



THE CITY OF SAN DIEGO

## MITIGATED NEGATIVE DECLARATION

Project No. 676545

SCH No. N/A

**SUBJECT:** **The Nest CDP:** A COASTAL DEVELOPMENT PERMIT to demolish a single story, 3,307-square-foot two-unit structure and construct a 18,524-square foot three-story mixed-use building, with 18-multi-family residential units and two commercial units. The ground level would include two residential units, two commercial units totaling 682-square feet, a 301-square foot lobby, and on grade parking including 19 parking spaces, two motorcycle parking spaces and 10 bicycle parking spaces. The second and the third levels would have 8 residential units each. In addition, various site improvements would also be constructed including associated hardscape and landscape. The project is requesting an affordable housing density bonus based on providing 13 percent (2 units) deed-restricted very low-income units with rents at 30% of 50% of Area Median Income (AMI) for a period of 55 years. The project is requesting ~~an~~ allowable incentives in the form of deviations from the development regulations for a ~~40-foot~~ 7-foot 6-inch front yard setback where 15-foot setback is required, a 5-foot side yard setback where 10 percent of the entire premise width or 5-feet whichever is greater, is required, a ~~12-foot 6-inch rear yard setback where a 15-foot setback is required~~, and a reduction of the percentage of units with private exterior space to 55 percent of the units where at least 75 percent of the units are required to have private exterior space is required, and the inclusion of additional uses (Business and Professional Offices) to the list of permissible commercial uses beyond those allowed under the RM-2-5 zone as part of the mixed use density allowed for in the Pacific Beach Community Plan. The 0.32-acre project site is located at 4033-4039 Lamont Street. The project site is designated Multi-family Residential and zoned RM-2-5 per the Pacific Beach Community Plan. The project site is also within the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable 2 Area), the Parking Impact Overlay Zone (Coastal and Beach Impact), the Parking Standards Transit Priority Area, the Residential Tandem Parking Overlay Zone, and the Transit Priority Area. (LEGAL DESCRIPTION: Lot 13-17 in Block 1 of Venice Park in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 991, filed in the Office of the County Recorder of San Diego County May 24, 1906). APPLICANT: Tom Paull.

### I. PROJECT DESCRIPTION:

See attached Initial Study.



## II. ENVIRONMENTAL SETTING:

See attached Initial Study.

## III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following area(s): **Cultural Resources (Archaeology) and Tribal Cultural Resources**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

## IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

## V. MITIGATION, MONITORING AND REPORTING PROGRAM:

### 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:  
  
<https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>
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. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

**Qualified Archaeologist  
Native American 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 Tracking System (PTS) No. 676545 and/or Environmental Document No. 676545 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
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Tribal Cultural Resources	Archaeology Reports	Archaeology/Historic Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

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

##### HISTORICAL RESOURCES (ARCHAEOLOGY)



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

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

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

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

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

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

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

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

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

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or



Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the 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

- a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
- b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

## 3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

# III. During Construction

## A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The 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 AME.



2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop, and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (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 Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.



- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
- c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### **IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

##### **A. Notification**

- 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

##### **B. Isolate discovery site**

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

##### **C. If Human Remains ARE determined to be Native American**



1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
  - c. To protect these sites, the landowner shall do one or more of the following:
    - (1) Record the site with the NAHC;
    - (2) Record an open space or conservation easement; or
    - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

#### **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 CSV and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The 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 Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.



- a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
- b. Recording Sites with State of California Department of Parks and Recreation  
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-



523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

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

B. Handling of Artifacts

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

C. Curation of artifacts: Accession Agreement and Acceptance Verification

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

D. Final Monitoring Report(s)



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

### **TRIBAL CULTURAL RESOURCES**

Impacts to Tribal Cultural Resources would be reduced to below a level of significance with implementation of mitigation measures outlined under Historical Resources (Archaeology).

### **VI. PUBLIC REVIEW DISTRIBUTION:**

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

#### City of San Diego

Mayor's Office (91)

Councilmember Campbell, District 2

Development Services Department

DPM

EAS

Fire-Plan Review

Engineering

Geology

Landscaping

Transportation

Planning Review

Transportation

Planning Department

Long-Range

Water & Sewer

MMC (77A)

Library Department - Government Documents (81)

San Diego Central Library (81A)

Pacific Beach/Taylor Branch Library (81X)

City Attorney's Office (93C)

#### Other Organizations, Groups, and Interested Individuals

Public Notice Journal (144)

Historical Resources Board (87)

Carmen Lucas (206)

South Coastal Information Center (210)

San Diego History Center (211)

San Diego Archaeological Center (212)



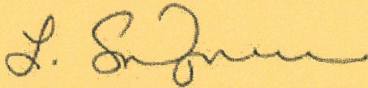
Save Our Heritage Organization (214)  
 Ron Christman (215)  
 Clint Linton (215 B)  
 Frank Brown- Inter-Tribal Cultural Resources Council (216)  
 Campo Band of Mission Indians (217)  
 San Diego County Archaeological Society, Inc. (218)  
 Native American Heritage Commission (222)  
 Kumeyaay Cultural Heritage Preservation (223)  
 Kumeyaay Cultural Repatriation Committee (225)  
 Native American Distribution (225 A-S)  
 Clint Linton, Lipay Nation of Santa Ysabel  
 Lisa Cumper, Jamul Indian Village  
 Jesse Pinto, Jamul Indian Village  
 Angelina Gutierrez, San Pasqual Tribe  
 Richard Drury  
 Stacey Osborne  
 Lozeau Drury LLP  
 John Stump  
 Beach and Bay Press (372)  
 Pacific Beach Town Council (374)  
 Pacific Beach Planning Group (375)  
 Crown Point Association (376)  
 Pacific Beach Historical Society (377)  
 Dennis Li  
 Rob Northrup  
 Justine McGrath  
 Jennifer Denley  
 Amanda Northrup  
 Rachel Guest  
 Dan / Janice Hahlbohm  
 Rob Northrup  
 William Turner  
 Andre Desjardins  
 Sherry Ashbaugh  
 James Gareri  
 Jesse Skatzes  
 David R. Mirra  
 Carrie and John Stanonis  
 Mark Mirra  
 William Merrill  
 David Lyons  
 Susan Crowsers  
 Tiffany Farnsworth  
 Sarah Horton, Golba Architecture Inc., Agent  
 Tom Paull, Applicant

## **VII. RESULTS OF PUBLIC REVIEW:**



- ( ) No comments were received during the public input period.
- ( ) Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.
- (X) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Development Services Department for review, or for purchase at the cost of reproduction.



E. Shearer-Nguyen  
Senior Planner  
Development Services Department

August 25, 2021

Date of Draft Report

December 15, 2021

Date of Final Report

Analyst: M. Dresser

Attachments: Initial Study Checklist  
Figure 1: Location Map  
Figure 2: Site Plan





**San Diego County Archaeological Society, Inc.**

Environmental Review Committee

27 August 2021

City staff response(s) to the San Diego County Archaeological Society, Inc. comment(s) letter  
for The Nest, Project No. 676545

To: Ms. Morgan Dresser  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration  
The Nest CDP  
Project No. 676545

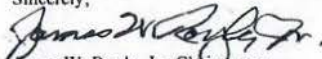
Dear Ms. Dresser:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

1. Based on the information contained in the initial study and DMND, we agree with the archaeological and Native American monitoring mitigation measures as defined in the DMND.

We appreciate having the opportunity to review and offer our comments on this project's environmental analysis.

Sincerely,

  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

cc: SDCAS President  
File

1. Comment noted. The comment does not address the adequacy of the draft Mitigated Negative Declaration. No further response is required.



From: Dennis Li <nzqtx3@gmail.com>  
Sent: Friday, September 10, 2021 5:54 PM  
To: DSD EAS <DSEAS@sanidiego.gov>  
Subject: [EXTERNAL] Comments on Mitigated Negative Declaration (The Nest CDP / 676545)

City staff response(s) to the comment letter from Dennis Li  
for The Nest, Project No. 676545

\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\* \_\_\_\_\_

2. { To Whom it May Concern,  
I live next door to the project in question.  
My comments are provided in the attached document.  
Sincerely,  
- Dennis Li

2. Comment noted.

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This email has been checked for viruses by Avast antivirus software.  
[https://urldefense.com/v3/https://www.avast.com/antivirus-!!OBed2aHXvKmHymw!kizrAXSEqDFz7xi-jgtyojRHrlp4-aAxRnbkPvovE0SdiarPtYjRCaBfXsmszOBt6A\\$](https://urldefense.com/v3/https://www.avast.com/antivirus-!!OBed2aHXvKmHymw!kizrAXSEqDFz7xi-jgtyojRHrlp4-aAxRnbkPvovE0SdiarPtYjRCaBfXsmszOBt6A$)



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Comments on draft Mitigated Negative Declaration

(The Nest CDP / 676545)

By

Dennis Li

(4051 Lamont Street, San Diego CA 92109)

Sept. 9, 2021

Submitted to City of San Diego Development Services Center

(Via email at: DSDEAS@SanDiego.gov)

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**City staff response(s) to the comment letter from Dennis LI  
for The Nest, Project No. 676545**

**PRE-COMMENT BACKGROUND PAGE:**

Basis for the comments on draft Mitigated Negative Declaration (The Nest CDP / 676545):

3. **ABOVE HOUSING DENSITY:** The proposed density is higher than what is allowed in a RM-2-5 Coastal Zone (20 proposed vs. 10 dwelling units allowed). Developer makes claims citing permissibility by Pacific Beach Community Plan (PBCP) and Complete Communities Housing Solution Plan (CCHSP). However, it is not clear on the legality of such claims. On the contrary, the site appears to be outside the PBCP commercial area [2]. And the CCHSP Map clearly says "Sites located within the Coastal Zone are not yet effective, pending Coastal Commission certification" [3]
4. **SHORT OF PARKING:** The proposed off-street parking is half of the number required in a RM--25 Coastal Zone (20 proposed vs. 40 spaces required). The residential units will only have 1/2 parking space per resident and the 2 commercial stores will have only 1 parking each. The number of provided parking spaces will not be adequate without substantial overflow to street-side or alley-side parking.
5. **COMMERCIAL:** The site is located on Lamont Street in a tranquil residential area (south of Grand, east of Ingraham), one of few such areas left in Pacific Beach. It is 100% residential with a healthy mix of apartments, condos, and single family homes. Commercial use is neither desirable nor useful as most businesses are already within walking distance. The project is unprecedented for allowing two commercial units with ground level store-front in this solely residential area.
6. **UNSAFE:** Lamont is already a busy one-lane street with vehicles usually parked fully on both sides. The project will create more traffic and potentially more dangerous conditions for drivers and pedestrians alike. The back alley is narrow, mostly unpaved, passable only one-car-at-a-time, with hidden driveways, blind spots, garbage dumpsters and other obstructions. Adding a 20 car garage to the already high number of garages in the alley will make congestions and accidents in the alley even more likely.
7. **AESTHETICS :** Substantial front and side yard setback concessions if allowed will result in a monolithic, odd looking building which stifles natural light and encroaches on open space all around.
8. **AFFORDABILITY?:** With only 2 units at "affordable" price and 18 units at market, there is not going to be any meaningful impact on overall affordability. Given the owner has been using the house for Short Term Vacation Rental (STVR) for many years, it's quite likely that a good number of the 20 new units will become STVR's and not be available to local residents. And making it worse, new developments also tend to push home price higher in surrounding areas.

