



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: June 10, 2020 REPORT NO. HO-20-028

HEARING DATE: June 17, 2020

SUBJECT: NHA EDUCATION FACILITY CUP - Process Three Decision

PROJECT NUMBER: [623590](#)

OWNER/APPLICANT: City of San Diego and Neighborhood House Association

SUMMARY

Issue: Should the Hearing Officer approve a request for a Conditional Use Permit for the construction of a proposed Child Care Center, including the relocation of four modular buildings, located at 4110 41st Street in the RM-1-3, City Heights Redevelopment District, Transit Area Overlay Zone, and the Transit Priority area, within the Mid-City Communities Plan area?

Staff Recommendation:

1. Adopt MND No. 623590 and Adopt the MMRP; and
2. Approve Conditional Use Permit No. 2228730.

Community Planning Group Recommendation: On October 7, 2019, the City Heights Area Planning Committee voted 14-1-0 to recommend approval of the proposed project without conditions/recommendations (Attachment 7).

Environmental Review: A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act guidelines. A Mitigation, Monitoring, and Reporting Program has been prepared and will be implemented to avoid or mitigate for potentially significant environmental effects that were identified in the environmental review process (Attachment 6).

BACKGROUND

The vacant, .32-acre project site is currently used as a parking lot and is located at 4110 41st Street in the RM-1-3 Zone, in the Central Urbanized Planned District Boundary, City Heights Redevelopment Project, Transit Area Overlay Zone, and Transit Priority Area, within the Mid-City: City Heights

Community Plan area. The project site is bounded by residential development to the north, Polk Avenue to the south, 41st Street to the east, and an alley to the west. Interstate-15 is located approximately 290 feet from the western boundary of the project site. In addition to the residential to the north, the project site is adjacent to residential uses to the east and west and Central Elementary School to the south. The site is a leasehold, with the City as underlying property owner.

A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act guidelines. A Mitigation, Monitoring, and Reporting Program has been prepared and will be implemented to avoid or mitigate the potentially significant environmental effects that were identified in the environmental review process

DISCUSSION

The applicant requests approval of a Conditional Use Permit (CUP) for the construction of a Child Care Center, including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground, and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. Currently, the modular buildings are being stored in a storage location near the site and will be brought to the site when all necessarily permits are completed.

The proposed use is allowed with a CUP in the RM-1-3 Zone, and is consistent with the Multi-family land use designation of the Mid-City Community plan (MCCP). The project site is within an urbanized neighborhood, with a mix of development.

One goal of the MCCP is to foster the development of an economically and socially balanced residential community. The proposed child care center will allow for a diversity within the community by providing child care to working families. The proposal also aligns with the goal of fostering a balanced residential community. Another goal of the MCCP is to protect and enhance the quality of Mid-City neighborhoods. The proposed child care center enhances the neighborhood by providing child care within the existing neighborhood. This provides a convenience to local residents and allows for new employment opportunities.

Mitigated Negative Declaration No. 623590 was prepared for the project. The CEQA analysis determined that noise related to construction could have a significant environmental effect. Noise mitigation measures are identified in the MMRP, which are incorporated by reference into the CUP permit. The project as revised avoids or mitigates the potentially significant environmental effects previously identified. No deviations or variances are requested or required to grant approval of the requested CUP.

The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego 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. Ingress to the project site would be via 41st Street. Thirteen parking spaces would be provided on-site.

CONCLUSION

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with relevant City Council policies and regulations of the Land Development Code. Staff has provided draft findings (Attachment 4) and draft conditions (Attachment 5) to support approval of the project. Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2228730, with modifications.
2. Deny Conditional Use Permit No. 2228730, if the findings required to approve the project cannot be affirmed.

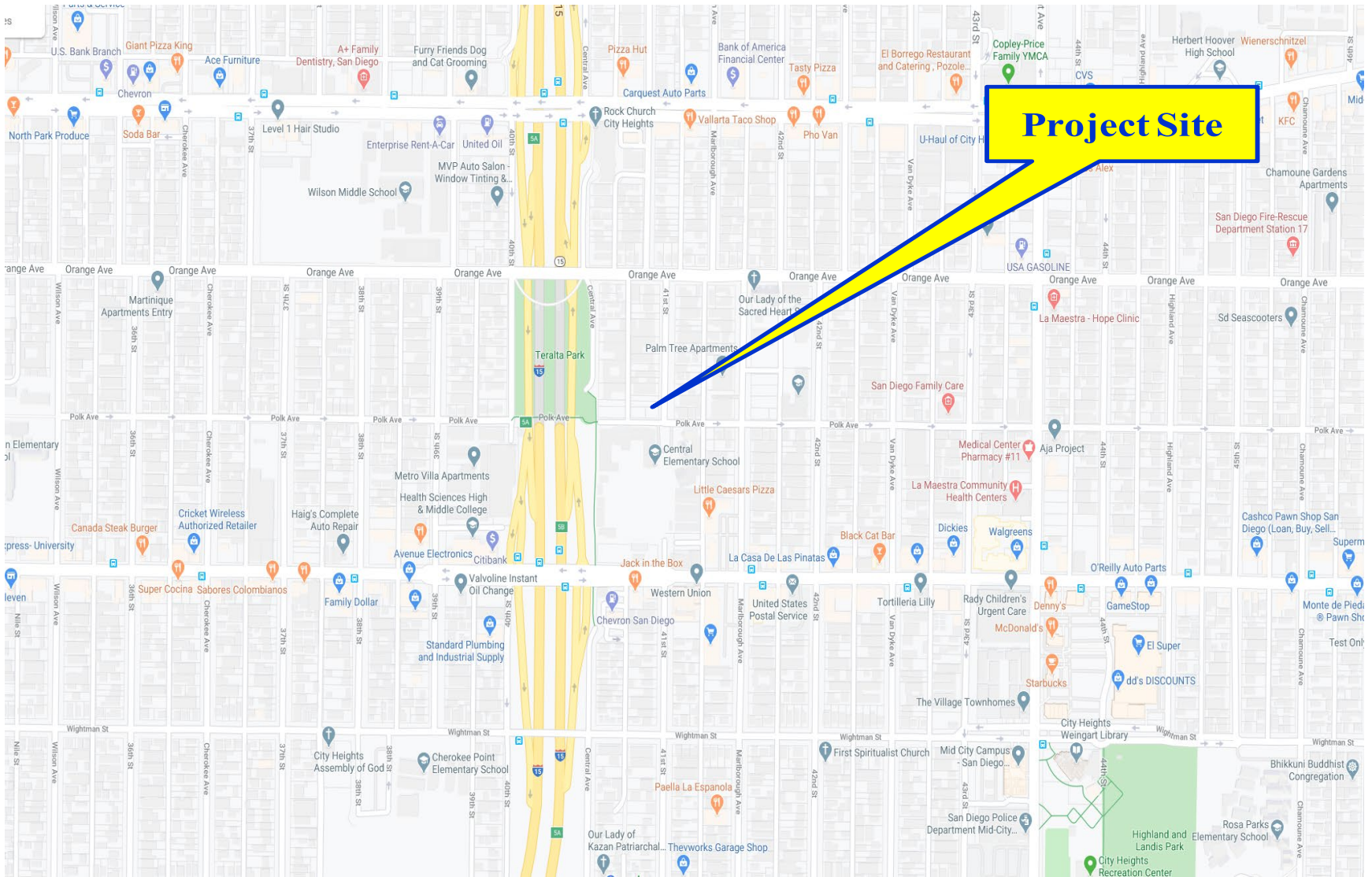
Respectfully submitted,

Derrick Johnson (D.J.)

