



**REPORT NO. PC-19-099**

**DATE ISSUED:** November 7, 2019

**ATTENTION:** Planning Commission, Agenda of November 14, 2019

**SUBJECT:** 11<sup>th</sup> & B (south side of B Street between 10<sup>th</sup> and 11<sup>th</sup> avenues) – Appeal of Centre City Development Permit / Centre City Planned Development Permit (CCDP/CCPDP) No. 2018-40 – East Village Neighborhood of the Downtown Community Plan Area – **PUBLIC HEARING**

**OWNER/  
APPLICANT:** B Street LLC, Owner/Applicant

**SUMMARY**

**Issue:** Should the Planning Commission approve or deny the appeal of the Civic San Diego (“CivicSD”) Board of Directors (“Board”) decision to approve CCDP/CCPDP No. 2018-40 for the construction of a 40-story, 391-foot tall mixed-use development comprised of 471 dwelling units (DU) and approximately 7,800 square feet (SF) of commercial space located on a 30,052 SF site on the south side of B Street between 10<sup>th</sup> & 11<sup>th</sup> avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area (“Downtown”)?

**Staff Recommendation:** DENY the appeal and affirm the CivicSD Board decision to APPROVE CCDP/CCPDP No. 2018-40 for the Project.

**Community Planning Group Recommendation:** On July 17, 2019 the Downtown Community Planning Council (DCPC) voted 14-0 to recommend to the CivicSD Board to grant Design Review and approve CCDP/CCPDP No. 2018-40.

**Environmental Review:** Development within the DCP area is covered under the following documents, all referred to as the “Downtown FEIR”: Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency (“Former Agency”) and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency

Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Development within the Downtown Community Planning area is also covered under the following documents, all referred to as the “CAP FEIR”: FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency. The Downtown FEIR and CAP FEIR are located on the CivicSD website (<http://civicsd.com/departments/planning/environmental-documents>) and on the City website ([https://www.sandiego.gov/planning/programs/ceqa#Final CEQA Documents](https://www.sandiego.gov/planning/programs/ceqa#Final%20CEQA%20Documents)). Consistent with best practices suggested by CEQA Guidelines Section 15168, a Downtown 15168 Consistency Evaluation (“Evaluation”) has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR; that the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within both documents for the purposes of CEQA; and, that none of the conditions listed in CEQA Guidelines Section 15162 exist. Therefore, no further environmental documentation is required under CEQA. The Evaluation is attached to this staff report for informational purposes only; no action regarding the Evaluation is required by the decision maker.

**Fiscal Impact Statement:** None.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The Project consists of 471 residential units and is conditioned to comply with the City’s Inclusionary Housing Ordinance.

## **BACKGROUND**

An application for the Project was submitted to CivicSD on August 22, 2018 for a Centre City Development Permit (CCDP) and Centre City Planned Development Permit (CCPDP) for one deviation from the code to increase the maximum width of the oriel windows. When applications include requests for more than one permit for a single development, the review is consolidated under the highest decision process, which is a Process 3 for the Project. As such, the Project was subject to approval by the CivicSD Board and appealable to the Planning Commission. The Project is fully described in the CivicSD Board staff report included as Attachment D.



## CIVICSD BOARD DECISION

On September 25, 2019, the CivicSD Board held a public hearing to consider the application and staff recommendation to approve CCDP/CCPDP No. 2018-40. At the public hearing, there was one public speaker in support of the Project, Gary Smith of the Downtown Residents Group, and one public speaker opposed to the Project, Jay Palma of ABM San Diego LLC, the Appellant. The CivicSD Board considered all public testimony, public correspondence, and the staff recommendation and voted 6-0 with one recusal to approve CCDP/CCPDP No. 2018-40.

## APPEAL

On October 7, 2019, the Appellant filed an application to appeal the CivicSD Board's decision to approve CCDP/CCPDP No. 2018-40 (Attachment B). Under San Diego Municipal Code (SDMC) Section 112.0506, any interested person who was present at a public hearing from which an appeal arose and who filed a speaker slip with the decision maker at that public hearing or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing may appeal the decision within ten days of the CivicSD Board's decision. The following summarizes the appeal issues raised in the appeal application with a corresponding response by staff.

*Appeal Issues:* The Appellant owns the property along 11<sup>th</sup> Avenue directly to the south of the Project site, containing a two-story multi-family residential building known as the Lesinksy House, which was constructed in 1904, designated as Historical Resources Board (HRB) Site No. 636 in 2003, and located directly adjacent to the Project site, as well as a two-story, 32-unit Single-Room Occupancy (SRO) building. The Appellant raises issues that all involve how construction of the Project will impact the Appellant's property and tenants and is concerned about ensuring the structural integrity of the buildings on the Appellant's property and the safety of the tenants of the buildings during construction of the Project. The Appellant's full explanation for the appeal is included as Attachment B.

*Staff Response:* The Project approval by the CivicSD Board included review of basic conceptual/schematic drawings that present a design plan for the Project that illustrates the overall concept, how it relates to the neighborhood, and demonstrates compliance with the development regulations of the CCPDO. Review of technical construction documents including building code compliance, structural analysis, engineering assessment, etc. are not required until an application for building permits is submitted to the City of San Diego ("City") Development Services Department (DSD). As part of the building permit review process, the Project must be in compliance with all applicable building and safety codes prior to issuance of any construction permits, including grading and shoring activities.

The Project contains three levels of subterranean parking adjacent to the Appellant's site. A grading and shoring permit will be required prior to the commencement of any construction. While there are no setback requirements from common interior property lines, the Project's seven-story podium is proposed to be set back two feet, six inches from the Appellant's property. Any proposal that includes the use of the Appellant's neighboring property during construction must have the Appellant's permission. If permission is not granted for use of the Appellant's property during construction, then all activities must take place within the Project site


boundaries. Due to the current point in the process, the Applicant has stated that technical construction documents have not yet been prepared so specific details regarding shoring and retaining walls has not yet been determined; however, the Project will be designed by experienced, licensed professionals to industry standards, comply with all applicable building codes, and be reviewed and approved by the City's DSD. A written response to the appeal issues was provided by the Applicant and included as Attachment C. A draft Planning Commission resolution including appropriate findings is provided as Attachment A.


### CONCLUSION

Staff recommends the Planning Commission deny the appeal and affirm the CivicSD Board decision to approve CCDP/CCPDP No. 2018-40 for the Project.

Respectfully submitted,

Concurred by:

  
James Alexander  
Associate Planner, CivicSD

  
Brad Richter  
Deputy Director, Urban Division

Attachments: A – Draft Planning Commission Permit Resolution with Draft Permit  
CCDP/CCPDP No. 2018-40  
B – Appeal Application by Appellant  
C – Appeal Responses provided by Applicant  
D – CivicSD Board Staff Report dated September 25, 2019  
*Includes the following as attachments to the report:*  
Ownership Disclosure Statement  
Project Description and Architectural Narrative  
Downtown Design Guidelines  
Board Resolution  
Draft Permit  
Downtown Final EIR Consistency Evaluation  
Basic Concept/Schematic Drawings dated July 19, 2019



RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO DENYING THE APPEAL, AFFIRMING THE CIVIC SAN DIEGO BOARD OF DIRECTORS' DECISION, AND APPROVING CENTRE CITY DEVELOPMENT PERMIT/CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2018-40 FOR THE 11<sup>TH</sup> & B PROJECT LOCATED WITHIN THE DOWNTOWN COMMUNITY PLAN AREA IN THE CITY OF SAN DIEGO.

WHEREAS, B Street, LLC, a Delaware limited liability company, Owner and Permittee ("Owner/Permittee"), filed an application with Civic San Diego ("CivicSD") for the construction of a mixed-use development consisting of a 40-story tower (391 feet tall) containing 471 residential units, approximately 7,800 square feet (SF) of ground floor commercial space, and 572 automobile parking spaces, commonly referred to as 11<sup>th</sup> & B ("Project"); and

WHEREAS, the Project site is located on a 30,052 SF premises located on the south side of B Street between 10<sup>th</sup> and 11<sup>th</sup> avenues in the East Village neighborhood of the Downtown Community Plan area ("Downtown"); and

WHEREAS, on July 17, 2019, the Downtown Community Planning Council considered CCDP/CCPDP No. 2018-40 and voted 14-0 to recommend approval of CCDP/CCPDP No. 2018-40; and

WHEREAS, on September 25, 2019, the CivicSD Board of Directors considered CCDP/CCPDP No. 2018-40, including a staff report and recommendation, and public testimony, pursuant to the Centre City Planned District Ordinance (CCPDO) and San Diego

Municipal Code (SDMC) and voted 6-0 with one recusal to grant Design Review approval and approve CCDP/CCPDP No. 2018-40; and

WHEREAS, on October 7, 2019, Amalia Maguire on behalf of ABM San Diego, LLC filed an appeal of the CivicSD Board of Directors' decision within ten business days of the action;

WHEREAS, the Planning Commission of the City of San Diego ("Planning Commission") held a duly noticed public hearing and considered CCDP/CCPDP No. 2018-40 on November 14, 2019, testimony having been heard, evidence having been submitted, and having fully considered the matter and being fully advised concerning the same; and

WHEREAS, development within the Downtown Community Planning area is covered under the following documents, all referred to as the "Downtown FEIR": Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Development within the Downtown Community Planning area is also covered under the following documents, all referred to as the "CAP FEIR": FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City



Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency and has been reviewed and considered by the decision maker before approving the project. Consistent with best practices suggested by CEQA Guidelines Section 15168, a Downtown 15168 Consistency Evaluation (“Evaluation”) has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR; that the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within both documents for the purposes of CEQA; and, that none of the conditions listed in CEQA Guidelines Section 15162 exist. Therefore, no further environmental documentation is required under CEQA;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it denies the appeal, affirms the CivicSD Board of Directors’ decision subject to the drawings dated July 19, 2019, and adopts the following findings with respect to CCDP/CCPDP No. 2018-40:

**A. CENTRE CITY DEVELOPMENT PERMIT (CCPDO  
§156.0304(e)(1)(D))**

*The proposed development is consistent with the Downtown Community Plan (DCP), Centre City Planned District Ordinance (CCPDO), Civic San Diego Land Development Manual, San Diego Municipal Code (SDMC), and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District (CCPD).*

The proposed Project provides a mixed-use development that is consistent with the character and scale of the neighborhood, as it is within one block of buildings of similar bulk and height, including the 25-story 1050 B residential tower and the 40-story Vantage Pointe residential tower. The Project will help to infill, as well as activate, this area of the East Village neighborhood because it will add 471 residential units and approximately 7,800 SF of commercial space to a property that is predominantly occupied by a surface parking lot with a small building containing an automobile service business. Mixed-use developments containing multiple dwelling units and ground floor commercial are a permitted land use in the Residential Emphasis district of the CCPDO and with approval of the proposed deviation to increase the maximum width of oriel windows, is compliant with all development regulations of the CCPDO. The Project will also help to advance the orderly growth and activation of the East Village neighborhood by constructing a high-density, 471-unit residential building that provides additional housing opportunities for the region, contributes to an overall balance of uses in Downtown, and develop the Northwest sub-district of the East Village neighborhood as the most intensive residential area, which is consistent with the goals of the DCP listed below. By advancing the goals and policies of the DCP and complying with the development regulations of the CCPDO, the Project demonstrates that it will not have a negative impact on the surrounding neighborhood. The Project advances the following goals and objectives of the DCP and CCPDO:

DCP, 3.1-G-2: Providing for an overall balance of uses—employment, residential, cultural, government and destination—as well as a full compendium of amenities and services.

DCP, 3.3-G-1: Providing a range of housing opportunities suitable for urban environments and accommodating a diverse population.



DCP, 3.5-G-1: Develop a system of neighborhoods sized for walking, with parks and concentrations of retail, restaurants, cultural activities, and neighborhood services in mix with residential and other commercial uses.

DCP, 3.5-G-2: Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them.

DCP, 6.5-G-6: Development Northwest [sub-district of the East Village neighborhood] as the most intensive residential area in concert with its central location, transit access, and available redevelopment sites.

DCP, 6.5-G-8: Reinforce Northwest's proximity to Downtown destinations as an essential component of its character.

Therefore, the proposed development is consistent with the DCP, CCPDO, SDMC, and all other adopted plans and policies of the City of San Diego pertaining to the CCDP.

## **B. CENTRE CITY PLANNED DEVELOPMENT PERMIT (CCPDO)**

### **§156.0304(f)(2))**

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

The proposed Project is consistent with the objectives of the applicable land use plans, including the DCP and CCPDO, because it complies with the development standards of the CCPDO regarding massing and the architectural differentiation of each elevation and is a permitted use in the Residential Emphasis land use district of the CCPDO. Additionally, the Project advances the goal of developing the Northwest sub-district of the East Village neighborhood as the most intensive area because it includes the construction of 471 residential units on a half-block (approximately 30,000 SF) site. Consistent with the Downtown Design Guidelines (DDG), the Project enhances the character of the area by utilizing a contemporary

design with a tower comprised predominantly of glazing and upgraded materials such as metal panels and natural stone. The Project features architectural modulations characterized by projecting concrete floor slabs, which create an interesting shape with floor plates narrowing to the south, rising up on the eastern half of the site on the corner of 11<sup>th</sup> Avenue and B Street and provides visual interest and plane off-sets consistent with the DDG. The Project also contributes to an active street environment by providing ground floor commercial lease spaces with transparent storefronts that create engagement with the public realm, consistent with the DDG. The Project's compliance with the applicable land use plans demonstrate that the proposed development will not adversely affect any applicable land use plans.

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

The granting of the deviations and the approval of the Project will not have a detrimental impact upon the public's health, safety and general welfare. The Project is consistent with the plans for the East Village neighborhood as envisioned in the DCP by advancing the development of the Northwest sub-district of the East Village neighborhood as the most intensive area and will contribute to its vitality by adding 471 residential units to the neighborhood and providing an attractive and engaging streetscape that includes ground level commercial lease spaces and street trees. Because the components of this Project increase activity in the neighborhood, improve the aesthetics of the site, and advance the vision of the DCP, 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 CCPDO, except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO.*

The requested deviation to the CCPDO development regulations will allow an increase in the maximum width of oriel windows on just the north elevation beginning on Level 8 and extending



to the top level (Level 40) from 12 feet to 23-feet, two-inches. The oriel windows contribute to the architectural modulation of the tower and the wider projection is consistent with the scale and width of the tower, consistent with the DDG. The intent of the CCPDO oriel window width limitation is to prevent large floor areas from projecting over public sidewalks; however, the proposed oriel windows with the increased width start at Level 8, which is approximately 80 feet above the public sidewalk, preventing any perceptible adverse visual impact at the street level. Further, the CCPDO limits oriel windows to no more than 30% of the total area of each building elevation, with which the Project complies even with the deviation to increase the oriel window width. This deviation does not have an adverse impact on the neighborhood because it accommodates a design component that serves to enhance the appearance and massing of the building's north elevation in a way that is consistent with the DDG. Therefore, the proposed development will comply with the regulations of the CCPDO, except for the single deviation which is appropriate for this location, and the deviation results in a more desirable project than would be achieved if the Project strictly conformed to the regulations of the CCPDO since the oriel window width is more proportional to the width of the tower face.

*4. The development is consistent with the Downtown Design Guidelines (DDG) and exhibits superior architectural design.*

The proposed development is consistent with the DDG regarding its massing and architectural variation because it is broken up into distinct volumes that are in proportion to one another and does not have any repetitive or monolithic treatments (DDG 4.4.1) with a tower that is comprised of a majority glazing and includes a variety of fenestration and material patterns to create visual interest (DDG 4.5.4). In terms of building materials, the Project utilizes upgraded materials such as metal panels, natural stone, concrete, and glazing throughout the building (DDG 4.5.9). The Project also demonstrates implementation of the DDG in the pedestrian

experience around the building, with no blank walls (DDG 4.5.10), providing street-level commercial lease spaces with direct access to the sidewalk (DDG 4.5.1.C), and utilizing high-quality ground-level materials like concrete, metal, and glazing (DDG 4.5.9). With these design features, the proposed development exhibits appropriate massing, in scale with the long-term development plans for the East Village neighborhood, and results in an overall unique design that is compatible with the surrounding neighborhood. Because of the Project's implementation of the DDG, the Project has demonstrated that it will provide a superior architectural design to this part of the East Village neighborhood and that is contextually appropriate and consistent with the DDG. The CivicSD Board of Directors granted Design Review approval on September 25, 2019 based on the Project's compliance with the DDG and its superior architecture.

BE IT FURTHER RESOLVED, that, the appeal is denied, the decision of the CivicSD Board of Directors is affirmed subject to the drawings dated July 19, 2019, and, based on the findings hereinbefore adopted by the Planning Commission, CCDP/CCPDP No. 2018-40 is hereby granted to the Owner/Permittee, in the form, exhibits, terms, and conditions set forth in CCDP/CCPDP No. 2018-40, a copy of which is attached hereof.

By \_\_\_\_\_  
James Alexander, Associate Planner

ATTACHMENT: A – CCDP/CCPDP No. 2018-40

**RECORDING REQUESTED BY:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

**AND WHEN RECORDED MAIL TO:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

*THIS SPACE FOR RECORDER'S USE ONLY*

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*NOTE: COUNTY RECORDER, PLEASE RECORD AS  
RESTRICTION ON USE OR DEVELOPMENT OF REAL  
PROPERTY AFFECTING THE TITLE TO OR  
POSSESSION THEREOF*

**CENTRE CITY DEVELOPMENT PERMIT  
CENTRE CITY PLANNED DEVELOPMENT PERMIT  
NO. 2018-40**

**11<sup>TH</sup> & B  
APN's 534-192-01, -02, -03, and -07**

**CENTRE CITY DEVELOPMENT PERMIT  
CENTRE CITY PLANNED DEVELOPMENT PERMIT  
NO. 2018-40**

**11<sup>TH</sup> & B  
APN'S 534-192-01, -02, -03, and -07**

This Centre City Development Permit/Centre City Planned Development Permit (CCDP/CCPDP) No. 2018-40 is granted by the City of San Diego ("City") Planning Commission to B Street, LLC ("Owner/Permittee") to allow the construction of a 40-story, 391-foot tall mixed-use development comprised of 471 dwelling units (DU) and approximately 7,800 square feet (SF) of ground floor commercial space located on a 30,052 SF site on the south side of B Street between 10th & 11th avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area ("Downtown"); identified as Assessor Parcel Numbers (APN's) 534-192-01, -02, -03, and -07, and more particularly described in the legal description attached as Exhibit A.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to construct and operate uses as described and identified by size, dimension, quantity, type and location as follows and on the approved Basic Concept/Schematic Drawings and associated Color and Materials Board dated July 19, 2019, on file at the City.

1. General

The Owner/Permittee shall construct, or cause to be constructed on the site, a development consisting of a 40-story mixed-use development comprised of 471 DU and approximately 7,800 SF of ground floor commercial space. The development shall not exceed a height of 391 feet above average grade level, measured from the top of the parapet of the uppermost floor, with roof equipment enclosures, elevator penthouses, mechanical screenings and architectural elements above this height permitted per the Centre City Planned District Ordinance (CCPDO).

2. Floor Area Ratio (FAR)

An increase in the maximum allowable Base 10.0 FAR to 14.0 FAR is hereby granted under the following provisions of the CCPDO:

*§156.0309(e)(3) Three-Bedroom Units* – The development is entitled to an additional 2.0 FAR (60,014 SF) for the provision of 10%, 48 three-bedroom DU's in accordance with the CCPDO and per the Basic Concept/Schematic Drawings dated July 19, 2019. Covenants, Conditions and Restrictions (CC&R's) shall be recorded on the property ensuring the number of bedrooms in the units used to earn the FAR bonus shall not be reduced.

*§156.0309(e)(7) FAR Payment Bonus Program* – The development is entitled to an additional 1.0 FAR (30,052 SF) through the FAR Payment Bonus Program. The Owner/Permittee will be required to pay approximately \$561,071 (based on the Fiscal Year 2018-19 fee structure at \$18.67 per SF), or the equivalent amount based on the exact amount

of additional building area not to exceed 1.0 FAR, prior to the issuance of any Construction Permits to implement this proposed development, which will be deposited into a fund to be used for the construction of public parks and enhanced public right-of-ways in Downtown.

*§156.0309(e)(8) Green Building* – The development is entitled to an additional 1.0 FAR (30,052 SF) for providing a certified LEED Silver building. The Green Building Incentive Program awards development incentives for buildings that exceed the California Green Building Standards Code (CALGreen). The Applicant shall construct a building in accordance with the US Green Building Council (USGBC) standards for new construction by achieving the LEED Silver standard. The development shall be constructed in accordance with the CALGreen Checklist prepared by Callison RTKL (Sheet T1.07), and on file at the City. The development will be constructed to the LEED Silver standard in order for the Applicant to receive 1.0 FAR Bonus. The measures identified in the Checklist shall be included within the development and compliance demonstrated upon review of the 100% Construction Drawings.

Prior to the issuance of any Building Permits, the Permittee shall provide a financial surety, deposit, or other suitable guarantee approved by the Civic San Diego President and the City Attorney's Office to ensure that the applicant completes the LEED Silver certification for the development as proposed to obtain a FAR Bonus under this section.

The financial surety, deposit, or other suitable guarantee shall be in an amount equivalent to the values which would be required to purchase an equivalent amount of FAR under the FAR Payment Bonus Program, including any subsequent amendments in effect at the time of the development permit application. Within 180 days of receiving the final Certificate of Occupancy for a development, the applicant shall submit documentation that demonstrates achievement of the LEED Silver rating as proposed under this section.

The total Floor Area Ratio (FAR) of the development for all uses above ground shall not exceed 14.0.

3. Centre City Planned Development Permit (CCPDP)

The Planning Commission hereby grants a CCPDP pursuant to Sections 156.0304(d) and (f) of the CCPDO for the following deviation from the development regulations within the CCPDO:

- a. CCPDO §156.0311(h)(2)(B) – Oriel Window Width: Oriel window widths up to 23-feet 2-inches projecting 4 feet over the B Street public right-of-way (ROW) on the north elevation are allowed.

4. Parking

The development shall provide a minimum of 487 automobile parking spaces designed to meet City standards. The development as currently designed provides 572 standard parking spaces. The development shall also provide a minimum of 24 motorcycle spaces (3x8 feet).

Secured bicycle storage shall be provided to accommodate a minimum of 95 bicycles. Bicycle storage areas shall be enclosed with access restricted to authorized persons. Any subterranean storage and parking facilities encroaching into the ROW shall be located: 1) a minimum of three feet behind the face of curb; 2) three feet below the finished sidewalk level; and, 3) eight feet below grade within six feet from the face of curb, all measured to the outside of any shoring. An Encroachment Maintenance Removal Agreement (EMRA) shall be obtained from the City to allow any encroachment of the subterranean garage into the ROW.

5. Airport Approach Overlay Zone (AAOZ)

The Owner/Permittee shall comply with conditions established by the City of San Diego Airport Approach Overlay Zone (and any successor or amendment thereto) which were approved at the Airport Land Use Commission (ALUC) meeting on January 3, 2019. The ALUC Board made the determination that the project is conditionally consistent with the San Diego International Airport Land Use Compatibility Plan (ALUCP). The Applicant shall comply with the following ALUC conditions:

- a. The structure and crane shall be marked and lighted in accordance Federal Aviation Administration (FAA) procedures.
- b. An aviation easement for airspace shall be recorded with the County Recorder.
- c. The ALUCP requires that a means of overflight notification be provided for new residential land uses. In instances when an aviation easement is required, the overflight notification requirement is satisfied.

**PLANNING AND DESIGN REQUIREMENTS**

6. Urban Design Standards – The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual (CCSM). These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.
7. Architectural Standards – The architecture of the development shall establish a high quality of design and complement the design and character of the East Village neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with the City. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
8. Form and Scale – The development shall consist of a 40-story development, approximately 391 feet tall measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDO and the FAA. All building elements shall be complementary in form, scale, and architectural style.



9. Building Materials – All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within one inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24 of the California Code of Regulations (“Title 24”).

All construction details shall be of the highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public ROW. No substitutions of materials or colors shall be permitted without the prior written consent of the City.

10. Street Level Design – Street level windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials, and incorporate drip edges and other details to minimize staining and ensure long-term durability.

11. Utilitarian Areas – Areas housing trash, storage, or other utility services shall be completely concealed from view of the ROW and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per SDMC Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building area and kept clean and orderly at all times.
12. Mail and Delivery Locations – It is the Owner/Permittee’s responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal and loading use. The Owner/Permittee shall locate all mailboxes and parcel lockers outside of the ROW, either within the building or recessed into a building wall.
13. Circulation and Parking – The Owner/Permittee shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, valet services if any, trees, and street lights to the satisfaction of the City. Such plan shall be submitted in conjunction with Construction Permits.

14. Open Space and Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of water, and electrical hookups to the satisfaction of the City shall be submitted with construction drawings.
15. Roof Tops – A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted to the satisfaction of the City with construction drawings. Any roof-top mechanical equipment shall be grouped, enclosed, and screened from surrounding views.
16. Signage – All signs shall comply with the City Sign Regulations and the CCPDO.
17. Lighting – A lighting plan which highlights the architectural qualities of the proposed development and also enhances the lighting of the public ROW shall be submitted with construction drawings. All lighting shall be designed to avoid illumination of, or glare to, adjoining properties, including those across any street.
18. Noise Control – All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City Noise Ordinance and California Noise Insulation Standards as set forth in Title 24. The Owner/Permittee shall provide evidence of compliance with construction drawings.
19. Street Address – Building address numbers shall be provided that are visible and legible from the ROW.
20. On-Site Improvements – All on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted to the satisfaction of the City with construction drawings.

## **PUBLIC IMPROVEMENTS, LANDSCAPING, AND UTILITY REQUIREMENTS**

### **21. Off-Site Improvements**

The following public improvements shall be installed in accordance with the CCSM. The Manual is currently being updated and the Owner/Permittee shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

<b>Off-Site Improvements</b>	<b>B Street</b>	<b>10<sup>th</sup> Avenue</b>	<b>11<sup>th</sup> Avenue</b>
Paving	Standard	Gateway	Gateway
Street Trees	Fern Pine	Jacaranda	Jacaranda
Street Lights	Standard	Gateway	Gateway

22. Street Trees – Street tree selections shall be made according to the CCSM. All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCSM, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject development.
23. Street Lights – All existing lights shall be evaluated to determine if they meet current City requirements, and shall be modified or replaced if necessary.
24. Sidewalk Paving – Any specialized paving materials shall be approved through the execution of an EMRA with the City.
25. Litter Containers – The development shall provide two trash receptacles, one at each intersection: 10<sup>th</sup> & B St. and 11<sup>th</sup> & B St.
26. Landscaping – All required landscaping shall be maintained in a disease, weed, and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of the City within 30 days of damage or Certificate of Occupancy, whichever occurs first.
27. Planters – Planters shall be permitted to encroach into the ROW a maximum of two feet. The planter encroachment shall be measured from the property line to the face of the curb/wall surrounding the planter. A minimum five foot clear path shall be maintained between the face of the planter and the edge of any tree grate or other obstruction in the ROW.
28. On-Street Parking – The Owner/Permittee shall maximize the on-street parking wherever feasible.
29. Franchise Public Utilities - The Owner/Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk ROW shall be removed and incorporated into the adjoining development. All franchise utilities shall be installed as identified in the Basic Concept Drawings. Any above grade devices shall be screened from view from the ROW.
30. LDR Engineering
  - a. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading/shoring permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

- b. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- c. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for Enhanced paving, trees/irrigations /tree grates, trash cans and curb outlets within public right of way.
- d. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of City Standard 22 feet and 13 feet wide driveways on B Street, satisfactory to the City Engineer.
- e. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct existing curb and sidewalk with current City Standard adjacent to the site along 10th , 11th Ave. and B Street satisfactory to the City Engineer.
- f. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of non-utilized driveways along 10th, 11th Ave, and B Street to satisfaction of the City Engineer.
- g. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Agreement for underground parking structure and above ground allowable building encroachment in public right of way adjacent to the Site.
- h. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct existing curb ramps on the corners of 10th , 11th Ave. and B Street with current City standard satisfactory to the City Engineer.
- i. 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.
- j. 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.
- k. 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.

31. LDR Transportation

- a. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a 22-ft wide, two-way driveway on B Street, satisfactory

to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

- b. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a 13-ft wide commercial driveway on B Street, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

32. LDR Geology

- a. Prior to the issuance Prior to the issuance of any construction permits (either grading or building permits), the Owner/Permittee shall submit an addendum geotechnical investigation report that specifically addresses the proposed construction plans. The addendum geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services.
- b. The Owner/Permittee shall submit an interim as-graded geotechnical report that presents the results of detailed geologic mapping/logging of the entire basement excavation to demonstrate the lack of faults crossing the site prior to building inspection of foundation excavations. The interim as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services.
- c. The Owner/Permittee shall submit a final as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

33. Public Utilities Department

- a. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, 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.
- b. Prior to the issuance of any building permits, the 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.



- c. 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.
  - d. Prior to Final Inspection, all public water and sewer facilities, if required shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
  - e. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices. Public water and sewer facilities shall be modified at final engineering to comply with standards.
  - f. If dual 3" or larger meters are required for this project, the owner/permittee shall construct the new meter in the public right of way in an underground private meter vault, in a manner satisfactory to the Public Utilities Director and the City Engineer.
34. Fire Hydrants – If required, the Owner/Permittee shall install fire hydrants at locations satisfactory to the City of San Diego Fire Department and Development Services Department.
35. Removal and/or Remedy of Soil and/or Water Contamination

The Owner/Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent ROW which the Owner/Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental agency and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other

approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.

- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

## **SUSTAINABILITY**

The following requirements must be demonstrated prior to issuance of construction permits:

36. Cool/Green Roofs – The development must include roofing materials with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under the California Green Building Standards Code (CALGreen). Compliance with this measure must be demonstrated prior to the issuance of the building permit.
37. Plumbing Fixtures and Fittings (residential project)
  - Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;
  - Standard dishwashers: 4.25 gallons per cycle;
  - Compact dishwashers: 3.5 gallons per cycle; and,
  - Clothes washers: water factor of 6 gallons per cubic feet of drum capacity.
38. Electric Vehicle Charging – 3% of the total required parking spaces shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking space with electrical services. Of these spaces, 50% shall include the necessary electric vehicle supply equipment installed to provide an active electric charging station ready for use by the residents.
39. Shower Facilities – If the commercial space has more than ten employees, the Project must include changing/shower facilities in accordance with the voluntary measures under the CALGreen (per the table under CAP Checklist Item #5 Shower facilities).

## **STANDARD REQUIREMENTS**

40. Environmental Impact Mitigation Monitoring and Reporting Program (MMRP) – As required by CCPDO Section 156.0304(h), the development shall comply with all applicable Mitigation Monitoring and Reporting Program (MMRP) measures from the 2006 Final Environmental Impact Report (FEIR) for the DCP.
41. Development Impact Fees – The development will be subject to Centre City Development Impact Fees. The fee shall be determined in accordance with the fee schedule in effect at the time of building permit issuance. The Owner/Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas

within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Owner/Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed. Development Impact Fees shall be calculated in accordance with fee schedule in effect at the time of building permit issuance, and in accordance with the SDMC.

42. Inclusionary Affordable Housing Ordinance – As required by SDMC Chapter 14, Article 2, Division 13, the development shall comply with all applicable regulations of the City of San Diego's Inclusionary Housing Ordinance. The Owner/Permittee shall provide documentation of such compliance prior to issuance of any Building Permits. The Owner/Permittee shall pay the applicable inclusionary housing fee prior to issuance of any Building Permit for construction of any residential unit.
43. Construction Fence – The Owner/Permittee shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the development's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.
44. Development Identification Signs – Prior to commencement of construction on the site, the Owner/Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four feet by six feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:
  - Color rendering of the development
  - Development name
  - Developer
  - Completion Date
  - For information call \_\_\_\_\_

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 SF per street frontage. Graphics may also be painted on any barricades surrounding the site.

45. Tentative Map – The Owner/Permittee shall be responsible for obtaining all map approvals required by the City of San Diego prior to any future conversion of the residential units and/or commercial spaces to condominium units for individual sale.
46. 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.

47. 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.
48. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
49. Issuance of this Permit 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.).
50. 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.
51. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
52. No permit for construction, operation, or occupancy of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until this Permit is recorded in the Office of the San Diego County Recorder.
53. 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.
54. Construction plans shall be in substantial conformity to the approved Basic Concept/Schematic Drawings and associated Color and Materials Boards dated July 23, 2019, on file at the City. Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s)/amendment(s) to the Project have been granted.
55. The Owner/Permittee shall defend, indemnify, and hold harmless CivicSD and the City (collectively referred to as "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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/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, Owner/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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

56. 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 there.

This CCDP/CCPDP No. 2018-40 is granted by the Planning Commission on November 14, 2019.

CIVIC SAN DIEGO:

OWNER/PERMITTEE:

James Alexander  
Associate Planner

Date

---

Mark Schmidt  
B Street, LLC

Date

**Note: Notary acknowledgement must be attached per Civil Code Section 1189 et seq**

ATTACHMENTS: A – Legal Description



**EXHIBIT A**  
**Legal Description**

**PARCEL 1:**

LOT "B" IN BLOCK 23, OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING AND ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY.

TOGETHER WITH THAT PORTION OF THE EAST HALF OF 10TH AVENUE (FORMERLY 10TH STREET) ADJOINING SAID LAND ON THE WEST, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW.

APN: 534-192-02-00

**PARCEL 2:**

LOT "C" IN BLOCK 23 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

TOGETHER WITH THAT PORTION OF THE EAST HALF OF 10TH AVENUE (FORMERLY 10TH STREET) ADJOINING SAID LAND ON THE WEST, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW

APN: 534-192-03-00

**PARCEL 3:**

LOTS "J", "K" AND "L" IN BLOCK 23 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

TOGETHER WITH THAT PORTION OF THE WEST HALF OF 11TH AVENUE (FORMERLY 11TH STREET) AND ALSO THE SOUTH HALF OF B STREET ADJOINING SAID LAND ON THE WEST AND NORTH, RESPECTIVELY, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW.

APN: 534-192-07-00



## APPEAL APPLICATION

### 1. Type of Appeal:

- ☒ Process Two Decision – Appeal to the Civic SD Board  
☐ Process Three Decision – Appeal to the Civic SD Board  
☐ Process Three Decision – Appeal to the City of San Diego Planning Commission  
☐ Appeal of a Hearing Officer Decision to revoke a permit

### 2. Appellant

ARM San Diego LLC (Amalia Maguire)

Name

1140 Wall St, Unit 3044, La Jolla CA 92038, 858-337-1353

Address

City

State

Zip Code

Telephone

### 3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

B Street LLC/Shawn Schmidt

### 4. Project Information

CCDP/CCDPD. NO: 2018-40, Sept 25, 2019, William Chopyk

Permit & Permit/Document No.:

Date of Decision:

Project Manager:

Decision (describe the permit/approval decision): Civic San Diego Board approved Center City Planning, Planned Development permit and Center City planned developer permit.

### 5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error  
☒ Conflict With Other Matters  
☐ Findings Not Supported  
☐ New Information

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

- 1.) B Street LLC promised to provide an architectural design indicating how the wall adjacent to my property would be stabilized, without placing piers under the property. The date it was promised to me was Sept. 26 or Sept. 27, 2019. I have not seen the design proposal as of the date below.
- 2.) I also have concern how the adjacent construction will interfere with the use and enjoyment of my apartments by my tenants.
- 3.) I do not have a written agreement what exactly the buyer is allowed to build and how much

### 6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:

Date:

10/07/19

Note: Faxed appeals are not accepted.

Cont  
page  
2

401 B Street, Suite 400, San Diego, CA 92101 (619) 235 - 2200

Upon request, this information is available in alternative formats for persons with disabilities.





## APPEAL APPLICATION

page 2 of 2

### 1. Type of Appeal:

- ☐ Process Two Decision – Appeal to the Civic SD Board
- ☐ Process Three Decision – Appeal to the Civic SD Board
- ☐ Process Three Decision – Appeal to the City of San Diego Planning Commission
- ☐ Appeal of a Hearing Officer Decision to revoke a permit

### 2. Appellant

ABM San Diego LLC —

Name

Address

City

State

Zip Code

Telephone

### 3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

### 4. Project Information

Permit & Permit/Document No.:

Date of Decision:

Project Manager:

Decision (describe the permit/approval decision):

### 5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error
- ☐ Conflict With Other Matters
- ☐ Findings Not Supported
- ☐ New Information

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

3, cont → time they have to build it and the insurance and indemnity obligations of the buyer to cover my company for any property damage or liability claims that could arise by the buyer going onto my property to build bearing walls and piers.

4. I am concerned for the safety and well being of my tenants, as I have no documentation as to the scope and nature of proposed retaining wall and/or piers. I am also concerned for the structural integrity of my buildings.

### 6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:

Date:

10/07/2019

Note: Faxed appeals are not accepted.

# B Street LLC

October 25, 2019

James Alexander  
Associate Planner  
Civic San Diego  
401 B Street, Suite 400  
San Diego, CA 92101  
619.533.7171

RE: 11<sup>th</sup> and B Appeal

Dear James:

In response to your request for information relative to the appellant's concerns and questions, we have the following information.

The information she is seeking is complicated by the fact that a general contractor or structural engineer has not been selected yet. Our architect completed the conceptual design which is all Civic requires at this point. The construction drawings come much later and haven't even started. A lot of variables still need to be researched and analyzed prior to construction documents. The data from these studies, still to be conducted, lay the foundation for architects and engineers to finalize their recommendations.

Because of these variables, it is pre-mature at this stage and virtually impossible to provide exact specifications and details of what will actually be constructed. However, I was able to gather the following information from consultants.

The temporary construction shoring and the final retaining wall will be designed according to industry standards. This includes accounting for loads from the adjacent buildings. The footings, foundations, and piers will be constructed within our property boundaries (11<sup>th</sup> and B project). The architect for the project designs high rises all over the world and they will follow strict building codes when developing the construction documents. These structures will be reviewed by the City of San Diego during the permitting process. Governmental authorities follow the same strict building codes and the project will be inspected frequently during construction by officials trained in this area.

The contractors of these systems are also very experienced with building adjacent to existing buildings in such a way as to prevent settlement induced damage to adjacent structures. They will follow the industry's best practices and protocols. Many examples of this type of construction, and the architects, engineers, contractors, and consultants that work on them can be seen in downtown San Diego. We are confident this project will also be exemplary in meeting professional standards.

ATTACHMENT C

9948 Hibert Street Suite 210 San Diego, CA 92131 Phone 858-271-0585 Fax 858-271-0330

As for insurance, our company has insurance coverage typical for our industry. In addition, any architects, engineers, contractors, and others that work on the project will also carry appropriate amounts of insurance and resources to address any liabilities created by their work.

I hope the above information is helpful to you and the appellant. Feel free to contact us if you need anything else.

Best Regards,

A handwritten signature in black ink that reads "Randy Williams". The signature is written in a cursive, flowing style.

Randy Williams

General Manager

CC: Brad Richter  
Amalia Maguire





## **Item #8**

DATE ISSUED: September 20, 2019

ATTENTION: Civic San Diego  
Meeting September 25, 2019

SUBJECT: 11<sup>th</sup> & B (south side of B Street between 10<sup>th</sup> and 11<sup>th</sup> avenues) – Centre City Development Permit / Centre City Planned Development Permit (CCDP/CCPDP) No. 2018-40 – Design Review and Associated Permits – East Village Neighborhood of the Downtown Community Plan Area –  
**PUBLIC HEARING**

STAFF CONTACT: William Chopyk, Planner

STAFF RECOMMENDATION: That Civic San Diego (“CivicSD”) receives a presentation on the design proposal for the 11<sup>th</sup> & B project (“Project”) and:

1. Grants Design Review approval; and
2. Approves CCDP/CCPDP No. 2018-40 for the Project.

This is a Process 3 application which requires a public hearing before the Civic San Diego (“CivicSD”) Board of Directors whose decision is final unless appealed to the Planning Commission, which would be the final decision maker on any appeal.

SUMMARY: B Street, LLC (“Applicant”) submitted an application on August 22, 2018, seeking Design Review approval and approval of CCDP/CCPDP No. 2018-40 for the construction of a 40-story, 391-foot tall mixed-use development comprised of 471 dwelling units (DU) and approximately 7,800 square feet (SF) of commercial space. The 30,052 SF project site is located on the south side of B Street between 10th & 11th avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area (“Downtown”). The Project would provide 572 standard parking spaces in a parking structure 3-levels below grade and 6-levels above grade.

FISCAL CONSIDERATIONS: Under the Downtown Public Facilities Financing Plan, the Project will pay Development Impact Fees (DIF) to fund its fair share of new park, fire station, and traffic circulation improvements in Downtown. The estimated DIF for the Project is \$4,041,811. Additionally, the Applicant will pay approximately \$561,071 through the Floor Area Ratio (FAR) Bonus Program for 30,052 SF of additional FAR. These funds will go into the FAR Bonus Payment Fund that is utilized for public parks and enhanced public right-of-ways. The Inclusionary Housing Fee payment for this Project is estimated to be \$5,255,644.

ECONOMIC IMPACTS: It is estimated that the Project will generate approximately 436 construction jobs and 40 permanent jobs. As of December 31, 2018, approximately 86,730 construction jobs and 30,872 permanent jobs have been generated Downtown as a result of redevelopment activities.

CIVICSD DESIGN REVIEW COMMITTEE RECOMMENDATIONS: On July 10, 2019, the Design Review Committee (“Committee”) reviewed the Project. The Committee voted 3-0 to recommend Design Review approval of the Project. The Committee recommended that the Creeping Fig “Green Wall” on the south elevation be removed and replaced with low maintenance textured surface.

*The Architect responded to the Committee recommendation by removing the Green Wall and replacing it with a low maintenance textured concrete block wall on the lower half of the south elevation adjacent to the neighboring buildings, and providing an art mural on the upper half for the south elevation that is more visible to public view (Sheet A3.04).*

DOWNTOWN COMMUNITY PLANNING COUNCIL RECOMMENDATION: On July 17, 2019, the Downtown Community Planning Council (DCPC) reviewed the Project and voted 14-0 to recommend that CivicSD grants Design Review approval and approval of CCDP/PDP No. 2018-40.

OTHER RECOMMENDATIONS: None at this time.

#### DEVELOPMENT TEAM

<b>ROLE</b>	<b>FIRM / CONTACT</b>	<b>OWNERSHIP</b>
Applicant / Project Manager	B Street LLC/Shawn Schmidt	Mark Schmidt (Sole Owner)
Property Owners	B Street LLC/Mark Schmidt, and City of San Diego/Cybele Thompson	Mark Schmidt (Sole Owner), Public Agency

#### DISCUSSION

##### Neighborhood Context

The East Village neighborhood is the largest neighborhood in Downtown and will build out into an eclectic residential and mixed-use community with a diverse spectrum of users. Currently, it consists of commercial, warehouse, light industrial, educational, and a variety of mid- and high-rise residential buildings. The resident population is projected to increase to 46,000 people. The Northwest sub-district of East Village is poised to begin its reincarnation as downtown’s residential core, with redevelopment assumed to take place on an estimated 80 to 90 percent of its blocks. This transformation will yield downtown’s highest-intensity residential-emphasis district. Residential towers will share the area with offices, as well as ground-level commercial uses, and residents will enjoy creative pursuits in re-used civic landmark buildings.