3. The project site is zoned RM-2-5, which allows for certain Commercial uses by right, such as Instructional Studios, Adult or Childcare facilities and Assembly Uses, per San Diego Municipal Code (SDMC) Table 131-04B. The project is utilizing the Affordable Housing Regulations for Density Bonus in accordance with SDMC Section 143.0710. Per SDMC Section 143.0740, an applicant proposing a density bonus shall be entitled to incentives, which can be used to deviate from applicable development regulations and may also be used to incorporate mixed-use zoning or land uses (commercial, office or industrial) into a residential development. The project is requesting to apply one of their entitled Affordable Housing Incentives to incorporate the addition of Business & Professional Office Use to the current mixed-use allowance of the underlying base zone. By doing so, the project design would satisfy the requirements to meet the Transit Oriented Development standards as noted per Pacific Beach Community Plan (PBCP) Item 9 (p. 45), which would allow the project to utilize an increased residential density as noted per the PBCP Policy 4 (p. 41). Although Policy 4 is noted within the Commercial Land Use policies, the policy language itself does not specify that the increased residential density need only to apply to projects that are located within the commercial areas identified by PBCP Figure 11. Therefore, based on the project proposal for a mix of uses that will promote transit and pedestrian use by including housing, jobs, and potential services, an allowance of up to 43 dwelling units per acre per the PBCP is permissible. By using the Land Use Plan density, the project site area allows for a total of 14 dwelling units instead of the base zone RM-2-5 allowance for 10 dwelling units. The project proposes two dwelling units (or 13% of pre-density bonus dwelling units) at Very Low Income, therefore, the project is entitled to receive a 42.5% Density Bonus (as noted per SDMC Section 143.0720 and Table 143-07A) which results in an additional six dwelling units for a maximum allowance of 20 dwelling units. The project proposes 18 total dwelling units. The project is not proposing to utilize the Complete Communities Regulations per SDMC Section 143.1002, which is not yet in effect within the Coastal Overlay Zone.
4. The project's residential parking complies with SDMC Section 142.0525 and Table 142-05C. The site is in a Parking Standards Transit Priority Area (PSTPA) and requires zero minimum parking spaces per dwelling unit. However, the project proposes to opt into the residential parking regulations for an Affordable Housing project located within a Transit Priority Area (TPA) contained in SDMC Section 143.0744, Table 143-07D, which requires 0.5 parking space per bedroom. The project is proposing 17 two-bedroom dwelling units and 1 studio dwelling unit for a total of 35 bedrooms, which results in 18 required residential parking spaces. The commercial parking complies with SDMC Section 142.0530, Table 142-05E, which requires 2.1 spaces for each 1,000 square foot of commercial area. Therefore, proposal of 682 square foot of commercial area results in 1 required commercial parking space. The project is proposing 19 off-street parking spaces.
5. The project site is zoned RM-2-5, which allows for certain Commercial uses by right, such as Instructional Studios, Adult or Childcare facilities and Assembly Uses, per SDMC Table 131-04B. In accordance with SDMC Section 143.0740, the project is requesting to apply one of their entitled Affordable Housing Incentives to incorporate the addition of Business & Professional Office Use to the current mixed-use allowance of the underlying zone. This



**City staff response(s) to the comment letter from Dennis Li  
for The Nest, Project No. 676545**

would further satisfy the PBCP Transit-oriented development standards which encourage a mix of uses that include housing, jobs, and services (PBCP page 45.).

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6. The PBCP classifies Lamont Street as a two-lane collector roadway with parking permitted on both sides. Based upon the City of San Diego Transportation Study Manual, the project qualifies as a "Small Project" generating less than 300 daily trips and is screened out from transportation (Vehicle Miles Traveled and Local Mobility) analyses. Regarding visibility and the existing alley conditions, the project is required to improve the existing alley to current minimum width and design standards consistent with City's Street Design Manual. Pursuant to Public Resources Code (PRC) Section 21099 (b)(2) and the California Environmental Quality Act (CEQA) Section 15064.3 automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment. Therefore, the evaluation of potential transportation impacts associated with the project reflects consistency with Senate Bill 743, and CEQA Section 15064.3, which establishes Vehicle Miles Traveled (VMT) as the appropriate metric to evaluate transportation impacts.
7. Under the Affordable Housing Regulations for Density Bonus, SDMC Section 143.0740, projects are entitled to incentives that can be used to deviate from development regulations. Based on the proposed two dwelling units (or 13% of pre-density bonus dwelling units) at Very Low Income, the project is entitled to receive four incentives, as noted per Table 143-07A. The project will use two incentives in the form of deviations to front yard and side yard setbacks, which will enhance the offsets and break up the massing of the structure. Portions of the front facade will observe more than the minimum required setback with the deviation due to the angle of Lamont Street. As noted in the draft Mitigated Negative Declaration Section I. (c) Aesthetics, the project is a mixed-use residential infill project within a Transit Priority Area. In accordance with Public Resources Code Section 21099, aesthetic impacts of a mixed-use residential project on an infill site within a Transit Priority Area shall not be considered a significant impact on the environment. The project would not impact natural light, and the project would not encroach on open space as the project does not contain nor is it adjacent to open space. Overall, the project would be compatible with the surrounding development and would not substantially degrade the existing visual quality of the project site and its surroundings. The draft Mitigated Negative Declaration identified that no impacts with respect to aesthetics would result.
8. The project proposes a total of 18 dwelling units, 2 of which will be deed restricted for very low-income levels. Any Short-Term Vacation Rental would be regulated by the City of San Diego ordinances in effect at that time, as applicable. A projects economic and social effects are not related to physical changes to the environment and would not be a CEQA issue. This comment does not raise issues related to the adequacy of the environmental analysis of the draft Mitigated Negative Declaration.



## ITEMIZED COMMENTS START ON THIS PAGE

Comments are presented in 4 SECTIONS using the following format:

- Page # (item #) = Reference to draft Mitigated Negative Declaration
- "quote" = Statement from draft Mitigated Negative Declaration
- Preceded with an asterisk \* in bold and *italic* = My Comment / Question
- Number in [ ] = Reference listed at the end of this document

### SECTION (1): ERRORS & OMISSIONS

**Page 15** (Item 8): "Ingress and egress would be via a private driveway with access from Lamont Street"

**\* Proposed Correction:** "... private driveway with access from alley behind building"

**Page 15** (Item 8): "All parking would be provided on-site"

**\* Proposed Correction:** "All provided parking would be on-site"

**Page 15** (Item 8): "The project is requesting an allowable incentives in"

**\* Proposed Correction:** "The project is requesting an allowable incentive in"

**Page 15** (Item 8):

**\* Declaration fails to mention that the project has requested to Allow Extended "Commercial Use" of RM-2-5, and CC-42, including 2 commercial units with store-front on ground level [1]. (Why is it permitted in a 100% residential area without any justification or explanation?)**

**\* According to the City, this property is NOT in TRANSIT AREA or TPA (see Section (2)). Hence, the project cannot reduce off-street parking from the 2.0 per 2BR unit required**

Table 142-65C  
Minimum Required Parking Spaces for  
Multiple Dwelling Units and Related Accessory Uses

Multiple Dwelling Unit Type and Related Accessory Use	Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated)				Motorcycle Spaces Required Per Dwelling Unit	Bicycle <sup>(1)</sup> Spaces Required Per Dwelling Unit
	Basement <sup>(2)</sup>	Front Area <sup>(3)</sup>	Parking Standards Transit Priority Area <sup>(4)</sup>	Parking Impact <sup>(5)</sup>		
Studios up to 400 square feet	1.25	1.0	0	1.5	0.05	0.3
1 Bedroom or studio over 400 square feet	1.5	1.25	0	1.75	0.1	0.4
2 Bedrooms	2.0	1.75	0	2.25	0.3	0.5
3-4 Bedrooms	2.25	2.0	0	2.5	0.3	0.6
5+ Bedrooms	2.25	2.0	0	(See footnote 6)	0.2	1.0
Off-street storage dwelling units regulated by Section 142.052 <sup>(7)</sup>	N/A	N/A	0	0.25 beyond the amount in Section 142.052 <sup>(7)</sup>	One (see footnote 3)	(See footnote 3)
Commercial conversion <sup>(8)</sup>						
1 Bedroom or studio over 400 Square Feet	1.0	0.75	0	1.25	N/A	N/A

**\* Figure - From: CH. 13 ART. 2 DIV. 10 (132.10.5) FIG 132-10A.**

## City staff response(s) to the comment letter from Dennis Li for The Nest, Project No. 676545

9. Comment noted. This comment is an introduction to the comments that follow. Refer to response number 10 through number 27.

10. The draft Mitigated Negative Declaration inadvertently stated ingress and egress to the site would be via a private driveway with access from Lamont Street. The final Mitigated Negative Declaration has been revised to clarify the project ingress and egress would be via the project's alley frontage.

11. All proposed parking would be provided on site. Refer to response number 4 regarding parking.

12. Comment noted. The project is requesting four incentives as identified in the project description. The final Mitigated Negative Declaration has been revised to correct the grammatical error.

13. The draft Mitigated Negative Declaration inadvertently omitted the Affordable Housing incentive requesting an additional use allowance beyond those uses allowed by right under the RM-2-5 zone as part of the mixed-use project proposal. The final Mitigated Negative Declaration has been revised to include this incentive in the project description. The project site is zoned RM-2-5, which allows for certain Commercial uses by right, such as Instructional Studios, Adult or Child Care facilities and Assembly Uses, per SDMC Table 131-04B. The project is requesting to apply one of their entitled Affordable Housing Incentives to incorporate the addition of Business & Professional Office Use to the current mixed-use allowance of the underlying zone, in accordance with SDMC Section 143.0740. The Findings provide the justification of the deviations.

14. SDMC Figure 132-10A only shows the transit area overlay zone. See response number 4 for Parking Standards Transit Priority Area definition.

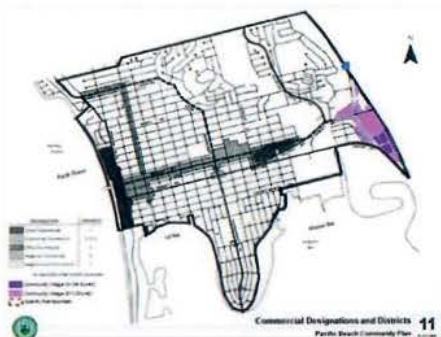


## SECTION (2): NEED CLARIFICATIONS

15. **Page 16** (Item #9): "The project site is designated Multi-family Residential and zoned RM-2-5 per the Pacific Beach Community Plan area. The project site is also within .... the Transit Priority Area"

16. **Page 16** (Item #10): "Other public agencies whose approval is require – None Required"

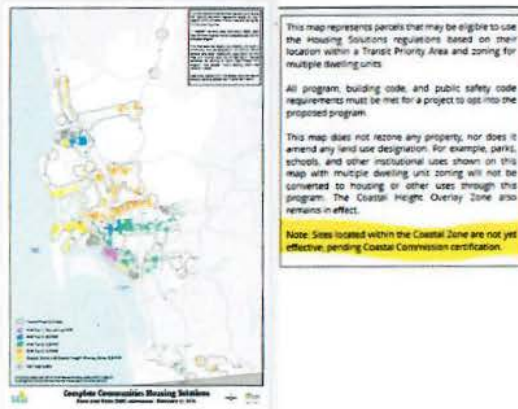
**\* According to the Pacific Beach Community Plan, the site is NOT in areas where Mixed-Use / Commercial Development is allowed [2]**



**\* Figure - (Commercial Use is Only Allowed in Grey Colored Areas on the Pacific Beach Community Plan Map)**

**\* Commercial use is neither desirable nor useful as most businesses are already within walking distance**

**\* According to the city, the site is within the Coastal Zone area where TRANSIT PRIORITY AREA (COMPLETE COMMUNITY HOUSING PLAN) is not yet effective, pending Coastal Commission certification" [3]**



**\* Figure - (TPA at the site is pending certification by the Coastal Commission, high-lighted in yellow) [3]**

## City staff response(s) to the comment letter from Dennis Li for The Nest, Project No. 676545

15. The comment restates information provided in the draft Mitigated Negative Declaration. As identified in the draft Mitigated Negative Declaration the project is designated Multi-family Residential and zoned RM-2-5 per the Pacific Beach Community Plan. The project site is mapped within a Transit Priority Area and Parking Standards Transit Priority Area as defined in SDMC Section 142.0528.

16. The comment restated information provided in the draft Mitigated Negative Declaration. There are no additional agencies whose approval is required.

17. The Figure 11 map of the PBCP indicates the commercial designation and district areas of the community (PBCP page 40), but it does not state that Commercial uses are only limited to the areas mapped within Figure 11. SDMC Section 131.0101 indicates that the Base Zones will regulate Uses, therefore, the use regulations tables in the Base Zones determine which uses are permitted in each zone. The project site is zoned RM-2-5, which allows for certain Commercial uses by right, such as Instructional Studios, Adult or Child Care facilities and Assembly Uses, as noted per SDMC Table 131-04B. The project is requesting to apply one of their entitled Affordable Housing incentives to incorporate the addition of Business & Professional Office Use to the mixed-use allowance of the underlying zone.

18. See response number 3 and number 4. The project site is within a Transit Priority Area as defined in SDMC Section 113.0103 and identified in the 2015 Climate Action Plan. These identified TPAs are based on the forecast 2035 transit network from SANDAG 2015 Regional Transportation Plan. The Complete Communities Housing Solutions is not yet in effect in the Coastal Zone. The project is not proposing to utilize the Complete Communities Housing Solutions.



19. **Page 19 ( I. AESTHETICS ) :** Question (c) The project is a mixed-use residential infill project within a transit priority area (TPA). In accordance with Public Resources Code Section 21099, aesthetic impacts of a mixed-use residential project on an infill site within a TPA shall not be considered significant impacts on the environment.

*\* City needs to clarify the qualification of the project for mixed-use and TPA status*

#### **SECTION (3): NEED MORE INFORMATION:**

20. **Page 15:** "Grading would entail approximately 2,325 cubic yards of removal and re-compacting to a depth of approximately 6 feet"

*\* Neighbors would like to know if there is any impact on structural integrity of the adjunction building with an underground garage only 10 feet away.*

#### **SECTION (4): ADDITIONAL COMMENTS:**

**Page 15:** "The project is requesting an allowable incentives in the form of deviations from the development regulations for a 10-foot front yard setback where 15 is required, a 5-foot side yard setback where 10 percent of the entire premise is required, a 12-foot 6-inch rear yard setback where a 15-foot setback is required, and a reduction of private exterior space to 55 percent of the units where at least 75 percent is required."