Derrick Johnson (D.J.), Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Draft Environmental Resolution with MMRP (MND)
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans (Include as appropriate/relevant)



Project Location Map

**NHA EDUCATIONAL FACILITY CUP 4110 41ST STREET
PROJECT NO. 623590**

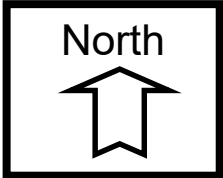
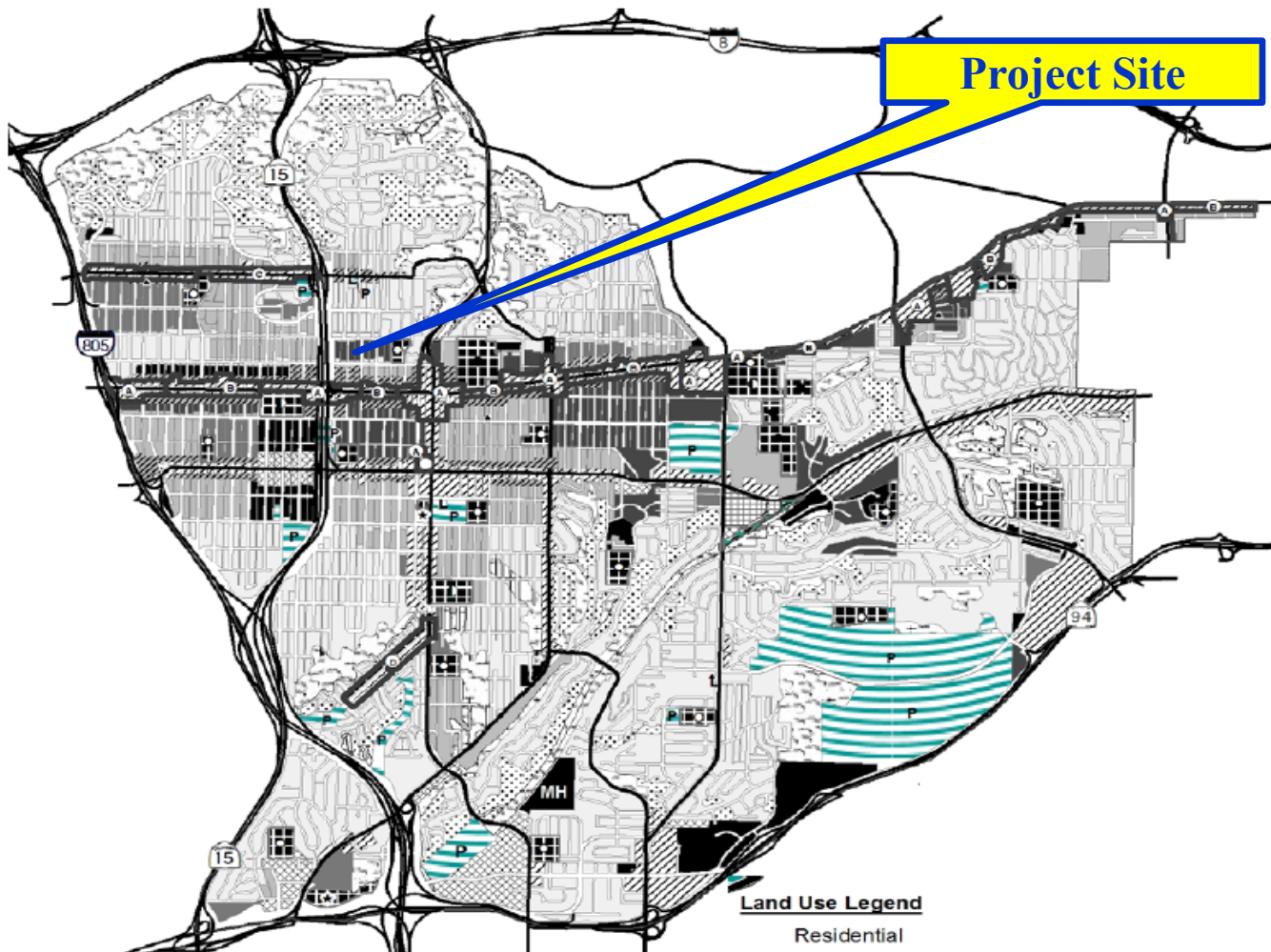
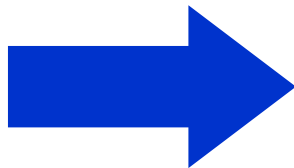


FIGURE 31. MID-CITY COMMUNITIES PLAN MAP



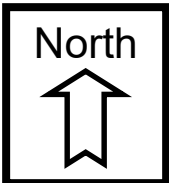
Land Use Legend

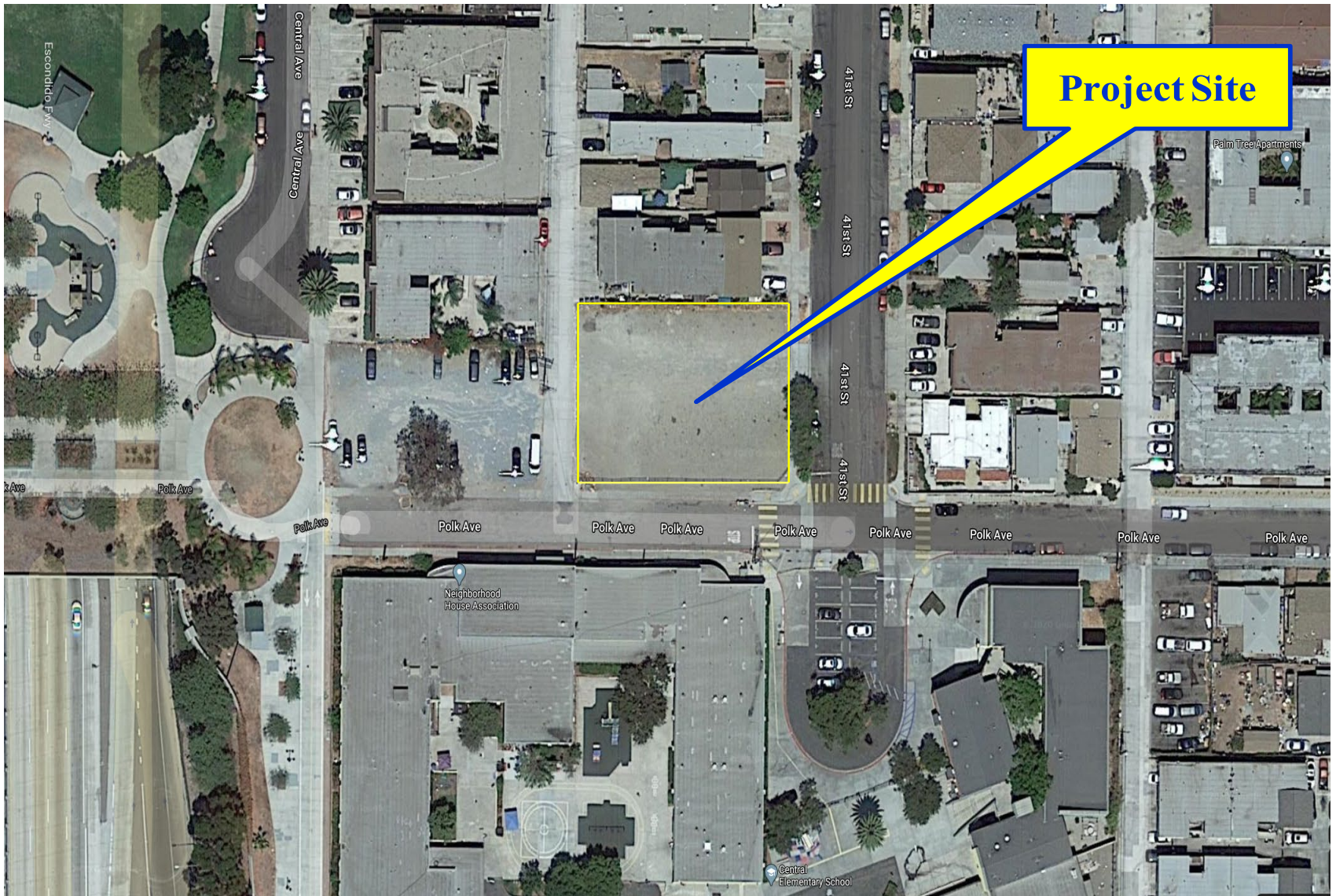
- | | |
|---|---|
| <p>Residential</p> <ul style="list-style-type: none"> 1-5 du/ac 6-10 du/ac 11-15 du/ac 16-20 du/ac 21-25 du/ac 26-30 du/ac Mobile Home Park | <ul style="list-style-type: none"> Neighborhood Village (15-29 DU/AC) Park Industrial School <ul style="list-style-type: none"> Elementary Junior High Senior High Park Open Space Fire Station Police Station Library |
| <ul style="list-style-type: none"> Commercial/Residential Transition Zone- <p>Commercial and Mixed Use</p> <ul style="list-style-type: none"> 29 du/ac* 73 du/ac 35 du/ac* 19 du/ac* 9 du/ac | <p>*In areas where residential use is permitted, a mixed-use bonus to 43 du/ac is available.</p> |