### Applicable DCP Goals

The character of East Village will be transformed under the DCP. The East Village is slated to have the highest residential intensities with accompanying retail, commercial and open space amenities. DCP goals and policies applicable to this project site include the following:

- 3.1-G-2 Provide for an overall balance of uses – employment, residential, cultural, government, and destination – as well as a full compendium of amenities and services.
- 3.3-G-1 Provide a range of housing opportunities suitable for urban environments and accommodating a diverse population.
- 3.5-G-1 Develop a system of neighborhoods sized for walking, with parks and concentrations of retail, restaurants, cultural activities, and neighborhood services in mix with residential and other commercial uses.
- 3.5-G-2 Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them.
- 5.8-G-1 Promote sustainable development and design downtown.

### SITE DESCRIPTION

- Project site:
  - Approximately 30,052 SF
  - Slopes down in elevation from the northeast corner to the southwest corner by approximately 9.5 feet
  - Currently a surface parking lot with an existing Jiffy Lube building (to be removed).
- Surrounding land uses include:
  - North – 25-story residential tower with ground-floor commercial space.
  - East – 1-story commercial, and 2-3 story residential.
  - South – 2-story Sage House Apts. at 1134 11th Ave. (historically designated)  
– 2-story St. Josephs Studios at 1130 11<sup>th</sup> Ave. (32 SRO units); and  
– 5-story YWCA residential (historically designated, 147 SRO units).
  - West – 1-story and 6-story commercial buildings.
- Zoning:
  - Residential Emphasis (RE) Land Use District
  - Limited Vehicle Access on 10<sup>th</sup> and 11<sup>th</sup> avenues

### PROJECT DESCRIPTION

The Applicant is requesting approval of CCDP/CCPDP No. 2018-40 to allow the construction of a mixed-use residential development comprised of a 40-story, approximately 391-foot tall mixed-use development containing 471 DU and approximately 7,800 SF commercial/retail space. Approximately 572 standard parking spaces would be provided in a parking structure 3-levels below grade and 6-levels above grade.

The following is a summary of the Project based on drawings dated July 19, 2019.

Project Data	Development Site
Site Area (SF)	30,052
Base Minimum FAR	6.0
Base Maximum FAR	10.0
Max. FAR w/Amenity Bonuses	14.0
Max. FAR w/Affordable Housing	20.0
Proposed FAR	14.0
FAR Bonuses Proposed	2.0 - Three-Bedroom Units (10%, 48 3-bdr. units proposed) 1.0 - FAR Payment Bonus Program 1.0 - Green Building (LEED Silver)
Total Above-Grade Gross Floor Area (SF)	420,728
Stories / Height	40 stories / 391 feet
Amount of Commercial Lease Space (SF)	7,873
Amount of Office Space (SF)	0
Number of Dwelling Units (DU)	471
Density	683 DU/acre
<u>Housing Unit Summary</u>	<u>#</u> <u>Range (SF)</u> <u>Avg. (SF)</u>
Total number of DU	471
Studio	248   464 - 536   500
1 Bedroom	141   604 - 635   620
2 Bedroom	30   1,020 - 1,075   1,048
3 Bedroom	48   1,299 - 1,299   1,299
Penthouse (2 bedroom)	4   1,601 - 1,747   1,674
Number of Units to be Demolished	1
Number of Buildings over 45 Years Old	0
Inclusionary Housing Ordinance Compliance	Pay Inclusionary Housing Fee (\$12.73/SF) Estimated Payment: \$5,255,644
Automobile Parking Residential (Required / Proposed)	487 (1 per DU + 1/30 DU guest) / 572 + 57 tandem and compact
Motorcycle (Required / Proposed)	24 (1 per 20 DU) / 28
Bicycle (Required / Proposed)	95 (1 per 5 DU) / 96
Common Indoor Space	
Required	500 SF
Proposed	8,245 SF



Common Outdoor Open Space Required Proposed	6,010 SF (20% of site area) 26,090 SF
Private Open Space (Balconies & Decks) Required Proposed	50% of DU 73% of DU
Pet Open Space Required Proposed	300 SF (100 SF/200 DU) 300 SF
Residential Storage in cubic feet (CF)	240 CF/DU provided
Assessor's Parcel No's. (APN's)	534-192-02, -03, and -07 (owned by B Street LLC) 534-192-01 (owned by City of San Diego)
Sustainability	Certified LEED Silver

### PERMITS REQUIRED

- 1) CCDP is required for new construction with Design Review approval by the CivicSD Board of Directors for developments with at least 100,000 SF of gross floor area, at least 50 DU, or 85 feet in height or above; and
- 2) CCPDP for one deviation from the development regulations of the CCPDO:
  - a) Oriel windows greater than 12 feet in width.

Per SDMC Section 112.0103, when an Applicant applies for more than one permit for a single development, the applications shall be consolidated for processing and shall be reviewed by a single decision maker. The decision maker shall act on the consolidated application at the highest level of authority for that development, and the findings required for approval of each permit shall be considered individually. The decision-maker for this Project will be the CivicSD Board of Directors in accordance with a Process Three review, unless the decision is appealed to the Planning Commission, which would be the final decision maker on any appeal.

### DESIGN REVIEW

The Project proposes a single 40-story residential clear-glass tower with light silver and grey vertical metal panels and projecting light silver concrete balcony slabs on levels 7-40 on top of a 6-story above grade podium parking garage screened with a light silver diagonal frame and grey perforated metal screens for natural ventilation. A glass shadow box detail on the northwest corner of the podium provides visual interest. Project amenities include a 7<sup>th</sup> level pool and spa deck, with a fenced dog run and an indoor gym and community lounge, and a rooftop sky deck.

#### Street Level

The ground floor (Sheets A1.00 and A1.04) contains perimeter commercial spaces that utilize beige natural stone tiles and a clear-glass storefront system facing 10<sup>th</sup> and 11<sup>th</sup> avenues and B Street. The B Street retail space is now 25 feet deep meeting the CCPDO minimum required

depth. The residential lobby entrance is located on B Street. Vehicular access to the Project's above- and below-grade parking is provided via a 22 foot wide single driveway on B Street adjacent to a 13 foot wide loading bay entrance.

The 200 foot frontage of B Street is occupied by the lobby entrance and commercial space on each corner (Sheet A3.01). Two driveways occur in the middle of the block adjacent to a stairway and mail room with obscured glass, reducing the transparency in the middle of the block. The Downtown Design Guidelines (DDG) Section 4.5.11.A (Attachment C) state that garage and loading dock driveway entrances should exhibit the minimum width and height feasible for proper access. Such openings should contain solid, obscured, or screening doors and minimize lighting contrast in order to reduce visual impacts on the pedestrian experience. The proposed garage doors meet the DDG for obscured glass doors, and the driveways have been reduced in width from the previous preliminary design plans.

#### Parking Garage Podium

The parking garage podium contains 6 levels of parking reaching an average height of approximately 80 feet above grade (Sheets A3.01-A3.03). Thus, the podium is a highly visible and prominent design feature of the building. A total of 629 parking spaces are proposed, including 57 tandem and compact spaces. The minimum required parking is 487 spaces, and the parking garage is over parked by 85 standard spaces.

The proposed garage screening consists of a diamond-shaped silver metal diagonal frame with perforated metal panels (50% density) for natural ventilation. The diagonal frame projects out 8 inches from the metal screen, surrounded by a solid grey metal frame with recessed LED accent lighting (see Sheet A5.03 and A5.04). The solid grey metal frame would be placed over the 42-inch high crash barrier to block headlight glare. This podium screening design addresses lighting glare concerns raised during preliminary design review.

The northeast corner of the garage podium is clad with obscured glass to match the tower glazing (Sheet A4.02). A glass shadow box system with a colored graphic is proposed on the northwest corner (Sheets A4.05 and A4.08). The shadow box design with a 42-inch high crash barrier proposed on this section of the parking garage would be required to be solid in order to block headlight glare. The Applicant provided a detail of the shadow box including reference images and pictures of similar podium treatments (Sheet A4.09) as requested during preliminary design review.

The garage has been designed with level floorplates and similar floor-to-floor dimensions as the residential tower floors to ensure that the areas facing the public streets have the potential for conversion into habitable space in the future, as staff is encouraging this with all projects containing podium parking.

#### South Facing Blank Wall

The south side of the parking garage podium features a 77-84 foot tall by 200 foot wide solid wall facing the adjacent residential buildings to the south. The planted creeping fig vines on the first 3 levels of the south elevation have been removed and replaced with a low maintenance

textured concrete block wall (Sheet A3.04) in response to Committee concerns. Above level 3, canvas art panels are proposed to be stretched and clipped to the (full extent) of the south wall. The mural would depict San Diego's history, and designed to be changed over time (Sheet A3.04).

#### Tower

The Project's main element is the 40-story residential tower clad with clear-glass, and silver vertical metal panels and projecting silver coated concrete floor and balcony slabs (Sheets A2.01-A2.04). All sides of the tower feature projecting floor slabs which creates a unique, horizontal design feature to the tower. Balconies with clear glass railings rest on top of these projecting floor slabs.

On the north elevation, two sets of oriel windows project out 4-feet over the B Street public right-of-way. The Applicant is requesting a deviation to allow one set of oriel windows that are 23-feet 2-inches wide. The CCPDO limits oriel window width to 12-feet with a minimum of 6-feet of horizontal separation between oriel windows in order to avoid large areas of floor area projecting over the public sidewalks. The 23-foot 2-inch wide oriel windows start at Level 8 on the north elevation, approximately 80-feet above grade (Sheets A1.09 and A2.01), and extend to the top floor, of the tower. The total oriel window area does not exceed the CCPDO maximum 30% on the north elevation. Given that the oriel windows occur so high above the street, the visibility of the oriel windows would have a minimal impact on the overall appearance of the building and not impact the street level.

The projecting concrete floor slabs create the dominant design feature of the tower rather than the typical vertical columns of projecting balconies. The tower has an interesting shape with floorplates narrowing to the south, rising up on the eastern half of the site on the corner of 11<sup>th</sup> Avenue and B Street. Overall, the tower provides visual interest and plane offsets consistent with the DDG which state that tower facades over 100 feet in length should be broken up with plane offsets and the use of different materials.

#### Tower Top

The very top of the tower is characterized by a curved glass shadow box that screens rooftop mechanical equipment and surrounds a series of penthouse terraces that step down from north to south. A rooftop amenity deck with a spa and a community lounge occurs on Levels 38 and 39 (Sheet L-102). The tower top presents a design consistent with DDG Section 4.5.4.D that calls for a graceful transition to the sky to avoid a cut off, flat-top appearance.

#### CCDP

The purpose and intent of a CCDP is to administer and ensure compliance with the CCPDO, DCP, Centre City Streetscape Manual, and any policies or guidelines adopted by the City of San Diego to implement the DCP.

CCDP Finding – *The proposed development is consistent with the DCP, CCPDO, Land Development Code (LDC), and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed Project provides a well-designed mixed-use development that is consistent with the orderly growth and scale of the neighborhood. The Project will help to infill, as well as activate, this area of the East Village neighborhood. The proposed development is consistent with the DCP, CCPDO, LDC, and all other adopted plans and policies of the City of San Diego pertaining to the CCDP as the development advances the following goals and objectives of the DCP and CCPDO by:

- Providing for an overall balance of uses – employment, residential, cultural, government, and destination – as well as a full compendium of amenities and services;
- Providing a range of housing opportunities suitable for urban environments and accommodating a diverse population;
- Developing a system of neighborhoods sized for walking, with parks and concentrations of retail, restaurants, cultural activities, and neighborhood services in mix with residential and other commercial uses;
- Fostering a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them; and
- Promoting sustainable development and design downtown.

#### CCPDP

The purpose and intent of a CCPDP is to allow applicants to request greater flexibility from the strict application of the development regulations of the CCPDO, provided such deviations result in the implementation of a unique and superior design. The findings for approval of a CCPDP listed below are evaluated to determine if the proposed deviations facilitate development that is beneficial to the community, and results in a more desirable project than could otherwise be achieved if the project were required to rigorously adhere to the development regulations.

#### Deviation

1. Oriel Window Width – CCPDO §156.0311(h)(2)(B) limits the maximum width of oriel windows to 12-feet in width over the public right-of-way. The Applicant is requesting a deviation to allow oriel windows widths up to 23-feet 2-inches projecting 4-feet over the B Street public right-of-way on the north elevation.

#### CCPDP Findings

In order to grant approval of a CCPDP, the following findings must be made:

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

The Project is consistent with the objectives of the DCP, CCPDO, and the DDG in that it provides a high-density residential mixed-use project that is consistent with the scale of the neighborhood. The requested deviations provide relief from the strict application of the development standards in order to allow for more efficient use of the site and unique design features. The requested deviation meets the intent of the regulations and will not



adversely impact the neighborhood.

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

The granting of the deviation and approval of the Project will not negatively impact the public health, safety, and general welfare. Overall, the Project is consistent with the plans for this neighborhood and will contribute to its vitality by providing an attractive streetscape and development.

3. *The proposed development will comply to the maximum extent feasible with the regulations of the CCPDO; except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO; and,*

The proposed development will meet all of the requirements of the LDC and CCPDO with the approval of the deviation, which is allowable under a CCPDP. The deviation provides visual interest on the north elevation and allows greater efficiency in the design of the units while maximizing the FAR. The total oriel window area would not exceed the CCPDO maximum 30% on the north elevation. Given that the oriel windows occur so high (approximately 80 feet) above the street, the visibility of the oriel windows would have a minimal impact on the overall appearance of the building and not impact the street level. With approval of the CCPDP, the Project will comply to the maximum extent feasible with all applicable regulations.

4. *The development is consistent with the Downtown Design Guidelines (DDG) and exhibits superior architectural design.*

The proposed development is consistent with the DDG and approval of the requested deviation would result in the development of a mixed use development project consistent with the surrounding area. The proposed mixed-use structure exhibits appropriate massing which is in scale with the long-term development plans for the East Village neighborhood. Overall, the well-designed building will result in a unique design compatible with the surrounding neighborhood.

## ENVIRONMENTAL REVIEW

Development within the Downtown Community Planning area is covered under the following documents, all referred to as the “Downtown FEIR”: Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency (“Former Agency”) and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Development within the Downtown Community Planning area is also covered under the following documents, all referred to as the “CAP FEIR”: FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency. The Downtown FEIR and CAP FEIR are located on the CivicSD website (<http://civicsd.com/departments/planning/environmental-documents>) and on the City website ([https://www.sandiego.gov/planning/programs/ceqa#Final CEQA Documents](https://www.sandiego.gov/planning/programs/ceqa#Final%20CEQA%20Documents)). Consistent with best practices suggested by CEQA Guidelines Section 15168, a Downtown 15168 Consistency Evaluation (“Evaluation”) has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR; that the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within both documents for the purposes of CEQA; and, that none of the conditions listed in CEQA Guidelines Section 15162 exist. Therefore, no further environmental documentation is required under CEQA. The Evaluation is attached to this staff report for informational purposes only; no action regarding the Evaluation is required by the decision maker.

CONCLUSION

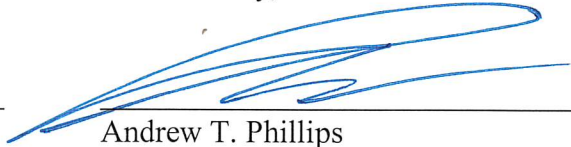
Staff recommends that CivicSD:


1. Grants Design Review approval; and
2. Approves CCDP/PDP No. 2018-40 for the Project.

Respectfully submitted,

Concurred by,

  
\_\_\_\_\_  
William Chopyk, AICP  
Planner

  
\_\_\_\_\_  
Andrew T. Phillips  
Interim President

  
\_\_\_\_\_  
Brad Richter  
Deputy Director, Urban Division

Attachments: A – Ownership Disclosure Statement  
B – Project Description/Architectural Narrative (provided by Applicant)  
C – Downtown Design Guidelines  
D – Resolution  
E – Draft Permit  
F – Downtown Final EIR Consistency Evaluation



## Ownership Disclosure Statement

**Approval Type:** Check appropriate boxes for type of approval(s) requested:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Limited Use Approval    | <input type="checkbox"/> Neighborhood Development Permit    | <input type="checkbox"/> Centre City Development Permit     |
| <input type="checkbox"/> Temporary Use Permit    | <input type="checkbox"/> Planned Development Permit         | <input type="checkbox"/> Gaslamp Quarter Development Permit |
| <input type="checkbox"/> Neighborhood Use Permit | <input checked="" type="checkbox"/> Site Development Permit | <input type="checkbox"/> Marina Development Permit          |
| <input type="checkbox"/> Conditional Use Permit  | <input type="checkbox"/> Coastal Development Permit         | <input type="checkbox"/> Other: _____                       |

**Project Title:** 11<sup>th</sup> and B

**Project Address:** 1144 11<sup>th</sup> Ave. San Diego CA 92101

**Assessor Parcel Number(s):** 534-192-02-00; -03; -07; -01

**Part 1 – To be completed by property owner when property is held by individual(s)**

By signing this Ownership Disclosure Statement, the property owner(s) acknowledges that an application for a permit, map, or other matter, as identified above, will be filed with Civic San Diego on the premises that is the subject of the application, with the intent to record an encumbrance against the property or properties. List below the owner(s) and tenant(s) (if applicable) of the above referenced property or properties; all subject properties must be included. The list must include the names and addresses of all persons who have an interest in the property or properties, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property or properties). Original signatures are required from at least one property owner for each subject property. Attach additional pages if needed. Note: The Applicant is responsible for notifying the Project Planner 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 Planner at least thirty days prior to any public hearing on the subject property or properties. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: ☐ Yes ☐ No

**Name of Individual (type or print):**

Assessor Parcel Number(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Name of Individual (type or print):**

Assessor Parcel Number(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

**Part 3 – To be completed by all other financially interested parties**

List below the names, titles, and addresses of all financially interested parties and state the type of financial interest (e.g., applicant, architect, lead design/engineering professional). Original signatures are required from at least one individual, corporate officer, and/or partner with a financial interest in the application for a permit, map, or other matter, as identified above. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Planner 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 Planner at least thirty days prior to any public hearing on the subject property or properties. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: ☐ Yes ☐ No

Name of Individual (type or print):

☐ Applicant ☐ Architect ☐ Other \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Corporation/Partnership Name (type or print):

B Street LLC  
☐ Corporation ☒ LLC ☐ Partnership☐ Applicant ☐ Architect ☐ Other \_\_\_\_\_

Street Address: \_\_\_\_\_

9948 Hibert Street Ste 210

City/State/Zip Code: \_\_\_\_\_

San Diego CA 92131

Name of Corporate Officer/Partner (type or print):

Mark Schmidt

Title: \_\_\_\_\_

Managing Member

Phone Number: \_\_\_\_\_

858-271-0582

E-mail: \_\_\_\_\_

Shaun S@Libertync.com

Signature: \_\_\_\_\_

Date: \_\_\_\_\_


Name of Individual (type or print):

☐ Applicant ☐ Architect ☐ Other \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Corporation/Partnership Name (type or print):

☐ Corporation ☐ LLC ☐ Partnership☐ Applicant ☐ Architect ☐ Other \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Project Title: \_\_\_\_\_

**Part 2 – To be completed by property owner when property is held by a corporation or partnership**  
 By signing this Ownership Disclosure Statement, the property owner(s) acknowledges that an application for a permit, map, or other matter, as identified above, will be filed with Civic San Diego on the premises that is the subject of the application, with the intent to record an encumbrance against the property or properties. List below the names, titles, and addresses of all persons who have an interest in the property or properties, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and/or all partners in a partnership who own the property or properties). Original signatures are required from at least one corporate officer or partner who own the property for each subject property. Attach additional pages if needed. Provide the articles of incorporation, articles of organization, or partnership agreement identifying all members of the corporation or partnership. Note: The applicant is responsible for notifying the Project Planner 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 Planner at least thirty days prior to any public hearing on the subject property or properties. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: ☐ Yes ☐ No

Corporation/Partnership Name (type or print):

B Street LLC☐ Corporation ☒ LLC ☐ Partnership

Assessor Parcel Number(s):

534-192-02-00; -03; -04

Street Address:

9948 Hibert Street Ste 210

City/State/Zip Code:

San Diego CA 92131

Name of Corporate Officer/Partner (type or print):

Mark Schmidt

Title:

Managing Member

Phone Number:

858-271-0582

E-mail:

ShaunS@Libertync.com

Signature:

Mark Schmidt  
Mark Schmidt

Date:

Corporation/Partnership Name (type or print):

City of San Diego☒ Corporation ☐ LLC ☐ Partnership

Assessor Parcel Number(s):

534-192-01-00

Street Address:

1200 Third Ave, Suite 1700

City/State/Zip Code:

San Diego, CA 92101

Name of Corporate Officer/Partner (type or print):

Cybele Thompson

Title:

Director, Real Estate Assets

Phone Number:

619-236-6145

E-mail:

thompsonC@sandiego.gov

Signature:

Cybele Thompson  
5/17/18

Date:

## **11<sup>th</sup> and B**

### **Attachment A Civic San Diego Development Permit**

Project Address: 1144 11<sup>th</sup> Avenue, San Diego, CA 92101  
Architect: CallisonRTKL  
Applicant/Owner: B Street LLC  
Application Date: August 21, 2018  
Rev. November 8, 2018

### **Project Description**

High rise residential building totaling 40 stories and including a podium with commercial retail, residential amenities and parking. The building replaces surface parking and an existing one story commercial structure.

Parking: A total of 651 parking spaces for residents and guests. Parking is located within a podium structure of 3 levels below grade and 6 levels above grade.

Residential Units: 415 units total with a mix of studios, 1 br's, 2, bbr's and 3 br's.

Commercial Retail Use: 7,610 sf at street level

Site Area: 30,052 sf

Building Area: 420,728 sf

FAR: 14

Construction Type: 1A

## Architectural Narrative

The project design intent is based on the city's vision for great urbanism: walkable streets, livable communities, and signature architecture. Careful attention was placed on these design principles at the project's inception through programming and the massing of the tower and podium.

The tower was located prominently at the corner of 11<sup>th</sup> and B Street, acting as an iconic "gateway" as one approaches downtown from the west. At this significant corner, the tower's massing and articulation was brought to the ground in lieu of placing the tower set back above the parking podium. This creates building hierarchy as well as breaking down the scale and proportion of the parking podium.

The podium is low-rise in scale and is comprised of 6 levels of above grade parking with ground floor lobby and commercial retail lining the project's street frontage at 10<sup>th</sup>, 11<sup>th</sup> and B streets. The new retail will "complete" the street by creating active use on both sides of B street. The current use of this site is surface parking, and does not help the creation of good urbanism along B street.

The roof of the podium is intended to be a "garden in the sky", and provides indoor and outdoor amenities for the residents: outdoor pool, fitness, co-working spaces, and indoor and outdoor lounge areas with a balance of hardscape and softscape. An additional roof deck is provided at the building's top allowing all residents a view of city lights and the Pacific.

The top of the building dramatically steps back allowing not only a distinct on the city's skyline but allows for a unique living experience for residents to take advantage of our climate.

The building is articulated primarily with an energy efficient floor to ceiling glazing system allowing residents full height views of the city or ocean. Façade accents include metal panel and stone. The majority of the units have outdoor balconies with glass rails extending living to the outdoors and capturing ocean views.

At night, the tower's vertical expression will be illuminated at the corner of 11<sup>th</sup> and B along with the building's top identifying this residential district in the city. At the ground level, the lobby entry as well as the retail spaces will provide active light at the sidewalks. The parking podium textured metal skin, inspired by California mid-century patterning, will also glow, creating an animated façade at the street level.



# **11<sup>th</sup> and B Street**

## **Attachment B Civic San Diego Development Permit**

Project: 1144 11<sup>th</sup> Avenue, San Diego, CA 92101  
Architect: CallisonRTKL  
Applicant/Owner: B Street LLC  
Application Date: August 21, 2018  
Rev. November 8, 2018

### **Project Deviations**

1. Encroachments into the Public Right of Way

Oriel window max. width per 156.0311(h)(2) is 12' x 4' deep.

At B Street on the North façade of the tower, level 7 design includes an oriel window totaling 19' x 4'. This benefits the tower elevation and interior layout design.

At B Street on the North façade of the tower, from level 8 to level 40 the design includes a oriel window totaling 16' x 4' and a oriel window totaling 28' x 4'. This benefits the tower elevation and unit design.

The oriel windows at each level comply with the 30 % of max allowed length of projection into the public ROW.

2. Commercial Space Depth less than the required 25 feet along 75% of the commercial space frontage.

43% of commercial space at B street is less than 25 feet deep.

# SAN DIEGO DOWNTOWN DESIGN GUIDELINES

## 4.4 Block Modulation and Building Massing

The modulation of a block and the massing of buildings significantly impact how the size of the building is perceived by a person at street level. By breaking up a large building into smaller masses, the building's apparent mass can be reduced, forming a more interesting block. Special attention should be paid to buildings that front onto the public realm, and to relationships between buildings.

### 4.4.1 Block Modulation

#### Guidelines

- **4.4.1.A** Full-block building developments should be broken up into distinct volumes that are in proportion to one another, while preserving the integrity of the building's design, and create transitions in bulk and scale. Repetitive elements or monolithic treatments that create a half- or full-block massing or appearance should be avoided.
- **4.4.1.B** In general, downtown blocks should be developed as multiple projects and/or buildings to enhance building variety and fine-grain character (special zones for large-footprint buildings are an exception). In the case of a full-block development, multiple architects could be involved to ensure variety of architectural expression.
- **4.4.1.C** To express variety, avoid monotony and distinguish different building volumes, building design should use a variety of color, material and texture.
- **4.4.1.D** Full-block, commercial high-rise development should not be held to the same above-stated policies but should consider the provision of at-grade public open spaces.
- **4.4.1.E** Tower form should be elegant and slender to allow for sunlight access and visibility of the sky from the street level.



*Downtown blocks should be developed as multiple projects to enhance building variety and "fine grain" character. Above, San Diego, CA*



*To express variety, avoid monotony, and distinguish different building volumes, building design should employ a variety of color, material and texture. Above, Berkeley, CA.*



*Buildings should be elegant and slender in form to allow for sunlight access and visibility of the sky from the street level. Above, Vancouver, BC.*

# SAN DIEGO DOWNTOWN DESIGN GUIDELINES

## 4.4.4

### Building Massing: Street Wall

Buildings that frame and define the street and express a fine-grain character contribute to the quality of the public realm and the pedestrian experience. Well-articulated and detailed street walls are important to the fabric of the city and help to establish a human-scale urban experience.

#### Guidelines

- **4.4.4.A** Buildings should incorporate a variety of vertical and horizontal modulations to develop distinct architectural volumes, break up monotonous volumes and create a fine-grain character.
- **4.4.4.B** Buildings along all streets should have a minimum street wall height of 45 feet, consistent with the PDO regulatory requirements.
- **4.4.4.C** For buildings along Main Streets and within the Fine-Grain Overlay District, the street wall building facades should be architecturally modulated to express the rhythm and fine-grain character of downtown's historic core, generally with volumes or architectural bays that are 50-100 feet in width.

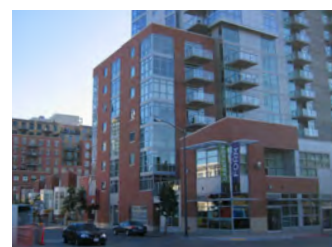
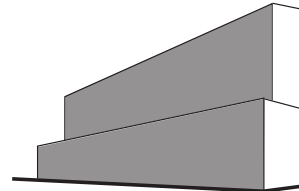


*Buildings with a well-composed variety of vertical and horizontal modulations and distinct architectural volumes break up the massing of large projects. Above, San Jose, CA*

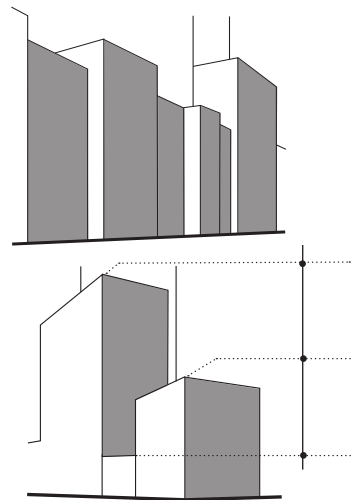
Figure 4.8 Street Wall



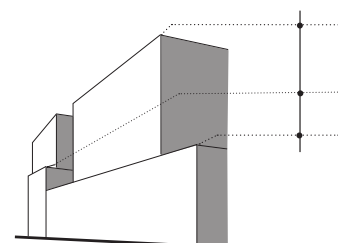
*Horizontal Plane Modulation*



*Vertical Plane Modulation*



*Vertical + Horizontal Plane Modulation*



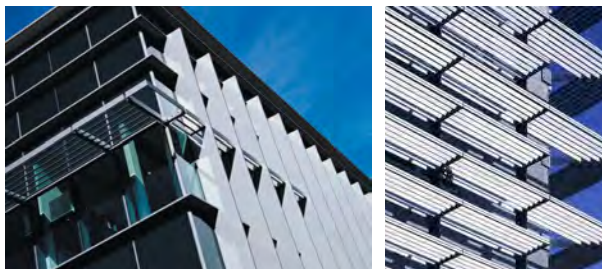




*Buildings towers should employ a variation in massing and fenestration and material patterns to create visual interest. Above, San Francisco, CA*



*Multiple towers in one project should display variation in either form or elevation in order to prevent close similarity. Above, Philadelphia, PA*



*Building design should incorporate appropriate shading devices, balconies, projections and louvers.*

#### 4.5.4

#### Building Tower Design

##### Guidelines

- **4.5.4.A** All building façades of towers should include a variety of fenestration and material patterns to create visual interest and avoid the appearance of a repeated single floor extrusion. Building façades more than 100 feet in width should consider the use of plane offsets and material changes to create shadows and relief. Some elements of towers should integrate with, and extend into the building base façades to avoid the appearance of towers isolated both from the street and their own bases.
- **4.5.4.B** Designers should carefully study their tower orientation to maximize energy conservation. Although orienting the tower's longer edge along the east-west axis to maximize northern/southern exposure and minimize western exposure is typically preferred, the use of sun-shading devices should be studied on the western and southern facades where appropriate to reduce heat gain.
- **4.5.4.C** Regardless of height or plan variation, no two towers within a project should exhibit identical, or closely similar, form and/or elevations. No tower should be designed to be identical, or closely similar, to another tower located elsewhere in Centre City.
- **4.5.4.D** To create a graceful transition to the sky and avoid a cut off, flat-top appearance, the upper 20 percent of any tower (measured above the base or midzone) should achieve an articulated form and composition by means of architectural techniques such as layering, material changes, fenestration pattern variation and/or physical step-backs. Actual reductions of floor areas and/or recessed balconies can assist this composition goal, but are not required. Tower top designs should resolve mechanical penthouses and other technical requirements in an integrated, coherent manner consistent with the composition below them.

# SAN DIEGO DOWNTOWN DESIGN GUIDELINES

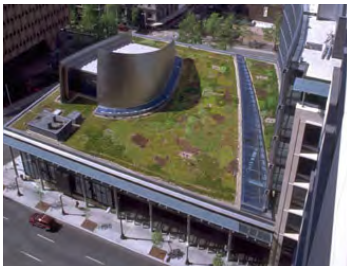
- **4.5.4.E** Façades should have distinct solar orientations with integrated and appropriate shading devices, balconies, projections, louvers and/or window treatments. These treatments will provide desirable elevation and composition variety.
- **4.5.4.F** Towers should be designed with a majority of the facades composed of glazing, including façades facing interior property lines. Large expanses of solid walls should be avoided and should not exceed 20 feet in width. Solid walls should contain enhanced materials, deep reveals and scoring, and other textures.
- **4.5.4.G** Reflective or mirror glass is strongly discouraged, as is heavily tinted bronze, black, or gray glass. Glass color should not be emphasized as a “signature” element, and subtle gray-green or blue-gray tints are encouraged if clear glass is not proposed. Glass materials should exhibit visible light transmittance of a minimum of 60 percent.
- **4.5.4.H** Projecting balconies facing public streets should be an average of no less than 40 percent open or transparent (perforated mesh, 40 percent translucent glass, or open rail) above a height of 18 inches, measured from the balcony walking surface.
- **4.5.4.I** To ensure a cohesive and compatible night skyline, and to mitigate night-sky pollution, tower accent lighting should be modest, restrained and focused on the upper tower. Bright hues and neon outlines are strongly discouraged, and white or warm-color washes are preferred. Any signature lighting, including rooftop lanterns and other lighting effects, should be designed with adjustable intensity controls for subsequent testing and approval as part of the Design Review process.



*The upper 20 percent of any tower shall achieve an articulated form and composition through layering, material changes fenestration patterns and/or physical setbacks. Top, Chicago, IL; bottom left, Philadelphia, PA; bottom right, San Diego, CA.*



*Mechanical equipment on top of the building should be screened from views from adjacent rooftops. Above, New York, NY.*



*Roof gardens and green roofs can save energy while achieving patterns in color and material, especially on large roof areas. Top, Seattle, WA; bottom, San Diego, CA*

## 4.5.5 Building Rooftops

### Guidelines

- **4.5.5.A** Penthouse space, mechanical equipment, stair and elevator overruns, heliports, vertical roof attachments, and decorative roof construction are permitted to achieve distinctive building tops, provided that the building top is designed as an integral part of the architecture. All vertical rooftop forms, surfaces, and elements should use high-quality cladding materials the same as, or similar to, the typical surfaces of walls below.
- **4.5.5.B** All mechanical equipment, appurtenances, and access areas should be intentionally grouped and screened architecturally within fully covered enclosures consistent with the overall composition of the building. Mechanical enclosures should have a screened or louvered top to improve views from above and to provide required air circulation.
- **4.5.5.C** Independent mechanical screens should be set back a minimum of 10 feet from the building façade.
- **4.5.5.D** Large roof areas (measuring more than 10,000 square feet) should exhibit patterns of roofing colors and materials. Roof gardens and eco-roofs can be employed to achieve these patterns. All roofs should be considered a "fifth elevation," composed to be visually appealing from taller adjacent buildings.



# SAN DIEGO DOWNTOWN DESIGN GUIDELINES

## 4.5.10

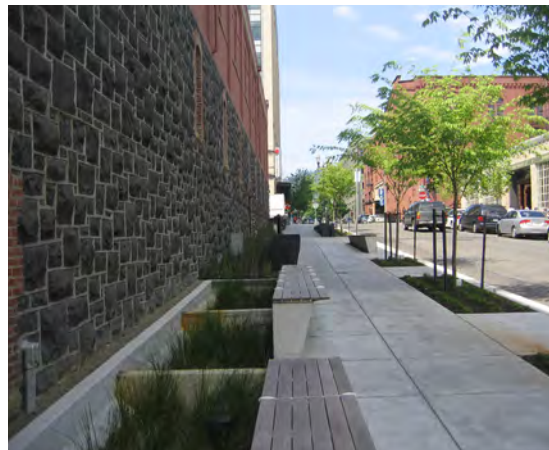
### Blank Walls

#### Guidelines

- **4.5.10.A** Blank walls on the ground level or on façades of buildings are to be limited to provide a pleasant and rich pedestrian experience. Blank walls include any street wall area that is not transparent, including solid doors and mechanical areas.
- **4.5.10.B** Unavoidable blank walls along public streets or those viewed from public streets, open spaces and thoroughfares should be treated to create an inviting visual experience. All blank wall area should be enhanced with architectural detailing, material texture, ornamentation, landscape treatment and/or artwork.



*Unavoidable blank walls viewed from public streets should be enhanced with architectural detailing, material texture, and other devices. Above, San Diego, CA.*



*Blank walls at street-level should be treated through use of rich and textured materials, color, and landscape materials. Top, Portland, OR; bottom, San Diego, CA.*



*Electrical components and other details can be creatively concealed or integrated into the building facade. Top, San Diego, CA, OR, bottom, Los Angeles, CA*

### 4.5.11

## Driveway Entrances and Utilities

### Guidelines

- **4.5.11.A** Garage and loading dock driveway entrances should exhibit the minimum width and height feasible for proper access. Such openings should contain solid, obscured, or screening doors and minimize lighting contrast in order to reduce visual impacts on the pedestrian experience.
- **4.5.11.B** Exposed garage and loading dock driveway walls should contain the same materials as the adjoining street walls for a minimum distance of ten feet. Interior driveway walls that have regular exposure to the public right-of-way beyond ten feet (with transparent doors or with doors subject to being open on a regular basis) should be painted or similarly treated.
- **4.5.11.C** All utilities, such as backflow prevention devices, groupings of meters, and so on should be located outside the public right-of-way within a building alcove, utility room, or landscaped area and be fully screened from view of the public right-of-way.
- **4.5.11.D** The utility needs of future commercial tenants (e.g., grease traps, exhaust chutes, air conditioning) should be anticipated in the initial building design to avoid difficulty when retrofitting buildings after construction.

Figure 4.10 Backflow-Prevention Devices



*Backflow-prevention devices are to be located in a building alcove, landscaped area, or utility room within the building, outside of the public right-of-way, and completely screened from view. Above, San Diego, CA.*



**CIVIC SAN DIEGO  
RESOLUTION NO. 2019-12  
CENTRE CITY DEVELOPMENT PERMIT  
CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2018-40  
11th & B**

**WHEREAS**, B Street, LLC (“Owner/Applicant”) filed an application for Centre City Development Permit/Centre City Planned Development Permit (CCDP/CCPDP) No. 2018-40 on August 22, 2018 for the construction of a 40-story, 391-foot tall mixed-use development containing 471 dwelling units, approximately 7,800 square feet (SF) of ground floor commercial space and 572 automobile parking spaces (“Project”); and

**WHEREAS**, the Project is located on a 30,052 SF site is located on the south side of B Street between 10th & 11th avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area (“Downtown”); and

**WHEREAS**, on September 25, 2019, the Civic San Diego Board of Directors (“Board”) held a duly noticed public hearing and considered CCDP/CCPDP No. 2018-40, including a staff report and recommendation, and public testimony; and

**WHEAREAS**, Development within the Downtown Community Planning area is covered under the following documents, all referred to as the “Downtown FEIR”: Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency (“Former Agency”) and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Development within the Downtown Community Planning area is also covered under the following documents, all referred to as the “CAP FEIR”: FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency. The Downtown FEIR and CAP FEIR are located on the CivicSD website (<http://civicsd.com/departments/planning/environmental-documents>) and on the City website ([https://www.sandiego.gov/planning/programs/ceqa#Final CEQA Documents](https://www.sandiego.gov/planning/programs/ceqa#Final%20CEQA%20Documents)). Consistent with best practices suggested by CEQA Guidelines Section 15168, a Downtown 15168 Consistency Evaluation (“Evaluation”) has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR; that the project is within the scope of the development

program described in the Downtown FEIR and CAP FEIR and is adequately described within both documents for the purposes of CEQA; and, that none of the conditions listed in CEQA Guidelines Section 15162 exist. Therefore, no further environmental documentation is required under CEQA. No action regarding the Evaluation is required by the decision maker.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby finds and determines the following:

#### CENTRE CITY DEVELOPMENT PERMIT FINDING

*1. The proposed development is consistent with the DCP, Centre City Planned District Ordinance (CCPDO), Land Development Code (LDC), and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed Project provides a well-designed mixed-use development that is consistent with the orderly growth and scale of the neighborhood. The Project will help to infill, as well as activate, this area of the East Village neighborhood. The proposed development is consistent with the DCP, CCPDO, LDC, and all other adopted plans and policies of the City of San Diego pertaining to the CCPD as the development advances the following goals and objectives of the DCP and CCPDO by:

- Providing for an overall balance of uses – employment, residential, cultural, government, and destination – as well as a full compendium of amenities and services;
- Providing a range of housing opportunities suitable for urban environments and accommodating a diverse population;
- Developing a system of neighborhoods sized for walking, with parks and concentrations of retail, restaurants, cultural activities, and neighborhood services in mix with residential and other commercial uses;
- Fostering a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them; and
- Promoting sustainable development and design downtown.

#### CENTRE CITY PLANNED DEVELOPMENT PERMIT FINDINGS

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

The Project is consistent with the objectives of the DCP, CCPDO, and the Downtown Design Guidelines (DDG) in that it provides a high-density residential mixed-use project that is consistent with the scale of the neighborhood. The requested deviations provide relief from the strict application of the development standards in order to allow for more efficient use of the site and unique design features. The requested deviation meets the intent of the regulations and will not adversely impact the neighborhood.

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

The granting of the deviation and approval of the Project will not negatively impact the public

health, safety, and general welfare. Overall, the Project is consistent with the plans for this neighborhood and will contribute to its vitality by providing an attractive streetscape and development.

3. *The proposed development will comply with the regulations of the CCPDO, except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the strict regulations of this CCPDO; and,*

The proposed development will meet all of the requirements of the LDC and CCPDO with the approval of the deviation, which is allowable under a CCPDP. The deviation provides visual interest on the north elevation and allows greater efficiency in the design of the units while maximizing the floor area ratio (FAR). The total oriel window area would not exceed the CCPDO maximum 30% on the north elevation. Given that the oriel windows occur so high (approximately 80 feet) above the street, the visibility of the oriel windows would have a minimal impact on the overall appearance of the building and not impact the street level. With approval of the CCPDP, the Project will comply to the maximum extent feasible with all applicable regulations.

4. *The proposed development is consistent with the DDG and exhibits superior architectural design.*

The proposed development is consistent with the DDG and approval of the requested deviation would result in the development of a mixed use development project consistent with the surrounding area. The proposed mixed-use structure exhibits appropriate massing which is in scale with the long-term development plans for the East Village neighborhood. Overall, the well-designed building will result in a unique design compatible with the surrounding neighborhood.

**BE IT FURTHER RESOLVED** that, based on the findings, hereinbefore adopted by the Board, CCDP/CCPDP No. 2018-40 is hereby **GRANTED** by the Board to the referenced Owner/Permittee, in the form, exhibits, terms and conditions set forth in the Draft CCDP/CCPDP No. 2018-40, a copy of which is attached hereto and made part hereof.

**AYES:** \_\_\_\_

**NOES:** \_\_\_\_

**ABSTENTIONS:** \_\_\_\_

#### **CERTIFICATION**

I, Robert Robinson, Secretary of Civic San Diego, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of Directors of Civic San Diego at a meeting held on September 25, 2019.

---

Robert Robinson  
Secretary of the Board of Directors

**RECORDING REQUESTED BY:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

**AND WHEN RECORDED MAIL TO:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

*THIS SPACE FOR RECORDER'S USE ONLY*

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*NOTE: COUNTY RECORDER, PLEASE RECORD AS  
RESTRICTION ON USE OR DEVELOPMENT OF REAL  
PROPERTY AFFECTING THE TITLE TO OR  
POSSESSION THEREOF*

**CENTRE CITY DEVELOPMENT PERMIT  
CENTRE CITY PLANNED DEVELOPMENT PERMIT  
NO. 2018-40**

**11TH & B  
APN's 534-192-01, -02, -03, and -07**

**CENTRE CITY DEVELOPMENT PERMIT  
CENTRE CITY PLANNED DEVELOPMENT PERMIT  
NO. 2018-40**

**11TH & B  
APN'S 534-192-01, -02, -03, and -07**

This Centre City Development Permit/Centre City Planned Development Permit (CCDP/CCPDP) No. 2018-40 is granted by Civic San Diego ("CivicSD") to B Street, LLC ("Owner/Permittee") to allow the construction of a 40-story, 391-foot tall mixed-use development comprised of 471 dwelling units (DU) and approximately 7,800 square feet (SF) of ground floor commercial space located on a 30,052 SF site on the south side of B Street between 10th & 11th avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area ("Downtown"); identified as Assessor Parcel Numbers (APN's) 534-192-01, -02, -03, and -07, and more particularly described in the legal description attached as Exhibit A.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to construct and operate uses as described and identified by size, dimension, quantity, type and location as follows and on the approved Basic Concept/Schematic Drawings and associated Color and Materials Board dated July 19, 2019, on file at CivicSD and/or the City of San Diego ("City").