*\* It appears that all other multi-family units (including rental apartments) on Lamont and vicinities meet established front/rear yard zone setback requirements. The project's 5' side Yd. setback is not typical in the neighborhood for a large building like this.*

21.  *\* (What is the justification for granting the setback request? )*  
*\* Figure -- (Congestions around proposed project site)*

22.  *\* Developer proposed to use outside corridors/walkway as substitute for required Private Exterior Open space [1]. (Why is that acceptable?)*  
*\* Figure - (Red arrows depict outside corridors)*

#### **City staff response(s) to the comment letter from Dennis Li for The Nest, Project No. 676545**

19. See response number 18 regarding Transit Priority Area designation. The project is considered Mixed-Use based on the proposal to incorporate non-residential areas along the street frontage for two future commercial tenant spaces via the use of an Affordable Housing Incentive to add Business and Professional Office Use allowance. See response number 3 and number 7 for further clarification.

20. As identified in the draft Mitigated Negative Declaration section VII, a site-specific Geotechnical Investigation was prepared which is included as an appendix to the Mitigated Negative Declaration. The report concluded that, if constructed in conformance with the project plans and specifications, the proposed development is not anticipated to destabilize or result in settlement of adjacent property right of way. The project would be required to comply with the requirements of the California Building Code, utilize proper engineering design and standard construction practices, to be verified at the building permit stage, that would reduce impacts to people or structures to an acceptable level of risk.

21. See response number 7. The project will utilize two incentives in the form of deviations to front yard setback and side yard setbacks. The project is not requesting a deviation to rear yard setback since properties that abut an alley along the rear side can utilize half of the alley width to count towards the required rear yard setback where a minimum 5 foot is required from rear property line to proposed structures, as allowed per SDMC Section 131.0443(e).

22. Under the Affordable Housing Regulations for Density Bonus, SDMC Section 143.0740 projects are entitled to incentives that can be used to deviate from development regulations. Based on the proposed two dwelling units (or 13% of pre-density bonus dwelling units) at Very Low Income, the project is entitled to receive four incentives, as noted per Table 143-07A. The project is not proposing to utilize exterior walkways as private open space areas. Rather, the project is using one of their entitled Affordable Housing incentives to reduce the number of required dwelling units with private exterior open space. SDMC Section 131.0455(b) requires that projects in the RM-2-5 zone provide a minimum of 75% of all dwelling units with private exterior open space. Therefore, a minimum of 14 dwelling units with private exterior open space would be required. The incentive would reduce the number of dwelling units required to provide private exterior open space to 10 dwelling units, separate from the required walkways. The reduction of dwelling units with private exterior open space is also offset by the proposal of a larger than required common open space on the second level, as per SDMC Section 131.0456. The project would require a 450-square foot area for common open space but would provide a 868-square foot common open space area.



Page 15: "The project is requesting an affordable housing density bonus based on providing 13 percent (2 units) very low-income units"

\* The project only provides 2 affordable units. It hardly seems equitable to allow a super-sized building with next to no setbacks. Why not keep the number of units at 20, but reduce the size of each instead? That will certainly make all 20 units more affordable.

\* It seems counter-intuitive to allow so many exceptions for an almost negligible increase in affordable housing of 2 units. The developer is clearly taking advantage of the complex and overlapping regulations around "affordable housing", "community planning", and the more recent "COMPLETE COMMUNITY HOUSING PLAN" to push the project above allowed housing density with inadequate parking, and to allow commercial use in an otherwise 100% residential location

Page 19 ( I. AESTHETICS) : Questions (a), (b), & (c)

\* The project is not in a "natural" environment. Hence, questions (a), (b), & (c) are irrelevant. A more appropriate question is how this mixed-use project would impact aesthetics in the otherwise 100% residential environment, and the quality of life of its neighbors? Unfortunately, as it is known the Pacific Beach Planning Group voted to approve the project before receiving community feedback [4]. So we really don't know. But we do know that there were more than 200 signed petitions in opposition to this project.

\* Judging from the appearance of a "look-alike" project by the same builder further north on Lamont (in the commercial zone), one can conclude that a building like it will NOT be

aesthetically pleasing; too large, and out-of-place to fit in the tranquil quintessential beauty of the Crown Point neighborhood.

\* Figure – (Artist's rendering of the unfinished building at the proposed site)



Page 37 (XIV. POPULATION AND HOUSING): v) " The project site is located in an urbanized and developed area where City services are already available. The project would not adversely affect existing levels of other public facilities "

\* Garbage pickup is on Lamont Street. Availability of curb space for garbage bin on collection days will be greatly reduced by the increased demand on public parking given that only roughly 1/2 off-street parking space is provided per resident at the site.

City staff response(s) to the comment letter from Dennis Li  
for The Nest, Project No. 676545

23. See response number 3 regarding density. See response number 7 regarding setbacks. See response number 18 regarding Complete Communities Housing Solutions.

24. See response number 7. In addition, pursuant to the California Environmental Quality Act (CEQA) Guidelines §15064(e) and 15131, economic and social effects that are not related to physical impacts need not be evaluated. Quality of life, in itself, is not a physical change to the environment and would not cause a physical impact.

25. The project would include a refuse and recyclable storage area onsite consistent with SDMC Section 142.0810 that will be accessible for collection via the alley. Current refuse and recycling collection would not be affected. All proposed parking would be provided on site. Refer to response number 4.



Page 38 (XVII. TRANSPORTATION): a) "The project would not change existing circulation patterns on area roadways. The project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, no impact would occur".

*\* The project is in close proximity to several other condo/rental properties. Adding approximately 20 residents without on-site parking will lead to a shortage of public parking spaces. Having commercial units without customer's parking will aggravate the situation further.*



*\* The alley is narrow (one-car passable) and lined with parked cars, garbage bins, and hidden driveways. It is already home to over 80 vehicles. With the project's garage access in the alley and the front lobby being at an unusual bend on Lamont, any increase in traffic and residential density without improving visibility and space separations will likely bring about more incidences of car-to-car, car-to-parked-car, and car-to-pedestrian collisions.*

*\* Figure:*

*Yellow #: Existing On Site Parking*

*White #: Alley Width (ft.) [5]*

*\* The comments contained herein and other related concerns regarding this project have been previously communicated to city officials [6] [7].*

**City staff response(s) to the comment letter from Dennis Li  
for The Nest, Project No. 676545**

26. Refer to response number 4 regarding parking requirements and response number 6 regarding visibility and circulation.

27. Comment noted.



## REFERENCES

[1] Golba Presentation – Video recording of Pacific Beach Planning Group Meeting held on March 10, 2021 ( [https://www.youtube.com/watch?v=Nk44ipFudAo&t=1487s&ab\\_channel=PacificBeachPlanningGroup](https://www.youtube.com/watch?v=Nk44ipFudAo&t=1487s&ab_channel=PacificBeachPlanningGroup) ) (start around 23:30:00 mark)

[2] PB community plan ( [https://www.sandiego.gov/sites/default/files/pacific\\_beach\\_community\\_plan\\_february\\_2020\\_0.pdf](https://www.sandiego.gov/sites/default/files/pacific_beach_community_plan_february_2020_0.pdf) )

[3] Complete community Housing ( <https://sandiego.maps.arcgis.com/apps/webappviewer/index.html?id=4c193cf8349b42518db0660c9484bd24> )

[4] First notice of the project (dated March 11) arrived in the mail to PB community around March 15, too late to attend the Pacific Beach Planning Group (PBPG) meeting on March 10 in which the project was approved. Following an appeal by concerned residents regarding the lack of community input, a subsequent “make-up” meeting was held. But in that meeting, PBPG refused to discuss or take any action despite an overwhelming outcry (more than 200 signatures were gathered in a neighborhood petition drive against the project in the 4 days leading up to the meeting). PBPG has since considered the matter closed.

[5] Measurements provided by C.R., a neighbor on Lamont Street.

[6] Communications to Martin R. Mendez, Development Services Department, (March 21, March 24, April 5, and April 27), 2021 via email at ([mrmendez@sandiego.gov](mailto:mrmendez@sandiego.gov))

[7] Communication to Council President, Dr. Jennifer Campbell, June 24, 2021 via email at ([jennifercampbell@sandiego.gov](mailto:jennifercampbell@sandiego.gov))

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From: Mark <[mark.mirra@gmail.com](mailto:mark.mirra@gmail.com)>  
Sent: Friday, September 10, 2021 5:43 PM  
To: DSD EAS <[DSEAS@sanidiego.gov](mailto:DSEAS@sanidiego.gov)>  
Subject: [EXTERNAL] Comments on Mitigated Negative Declaration (The Nest CDP / 676545)

**\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\***

To Whom it May Concern,

28.

I am resident in close proximity to the project in question and I vehemently agree with the comments given by Dennis Li at 4051 Lamont St. (web link below). Please do not allow this unsightly and illegal structure to poison the sanctity of our neighborhood.

<https://project-lamont.com/Comments-MND676545.pdf>

Mark Mirra  
[mark.mirra@gmail.com](mailto:mark.mirra@gmail.com)

Sent from my iPhone

**City staff response(s) to the comment letter from Mark Mirra  
for The Nest, Project No. 676545**

28. Comment noted. See response number 3 through number 27. The project has been reviewed against and complies with all applicable plans, policies and regulations.



From: Carrie R. <[carriercares@yahoo.com](mailto:carriercares@yahoo.com)>  
 Sent: Sunday, September 12, 2021 12:07 PM  
 To: DSD EAS <[DSEAS@sanidiego.gov](mailto:DSEAS@sanidiego.gov)>  
 Cc: John Stanonis <[stanonis@gmail.com](mailto:stanonis@gmail.com)>; Carrie R <[carriercares@yahoo.com](mailto:carriercares@yahoo.com)>; Carrie Reinsimar <[carriercares@gmail.com](mailto:carriercares@gmail.com)>  
 Subject: [EXTERNAL] The Nest CDP/Project No. 676545/Draft Mitigated Negative Declaration Date 8-25-2021 rebuttal

**\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\***

To whom it may concern:  
 RE: The Nest CDP/Project No. 676545/Draft Mitigated Negative Declaration Date 8-25-2021 REBUTTAL

- 29. I agree with the concerns our neighbors and community have in the proposed Project No. 676545 which is detailed in this REBUTTAL and attached in a word document submitted by Dennis Li Owner at: 4051 Lamont Street, San Diego, CA 92109.
- 30. WE AGREE with this REBUTTAL and the concerns for building this project. Lamont Street cannot tolerate this project as proposed. We also agree that if the city allows this project to be built, the DIRT alley needs to be paved completely BEFORE the PROJECT is even STARTED!
- 31. Lamont Street between Crown Point and Grand St is already jam packed with cars, noise, traffic and doesn't allow bikers to safely pass or pedestrians safe access to cross Lamont street. Cars have been hit just while pulling out of their garages.
- 32. The alley (off Pacific Beach Drive between Lamont and Honeycutt) will be abused by trucks and equipment and is a narrow, dangerous, environmentally unstable DIRT ALLEY not stable enough to withstand more traffic from building 19 units! Please see attached word document and consider the concerns in this residential community.
- 33. [Microsoft Word - public comments.docx \(project-lamont.com\)](#)

Sincerely,  
 Carrie and John Stanonis  
 Owners of:  
 4087 Lamont Street, San Diego, CA 92109

[Microsoft Word - public comments.docx \(project-lamont.com\)](#)

**City staff response(s) to the comment letter from Carrie and John Stanonis for The Nest, Project No. 676545**

- 29. Comment noted. See responses number 3 through number 27.
- 30. Comment noted. See response number 6. Additionally, as a condition of approval, the applicant is required to improve the existing alley consistent with City Street Design Manual.
- 31. As identified in the draft Mitigated Negative Declaration, a site-specific Noise Study was prepared for the project which analyzed the project related noise impacts including project generated traffic noise impacts. No impacts were identified. Additionally, see response number 6.
- 32. As a condition of approval, the applicant is required to improve the existing alley consistent with City Street Design Manual. Additionally, the project proposes 18 units and two commercial units.
- 33. See responses number 3 through number 27.



From: Linda Li <lindachia01@gmail.com>  
Sent: Sunday, September 12, 2021 2:55 PM  
To: DSD EAS <DSEAS@san-diego.gov>  
Subject: [EXTERNAL] Comments on Mitigated Negative Declaration (The Nest CDP / 676545)

\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\*

To Whom it May Concern,  
I only have a couple of comments / questions on the draft Mitigated Negative Declaration (The Nest CDP / 676545) :

34. { (1) Please help me understand how a building with 2 commercial store fronts on the ground floor is permissible in our neighborhood which is 100% residential ? And provide NO on-site parking for commercial customers?
35. { (2) Why this project is allowed 10 spaces SHORT of required on-site parking ? Street parking and traffic are already bad in the area due to several fairly large rental apartments in the vicinity. And is TPA's reduced parking even legal ?
36. { \* City Map of CCHP (which TPA is a part of) says this site is still pending certification by the Coastal Commission. Furthermore, it is not clear if this site is indeed within TPA's 1/2 mile radius in its entirety. According to Code Section 21064.3, only the intersection of Bus 9 and Bus 30 qualifies. I've taken bus 30 on Grand Ave frequently during morning rush hours. There could not be more than a couple people getting on the bus there. I anticipate it will even be fewer with the new Trolley line coming. Realistically I believe majority of people living in this area either walk, bike, or drive to work. And the same majority uses a car when they are not biking or walking. Many of these cars that are not actively used are taking up street parking in the area.

