFW jurisdictional streambed habitat in order to realign and enhance the existing man-made drainage ditch from its current configuration and disturbed condition. The realignment and enhancement activities would require permanent impacts to the existing ditch, including 0.10 acre of USACE/RWQCB-jurisdictional non-wetland waters of the U.S./State and 0.15 acre of CDFW jurisdictional streambed. Project impacts to the man-made ditch are shown in FEIR Figure 5.8-2, Vegetation and Jurisdictional Resources Impacts and quantified in FEIR Table 5.8-4, Jurisdictional Impacts and Mitigation, and incorporated herein by reference.

Reference: FEIR § 5.8.2

C. Historical and Tribal Cultural Resources

Impact: Historical and Tribal Cultural Resources

Issue 1: Would the Project result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a prehistoric site or historic building (including an architecturally significant building), structure, object, or site?

Issue 3: Would the Project result in the disturbance of any human remains, including those interred outside of formal cemeteries?

Issue 4: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(K); or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

(a) Finding

The potential exists for subsurface resources to occur on the subject property. If present and significant in nature, grading associated with the Project would result in a significant impact on these resources.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the

environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measure

Standard Mitigation Measure HIS-1 for Archeological Monitoring has been required and shown at FEIR section 5.11.2.4 and in Table S-1.

(c) Rationale

The Project is primarily located on the site of the former Carmel Highland Golf Course, which was constructed in the 1960s and began operations in 1967 as the Rancho Peñasquitos Golf Course. Substantial fill was placed on the site for the golf course development.

An archival search was completed for this Project at the SCIC in 2016. A total of 15 recorded archaeological/historic sites (sites) and 2 isolated finds not associated with an intact resource deposit (isolates) have been recorded within a 1-mile radius of the Project, none of which is located within the Project site itself. In accordance with AB 52, the City notified the following Tribes who had requested notification for projects in this area: Lipay Nation of Santa Ysabel and Jamul Indian Village. The City provided the archaeological survey report for the Project as an attachment to the letters. In response to these notifications, both Tribes indicated that they concurred with the findings and mitigation identified for the Project, and that no further consultation is required. In addition, the Native American Heritage Commission (NAHC) was contacted for a SLF Check and list of Native American contacts. A Native American Monitor was present during the field survey of the site and the subsequent testing of a potential shell deposit as described below. No Tribal resources were discovered during these investigations. Even though no resources were discovered during the 2018 survey; the potential still exists for such resources to occur on the subject property. Because the Project would include grading that could impact soils where buried resources may occur, there is a possibility that unidentified prehistoric or ethnohistoric resources (including Native American resources and remains) may be impacted.

Reference: FEIR § 5.1.2

D. Health and Safety

Impact: Health Hazards

Issue 1: Would the Project expose people or sensitive receptors to potential health hazards?

(a) Finding

During construction, the Project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within the two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers during construction.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measure

HAZ-1: Soil Management Plan

Prior to the initiation of demolition and construction activities at the site, the Construction Manager and/or Grading Contractor shall submit a soil management plan (SMP) for approval by the City. The SMP shall outline the procedures for the contractor to identify, segregate, and dispose of any impacted soils discovered in the existing/previous maintenance areas of the subject site during the demolition, grubbing, and grading phases of Project construction. The City MMC shall verify implementation of the SMP.

(c) Rationale

The FEIR analysis is based on two Phase I Environmental Site Assessments (ESAs; Hillmann Consulting 2016 and 2018b) and an Asbestos and Lead-Based Paint Investigation (Hillmann Consulting 2018a), constituting FEIR Appendices K1 through K3, respectively, and incorporated herein by reference. The site has a history of containing under- and above-ground storage tanks and potential for asbestos-containing materials in golf course pipes and the on-site sheds (one of which has been removed), as well as handling hazardous materials including fertilizers, pesticides/herbicides, waste and mixed oil, diesel fuel, solvents, and gasoline, during its use as a golf course site. The studies identified the potential for herbicides and pesticides to be present in on-site soils, and pose a health hazard to existing surrounding residents or future Project residents. The studies documented that past violations regarding handling of hazardous materials and petroleum products on the property constitute existing Recognized Environmental Conditions (RECs) that could create a significant hazard to the public or environment as the ground is disturbed and structures/built materials are removed during construction. Therefore, a soil management plan (SMP) (HAZ-1) and mandatory conformance with applicable regulatory/industry standards and codes would be required during construction. Based on compliance with such regulatory requirements, potential impacts from construction related hazardous materials would be

effectively avoided or addressed and the impact would be less than significant.