Land Use Map

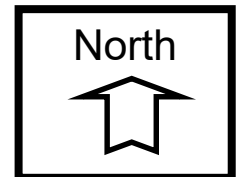
**NHA EDUCATIONAL FACILITY CUP - 4110 41ST STREET
PROJECT NO. 623590**





Aerial Photo

**NHA EDUCATIONAL FACILITY CUP - 4110 41st STREET
PROJECT NO. 623590**



HEARING OFFICER
RESOLUTION NO. _____
CONDITONAL USE PERMIT No. 2228730
NEIGHBORHOOD HOUSING ASSOCIATION EDUCATION FACILITY CUP - PROJECT No. 623590

WHEREAS, City of San Diego, Owner and the Neighborhood House Association, Permittee, filed an application with the City of San Diego for a permit for the construction of a Child Care Center including the relocation of four modular buildings to the project site totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2228730), on portions of a .31-acre site;

WHEREAS, the project site is located at 4110 41st Street in the RM-1-3 Zone, City Heights Redevelopment District, Transit Area Overlay Zone, Transit Priority Area, and within the Mid-City Communities Plan area;

WHEREAS, the project site is legally described as Lot 26, in Block 15 of Subdivisions Lots 20 to 50 inclusive in Block "N", in Teralta, City of San Diego, County of San Diego, State of California, Map No. 1000, Recorded on July 18, 1906.;

WHEREAS, on June 17, 2020, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2228730, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2228730:

CONDITIONAL USE PERMIT [SDMC Section 126.0305]

Findings for all Conditional Use Permits:

- 1. The proposed development will not adversely affect the applicable land use plan.**

The project is requesting approval of a Conditional Use Permit (CUP) for the construction of a proposed Child Care Center including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. The site is located in the City Heights neighborhood of the Mid-City Communities Plan area which designates the site for residential uses.

One goal of the MCCC is to foster the development of an economically and socially balanced residential community. The proposed child care center will allow for a diversity within the community by providing child care to working families. The proposal also aligns with the goal of fostering a balanced residential community. Another goal of the MCCC is to protect and enhance the quality of City Heights neighborhoods. The proposed child care center enhances the neighborhood by providing child care within the existing neighborhood. This provides a convenience to local residents and allows for new employment opportunities. The proposal aligns with the goals of the MCCC. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project will not be detrimental to the public health, safety, and welfare in that the permit controlling the use of the project site as a child care center contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state and federal regulations. The project has been conditioned to assure by permit and bond: the replacement of the existing curb ramps with the current City standard curb ramps at the alley entrance on Polk Avenue; the reconstruction (?) of the alley apron at the alley entrance on Polk Avenue; the replacement of the existing curb with full height City standard curb and gutter along the entire project frontage on Polk Avenue; the removal of the damaged sidewalk, installation of the same scoring pattern City standard sidewalk on Polk Avenue; and the closure of the existing driveway and the installation of a new 14-foot wide City standard driveway on 41st street to prevent detrimental impacts to the health, safety and general welfare of persons residing in and/or working in the area. Conditions of approval require compliance with several development controls, including the review of construction plans by professional staff to determine compliance with all regulations and the inspection of construction to assure permits are implemented in accordance with the approved plans.

Additionally, Mitigated Negative Declaration No. 623590 was prepared for the project and determined that Noise (construction) could have a significant environmental effect. Noise mitigation measures are part of the permit requirements. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of the Mitigated Negative Declaration. The project as revised avoids or mitigates the potentially significant environmental effects previously identified. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land

Development Code.

Approval of the requested CUP will allow the construction of a proposed Child Care Center including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM.

The site is located in the RM-1-3 zone, which allows for a mix of residential, and limited industrial uses and is intended to accommodate development with a pedestrian orientation. A Child Care Center is allowed in this zone with the approval of a CUP in accordance with San Diego Municipal Code (SDMC) Section 141.0606(c). Staff review of the proposed project has concluded the proposal is consistent with all relevant regulations of the Land Development Code. A minimum of 10 parking spaces are required for the Child Care Center.

A total of 13 parking spaces are provided onsite. No deviations or variances are requested or required to grant approval of the requested CUP. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

4. The proposed use is appropriate at the proposed location

The project will construct a Child Care Center and include the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. The project is consistent with all relevant regulations of the San Diego Municipal Code that apply to the proposed use. All necessary utilities are available and provided to the site, including water, sewer, electricity and other common utilities. The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego 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. Ingress to the project site would be via 41st Street.

The operation of a child care center at this site would provide a needed service that could foster the development of an economically and socially balanced residential community. The project site is bounded by residential development to the north, east, and west and Central Elementary School to the south. Polk Avenue is on the south of the site, 41st Street is on the east, and an alley on the west. Interstate-15 is located approximately 290 feet from the western boundary of the project site. The predominately residential areas would benefit from the provision of a child care center option in the area. Therefore, the proposed use is appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

ATTACHMENT 4

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 2228730, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2228730, a copy of which is attached hereto and made a part hereof.

Derrick Johnson (D.J.)

Derrick Johnson (D.J.)
Development Project Manager
Development Services

Adopted on: June 17, 2020

IO#:24008111

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008111

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT No. 2228730

NEIGHBORHOOD HOUSE ASSOCIATION EDUCATION FACILITY CUP - PROJECT No. 2228730
HEARING OFFICER

This Conditional Use Permit is granted by Hearing Officer of the City of San Diego to the City of San Diego, Owner, and the Neighborhood House Association, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0305 and 141.0606(c). The .32-acre site is located at 4110 41st Street in the RM-1-3, City Heights Redevelopment District, Transit Area Overlay Zone, Transit Priority Area, within the Mid-City Communities Plan area. The project site is legally described as: Lot 26, in Block 15 of Subdivisions Lots 20 to 50 inclusive in Block "N", in Teralta, City of San Diego, County of San Diego, State of California, Map No. 1000, Recorded on July 18, 1906.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the construction of a proposed Child Care Center including the relocation of four modular buildings to the project site totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 17, 2020, on file in the Development Services Department.

The project shall include:

- a. Construction of a Child Care Center including the relocation of four modular buildings to the project site totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by July 10, 2023.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in **Mitigated Negative Declaration**, No. 623590, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No 623590, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue area: Noise (construction).

CLIMATE ACTION PLAN REQUIREMENTS:

14. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the private storm drain located within the City's right-of-way, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb ramps with the current City standard curb ramps, at the alley entrance on Polk Avenue, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the reconstruct of the alley apron, at the alley entrance on Polk Avenue, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb with full height City standard curb and gutter, along the entire project frontage on Polk Avenue, satisfactory to the City Engineer.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the removal of the damaged sidewalk and install the same scoring pattern City standard sidewalk, on Polk Avenue, satisfactory to the City Engineer.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the closure of the existing driveway and the installation of a new 14-foot wide City standard driveway, on 41st street, satisfactory to the City Engineer.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to remove uneven/asphalt sidewalk, adjacent to the site on 41th Street, and replace it per current City Standards, satisfactory to the City Engineer.

22. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

23. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

24. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
25. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
26. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
27. The project proposes to export 320 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

LANDSCAPE REQUIREMENTS:

28. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.
29. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
30. Prior to issuance of any construction permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.
31. In the event that a foundation only, permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area'.

32. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

33. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

34. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

35. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

36. Before beginning operation, the child care center operator shall obtain and shall maintain on file on the premises a Hazardous Material Substance Approval Form executed by the County of San Diego Hazardous Materials Division.

37. Drop-off and pick-up of children from vehicles shall be permitted only on the driveways, in approved parking areas, or in the street directly in front of the facility.

38. All outdoor play and activity areas shall be enclosed with a fence that is at least 4 feet and no more than 6 feet in height. If an outdoor play or activity area is located adjacent to a public street with a right-of-way width of 64 feet or more, the fence shall be solid.