1. General

The Owner/Permittee shall construct, or cause to be constructed on the site, a development consisting of a 40-story mixed-use development comprised of 471 DU and approximately 7,800 SF of ground floor commercial space. The development shall not exceed a height of 391 feet above average grade level, measured from the top of the parapet of the uppermost floor, with roof equipment enclosures, elevator penthouses, mechanical screenings and architectural elements above this height permitted per the Centre City Planned District Ordinance (CCPDO).

2. Floor Area Ratio (FAR)

An increase in the maximum allowable Base 10.0 FAR to 14.0 FAR is hereby granted under the following provisions of the CCPDO:

*§156.0309(e)(3) Three-Bedroom Units* – The development is entitled to an additional 2.0 FAR (60,014 SF) for the provision of 10%, 48 three-bedroom DU's in accordance with the CCPDO and per the Basic Concept/Schematic Drawings dated July 19, 2019. Covenants, Conditions and Restrictions (CC&R's) shall be recorded on the property ensuring the number of bedrooms in the units used to earn the FAR bonus shall not be reduced.

*§156.0309(e)(7) FAR Payment Bonus Program* – The development is entitled to an additional 1.0 FAR (30,052 SF) through the FAR Payment Bonus Program. The Owner/Permittee will be required to pay approximately \$561,071 (based on the Fiscal Year

2018-19 fee structure at \$18.67 per SF), or the equivalent amount based on the exact amount of additional building area not to exceed 1.0 FAR, prior to the issuance of any Construction Permits to implement this proposed development, which will be deposited into a fund to be used for the construction of public parks and enhanced public right-of-ways in Downtown.

*§156.0309(e)(8) Green Building* – The development is entitled to an additional 1.0 FAR (30,052 SF) for providing a certified LEED Silver building. The Green Building Incentive Program awards development incentives for buildings that exceed the California Green Building Standards Code (CALGreen). The Applicant shall construct a building in accordance with the US Green Building Council (USGBC) standards for new construction by achieving the LEED Silver standard. The development shall be constructed in accordance with the CALGreen Checklist prepared by Callison RTKL (Sheet T1.07), and on file at CivicSD. The development will be constructed to the LEED Silver standard in order for the Applicant to receive 1.0 FAR Bonus. The measures identified in the Checklist shall be included within the development and compliance demonstrated upon review of the 100% Construction Drawings.

Prior to the issuance of any Building Permits, the Permittee shall provide a financial surety, deposit, or other suitable guarantee approved by the Civic San Diego President and the City Attorney's Office to ensure that the applicant completes the LEED Silver certification for the development as proposed to obtain a FAR Bonus under this section.

The financial surety, deposit, or other suitable guarantee shall be in an amount equivalent to the values which would be required to purchase an equivalent amount of FAR under the FAR Payment Bonus Program, including any subsequent amendments in effect at the time of the development permit application. Within 180 days of receiving the final Certificate of Occupancy for a development, the applicant shall submit documentation that demonstrates achievement of the LEED Silver rating as proposed under this section.

The total Floor Area Ratio (FAR) of the development for all uses above ground shall not exceed 14.0.

3. Centre City Planned Development Permit (CCPDP)

CivicSD hereby grants a CCPDP pursuant to Sections 156.0304(d) and (f) of the CCPDO for the following deviation from the development regulations within the CCPDO:

- a. CCPDO §156.0311(h)(2)(B) – Oriel Window Width: Oriel window widths up to 23-feet 2-inches projecting 4 feet over the B Street public right-of-way (ROW) on the north elevation are allowed.

4. Parking

The development shall provide a minimum of 487 automobile parking spaces designed to meet City standards. The development as currently designed provides 572 standard parking spaces. The development shall also provide a minimum of 24 motorcycle spaces (3x8 feet).

Secured bicycle storage shall be provided to accommodate a minimum of 95 bicycles. Bicycle storage areas shall be enclosed with access restricted to authorized persons. Any subterranean storage and parking facilities encroaching into the ROW shall be located: 1) a minimum of three feet behind the face of curb; 2) three feet below the finished sidewalk level; and, 3) eight feet below grade within six feet from the face of curb, all measured to the outside of any shoring. An Encroachment Maintenance Removal Agreement (EMRA) shall be obtained from the City to allow any encroachment of the subterranean garage into the ROW.

5. Airport Approach Overlay Zone (AAOZ)

The Owner/Permittee shall comply with conditions established by the City of San Diego Airport Approach Overlay Zone (and any successor or amendment thereto) which were approved at the Airport Land Use Commission (ALUC) meeting on January 3, 2019. The ALUC Board made the determination that the project is conditionally consistent with the San Diego International Airport Land Use Compatibility Plan (ALUCP). The Applicant shall comply with the following ALUC conditions:

- a. The structure and crane shall be marked and lighted in accordance Federal Aviation Administration (FAA) procedures.
- b. An aviation easement for airspace shall be recorded with the County Recorder.
- c. The ALUCP requires that a means of overflight notification be provided for new residential land uses. In instances when an aviation easement is required, the overflight notification requirement is satisfied.

**PLANNING AND DESIGN REQUIREMENTS**

6. Urban Design Standards – The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual (CCSM). These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.
7. Architectural Standards – The architecture of the development shall establish a high quality of design and complement the design and character of the East Village neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with CivicSD and/or City. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
8. Form and Scale – The development shall consist of a 40-story development, approximately 391 feet tall measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDO and the FAA. All building elements shall be complementary in form, scale, and architectural style.



9. Building Materials – All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within one inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24 of the California Code of Regulations (“Title 24”).

All construction details shall be of the highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public ROW. No substitutions of materials or colors shall be permitted without the prior written consent of the CivicSD and/or City.

10. Street Level Design – Street level windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials, and incorporate drip edges and other details to minimize staining and ensure long-term durability.

11. Utilitarian Areas – Areas housing trash, storage, or other utility services shall be completely concealed from view of the ROW and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per SDMC Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building area and kept clean and orderly at all times.
12. Mail and Delivery Locations – It is the Owner/Permittee’s responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal and loading use. The Owner/Permittee shall locate all mailboxes and parcel lockers outside of the ROW, either within the building or recessed into a building wall.
13. Circulation and Parking – The Owner/Permittee shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, valet services if any, trees, and street lights to the satisfaction of the City. Such plan shall be submitted in conjunction with Construction Permits.

14. Open Space and Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of water, and electrical hookups to the satisfaction of the City shall be submitted with construction drawings.
15. Roof Tops – A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted to the satisfaction of the City with construction drawings. Any roof-top mechanical equipment shall be grouped, enclosed, and screened from surrounding views.
16. Signage – All signs shall comply with the City Sign Regulations and the CCPDO.
17. Lighting – A lighting plan which highlights the architectural qualities of the proposed development and also enhances the lighting of the public ROW shall be submitted with construction drawings. All lighting shall be designed to avoid illumination of, or glare to, adjoining properties, including those across any street.
18. Noise Control – All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City Noise Ordinance and California Noise Insulation Standards as set forth in Title 24. The Owner/Permittee shall provide evidence of compliance with construction drawings.
19. Street Address – Building address numbers shall be provided that are visible and legible from the ROW.
20. On-Site Improvements – All on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted to the satisfaction of the City with construction drawings.

## **PUBLIC IMPROVEMENTS, LANDSCAPING, AND UTILITY REQUIREMENTS**

### **21. Off-Site Improvements**

The following public improvements shall be installed in accordance with the CCSM. The Manual is currently being updated and the Owner/Permittee shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

<b>Off-Site Improvements</b>	<b>B Street</b>	<b>10<sup>th</sup> Avenue</b>	<b>11<sup>th</sup> Avenue</b>
Paving	Standard	Gateway	Gateway
Street Trees	Fern Pine	Jacaranda	Jacaranda
Street Lights	Standard	Gateway	Gateway

22. Street Trees – Street tree selections shall be made according to the CCSM. All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCSM, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject development.
23. Street Lights – All existing lights shall be evaluated to determine if they meet current City requirements, and shall be modified or replaced if necessary.
24. Sidewalk Paving – Any specialized paving materials shall be approved through the execution of an EMRA with the City.
25. Litter Containers – The development shall provide two trash receptacles, one at each intersection: 10<sup>th</sup> & B St. and 11<sup>th</sup> & B St.
26. Landscaping – All required landscaping shall be maintained in a disease, weed, and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of the City within 30 days of damage or Certificate of Occupancy, whichever occurs first.
27. Planters – Planters shall be permitted to encroach into the ROW a maximum of two feet. The planter encroachment shall be measured from the property line to the face of the curb/wall surrounding the planter. A minimum five foot clear path shall be maintained between the face of the planter and the edge of any tree grate or other obstruction in the ROW.
28. On-Street Parking – The Owner/Permittee shall maximize the on-street parking wherever feasible.
29. Franchise Public Utilities - The Owner/Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk ROW shall be removed and incorporated into the adjoining development. All franchise utilities shall be installed as identified in the Basic Concept Drawings. Any above grade devices shall be screened from view from the ROW.
30. LDR Engineering
  - a. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading/shoring permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

- b. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- c. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for Enhanced paving, trees/irrigations /tree grates, trash cans and curb outlets within public right of way.
- d. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of City Standard 22 feet and 13 feet wide driveways on B Street, satisfactory to the City Engineer.
- e. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct existing curb and sidewalk with current City Standard adjacent to the site along 10th , 11th Ave. and B Street satisfactory to the City Engineer.
- f. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of non-utilized driveways along 10th, 11th Ave, and B Street to satisfaction of the City Engineer.
- g. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Agreement for underground parking structure and above ground allowable building encroachment in public right of way adjacent to the Site.
- h. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct existing curb ramps on the corners of 10th , 11th Ave. and B Street with current City standard satisfactory to the City Engineer.
- i. 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.
- j. 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.
- k. 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.

31. LDR Transportation

- a. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a 22-ft wide, two-way driveway on B Street, satisfactory

to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

- b. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a 13-ft wide commercial driveway on B Street, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

32. LDR Geology

- a. Prior to the issuance Prior to the issuance of any construction permits (either grading or building permits), the Owner/Permittee shall submit an addendum geotechnical investigation report that specifically addresses the proposed construction plans. The addendum geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services.
- b. The Owner/Permittee shall submit an interim as-graded geotechnical report that presents the results of detailed geologic mapping/logging of the entire basement excavation to demonstrate the lack of faults crossing the site prior to building inspection of foundation excavations. The interim as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services.
- c. The Owner/Permittee shall submit a final as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

33. Public Utilities Department

- a. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, 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.
- b. Prior to the issuance of any building permits, the 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.

- c. 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.
  - d. Prior to Final Inspection, all public water and sewer facilities, if required shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
  - e. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices. Public water and sewer facilities shall be modified at final engineering to comply with standards.
  - f. If dual 3" or larger meters are required for this project, the owner/permittee shall construct the new meter in the public right of way in an underground private meter vault, in a manner satisfactory to the Public Utilities Director and the City Engineer.
34. Fire Hydrants – If required, the Owner/Permittee shall install fire hydrants at locations satisfactory to the City of San Diego Fire Department and Development Services Department.
35. Removal and/or Remedy of Soil and/or Water Contamination

The Owner/Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent ROW which the Owner/Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental agency and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other



approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.

- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

## **SUSTAINABILITY**

The following requirements must be demonstrated prior to issuance of construction permits:

36. Cool/Green Roofs – The development must include roofing materials with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under the California Green Building Standards Code (CALGreen). Compliance with this measure must be demonstrated prior to the issuance of the building permit.
37. Plumbing Fixtures and Fittings (residential project)
  - Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;
  - Standard dishwashers: 4.25 gallons per cycle;
  - Compact dishwashers: 3.5 gallons per cycle; and,
  - Clothes washers: water factor of 6 gallons per cubic feet of drum capacity.
38. Electric Vehicle Charging – 3% of the total required parking spaces shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking space with electrical services. Of these spaces, 50% shall include the necessary electric vehicle supply equipment installed to provide an active electric charging station ready for use by the residents.
39. Shower Facilities – If the commercial space has more than ten employees, the Project must include changing/shower facilities in accordance with the voluntary measures under the CALGreen (per the table under CAP Checklist Item #5 Shower facilities).

## **STANDARD REQUIREMENTS**

40. Environmental Impact Mitigation Monitoring and Reporting Program (MMRP) – As required by CCPDO Section 156.0304(h), the development shall comply with all applicable Mitigation Monitoring and Reporting Program (MMRP) measures from the 2006 Final Environmental Impact Report (FEIR) for the DCP.
41. Development Impact Fees – The development will be subject to Centre City Development Impact Fees. The fee shall be determined in accordance with the fee schedule in effect at the time of building permit issuance. The Owner/Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas

within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Owner/Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed. Development Impact Fees shall be calculated in accordance with fee schedule in effect at the time of building permit issuance, and in accordance with the SDMC.

42. Inclusionary Affordable Housing Ordinance – As required by SDMC Chapter 14, Article 2, Division 13, the development shall comply with all applicable regulations of the City of San Diego's Inclusionary Housing Ordinance. The Owner/Permittee shall provide documentation of such compliance prior to issuance of any Building Permits. The Owner/Permittee shall pay the applicable inclusionary housing fee prior to issuance of any Building Permit for construction of any residential unit.
43. Construction Fence – The Owner/Permittee shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the development's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.
44. Development Identification Signs – Prior to commencement of construction on the site, the Owner/Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four feet by six feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:
  - Color rendering of the development
  - Development name
  - Developer
  - Completion Date
  - For information call \_\_\_\_\_

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 SF per street frontage. Graphics may also be painted on any barricades surrounding the site.

45. Tentative Map – The Owner/Permittee shall be responsible for obtaining all map approvals required by the City of San Diego prior to any future conversion of the residential units and/or commercial spaces to condominium units for individual sale.
46. 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.

47. 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.
48. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
49. Issuance of this Permit by CivicSD 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.).
50. 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.
51. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
52. No permit for construction, operation, or occupancy of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until this Permit is recorded in the Office of the San Diego County Recorder.
53. 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.
54. Construction plans shall be in substantial conformity to the approved Basic Concept/Schematic Drawings and associated Color and Materials Boards dated July 23, 2019, on file at CivicSD and/or the City. Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s)/amendment(s) to the Project have been granted.
55. The Owner/Permittee shall defend, indemnify, and hold harmless CivicSD and the City (collectively referred to as "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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/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, Owner/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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

56. 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 there.

This CCDP/CCPDP No. 2018-40 is granted approval by CivicSD Board of Directors on September 25, 2019.

CIVIC SAN DIEGO:

OWNER/PERMITTEE:

\_\_\_\_\_  
William Chopyk, AICP                      Date  
Planner

\_\_\_\_\_  
Mark Schmidt                              Date  
B Street, LLC

**Note: Notary acknowledgement  
must be attached per Civil Code  
Section 1189 et seq**

**DOWNTOWN  
FINAL ENVIRONMENTAL IMPACT REPORT  
CONSISTENCY EVALUATION  
FOR THE  
11<sup>th</sup> & B PROJECT**

**AUGUST 2019**

Prepared for: B Street LLC  
9948 Hibert Street, Suite 210  
San Diego, CA 92131

Prepared by: Civic San Diego  
401 B Street, Suite 400  
San Diego, CA 92101

## **DOWNTOWN FEIR CONSISTENCY EVALUATION**

**1. PROJECT TITLE:** 11<sup>th</sup> & B ("Project")

**2. DEVELOPER:** B Street LLC ("Applicant")

**3. PROJECT LOCATION AND SETTING:** The Downtown Community Plan (DCP) area ("Downtown") includes approximately 1,500 acres within the metropolitan core of the City of San Diego, bounded by Laurel Street and Interstate 5 on the north; Interstate 5, Commercial Street, 16th Street, Sigsbee Street, Newton Avenue, Harbor Drive, and the extension of Beardsley Street on the east and southeast; and San Diego Bay on the south and west and southwest. The major north-south access routes to Downtown are Interstate 5, State Route 163, and Pacific Highway. The major east-west access route to Downtown is State Route 94. Surrounding areas include the community of Uptown and Balboa Park to the north, Golden Hill and Sherman Heights to the east, Barrio Logan and Logan Heights to the South and the City of Coronado to the west across San Diego Bay.

The Project site is an approximately 30,052 square foot (SF) site on the south side of B Street between 10th & 11th avenues in the East Village neighborhood of Downtown. The site currently contains a surface parking lot and a Jiffy Lube building built in approximately 1978. The site does not contain any structures over 45 years old, and is not subject to historic review. The site slopes down in elevation from the northeast corner to the southwest corner by approximately 9.5 feet.

The Project site is in the Residential Emphasis (RE) land use district as designated in the Centre City Planned District Ordinance (CCPDO) and subject to the Limited Vehicle Access (LVA) Overlay which restricts driveway access on 10<sup>th</sup> and 11<sup>th</sup> avenues. Surrounding land uses include a 25-story residential tower with ground-floor commercial space to the north, a 2-story historically designated "Sage House" apartments at 1134 11th Ave., a 2-story "St. Josephs" apartments at 1130 11th Ave., and a 5-story historically designated YWCA residential building to the south, 1-story and 6-story commercial buildings to the west, and 1-story commercial, and 2-3 story residential to the east.

**4. PROJECT DESCRIPTION:** The Project consists of a 40-story, 391-foot tall residential tower comprised of 471 dwelling units with 7,873 square feet (SF) of ground-floor commercial space and 572 standard parking spaces in a parking structure 3-levels below grade and 6-levels above grade.

**5. CEQA COMPLIANCE:** Development within the Downtown area has been addressed by the following environmental documents, which were prepared prior to this Consistency Evaluation and are hereby incorporated by reference:

"Downtown Final Environmental Impact Report (FEIR)" consisting of the following documents:

FEIR for the DCP, CCPDO, and 10<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Project (State Clearinghouse Number 2003041001, certified by the Redevelopment Agency (Resolution No. R-04001) and the San Diego City Council (City Council) (Resolution No. R-301265), with date of final passage on March 14, 2006.



Addendum to the Downtown FEIR for the 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the Downtown FEIR for the DCP, CCPDO, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency (Resolution No. R-04193) and by the City Council (Resolution No. R-302932), with date of final passage on July 31, 2007.

Second Addendum to the Downtown FEIR for the proposed amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program (MMRP) certified by the Redevelopment Agency (Resolution No. R-04508), with date of final passage on April 21, 2010.

Third Addendum to the Downtown FEIR for the RE District Amendments to the CCPDO certified by the Redevelopment Agency (Resolution No. R-04510), with date of final passage on April 21, 2010.

Fourth Addendum to the Downtown FEIR for the San Diego Civic Center Complex Project certified by the Redevelopment Agency (Resolution No. R-04544) with date of final passage on August 3, 2010.

Fifth Addendum to the Downtown FEIR for the Industrial Buffer Overlay Zone Amendments to the CCPDO certified by the City Council (Resolution No. R-308724) with a date of final passage on February 12, 2014.

Sixth Addendum to the Downtown FEIR for the India and Date Project certified by the City Council (Resolution No. R-309115) with a date of final passage on July 14, 2014.

The Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561).

“Climate Action Plan (CAP) FEIR” which consists of the following documents:

FEIR for the City of San Diego CAP certified by the City Council on December 15, 2015, (City Council Resolution R-310176).

Addendum to the CAP FEIR certified by the City Council on July 12, 2016 (City Council Resolution R-310595).

The Downtown FEIR and the CAP FEIR are “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The aforementioned environmental documents are the most recent and comprehensive environmental documents pertaining to the proposed Project. The Downtown FEIR is available for review at the offices of the Civic San Diego (“CivicSD”) located at 401 B Street, Suite 400, San Diego, CA 92101 or at the CivicSD website at <http://civicsd.com/departments/planning/environmental-documents>. The CAP FEIR is available at the offices of the City of San Diego Planning Department located at 1010 Second Avenue, Suite 1200, San Diego, CA 92101 or on the City of San Diego website.

This Downtown FEIR Consistency Evaluation (“Evaluation”) has been prepared for the Project in compliance with State CEQA and Local Guidelines. Under these Guidelines, environmental

review for subsequent proposed actions is accomplished using the Evaluation process, as allowed by Sections 15168 and 15180 of the State CEQA Guidelines. The Evaluation includes the evaluation criteria as defined in Section 15063 of the State CEQA Guidelines.

Under this process, an Evaluation is prepared for each subsequent proposed action to determine whether the potential impacts were anticipated in the Downtown FEIR and the CAP FEIR. No additional documentation is required for subsequent proposed actions if the Evaluation determines that the potential impacts have been adequately addressed in the Downtown FEIR and CAP FEIR and subsequent proposed actions implement appropriate mitigation measures identified in the MMRP that accompanies the Downtown FEIR and CAP FEIR.

If the Evaluation identifies new impacts or a substantial change in circumstances, additional environmental documentation is required. The form of this documentation depends upon the nature of the impacts of the subsequent proposed action being proposed. Should a proposed action result in: a) new or substantially more severe significant impacts that are not adequately addressed in the Downtown FEIR or CAP FEIR, or b) there is a substantial change in circumstances that would require major revision to the Downtown FEIR or the CAP FEIR, or c) that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment, a Subsequent or Supplemental Environmental Impact Report (EIR) would be prepared in accordance with Sections 15162 or 15163 of the State CEQA Guidelines (CEQA Statutes Section 21166).

If the lead agency under CEQA finds that pursuant to Sections 15162 and 15163, no new significant impacts will occur or no new mitigation will be required, the lead agency can approve the subsequent proposed action to be within the scope of the Project covered by the Downtown FEIR and CAP FEIR, and no new environmental document is required.

**6. PROJECT-SPECIFIC ENVIRONMENTAL ANALYSIS:** See attached Environmental Checklist and Section 9 *Evaluation of Environmental Impacts*.

**7. MITIGATION, MONITORING AND REPORTING PROGRAM:** As described in the Environmental Checklist and summarized in **Attachment A**, the following mitigation measures included in the MMRP, found in DCP Appendix A, will be implemented by the proposed Project:

**AQ-B.1-1; HIST-B.1-1; PAL-A.1-1; NOI-B.1-1; NOI-C.1-1; TRF-A.1.1-1**

**8. DETERMINATION:** In accordance with Sections 15168 and 15180 of the CEQA Guidelines, the potential impacts associated with future development within the Downtown are addressed in the Downtown FEIR and the CAP FEIR. These documents address the potential environmental effects of future development within Downtown based on build-out forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the Downtown FEIR and the CAP FEIR, as listed in Section 6 above, concluded that development would result in significant impacts related to the following issues (mitigation and type of impact shown in parentheses):

### **Significant but Mitigated Impacts**

- Air Quality: Construction Emissions (AQ-B.1) (D)
- Paleontology: Impacts to Significant Paleontological Resources (PAL-A.1) (D/C)
- Noise: Interior Traffic Level Increase on Grid Streets (NOI-B.1) (D/C)

### **Significant and Not Mitigated Impacts**

- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Archeological (HIST-B.1) (D/C)
- Water Quality: Urban Runoff (WQ-A.1) (C)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (C)
- Noise: Exterior Traffic Level Increase on Grid Streets (NOI-A.1) (C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D/C)
- Traffic: Impact on Surrounding Streets (TRF-A.1) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2) (C)

In certifying the Downtown FEIR, the City Council adopted a Statement of Overriding Considerations which determined that the unmitigated impacts were acceptable in light of economic, legal, social, technological or other factors including the following.

### **Overriding Considerations**


1. Develop Downtown as the primary urban center for the region.
2. Maximize employment opportunities within Downtown.
3. Develop full-service, walkable neighborhoods linked to the assets Downtown offers.
4. Increase and improve parks and public spaces.
5. Relieve growth pressure on outlying communities.
6. Maximize the advantages of Downtown's climate and waterfront setting.
7. Implement a coordinated, efficient system of vehicular, transit, bicycle, and pedestrian traffic.
8. Integrate historical resources into the new Downtown plan.
9. Facilitate and improve the development of business and economic opportunities located in Downtown.
10. Integrate health and human services into neighborhoods within Downtown.
11. Encourage a regular process of review to ensure that the DCP and related activities are best meeting the vision and goals of the DCP.

The proposed activity detailed and analyzed in this Evaluation is adequately addressed in the environmental documents noted above and there is no change in circumstance, substantial additional information, or substantial Project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity, this activity is not a separate project for purposes of review under CEQA pursuant to CEQA Guidelines Sections 15060(c)(3), 15180, and 15378(c).

**SUMMARY OF FINDINGS:** In accordance with Public Resources Code Sections 21166, 21083.3, and CEQA Guidelines Sections 15168 and 15183, the following findings are derived from the environmental review documented by this Evaluation and the Downtown FEIR and CAP FEIR:

1. No substantial changes are proposed in the build-out of Downtown evaluated in the Downtown FEIR or CAP FEIR, or with respect to the circumstances under which such development will occur as a result of the development of the proposed Project, which will require important or major revisions in the Downtown FEIR or the CAP FEIR;
2. No new information of substantial importance to the build-out of Downtown has become available that shows the Project will have any significant effects not discussed previously in the Downtown FEIR or CAP FEIR; or that any significant effects previously examined will be substantially more severe than shown in the Downtown FEIR or CAP FEIR; or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment;
3. No Negative Declaration, Subsequent EIR, or Supplement or Addendum to the Downtown FEIR or CAP EIR is necessary or required;
4. The proposed actions will have no significant effect on the environment, except as identified and considered in the Downtown FEIR or CAP FEIR. No new or additional project-specific mitigation measures are required for this Project; and
5. The proposed actions would not have any new effects that were not adequately covered in the Downtown FEIR or CAP FEIR, and therefore, the proposed Project is within the scope of the program approved under the Downtown FEIR and CAP FEIR listed in Section 5 above.

CivicSD, on behalf of the City of San Diego, administered the preparation of this Evaluation.



William Chopyk, Planner, Civic San Diego  
Lead Agency Representative/Preparer

August 22, 2019  
Date

# ENVIRONMENTAL CHECKLIST

## 9. EVALUATION OF ENVIRONMENTAL IMPACTS

This environmental checklist evaluates the potential environmental effects of the proposed Project consistent with the significance thresholds and analysis methods contained in the Downtown FEIR and CAP FEIR. Based on the assumption that the proposed activity is adequately addressed in the Downtown FEIR and CAP FEIR, the following table indicates how the impacts of the proposed activity relate to the conclusions of the Downtown FEIR and CAP FEIR. As a result, the impacts are classified into one of the following categories:

- Significant and Not Mitigated (SNM)
- Significant but Mitigated (SM)
- Not Significant (NS)

The checklist identifies each potential environmental effect and provides information supporting the conclusion drawn as to the degree of impact associated with the proposed Project. As applicable, mitigation measures from the Downtown FEIR and CAP FEIR are identified and are summarized in **Attachment A** to this Evaluation. Some of the mitigation measures are plan-wide and not within the control of the proposed Project. Other measures, however, are to be specifically implemented by the proposed Project. Consistent with the Downtown FEIR and CAP FEIR analysis, the following issue areas have been identified as Significant and Not Mitigated even with inclusion of the proposed mitigation measures, where feasible:

- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Archeological (HIST-B.1) (D/C)
- Water Quality: Urban Runoff (WQ-A.1) (C)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (C)
- Noise: Exterior Traffic Level Increase on Grid Streets (NOI-A.1) (C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D/C)
- Traffic: Impact on Surrounding Streets (TRF-A.1) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2) (C).

The following Overriding Considerations apply directly to the proposed Project:

- Develop Downtown as the primary urban center for the region.
- Maximize employment opportunities within Downtown.
- Develop full-service, walkable neighborhoods linked to the assets Downtown offers.
- Relieve growth pressure on outlying communities.
- Maximize the advantages of Downtown's climate and waterfront setting.
- Facilitate and improve the development of business and economic opportunities located in Downtown.

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>1. AESTHETICS/VISUAL QUALITY:</b>						
<p>(a) <i>Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the DCP?</i></p> <p>Views of scenic resources including San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park, and the Downtown skyline are afforded by the public viewing areas within and around the Downtown and along view corridor streets within the planning area.</p> <p>The CCPDO includes several requirements that reduce a project's impact on scenic vistas. These include view corridor setbacks on specific streets to maintain views and controls building bulk by setting limits on minimum tower spacing, street wall design, maximum lot coverage, and building dimensions.</p> <p>The project site is not located within a designated view corridor of the DCP or CCPDO. The project would involve construction of a mixed-use residential and retail development in the East Village neighborhood.</p> <p>Lastly, the site itself does not possess any significant scenic resources that could be impacted by the proposed Project therefore impacts to on-site scenic resources are not significant. Impacts associated with scenic vistas would be similar to the Downtown FEIR and would not be significant.</p>					X	X
<p>(b) <i>Substantially incompatible with the bulk, scale, color and/or design of surrounding development?</i></p> <p>The bulk, scale, and design of the Project would be compatible with existing and planned developments in the East Village neighborhood. Development of the</p>					X	X



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>site would improve the area by providing a new, modern building on a currently underutilized site. The Project would utilize high quality materials and contemporary design sensitive to the character of the surrounding neighborhood. Additionally, a variety of mid, low and high-rise buildings are located within the vicinity of the Project site and the scale of the proposed Project would be consistent with that of surrounding buildings. Therefore, project-level and cumulative impacts associated with this issue would not occur.</p>						
<p>(c) <i>Substantially affect daytime or nighttime views in the area due to lighting?</i></p> <p>The proposed project would not involve a substantial amount of exterior lighting or include materials that would generate substantial glare. Furthermore, outdoor lighting that would be incorporated into the proposed project would be shielded or directed away so that direct light or glare does not adversely impact adjacent land uses. The City's Light Pollution Law (Municipal Code Section 101.1300 et seq.) also protects nighttime views (e.g., astronomical activities) and light-sensitive land uses from excessive light generated by development in the Downtown area. The proposed project's conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.</p>					<b>X</b>	<b>X</b>
<b>2. AGRICULTURAL RESOURCES:</b>						
<p>(a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?</i></p> <p>Downtown is an urban environment that does not contain land designated as prime agricultural soil by the Soils Conservation Service. In addition, it does not</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
contain prime farmland designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.						
<p>(b) <i>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</i></p> <p>Downtown does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 512101 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act Contract would not occur.</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>3. AIR QUALITY:</b>						
<p>(a) <i>Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategy (RAQS) or the State Implementation Plan?</i></p> <p>The proposed Project site is located within the San Diego Air Basin, which is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). The San Diego Air Basin is designated by state and federal air quality standards as nonattainment for ozone and particulate matter (PM) less than 10 microns (PM10) and less than 2.5 microns (PM 2.5) in equivalent diameter. The SDAPCD has developed a RAQS to attain the state air quality standards for ozone.</p> <p>The Project is consistent with the land use and transit-supportive policies and regulations of the DCP and CCPDO; which are in accordance with those of the RAQS. Therefore, the proposed Project would not conflict with, but would help implement, the RAQS with its' compact, high intensity land use and transit-supportive design. Therefore, no impact to the applicable air quality plan would occur.</p>					X	X
<p>(b) <i>Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</i></p> <p>The Project could involve the exposure of sensitive receptors to substantial air contaminants during short-term construction activities and over the long-term operation of the Project. Construction activities associated with the Project could result in potentially significant impacts related to the exposure of sensitive receptors to substantial emissions of particulate matter. The potential for impacts to sensitive receptors</p>			X			X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>  <p>during construction activities would be mitigated to below a level of significance through compliance with the City's mandatory standard dust control measures and the dust control and construction equipment emission reduction measures required by <b>Downtown FEIR Mitigation Measure AQ-B.1-1</b> (Attachment A).</p> <p>The Project could also involve the exposure of sensitive receptors to air contaminants over the long-term operation of the Project, such as carbon monoxide exposure (commonly referred to as CO "hot spots") due to traffic congestion near the Project site. However, the Downtown FEIR concludes that development within the Downtown would not expose sensitive receptors to significant levels of any of the substantial air contaminants. Since the land use designation of the proposed development does not differ from the land use designation assumed in the Downtown FEIR analysis, the Project would not expose sensitive receptors to substantial air contaminants beyond the levels assumed in the Downtown FEIR. Additionally, the Project is not located close enough to any industrial activities to be impacted by any emissions potentially associated with such activities. Therefore, impacts associated with this issue would not be significant. Project impacts associated with the generation of substantial air contaminants are discussed below in Section 3.c.</p>						
<p>(c) <i>Generate substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</i></p> <p>Implementation of the Project could result in potentially adverse air quality impacts related to the following air emission generators: construction and mobile-sources. Site preparation activities and construction of the Project</p>		X	X			

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>  <p>would involve short-term, potentially adverse impacts associated with the creation of dust and the generation of construction equipment emissions. The clearing, grading, excavation, and other construction activities associated with the Project would result in dust and equipment emissions that, when considered together, could endanger human health. Implementation of <b>Downtown FEIR Mitigation Measure AQ-B.1-1</b> (Attachment A) would reduce dust and construction equipment emissions generated during construction of the Project to a level below significance.</p> <p>The air emissions generated by automobile trips associated with the Project would not exceed air quality significance standards established by the San Diego Air Pollution Control District. However, the Project's mobile source emissions, in combination with dust generated during the construction of the Project, would contribute to the significant and unmitigated cumulative impact to air quality identified in the Downtown FEIR. No uses are proposed that would significantly increase stationary-source emissions in Downtown; therefore, impacts from stationary sources would be not significant.</p>						
<b>4. BIOLOGICAL RESOURCES:</b>						
<p>(a) <i>Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies?</i></p> <p>Due to the highly urbanized nature of Downtown, there are no sensitive plants or animal species, habitats, or wildlife migration corridors. In addition, the ornamental trees and landscaping included in the Project are considered of no significant value to the native wildlife in their proposed location. Therefore, no impact associated with this issue could occur.</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>(b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies?</i></p> <p>As identified in the Downtown FEIR, Downtown is not within a sub-region of the San Diego County Multiple Species Conservation Program (MSCP). Therefore, impacts associated with substantial adverse effects on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations by local, state or federal agencies would not occur.</p>					X	X
<b>5. GEOLOGY AND SOILS:</b>						
<p>(a) <i>Substantial health and safety risk associated with seismic or geologic hazards?</i></p> <p>The proposed Project site is in a seismically active region. There are no known active or potentially active faults located on the Project site. However, the Project site is located within the Rose Canyon Fault Zone, which is designated as an Earthquake Fault Zone by the California Department of Mines and Geology. Within this fault zone is the Downtown Graben and San Diego Fault and a seismic event on this fault could cause significant ground shaking on the proposed Project site. Therefore, the potential exists for substantial health and safety risks on the Project site associated with a seismic hazard.</p> <p>Leighton and Associates, Inc. prepared a Geotechnical and Fault Investigation Report for the Project (June 21, 2017) which states “Based on the results of our study, it is our professional opinion that the site is suitable for development of such a project”. In addition, the Leighton and Associates Report concludes that no faults transect the site.</p> <p>Additionally, the site is not located within an Alquist-</p>					X	X



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
Priolo Earthquake Fault Zone, as defined by the California Geological Survey (CGS) 2003. Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the site's moderate to non-expansive geologic structure, such hazards could nevertheless occur. Conformance with, and implementation of, all seismic-safety development requirements, including all applicable requirements of the Alquist-Priolo Zone Act, the seismic design requirements of the International Building Code (IBC), the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards are not significant.						
<b>6. GREENHOUSE GAS EMISSIONS:</b>						
<p><i>(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i></p> <p>The DCP provides for the growth and build-out of Downtown. The City's CAP FEIR analyzed greenhouse gas ("GHG") emissions on a citywide basis – inclusive of the anticipated assumptions for the growth and build-out of Downtown. The City's CAP outlines measures that would support substantial progress towards the City's 2035 GHG emissions reduction targets, which are intended to keep the City in-line to achieve its share of 2050 GHG reductions. The CAP Consistency Checklist is utilized to uniformly implement the CAP for project-specific analyses of GHG emission impacts. The Project has been analyzed against the CAP Consistency Checklist and based this analysis, it has been determined that the Project would be consistent with the CAP and would not contribute to cumulative GHG emissions that would be inconsistent with the CAP. As such, the Project would be consistent with the anticipated</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
growth and build-out assumptions of both the DCP and the CAP. Therefore, this impact is considered not significant.						
<p>(b) <i>Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas?</i></p> <p>As stated above in Section 6.a., construction and operation of the proposed Project would not result in a significant impact related to GHG emissions on the environment. The Project is consistent with the City's CAP and growth assumptions under the DCP as stated in Section 6.a. Additionally, the Project would be consistent with the recommendations within Policy CE-A.2 of the City of San Diego's General Plan Conservation Element. Therefore, the Project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This impact is considered not significant.</p>					X	X
<b>7. HAZARDS AND HAZARDOUS MATERIALS:</b>						
<p>(a) <i>Substantial health and safety risk related to onsite hazardous materials?</i></p> <p>The Downtown FEIR states that contact with, or exposure to, hazardous building materials, soil and ground water contaminated with hazardous materials, or other hazardous materials could adversely affect human health and safety during short-term construction or long term operation of a development. The Project is subject to federal, state, and local agency regulations for the handling of hazardous building materials and waste. Compliance with all applicable requirements of the County of San Diego Department of Environmental Health and federal, state, and local regulations for the handling of</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>hazardous building materials and waste would ensure that potential health and safety impacts caused by exposure to on-site hazardous materials are not significant during short term, construction activities. In addition, herbicides and fertilizers associated with the landscaping of the Project could pose a significant health risk over the long term operation of the Project.</p> <p>However, the Project's adherence to existing mandatory federal, state, and local regulations controlling these materials would ensure that long-term health and safety impacts associated with on-site hazardous materials over the long term operation of the Project are not significant.</p>						
<p>(b) <i>Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i></p> <p>The Project is not located on or within 2,000 feet of a site on the State of California Hazardous Waste and Substances Sites List; however, there are sites within 2,000 feet of the Project site that are listed on the County of San Diego's Site Assessment Mitigation (SAM) Case Listing. The Downtown FEIR states that significant impacts to human health and the environment regarding hazardous waste sites would be avoided through compliance with mandatory federal, state, and local regulations as described in Section 7.a above. Therefore, the Downtown FEIR states that no mitigation measures would be required.</p>					X	X
<p>(c) <i>Substantial safety risk to operations at San Diego International Airport?</i></p> <p>According to the Airport Land Use Compatibility</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Plan for San Diego International Airport (SDIA), the entire Downtown area is located within the SDIA Airport Influence Area. The Downtown FEIR identifies policies that regulate development within areas affected by Lindbergh Field including building heights, use and intensity limitations, and noise sensitive uses. The Project does not exceed the intensity of development assumed under the Downtown FEIR, nor does it include components that would in any way violate or impede adherence to these policies, thus impacts related to the creation of substantial safety risks at SDIA would not be significant, consistent with the analysis in the Downtown FEIR. Therefore, there are no potential direct or cumulative impacts related to this issue.</p> <p>The Federal Aviation Administration (FAA) provided a Determination of No Hazard to Air Navigation for the Project and the Temporary Construction Crane on 05/19/2019 and 07/26/2019 respectively. The San Diego County Regional Airport Authority provided an Airport Land Use Commission Consistency Determination for the Project and Temporary Crane on 08/13/2019.</p>						
<p>(d) <i>Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan?</i></p> <p>The Project does not propose any features that would affect an emergency response or evacuation plan. Therefore, no impact associated with this issue is anticipated.</p>					X	X
<b>8. HISTORICAL RESOURCES:</b>						
<p>(a) <i>Substantially impact a significant historical resource, as defined in §15064.5?</i></p> <p>The proposed project would not impact a designated historical resource. The existing Jiffy</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
Lube building on the Project site, built approximately in 1978, is less than 45 years old and is not subject to historic review. Therefore, impacts to historical resources are not significant.						
<p>(b) <i>Substantially impact a significant archaeological resource pursuant to §15064.5, including the disturbance of human remains interred outside of formal cemeteries?</i></p> <p>According to the Downtown FEIR, the likelihood of encountering archaeological resources is greatest for Projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in Downtown, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. Thus, the excavation and surface clearance activities associated with development of the Project and the three levels of subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains.</p> <p>Implementation of <b>Downtown FEIR Mitigation Measure HIST-B.1-1</b> (Attachment A) would minimize, but not fully mitigate, these potential impacts. Since the potential for archaeological resources and human remains on the Project site cannot be confirmed until grading is conducted, the exact nature and extent of impacts associated with the proposed Project cannot be predicted. Consequently, the required mitigation may or may not be sufficient to reduce these direct project-</p>	<b>X</b>	<b>X</b>				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>level impacts to below a level of significance.</p> <p>Therefore, project-level impacts associated with this issue remain potentially significant and not fully mitigated, and consistent with the analysis of the Downtown FEIR. Furthermore, project-level significant impacts to important archaeological resources would contribute to the potentially significant and unmitigated cumulative impacts identified in the Downtown FEIR.</p>						
<p>(c) <i>Substantially impact a unique paleontological resource or site or unique geologic feature?</i></p> <p>The Project site is underlain by the San Diego Formation and Bay Point Formation, which has high paleontological resource potential. The Downtown FEIR concludes that development would have potentially adverse impacts to paleontological resources if grading and/or excavation activities are conducted beyond a depth of 1-3 feet. The Project's proposal for three levels of subterranean parking would involve excavation beyond the Downtown FEIR standard, resulting in potentially significant impacts to paleontological resources. Implementation of <b>Downtown FEIR Mitigation Measure PAL-A.1-1</b> (Attachment A) would ensure that the Project's potentially direct impacts to paleontological resources are not significant. Furthermore, the Project would not impact any resources outside of the Project site. The mitigation measures for direct impacts fully mitigate for paleontological impacts, therefore, the Project's contribution to cumulative impacts to paleontological resources would be significant but mitigated because the same measures that mitigate direct impacts would also mitigate for any cumulative impacts.</p>			X	X		



Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>9. HYDROLOGY AND WATER QUALITY:</b>						
<p>(a) <i>Substantially degrade groundwater or surface water quality?</i></p> <p>The Project's construction and grading activities may involve soil excavation at a depth that could surpass known groundwater levels, which would indicate that groundwater dewatering might be required. Compliance with the requirements of either (1) the San Diego Regional Water Quality Control Board under a National Pollution Discharge Elimination system general permit for construction dewatering (if dewatering is discharged to surface waters), or (2) the City of San Diego Metropolitan Wastewater Department (if dewatering is discharged into the City's sanitary sewer system under the Industrial Waste Pretreatment Program), and (3) the mandatory requirements controlling the treatment and disposal of contaminated dewatered groundwater would ensure that potential impacts associated with construction dewatering and the handling of contaminated groundwater are not significant. In addition, Best Management Practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP) would ensure that short-term water quality impacts during construction are not significant. The proposed Project would result in hard structure areas and other impervious surfaces that would generate urban runoff with the potential to degrade groundwater or surface water quality. However, implementation of BMPs required by the local Standard Urban Storm water Mitigation Program (SUSMP) and Storm water Standards would reduce the Project's long-term impacts. Thus, adherence to the state and local water quality controls would ensure that direct impacts to groundwater and surface water quality would not</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>  be significant.  Despite not resulting in direct impacts to water quality, the Downtown FEIR found that the urban runoff generated by the cumulative development in Downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the Downtown FEIR to feasibly reduce this cumulative impact to below a level of significance.  Consistent with the Downtown FEIR, the Project's contribution to the cumulative water quality impact would remain significant and unmitigated. Despite not resulting in direct impacts to water quality, the Downtown FEIR found that the urban runoff generated by the cumulative development in the downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the Downtown FEIR to feasibly reduce this cumulative impact to below a level of significance.  Consistent with the Downtown FEIR, the Project's contribution to the cumulative water quality impact would remain significant and unmitigated.						
<b>(b)</b> <i>Substantially increase impervious surfaces and associated runoff flow rates or volumes?</i>  The Downtown FEIR found that implementation of the DCP would not result in a substantial increase in impervious surfaces within Downtown because the area is a highly urbanized area paved with pervious surfaces and very little vacant land					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>(approximately 3 percent of the planning area). Redevelopment of Downtown is therefore anticipated to replace impervious surfaces that already exist and development of the small number of undeveloped sites would not result in a substantial increase in impermeable surface area or a significant impact on the existing storm drain system.</p> <p>The Project is also required to comply with the City of San Diego BMPs required as part of the local SWPPP. Therefore, impacts associated within this issue are not significant. (Impacts associated with the quality of urban runoff are analyzed in Section 9a.)</p>						
<p>(c) <i>Substantially impede or redirect flows within a 100-year flood hazard area?</i></p> <p>The Project site is not located within a 100-year floodplain. Similarly, the Project would not affect off-site flood hazard areas, as no 100-year floodplains are located downstream. Therefore, impacts associated with these issues are not significant.</p>					<b>X</b>	<b>X</b>
<p>(d) <i>Substantially increase erosion and sedimentation?</i></p> <p>The potential for erosion and sedimentation could increase during the short-term during site preparation and other construction activities. As discussed in the Downtown FEIR, the proposed Project's compliance with regulations mandating the preparation and implementation of a SWPPP would ensure that impacts associated with erosion and sedimentation are not significant.</p>					<b>X</b>	<b>X</b>

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>10. LAND USE AND PLANNING:</b>						
<p>(a) <i>Physically divide an established community?</i></p> <p>The Project does not propose any features or structures that would physically divide an established community. Impacts associated with this issue would not occur.</p>					X	X
<p>(b) <i>Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation?</i></p> <p>The Land Use District for the site is Residential Emphasis (RE) which accommodates primarily residential development. Small-scale businesses, offices, services, and ground-floor active commercial uses are allowed, subject to size and area limitations. The Project is also subject to the Limited Vehicle Access (LVA) Overlay which restricts driveway access on 10th and 11th avenues. The proposed project does not conflict with the DCP, and no vehicle access is proposed on 10<sup>th</sup> and 11<sup>th</sup> avenues.</p> <p>The Project would not conflict with other applicable land use plans, policies, or regulations. The Project is consistent with the goals and policies of the DCP. With the approval of the requested PDP, the Project will meet all applicable development standards of the CCPDO and San Diego Municipal Code. Therefore, no significant direct or cumulative impacts associated with an adopted land use plan would occur.</p>					X	X
<p>(b) <i>Substantial incompatibility with surrounding land uses?</i></p> <p>Sources of land use incompatibility include lighting, industrial activities, shading, and noise.</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>The Project would not result in or be subject to, adverse impacts due to substantially incompatible land uses. Compliance with the City's Light Pollution Ordinance would ensure that land use incompatibility impacts related to the Project's emission of, and exposure to, lighting are not significant. In addition, the Downtown FEIR concludes that existing mandatory regulations addressing land use compatibility with industrial activities would ensure that residents of, and visitors to, the Project are not subject to potential land use incompatibilities (potential land use incompatibilities resulting from hazardous materials and air emissions are evaluated elsewhere in this evaluation).</p> <p>Potentially significant impacts associated with the Project's incompatibility with traffic noise on adjacent grid streets are discussed in Sections 12.b and 12.c. No impacts associated with incompatibility with surrounding land use would occur.</p>						
<p>(c) <i>Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development?</i></p> <p>Although not expected to be a substantial direct impact of the Project because substantial numbers of transients are not known to congregate on-site, the Project, in tandem with other Downtown development activities, would have a significant cumulative impact on surrounding communities resulting from sanitation problems and litter generation by transients who are displaced from Downtown into surrounding canyons and vacant land as discussed in the Downtown FEIR. Continued support of Homeless Outreach Teams (HOTs) and similar transient outreach efforts would reduce, but not fully mitigate, the adverse</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
impacts to surrounding neighborhoods caused by the transient relocation. Therefore, the proposed Project would result in cumulatively significant and not fully mitigated impacts to surrounding neighborhoods.						
<b>11. MINERAL RESOURCES:</b>						
(a) <i>Substantially reduce the availability of important mineral resources?</i> The Downtown FEIR states that the viable extraction of mineral resources is limited in Downtown due to its urban nature and the fact that the area is not recognized for having high mineral resource potential. Therefore, no impact associated with this issue would occur.					X	X
<b>12. NOISE:</b>						
(a) <i>Substantial noise generation?</i>  The Project would not result in substantial noise generation from any stationary sources over the long-term. Short-term construction noise impacts would be avoided by adherence to construction noise limitations imposed by the City's Noise Abatement and Control Ordinance. The Downtown FEIR defines a significant long-term traffic noise increase as an increase of at least 3.0 dBA CNEL. The Downtown FEIR identified nine street segments in the Downtown area that would be significantly impacted as a result of traffic generation. Nevertheless, automobile trips generated by the project, would, in combination with other development in Downtown significantly increase noise on several street segments resulting in cumulatively significant noise impacts. The Downtown FEIR concludes that there are no feasible mitigation measures		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
available to reduce the significant noise increase in noise on affected roadways and this impact remains significant and unavoidable.						
<p>(b) <i>Substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)?</i></p> <p>The Project is a mixed-use development with approximately 471 DU and 7,900 SF of ground-floor commercial space. Under the CCPDO, developments of this size are required to contain common outdoor open space. Approximately 26,000 SF of common outdoor space for the Project is provided on levels 7, 38, and 39.</p> <p>Per <b>Downtown FEIR Mitigation Measure NOI-C.1-1</b>, a Noise Study was prepared by Birdseye Planning Group dated January 2019 to evaluate the outdoor open space areas that could be exposed to noise levels in excess of 65 dBA CNEL (General Plan Noise Element requirement for outdoor use areas of multi-family land uses).</p> <p>According to the Birdseye Noise Study, exterior noise levels would not exceed 65 decibels, and temporary construction noise would be less than significant. Thus, the Project would not result in substantial exposure of required outdoor residential open spaces and plazas to noise levels exceeding 65 CNEL.</p>					X	X
<p><i>Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)?</i></p> <p>According to the Birdseye Noise Study, the City of San Diego General Plan Noise Element Requirements of 65 dBA CNEL is not exceeded in the Project area and interior noise levels within</p>					X	X



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>habitable rooms facing adjacent streets could experience interior noise levels in excess of 45 dB (A) CNEL (the standard set forth in the Downtown FEIR). However, adherence to Title 24 of the California Building Code and implementation of <b>Downtown FEIR Mitigation Measure NOI-B.1-1</b> would reduce interior noise levels to below 45 dB (A).</p> <p>Therefore, direct project-level impacts associated with this issue would be mitigated to a level less than significant.</p>						
<b>13. POPULATION AND HOUSING:</b>						
<p>(a) <i>Substantially induce population growth in an area?</i></p> <p>The Downtown FEIR concludes that build-out of Downtown would not induce substantial population growth that results in adverse physical changes. The Project is consistent with the DCP and CCPDO and does not exceed those analyzed throughout the Downtown FEIR.</p> <p>Therefore, project-level and cumulative impacts associated with this issue are not significant.</p>					<b>X</b>	<b>X</b>
<p>(b) <i>Substantial displacement of existing housing units or people?</i></p> <p>The Project site does not contain any existing housing units. The site is currently occupied by a surface parking lot and a Jiffy Lube building. Thus, no people would be displaced. Project-level and cumulative impacts are not significant.</p>					<b>X</b>	<b>X</b>

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>14. PUBLIC SERVICES AND UTILITIES:</b>						
<p>(a) <i>Substantial adverse physical impacts associated with the provision of new schools?</i></p> <p>The population of school-aged children attending public schools is dependent on current and future residential development. In and of itself, the Project would not generate a sufficient number of students to warrant construction of a new school facility. However, the Downtown FEIR concludes that the additional student population anticipated at build out of Downtown would require the construction of at least one additional school, and that additional capacity could potentially be accommodated in existing facilities. The specific future location of new facilities is unknown at the present time.</p> <p>Pursuant to CEQA Section 15145, analysis of the physical changes in Downtown, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and project specific mitigation measures.</p> <p>Therefore, implementation of the Project would not result in direct or cumulative impacts associated with this issue.</p>					X	X
<p>(b) <i>Substantial adverse physical impacts associated with the provision of new libraries?</i></p> <p>The Downtown FEIR concludes that, cumulatively, development in Downtown would generate the need for a new Central Library and possibly several smaller libraries in Downtown. In and of itself, the proposed Project would not</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>generate additional demand necessitating the construction of new library facilities. However, according to the analysis in the Downtown FEIR, future development projects are considered to contribute to the cumulative need for new library facilities Downtown identified in the Downtown FEIR. Nevertheless, the specific future location of these facilities (except for the Central Library) is unknown at present. Pursuant to Section 15145 of CEQA, analysis of the physical changes in Downtown, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional library facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p> <p>Therefore, approval of the Project would not result in direct or cumulative impacts associated with this issue.</p>						
<p>(c) <i>Substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities?</i></p> <p>The Project would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the Downtown FEIR. However, the Downtown FEIR reports that the San Diego Fire Department is in the process of securing sites for two new fire stations in Downtown. Pursuant to CEQA Section 15145, analysis of the physical changes in Downtown that may occur from future construction of this fire station facility would be speculative and no further analysis of the impact is required. However, construction of the second new fire protection facility would be subject to CEQA. Environmental documentation prepared</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
pursuant to CEQA would identify significant impacts and appropriate mitigation measures.						
<p>(d) <i>Substantial adverse physical impacts associated with the provision of new law enforcement facilities?</i></p> <p>The Downtown FEIR analyzes impacts to law enforcement service resulting from the cumulative development of Downtown and concludes the construction of new law enforcement facilities would not be required. Since the land use designation of the proposed development is consistent with the land use designation assumed in the Downtown FEIR analysis, the Project would not generate a level of demand for law enforcement facilities beyond the level assumed by the Downtown FEIR. However, the need for a new facility could be identified in the future. Pursuant to CEQA Section 15145, analysis of the physical changes in Downtown that may occur from the future construction of law enforcement facilities would be speculative and no future analysis of their impacts would be required. However, construction of new law enforcement facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p>					X	X
<p>(e) <i>Substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities?</i></p> <p>The Public Utilities Department provides water service to Downtown and delivers more than 200,000 million acre-feet annually to over 1.3 million residents. During an average year the Department's water supply is made up of 10 to 20 percent of local rainfall, with the remaining</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>amount imported from regional water suppliers including the San Diego County Water Authority (SDCWA) and the Metropolitan Water District (MWD). Potable water pipelines are located underneath the majority of Downtown's streets mimicking the above-ground street grid pattern.</p> <p>According to the Downtown FEIR, in the short term, planned water supplies and transmission or treatment facilities are adequate for development of Downtown. Water transmission infrastructure necessary to transport water supply to Downtown is already in place. Build out of the 2006 DCP, was considered in the updated 2015 SDCWA Urban Water Management Plan (UWMP). The MWD and the SDCWA have developed water supply plans to improve reliability and reduce dependence on existing imported supplies. MWD's Regional Urban Water Management Plan (RUWMP) and Integrated Watershed Management Plan (IWMP), and the SDCWA 2015 UWMP and annual water supply report include water infrastructure projects that meet long-term supply needs through securing water from the State Water Project, Colorado River, local water supply development, and recycled water. The SDCWA 2015 UWMP demonstrates that there will be sufficient water supplies available to meet demands for existing and planned future developments that are projected to occur by 2040.</p> <p>California Water Code Section 10910 requires projects to be analyzed under CEQA to assess water demand and compare that finding to the jurisdiction's projected water supply.</p> <p>Senate Bill 610 (SB 610) requires the preparation of a Water Supply Assessment (WSA) when a development project exceeds a threshold of 500 equivalent dwelling units. The proposed project does not exceed this threshold. The proposed</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
project would not trigger the requirements of SB 610 and is consistent with the DCP. Thus, direct and cumulative impacts related to water supply would be considered not significant.						
<p>(f) <i>Substantial adverse physical impacts associated with the provision of new storm water facilities?</i></p> <p>The Downtown FEIR concludes that the cumulative development of Downtown would not impact the existing Downtown storm drain system. Since implementation of the Project would not result in a significant increase of impervious surfaces, the amount of runoff volume entering the storm drain system would not create demand for new storm water facilities.</p> <p>Direct and cumulative impacts associated with this issue are considered not significant.</p>					X	X
<p>(g) <i>Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities?</i></p> <p>The Downtown FEIR concludes that new wastewater treatment facilities would not be required to address the cumulative development of Downtown. In addition, sewer improvements that may be needed to serve the Project are categorically exempt from environmental review under CEQA as stated in the Downtown FEIR.</p> <p>Therefore, impacts associated with this issue would not be significant.</p>					X	X
<p>(h) <i>Substantial adverse physical impacts associated with the provision of new landfill facilities?</i></p> <p>The Downtown FEIR concludes that cumulative development within Downtown would increase the amount of solid waste to the Miramar Landfill</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>and contribute to the eventual need for an alternative landfill. Although the proposed Project would generate a higher level of solid waste than the existing use of the site, implementation of a mandatory Waste Management Plan and compliance with the applicable provisions of the San Diego Municipal Code would ensure that both short-term and long-term project-level impacts are not significant.</p> <p>However, the Project would contribute, in combination with other development activities in Downtown, to the cumulative increase in the generation of solid waste sent to Miramar Landfill and the eventual need for a new landfill as identified in the Downtown FEIR. The location and size of a new landfill is unknown at this time. Pursuant to Section 15145 of CEQA, analysis from the physical changes that may occur from future construction of landfills would be speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts of the proposed Project and appropriate mitigation measures.</p> <p>Therefore, cumulative impacts of the proposed Project are also considered not significant.</p>						
<b>15. PARKS AND RECREATIONAL FACILITIES:</b>						
<p>(a) <i>Substantial increase in 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?</i></p> <p>The Downtown FEIR discusses impacts to parks and other recreational facilities and the</p>					<b>X</b>	<b>X</b>



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>maintenance thereof and concludes that build out of the DCP would not result in significant impacts associated with this issue. Since the land use designation of the proposed development does not differ from the land use designation assumed in the Downtown FEIR analysis, the Project would not generate a level of demand for parks and recreational facilities beyond the level assumed by the Downtown FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the Project.</p> <p>No significant impacts with this issue would occur.</p>						
<b>16. TRANSPORTATION/TRAFFIC:</b>						
<p>(a) <i>Cause the LOS on a roadway segment or intersection to drop below LOS E?</i></p> <p>The Downtown FEIR states that projects generating greater than 2,400 average daily trips (ADT) would result in potentially significant impacts to the level of service (LOS) of roadway segment or intersection and requires implementation of mitigation measures at the Project level to mitigate the impact.</p> <p>Based on Centre City Cumulative Traffic Generation Rates for residential projects contained in the May 2003 SDMC Trip Generation Manual, the worst-case scenario for automobile trips for the Combined Project is 2026 Average Daily Trips (ADT) based on a trip generation rate of four ADT per DU and 18 ADT per 1,000 square feet of commercial space. Since this does not exceed the 2,400 ADT threshold for significance the Project's impacts on roadway segments and intersections would not be significant.</p>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Traffic generated by the proposed project in combination with traffic generated by other Downtown development would contribute to the significant cumulative impacts projected in the Downtown FEIR to occur on a number of Downtown roadway segments and intersections, and street within neighborhoods surrounding the Downtown at buildout of Downtown. However, the project's direct impacts on the Downtown roadway segments or intersections would not be significant.</p> <p>The Downtown FEIR includes mitigation measures to address impacts associated with buildout of Downtown, but the Downtown FEIR acknowledges that the identified measures may or may not be able to fully mitigate these cumulative impacts due to constraints imposed by bicycle and pedestrian activities and the land uses adjacent to affected roadways. Pursuant to <b>Downtown FEIR Mitigation Measure TRAF-A.1.1-2</b>, the applicant will also be required to pay development impact fees to fund a fair share fee towards transportation improvements for Downtown. The City of San Diego adopted the Downtown Community Public Facilities Financing Plan (PFFP) in 2015 that established a transportation fee. The transportation fee is intended to fund street, transit, bicycle, pedestrian improvements, promenades, and below grade parking structures, as further set forth in the Downtown Community PFFP.</p>						
<p>(b) <i>Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes?</i></p> <p>The Downtown FEIR concludes that development within Downtown will result in significant cumulative impacts to freeway segments and ramps serving Downtown. Since the land use</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>designation of the Project is consistent with the land use designation assumed in the Downtown FEIR analysis, the Project would contribute on a cumulative-level to the substandard LOS F identified in the Downtown FEIR on all freeway segments in Downtown and several ramps serving Downtown.</p> <p><b>Downtown FEIR Mitigation Measure TRF-A.1.1-1</b> would reduce these impacts to the extent feasible, but not to below the level of significance. The Downtown FEIR concludes that the uncertainty of implementing freeway improvements as well as increasing ramp capacities limits the ability to fully mitigate impacts.</p> <p>Thus, the Project's cumulative-level impacts to freeways would remain significant and unavoidable, consistent with the analysis of the Downtown FEIR. The Project would not have a direct impact on freeway segments and ramps.</p>						
<p>(c) <i>Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</i></p> <p>The proposed Project, in and of itself, does not include any features that would discourage the use of alternative modes of transportation. The Project's proximity to several other community serving uses, including nearby shopping and recreational activities also encourage walking. Additionally, visitors of the proposed Project would be encouraged to use alternative transportation means as there are several bus lines within a five-minute walk. Therefore, the Project will cause no significant impacts related to alternative modes of transportation or cause transit service capacity to be</p>					X	X

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
exceeded.						
<b>17. MANDATORY FINDINGS OF SIGNIFICANCE:</b>						
<p>(a) <i>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?</i></p> <p>As indicated in the Downtown FEIR, due to the highly urbanized nature of the Downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in Downtown. Additionally, the Project does not have the potential to eliminate important examples of major periods of California history or prehistory at the Project level.</p> <p>No other aspects of the Project would substantially degrade the environment. Cumulative impacts are described in Section 17(b) below.</p>					X	X
<p>(b) <i>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)?</i></p> <p>As acknowledged in the Downtown FEIR, the buildout of Downtown would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical</p>		X				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. Implementation of the mitigation measures identified in the Downtown FEIR would reduce some significant impacts; however, the impacts would remain significant and immitigable as identified in the Downtown FEIR and the Statement of Overriding Considerations adopted by the City. This Project's contribution would not be greater than anticipated by the Downtown FEIR and therefore no further analysis is required.						
<p>(c) <i>Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?</i></p> <p>As acknowledged in the Downtown FEIR, the build-out of Downtown would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, traffic, and water quality. This Project would contribute to those impacts. However, the impacts associated with this Project would be no greater than those assumed in the Downtown FEIR and therefore no further environmental review is required under CEQA.</p>	<b>X</b>	<b>X</b>				

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# 11TH & B

## CIVIC SAN DIEGO DEVELOPMENT PERMIT

4th SUBMISSION ADDENDUM 2 - JULY 19, 2019

**OWNER / DEVELOPER:**  
B STREET LLC  
9948 HIBERT ST, STE. 210  
SAN DIEGO, CA 92131

CITY OF SAN DIEGO  
1200 THIRD AVE, STE. 1700  
SAN DIEGO, CA 92101

**ARCHITECT:**  
CALLISONRTKL INC.  
333 S. HOPE ST, STE. C200  
LOS ANGELES, CA 90071



## PROJECT TEAM

PROPERTY OWNER/ APPLICANT:

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9948 HIBERT ST, STE. 210  
SAN DIEGO, CA 92131  
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**CITY OF SAN DIEGO**  
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ARCHITECT:

**CALLISONRTKL INC.**  
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LANDSCAPE:

**McCULLOUGH LANDSCAPE**  
703 16TH STREET, SUITE 100  
SAN DIEGO, CA 92101  
CONTACT: DAVID McCULLOUGH  
EMAIL: david@mlasd.com  
PHONE: 619 296 3150

## PROJECT DESCRIPTION:

40 STORY HIGH-RISE RESIDENTIAL BUILDING WITH 3 LEVELS OF BELOW GRADE PARKING AND 6 LEVELS OF ABOVE GRADE PARKING. RESIDENTIAL LOBBY AND PARKING ENTRANCE IS LOCATED ON B STREET. RETAIL SPACES ARE LOCATED AT STREET LEVEL ALONG 11TH AVE, B STREET AND 10TH AVENUE.

TOTAL 471 RESIDENTIAL UNITS ARE PROVIDED WITH AMENITY SPACES AT LEVEL 7 AND LEVEL 38.

## PROJECT SUMMARY:

**LEGAL DESCRIPTION:**

PARCEL 1: A.P.N. 534-192-01

LOT "A" IN BLOCK 23 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

PARCEL 2: A.P.N. 534-192-02

LOT "B" IN BLOCK 23 OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L.L. LOCKLING AND ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY. TOGETHER WITH THAT PORTION OF THE EAST HALF OF 10TH AVENUE (FORMERLY 10TH STREET) ADJOINING SAID LAND ON THE WEST, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW.

PARCEL 3: A.P.N. 534-192-03

LOT "C" IN BLOCK 23 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY. TOGETHER WITH THAT PORTION OF THE EAST HALF OF 10TH AVENUE (FORMERLY 10TH STREET) ADJOINING SAID LAND ON THE WEST, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW.

PARCEL 4: A.P.N. 534-192-07

LOTS "J", "K" AND "L" IN BLOCK 23 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, TOGETHER WITH THAT PORTION OF THE WEST HALF OF 11TH AVENUE (FORMERLY 11TH STREET) AND ALSO THE SOUTH HALF OF "B" STREET ADJOINING SAID LAND ON THE WEST AND NORTH, RESPECTIVELY, WHICH, UPON VACATION, WOULD REVERT TO CURRENT RECORD OWNERS OF SAID LAND BY OPERATION OF LAW.

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G 1.04	PHOTOGRAPHIC SURVEY

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T1.08	FIRE ACCESS PLAN

**NOT FOR CONSTRUCTION**

**CALLISONRTKL™**  
A DESIGN CONSULTANCY OF ARCADIS

**CallisonRTKL Inc.**  
333 S. Hope St., Ste. C200  
Los Angeles, CA 90071  
Tel: 213.633.6000

CallisonRTKL Project No: 040-170132.0

### Consultant

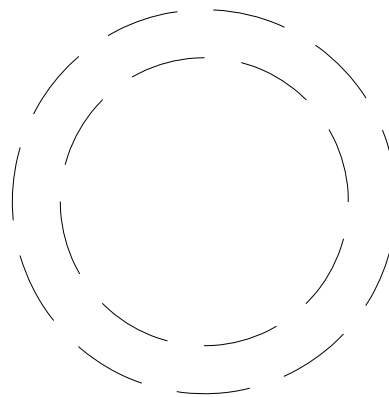
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

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Seal



### Sheet Identification

## PROJECT DATA

# G1.01





Consultant

**11th & B**  
**San Diego, CA**

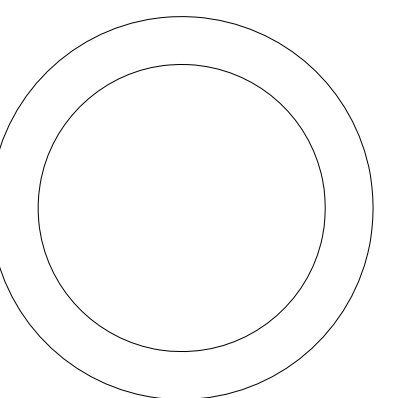
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**B Street LLC**  
9948 Hilbert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

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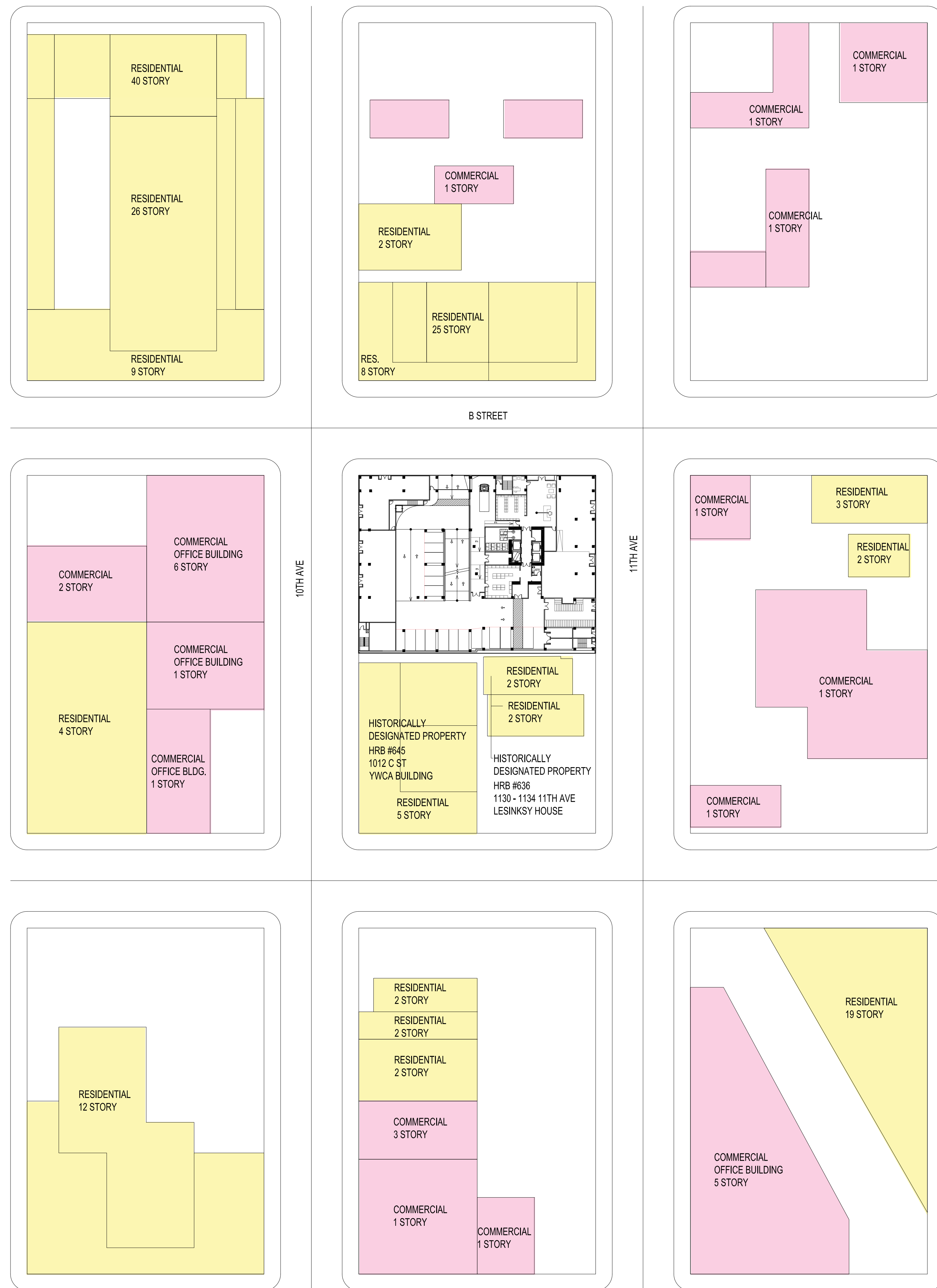
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### Sheet Identification

### VICINITY MAP SURROUNDING PARCELS

## G1.03



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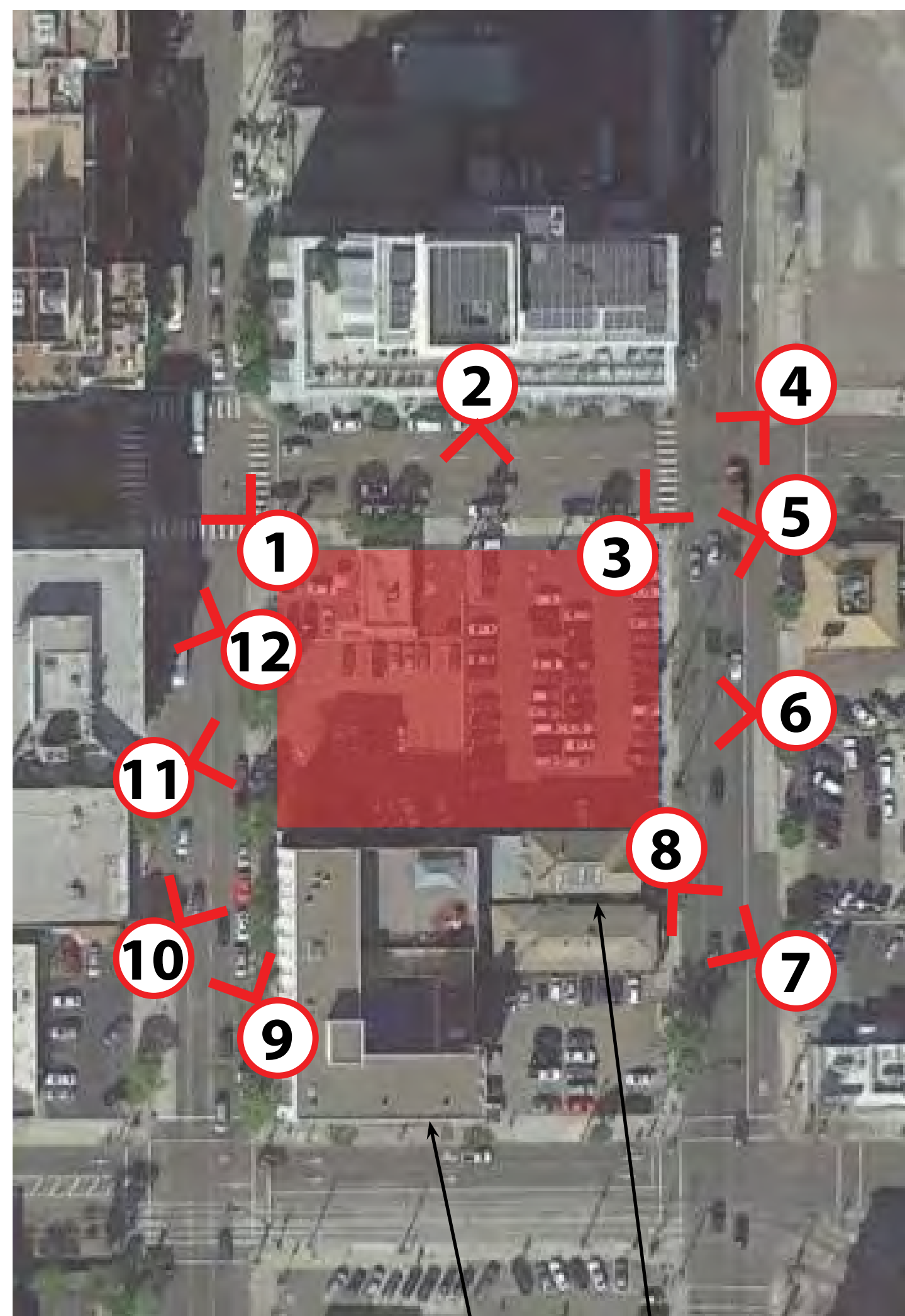
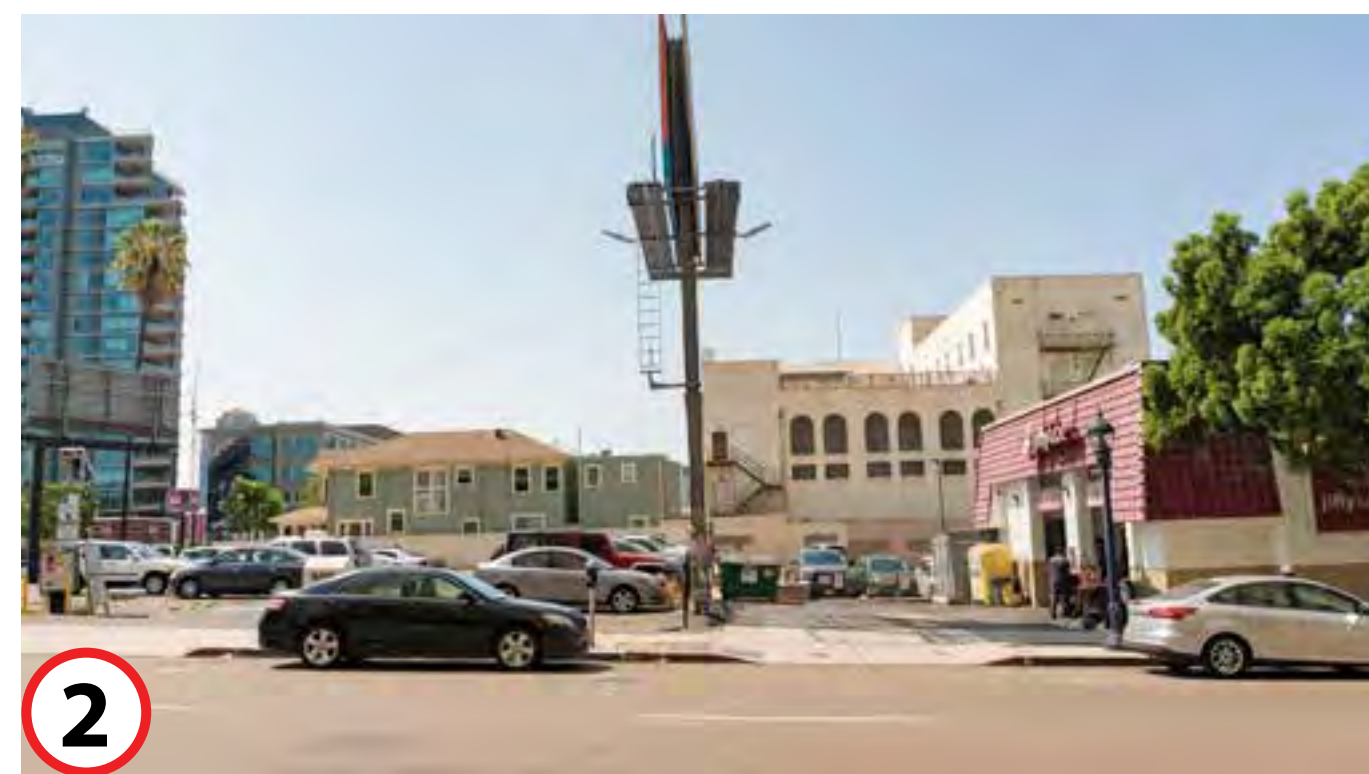
RESIDENTIAL

**SCALE AT 24x36**

**NOT FOR CONSTRUCTION**







**HRB #636**  
1130-1134 11th AVE, LESINKSY HOUSE

**HRB #645**  
1012 C STREET, YWCA BUILDING



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**CallisonRTKL Inc.**  
333 S. Hope St., Ste. C200  
Los Angeles, CA 90071  
Tel: 213.633.6000

CallisonRTKL Project No: 040-170132.00

Consultant

**11th & B**  
**San Diego, CA**

Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

Seal

**Sheet Identification**

## PHOTOGRAPHIC SURVEY

**NOT FOR CONSTRUCTION**

## G1.04



11th & B  
San Diego, CA

Owner Address

B Street LLC  
5940 Hibert St., Ste. 210  
San Diego, CA 92131

Issue Drawing Log

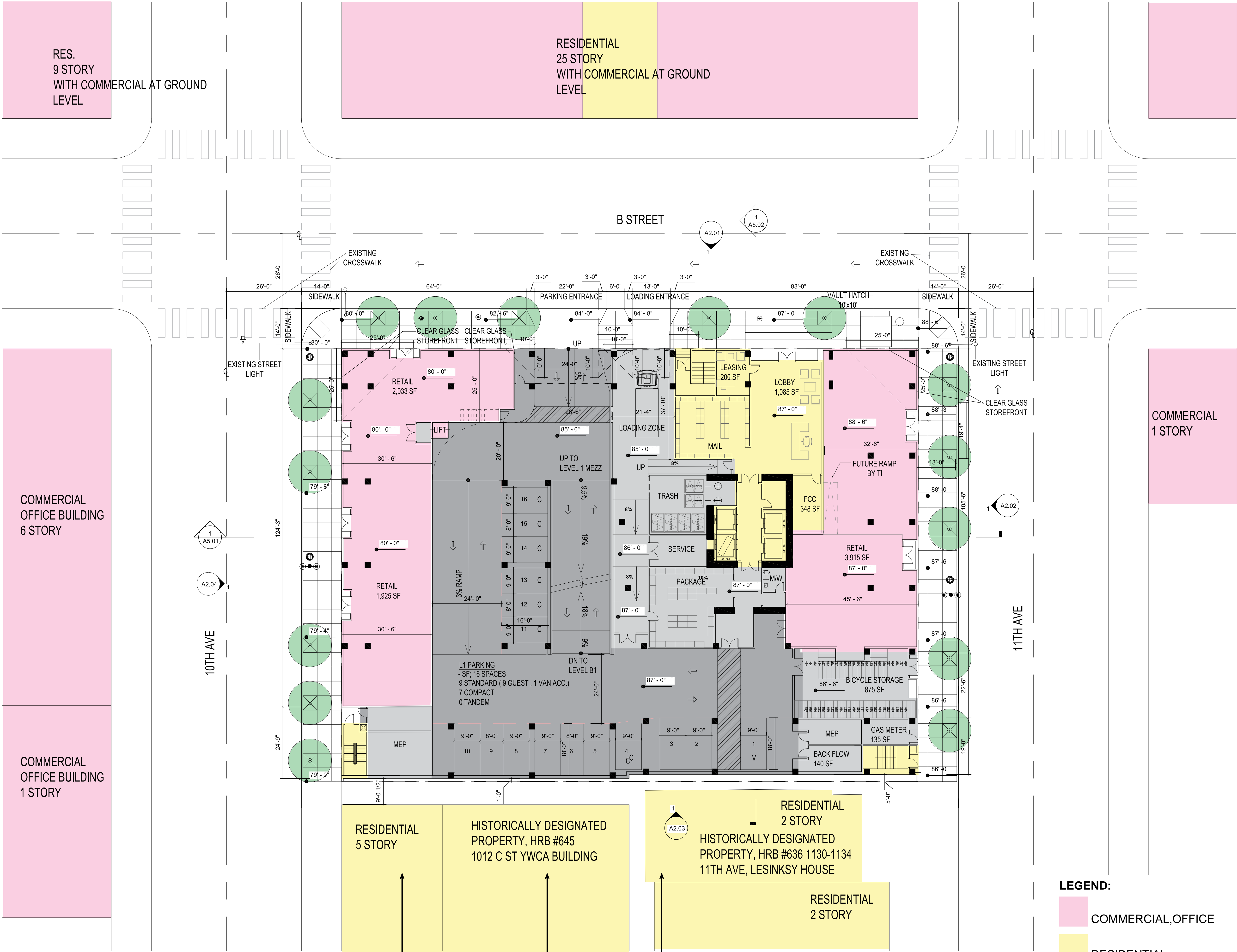
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2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal

Sheet Identification

SITE PLAN

A1.00



1 SITE PLAN  
1/16" = 1'-0"

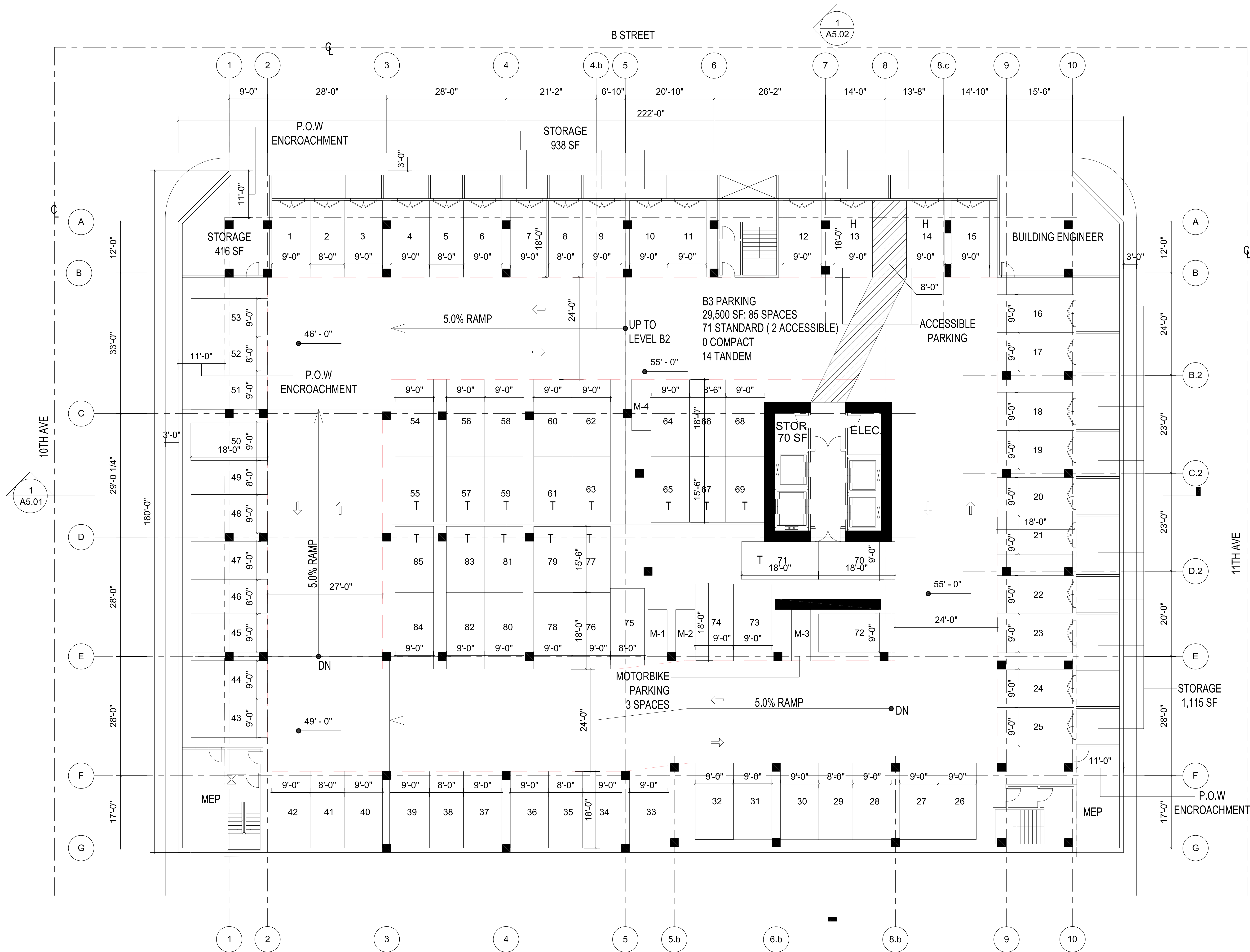
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RESIDENTIAL