Reference: FEIR § 5.14.2

V. CUMULATIVE IMPACTS

Section 15130 of the CEQA Guidelines requires that an EIR address cumulative impacts of a project when its incremental effect would be cumulatively considerable. As defined in Section 15335, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. Cumulatively considerable means that the incremental effects of an individual project would be considerable when viewed in connection with the effects of past, current, or probable future, projects. According to Section 15130 of the State CEQA Guidelines, the discussion of cumulative effects "... need not provide as great detail as is provided of the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness." The evaluation of cumulative impacts is to be based on either:

- 1. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or*
- 2. A summary of projections contained in an adopted local, regional, or statewide, planning document...such plans may include a general plan...A summary of projections may also be contained in a adopted or certified prior environmental document which has been adopted or certified, for such a plan. Any such document shall be referenced and made available to the public at a location specified by the Lead Agency.*

For the analysis of cumulative impacts which are localized (e.g., traffic and noise), a list of past, approved, and pending (i.e., active applications) projects within the Project area was identified by City staff based on their ability to contribute to and/or compound impacts with those of the Project. The location of these cumulative projects is illustrated on EIR Figure 6-1, *Cumulative Projects*. For other topics, like air quality, the cumulative setting is the region, and analysis is instead based on regional planning documents. It is the City's practice to determine the list of cumulative projects to be analyzed at the time of the Notice of Preparation ("NOP") for the Project EIR, which was published on April 10, 2018 (any projects initiated after this date are not required to be addressed in the EIR). These projects are shown in EIR Figure 6-1. Based on this analysis, none of the Project effects addressed within EIR Section 5.0 was found to be cumulatively significant. EIR Section 6.2 provides the analyses of the cumulative effects found to be less than significant, with or without mitigation and is incorporated herein by reference. The City Council finds that the Project will have no significant cumulative impacts.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

A. Alternative Requirement in CEQA

Pursuant to CEQA guidelines Section 15126.6 an FEIR shall describe a range of reasonable alternatives to a project or to the location of a project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the

significant effects of the Project and evaluate the comparative merits of the alternative. Project Objectives are stated in Section I.B of these Findings. An FEIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

B. Alternatives Determined to be Infeasible

An FEIR is not required to consider alternatives which are infeasible. Alternatives considered but rejected from further study for the Project include the Project Location Alternative and Existing Zoning Alternative. There are no significant and unavoidable environmental impacts anticipated from Project implementation; therefore, relocation of the Project would not avoid a significant impact of the Project. However, relocation of the Project to another site could potentially result in a substantial reduction or avoidance of an impact that would be reduced to less than significant, with the incorporation of the mitigation measures that have been identified for the Project. Prior to the purchase of the Project property, the Project applicant considered an infill location for the Project to provide underserved populations in the San Diego region (seniors and low-income) with additional housing opportunities. Primary considerations for selecting the Project location included properties that could accommodate a housing development near existing infrastructure and regional transportation and transit opportunities, and at a site that is previously disturbed or void of substantial natural resources (i.e., biological habitat and animal species). While another infill opportunity exists at a former golf course across I-15 just east of the Project site, it is more fragmented and is surrounded by more residences than the Project site. As this alternative site is generally in the same area and neighborhood, selection of the alternative site would not be expected to substantially reduce impacts associated with the Project. No other feasible alternative locations were identified.

Development in Accordance with the Existing Zoning Alternative (Existing Zoning Alternative) was assumed to correspond with the maximum residential development allowed under the existing Residential – Single Unit (RS-1-14) zoning that applies to most of the Project site. A portion of the site in the very southern-central extent is designated Commercial Visitor (CV-1-1). The site would still be constrained by the Open Space designation in the Rancho Peñasquitos Community Plan, and therefore a Community Plan Amendment would be required and development consistent with zoning would not be ministerial. As a result, this alternative could result in the development of up to 831 residences instead of the 536 age-restricted units associated with the Project. With development of an additional 295 residential units, this alternative would be expected to result in increased adverse effects to transportation/circulation, visual effects/neighborhood character, hydrology/water quality (due to increased impervious surfaces and runoff), geology and historical and tribal cultural resources (due to increased grading/excavation), air quality, GHG, energy, and public services and utilities, when compared with the Project, and for which impacts were identified as less than significant. Therefore, due to the greater impacts, the alternative was determined to be infeasible.