39. All outdoor play and activity areas shall be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, and refuse and recycling storage areas.

40. Child care centers shall be designed to attenuate significant outside noise sources. Surrounding uses shall also be protected from noise emanating from child care centers. The following measures are required to accomplish noise attenuation: (A) A solid fence that is at least 4 feet and no more than 6 feet in height shall be constructed between the child care center and abutting residential uses, or all windows facing abutting residential uses shall be double-glazed with 1/4-inch thick glass.

41. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

42. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

43. Prior to the issuance of any building permits, the Owner/Permittee shall finalize Water and sewer capacity charges. Capacity charges, as well as service and meter size, are determined by Water Meter data card which is completed during the building plan review process. Any questions regarding water and sewer capacity fees should be addressed to Information and Application Services (619-446-5000).

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

45. Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

46. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

47. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on June 17, 2020 and Resolution No.

DRAFT

Conditional Use Permit No. 2228730
June 17, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Derrick Johnson (D.J.)
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Neighborhood House Association
Permittee

By _____
Rudolph Johnson III
President/CEO
Neighborhood House Association

City of San Diego
Owner

By _____
Heidie Farst
Property Agent

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

DRAFT



THE CITY OF SAN DIEGO

DATE OF NOTICE: March 17, 2020

PUBLIC NOTICE OF A DRAFT MITIGATED NEGATIVE DECLARATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No.: 24008111

The City of San Diego Development Services Department has prepared a Mitigated Negative Declaration (MND) for the following project and is inviting your comments regarding the adequacy of the document. The draft MND and associated technical appendices have been placed on the City of San Diego web-site at <https://www.sandiego.gov/ceqa/draft> under the "California Environmental Quality Act (CEQA) Draft Documents for Public Comment" section. In addition, the Notice was also distributed to the Central Library as well as the City Heights/Weingart Branch Library, the Kensington-Normal Heights Branch Library and the Oak Park Branch Library.

Comments must be received by April 6, 2020, to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Morgan Dresser, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101** or e-mail your comments to DSDEAS@sandiego.gov with the Project Name and Number in the subject line.

General Project Information:

- Project Name: NHA EDUCATION FACILITY CUP
- Project No. 623590
- SCH No. Not Applicable
- Community Plan Area: Mid-City: City Heights
- Council District: 9

Project Description: A request for a CONDITIONAL USE PERMIT for a proposed Child Care Center including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. The vacant .32-acre project site is located at 4110 41st Street. The project site is designated Residential and zoned RS-1-3 within the Mid-City: City Heights Community Plan area. Additionally, the project site is within the Central Urbanized Planned District Boundary, City Heights Redevelopment Project Area, Transit Area Overlay Zone, and Transit Priority Area. **The site is not included on any Government Code listing of hazardous waste sites.**

Applicant: Rudolph Johnson III, Neighborhood House Association, 5660 Copely Drive, San Diego, California 92111

Recommended Finding: The recommended finding that the project will not have a significant effect on the environment is based on an Initial Study and project revisions/conditions which now mitigate potentially significant environmental impacts in the following area(s): **Noise (Construction).**

Availability in Alternative Format: To request this Notice, the draft MND, Initial Study, and/or supporting documents in alternative format, call the Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact Morgan Dresser at (619) 446-5404. The draft MND and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. If you are interested in obtaining copies of the draft MND or the separately bound technical appendices, they can be purchased for an additional cost. **For information regarding public meetings/hearings on this project, contact Glenn Gargas at (619) 446-5142.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on March 17, 2020.

Gary Geiler
Deputy Director
Development Services Department



THE CITY OF SAN DIEGO

MITIGATED NEGATIVE DECLARATION

Project No. 623590
SCH No. N/A

SUBJECT: **NHA Education Facility CUP:** A request for a CONDITIONAL USE PERMIT for a proposed Child Care Center including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. The vacant .32-acre project site is located at 4110 41st Street. The project site is designated Residential and zoned RS-1-3 within the Mid-City: City Heights Community Plan area. Additionally, the project site is within the Central Urbanized Planned District Boundary, City Heights Redevelopment Project Area, Transit Area Overlay Zone, and Transit Priority Area. APPLICANT: Neighborhood House Association, Rudolph Johnson III

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): **Noise (construction)**. 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:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. **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: Not Applicable.
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. 541700 and /or Environmental Document No. 541700 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
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS.

Noise (Construction)

Prior to the issuance of a Demolition Permit or prior to the start of any construction-related activities on-site, whichever is applicable; the applicant shall implement the following construction noise abatement the entire duration of construction, to the satisfaction of Development Services Department Environmental Designee:

1. Construction noise levels at the property line shall be no greater than 75 dBA Leq.
2. Construction activities shall be scheduled to avoid operating several pieces of equipment simultaneously wherever feasible.
3. Operate all diesel equipment with closed engine doors and all diesel equipment with factory-recommended mufflers.
4. For stationary equipment, designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in designated location throughout construction activities.
5. Whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than diesel equipment.
6. All contractors shall be required to maintain and tune-up all construction equipment to minimize noise emissions.
7. Noise Barrier Specifications shall consist of the following:

- a. Temporary sound barriers that break the line of sight (at least six feet high) shall be erected along the perimeter of the project site between active on-site construction work utilizing heavy equipment and adjacent sensitive receptors (residences).
- b. Such barriers shall be of sufficient height to break the line-of-sight between noise-generating equipment and the noise-sensitive receptors and shall be continuous with no gaps or holes between panels or the ground.
- c. Temporary sound barriers may include, but are not limited to noise curtains, sound blankets, or solid temporary barriers with a Sound Transmission Class (STC) rating of 20 or greater based on sound transmission loss data taken according to the American Society for Testing and Materials (ASTM) Test Method E90.
- d. If an STC rated product is not available or not feasible for use, a product with a similar industry-standard specification, or a product that would achieve a similar insertion loss based on a manufacturer or supplier recommendation, would be an acceptable substitute.

VI. PUBLIC REVIEW DISTRIBUTION:

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

City of San Diego

Mayor's Office (91)
 Council President Gómez, District 9
 Development Services Department
 EAS
 Planning Review
 Landscaping
 Engineering
 Transportation Development
 Geology
 DPM

Library Department - Government Documents (81)
 Central Library (81A)
 City Heights/Weingart Branch (81G)
 Kensington-Normal Heights Branch Library (81K)
 Oak Park Branch Library (81U)
 City Attorney's Office (93C)

Other Organizations, Groups and Interested Individuals

City Heights Business Improvement Association (285)
 The Boulevard (286)
 City Heights Area Planning Committee (287)

Rolando Community Council (288)
 Kensington Talmadge Planning Committee (290)
 Normal Heights Community Planning Committee (291)
 Normal Heights Community Association (292)
 Normal Heights Community Center (293)
 Theresa Quiroz (294)
 Fox Canyon Neighborhood Association, Inc. (295)
 William D. Jones (296)
 Colina Del Sol Senior Citizens (297)
 Oak Park Community Council (298)
 Oak Park Community Council (299)
 Eastern Area Communities Planning Committee (302)
 Fairmount Park Neighborhood Association (303)
 John Stump (304)
 Darnell Community Council (306)
 John Stump
 Applicant: Neighborhood House Association, Rudolph Johnson III

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.
- () 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

 March 17, 2020
 Date of Draft Report

 Date of Final Report

Analyst: M. Dresser

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

INITIAL STUDY CHECKLIST

1. Project title/Project number: NHA Education Facility CUP / 623590
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: 4110 41st Street, San Diego, California 92105
5. Project Applicant/Sponsor's name and address: Neighborhood House Association, Rudolph Johnson III, 5660 Copley Drive, San Diego, California 92111
6. General/Community Plan designation: Residential
7. Zoning: RS-1-3
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 request for a CONDITIONAL USE PERMIT for a proposed Child Care Center including the relocation of four modular buildings totaling 2,880-square feet, 900-square feet for a playground and a 600-square-foot shade structure with turf below. The facility would have 32 children and 10 employees, and hours of operation would be 6:30 AM to 5:30 PM. Various site improvements would also be constructed such as hardscape and landscape.

The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego 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.