Sincerely,  
- Linda Li  
Owner and resident of more than 4 years at  
4051 Lamont Street

--

This email has been checked for viruses by Avast antivirus software.  
[https://urldefense.com/v3/\\_https://www.avast.com/antivirus\\_!!OBEd2aHXvKmHymwIkVcVePKxmqg8B5bOnk6UHZNQWb8Ju2vktPMYg1FvgqCWLQ689minlq8NAHxh46XYaA\\$](https://urldefense.com/v3/_https://www.avast.com/antivirus_!!OBEd2aHXvKmHymwIkVcVePKxmqg8B5bOnk6UHZNQWb8Ju2vktPMYg1FvgqCWLQ689minlq8NAHxh46XYaA$)

**City staff response(s) to the comment letter from Linda Li  
for The Nest, Project No. 676545**

34. See response number 3 and number 4.

35. See response number 4.

36. See response number 18. The comment asserts the project is utilizing the Complete Communities Housing Solutions in order to be identified as within a Transit Priority Area. The project site is within a Parking Standards Transit Priority Area (PSTPA) as defined in Land Development Code Section 142.0528, which does not require the entire site to be within a PSTPA and does not include a ridership criterion. PSTPAs are based on existing and forecast transit network information available at the time of the SANDAG 2018 Regional Transportation Improvement Program.



From: Rachel Guest <[guest14r@yahoo.com](mailto:guest14r@yahoo.com)>  
Sent: Tuesday, September 14, 2021 9:50 AM  
To: DSD EAS <[DSEAS@sanidiego.gov](mailto:DSEAS@sanidiego.gov)>  
Subject: [EXTERNAL] The Nest CDP/Project #676545

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To whom it may concern:  
RE: The Nest CDP/Project No. 676545/Draft Mitigated Negative Declaration  
Date 9-14-21 REBUTTAL

37. { I agree with the concerns our neighbors and community have in the proposed Project No. 676545 which is detailed in this REBUTTAL and attached in a word document submitted my Dennis Li Owner at: 4051 Lamont Street, San Diego, CA 92109.
38. { The planned monstrosity of apartment building will ruin the neighborhood. It's a joke to say it will add to affordable housing in San Diego. There are too many units, not enough parking spaces for the size of the lot. The unpaved alley will not accommodate increased traffic or construction vehicles.
39. { Come and actually assess the space and neighborhood in person. Stop foreign and corporate real estate investment in San Diego to help housing crunch.

Thank you,  
Rachel Guest  
4055 Lamont Street 92109

[Sent from Yahoo Mail for iPhone](#)

**City staff response(s) to the comment letter from Rachel Guest  
for The Nest, Project No. 676545**

37. Comment noted. See response number 3 through number 27.

38. Refer to response number 4 regarding parking requirement, response number 6 regarding alley improvements, and response number 8 regarding affordable housing.

39. Comment noted.



From: Sherry Ashbaugh <jerezita@cox.net>  
Sent: Tuesday, September 14, 2021 10:19 PM  
To: DSD EAS <DSDEAS@sanidiego.gov>  
Cc: Mendez, Martin <MRMendez@sanidiego.gov>  
Subject: [EXTERNAL] The Nest CDP/676545, Draft Mitigated Negative Declaration

**\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\***

ATTN: Morgan Dresser

Dear Morgan,

Below are my comments on the Draft Mitigated Negative Declaration (DMND) prepared for the subject proposed project.

GENERAL:

40. In general, some sections of the Initial Study Checklist do not accurately or adequately describe the proposed occupancy of the project, specifically the two proposed commercial units. Several of the technical appendices, however, do address the two commercial units. All applicable sections of any CEQA documentation should be amended to more accurately describe the two proposed commercial units, as well as more adequately addressing potential impacts of those units in this development proposal. Commercial and residential uses while having some common impacts also have differing impacts when it comes to certain land use issues. This area of Pacific Beach currently does not have commercial unit within multi-family residential developments, and the potential impacts from "undesirable" uses have caused concern with neighbors in the immediate area.
- Page 15:
41. The last paragraph on page 15 states that "Ingress and egress would be via a private driveway with access from Lamont Street." This statement conflicts with all site plans shown in the DMND and all appendices. If that statement is correct, this is a significant change from the initial proposal of accessing the parking garage from the alley in the back. If the proposal has been changed to provide vehicular access ONLY from Lamont Street, then all drawings and site plans should be updated accordingly. Allowing vehicular access from the alley in the back will cause noise, dust, traffic and safety impacts to neighboring residents.
- Page 23:
42. In section D, the paragraph on Long-term (Operational) impacts, there is no discussion of potential odors that may be created by the two commercial units; only residential uses are discussed.

**City staff response(s) to the comment letter from Sherry Ashbaugh  
for The Nest, Project No. 676545**

40. The project description describes the project as proposing 18-multi-family residential units and two commercial units. The Mitigated Negative Declaration and associated technical studies analyzed the whole of the project including the residential units and two commercial units. Overall, the project identified impacts to cultural resources (Archaeology) and Tribal Cultural Resources, which would be mitigated to below a level of significance. No additional significant impacts were identified.
41. See responses number 6, number 10, and number 31. The draft Mitigated Negative Declaration inadvertently stated ingress and egress to the site would be via a private driveway with access from Lamont Street. The final Mitigated Negative Declaration project description has been revised to clarify the project ingress and egress would be via the project's alley frontage. Additionally, as a condition of approval, the applicant is required to improve the existing alley consistent with City Street Design Manual.
42. The project site is zoned RM-2-5, which allows for certain Commercial uses by right, such as Instructional Studios, Adult or Child Care facilities and Assembly Uses, as noted per SDMC Table 131-04B. The project is requesting to apply one of their Affordable Housing Incentives to incorporate the addition of Business & Professional Office Use to the mixed-use allowance of the underlying zone. These uses are not typically associated with odor. Overall, impacts were determined to be less than significant. The final Mitigated Negative Declaration has been revised to include a discussion regarding potential odors created by the commercial units.



Pages 30-31:

43. In Section IX on Hazards and Hazardous Materials, paragraphs (a) through (d), do not address potential impacts from prospective uses in the two proposed commercial units.

Page 36:

44. Without knowing what the specific uses will be of the two commercial units, it seems unrealistic to conclude that no noise impacts would result in impacts to neighboring residents.

Page 39:

45. Under Section b, the project is incorrectly described as "construct a single-family residence".
46. Under Section c, there is insufficient discussion of additional vehicles entering traffic flow onto Lamont Street. Lamont Street is heavily traveled, and drivers often drive too fast on this section of Lamont Street. Excessive speed, coupled with limited visibility for vehicles entering onto Lamont Street from the proposed development due to cars parked on the street, creates the potential for accidents involving vehicles and pedestrians. I strongly encourage City traffic engineering staff to visit the site during a busy time of the day, and attempt to enter traffic flow on Lamont Street from a nearby side street such as Fortuna; again, cars parked along the road make visibility difficult, causing drivers to have to 'creep out' into traffic lanes of Lamont Street to see if other cars are coming along Lamont Street.

Page 43:

47. The section on Cumulative Impacts does not define or delineate "...in the immediate area of the project."

Page 44:

48. Paragraph (c) should be revised pending further analysis by City traffic engineers on the potential safety issues created by vehicles attempting to enter into traffic flow on Lamont Street.

Page 50/Site Plan:

49. This site plan shows vehicular access to the site from the unpaved alley, not from Lamont Street as mentioned on page 15.

Thank you for the opportunity to provide comments on this CEQA document.

Sincerely,

Sherry L. Ashbaugh

**City staff response(s) to the comment letter from Sherry Ashbaugh  
for The Nest, Project No. 676545**

43. The uses that would be allowed including Instructional Studios, Adult or Childcare facilities, Assembly Uses and Business & Professional offices do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the potential exception of common commercial grade hazardous materials such as household and commercial cleaners, paint, etc. The final Mitigated Negative Declaration has been revised to include a discussion regarding potential hazards created by the commercial units.

44. A site-specific Noise Study was prepared for the project which analyzed the project related noise impacts including mechanical and project generated traffic noise impacts. The analysis considered both the residential and commercial components of the project. Impacts were concluded to be less than significant. Should noise exceed the limits identified in the City's Noise Abatement and Control Ordinance SDMC Section 59.5.0401 such incidents should be reported to the City's Code Enforcement Department.

45. The draft Mitigated Negative Declaration inadvertently stated the project would construct a single-family residence. The final Mitigated Negative Declaration, section XVII. (b) (Transportation) has been revised to reflect the project would construct a three-story building with 18 residential units and two commercial units.

46. See response number 6 regarding thresholds for transportation analyses.

47. Cumulative context varies according to each issue area. The geographic scope of consideration for the cumulative analysis of Historical Resources (archaeology) and Tribal Cultural Resources includes the Pacific Beach area. As disclosed in the draft Mitigated Negative Declaration, project construction could result in impacts to Historical Resources (archaeology) and Tribal Cultural Resources; however, implementation of the Mitigation Measures outlined in Section V. of the Mitigated Negative Declaration would reduce potential impacts to below a level of significance.

Projects within the cumulative project area would be required to comply with similar mitigation measures and regulatory requirements of the City. Due to the ability of projects in the cumulative project area to reduce or minimize impacts to historical and tribal cultural resources to below a level of significance, the potential to create a cumulative impact is minimized. For these reasons, the project would not result in a cumulatively considerable contribution to impacts related to archaeological resources and Tribal Cultural Resources when viewed together with the environmental impacts from past, present, and reasonably foreseeable future projects. All other issue areas analyzed in the environmental document were determined to either result in less than significant impacts or no impacts. Cumulative impacts would be less than significant.

48. See response number 46.



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49. See response number 10. The draft Mitigated Negative Declaration inadvertently stated ingress and egress to the site would be via a private driveway with access from Lamont Street. The final Mitigated Negative Declaration project description has been revised to clarify the project ingress and egress would be via the project's alley frontage.

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From: Susan Crowers <[scrowers@verizon.net](mailto:scrowers@verizon.net)>

Sent: Tuesday, September 14, 2021 10:28 PM

To: DSD EAS <[DSD.EAS@sanidiego.gov](mailto:DSD.EAS@sanidiego.gov)>

Subject: [EXTERNAL] Comments on draft Mitigated Negative Declaration (The Nest CDP / 676545)

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50. As a native of Pacific Beach and active community volunteer, I am strongly opposed to this project as it is completely out of character with the Crown Point neighborhood. After conducting a door to door canvassing of over 50 neighbors immediately surrounding this proposed project, 99% of the people I spoke to were against this project and signed a petition of opposition. The most significant point of contention was the addition of commercial spaces in a 100% residential neighborhood, followed by a lack of sufficient parking.
51. The "NEST" project is non-compliant with CEQA and the Pacific Beach Community Plan:
52. A. Does not comply with zoning regulations.
53. B. Does not comply with the Complete Communities plan to include the adopted housing portion (Letter dtd Dec 2020).
54. C. Does not comply with the Housing Solutions Regulations
55. D. Does not comply with the Transit Priority Area
56. E. Does not comply with the Pacific Beach Long Range plan
57. F. This property is:
58. 1. Not in an area that such rules apply or will anytime apply as the city clearly states in all of their adopted and proposed housing policies. This property is in a designated area falling under the California Coastal Commission.
59. 2. In a CA Beach Impact Area and CA Coastal Zone which has unique regulations and are not subject to Floor area ratio or FAR categorization or related capacity calculations for parking. The regulations are rightly much more stringent.
60. G. Even if this project was not in a protected coastal zone, the project also fails to meet city planning or strategic intent of investment in neighborhood amenities.
- H. Significant scaled development impact fees are required to provide incentives within the community, of which none were presented to the planning group or community. This alone nullifies the plan. These fees would be a significant amount which could go towards local improvements. The utilization of scaled development fees was not even discussed in the planning group. This project is also dependent on waivers to required setbacks which are seldom approved in a Beach impact area and do not comply with city community plans or future intent. Also, these setbacks are completely out of scope with the neighborhood.
- I. The Lamont property would also have to undergo a study to determine compliance with the CA Resource Protection Standards of our local coastal program.