C. Alternatives Reviewed

The Lead Agency is responsible for selecting a range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives.

The following three alternatives were evaluated in the FEIR analysis:

- No Project/No Development Alternative
- No Project/Development Per Community Plan Alternative
- Reduced Intensity Development Alternative

The following rationale was considered when developing this range of alternatives:

The No Project Alternative is required per State CEQA Guidelines Section 15126.6(e). It provides a basis for comparing the impacts that would occur if the Project were approved, relative to what would occur if the Project were not approved.

The No Project/Development Per Community Plan Alternative has been prepared to evaluate what could be developed at the site without an amendment to the RPCP, which designates the site as "Open Space" on the Land Use Map and as "Preserve Golf Course Use" on its Glens neighborhood map.

The Reduced Intensity Development Alternative is included to evaluate whether any impacts would be reduced substantially when compared to the Project.

The City Council finds that these alternatives represent a reasonable range of alternatives, as defined in the State CEQA Guidelines, because they provide feasible alternate development patterns that would reduce (but not eliminate) the significant impacts associated with the Project. The impacts associated with these alternatives are compared to those identified for the Project in the following analysis, and the alternatives are assessed relative to their ability to meet the basic objectives of the Project, with an overview of Project and alternative impacts provided in FEIR Table 8-1, *Comparison of Project and Alternative Impacts*, and incorporated by reference herein.

D. Findings on Project Alternatives

The Council of the City of San Diego hereby finds that the Project alternatives, do not meet or obtain the majority of the Project objectives and are not feasible. The City finds that there are specific economic, legal, social, technological, and other considerations, as well as important matters of public policy, which make infeasible the Project alternatives identified in the FEIR.

As noted earlier, "feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The City may reject an alternative if it finds that it would be infeasible to implement because of "[s]pecific economic, legal, social, technological, or other considerations, ..." (CEQA

Guidelines, § 15091(a)(3).) An agency may also reject an alternative that does not meet the public policy goals and objectives of the agency.

The following findings are based on the discussion in Section 8.0 of the FEIR.

No Project / No Development Alternative

(a) Alternative Description

Section 15126.6(e) of the State CEQA Guidelines provides that the “No Project” analysis shall discuss the existing conditions at the time the Notice of Preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if a project were not approved, based on current plans and consistent with available infrastructure and community services. The No Project/No Development Alternative assumes that the Project would not be adopted, no new recreational or residential uses would be constructed, and the former golf course site and existing condition described in Section 2.0 of the EIR would remain. Those conditions include a former golf course that is maintained to prevent fire and erosion, with no activity on the site.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

The alternative would not meet the Project objectives or further City policies from the General Plan that encourage future growth and new development to occur away from undeveloped lands and toward existing urbanized areas and/or areas with conditions that allow the integration of housing, employment, civic uses, and transit uses. The City’s General Plan Housing Element also identifies goals to facilitate construction of quality housing (Goal 1) and to provide new affordable housing (Goal 3). The alternative would fail to achieve the Project objectives and would not address the City’s housing goals and supply needs by providing additional housing opportunities. In addition, no affordable housing would be produced on the site, which is contrary to the City’s stated need to produce additional affordable housing. No parks or other recreation infrastructure would be provided for area residents. The benefit of an improved jurisdictional channel would not be realized with this alternative, which would not disturb the existing site. For these reasons, the No Project alternative would not meet the Project objectives and public policy goals and is therefore infeasible.

No Project/Development Per Community Plan Alternative

(a) Alternative Description

Under the No Project/Development Per Community Plan Alternative, the Project would not be approved, and a reconfigured golf course would be constructed on the former golf course, tennis courts and maintenance area that were associated with the Hotel Karlan. This alternative assumes that the existing vegetation and structures would be removed, the site would involve substantial shallow grading/reconfiguration, and new buildings (e.g., a clubhouse, pro shop, and maintenance buildings, etc.), landscaping, irrigation, roadways/parking facilities and utilities connections would be required to complete the reconfigured golf course. This alternative could also include related golf course uses, such as a restaurant and pro shop.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

The significant but mitigable impacts of the Project with respect to transportation, historical and tribal cultural resources and health/safety would remain significant but mitigable with this alternative and would have the same mitigation requirements, although the transportation and historical and tribal cultural resources impacts would be slightly reduced compared to the Project.