Ingress to the project site would be via 41st Street. Parking would be provided on-site; including 13 parking spaces.

Grading would entail approximately 360 cubic yards of cut with a maximum cut depth of three feet.

9. Surrounding land uses and setting:

The vacant .32-acre project site is located at 4110 41st Street. The project site is bounded by residential development to the north, Polk Avenue to the south, 41st Street to the east, and an alley to the west. Interstate-15 is located approximately 290 feet from the western boundary of the project site. The project site is surrounded by residential uses to the east west and north, and Central Elementary School to the south. Topographically, the site is relatively flat at an elevation approximately 362 to 365 feet above Mean Sea Level (amsl) at

the south and north ends of the site, respectively. In addition, the project site is located in a developed area currently served by existing public services and utilities.

The project site is designated single-family residential and zoned RS-1-3 within the Mid-City: City Heights Community Plan area. Additionally, the project site is within the Central Urbanized Planned District Boundary, City Heights Redevelopment Project, Transit Area Overlay Zone, and 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 Lipay Nation of Santa Ysabel and the Jamul Indian Village, both traditionally and culturally affiliated with the project area; requesting consultation on July 9, 2019. Consultation occurred on October 11, 2019 and concluded on November 4, 2019.

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"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Utilities/Service System |
| | | <input checked="" 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.
- 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
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I. AESTHETICS – 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no designated scenic vistas or view corridors identified in the community plan. The project is compatible with the surrounding development. 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 educational and 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. In addition, there are no scenic resources adjacent to the project site. The project would not substantially damage scenic resources along a State Scenic Highway or local roadway. No impacts would result.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is vacant and currently used as a parking lot. The site is generally surrounded by educational and residential uses. The project would be compatible with the surrounding development. The project would not substantially degrade the existing visual character or quality of the site and its surroundings; therefore, no impacts would result.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Create a new source of substantial light or glare that 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, 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.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is located within a developed neighborhood with educational and residential uses. 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 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.

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 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 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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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.

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| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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 or air pollution control district may be relied on to make the following determinations – Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 San Diego Air Pollution Control District (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 standards in the San Diego Air Basin (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 (O3). The RAQS relies on information from the California Air Resources Board (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 not cause the City population to exceed official population projections and would, therefore, be consistent with the RAQ's.

Additionally, a site-specific Air Quality Technical Report was prepared by Yorke Engineering, LLC. (September 2019) to assess potential impacts associated with the project. The study identified that the project construction would use a fugitive dust control plan utilizing Best Management Practices that would reduce PM₁₀ impacts to less than significant. Operational impacts were analyzed utilizing

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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CalEEMod, which demonstrated the emissions would be less than significant for the operation of an education facility.

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 impacts would result.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

A site-specific Air Quality Technical Report was prepared by Yorke Engineering, LLC. (September 2019) 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.

Short-Term (Construction) Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related emissions include fugitive dust from grading activities, equipment exhaust, trips, and power consumption. Construction emissions for the project were modeled assuming that construction would begin in January 2019 and would extend through the middle of the year. The analysis concluded that projected construction maximum daily emission levels for criteria pollutants would not exceed the City’s significance determination thresholds. Therefore, as project construction emissions would be below these limits, project construction would not result in emissions that would exceed the National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS), or contribute to existing violations, resulting in a less than significant impact. Also, the project would not result in the generation of 100 pounds per day or more of particulate matter. Standard dust control measures would be implemented as a part of project construction. Therefore, impacts would be less than significant.

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 the San Diego Air Pollution Control District daily, hourly or annual thresholds. Therefore, project operation would not violate any air quality 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.

The project would be located adjacent to Interstate-5, which is a heavily traveled roadway, which could expose sensitive receptors to toxic air contaminants (diesel particulate matter). As called for by General Plan Policy LU-I.14, a site-specific health risk assessment was prepared for the project. The analysis concluded that the project would result in a .745 in one million excess cancer risk for students and a 0.539 in one million cancer risk for workers, which is below the level of 1.0 at which adverse non-cancer health risks would be anticipated. The risks reported represent an upper bound of estimated risk and are considered conservative, therefore, impacts would be less than significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The San Diego Air Basin is considered a non-attainment under Federal standards for O₃ (8-hour standard). As described above in response III (b), construction operations temporarily increase the emissions of dust and other pollutants. Additionally, the site-specific analysis concluded that projected construction maximum daily emission levels for criteria pollutants would not exceed the City's significance determination thresholds. 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.

Construction of the project would not create considerable ozone or PM₁₀ from construction and operation. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

- d) Create objectionable odors affecting a substantial number of people?

A site-specific Air Quality Technical Report was prepared by Yorke Engineering, LLC. (September 2019) for the project, which identified that the project would involve the use of diesel-powered equipment during construction that may be noticeable to adjacent properties for a limited time. The project does not include heavy industrial or agricultural uses that are typically associated with objectionable odors. Therefore, odor impacts would be less than significant. Therefore, impacts would be less than significant.

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 California Department of Fish and Game or U.S. Fish and Wildlife Service?

The project site is vacant and is currently used as a parking lot. 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.

- b) Have a substantial adverse effect on any riparian habitat or other 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?

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 landscaping. No impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (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"/> |
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There are no wetlands or water of the United States on or near the site. No impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is surrounded by existing urban development and is not located adjacent to an established wildlife corridor and would not impede the movement of any wildlife or the use of any wildlife nursery sites. Therefore, no impacts would occur.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Refer to response IV (a), above. The project site is designated Single-Family Residential per the Mid-City: City Heights Community Plan. The site is developed and surrounded by existing urban development. The site does not contain sensitive biological resources; thus, the project would not conflict with any local policies or ordinances protecting biological resources. Therefore, no impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is located in a developed urban area and is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA) nor does the site contain any sensitive biological resources. 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.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES – Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 project site does not contain any structures. No impact would result.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project site is located within a high sensitivity area on the City of San Diego’s Historical Resources Sensitivity Map. Therefore, a record search of the California Historic Resources Information System (CHRIS) digital database was reviewed to determine presence or absence of potential resources within and/or adjacent to the project site by qualified archaeological City staff. Based on the CHRIS records search, recorded historical resources were not identified within or adjacent to the project site. Furthermore, the project site has been previously graded. Also, based on the project-specific geotechnical report undocumented fill and Normal Heights mudstone currently layer across the site approximately seven to ten feet in depth. Therefore, it was determined there is no potential to impact any unique or non-unique historical resources and no further work would be required. No impact would result.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) 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 Report the project site is underlain by Lindavista Formation. According to the Significance Determination Thresholds, Very Old Paralic Deposits (formerly Lindavista Formation) has a moderate sensitivity for paleontological resources. Projects with a moderate sensitivity that excavate more than 2,000 cubic yards to a depth of ten feet or more require paleontological monitoring during construction to mitigate for potential effects on

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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paleontological resources. This project proposes 360 cubic yards of cut to a depth of approximately three feet, which would not exceed the City's Significance Determination Thresholds. Additionally, based on the project-specific geotechnical report undocumented fill and Normal Heights mudstone currently layer across the site approximately seven to ten feet in depth. Therefore, no impact would result, and mitigation is not required.

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

As noted in V (a) above, it was determined that there is no potential to impact any unique or non-unique historical resources. Additionally, no formal cemeteries or human remains are known to exist on-site or in the vicinity. However, should human remains be discovered during ground-disturbing activities associated with redevelopment of the project site, work would be required to halt in that area and no soil would be exported off-site until a determination could be made regarding the provenance of the human remains via the County Coroner and Native American representative, as required. The project would be required to treat human remains uncovered during construction in accordance with the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5). No impact would result.

VI. GEOLOGY AND SOILS – Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Expose people or structures to 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Based on the site-specific Geotechnical Investigation (February 2019), the closest known active faults are the Rose Canyon Fault Zone and the Newport-Inglewood Fault, approximately 4 miles west of the site. The site is not traversed by an active, potentially active, or inactive fault and is not within an Alquist-Priolo Fault Zone. 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 that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Therefore, impacts would be less than significant.

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| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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The site could be affected by seismic activity as a result of earthquakes on major active faults located throughout the Southern California area. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would reduce the potential impacts associated with seismic ground shaking to an acceptable level of risk. Therefore, 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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iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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 potential for liquefaction is considered very low due to the age and dense nature of the Very Old Paralic Deposits. The project would be required to comply with the California Building Code that would reduce impacts to people or structures 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 be less than significant.