**City staff response(s) to the comment letter from Susan Crowers  
for The Nest, Project No. 676545**

50. The RM-2-5 zone allows for limited non-residential uses by right and the incentive to deviate on Use will only permit inclusion of Business and Professional Office uses. See response number 4 regarding parking.
51. The project complies with the California Environmental Quality Act (CEQA) and all applicable San Diego Municipal Code regulations with allowable incentives and deviations.
52. The project is not proposing to utilize the Complete Communities Housing Solutions. The Complete Communities Housing Solutions is not yet in effect in the Coastal Zone.
53. See response number 3.
54. See response number 36.
55. The project proposal for a Mixed-Use development, to include 18 residential dwelling units and ground floor commercial, is consistent with the goals and policies of the Pacific Beach Community Plan (PBCP). The project site is designated for Multi-Family Residential in the PBCP (Figure 1). With the incorporation of deed-restricted affordable housing units, the proposed development will be consistent with the goal of promoting affordable housing opportunities within the community (PBCP, p. 52). The proposed Mixed-Use development is permitted to utilize an increased residential density as noted per PBCP Policy 4 (p.41) since it will be designed as a transit- and pedestrian-oriented development by utilizing land efficiently and providing housing, jobs, and services within a single development. The proposed development design will comply with Coastal Height Limit requirements and will reflect the scale and character of the surrounding neighborhood by maintaining the same overall height as the neighboring structures and by incorporating a variety of housing types (PBCP p.53). It will provide parking off the alley, eliminating the need for driveways along the street, therefore complying with development that is street friendly (PBCP p.51) and will implement the streetscape and balanced community recommendations of the plan (PBCP p.53 & 56).
56. As identified in the draft Mitigated Negative Declaration, the project is within the Coastal non-appealable zone. The project site is not located in the appealable area for the State Coastal Commission and is therefore not within the jurisdiction of the State Coastal Commission
57. The project site lies within a City Coastal Overlay zone non-appealable zone 2 (N-APP-2), therefore compliance with Floor Area Ratio (FAR) and parking regulations are to be met per the Base Zone regulations and Community Local Coastal Program. As such, the PBCP does not indicate any specific FAR requirement so the development regulations (including FAR) as noted per Table 131-04G would apply. The project would not exceed the allowed 1.35 FAR in the RM-2-5 zone. See response number 4.



**City staff response(s) to the comment letter from Susan Crowers  
for The Nest, Project No. 676545**

- 58. Comment noted. The comment does not address the adequacy of the draft Mitigated Negative Declaration. No further response is required.
- 59. Development Impact Fees will be required for the project, and these will be applied and paid at the time required building permit fees are processed, as noted per SDMC Section 142.0640. The project is not eligible for scaled impact fees since it is not utilizing the Complete Communities Housing Solutions Regulations. Additionally, see response number 7.
- 60. The project site is identified as an infill site and is located within an urbanized neighborhood, which has previously been developed. Therefore, the project is not subject or required to comply with these standards.

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Summary:

61. 1. This property's associated assumptions on size, parking, setback, impact are all incorrect.
62. 2. Like all major developments in coastal California, compliance and wavier approvals are under the purview of a state commission, and not the city or community. The commission warns such an approval process takes 15-24 months. Just the resource protection standards assessment would also take a long time and be very costly (De Hanza / Rose Creek estuary) and based on Camp Land history (same beach impact area) would be problematic.
63. 3. Additionally, according to charter, the Pacific Beach Planning Group had no basis or authority to recommend approval of this project as it is noncompliant with their own published plans and strategy. Their recommendation to the city is void. A proper recommendation must follow their governing documents and master planning documents.
64. 4. Please apply common sense as well as compliance with this application. This project is making a mockery of existing regulations our elected and appointed officials are bound to follow.
- Residents of Pacific Beach DO NOT want a project of this scale with commercial units, limited parking, and square footage exceeding the capacity of the lot.
- DO THE RIGHT THING AND STOP IGNORING THE PEOPLE WHO LIVE IN THIS COMMUNITY.
- Thank you for your consideration,
- Susan Crowsers
- 1760 Pacific Beach Dr.
- San Diego, CA 92109

**City staff response(s) to the comment letter from Susan Crowsers  
for The Nest, Project No. 676545**

61. See response number 4, number 7 and number 57.
62. See response number 56.
63. The project was unanimously approved by the Pacific Beach Community Planning Group. Additionally, this comment does not raise issues related to the adequacy of the environmental analysis of the Mitigated Negative Declaration.
64. Comment noted.

65. This project is NOT good for the neighborhood. It's NOT what the surrounding community wants. This is NOT an appropriate area for mixed-use commercial ventures.
66. ABOVE HOUSING DENSITY: The proposed density is higher than what is allowed in a RM-2-5 Coastal Zone (20 proposed vs. 10 dwelling units allowed). Developer makes claims citing permissibility by Pacific Beach Community Plan (PBCP) and Complete Communities Housing

65. Comment noted.
66. See response number 3.



66. cont { Solution Plan (CCHSP). However, it is not clear on the legality of such claims. On the contrary, the site appears to be outside the PBCP commercial area [2]. And the CCHSP Map clearly says "Sites located within the Coastal Zone are not yet effective, pending Coastal Commission certification" [3]
67. { SHORT OF PARKING: The proposed off-street parking is half of the number required in a RM--25 Coastal Zone (20 proposed vs. 40 spaces required). The residential units will only have 1/2 parking space per resident and the 2 commercial stores will have only 1 parking each. The number of provided parking spaces will not be adequate without substantial overflow to street-side or alley-side parking.
68. { COMMERCIAL: The site is located on Lamont Street in a tranquil residential area (south of Grand, east of Ingraham), one of few such areas left in Pacific Beach. It is 100% residential with a healthy mix of apartments, condos, and single family homes. Commercial use is neither desirable nor useful as most businesses are already within walking distance. The project is unprecedented for allowing two commercial units with ground level store-front in this solely residential area.
69. { UNSAFE: Lamont is already a busy one-lane street with vehicles usually parked fully on both sides. The project will create more traffic and potentially more dangerous conditions for drivers and pedestrians alike. The back alley is narrow, mostly unpaved, passable only one-car-at-a-time, with hidden driveways, blind spots, garbage dumpsters and other obstructions. Adding a 20 car garage to the already high number of garages in the alley will make congestions and accidents in the alley even more likely.
70. { AESTHETICS : Substantial front and side yard setback concessions if allowed will result in a monolithic, odd looking building which stifles natural light and encroaches on open space all around.
71. { AFFORDABILITY?: With only 2 units at "affordable" price and 18 units at market, there is not going to be any meaningful impact on overall affordability. Given the owner has been using the house for Short Term Vacation Rental (STVR) for many years, it's quite likely that a good number of the 20 new units will become STVR's and not be available to local residents. And making it worse, new developments also tend to push home price higher in surrounding areas.

**City staff response(s) to the comment letter from Susan Crowers  
for The Nest, Project No. 676545**

67. See response number 4.
68. See response number 5.
69. See response number 6.
70. See response number 7.
71. See response number 8.



## INITIAL STUDY CHECKLIST

1. Project title/Project number: The NEST CDP / 676545
2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California, 92101
3. Contact person and phone number: Morgan Dresser / (619) 446-5404
4. Project location: 4033-4039 Lamont Street, San Diego, California 92109
5. Project Applicant/Sponsor's name and address: Sarah Horton, Golba Architecture, Inc., 1940 Garnet Avenue, Suite 100, San Diego, California 92109
6. General/Community Plan designation: Residential / Multi-family Residential
7. Zoning: RM-2-5
8. Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

A COASTAL DEVELOPMENT PERMIT to demolish a single story, 3,307-square-foot two-unit structure and construct a 18,524-square foot three-story mixed-use building, with 18-multi-family residential units and two commercial units. The ground level would include two residential units, two commercial units totaling 682-square feet, a 301-square foot lobby, and on grade parking including 19 parking spaces, two motorcycle parking spaces and 10 bicycle parking spaces. The second and the third levels would have 8 residential units each. In addition, various site improvements would also be constructed including associated hardscape and landscape. The project is requesting an affordable housing density bonus based on providing 13 percent (2 units) deed-restricted very low-income units with rents at 30% of 50% of Area Median Income (AMI) for a period of 55 years. The project is requesting ~~an~~ allowable incentives in the form of deviations from the development regulations for a ~~40-foot~~ 7-foot 6-inch front yard setback where 15-foot setback is required, a 5-foot side yard setback where 10 percent of the entire premise width or 5-feet whichever is greater, is required, ~~a 12-foot 6-inch rear yard setback where a 15-foot setback is required~~, and a reduction of the percentage of units with private exterior space to 55 percent of the units where at least 75 percent of the units are required to have private exterior space is required, and the inclusion of additional uses (Business and Professional Offices) to the list of permissible commercial uses beyond those allowed under the RM-2-5 zone as part of the mixed use density allowed for in the Pacific Beach Community Plan.

The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City Landscape ordinances and standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff.



Grading would entail approximately 2,325 cubic yards of removal and recompacting to a depth of approximately 6 feet. Ingress and egress would be via a private driveway with access from the alley east of the project site ~~Lamont Street~~. All parking would be provided on-site.

9. Surrounding land uses and setting:

The 0.32-acre project site is located at 4033-4039 Lamont Street. The project site is bounded by residential development to the north, south, east, and west. The site contains a single story, 3,307-square-foot two-unit structure and pool. Vegetation on-site consists of ornamental landscaping.

The project site is designated Multi-family Residential and zoned RM-2-5 per the Pacific Beach Community Plan area. The project site is also within the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable 2 Area), the Parking Impact Overlay Zone (Coastal and Beach Impact), the Parking Standards Transit Priority Area, the Residential Tandem Parking Overlay Zone, and the Transit Priority Area.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None required.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego provided formal notifications to the Iipay Nation of Santa Ysabel, the Jamul Indian Village, and the San Pasqual Band of Mission Indians which are traditionally and culturally affiliated with the project area; requesting consultation on May 5, 2021. A request for project consultation was not received from either the Jamul Indian Village or Iipay Nation of Santa Ysabel Native American Tribes within the notification period, and therefore consultation was concluded. The San Pasqual Band of Mission Indians (San Pasqual) responded on May 5, 2021, requesting consultation on the project. Several attempts were made to schedule the consultation; however, the City did not receive any responses from San Pasqual. Therefore, the consultation process was concluded.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Public Services                      |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                           |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Transportation                       |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Land Use/Planning             | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service System             |
| <input type="checkbox"/> Energy                             | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Wildfire                             |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Population/Housing            | <input type="checkbox"/> Mandatory Findings Significance      |

**DETERMINATION: (To be completed by Lead Agency)**

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significant.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project site is not located within, or adjacent to a designated scenic vista or view corridor that is identified in the Pacific Beach Community Plan. Therefore, the project would not have a substantial adverse effect on a scenic vista. No impact would result.				
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project is situated within a developed neighborhood comprised of residential uses. There are no scenic resources (trees, rock outcroppings, or historic buildings) located on the project site. The project would not result in the physical loss, isolation, or degradation of a community identification symbol or landmark, as none are identified by the General Plan or community plan as occurring in the project vicinity. Therefore, no impact would result.				
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project site is located within a neighborhood surrounded by residential uses. The project would be consistent with the General Plan, community plan land use and zoning designations with allowable deviations. The deviations include a request for reduced front, side, and rear yard setback, and reduction of private exterior space to allow for a larger building footprint. Overall, the project would be compatible with the surrounding development and would not substantially degrade the existing visual character or quality of the site and its surroundings. The project is a mixed-use residential infill project within a transit priority area (TPA). In accordance with Public Resources Code Section 21099, aesthetic impacts of a mixed-use residential project on an infill site within a TPA shall not be considered significant impacts on the environment. Therefore, no impact would result.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Lighting

The project would comply with the outdoor lighting standards in Municipal Code Section 142.0740 (Outdoor Lighting Regulations) that require all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution,



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact.

### **Glare**

The project would comply with Municipal Code Section 142.0730 (Glare Regulations) that require exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The structures would consist of wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete, or natural stone. The project would have a less than significant glare impact.

As such, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; impacts would be less than significant.

- II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project::

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is located within a developed residential neighborhood. As such, the project site does not contain nor is it adjacent to any lands identified as Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as show on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency. Therefore, the project would not result in the conversion of such lands to non-agricultural use. No impact would result.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Refer to response II (a), above. There are no Williamson Act Contract Lands on or within the vicinity of the site. Furthermore, the project would not affect any properties zoned for agricultural use or affected by a Williamson Act Contract, as there are none within the project vicinity. Agricultural land is not present on the site or in the general vicinity of the site; therefore, no conflict with the Williamson Act Contract would result. No impact would result.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No designated forest land or timberland occur onsite. No impacts would result.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Refer to response II (c) above. Additionally, the project would not contribute to the conversion of any forested land to non-forest use, as surrounding land uses are built out. No impacts would result.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Refer to response II (a) and II (c), above. The project and surrounding areas do not contain any farmland or forest land. No changes to any such lands would result from project implementation. Therefore, no impact would result.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations – Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is located in the San Diego Air Basin (SDAB) and is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD) and the California Air Resources Board (CARB). Both the State of California and the Federal government have established health-based Ambient Air Quality Standards (AAQS) for the following six criteria pollutants: carbon monoxide (CO); ozone (O<sub>3</sub>); nitrogen oxides (NO<sub>x</sub>); sulfur oxides (SO<sub>x</sub>); particulate matter up to 10 microns in diameter (PM<sub>10</sub>); and lead (Pb). O<sub>3</sub> (smog) is formed by a photochemical reaction between NO<sub>x</sub> and reactive organic compounds (ROCs). Thus, impacts from O<sub>3</sub> are assessed by evaluating impacts from NO<sub>x</sub> and ROCs. A new increase in pollutant emissions determines the impact on regional air quality as a result of a proposed project. The results also allow the local government to determine whether a proposed project would deter the region from achieving the goal of reducing pollutants in accordance with the Air Quality Management Plan (AQMP) in order to comply with Federal and State AAQS.