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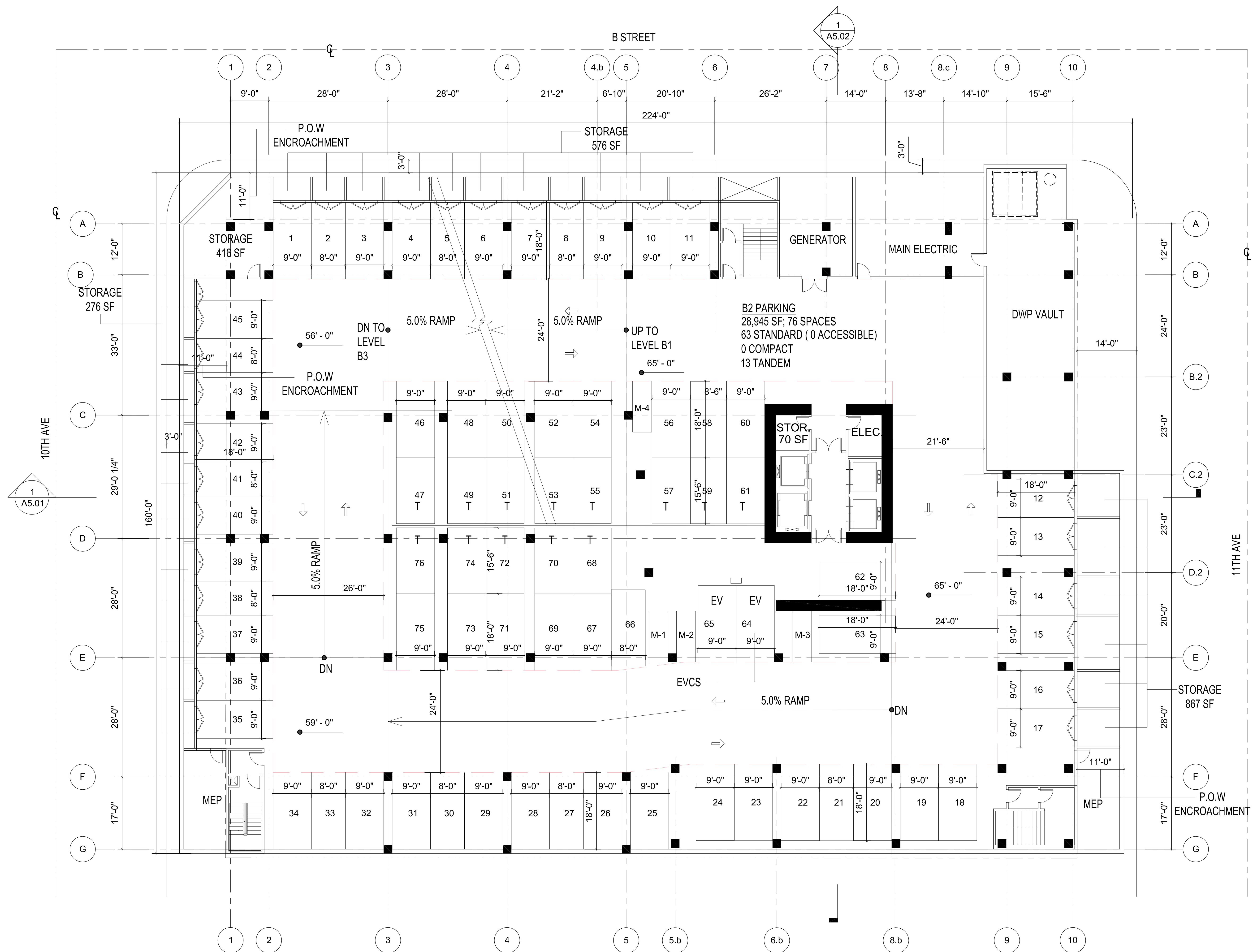
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4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1




1 FLOOR PLAN - LEVEL B3 - PARKING  
3/32" = 1'-0"



1	08/21/2018	CSD Development Permit
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4	01/17/2019	CSDDP - 3rd Submission
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5-1	06/26/2019	4th Submission - Addendum 1



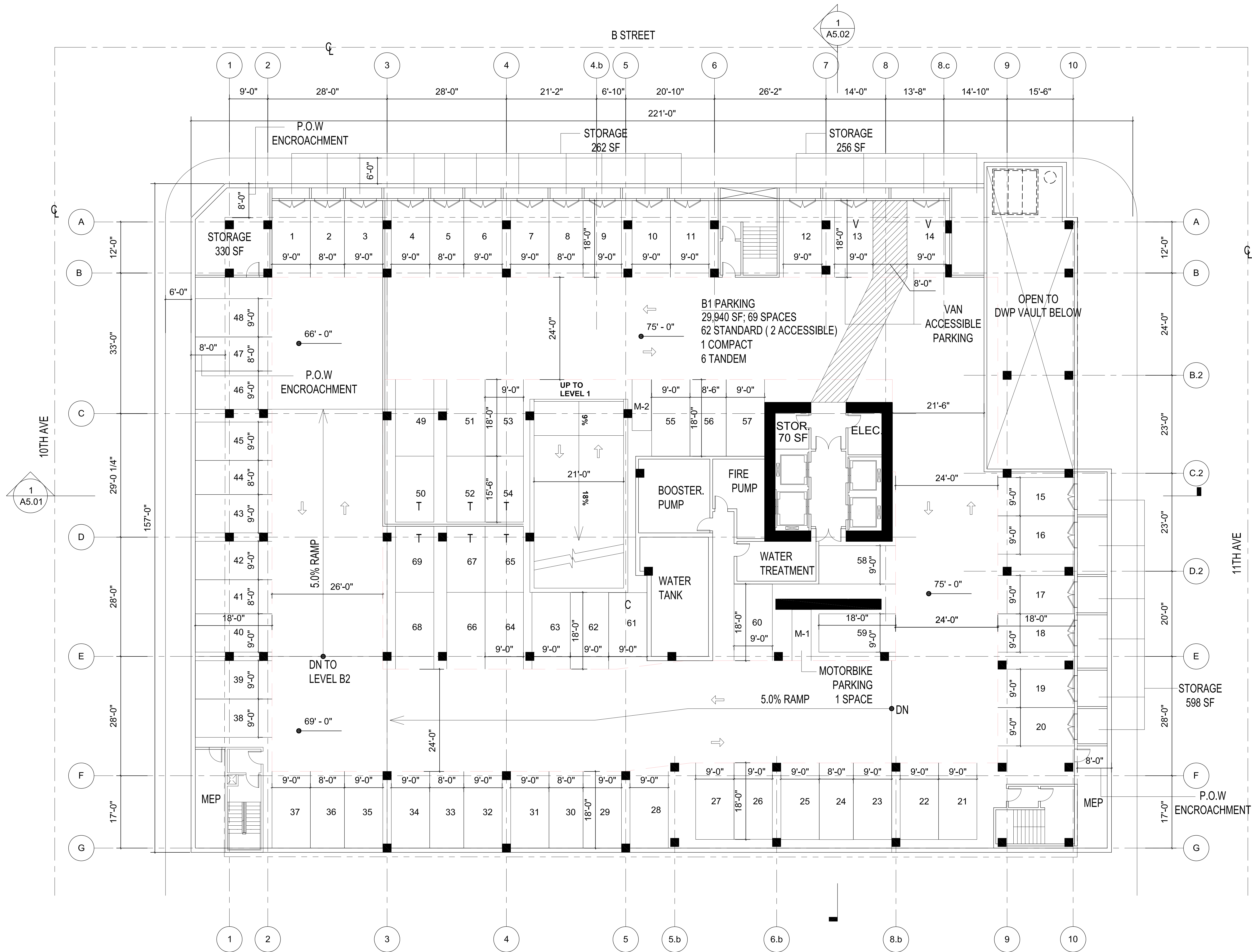
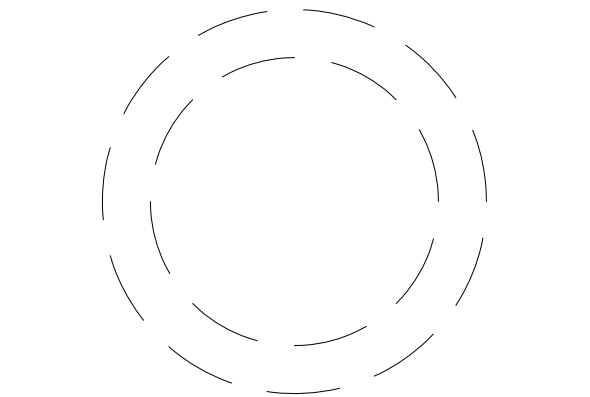
1 FLOOR PLAN - LEVEL B2 - PARKING  
3/32" = 1'-0"

**SCALE AT 24x36** 

**NOT FOR CONSTRUCTION**



1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1



1 FLOOR PLAN - LEVEL B1 - PARKING  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION



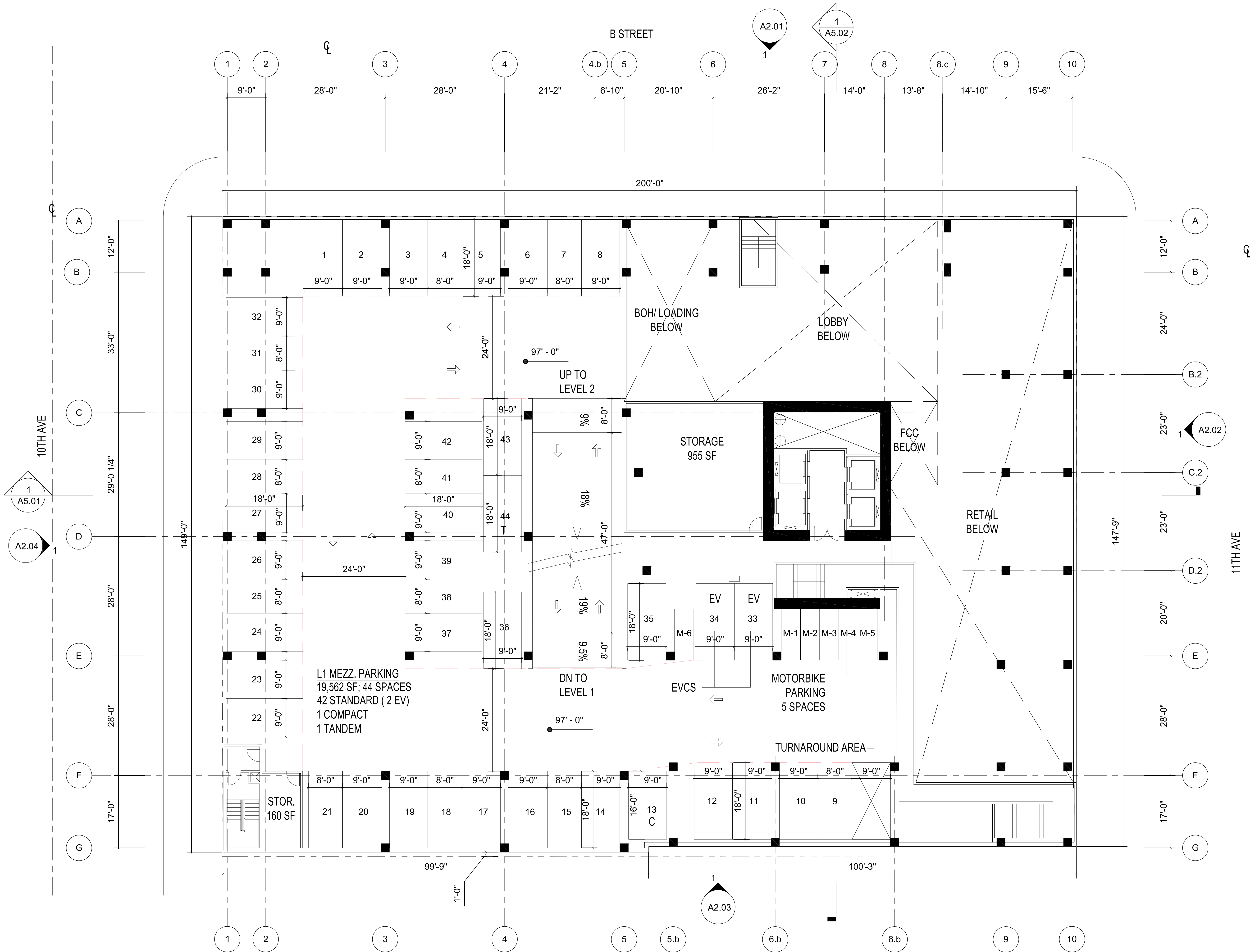
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2	11/08/2018	CSDDP - 2nd Submission
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4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1



SCALE AT 24x36  
NOT FOR CONSTRUCTION

1 FLOOR PLAN - LEVEL 1 MEZZANINE - PARKING  
3/32" = 1'-0"



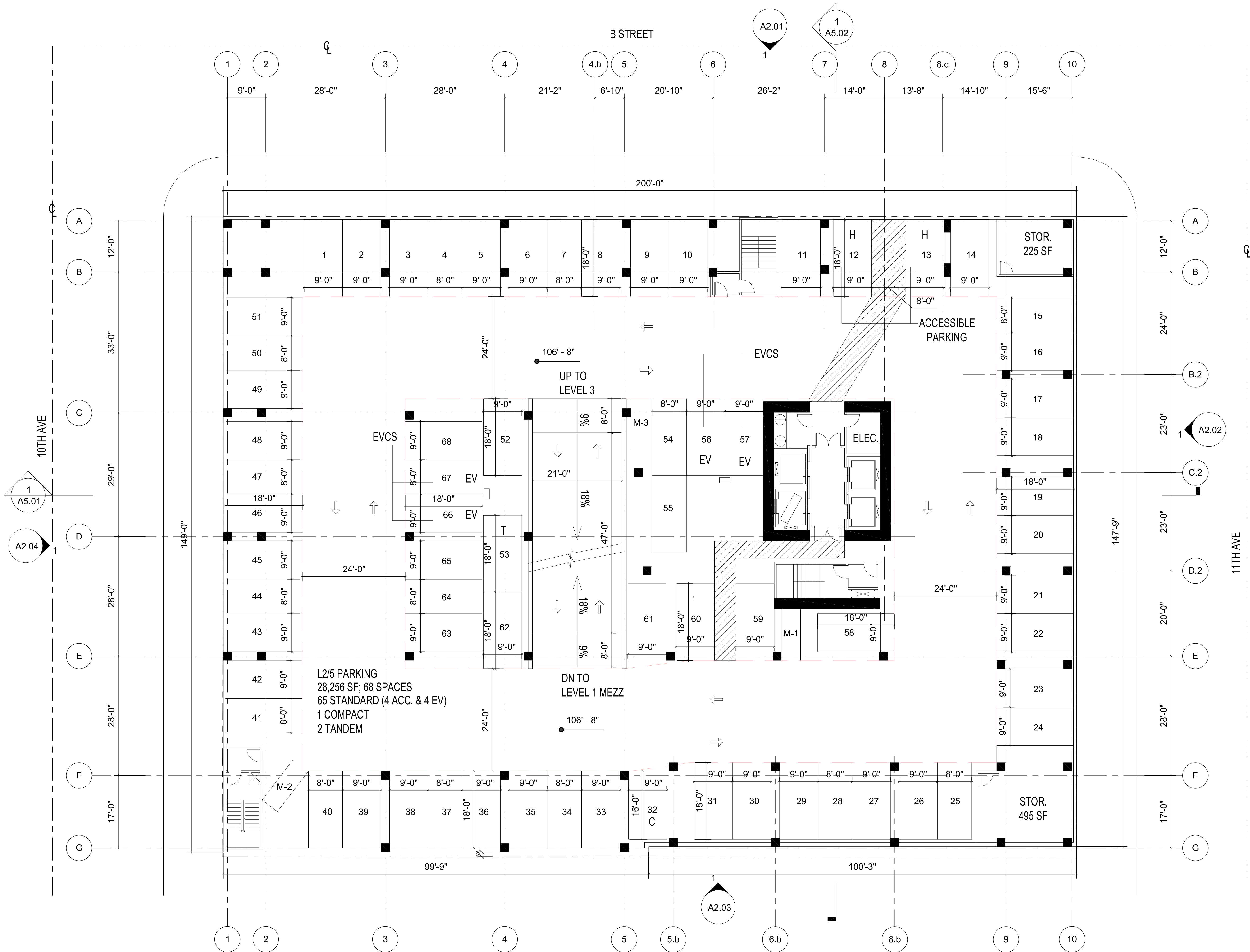


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5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1



SCALE AT 24x36  
NOT FOR CONSTRUCTION

1 FLOOR PLAN - LEVEL 2-5 - PARKING  
3/32" = 1'-0"



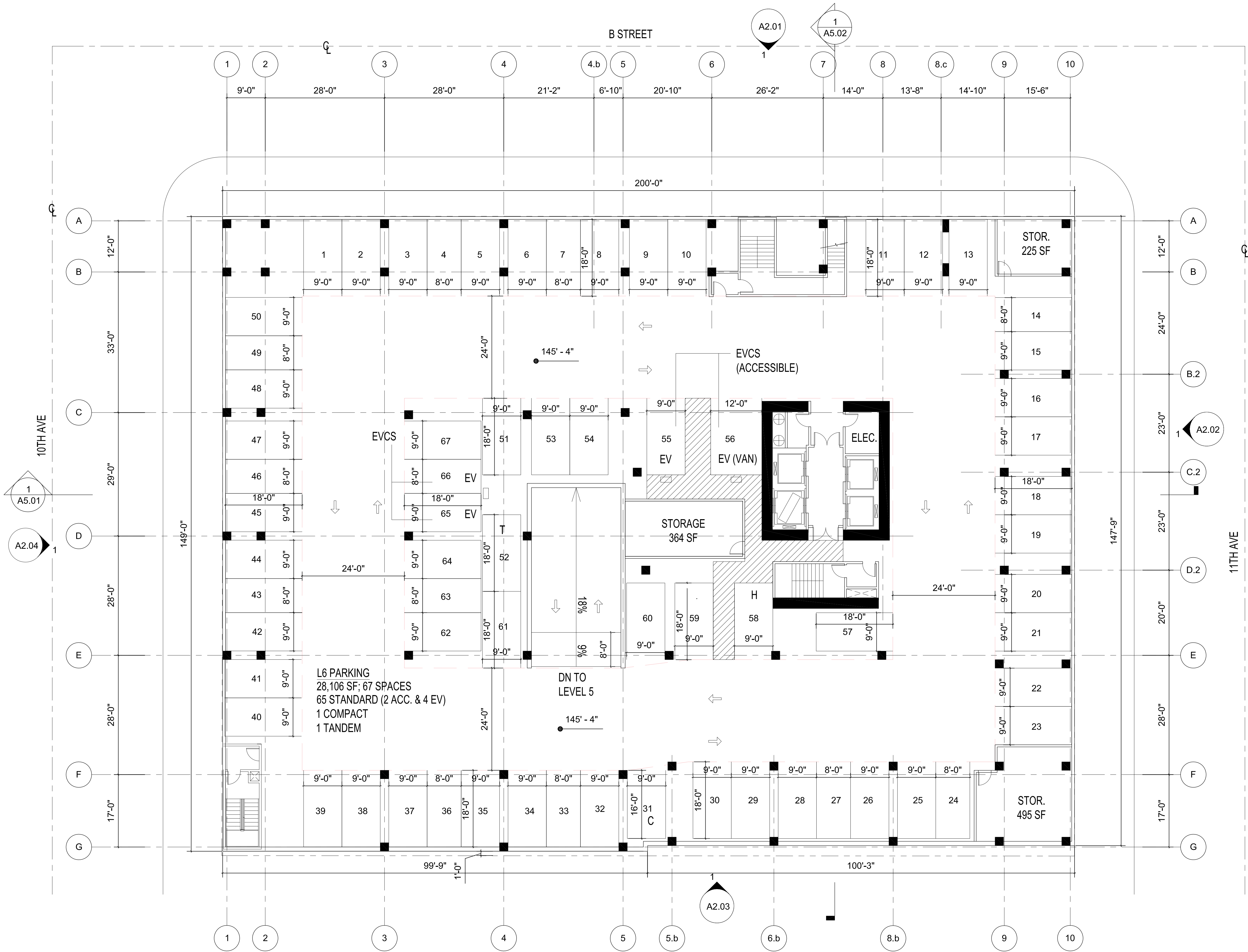
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5-1	06/26/2019	4th Submission - Addendum 1

11th & B  
San Diego, CA



SCALE AT 24x36  
NOT FOR CONSTRUCTION

1 FLOOR PLAN - LEVEL 6 - PARKING  
3/32" = 1'-0"



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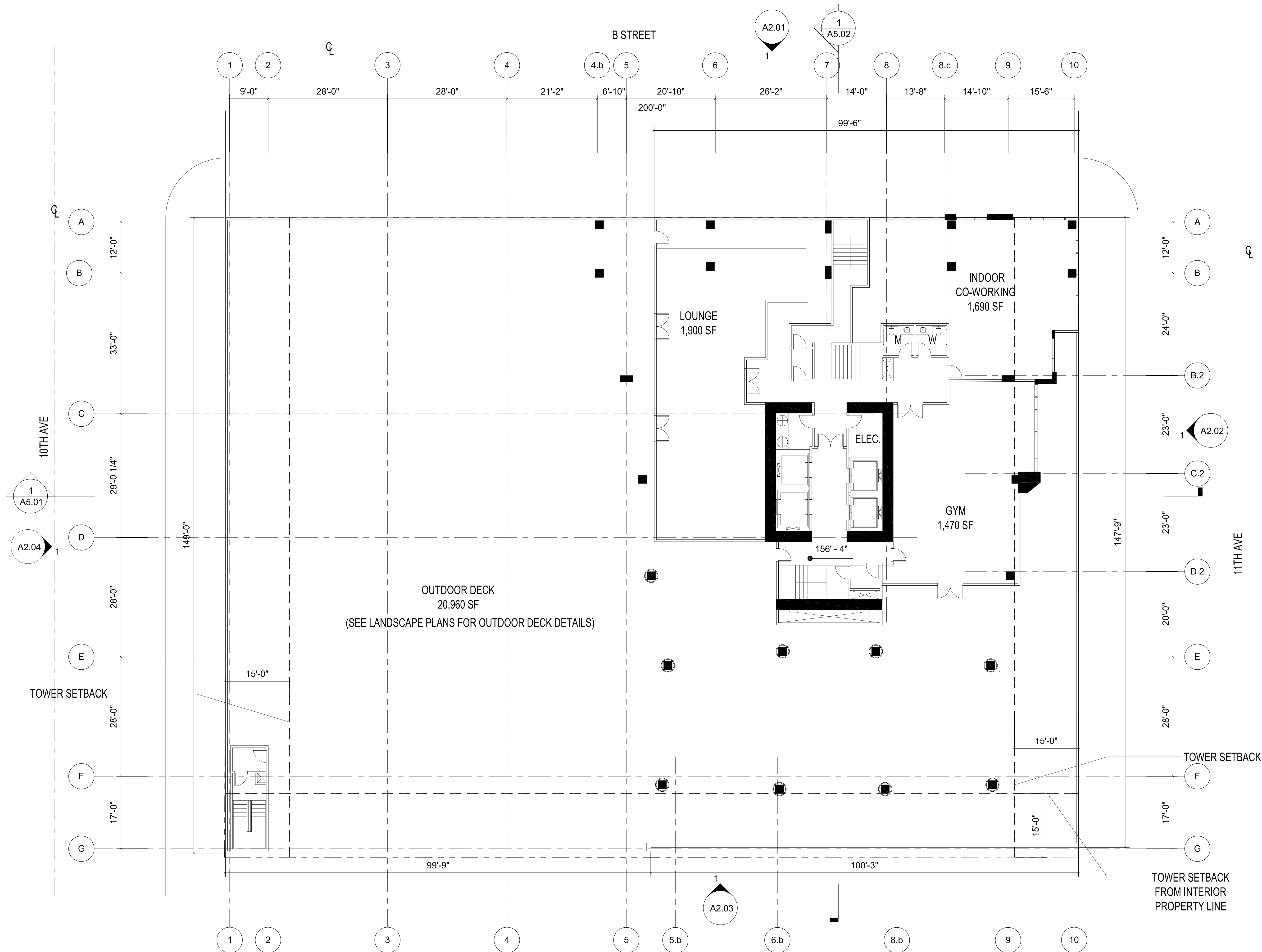
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4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Sheet Identification

FLOOR PLAN  
LEVEL 7 -  
AMENITY

A1.08



1 FLOOR PLAN - LEVEL 7 - AMENITY  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION





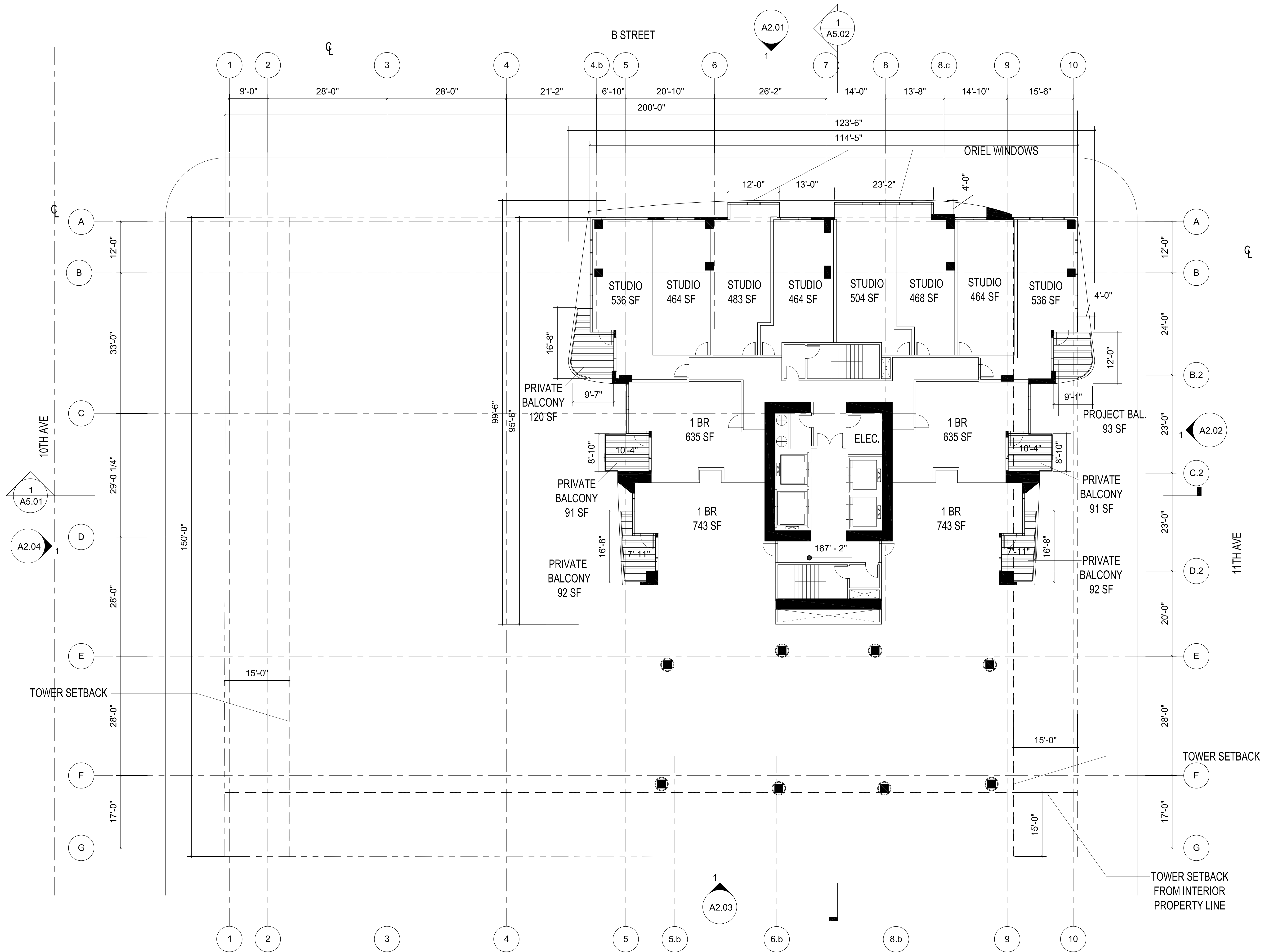
11th & B  
San Diego, CA

Issue Drawing Log

1	08/21/2018	CSD Development Permit
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5-1	06/26/2019	4th Submission - Addendum 1

FLOOR PLAN  
LEVEL 8

A1.09



1 FLOOR PLAN - LEVEL 8  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION



11th & B  
San Diego, CA

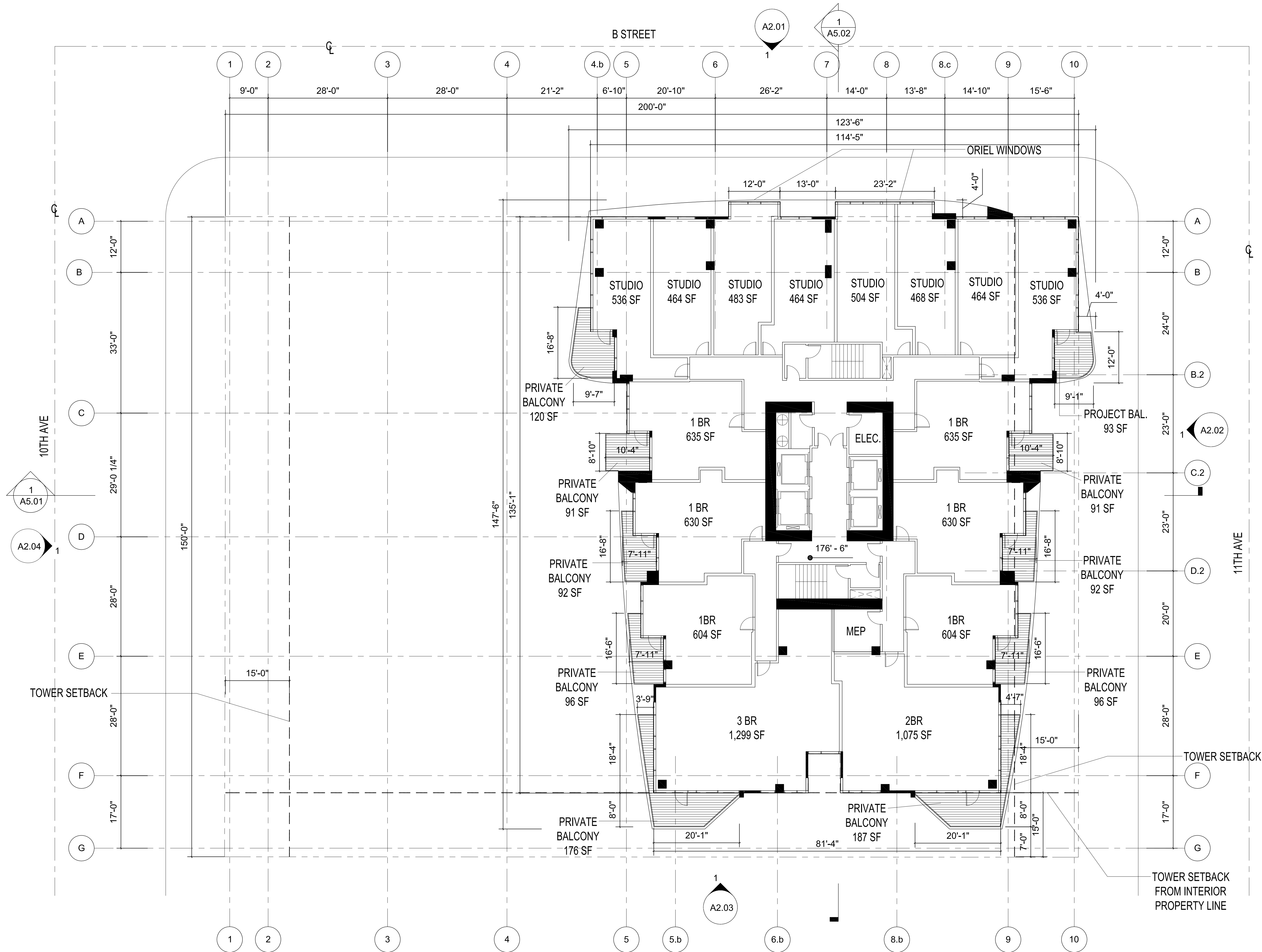
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4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Sheet Identification

FLOOR PLAN  
LEVEL 9-18  
LOWER TYPICAL

A1.10



1 FLOOR PLAN - LEVEL 9-24 - LOWER TYPICAL  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION





11th & B  
San Diego, CA

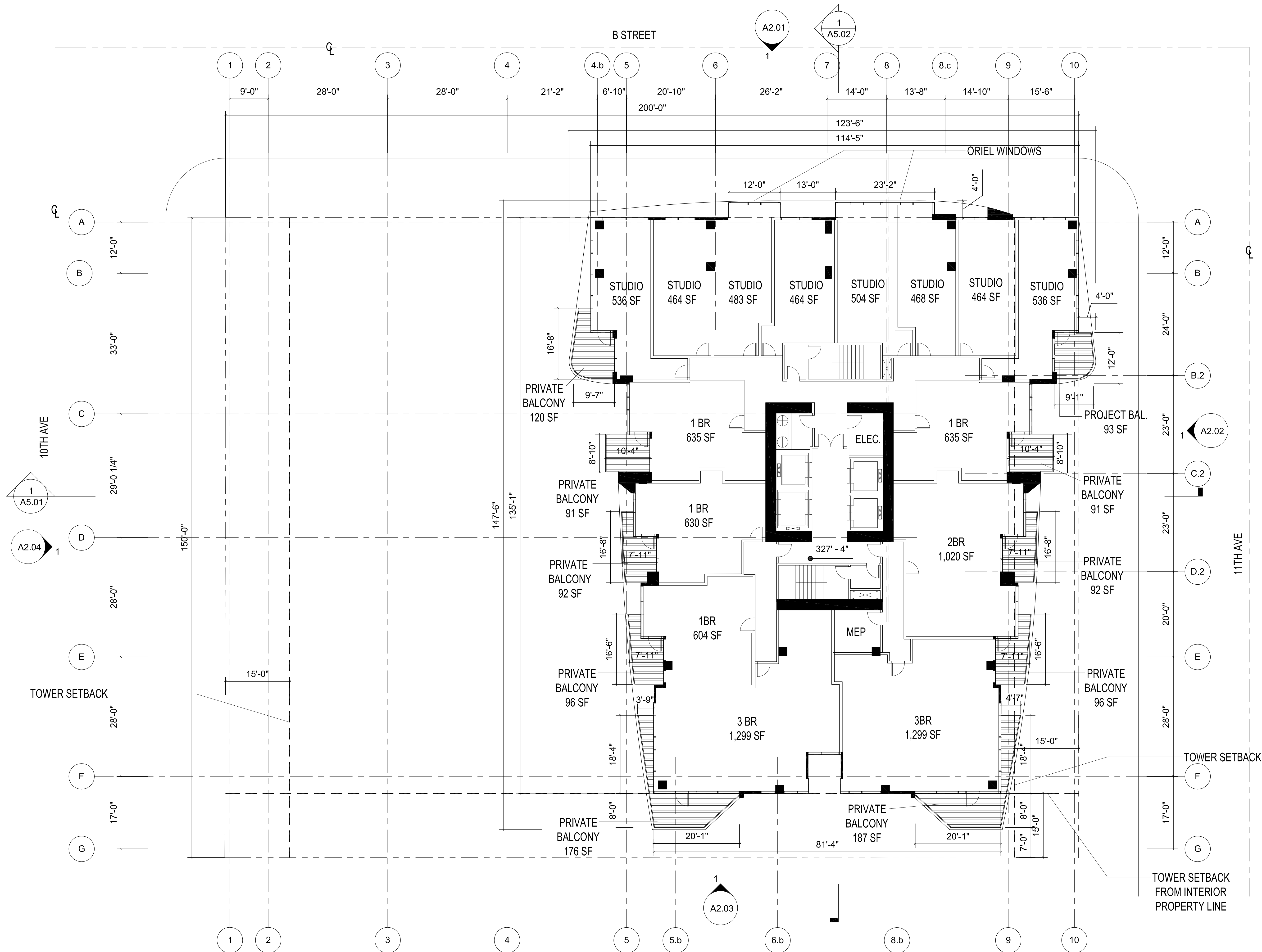
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4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Sheet Identification

FLOOR PLAN  
LEVEL 19-37  
UPPER TYPICAL

A1.11



1 FLOOR PLAN - LEVEL 25-37 - UPPER TYPICAL  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION

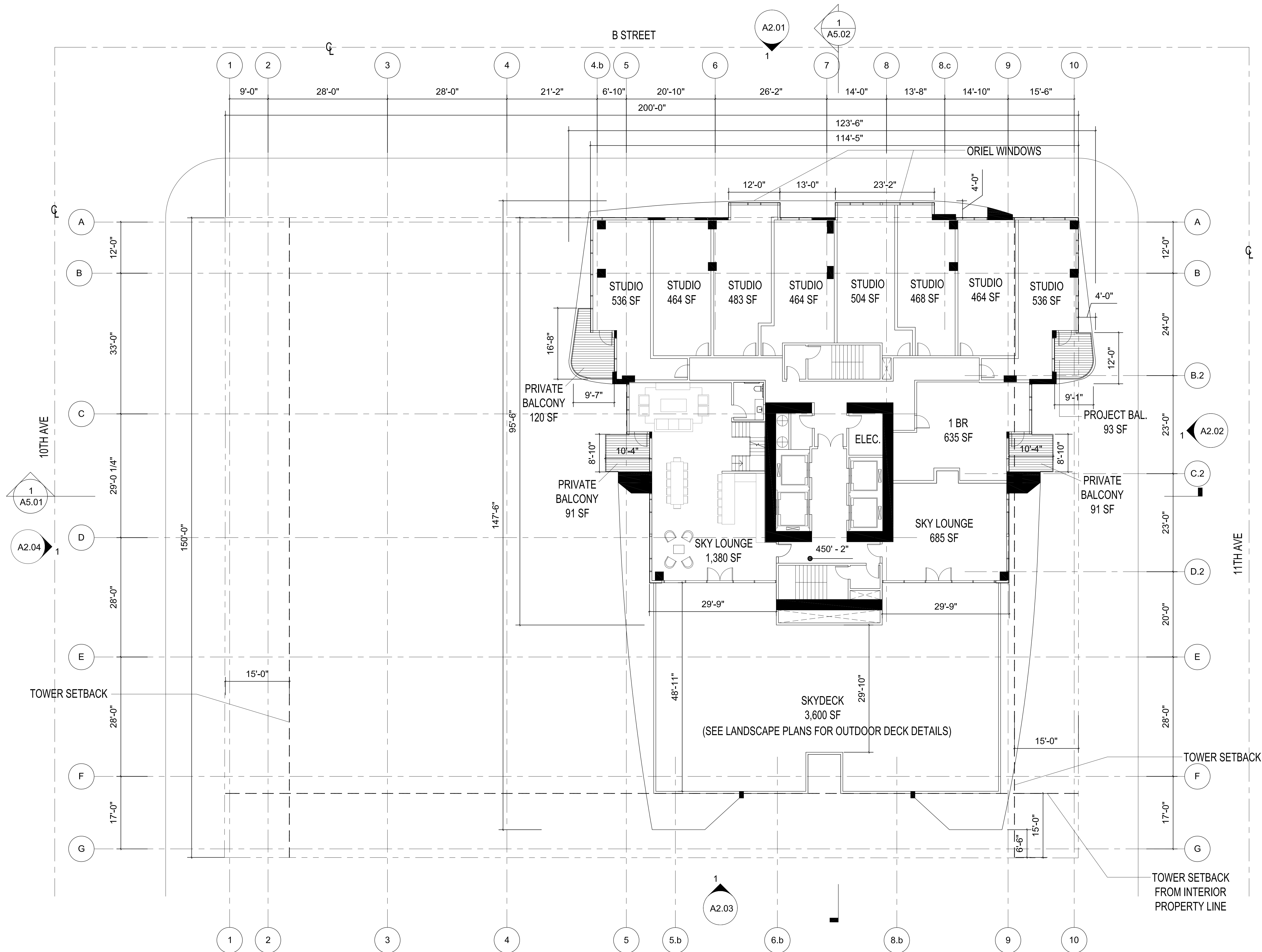


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Issue Drawing Log

1	08/21/2018	CSD Development Permit
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5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

FLOOR PLAN  
LEVEL 38 -  
SKY LOUNGE



1 FLOOR PLAN - LEVEL 38 - SKY LOUNGE  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION



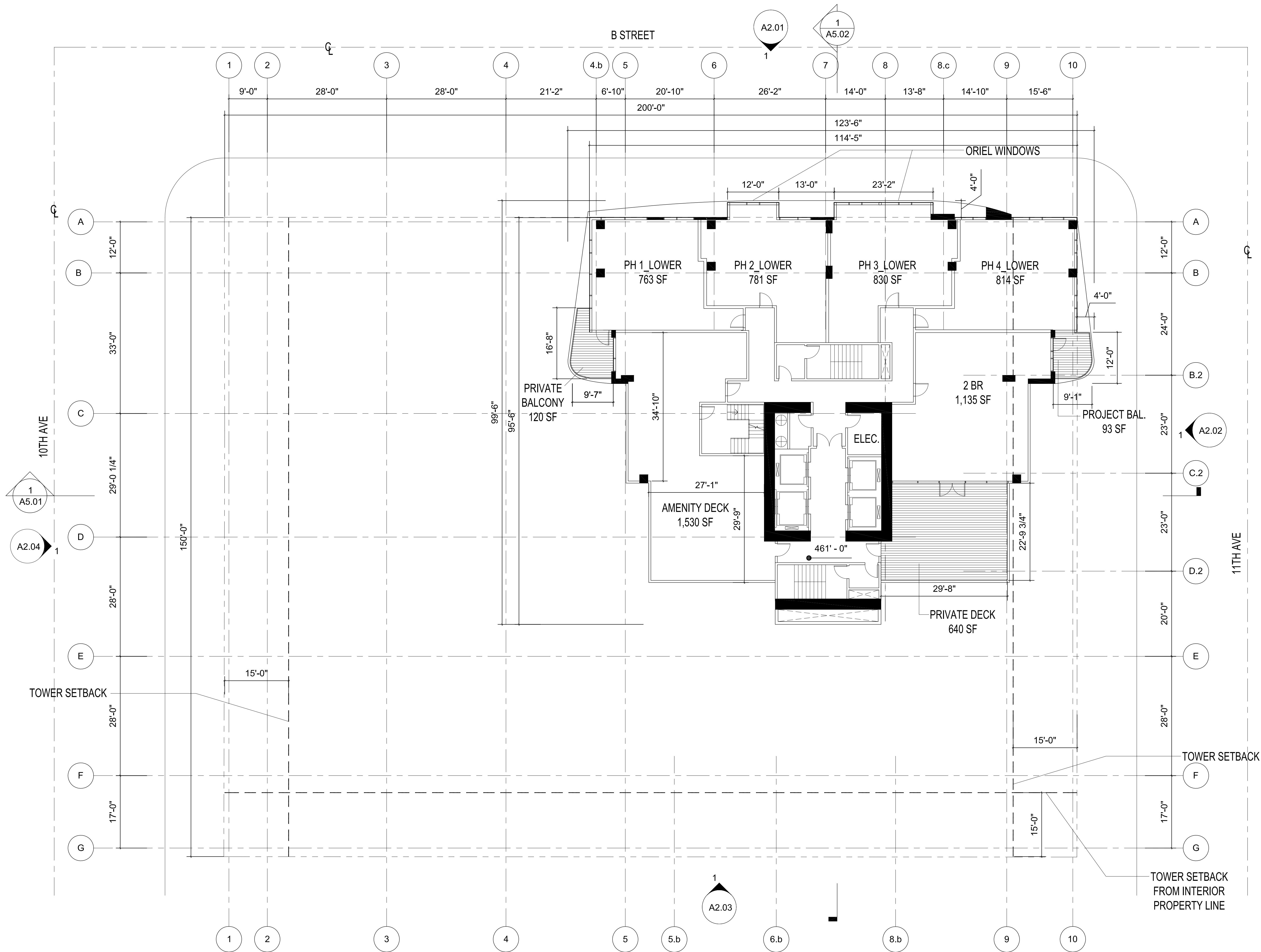
11th & B  
San Diego, CA

Issue Drawing Log

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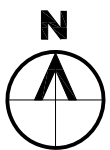
FLOOR PLAN  
LEVEL 39 -  
PENTHOUSES