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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According to the site-specific geotechnical investigation, potential landslides are not present at the site or at a location that could impact the proposed development. Based on the investigation, landsliding is not considered to be a significant geologic hazard within the project site. Construction associated with the project would be required comply with applicable California Building Code guidelines that would reduce impacts to people or structures to an acceptable level of risk. Therefore, impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Demolition and construction activities would temporarily expose soils to increased 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 within the site 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; 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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The project site is located within geologic hazards category 52, which is characterized by favorable geologic structure and low geologic hazard risk. As discussed in VI (a) (iv) and VI (a) (iii), the project site is not likely to be subject to landslides, and the potential for liquefaction and subsidence is very low.

The project would be constructed consistent with proper engineering design, in accordance with the California Building Code. Utilization of appropriate engineering design measures and standard construction practices, to be verified at the building permit stage, would ensure that potential

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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impacts from geologic hazards would be reduced to an acceptable level of risk. As such impacts would be less than significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

As discussed in Section VI (a) and VI (b), the project site is not likely to be subject to landslides, and the potential for liquefaction and subsidence is considered negligible. 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.

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| 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 a septic system. No impact would occur.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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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Climate Action Plan

The City adopted the Climate Action Plan (CAP) in December 2015 (City of San Diego 2015). With implementation of the CAP, the City aims to reduce emissions 15% below the baseline to approximately 11.1 million metric tons of carbon dioxide equivalent (MMT CO2E) by 2020, 40% below the baseline to approximately 7.8 MMT CO2E by 2030, and 50% below the baseline to approximately 6.5 MMT CO2E by 2035. The City has identified the following five CAP strategies to reduce GHG emissions to achieve the 2020 and 2035 targets: (1) energy- and water-efficient buildings; (2) clean and renewable energy; (3) bicycling, walking, transit, and land use; (4) zero waste (gas and waste management); and (5) climate resiliency. The City’s CAP Consistency Checklist, adopted July 12, 2016, is the primary document used by the City to ensure project-by-project consistency with the underlying assumptions in the CAP and thereby to ensure that the City would achieve the emission reduction targets identified in its CAP.

CAP Consistency Checklist

The CAP Consistency Checklist is the City’s significance threshold 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

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 Mid City: City Heights Community Plan land use designations and zoning for the site. Therefore, the 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 have a less than significant impact on the environment.

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| 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"/> |
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Refer to Section VII (a). Impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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"/> |
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Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal. Although minimal amounts of such substances may be present during construction of the project, they are not anticipated to create a significant public hazard. Once constructed, due to the nature of the project, the routine transport, use, or disposal of hazardous materials on or through the subject site is not anticipated. Therefore, impacts would be less than significant.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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As noted in previous response VIII (a), no health risks related to the storage, transport, use, or disposal of hazardous materials would result from the implementation of the project. The project would not be associated with such impacts. Therefore, impacts would be less than significant.

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| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Central Elementary School, Wilson Middle School, Health Sciences High and Middle College, and Our Lady of the Sacred Heart School are located within a quarter mile from the project site. The project would not emit hazardous materials, substances, or waste. No impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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. Several databases and resources were consulted including the Department of Toxic Substances Control (DTSC) EnviroStor database, the California State Water Resources Control Board GeoTracker database, and other sources of potential hazardous materials sites available on the California EPA website. Based on the searches conducted, no contaminated sites are on or adjacent to the project site. Furthermore, the project site was not identified on the DTSC Cortese List. Therefore, the project would not create a significant hazard to the public or the environment. No impacts would result.

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| e) For a project located within 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 result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is consistent with the General Plan, community plan, and zoning designations. The project is not within any Airport Influence Area as depicted in the 2014 Airport Land Use Compatibility Plan (ALUCP). Additionally, the project site is not within a designated Accident Potential Zone (APZ) or Safety Zone as identified in the ALUCP and would, therefore, not subject people working or residing within the project area to a significant safety hazard. The proposed development would not penetrate the FAA notification surface and is nor proposed at greater than 200 feet above grade, therefore, the proposal is not required to notify the Federal Aviation Administration (FAA) per Municipal Code Section 132.1520(c). The use and density are considered consistent with the ALUCP and would not result in a safety hazard for people residing or working in the area. Therefore, a less than significant impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<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) 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"/>
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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.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located within a developed urban area. There are no wildlands or other areas prone to wildfire within the vicinity of the project site. Therefore, the project would not expose people or structures to wildland fires. No impacts would occur.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potential impacts to existing water quality standards associated with the project would include minimal short-term construction-related erosion/sedimentation and no long-term operational storm water discharge. According to the City's Storm Water Requirements Applicability Checklist, the project is considered to be a Priority Development Project and therefore required to prepare a Storm Water Quality Management Plan (March 2019) to identify and implement required best management practices (BMPs) for storm water pollutant control (BMP Design Manual Chapter 5, Part 1 of Storm Water Standards). Thus, one biofiltration basin will be constructed onsite, which would be implemented as the project BMP. These requirements would be implemented during construction and post-construction, which have been reviewed by qualified staff and would be re-verified during the ministerial process. Adherence with the standards would ensure that water quality standards are not violated and also preclude a cumulatively considerable contribution to water quality; therefore, a less than significant impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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There are no streams or rivers within or adjacent to the project site. The project would increase the current flow patterns on-site from 0.35 cubic feet per second (CFS) to 0.71 CFS. The flow patterns would continue to drain towards Polk Avenue. The existing drainage sheet flows across the dirt lot southerly, where it then flows into the adjacent curb gutters on Polk Avenue downstream. No underground storm drainage exists within or adjacent to the project site. The project would alter site drainage slightly by adding one biofiltration basin. Water would sheet flow southeasterly into a concrete ditch prior to discharge into the treatment basin, which would then drain into the existing curb gutters on Polk Avenue. The project drainage has been reviewed by City Engineers against City standards. Overall, the project would comply with City regulations relative to drainage. Thus, impacts would be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or 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"/>
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Refer to XI (c), the project would not significantly alter the overall drainage pattern for the site or 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 slightly, the peak flows would decrease due to capture and filtration. Impacts would be less than significant.

e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Refer to IX (a) through IX (d), above. The project would not exceed the capacity of the existing or planned storm water drainage system. All runoff from impervious surfaces would be treated as required by City Storm Water Regulations. To comply with current storm water regulations, on-site low impact design (LID) and integrated management practices (IMP) would be implemented to control peak runoff from the development. Qualified City staff determined that the project would not exceed the capacity of the existing storm sewer system. Adherence with the standards would preclude a cumulatively considerable contribution to water quality. Impacts would be less than significant.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Refer to IX (a), above. The project is considered to be a Priority Development Project and is, therefore, required to implement structural BMPs for storm water pollutant control (BMP Design Manual Chapter 5, Part 1 of Storm Water Standards). The project would implement LID and source control and treatment control BMPs as required by the City's Storm Water Standards. These requirements have been reviewed by qualified staff and would be re-verified during the ministerial process. Adherence to the standards would preclude a cumulatively considerable contribution to water quality. Impacts would be less than significant.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

X. LAND USE AND PLANNING - Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency | <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
with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				

The project site is designated residential and zoned RS-1-3 within the Mid-City: City Heights Community Plan area. The project is allowed with a conditional use permit in the underlying zone and land use designation. The project would occur within an urbanized neighborhood with similar development. 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.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located within a developed neighborhood and would not conflict with any applicable habitat conservation plan or natural community conservation plan. The project would not conflict with the City's Multiple Species Conservation Plan (MSCP), in that the site is not located within or adjacent to the Multi-habitat Planning Area (MHPA). No impact would occur.

XI. 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"/>
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There are no known mineral resources located on the project site. No impacts 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"/>
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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.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE – Would the project result in:

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

A site-specific Noise Study was prepared by Yorke Engineering, LLC. (December 2019) 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 site preparation, grading, building construction, paving, architectural coating, and associated parking lot and landscaping. The type of equipment utilized was based on defaults in CalEEMod to model construction noise for small infill projects. Construction noise could be as high as 80.4 A-weighted decibels average sound level [dB(A) L_{eq}] at the nearest adjacent property, which includes residential uses. Therefore, noise reducing mitigation measures would be required during project construction in order to reduce construction noise levels to below 75 dB(A) L_{eq}.