The SDAPCD and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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standards in the SDAB. The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991 and is updated on a triennial basis (most recently in 2009). The RAQS outlines the SDAPCD's plans and control measures designed to attain the state air quality standards for ozone (O<sub>3</sub>). The RAQS relies on information from the CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in the county, to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

The RAQS relies on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the county as part of the development of their general plans. As such, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the RAQS. However, if a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the RAQS and may contribute to a potentially significant cumulative impact on air quality.

The project would be consistent with the General Plan, Community Plan, and the underlying zone designation. Therefore, the project would be consistent with forecasts in the RAQS and would not obstruct implementation of the RAQS. As such, no impact would occur.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

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**Short-Term (Construction) Emissions.** Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include fugitive dust from grading activities; construction equipment exhaust; construction-related trips by workers, delivery trucks, and material-hauling trucks; and construction-related power consumption.

Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or offsite.

Fugitive dust emissions are generally associated with land-clearing and grading operations. Construction operations would include standard measures as required by the City of San Diego to limit potential air quality impacts. Therefore, impacts associated with fugitive dust are considered less than significant and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation.

**Long-Term (Operational) Emissions.**

Operational emissions include emissions from natural gas combustion, vehicle trips, area sources and landscape equipment. Based on the estimated operational emissions, the project would not exceed any screening-level criteria. Therefore, project operation would not violate any air quality



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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standard or contribute substantially to an existing or projected air quality violation, nor would the project result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment.

Construction emissions would be temporary and short-term in duration; implementation of Best Management Practices (BMPs) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

As described above, construction operations could temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration; implementation of Best Management Practices (BMPs) would reduce potential impacts related to construction activities to a less than significant level. Based on the estimated operational emissions, the project would not exceed any screening-level criteria. Therefore, the project would not result in the exposure of sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

### **Short-term (Construction)**

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect a substantial number of people. Therefore, impacts would be less than significant.

### **Long-term (Operational)**

Residential dwelling units, in the long-term operation, are not uses typically associated with the creation of such odors nor are they anticipated to generate odors affecting a substantial number or people. Additionally, the commercial units would allow for certain Commercial uses by right, such as Instructional Studios, Adult or Child Care facilities and Assembly Uses and the addition of business and professional offices which are not typically associated with the creation of odors. Therefore, project operations would result in less than significant impacts.

#### **IV. BIOLOGICAL RESOURCES – Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
California Department of Fish and Game or U.S. Fish and Wildlife Service?				
<p>The project site is surrounded by residential development. The project site does not contain sensitive biological resources on site or adjacent to the site. Onsite vegetation is non-native, and the project site does not contain any sensitive biological resources on site, nor does it contain any candidate, sensitive or special status species. No impacts would occur.</p>				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The project site is developed within an urban area. No such habitats exist on or near the project site. Refer to Response IV (a), above. The project site does not contain any riparian habitat or other identified community, as the site currently supports non-native vegetation. No impacts would occur.</p>				
c) Have a substantial adverse effect on federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>There are no wetlands or water of the United States on or near the site. No impacts would occur.</p>				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The project site is urban developed within a residential setting. The project would not impede the movement of any wildlife or the use of any wildlife nursery sites. Therefore, no impacts would occur.</p>				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Refer to response IV (a), above. The project site is designated Residential. The site is developed and within a residential setting. The project would not conflict with any local policies or ordinances protecting biological resources. Therefore, no impacts would occur.</p>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project is located in a developed urban area and is not adjacent to the City's Multi-Habitat Planning Area (MHPA). The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Therefore, no impacts would occur.

V. CULTURAL RESOURCES – Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. Before approving discretionary projects, CEQA requires the Lead Agency to identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment (sections 15064.5(b) and 21084.1). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (sections 15064.5(b)(1)). Any historical resource listed in, or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

The City of San Diego criteria for determination of historic significance, pursuant to CEQA, is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building. Projects requiring the demolition and/or modification of structures that are 45 years or older can result in potential impacts to a historical resource. The existing structure was identified as being over 45 years in age. Consequently, photographic documentation, Assessor's Building Records, description of property, and water and sewer records for the project site were submitted and reviewed by Plan-Historic staff. City staff determined that the property and/or structure are not individually designated resources and are not located within a designated historic district. In addition, the property does not meet designation criteria as a significant resource under any adopted criteria. No impact would result.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City of San Diego Historical Resources Sensitivity Maps. Qualified City staff conducted a records search of the California Historic Resources Information System (CHRIS) digital database; the search identified several previously recorded historic and prehistoric sites in the project vicinity. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Therefore, a Mitigation Monitoring Reporting Program, as detailed within Section V of the MND, would be implemented. With implementation of the historical resources monitoring program, potential impacts on historical resources would be reduced to below a level of significance.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no formal cemeteries or known burials in the immediate vicinity of the project site. In the unlikely event of a discovery of human remains, the project would be handled in accordance with procedures of the California Public Resources Code (§5097.98), State Health and Safety Code (§7050.5), and California Government Code Section 27491. These regulations detail specific procedures to follow in the event of a discovery of human remains, i.e. work would be required to halt and no soil would be exported off-site until a determination could be made via the County Coroner and other authorities as required. In addition, the Mitigation, Monitoring, and Reporting Program requires the presence of archaeological and Native American monitors during grading that would ensure that any buried human remains inadvertently uncovered during grading operations are identified and handled in compliance with these regulations (see V. b). As no known burials exist within the project site, it is not anticipated that human remains would be encountered during construction. Therefore, no impact would occur.

#### VI. ENERGY – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would be required to meet mandatory energy standards of the current California energy code. Construction of the residential and commercial units would require operation of heavy equipment but would be temporary and short-term in duration. Additionally, long-term energy usage from the building would be reduced through design measures that incorporate energy conservation features in heating, ventilation and air conditioning systems, lighting and window treatments, and insulation and weather stripping. The project would also incorporate cool-roofing materials and solar panels. Development of the project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Impacts would remain less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Refer to IV. a. above. The project is consistent with the General Plan and the Pacific Beach Community Plan's land use designation. The project is also required to comply with the City's Climate Action Plan (CAP) by implementing energy reducing design measures, therefore the project would not obstruct a state or local plan for renewable energy or energy efficiency. No impacts would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GEOLOGY AND SOILS – Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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According to the site-specific Geotechnical Investigation prepared by Terra Pacific Consultants, Inc. dated September 22, 2020 the closest known active fault, the Rose Canyon Fault is located approximately 1.3 miles southwest of the project site. The site is not traversed by an active, potentially active, or inactive fault and is not within an Alquist-Priolo Fault Zone. Earthquakes that generate from these faults or from other faults within southern California are potential generators of significant ground motion at the project site. However, the project would be required to comply with seismic requirement of the California Building Code, utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures to an acceptable level of risk. Therefore, impacts would be less than significant.

- ii) Strong seismic ground shaking?

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Refer to VII (a)(i).

- iii) Seismic-related ground failure, including liquefaction?

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Liquefaction generally occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. According to the site-specific geotechnical investigation, the site would have a low risk for liquefaction due to the shallow depth to dense formational soil. As such, the likelihood of the proposed project exposing people to seismic related ground failure or liquefaction is considered to be low, resulting in a less than significant impact.

- iv) Landslides?

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According to the site-specific geotechnical investigation, evidence of landslides or slope instability was not observed on or in the vicinity of the project site. Due to the topography, the absence of significant nearby slopes or hills, and the planned site grading, the potential for landslides is considered negligible. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts would be reduced to an acceptable level of risk. Impacts would be less than significant.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Demolition and construction activities would temporarily expose soils to increase erosion potential. The project would be required to comply with the City's Storm Water Standards, which requires the implementation of appropriate best management practices (BMPs). Grading activities would be required to comply with the City of San Diego Grading Ordinance as well as the Storm Water Standards, which would ensure soil erosion and topsoil loss is minimized to less than significant levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Therefore, the project would not result in substantial soils erosion or loss of topsoil; therefore, impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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As discussed in Section VI(a) and VI(b), the project site has a negligible potential to be subject to landslides, and the potential for liquefaction and subsidence is negligible. The soils and geologic units underlying the site are considered to have a "low" expansion potential. The project design would be required to comply with the requirements of the California Building Code ensuring hazards associated with expansive soils would be reduced to an acceptable level of risk. As such, impacts due to expansive soils are expected to be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project site is considered to have low expansive soil potential. The project would be required to comply with seismic requirements of the California Building Code that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is located within an area that is already developed with existing infrastructure (i.e., water and sewer lines) and does not propose any septic system. In addition, the project does not require the construction of any new facilities as it relates to wastewater, as services are available to serve the project. No impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to the site-specific Geotechnical Investigation prepared by Terra Pacific Consultants, Inc. dated September 22, 2020, the project site is underlain by fill, and Baypoint Formation. Currently fill layers across the site ranging from approximately four to six feet in depth. Baypoint Formation has a high sensitivity and Fill has a low sensitivity for paleontological resources.

The Bay Point Formation is a nearshore marine sedimentary deposit of late Pleistocene age (approximately 220,000 years old). Typical exposures consist of light gray, friable to partially cemented, fine- to course-grained, massive, and cross-bedded sandstones. The formation is generally exposed at sea level, so its total thickness and relationship with underlying formations is unknown. The Bay Point formation has produced large and diverse assemblages of well-preserved marine invertebrate fossils, primarily mollusks. However, remains of fossil marine vertebrates have also been recovered from this rock unit. Recorded collecting sites in this formation include both natural exposures as well as construction-related excavations. Based upon the occurrences of extremely diverse and well-preserved assemblages of marine invertebrate fossils and rare vertebrate fossils in the Bay Point Formation it is assigned a high resource sensitivity.

According to the City of San Diego's Significance Determination Thresholds, more than 1,000 cubic yards of grading at depths of greater than 10 feet (less than 10 feet if the site has been graded) into formations with a high resource sensitivity rating could result in a significant impact to paleontological resources, and mitigation would be required.

Grading operations would entail approximately 2,325 cubic yards of removal and recompacting to a depth of approximately 6 feet. Therefore, the project would not exceed the City's Significance Determination Thresholds. No impact would result.

#### VIII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The CAP Consistency Checklist is utilized to ensure project-by-project consistency with the underlying assumptions in the CAP and to ensure that the City would achieve its emission reduction targets identified in the CAP. The CAP Consistency Checklist includes a three-step process to determine project if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and Pacific Beach Community Plan land use designations and zoning for the site. Therefore, the



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions. This includes project features consistent with the energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategy. These project features would be assured as a condition of project approval. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone.

Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project's direct and cumulative GHG emissions would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Refer to Section VII (a). Impacts would be less than significant.

#### IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. Therefore, no significant impacts would occur during construction activities.

The operational phase of the project would occur after construction is completed. The project includes residential and commercial uses that are compatible with surrounding uses. Residential and Instructional Studios, Adult or Childcare facilities, Assembly Uses and Business & Professional office uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the potential exception of common commercial grade hazardous materials such as household and commercial cleaners, paint, etc. The project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur. Therefore, the proposed project would not create a significant hazard to the public or the environment and any impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonably | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				

Refer to IX (a), above. Impacts would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

As outlined in VII (a) and (b) above, the project would not store, transport, use or dispose of hazardous materials. The Crown Point Junior Music Academy is located within one-quarter mile of the site. Based on the described conditions no impacts related to emitting or handling hazardous materials waste or substances within one-quarter mile of a school site would occur. Impact would be less than significant.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

A search of potential hazardous materials sites compiled pursuant to Government Code Section 65962.5 was completed for the project site. Based on the searches conducted, the project site is not identified on a list of hazardous materials sites. As such, no impact would occur that would create a significant hazard to the public or environment.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two mile of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within an airport land use plan, or within two miles of a public airport or public use airport. No impact would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Refer to response VIII (e) above. The project site is not in proximity to any private airstrip. Therefore, no impacts will occur.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Expose people or structures, either directly or indirectly, to a significant risk | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
of loss, injury or death involving wildland fires?				

The project would not impair the implementation of, or physically interfere with, an adopted emergency response plan or evacuation plan. No roadway improvements are proposed that would interfere with circulation or access, and all construction would take place on-site. No impacts would occur.