A1.13

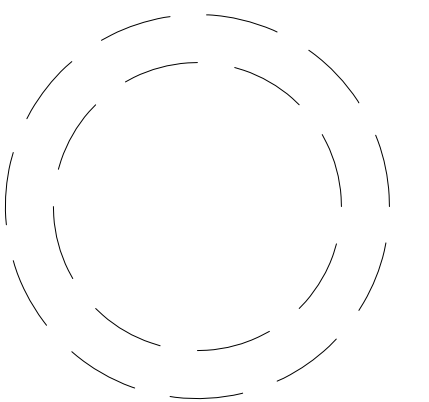


1 FLOOR PLAN - LEVEL 39 - PENTHOUSES  
3/32" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION





[illegible]

**11th & B**  
**San Diego, CA**

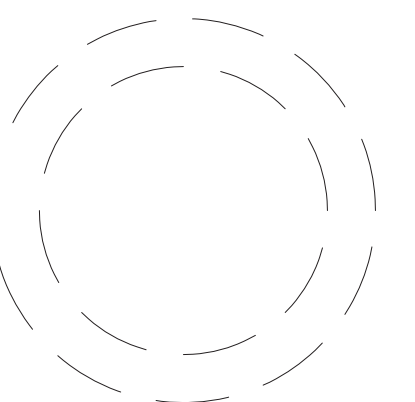
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

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2	11/08/2018	CSDDP - 2nd Submission
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4	01/17/2019	CSDDP - 3rd Submission
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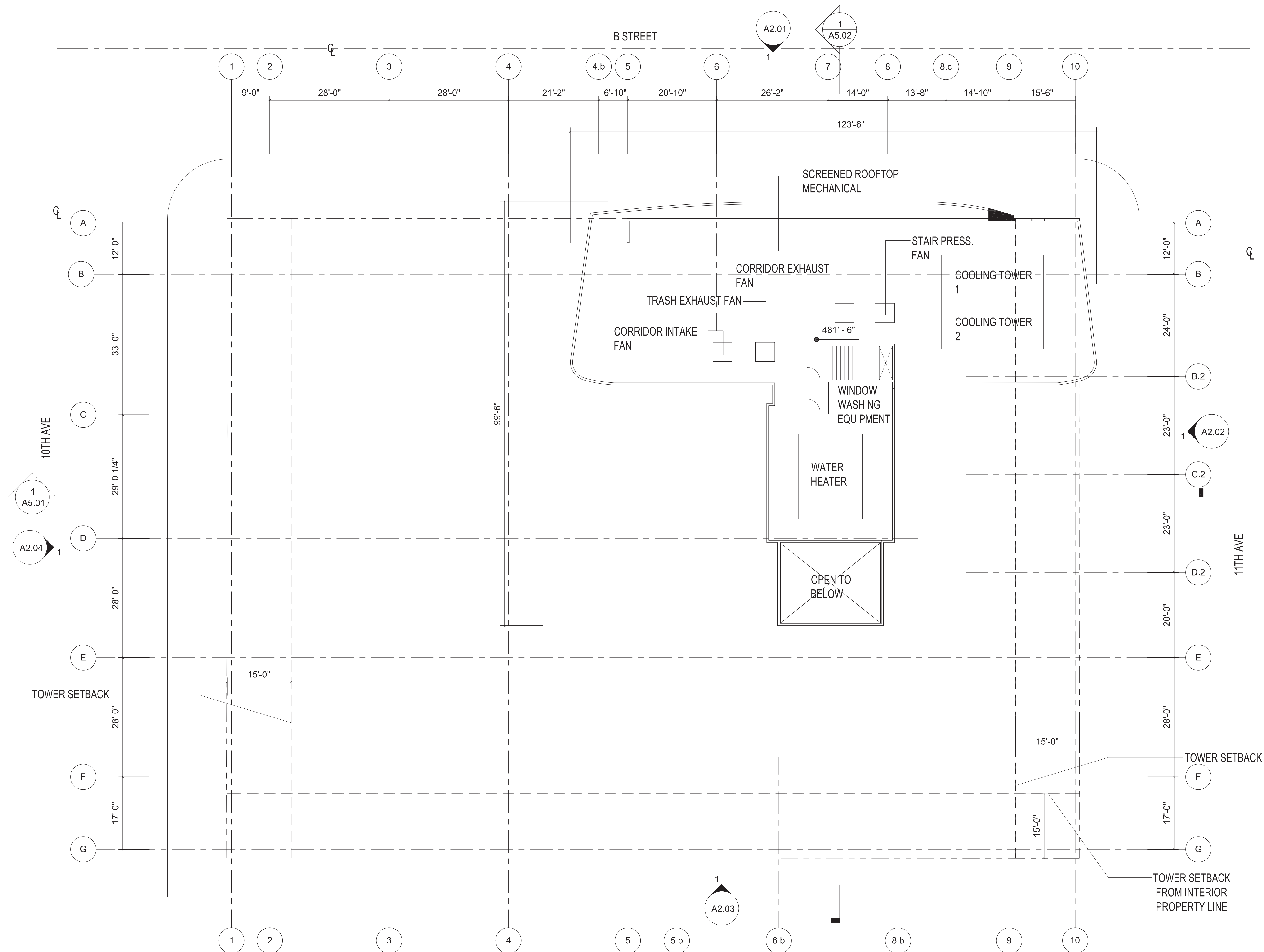
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### Sheet Identification

**FLOOR PLAN**  
**ROOF LEVEL**

## A1.15



1 FLOOR PLAN - ROOF LEVEL  
3/32" = 1'-0"

**SCALE AT 24x36** 

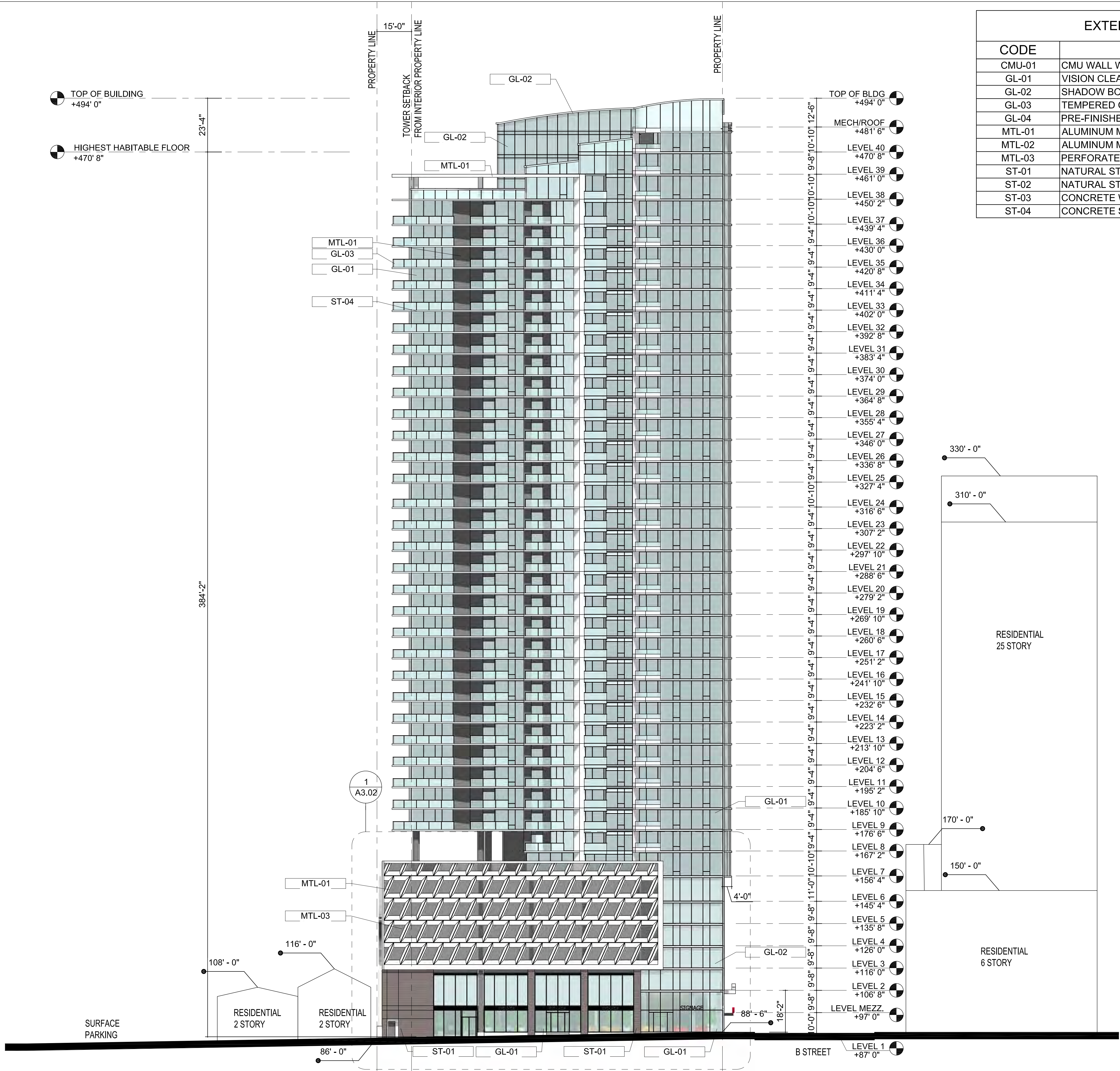
**NOT FOR CONSTRUCTION**











EXTERIOR MATERIAL LEGEND	
CODE	DESCRIPTION
CMU-01	CMU WALL WITH STUCCO FINISH, LIGHT GREY
GL-01	VISION CLEAR GLASS
GL-02	SHADOW BOX
GL-03	TEMPERED GLASS (GUARD RAIL, GLASS DOOR)
GL-04	PRE-FINISHED GLASS ROLL-UP GARAGE DOOR
MTL-01	ALUMINUM METAL PANEL, SILVER COLOR
MTL-02	ALUMINUM METAL PANEL, GREY COLOR
MTL-03	PERFORATED METAL PANEL, DARK GREY COLOR
ST-01	NATURAL STONE - BEIGE COLOR
ST-02	NATURAL STONE - DARK GREY COLOR
ST-03	CONCRETE WALL - LIGHT GREY
ST-04	CONCRETE SLAB - ELASTOMERIC COATING - SILVER

11th & B  
San Diego, CA

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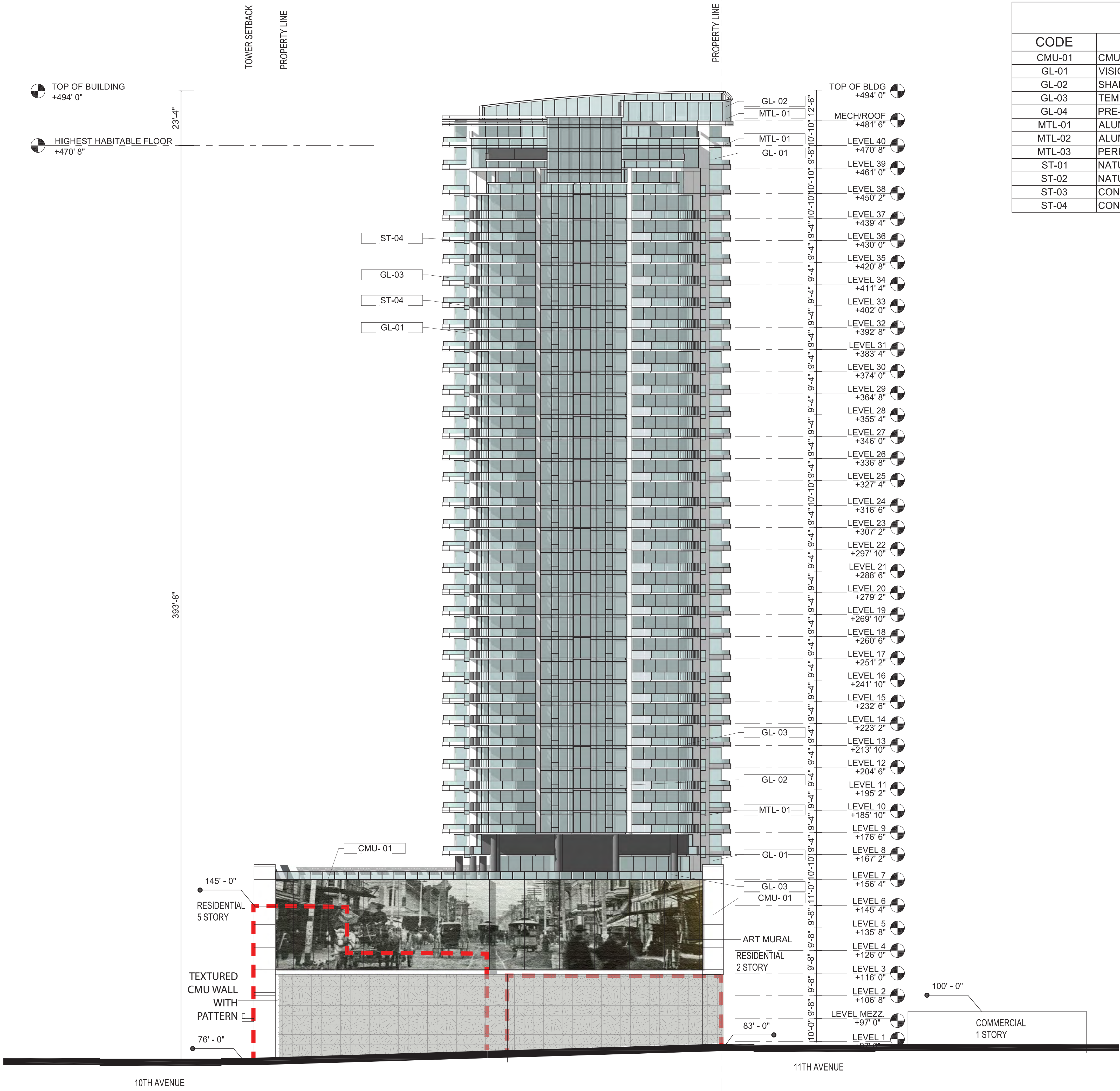
EAST  
ELEVATION -  
11TH AVE

A2.02

1 EAST ELEVATION - 11TH AVE  
3/64" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION

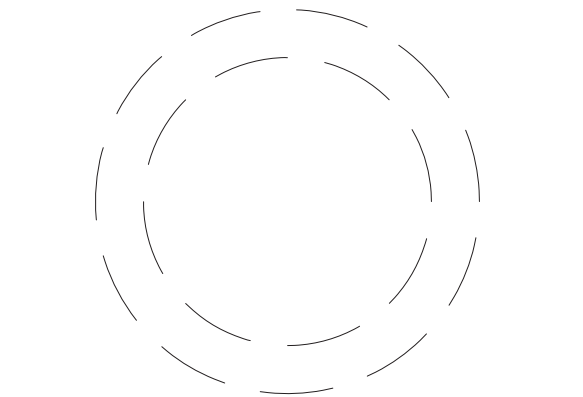




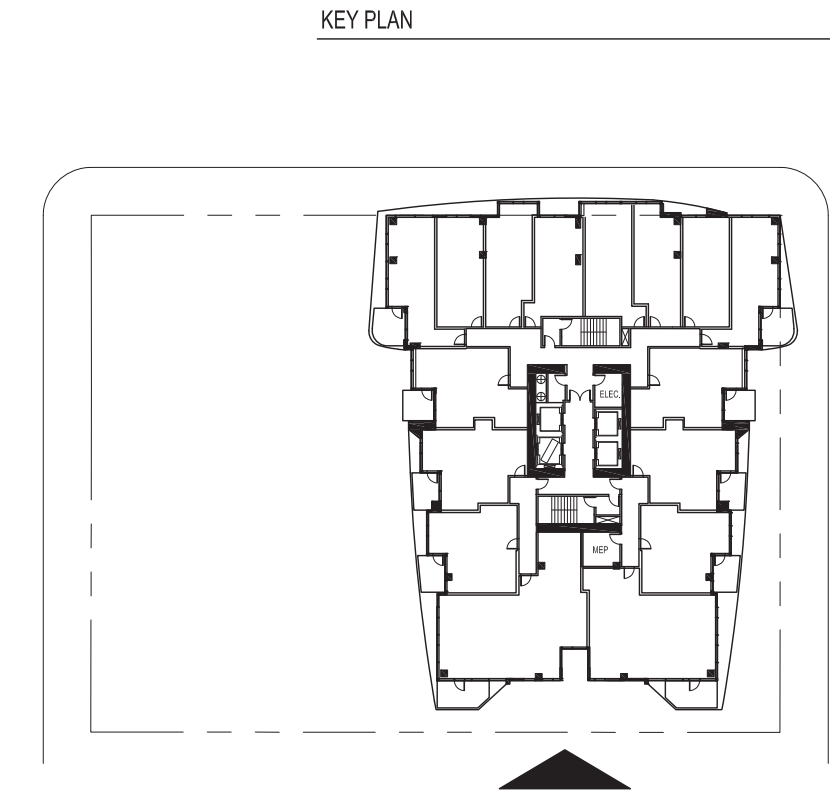
EXTERIOR MATERIAL LEGEND	
CODE	DESCRIPTION
CMU-01	CMU WALL WITH STUCCO FINISH, LIGHT GREY
GL-01	VISION CLEAR GLASS
GL-02	SHADOW BOX
GL-03	TEMPERED GLASS (GUARD RAIL, GLASS DOOR)
GL-04	PRE-FINISHED GLASS ROLL-UP GARAGE DOOR
MTL-01	ALUMINUM METAL PANEL, SILVER COLOR
MTL-02	ALUMINUM METAL PANEL, GREY COLOR
MTL-03	PERFORATED METAL PANEL, DARK GREY COLOR
ST-01	NATURAL STONE - BEIGE COLOR
ST-02	NATURAL STONE - DARK GREY COLOR
ST-03	CONCRETE WALL - LIGHT GREY
ST-04	CONCRETE SLAB - ELASTOMERIC COATING - SILVER

# 11th & B San Diego, CA

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission

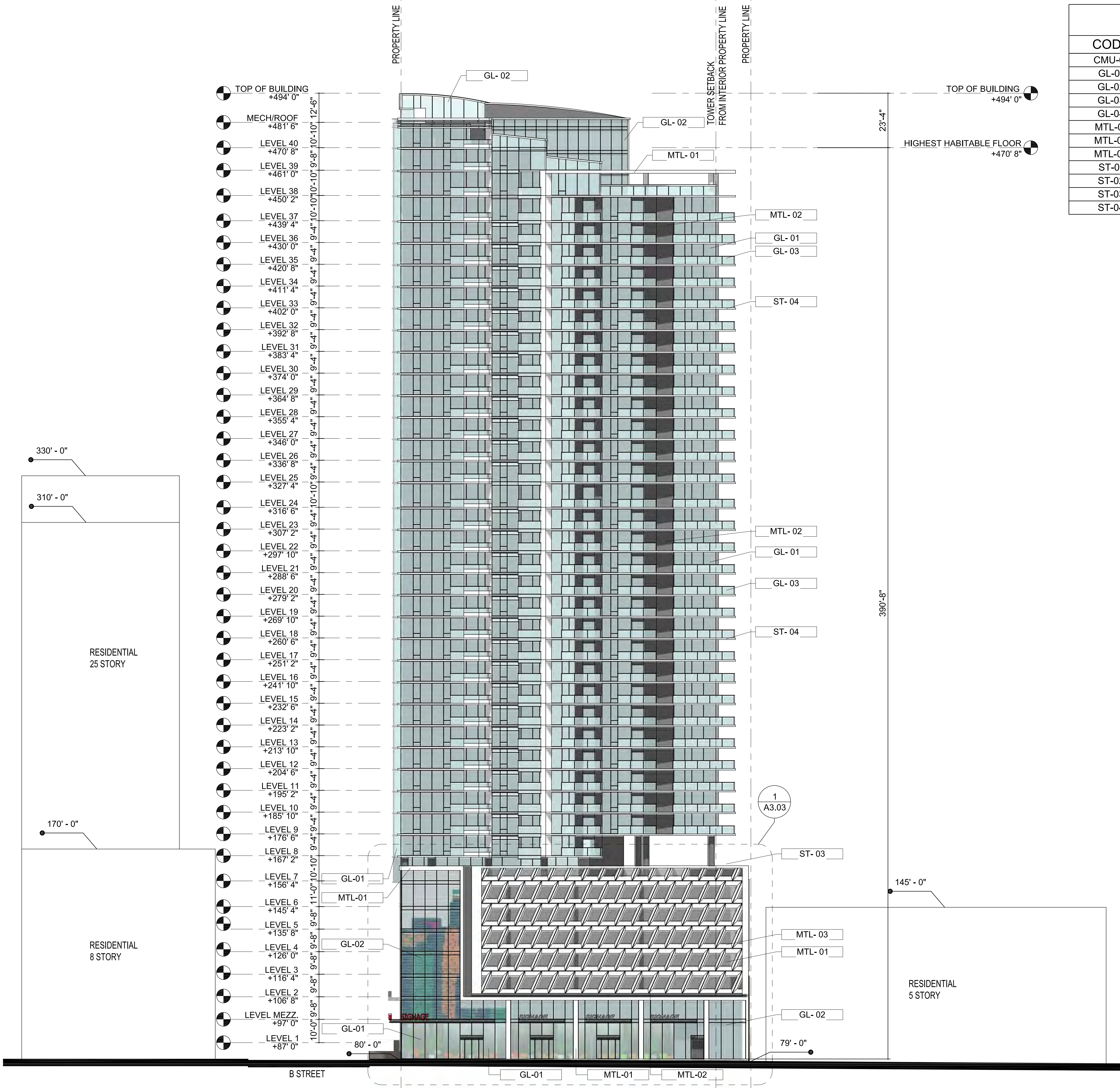


**1 SOUTH ELEVATION**  
3/64" = 1'-0"



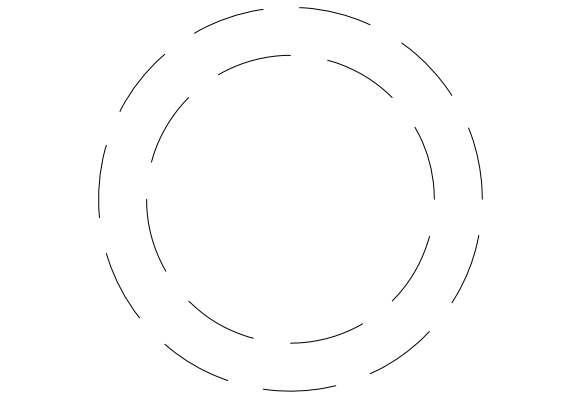
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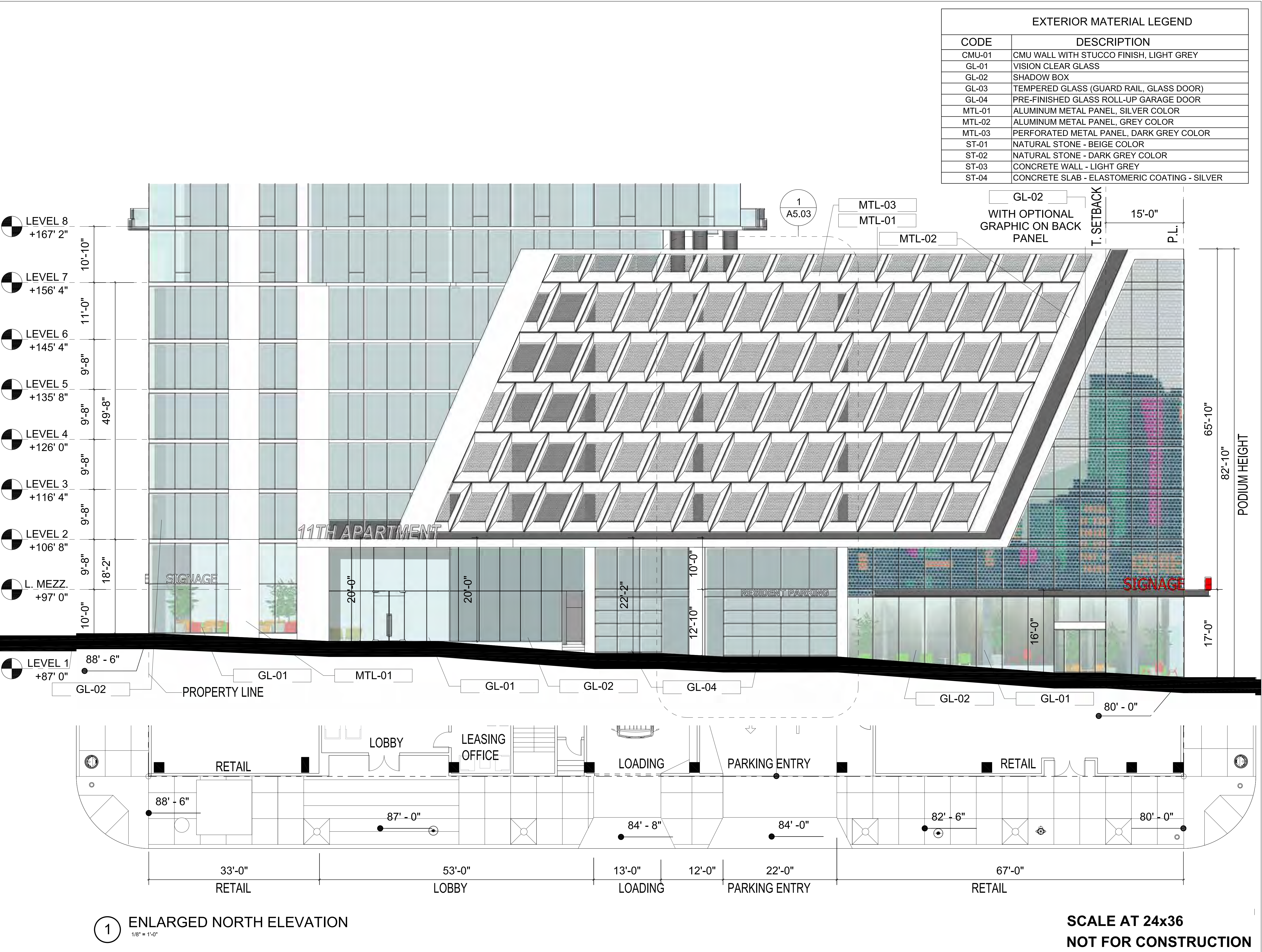


EXTERIOR MATERIAL LEGEND	
CODE	DESCRIPTION
CMU-01	CMU WALL WITH STUCCO FINISH, LIGHT GREY
GL-01	VISION CLEAR GLASS
GL-02	SHADOW BOX
GL-03	TEMPERED GLASS (GUARD RAIL, GLASS DOOR)
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ST-03	CONCRETE WALL - LIGHT GREY
ST-04	CONCRETE SLAB - ELASTOMERIC COATING - SILVER

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1







EXTERIOR MATERIAL LEGEND	
CODE	DESCRIPTION
CMU-01	CMU WALL WITH STUCCO FINISH, LIGHT GREY
GL-01	VISION CLEAR GLASS
GL-02	SHADOW BOX
GL-03	TEMPERED GLASS (GUARD RAIL, GLASS DOOR)
GL-04	PRE-FINISHED GLASS ROLL-UP GARAGE DOOR
MTL-01	ALUMINUM METAL PANEL, SILVER COLOR
MTL-02	ALUMINUM METAL PANEL, GREY COLOR
MTL-03	PERFORATED METAL PANEL, DARK GREY COLOR
ST-01	NATURAL STONE - BEIGE COLOR
ST-02	NATURAL STONE - DARK GREY COLOR
ST-03	CONCRETE WALL - LIGHT GREY
ST-04	CONCRETE SLAB - ELASTOMERIC COATING - SILVER

**CALLISONRTKL**  
A DESIGN CONSULTANCY OF ARCADIS

CallisonRTKL Inc.  
233 S. Hope St., Ste. C200  
Los Angeles, CA 90071  
Tel: 213.633.6000  
CallisonRTKL Project No: 040-170132.00

Consultant

**11th & B**  
San Diego, CA

Owner Address

B Street LLC  
9940 Hibel St., Ste. 210  
San Diego, CA 92131

Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal

Sheet Identification

**ENLARGED  
NORTH  
ELEVATION**

**A3.01**

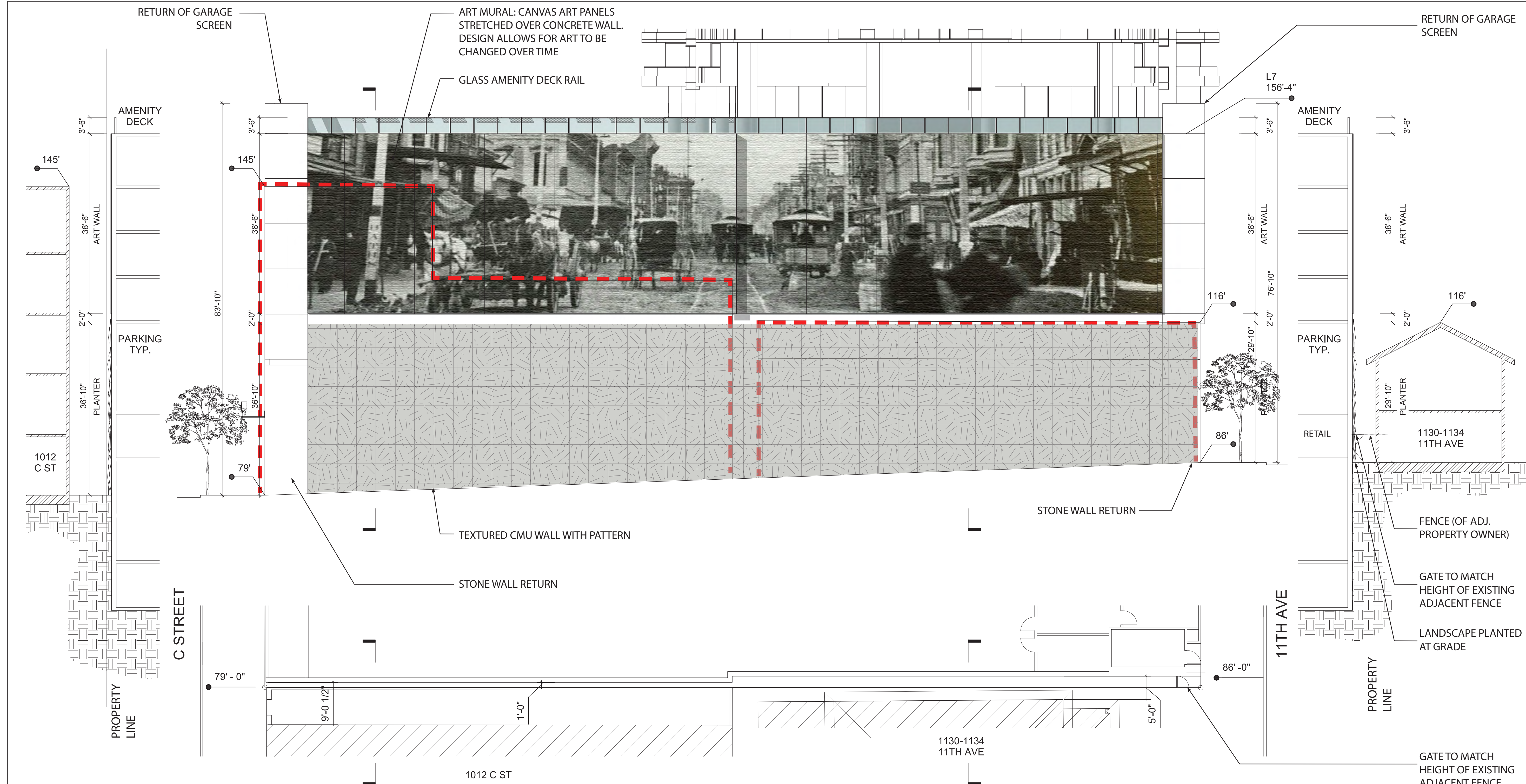




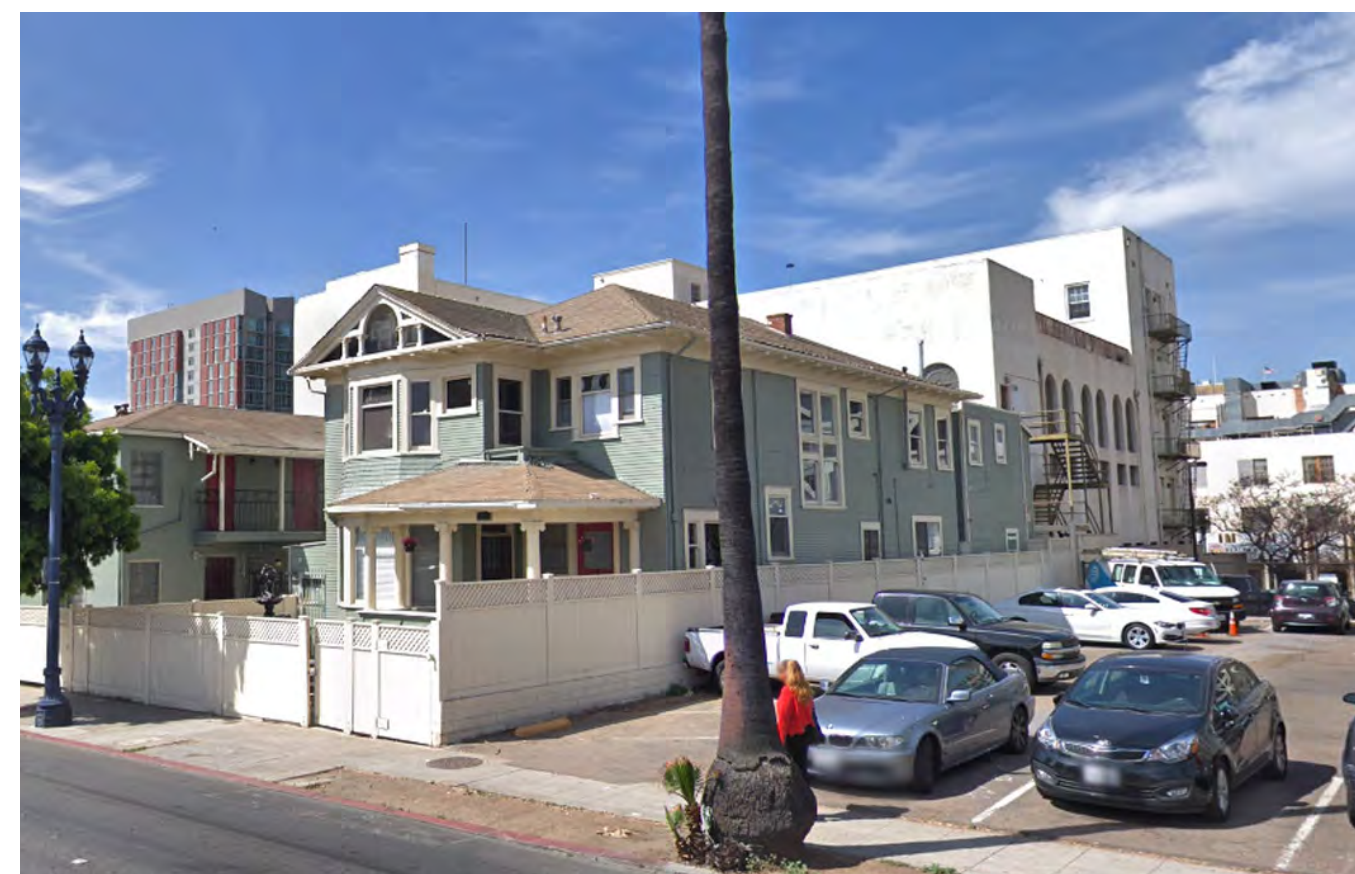
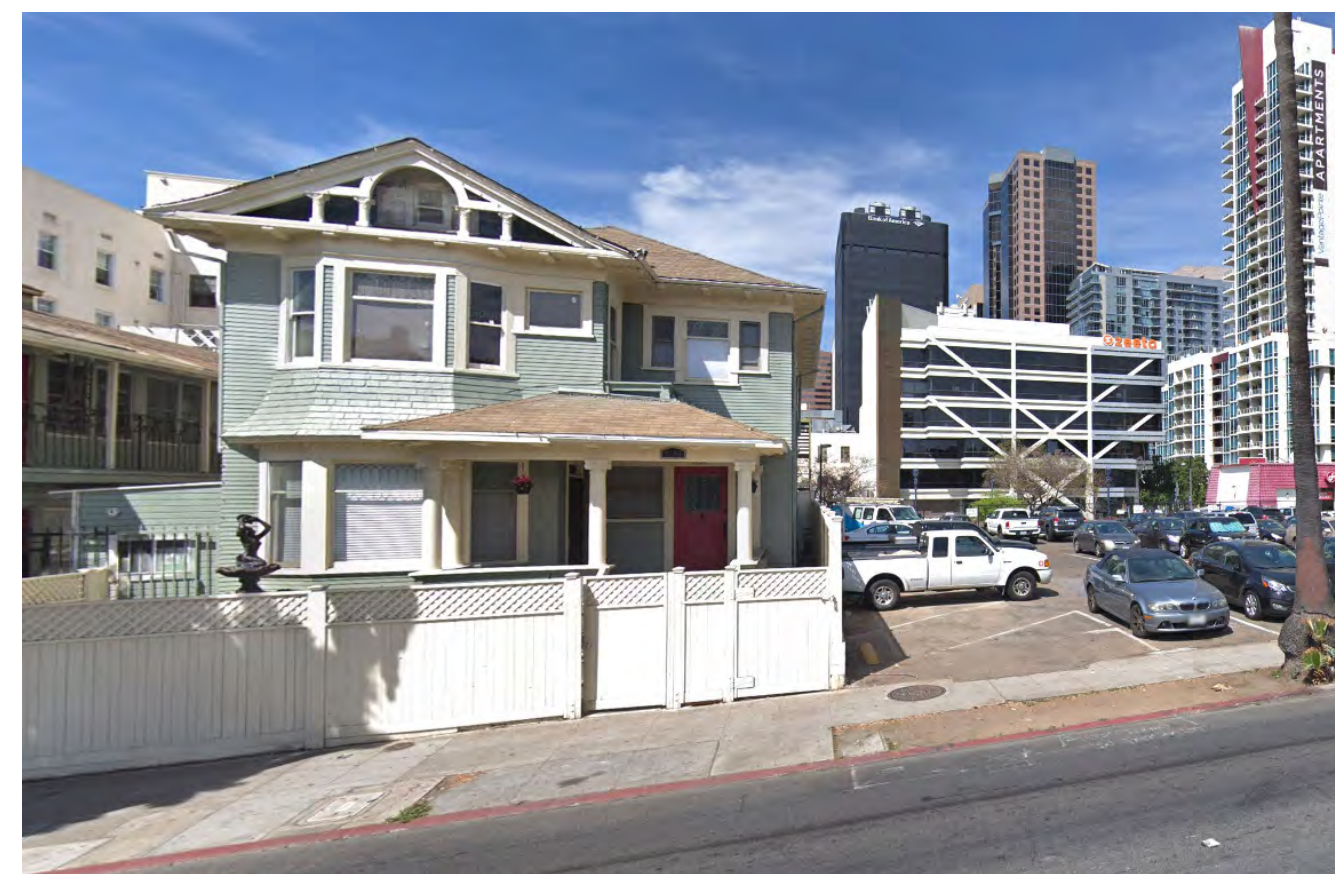