Operational Noise

The project site is located adjacent to 41st Street and Polk Avenue with I-15 approximately 290 feet away, where vehicular traffic is the dominant noise source. Existing ambient noise levels range between 55.2 dB(A) L_{eq} and 63.6 dB(A) L_{eq} during peak traffic hours. The proposed project would be exposed to noise levels potentially exceeding the exterior noise compatibility thresholds for institutional uses. To ensure that interior noise levels does not exceed the 45 dBA CNEL standard, noise reducing measures would be used. These include dual-pane windows with Sound Transmission Class (STC) rating of at least 30, exterior walls would be constructed with a wall system with a STC rating of at least 40, solid core exterior doors with weather stripping and threshold seals. These noise reducing measures would be a condition of the permit to ensure interior noise levels would be below 45 dBA CNEL. Therefore, impacts would be less than significant.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND, would be implemented. With implementation of the monitoring program, potential impacts related to noise (construction) would be reduced to less than significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Generation of, excessive ground borne vibration or ground borne 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,

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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potential effects from construction noise would be reduced through compliance with the City's Noise Ordinance. Impacts would be less than significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would result in a 1.56 dBA CNEL increase from traffic noise over the existing condition. The project would be required to comply with sound level limit in the San Diego Municipal Code (Division 4- Sound Level Limits and Division 5- Noise Abatement Control). The project would not introduce a new land use, or significantly increase the intensity of the allowed land use. Post-construction noise levels and traffic would not substantially increase as compared to the existing residential use. Therefore, no substantial permanent increase in ambient noise levels is anticipated. A less than significant impact would occur.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

As discussed in Section XII (a), construction activities would include site preparation, grading, building construction, paving, architectural coating, and associated parking lot and landscaping. The type of equipment utilized was based on defaults in CalEEMod to model construction noise for small infill projects. Construction noise could be as high as 80.4 A-weighted decibels average sound level [dB(A) L_{eq}] at the nearest adjacent property, which includes residential uses. Therefore, noise reducing mitigation measures would be required during project construction in order to reduce construction noise levels to below 75 dB(A) L_{eq} .

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND, would be implemented. With implementation of the monitoring program, potential impacts related to construction noise would be reduced to less than significant.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within 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 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.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, 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 is not located within the vicinity of a private airstrip. No impacts would occur.

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

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is located within a developed neighborhood and is surrounded by similar development and residential. The project site currently receives water and sewer service 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. No impacts would occur.

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

Residential uses do not occur on site; therefore no existing housing would be displaced. No impacts would occur.

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

See response XIII (b) above. No impacts would result.

XIV. PUBLIC SERVICES

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 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.

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|-----------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 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.

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|--------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| iii) Schools | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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.

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, the project is not anticipated to result in a significant increase in demand for parks or other offsite recreational facilities. As such, impacts related to parks would be less than significant.

v) Other public facilities

The project site is located in an urbanized area where City services are already provided. The project would not adversely affect existing levels of facilities to the area and would not require the construction of new or expanded governmental facilities. No impacts to other public facilities would occur.

XV. 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.

XVI. TRANSPORTATION/TRAFFIC – Would the project?

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is expected to generate 160 average daily trips with 30 AM peak-hour trips (15 in and 15 out), and 28 PM peak-hour trips (14 in and 14 out). 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. The project is not expected to cause a significant short-term or long-term increase in traffic volumes, and therefore, would not adversely affect existing levels of service along area roadways. Therefore, impacts are considered less than significant, and no mitigation measures are required.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Refer to response XVI (a). The project would not generate substantial additional vehicular traffic and would not adversely affect any mode of transportation in the area. Therefore, the project would not result in conflict with any applicable congestion management program, level of service standards or travel demand measures. Impacts are considered less than significant, and no mitigation measures are required.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks in that the project would be consistent with land use plans and underlying zones. Implementation of the project would not result in a change in air traffic patterns, as they would not be constructed at a height that would impair air travel; nor result in either an increase in traffic levels or a change in location that results in substantial safety risks in that the project would be consistent with land use plans and underlying zones. The project would not result in a substantial safety risk. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) 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 not alter existing circulation patterns. No design features or incompatible uses that would increase potential hazards are proposed. The project would not affect emergency access to the project site or adjacent properties. Access would be provided to the project site via 41st Street. The project has been designed in accordance with the City's street design manual and Municipal Code regulations and would include adequate sight distances at the project driveways. Additionally, the project site is located within a developed neighborhood. No impacts would result.

e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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As stated XVI (d), the project has been designed consistent with the City's engineering standards. Additionally, the project has been reviewed by the Fire-Rescue Department to ensure proper circulation on and off the site for emergency services vehicles. No impacts would result.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project would not disrupt existing or planned bicycle or pedestrian facilities surrounding the project site, and no known unsafe bicycle or pedestrian conditions exist in the study area. The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, no impacts to the pedestrian, bicycle, or transit network within and surrounding the project site would result.

XVII. 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"/>
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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 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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.				

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 traditional and cultural affiliated geographic area (Public Resources Code § 21080.3.1(a)).

The City of San Diego, as Lead Agency, determined that Tribal Cultural Resources pursuant to subdivision Public Resources Code Section 5024.1(c) would not be potentially impacted through project implementation, as the project site has been developed and is located within an urban area. In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego provided formal notification to the Lipay Nation of Santa Isabel and the Jamul Indian Village, both traditionally and culturally affiliated with the project area, requesting consultation via email on July 9, 2019. Consultation occurred on October 11, 2019 and concluded on November 4, 2019, with both tribes in concurrence with staff. Therefore, impacts no impacts would result.

XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Implementation of the project would not interrupt existing sewer service to the project site or other surrounding development. The project is not anticipated to generate significant amount of wastewater. 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.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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. Impacts would be less than significant.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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construction of which could cause significant environmental effects?

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.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 structures without requiring new or expanded entitlements. Impacts would be less than significant.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) 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 projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Construction of the project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the site without requiring new or expanded facilities. Impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <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 development and the construction of the project. 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 proposed project is anticipated to generate typical amounts of solid waste associated with educational uses. 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.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Comply with federal, state, and local statutes and regulation related to solid waste? | <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 would comply with all Federal, State, and local statutes and regulations related to solid waste. The project would not result in the generation of large amounts of solid waste, nor generate or require the transport of hazardous waste materials, other than minimal amounts generated during the construction phase. All demolition activities would comply with any City of San Diego requirements for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. Impacts would be less than significant.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE –

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project proposes a Child Care Center including the relocation of four modular buildings on a vacant site. The project site does not contain biological resources, and development of the project would not 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. As disclosed throughout this initial study, the project would either result in no impacts or less than significant impacts, and mitigation measures were not warranted.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <p>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)?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

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
-------	--------------------------------	--	------------------------------	-----------

As documented in this Initial Study, the project may have the potential to degrade the environment as a result of noise 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 with mitigation incorporated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

As discussed throughout this document, it is not anticipated that the demolition, construction, and operation of the project would not 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: Mid-City: City Heights 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:
 - Air Quality Technical Report for the Neighborhood House Association prepared by Yorke Engineering, LLC., September 2019.

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 Neighborhood House Association Modular Relocation,
prepared by Geocon Incorporated, February 15, 2019.

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
- Site Specific Report:
Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP)
Neighborhood House Association, prepared by Masson & Associates, March 2019.

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:
Updated Noise Analysis for a Proposed Child Care Center, prepared by Yorke Engineering, LLC., December 2019.