X. HYDROLOGY AND WATER QUALITY - Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would comply with the City's Stormwater Management and Discharge Control Ordinance (Municipal Code Chapter 4, Article 3, Division 3), Storm Water Runoff and Drainage Regulations (LDC Section 142.02 et al.), and other applicable storm water quality standards during and after construction. Treatment control best management practices (BMPs) have been selected that would ensure pollutants are not discharged to receiving waters. Proposed BMPs as fully described in the project specific Priority Development Project Storm Water Quality Management Plan prepared by Christensen Engineering and Surveying, dated January 2021 are summarized below.

The project would employ site design, source control and structural BMPs. Site design BMPs include minimizing impervious areas, minimizing soil compaction, dispersing the impervious areas, collecting runoff in biofiltration basins, and use of native or drought-tolerant species for landscaping purposes. Source control BMPs include the placement of trash and storage areas in unit garages to prevent dispersion by rain, run-on, run-off, and wind.

These requirements have been reviewed by qualified City staff and would be re-verified during the ministerial building permit process. Adherence to applicable water quality standards would ensure adverse impacts associated with compliance with quality standards and waste discharge requirements are avoided. Impacts would be less than significant.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not require the construction of wells or the use of groundwater. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project is located in an urban neighborhood where all infrastructures exist. The project would connect to the existing public water system. No impact would result.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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addition of impervious surfaces, in a manner which would:

A site-specific Drainage Study was prepared by Christensen Engineering and Surveying dated January 2021, which identified the following. Under the existing conditions, site drainage flows at 0.88 cubic feet per second (cfs) southeasterly onto the unnamed alley with no drainage conveyance system or runoff treatment. Overall, development of the project site would not increase the runoff. Runoff would be treated by two biofiltration basins Runoff would be directed to Lamont Street at 0.80 cfs and 0.08 cfs would runoff to the unnamed alley. Ultimately collection of the runoff would be in the public storm drain system at the northwest curb inlet at Fortuna Avenue and Morrell Street and discharge into Mission Bay. There are no streams or rivers located on-site and thus, no such resources would be impacted through the proposed grading activities.

Although grading would be required for the project, the project would implement BMPs to ensure that substantial erosion or siltation on or off-site would not occur. Impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) result in substantial erosion or siltation on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Refer to XI(c), the project would alter the drainage pattern for the site; however, it would not alter the drainage pattern in the surrounding area or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Although site drainage would be altered, the sheet flow would be directed towards the existing public storm drain system and would comply with San Diego Municipal Code Section 143.0142(f). Impacts would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Refer to XI(c), the project would not increase the rate or amount of surface runoff which would result in flooding on or off site. Impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would be required to comply with all City storm water standards during and after construction. Appropriate best management practices would be implemented to ensure that water quality is not degraded; therefore, ensuring that project runoff is directed to appropriate drainage systems. Any runoff from the site is not anticipated to exceed the capacity of existing storm water systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project construction would occur within a developed site surrounded by residential development. The project would not impede or redirect flood flows. The project would be required to comply with all City storm water standards during and after construction ensuring that project runoff is directed to appropriate drainage systems. Impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within a flood hazard zone, and according to the site-specific geotechnical investigation, it is not likely that a tsunami or seiche could impact the site due to the site elevation. Therefore, no impact would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

The project would be required to comply with all City storm water standards during and after construction. Appropriate best management practices would be implemented to ensure that water quality is not degraded; therefore, ensuring that project runoff is directed to appropriate drainage systems. Any runoff from the site is not anticipated to exceed the capacity of existing storm water systems or provide substantial additional sources of polluted runoff. Additionally, the project does not require the construction of wells or the use of groundwater. Therefore, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan. Impacts would be less than significant.

#### XI. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is compatible with the surrounding development and permitted by the General Plan, community plan land use and zoning designations. The project would not substantially change the nature of the surrounding area and would not introduce any barriers or project features that could physically divide the community. Thus, the project would result in no impact related to physically dividing an established community. No impact would occur.

b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is designated Multi-family Residential and zoned RM-2-5 per the Pacific Beach Community Plan. The project is consistent with the underlying zone and the land use designation.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, community plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. No impact would result.

XII. MINERAL RESOURCES – Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no known mineral resources located on the project site. The urbanized and developed nature of the project site and vicinity would preclude the extraction of any such resources. No impact would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

See XI (a), above. The project site has not been delineated on a local general, specific, or other land use plan as a locally important mineral resource recovery site, and no such resources would be affected with project implementation. Therefore, no impacts were identified.

XIII. NOISE – Would the project result in:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

A site-specific Acoustical Analysis Report was prepared by Eilar Associates, Inc. dated April 2021 to assess potential impacts associated with the project. The technical study evaluated impacts associated with construction and operation of the project. The following is a summary of the report.

**Construction Noise**

The City of San Diego Noise Abatement and Control Ordinance (Ordinance) contains the regulations governing construction and operational (stationary) noise levels within the City. The Ordinance prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. that create disturbing, excessive, or offensive noise. The Ordinance also prohibits construction activities from generating an average noise sound level greater than 75 dB from 7:00 a.m. to 7:00 p.m. at or beyond the property lines of any property zoned residential.

Construction activities would include demolition, grading, building construction, site utilities, paving, architectural coating, and associated and landscaping, with site preparation expected to produce the highest sustained construction noise. Construction noise could be as high as 63.2 to 73.0 A-weighted



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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decibels average sound level [dB(A)  $L_{eq}$ ] measured at 50 feet from the acoustic center of the construction. Noise levels are not anticipated to exceed 75 dB(A)  $L_{eq}$  at all sensitive receptors. Therefore, impacts from construction noise would remain less than significant.

### **Operational Noise**

The project site is located adjacent to Lamont Street where vehicular traffic is the dominant noise source. Existing ambient noise levels were measured to be between 37 dB(A)  $L_{eq}$  and 57.6 dB(A)  $L_{eq}$ . Vehicle traffic noise level was calculated at ground level, not taking into consideration the shielding provided by on-site structures, to be between 50 to 60 community noise equivalent level (CNEL).

Future noise environment would generally be the same noise sources as well as noise generated by the project. Noise impacts associated with project implementation would include project generated vehicle traffic and HVAC equipment. The future traffic noise levels at outdoor use areas were calculated to range from 31.8 CNEL to 59.2 CNEL, which would not exceed the requirement to maintain noise levels of 65 CNEL or less at private outdoor use areas. Additionally, future traffic noise levels were calculated at the north, south east, and west building facades, which ranged from 32 CNEL to 60 CNEL. Therefore, impacts would be less than significant.

Interior noise level must not be greater than 45 CNEL in habitable spaces and 50 CNEL in commercial spaces. Current building construction is generally expected to achieve at least a 15-decibel exterior-to-interior attenuation with windows open. Since exterior noise levels at building facades will not exceed 60 CNEL no special design features would be required to achieve interior noise limits for residential or commercial spaces. Therefore, impacts would be less than significant.

Overall, the project would not generate a substantial temporary or permanent increase in noise levels. Impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Generation of, excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Pile driving activities that would potentially result in ground borne vibration or ground borne noise are not anticipated with construction of the project. As described in Response to XII (a) above, potential effects from construction noise would be reduced through compliance with the City's Noise Ordinance. Impacts would be less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is not located in an Airport Influence Area. As such, the project would not expose people to working in the area to excessive aircraft noise levels. No impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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#### XIV. POPULATION AND HOUSING – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is located within a developed residential neighborhood and is surrounded by similar development. The project site currently receives services from the City, and no extension of infrastructure to new areas is required. As such, the project would not induce substantial population growth in the area. Impacts would be less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No such displacement would result. The project would demolish a two-unit structure to construct 18 units. No impacts would occur.

#### XV. PUBLIC SERVICES

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services: |                          |                          |                                     |                          |
| i) Fire protection;   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The project site is located in an urbanized area where fire protection services are provided. The site would continue to be served by the City. The project would not adversely affect existing levels of fire protection services to the area and would not require the construction of new or expanded governmental facilities. Impacts to fire protection would be less than significant.

- |                        |                          |                          |                                     |                          |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii) Police protection; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project site is located in an urbanized area where police protection services are provided. The site would continue to be served by the City. The project would not adversely affect existing levels of police protection services to the area and would not require the construction of new or expanded governmental facilities. Impacts to fire protection would be less than significant.

- |               |                          |                          |                                     |                          |
|---------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| iii) Schools; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would not affect existing levels of public services and would not require the construction or expansion of a school facility. The project site is located in an urbanized and developed area where public school services are available. The project would not significantly increase the demand on public schools over that which currently exists and is not anticipated to result in a significant increase in demand for public educational services. Impacts would be less than significant.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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iv) Parks; ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area where City-operated parks are available. The project would not significantly increase the demand on existing neighborhood or regional parks or other recreational facilities over that which presently exists and is not anticipated to result in a significant increase in demand for parks or other offsite recreational facilities. Impacts would be less than significant.

v) Other public facilities? ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area where City services are already available. The project would not adversely affect existing levels of other public facilities and not require the construction or expansion of an existing governmental facility. Impacts would be less than significant.

#### XVI. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☒ ☐

The project would not adversely affect the availability of and/or need for new or expanded recreational resources. The project would not adversely affect existing levels of public services and would not require the construction or expansion of an existing governmental facility. The project would not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. Therefore, the project is not anticipated to result in the use of available parks or facilities such that substantial deterioration occurs, or that would require the construction or expansion of recreational facilities to satisfy demand. Impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? ☐ ☐ ☒ ☐

Refer to XV (a) above. The project does not propose recreation facilities nor require the construction or expansion of any such facilities. Impacts would be less than significant.

#### XVII. TRANSPORTATION-

a) Would the project or plan/policy conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities? ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would not change existing circulation patterns on area roadways. The project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, no impact would occur.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Would the project or plan/policy result in VMT exceeding thresholds identified in the City of San Diego Transportation Study Manual? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would construct ~~a single-family residence~~ three-story building with 18 residential units and two commercial units in a neighborhood with similar residential development. A "Small Project" is defined as a project generating less than 300 daily unadjusted driveway trips using the City of San Diego trip generation rates/procedures. Based upon the screening criteria, the project qualifies as a "Small Project" and is screened out from further VMT analysis. The project is presumed to have a less than significant impact on Vehicle Miles Traveled (VMT). Impacts would be less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Would the project or plan/policy substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would construct a three-story building with 18 residential units and two commercial units in a neighborhood with similar development. Overall, the project complies with the Pacific Beach Community Plan and is consistent with the land use and underlying zoning. Additionally, the project does not include any design features that would substantially increase hazards. No impacts would result.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Adequate emergency access would be provided during both short-term construction (with construction operating protocols) and long-term operations of the project. Emergency access to the site would be provided from Lamont Street. As such, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES – 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not cause a substantial adverse effect to tribal cultural resources, as there are no recorded sites listed or sites eligible for listing in the California Register of Historical Resources, or in



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a local register of historical resources as defined by the Public Resources Code. No impact would result.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include “non-unique archaeological resources” that, instead of being important for “scientific” value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC § 21080.3.1(a)).

In accordance with the requirements of PRC Section 21080.3.1, Assembly Bill (AB) 52, the City notified Native American tribes that are traditionally and culturally affiliated with the project area. The tribes were sent notification letters on May 5, 2021 informing them of the proposed project and asking them of any knowledge or information about tribal cultural resources they may have about the project area. A request for project consultation was not received from either the Jamul Indian Village or Iipay Nation of Santa Ysabel Native American Tribes within the notification period, and therefore consultation was concluded. The San Pasqual Band of Mission Indians (San Pasqual) responded on May 5, 2021, requesting consultation on the project. Several attempts were made to schedule the consultation; however, the City did not receive any responses from San Pasqual. Therefore, the consultation process was concluded. However, there is potential for unknown buried tribal cultural resources to be present. Project construction could encounter unknown tribal cultural resources during ground-disturbing activities. If encountered, such resources could potentially be damaged or destroyed, resulting in a substantial adverse change in the significance of a tribal cultural resource. Therefore, implementation of the proposed project could result in a potentially significant impact to tribal cultural resources.

A Mitigation, Monitoring, and Reporting Program as detailed in Section V of the Mitigated negative Declaration would be required. With implementation of the monitoring program, potential impacts on tribal cultural resources would be reduced to below a level of significance.

#### XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
would cause significant environmental effects?				

The project is not anticipated to generate significant amount of wastewater or stormwater. As discussed in VI (a), the project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Wastewater facilities used by the project would be operated in accordance with the applicable wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Existing sewer infrastructure exists within roadways surrounding the project site and adequate services are available to serve the project. Thus, impacts would be less than significant.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not meet the CEQA significance thresholds requiring the need for the project to prepare a water supply assessment. The existing project site currently receives water service from the City, and adequate services are available to serve the site without requiring new or expanded entitlements. No impact would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not exceed the capacity of the existing storm water system and require the construction of new or expanded treatment facilities of which would cause significant environmental effects. The project was reviewed by qualified City staff who determined that the existing facilities are adequately sized to accommodate the proposed development. No impacts would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

See XVII (a) above. Adequate services are available to serve the site and the project would not require the construction or expansion of existing facilities. No impact would result.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would be served by a landfill with sufficient permitted capacity to accommodate the project's disposal needs. Construction debris and waste would be generated from the construction of the new residential and commercial units. All construction waste from the project site would be transported to an appropriate facility, which would have adequate capacity to accept the limited amount of waste that would be generated by the project. Long-term operation of the project would



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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be anticipated to generate typical amounts of solid waste associated with residential use. Furthermore, the project would be required to comply with the City's Municipal Code (including the Refuse and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2, Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C&D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6)) for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. Impacts are considered to be less than significant.