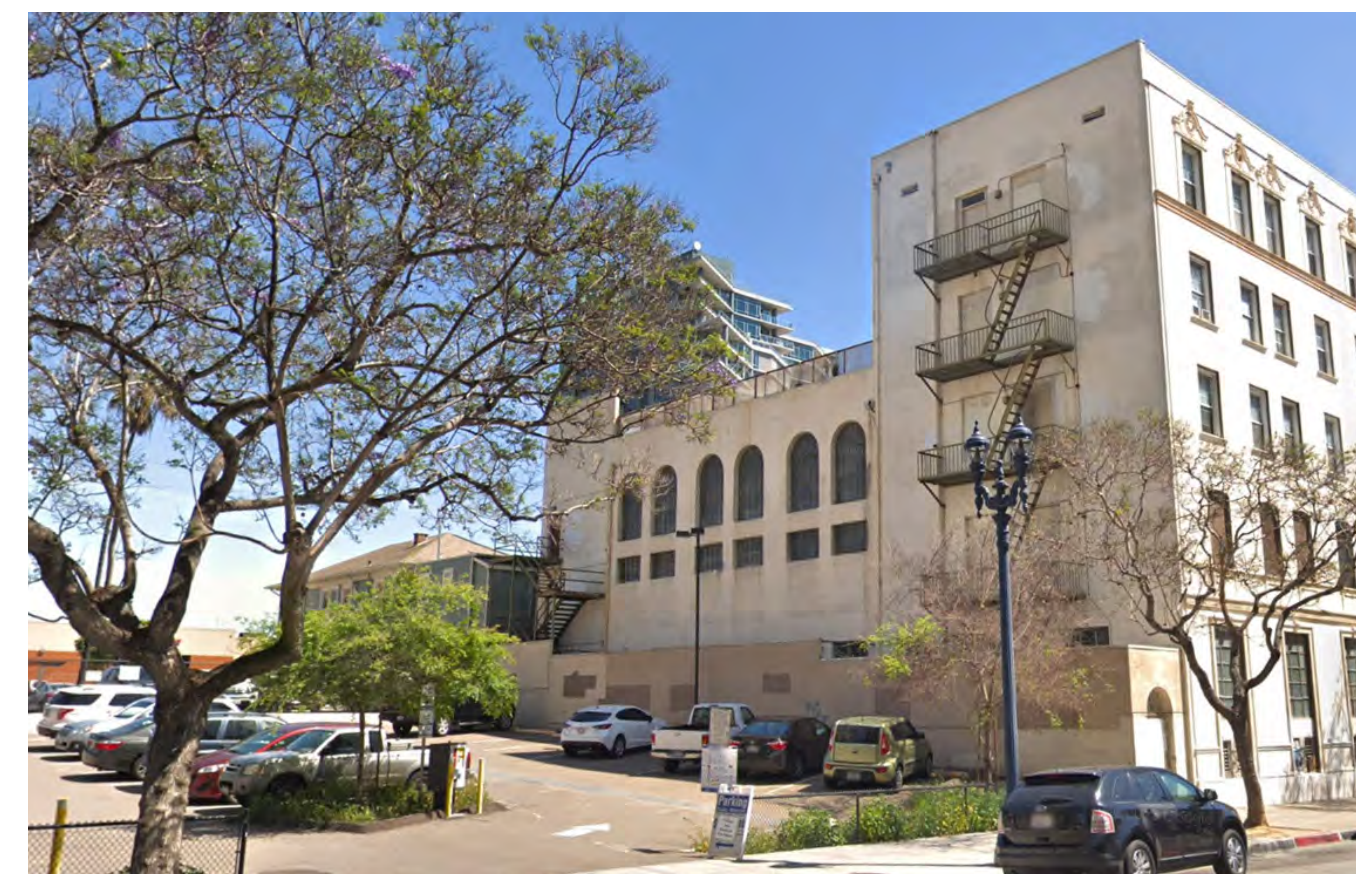
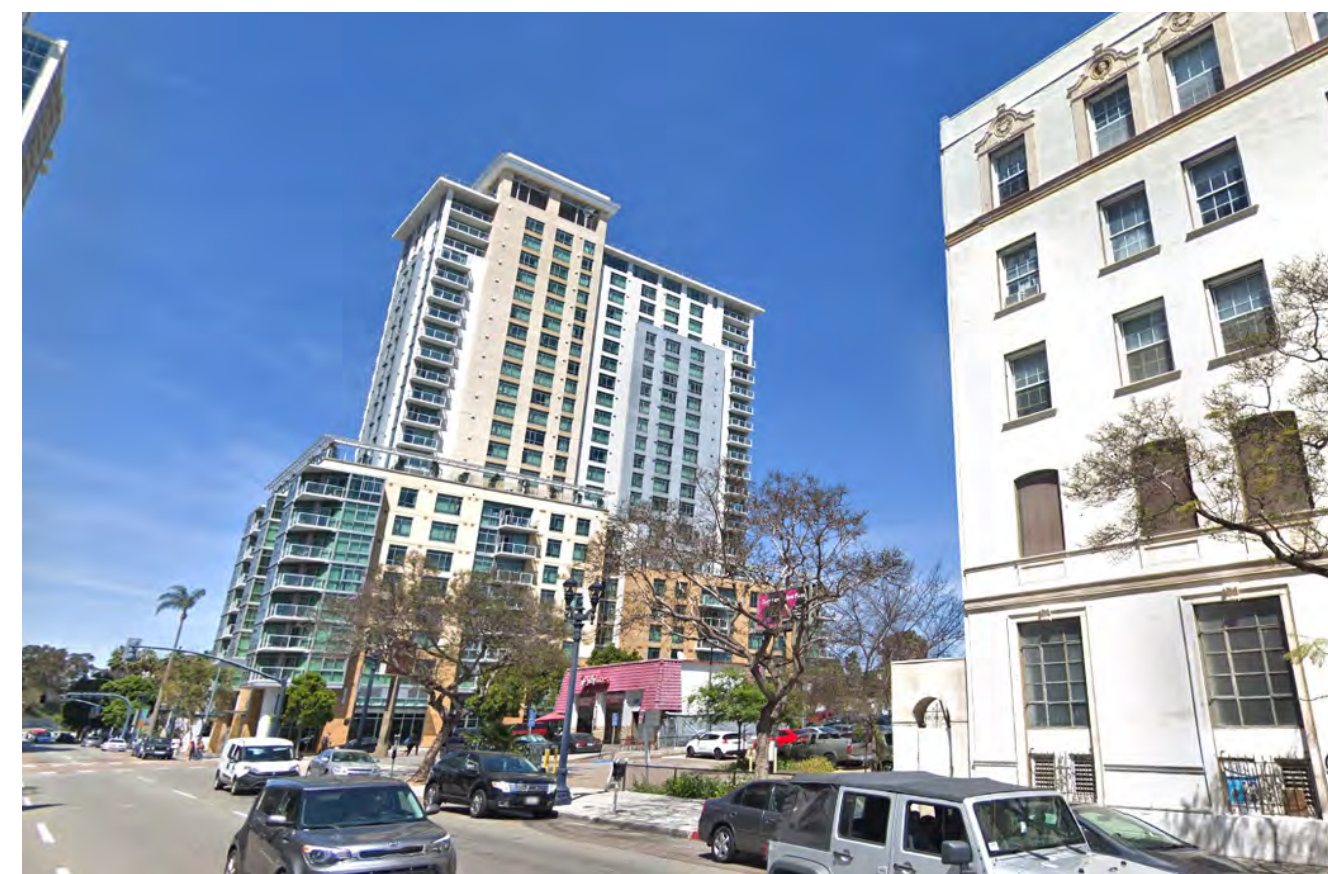




1 ENLARGED SOUTH ELEVATION, PLAN & SECTIONS  
3/32" = 1'-0"



VIEWS FROM 11TH STREET



VIEWS FROM C STREET

2 EXISTING CONTEXT STREET VIEWS  
N.T.S

SCALE AT 24x36  
NOT FOR CONSTRUCTION

## 11th & B San Diego, CA

### Owner Address

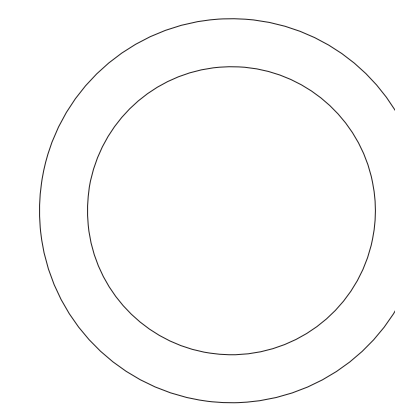
B Street LLC  
9440 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission

5-2 07/19/2019 4th Submission - Addendum 2

### Seal



### Sheet Identification

ENLARGED  
SOUTH  
ELEVATION

A3.04







**11th & B**  
**San Diego, CA**

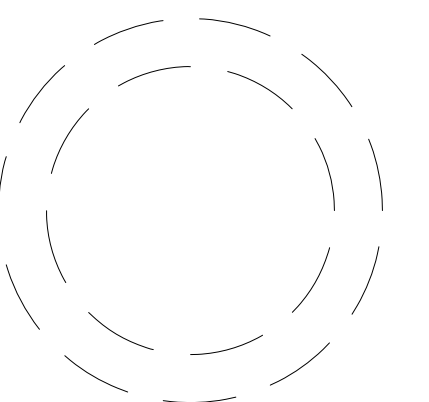
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal



### Sheet Identification

## RENDERING

## A4.02



**NOT FOR CONSTRUCTION**















**11th & B**  
**San Diego, CA**

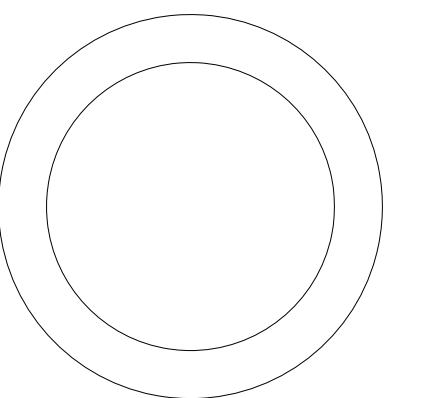
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

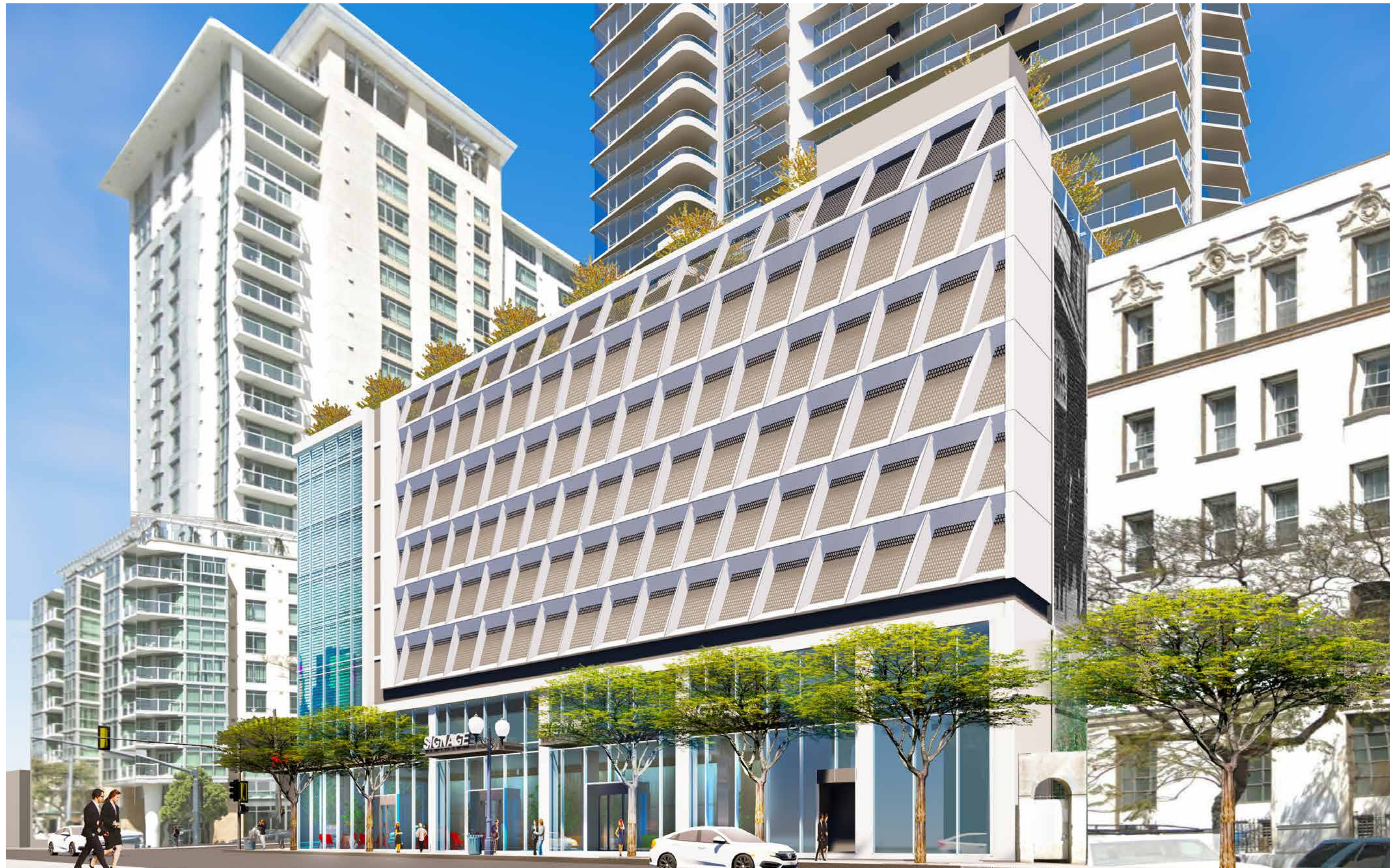
Seal



### Sheet Identification

## RENDERING

## A4.06



**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

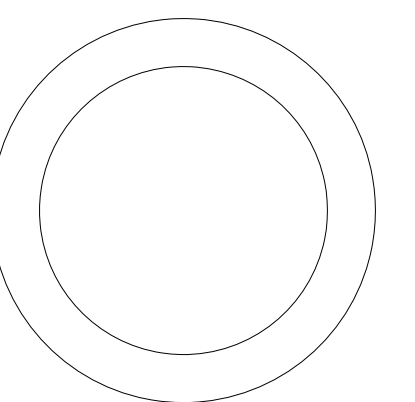
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal



### Sheet Identification

## RENDERING

## A4.07



**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

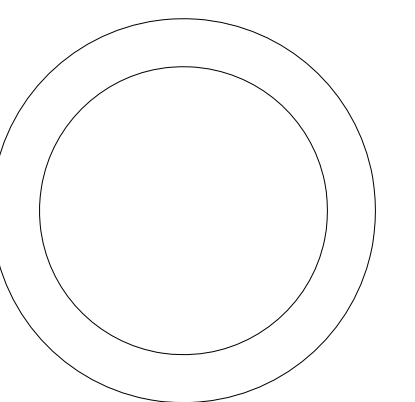
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal



### Sheet Identification

## RENDERING

## A4.08



**NOT FOR CONSTRUCTION**

① PODIUM - 10TH & B



11th & B  
San Diego, CA

Owner Address

B Street LLC  
8940 Hibel St., Ste. 210  
San Diego, CA 92131

Issue Drawing Log

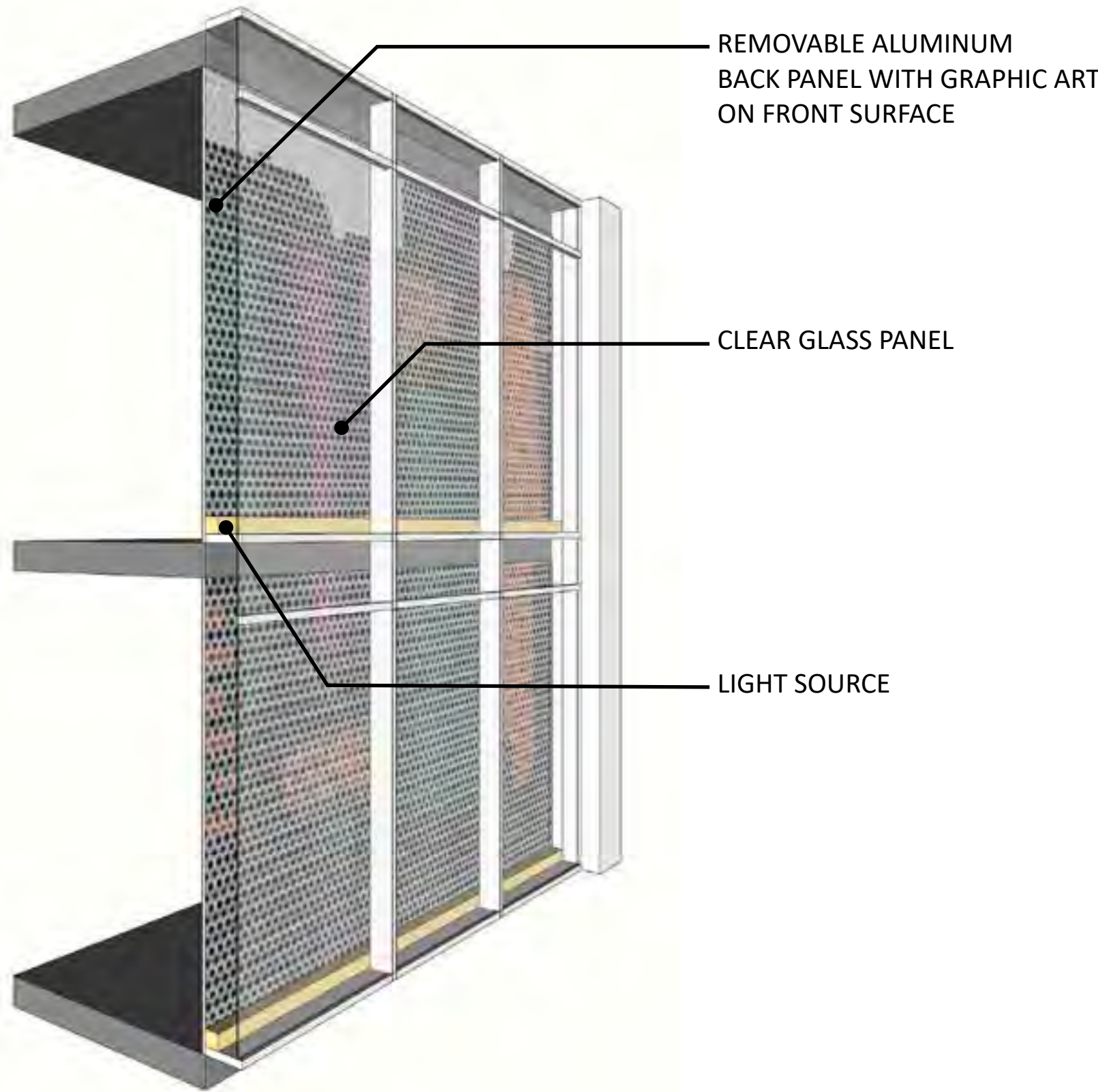
1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal

Sheet Identification

CORNER  
SHADOW BOX  
DETAIL

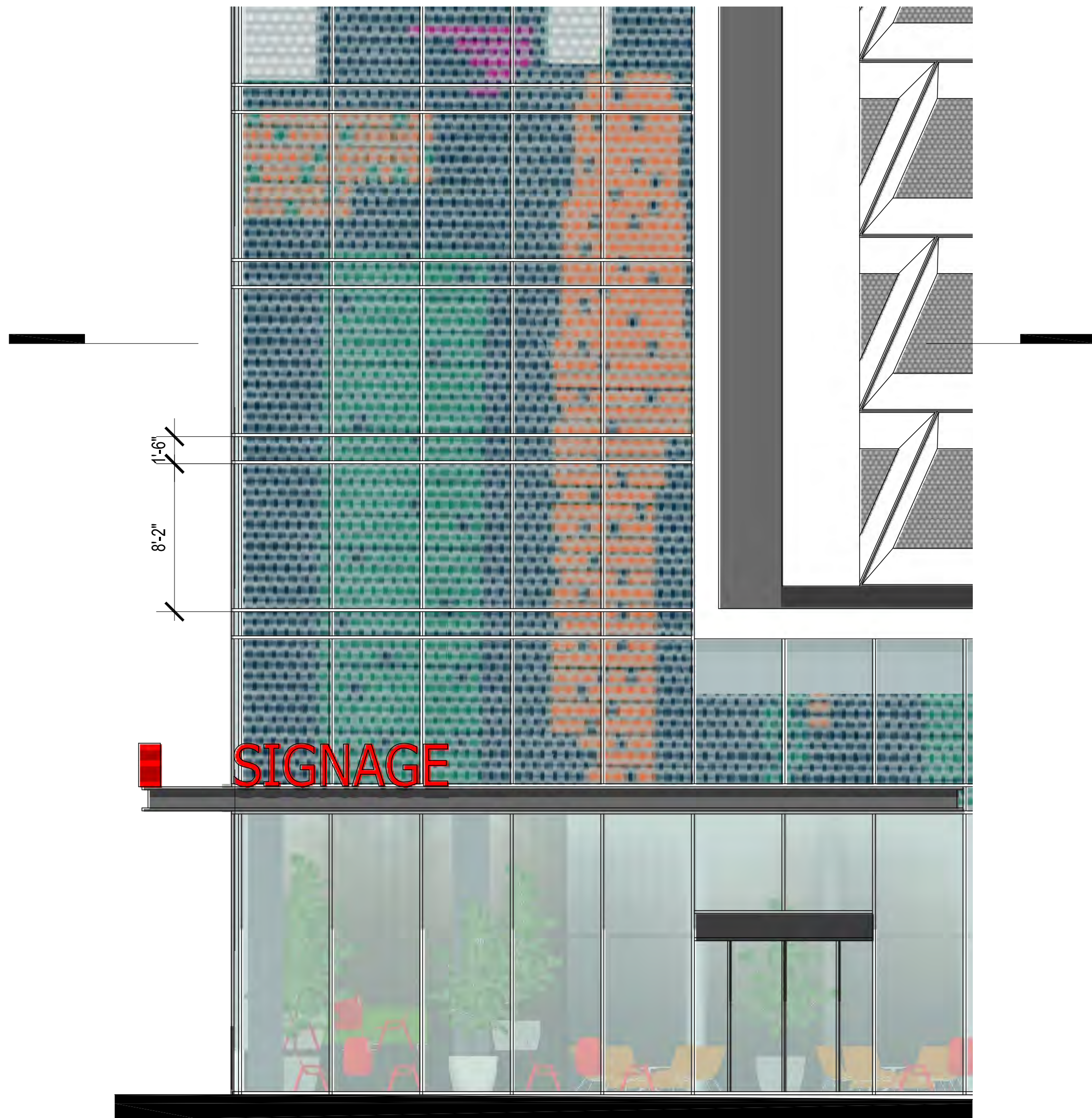
A4.09



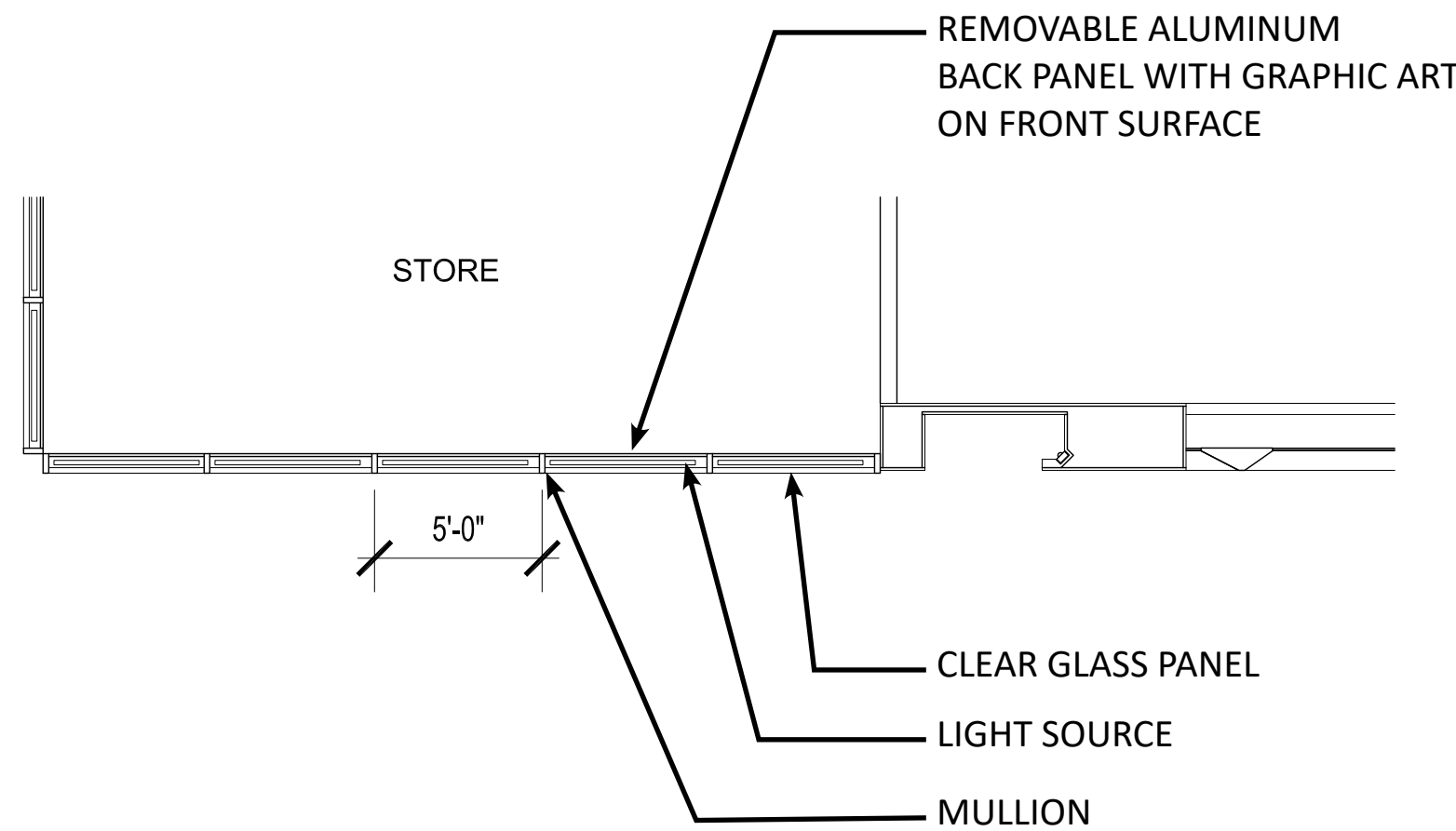
5 AXO  
N.T.S



4 VIEW AT 10th & B CORNER  
N.T.S



3 ENLARGED WEST ELEVATION  
3/16" = 1'-0"



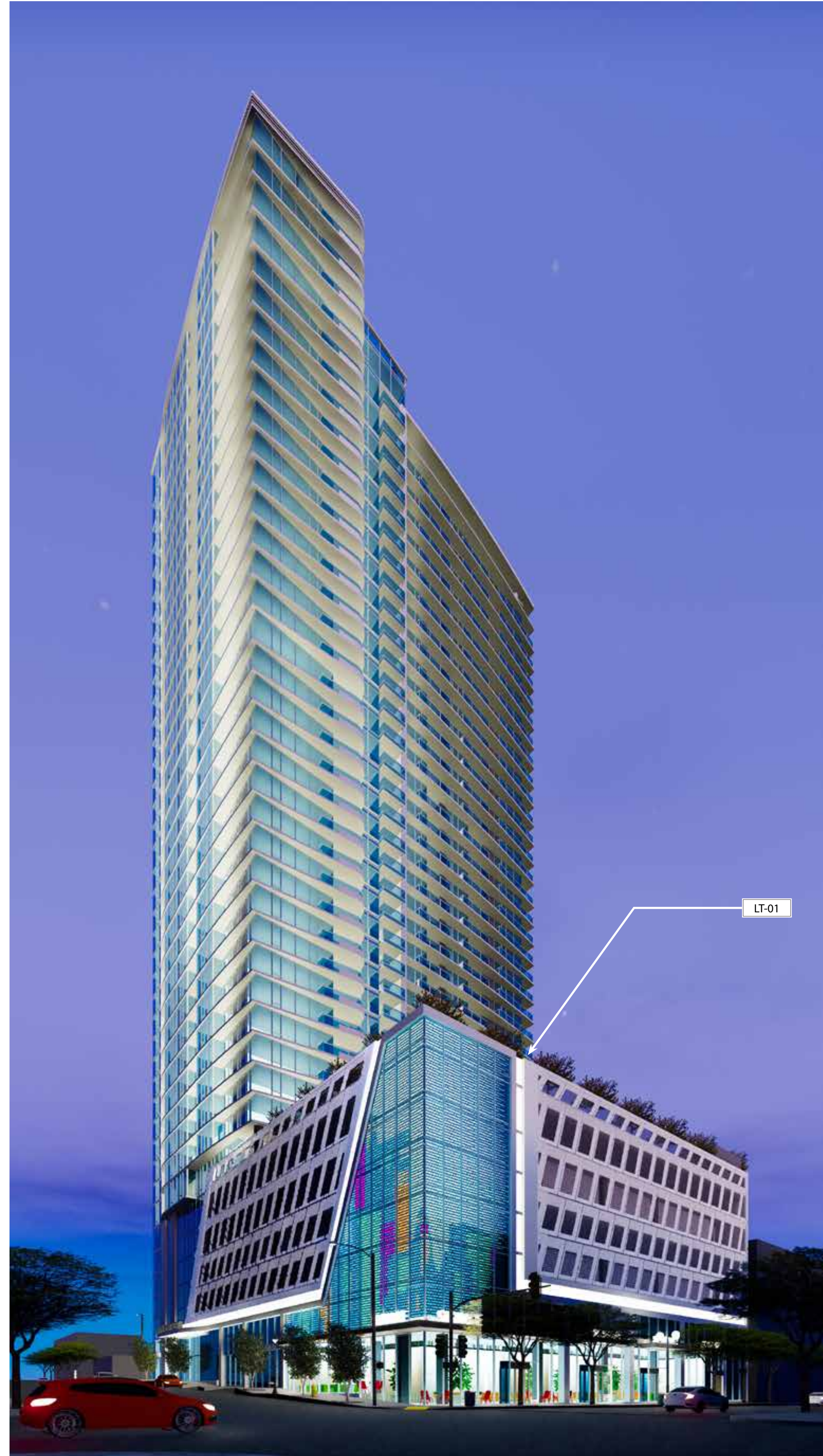
2 PLAN  
3/16" = 1'-0"



1 REFERENCE IMAGES  
1/8" = 1'-0"

SCALE AT 24x36  
NOT FOR CONSTRUCTION





## EXTERIOR PODIUM LIGHTING CONCEPT

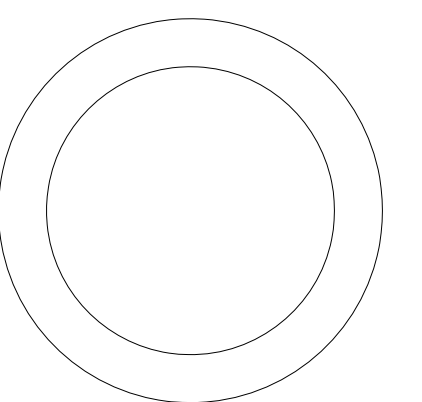
The podium proposes architectural lighting on the metal frame. Dimmable LED's to be used in light coves to provide contained and controlled illumination.

**CallisonRTKL Inc.**  
333 S. Hope St., Ste. C200  
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Tel: 213.633.6000

CallisonRTKL Project No: 040-170132.00

[illegible]

Seal



Sheet Identification

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**RENDERING**



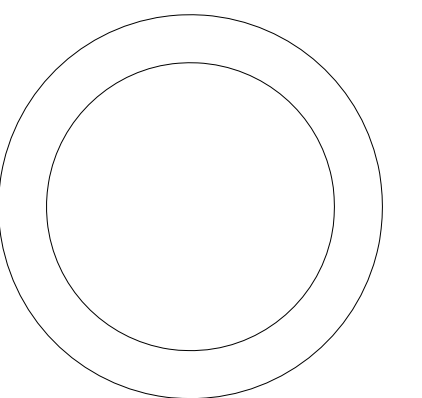
**11th & B**  
**San Diego, CA**

Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSDDP - 2nd Submission
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal

### Sheet Identification

## RENDERING

## A4.11



Legend

## 1 AERIAL VIEW

**NOT FOR CONSTRUCTION**

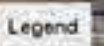


## Owner Address

### Issue Drawing Log

Seal

## A4.12





**11th & B**  
**San Diego, CA**

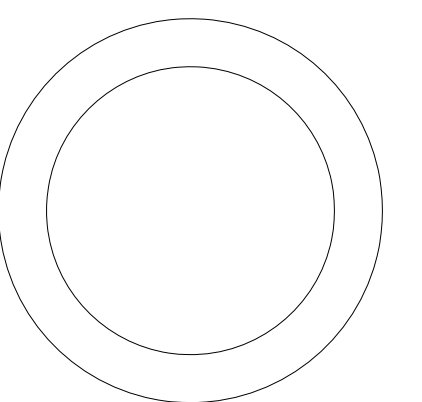
## Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

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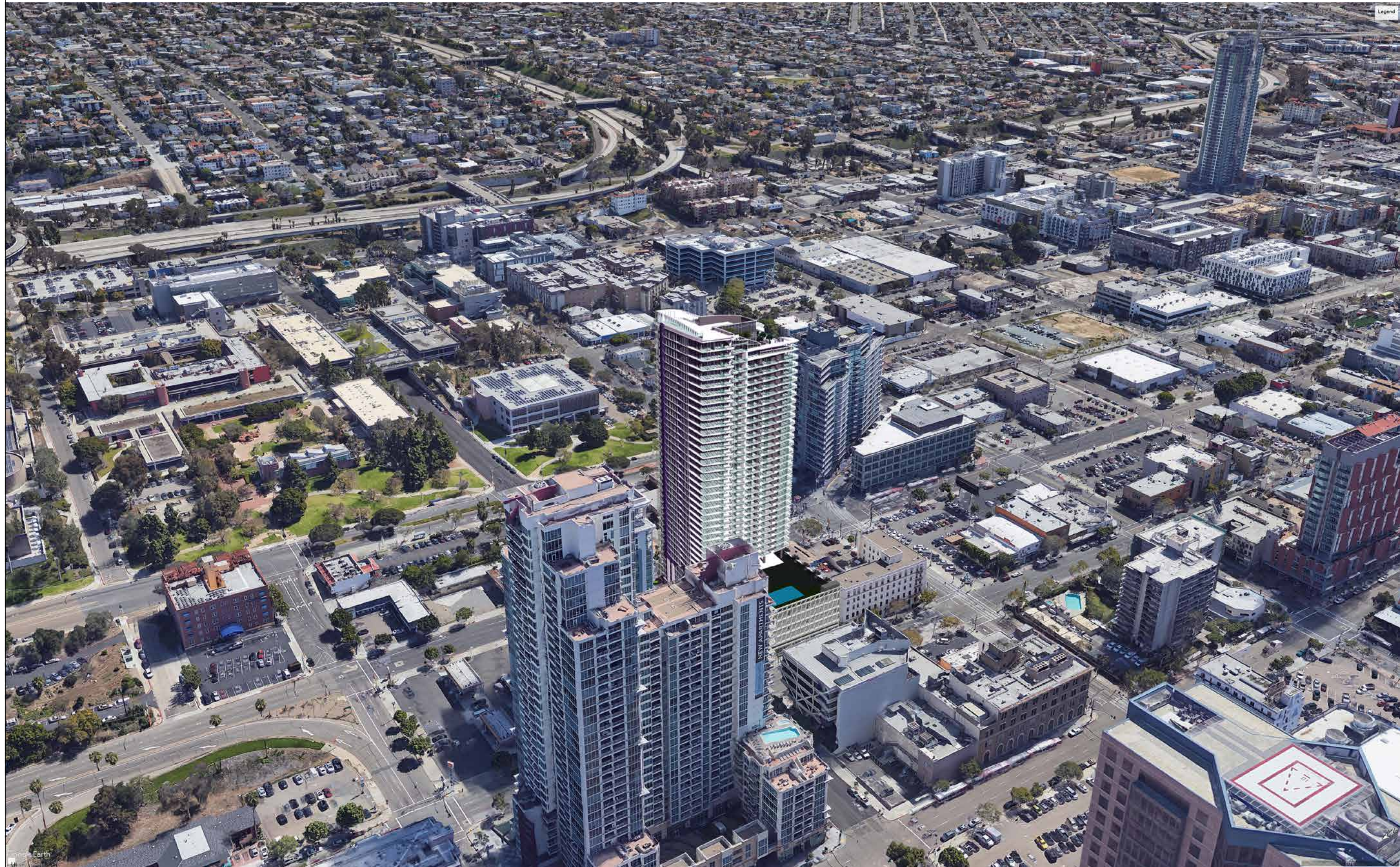
## Seal



### Sheet Identification

## RENDERING

### A4.13



## 1 AERIAL VIEW

**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

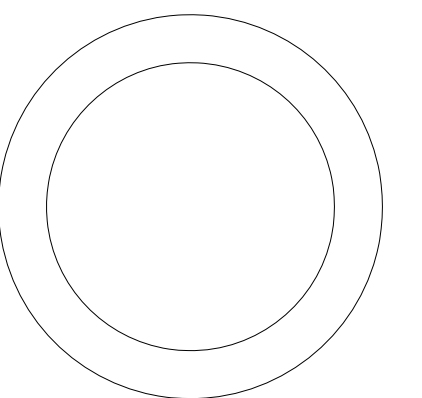
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

Seal



### Sheet Identification

## RENDERING

## A4.14







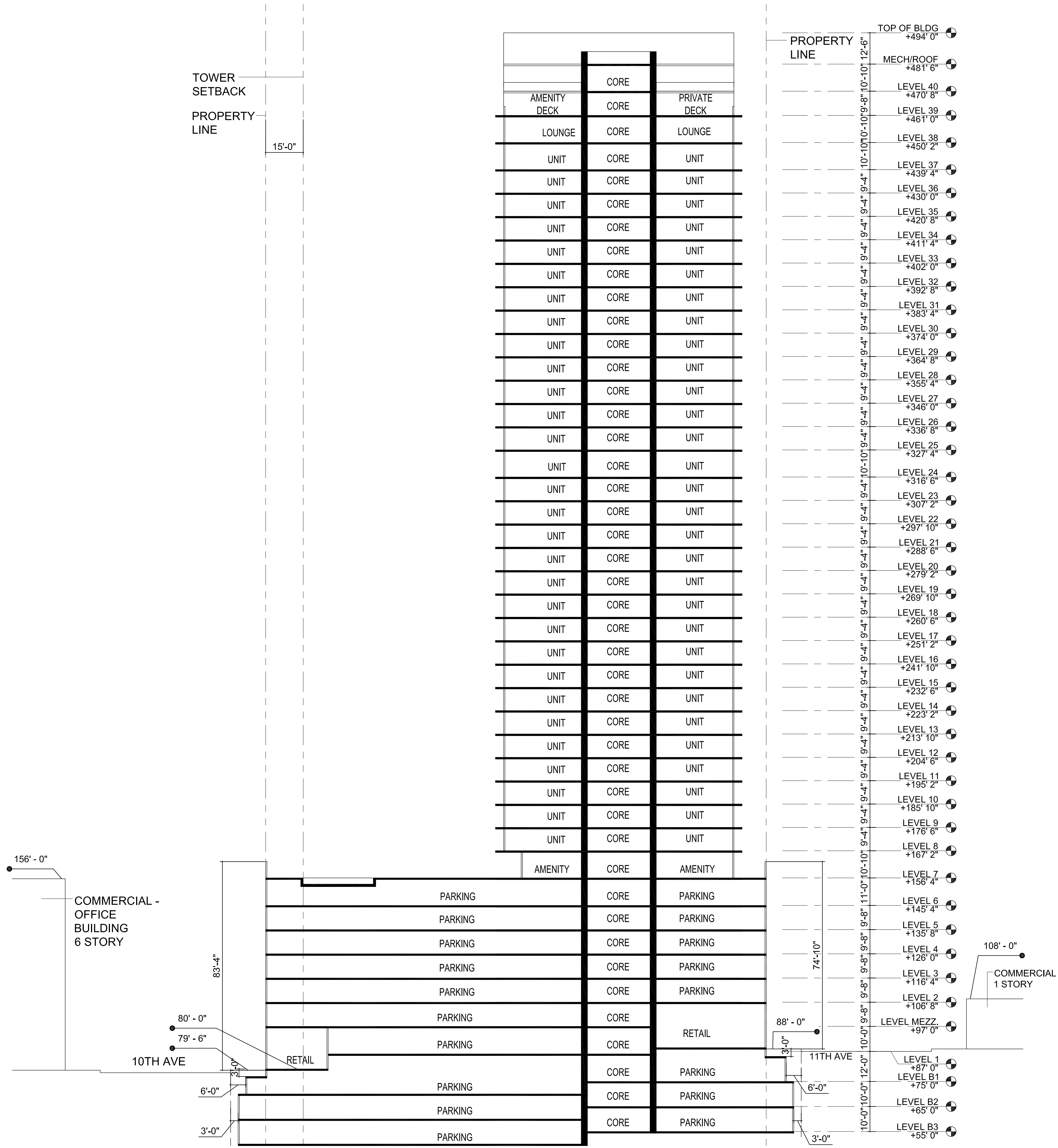




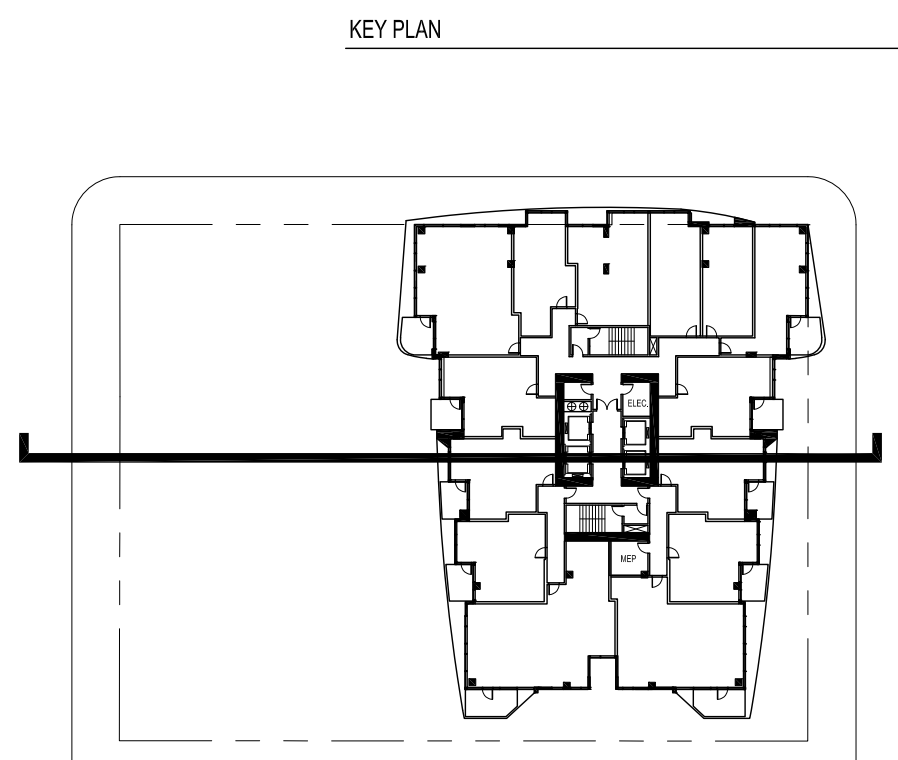








1 BUILDING SECTION - EAST WEST  
3/64" = 1'-0"



SCALE AT 24x36  
NOT FOR CONSTRUCTION



**11th & B**  
**San Diego, CA**

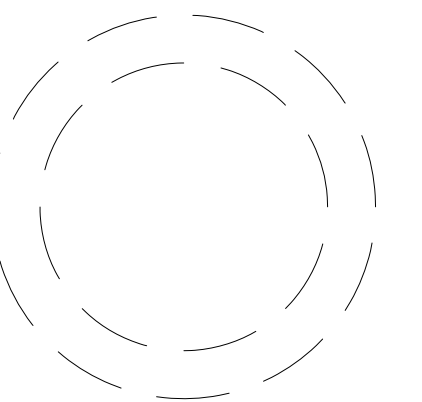
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