The No Project/Development Per Community Plan Alternative would have the potential to preserve the existing jurisdictional drainage ditch on the Project site, although preservation in place may not be feasible during grading to reconfigure the golf course, and must be weighed against the benefits of the on-site or off-site creation/preservation of a higher quality jurisdictional feature with wetland vegetation.

The No Project/Development Per Community Plan Alternative would not provide a diversity of housing opportunities, including age-qualified homes and 15 percent affordable housing rental units, nor would it provide residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood (Objectives 1 through 3). The alternative would fail to achieve the Project objectives and would not address the City's housing goals and supply needs by providing additional housing opportunities. In addition, no affordable housing would be produced on the site, which is contrary to the City's stated need to produce additional affordable housing. The alternative also would fail to meet City policies from the General Plan that encourage future in-fill growth where new development occurs away

from undeveloped lands and toward existing urbanized areas and/or areas with conditions that allow the integration of housing, employment, civic uses, and transit uses. It also would not increase mobility options by providing improved pedestrian and bicycle linkages between the center and the adjacent neighborhood (Objective 4). If the golf course would be public, then this alternative would provide a public open space (Objective 5). This alternative would either avoid or mitigate impacts to the existing on-site drainage, providing for the creation and/or preservation of on- and/or off-site higher quality wetland habitat using native and wetland species (Objective 6). It would not provide substantial solar energy opportunities but would have a similar GHG emissions profile to that of the Project (Objective 7). The alternative would not provide alternative and additional emergency access across the site and off site for existing residents to the west (Objective 8), nor would it provide publicly accessible mobility features to encourage alternative modes of transportation (Objective 9). Overall, the No Project/Development Per Community Plan Alternative would potentially meet some, but not all, of the basic Project objectives listed above in Section I.B. Therefore, the alternative fails to meet the public policy goals of the City and either does not meet the Project objectives, or meets them to a lesser extent than the Project, and is therefore found to be infeasible.

Reduced Intensity Development Alternative

(a) Description of Alternative

The Reduced Intensity Development Alternative would involve a similar development proposal to the Project, but with a 25 percent reduction in the number of residential units. Specifically, this alternative considers the development of 402 age-restricted homes, including 341 market rate and 61 affordable age-restricted residences. The mobility improvements and community facilities, as well as sustainable design features, proposed as part of the Project also would occur under this alternative, but at a similarly reduced rate, and this alternative is anticipated to involve slightly larger market rate homes.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

There were no feasible residential development alternatives identified that could eliminate any of the impacts associated with the Project. Development necessarily involves removal of the on-site poorly compacted fill material and impacts to the on-site non-wetland, jurisdictional drainage. As calculated in the Trigger Analysis Memo (LLG January, 2020) that is provided in EIR

Appendix B, the need for a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and roundabout at Peñasquitos Drive/Janal Way/Future Project Access is triggered at just 54 and 27 homes, respectively, which represent 10 percent and 5 percent, respectively, of the Project units. Development of 5 or 10 percent of the proposed units would not represent a viable development for the Project applicant. Therefore, an alternative was selected that would reduce but not eliminate Project impacts, and would result in a feasible development for the applicant to implement.

Significant but mitigable traffic and historical and tribal cultural resources impacts would be slightly less than the Project impacts, but the required mitigation would be the same. The Project and this alternative would have essentially the same significant impacts with the same mitigation required to reduce impacts to less than significant levels, for biological resources and health/safety. Less than significant impacts associated with both the Project and this alternative with respect to land use, noise, visual effects/neighborhood character, air quality, GHG, energy, geology, public utilities, and public services and facilities/recreation, would be slightly less for this alternative, while less than significant water quality/hydrology impacts would be approximately the same. The differences are primarily associated with the slightly reduced intensity of development and level of grading required for this alternative.

The Project was originally proposed to be 476 residential units, as described in FEIR Section 4.0. However, it was determined that additional units were necessary to meet the objectives of City policy documents and comments made by the Mayor and City Council members about the housing shortage faced by the City. Information on the shortfall on housing overall, as well as affordable housing is provided under the Growth Inducement discussion below. This growth, however, has outpaced the housing construction necessary to accommodate San Diegans and the proposed Project meets these policy objectives more than this alternative. The total number of Project homes was increased to 536, including 455 age-qualified housing units and 81 affordable age-qualified multi-family apartment-style homes to meet the policy objectives of increasing housing supply while not creating significant new impacts. This increased density would not be realized with the Reduced Intensity Development Alternative and would therefore not meet the policy objectives of the City to increase housing supply throughout the City, especially in in-fill areas.