XX. WILDFIRE – If located in or near state responsibility area or lands classified as very high fire hazard severity zones, would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The 2017 San Diego County Multi-Jurisdictional Hazard Mitigation Plan (SDHMP) is the San Diego region's plan toward greater disaster resilience in accordance with section 322 of the Disaster Mitigation Act of 2000. The project would not conflict with the goals, objectives, and actions of the SDHMP. Per Action 1.D.6, High fire hazard areas shall have adequate access for emergency vehicles. The project site is located in a previously developed area with existing infrastructure and facilities currently serving the site. Additionally, the project would provide adequate access for emergency vehicles. Therefore, the project would not conflict with emergency response and would not substantially impair an adopted emergency response plan. No impacts would result.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is generally flat, located within an existing urban neighborhood surrounded by residential uses and is not located in a Very High Fire Severity Zone. Due to the location of the project, the project would not have the potential to expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, no impacts would result.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is currently served by existing infrastructure which would service the site during and after construction. The project area has adequate fire hydrant services and street access. No new infrastructure is proposed to support the project that may exacerbate fire risk. No impacts would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
result of runoff, post-fire slope instability, or drainage changes?				

The project area is within developed urban neighborhood. The project would comply with the City's Landscape Regulations and Land Development Code. The project would not expose people or structures to significant risk from flooding or landslide as a result of runoff, post-fire instability, or drainage changes. Therefore, no impacts would occur.

#### XXI. MANDATORY FINDINGS OF SIGNIFICANCE –

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

As documented in this Initial Study, the project may have the potential to degrade the quality of the environment, notably with respect to Cultural Resources (Archaeology), and Tribal Cultural Resources. As such, mitigation measures have been incorporated to reduce impacts to less than significant as outlined within the Initial Study.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project have impacts that are individually limited but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the project. The project would be located in a developed area that is largely built out. No other construction projects are anticipated in the immediate area of the project.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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As documented in this Initial Study, the project may have the potential to degrade the environment as a result of Cultural Resources (Archaeology), and Tribal Cultural Resources impacts, which may have cumulatively considerable impacts when viewed in connection with the effects of other potential projects in the area. As such, mitigation measures have been identified to fully mitigate and reduce impacts to a less than significant level. Other future projects within the surrounding area would be required to comply with applicable local, State, and Federal regulations to reduce potential impacts to less than significant, or to the extent possible. As such, the project is not anticipated to contribute to potentially significant cumulative environmental impacts. Project impacts would be less than significant.

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

☐
☐
☒
☐

As discussed throughout this document, it is not anticipated that the construction and operation of the project would cause environmental effects that would significantly directly or indirectly impact human beings. All impacts identified as being significant have been mitigated to below a level of significance. For this reason, all environmental effects fall below the thresholds established by the City of San Diego. Impacts would be less than significant.

## INITIAL STUDY CHECKLIST REFERENCES

### **I. Aesthetics / Neighborhood Character**

- ☐ City of San Diego General Plan
- ☒ Community Plans: Pacific Beach Community Plan

### **II. Agricultural Resources & Forest Resources**

- ☒ City of San Diego General Plan
- ☐ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973
- ☐ California Agricultural Land Evaluation and Site Assessment Model (1997)
- ☐ Site Specific Report:

### **III. Air Quality**

- ☐ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990
- ☐ Regional Air Quality Strategies (RAQS) - APCD
- ☐ Site Specific Report:

### **IV. Biology**

- ☐ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- ☐ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
- ☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997
- ☐ Community Plan - Resource Element
- ☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001
- ☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001
- ☐ City of San Diego Land Development Code Biology Guidelines
- ☐ Site Specific Report:

### **V. Cultural Resources (includes Historical Resources and Built Environment)**

- ☒ City of San Diego Historical Resources Guidelines
- ☐ City of San Diego Archaeology Library
- ☐ Historical Resources Board List
- ☐ Community Historical Survey:
- ☐ Site Specific Report:

### **VI. Geology/Soils**

- ☒ City of San Diego Seismic Safety Study
- ☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
- ☒ Site Specific Report:

Geotechnical Investigation, Nest at Crown Point Shores, prepared by TerraPacific Consultants, Inc., dated September 22, 2020



**VII. Greenhouse Gas Emissions**

- ☒ Site Specific Report: Climate Action Plan Consistency Checklist

**VIII. Hazards and Hazardous Materials**

- ☒ San Diego County Hazardous Materials Environmental Assessment Listing  
☐ San Diego County Hazardous Materials Management Division  
☐ FAA Determination  
☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized  
☐ Airport Land Use Compatibility Plan  
☐ Site Specific Report:

**IX. Hydrology/Drainage**

- ☐ Flood Insurance Rate Map (FIRM)  
☐ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map  
☐ Clean Water Act Section 303(b) list, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html)  
☒ Site Specific Report:  
Drainage Study, The Nest, prepared by Christensen Engineering and Surveying,  
dated January 15, 2021

**X. Land Use and Planning**

- ☒ City of San Diego General Plan  
☒ Community Plan  
☐ Airport Land Use Compatibility Plan  
☒ City of San Diego Zoning Maps  
☐ FAA Determination:  
☐ Other Plans:

**XI. Mineral Resources**

- ☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification  
☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps  
☐ City of San Diego General Plan: Conservation Element  
☐ Site Specific Report:

**XII. Noise**

- ☒ City of San Diego General Plan  
☐ Community Plan  
☐ San Diego International Airport - Lindbergh Field CNEL Maps  
☐ Brown Field Airport Master Plan CNEL Maps  
☐ Montgomery Field CNEL Maps  
☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes  
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG

- ☒ Site Specific Report:  
Acoustical Analysis Report for The Nest, prepared by Eilar Associates, Inc., dated April 12, 2021
- XIII. Paleontological Resources**
- ☒ City of San Diego Paleontological Guidelines
- ☐ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996
- ☐ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975
- ☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977
- ☐ Site Specific Report:
- XIV. Population / Housing**
- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ Series 11/Series 12 Population Forecasts, SANDAG
- ☐ Other:
- XV. Public Services**
- ☐ City of San Diego General Plan
- ☐ Community Plan
- XVI. Recreational Resources**
- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources:
- XVII. Transportation / Circulation**
- ☐ City of San Diego General Plan
- ☐ Community Plan:
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- ☐ San Diego Region Weekday Traffic Volumes, SANDAG
- ☐ Site Specific Report:
- XVIII. Utilities**
- ☐ Site Specific Report:
- XIX. Water Conservation**
- ☐ Sunset Magazine, New Western Garden Book, Rev. ed. Menlo Park, CA: Sunset Magazine
- XX. Water Quality**



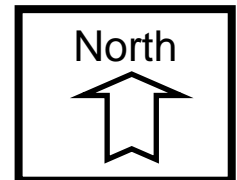
- ☐ Clean Water Act Section 303(b) list, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html)
- ☒ Site Specific Report:
  - Priority Development Project Storm Water Quality Management Plan for The Nest,  
prepared by Christensen Engineering and Surveying, dated January 16, 2021

Revised: April 2021

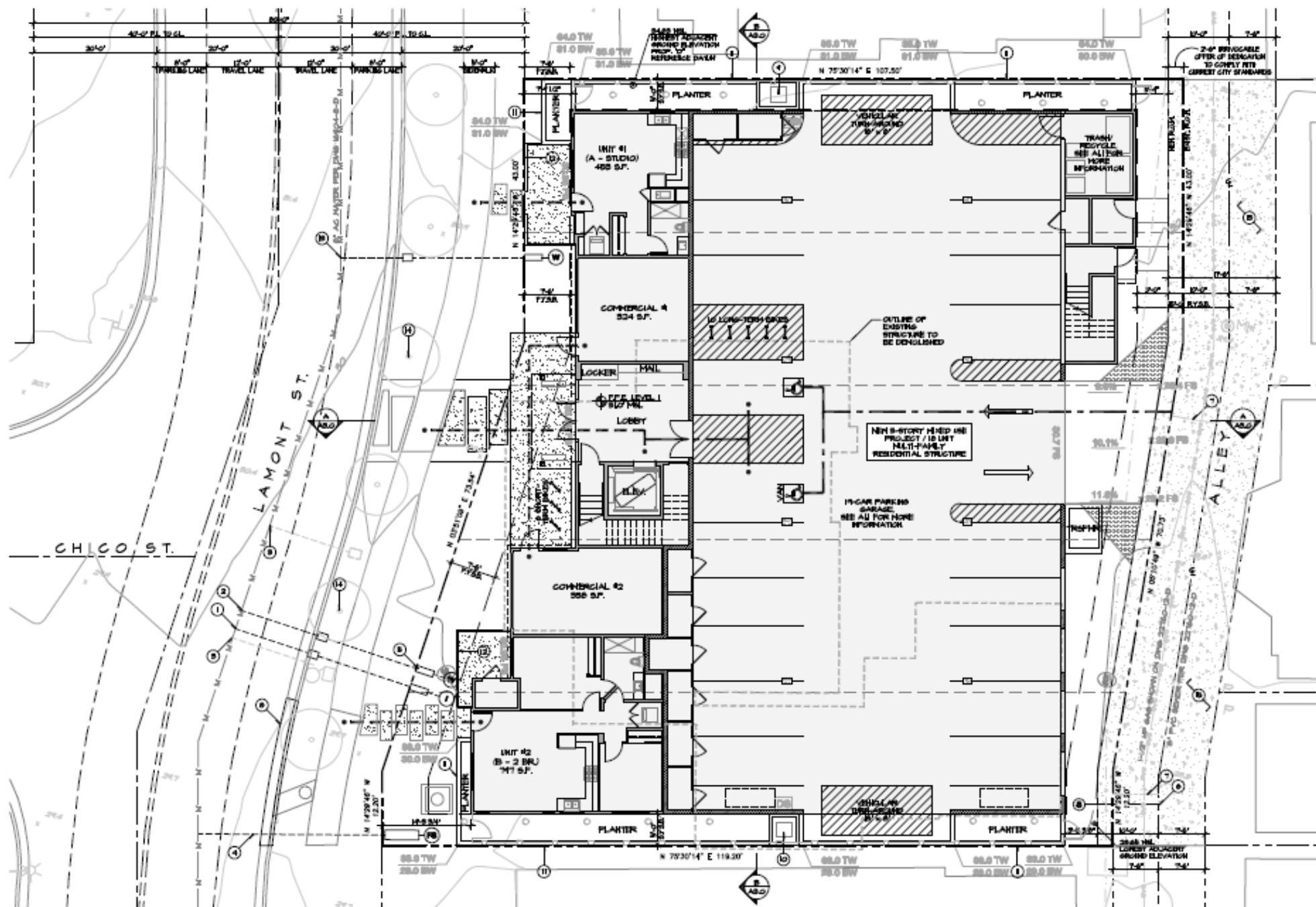


## Project Location Map

The Nest CDP- 4033-4039 Lamont Street  
**PROJECT NO. 676545**







SITE LEGEND	
	DECATES PROPERTY LINE
	DECATES RETRACTION LINE
	FOOTPRINT OF PROPOSED BUILDING
	VISIBILITY AREA - NO OBSTRUCTION INCLUDING LANDSCAPING OR SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT

SITE ACCESSIBILITY LEGEND	
	NEW PATH OF TRAVEL (P.O.T.) AS INDICATED IS A BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES EXCEEDING 1/2" DEVELOPED AT 1:2 MAXIMUM SLOPE, EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL AND IS AT LEAST 48" WIDE. SURFACE IS SLIP RESISTANT, STABLE, FIRM AND SMOOTH. CROSS-SLOPE DOES NOT EXCEED 2% AND SLOPE IN DIRECTION OF TRAVEL IS LESS THAN 5% UNLESS OTHERWISE INDICATED. P.O.T. SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM HEIGHT AND PROTRUSING OBJECTS HIGHER THAN 4" PROJECTION FROM A RAIL AND ABOVE 27" AND LESS THAN 80" INCL. 1:80 SLOPE
	VEHICULAR ACCESS FROM PUBLIC RIGHT-OF-WAY TO ACCESSIBLE PARKING STALL. MAINTAIN 8'-0" VERTICAL CLEARANCE ALONG ENTIRE ROUTE

SITE PLAN  
SCALE: 1/8"=1'-0"



# Site Plan

The Nest CDP- 4033-4039 Lamont Street  
PROJECT NO. 676545

North