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

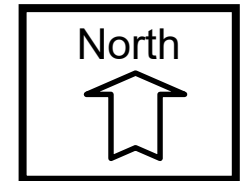
Site Specific Report:

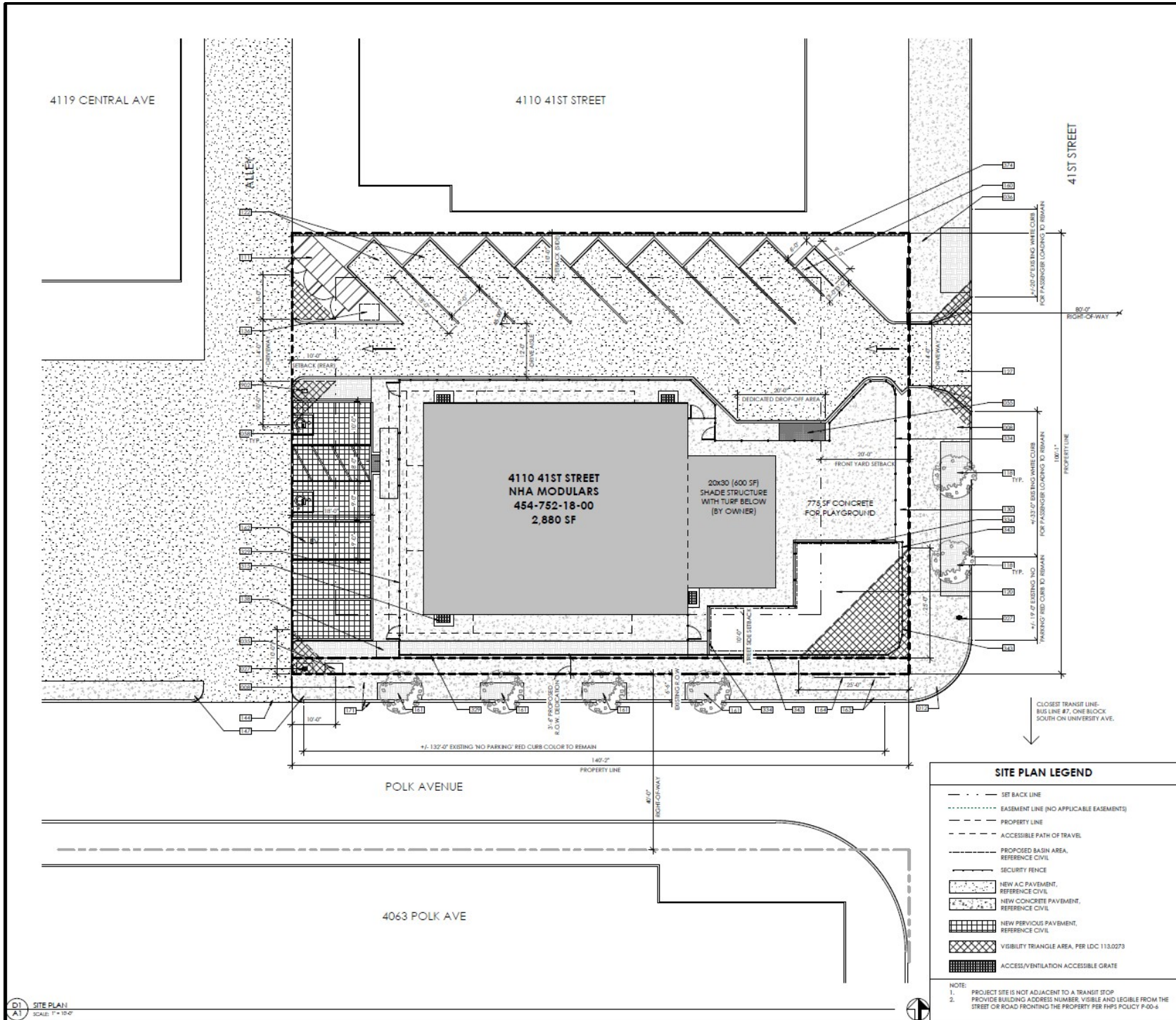
Revised: August 2018



Project Location Map

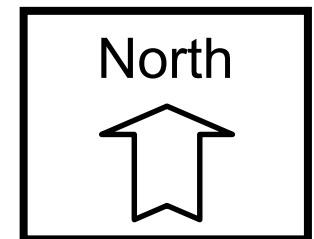
NHA Education Facility– 4110 41st Street
PROJECT NO. 623590





Site Plan

NHA Education Facility– 4110 41st Street
PROJECT NO. 623590



RESOLUTION NUMBER R-

ADOPTED ON June 17, 2020

WHEREAS, on June 17, 2020 Rudolph Johnson III, Neighborhood House Association (NHA) submitted an application to the Development Services Department for a Conditional Use Permit (CUP) for the NHA Education Facility CUP (Project); and

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

WHEREAS, the issue was heard by the Hearing Officer on June 17, 2020; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 623590 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Department is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: *Derrick Johnson (D.J.)* _____
Derrick Johnson (D.J.), Development Project Manager, Development Services Department

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

CONDITIONAL USE PERMIT

PROJECT NO. 623590

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 623590 shall be made conditions of the Conditional Use Permit as may be further described below.

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. **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: Not Applicable.
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. 623590 and /or Environmental Document No. 623590 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
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Noise (Construction)

Prior to the issuance of a Demolition Permit or prior to the start of any construction-related activities on-site, whichever is applicable; the applicant shall implement the following construction noise abatement the entire duration of construction, to the satisfaction of Development Services Department Environmental Designee:

1. Construction noise levels at the property line shall be no greater than 75 dBA Leq.
2. Construction activities shall be scheduled to avoid operating several pieces of equipment simultaneously wherever feasible.
3. Operate all diesel equipment with closed engine doors and all diesel equipment with factory-recommended mufflers.
4. For stationary equipment, designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be

installed prior to construction and remain in designated location throughout construction activities.

5. Whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than diesel equipment.
6. All contractors shall be required to maintain and tune-up all construction equipment to minimize noise emissions.
7. Noise Barrier Specifications shall consist of the following:
 - a. Temporary sound barriers that break the line of sight (at least six feet high) shall be erected along the perimeter of the project site between active on-site construction work utilizing heavy equipment and adjacent sensitive receptors (residences).
 - b. Such barriers shall be of sufficient height to break the line-of-sight between noise-generating equipment and the noise-sensitive receptors and shall be continuous with no gaps or holes between panels or the ground.
 - c. Temporary sound barriers may include, but are not limited to noise curtains, sound blankets, or solid temporary barriers with a Sound Transmission Class (STC) rating of 20 or greater based on sound transmission loss data taken according to the American Society for Testing and Materials (ASTM) Test Method E90.
 - d. If an STC rated product is not available or not feasible for use, a product with a similar industry-standard specification, or a product that would achieve a similar insertion loss based on a manufacturer or supplier recommendation, would be an acceptable substitute.

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



CHAPC
P.O. Box 5859
City Heights, CA 92165
(619) 266-7161

Date October 21, 2019

MEMORANDUM FOR: Glenn Gargas – Development Services, City of San Diego

From: Committee Chairman
Russ Connelly

Subject: Project 623590 NHA Head Start facility

CC: Matt Kingdom, KJA Architecture

At the October 7th 2019 meeting, this committee reviewed the design plans for this project. This was a followup to the memo dated April 4th that tentatively approved this project's CUP dependent upon further review of elevation and design aspects.

After presentation by the applicant and discussion by the committee, a motion was made and seconded to approve this project's design elements as presented. The vote was 14-1-0 with the Chair not voting.



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

**FORM
DS-318**

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: NHA- Modular Trailer Project **Project No. For City Use Only:** 623590
Project Address: Polk and Central Avenue

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? CA Corporate Identification No. C0106576
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Neighborhood House Association Owner Tenant/Lessee Successor Agency
 Street Address: 5660 Copley Drive
 City: San Diego State: CA Zip: 92111
 Phone No.: 858-715-2642 X192 Fax No.: 858-357-8655 Email: rcarey@neighborhoodhouse.org
 Signature: Rodney Carey Digitally signed by Rodney Carey
Date: 2018.09.26 08:49:01 -0700 Date: 9/26/18
 Additional pages Attached: Yes No

Applicant

Name of Individual: Neighborhood House Association Owner Tenant/Lessee Successor Agency
 Street Address: 5660 Copley Drive
 City: San Diego State: CA Zip: 92111
 Phone No.: 858-715-2642 x192 Fax No.: 858-357-8655 Email: rcarey@neighborhoodhouse.org
 Signature: Rodney Carey Digitally signed by Rodney Carey
Date: 2018.09.26 08:52:58 -0700 Date: 9/26/18
 Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: Yes No