Relative to Project Objectives, this alternative would provide a diversity of housing opportunities, including age-restricted market-rate housing and affordable for-rent housing, and provide residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood (Objectives 1 through 3), although it is likely that the market rate homes for this alternative would be slightly larger and the development would be less compact (Objective 2). This alternative would increase mobility options by

providing improved pedestrian and bicycle linkages between the shopping center and the adjacent neighborhood (Objective 4) and would likely provide a public open space that would be about 25 percent smaller than the park for the Project (Objective 5). This alternative would mitigate impacts to the existing non-wetland drainage on site through the creation and/or preservation of higher quality wetland habitat either on-site or off-site using native and wetland species (Objective 6), reduce GHG emissions with solar panels on housing structures (Objective 7), improve emergency access through the site and off site (Objective 8). This smaller development would provide fewer publicly accessible mobility features to encourage alternative modes of transportation (Objective 9). Therefore, the City Council has determined that the alternative does not meet the policy objectives of the City and, excluding Objective 6, would meet objectives to a lesser extent than the Project, and therefore finds the alternative infeasible as a matter of public policy.

E. Significant Irreversible Environmental Changes That Will Be Caused By The Project

Section 15126(c) of the CEQA Guidelines requires an FEIR to address any significant irreversible environmental changes that may occur as a result of Project implementation.

As discussed in more detail in EIR Section 7.4, the site was previously developed with a golf course and therefore would not result in significant irreversible impacts to agricultural or forestry lands or mineral resources. Although the Project would impact an existing manmade drainage feature, mitigation for the impacts would generate a net gain in resource quality. Although in the long-term, development would result in irretrievable losses of non-renewable resources such as fuel and energy, the Project contains sustainability elements to minimize such consumption and associated impacts would be less than significant. Paleontological and cultural resources could be disturbed during Project grading, but any resources encountered would be recovered in accordance with City standards. Further, no major environmental accidents or hazards are anticipated to occur as a result of Project implementation, with incorporation of identified mitigation.

Therefore, the Council of the City of San Diego hereby finds that, based on the discussion included in Section 7.4 of the FEIR, implementation of the Project would not result in significant irreversible impacts.

F. Growth Inducing Impacts of The Project

In accordance with Section 15126(d) of the State CEQA Guidelines, an FEIR must include an analysis of the growth-inducing impacts of the Project. The growth inducement analysis must address: (1) the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for the Project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. The Project would not remove physical barriers to growth and would accommodate existing and projected housing needs.

As described in EIR Sections 7.1.4 and 7.2.3, the population of the region has been increasing at twice the rate of the production of new housing in the San Diego region, and the City is behind in the production of its Regional Housing Needs Assessment (RHNA) allocation for 2010 - 2020 by approximately 50,000 units. The San Diego region's economy grew by roughly 80 percent, and its population increased by 15 percent over the past 15 years. This growth, however, has outpaced the housing construction necessary to accommodate San Diegans. As shown in the 2020 Housing Element, the current (SANDAG 2021 through 2029) City RHNA goal is 108,036 residential units, with 17,311 being low-income units and 19,319 being moderate income units. The proposed development of 455 moderately-priced and 81 affordable age-qualified, multi-family homes (536 total dwelling units) would therefore: (1) help to reduce the existing shortfall in the City's RHNA allocation; (2) provide needed housing in the region, including affordable and age-restricted housing; (3) convert a currently unused golf course to a residential use similar to the surrounding community; and (4) provide housing in proximity to transit opportunities given the Route 20 bus stops within approximately 0.15 mile of the southern Project entrance and site location 1.0 mile from the Sabre Springs/Peñasquitos Transit Station and Parking Structure and provide multimodal infrastructure with a mobility hub and bike and sidewalk connections.

The Project would provide much-needed housing for seniors, including those classified as low income, and would help to accommodate the City's aging population and regional population growth, consistent with the City's RHNA. The Project would not directly or indirectly increase population growth in the region. No significant pressure on local housing supply or demand is expected to result from development of the Project. Proposed residential development would accommodate growth and demand that is already occurring within the region.

VII. CONCLUSION

The Council of the City of San Diego makes and adopts each of the above stated Findings and finds that all Project impacts with mitigation applied will be reduced to below a level of significance.