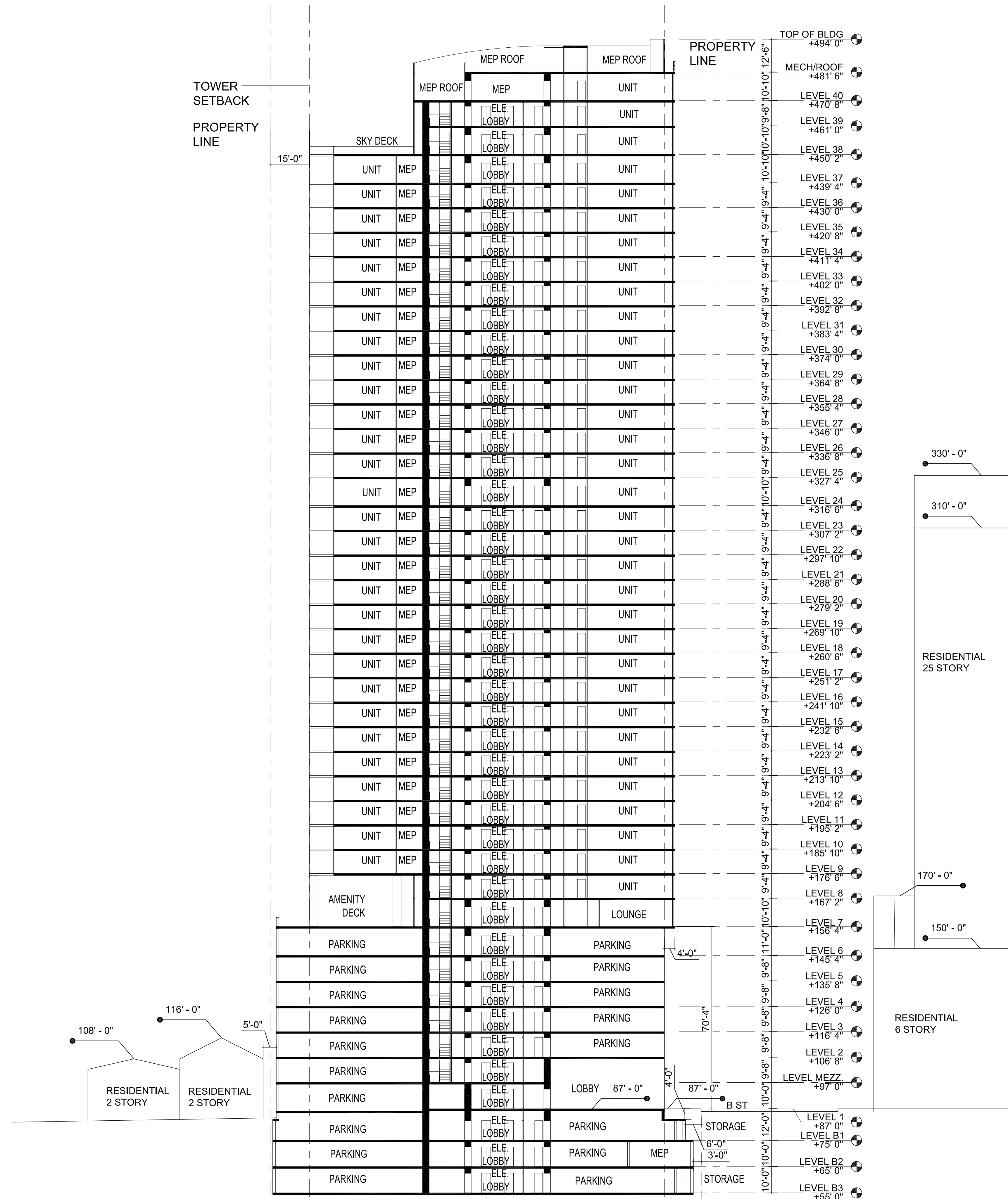
Seal



### Sheet Identification

**SECTION  
NORTH SOUTH**

## A5.02



**SCALE AT 24x36**  
**NOT FOR CONSTRUCTION**

1 BUILDING SECTION - NORTH SOUTH  
3/64" = 1'-0"











**11th & B**  
**San Diego, CA**

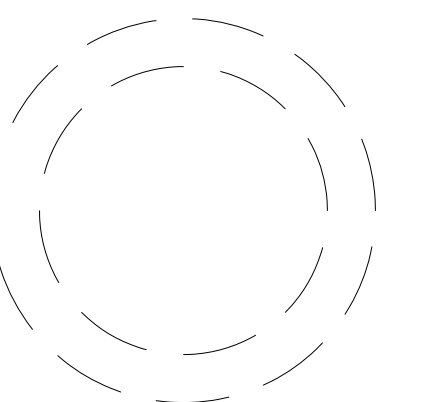
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

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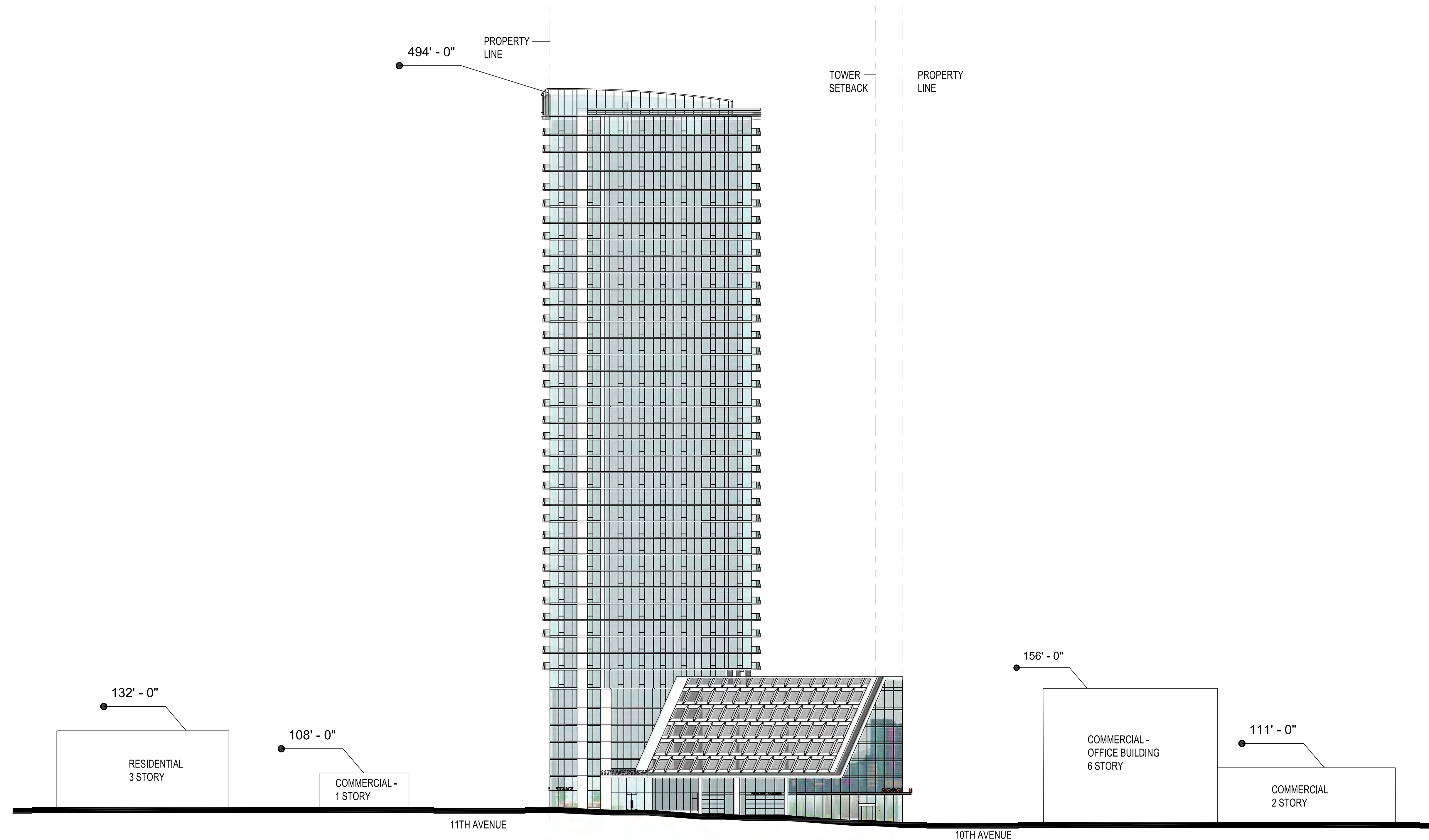
Seal



### Sheet Identification

VICINITY  
ELEVATION -  
NORTH

## A6.01



1 VICINITY ELEVATION - NORTH  
1/32" = 1'-0"

**SCALE AT 24x36**  
**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

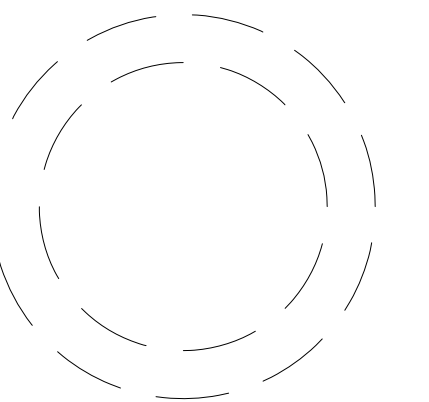
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

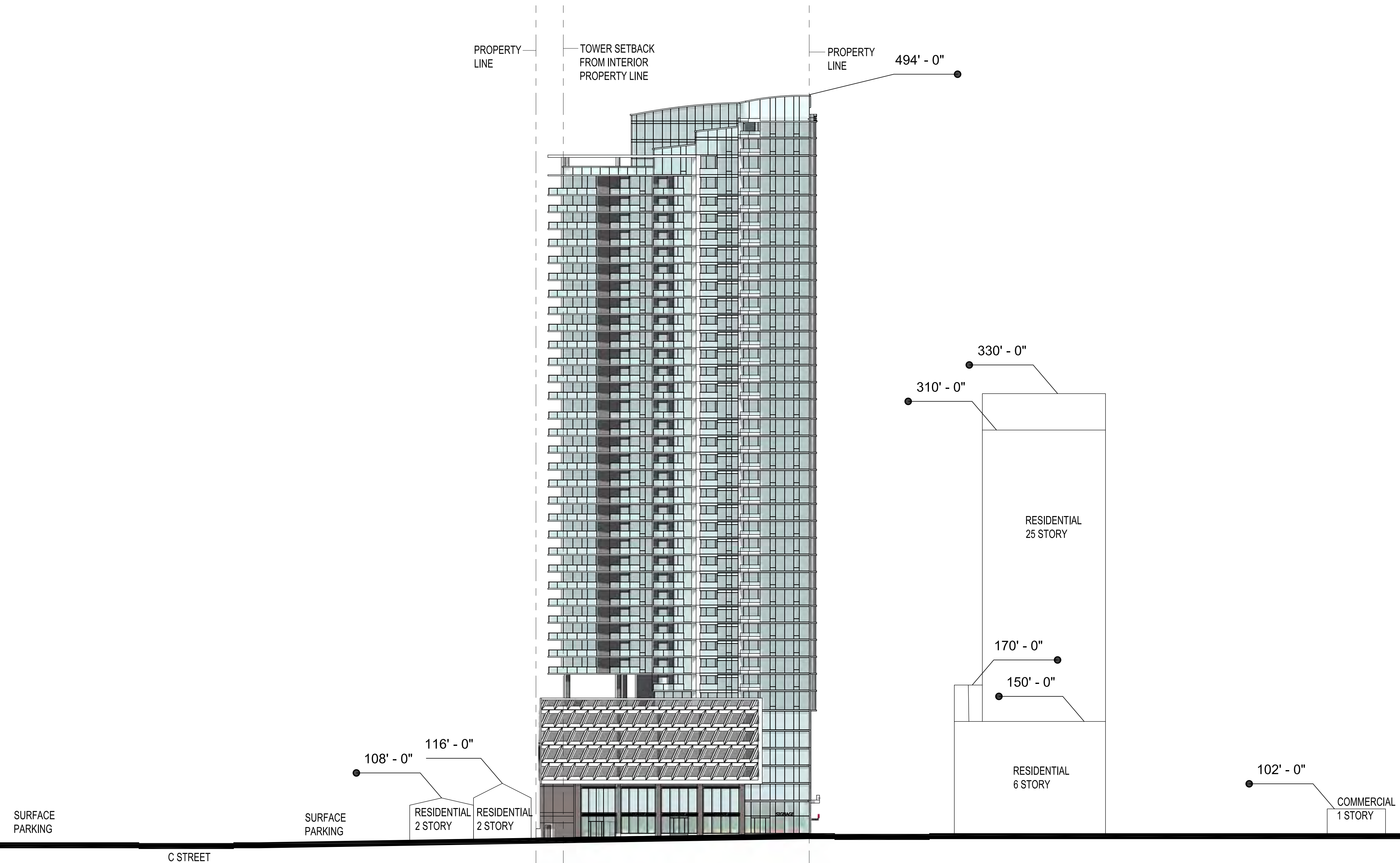
Seal



### Sheet Identification

VICINITY  
ELEVATION -  
EAST

## A6.02



### 1 VICINITY ELEVATION - EAST

**SCALE AT 24x36**  
**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

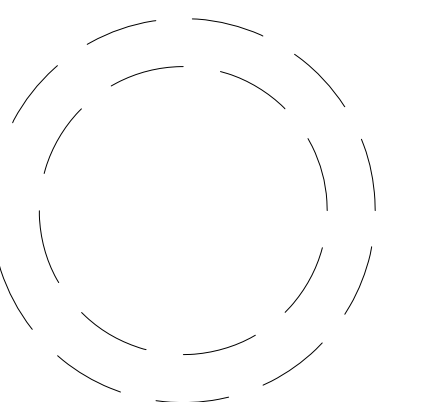
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

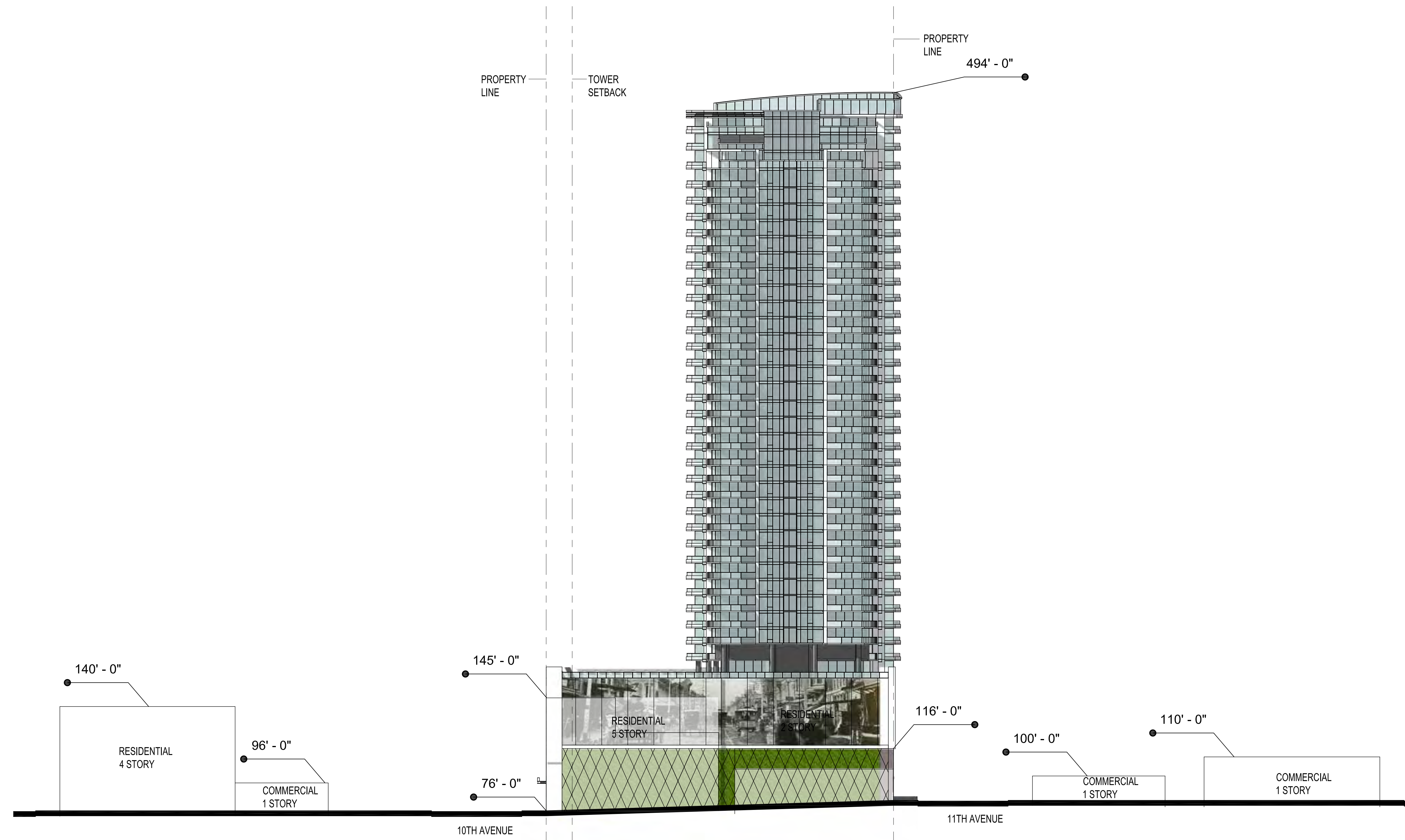
Seal



### Sheet Identification

VICINITY  
ELEVATION -  
SOUTH

## A6.03



### 1 VICINITY ELEVATION - SOUTH

**SCALE AT 24x36**  
**NOT FOR CONSTRUCTION**



**11th & B**  
**San Diego, CA**

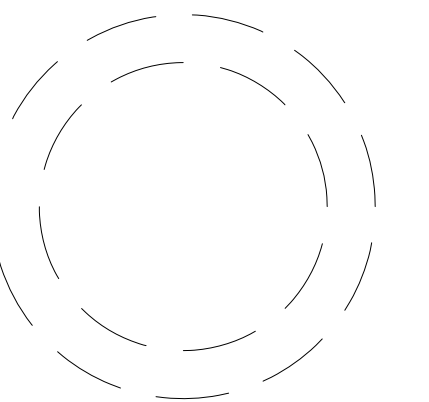
Owner Address

**B Street LLC**  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

### Issue Drawing Log

[illegible]

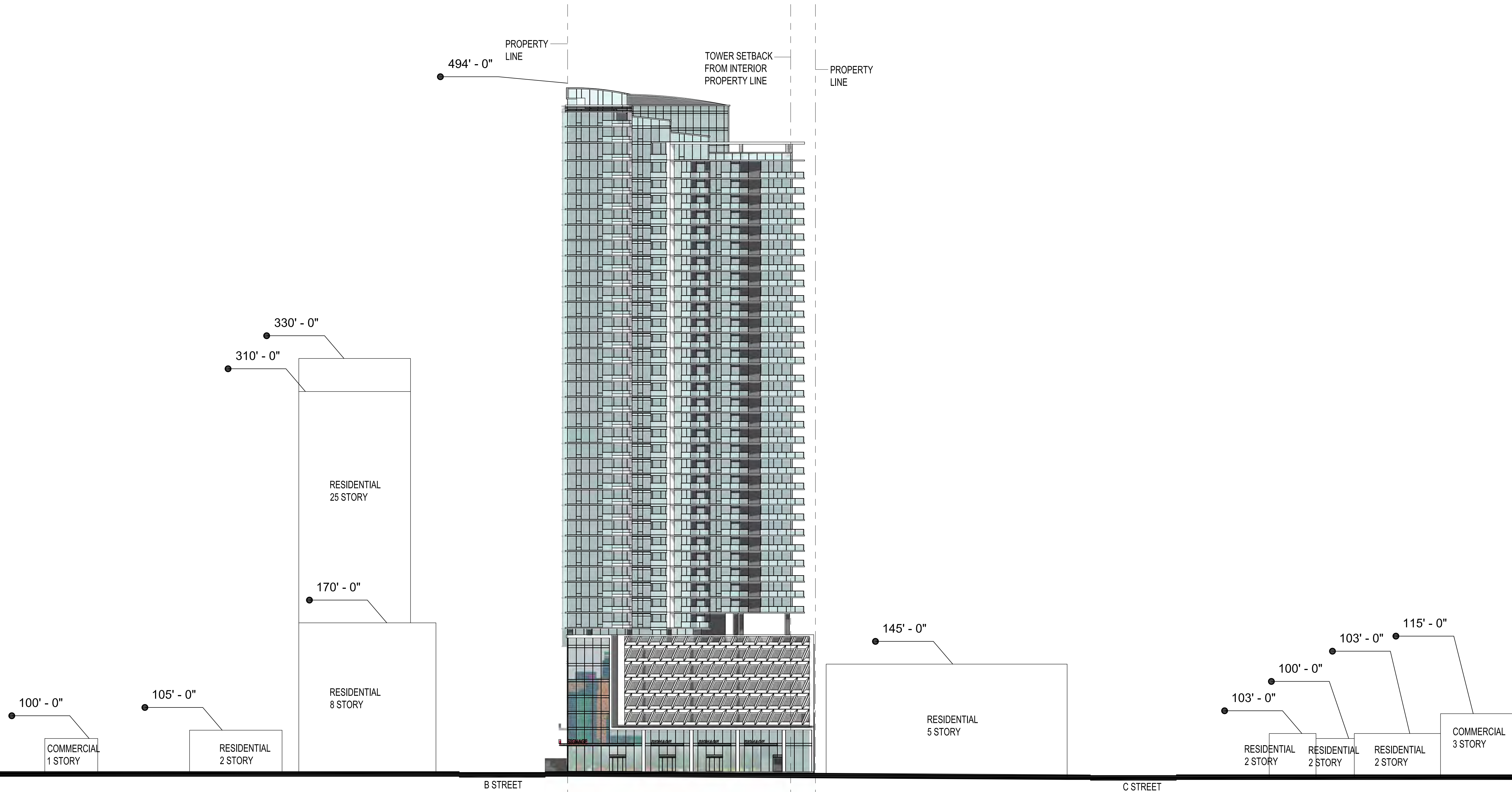
Seal



### Sheet Identification

VICINITY  
ELEVATION -  
WEST

## A6.04



## 1 VICINITY ELEVATION - WEST

**SCALE AT 24x36**  
**NOT FOR CONSTRUCTION**





**GL-01**  
Description: Insulated Glass  
Color: Clear  
Location: Tower and Podium Facade



**GL-02**  
Description: Shadow Box Glass  
Color: Clear  
Location: Tower and Podium Facade



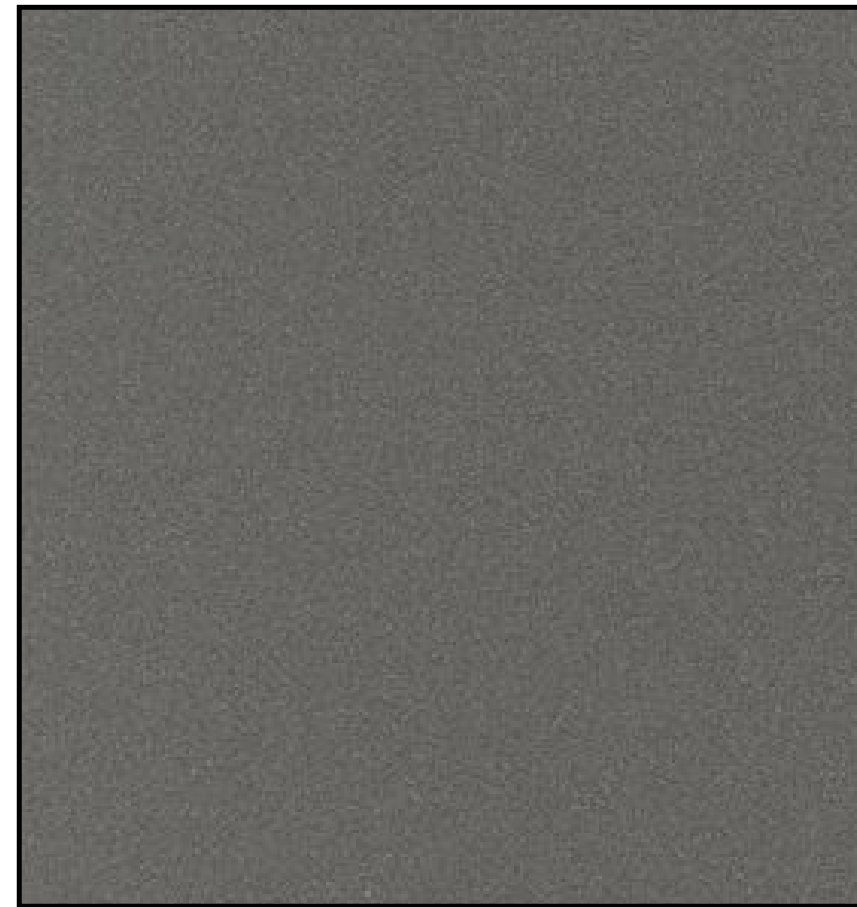
**GL-03**  
Description: Tempered Monolithic Glass  
Color: Clear, Low Iron  
Location: Handrail



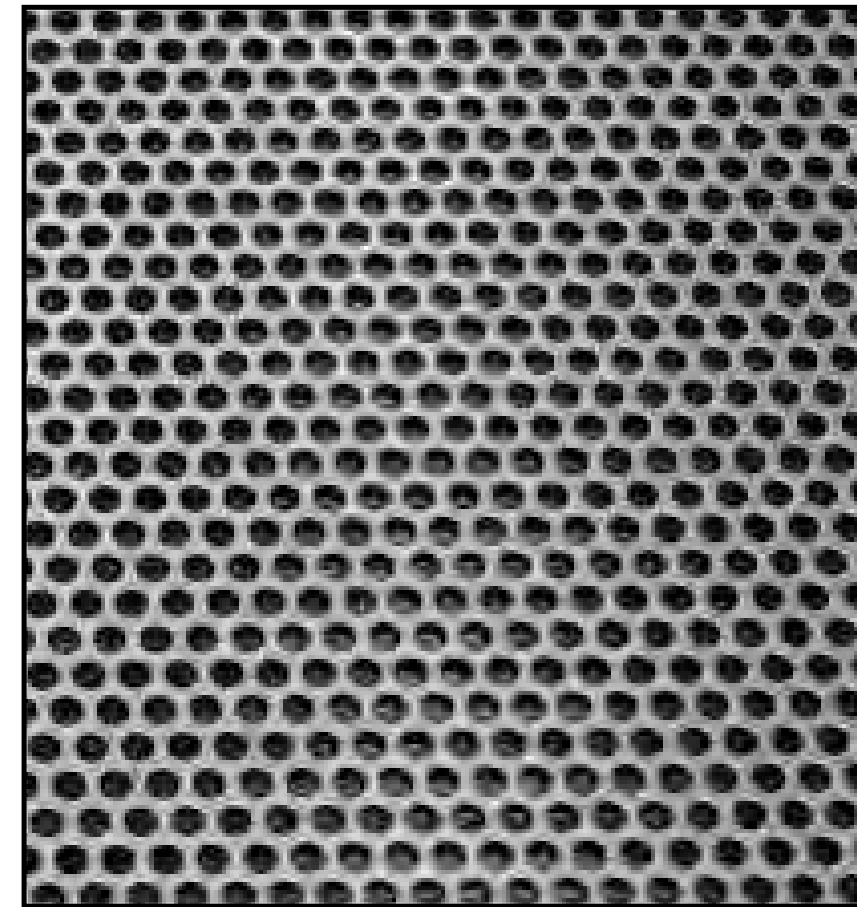
**GL-04**  
Description: Pre-Finished Garage Glass Door  
Color: Clear  
Location: Parking Entry Door, Loading Door



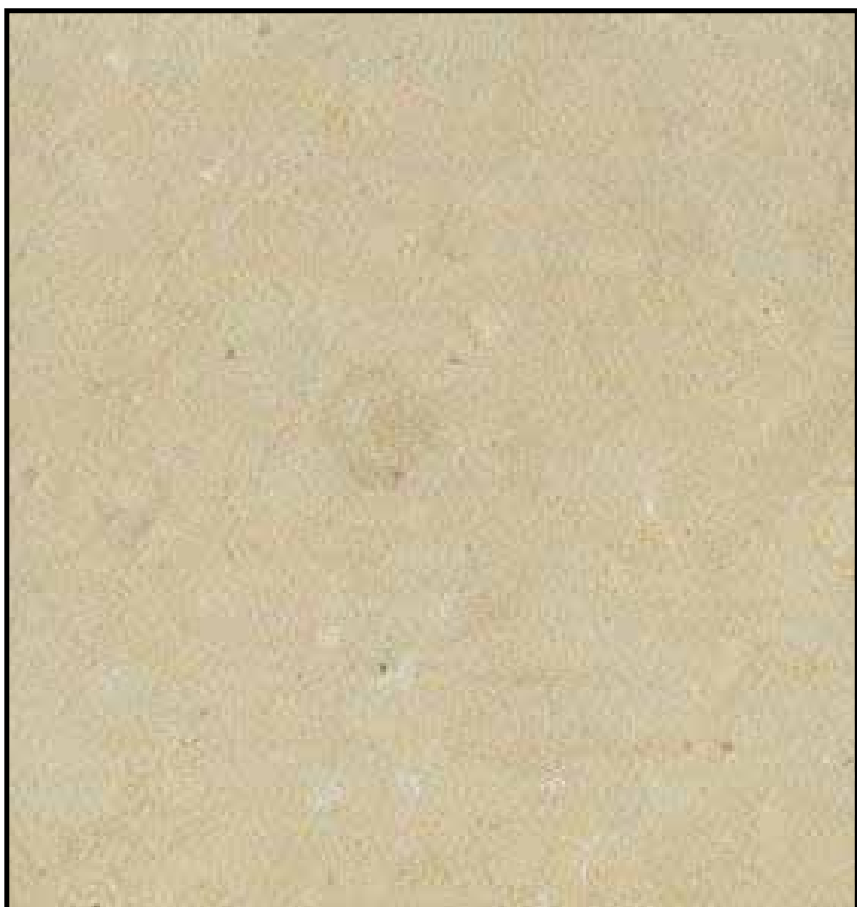
**MTL-01**  
Description: Composite Metal Panel  
Color: Warm Silver  
Location: Top Canopy, Lobby Canopy,  
Tower and Podium Facade, Exterior Trim



**MTL-02**  
Description: Composite Metal Panel  
Color: Silver Gray  
Location: Tower Facade



**MTL-03**  
Description: Perforated Metal Panel  
Color: Silver Gray  
Location: Podium Facade



**ST-01**  
Description: Natural Stone  
Color: Beige  
Location: Retail Podium Facade



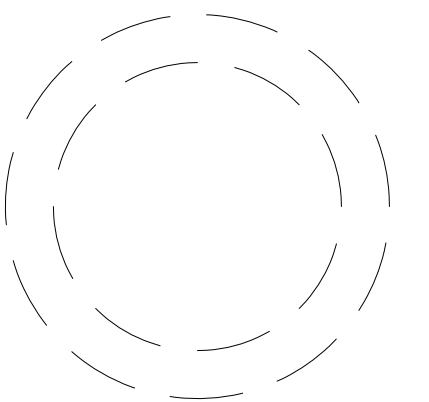
**ST-02**  
Description: Natural Stone  
Color: Dark Gray  
Location: Retail Podium Facade



**ST-03**  
Description: Concrete Wall  
Color: Light Gray  
Location: Podium Facade



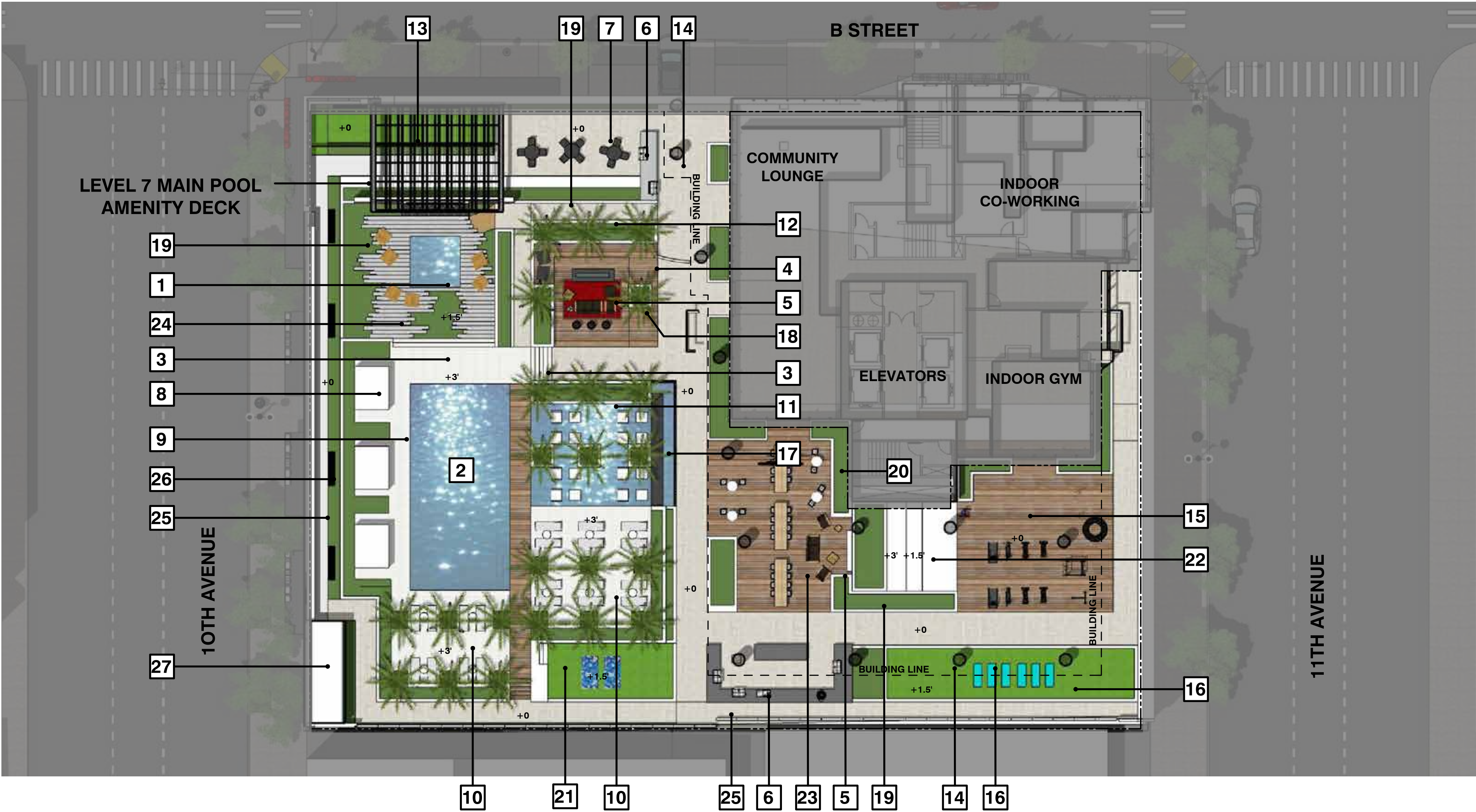
**CMU-01**  
Description: CMU Wall with Stucco Finish  
Color: Light Gray  
Location: Parking Podium Facade

[illegible]









LONGTERM MAINTENANCE

ALL REQUIRED LANDSCAPE AREAS TO BE MAINTAINED BY OWNER. THE LANDSCAPED AREAS SHALL BE MAINTAINED FREE OFF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. LANDSCAPE AS PART OF THE PROJECT SHALL BE MAINTAINED AND IRRIGATED FOR THE LIFE OF THE PERMIT.

ROOT BARRIER NOTE

ROOT BARRIERS SHALL BE A LONG-TERM ROOT CONTROL BARRIER SYSTEM CONSISTING OF TWENTY-FOUR (24) INCH HEIGHT MOLDED RECYCLED PLASTIC PANELS WITH A THICKNESS OF .080-INCHES. PANELS SHALL BE FORMED WITH FOUR (4), NINE-SIXTEENTHS (9/16) INCH, INTEGRAL EXTERNAL RIBS PER PANEL. THE PANELS SHALL BE CONNECTED WITH A LOCKING STRIP AS SPECIFIED BY THE ROOT BARRIER MANUFACTURER.

ROOT BARRIER SHALL BE BY BUMBLEBEE, ROOT SOLUTION, AND CENTURY OR APPROVED EQUAL. A ROOT CONTROL BARRIER SHALL BE PROVIDED FOR EACH TREE TO AVOID POSSIBLE ROOT DAMAGE TO SIDEWALKS, SURROUNDING BUILDINGS, AND OTHER ELEMENTS OF THE PUBLIC RIGHT-OF-WAY OR SURROUNDING BUILDINGS. ROOT CONTROL BARRIERS SHALL BE INSTALLED AT THE EDGE OF PAVING OR BUILDING, NOT AROUND THE ROOTBALL.

DISTURBED AREA NOTE

ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY RE-VEGETATED AND IRRIGATED AS SHOWN IN TABLE 142-04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL (142.0411(A)).

INVASIVE PLANT NOTE

ALL EXISTING, INVASIVE PLANT SPECIES, INCLUDING VEGETATIVE PARTS AND ROOT SYSTEMS, SHALL BE COMPLETELY REMOVED FROM THE PREMISES WHEN THE COMBINATION OF SPECIES, TYPE, LOCATION, AND SURROUNDING ENVIRONMENTAL CONDITIONS PROVIDES A MEANS FOR THE SPECIES TO INVADE OTHER AREAS OF NATIVE PLANT MATERIAL THAT ARE ON OR OFF OF THE PREMISES.

UTILITY SCREENING

ALL WATER, SEWER, AND GAS UTILITIES SHALL BE EFFECTIVELY SCREENED WITH PLANT MATERIAL AT THE TIME OF PLANT INSTALLATION.

PLANT MATERIAL NEAR SEWER LINES

NO TREE OR SHRUB EXCEEDING 3' IN HEIGHT SHALL BE PLANTED WITHIN 10' OF ANY PUBLIC SEWER FACILITIES.

MULCHING NOTE

ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS PLANTED WITH GROUNDCOVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.

DESIGN STATEMENT

THE LANDSCAPE DESIGN INTENT OF THE 11TH AND B STREET COMMON AREAS IS TO DEVELOP A CREATIVE, COMFORTABLE EXTERIOR ENVIRONMENT FOR THE USERS, AS AN EXTENSION OF THEIR INTERIOR SPACES. WE INTEND TO UTILIZE DROUGHT TOLERANT, ENVIRONMENTALLY SENSITIVE PLANT MATERIAL AND BUILDING PRODUCTS.

ADDITIONAL NOTES

ALL LANDSCAPE AND IRRIGATION PLANS SHALL CONFORM WITH THE CIVIC SAN DIEGO'S DESIGN CODE, LANDSCAPE REGULATIONS, THE STREETScape MANUAL, LANDSCAPE STANDARDS, AND ALL OTHER CIVIC SAN DIEGO AND REGIONAL STANDARDS.

- 1. ALL LANDSCAPE AREAS NOT CONTAINING TREES SHALL HAVE A MINIMUM FINISHED DIMENSION OF 3 FEET (WIDTH) MEASURED FROM THE INSIDE FACE OF PAVEMENT.
- 2. EACH TREE SHALL BE PLANTED IN AN AIR AND WATER-PERMEABLE PLANTING AREA OF AT LEAST 40 SQUARE FEET WITH A MINIMUM FINISHED DIMENSION (WIDTH) OF 5 FEET MEASURED FROM THE INSIDE FACE OF PAVEMENT. THE PLANTING AREA SHALL BE UNENCUMBERED BY UTILITIES.
- 3. ALL IRRIGATION DESIGN AND INSTALLATION SHALL CONFORM WITH THE LANDSCAPE STANDARDS. IT IS THE RESPONSIBILITY OF THE DESIGNER TO BE FAMILIAR WITH AND IMPLEMENT THE LANDSCAPE STANDARDS.
- 4. ANY CHANGES TO THE STREETScape, SITE AND/OR LANDSCAPE PLANS SHALL BE SUBMITTED TO THE CIVIC SAN DIEGO FOR REVIEW AND APPROVAL PRIOR TO PROCEEDING.
- 5. ANY DISCREPANCY OR CONFLICTS IN DIMENSIONS, LANDSCAPE AREA OR MATERIAL SHALL BE BROUGHT TO THE ATTENTION OF THE CIVIC SAN DIEGO LANDSCAPE PLANNER, THE OWNERS, AND THE DESIGNER/ARCHITECT PRIOR TO INSTALLATION.
- 6. TREES REQUIRED BY THIS DIVISION SHALL BE SELF-SUPPORTING, WOODY PLANTS WITH AT LEAST ONE WELL-DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET WITHIN 8 YEARS OF PLANTING.
- 7. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY TO BE INSTALLED WITHIN TEN FEET OF ANY PUBLIC SEWER FACILITIES OR IN THE PUBLIC EASEMENT.

MINIMUM TREE SEPARATION DISTANCE

IMPROVEMENT	MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS (STOP SIGN)	20 FEET
UNDERGROUND UTILITY LINES	5 FEET (10' FOR SEWER)
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
(INTERSECTING CURB LINES OF TWO STREETS)	
SEWER LINES	10 FEET

STREET TREE IRRIGATION

A PERMANENT IRRIGATION WATER METER USED SOLELY FOR LANDSCAPING WITHIN THE RIGHT-OF-WAY, WITH THE METER FEES PAID FOR BY THE PROPERTY OWNER.

- 1. A SEPARATE IRRIGATION WATER METER USED SOLELY FOR LANDSCAPING WITHIN THE RIGHT-OF-WAY, WITH THE METER FEES PAID FOR BY THE PROPERTY OWNER.
- 2. A BACKFLOW PREVENTION DEVICE INSTALLED IMMEDIATELY DOWNSTREAM OF THE WATER METER. ALL PRIVATE BACKFLOW PREVENTION DEVICES SHALL BE INSTALLED OUTSIDE OF THE RIGHT-OF-WAY, AND WITHIN A LOCKABLE, STEEL ENCLOSURE OR LOCKED UTILITY ROOM.
- 3. AN AUTOMATIC CONTROLLER WITHIN A LOCKABLE STAINLESS STEEL ENCLOSURE. ALL PRIVATE AUTOMATIC IRRIGATION CONTROLLERS SHALL BE LOCATED OUTSIDE OF THE RIGHT-OF-WAY WITHIN THE BUILDING IN A LOCKABLE, STEEL ENCLOSURE OR LOCKED UTILITY ROOM. IF A SOLAR CONTROLLER IS SPECIFIED, IT MAY BE LOCATED IN THE RIGHT-OF-WAY IN A LOCATION THAT DOES NOT INTERFERE WITH PEDESTRIAN CIRCULATION OR VEHICULAR VISIBILITY.
- 4. PIPE SHALL BE IN PLACE PRIOR TO INSTALLING THE SIDEWALK PAVING. IRRIGATION PIPE UNDER PAVING SHALL BE SLEEVED WITH SCHEDULE 40 PVC THAT IS TWICE THE DIAMETER OF THE PIPE IT SERVES AND SHALL ONLY HAVE ONE PIPE PER SLEEVE. IRRIGATION SHALL MEET THE REQUIREMENTS OF THE CITY'S LAND DEVELOPMENT CODE.
- 5. A MINIMUM OF TWO (2) BUBBLER-TYPE HEADS OR APPROVED EQUAL PER STREET TREE.
- 6. POP-UP SPRAY IRRIGATION HEADS OR A DRIP IRRIGATION SYSTEM FOR SHRUB AND GROUNDCOVER PLANTING AREAS.
- 7. REMOTE CONTROL VALVES WITH A BRASS BODY AND LOCATED IN INDIVIDUAL CONCRETE VALVE BOXES. IF THE WATER FLOW IS BELOW FIVE (5) GALLONS PER MINUTE, A PLASTIC BODY VALVE MAY BE USED.
- 8. GLOBE VALVES TO DIVIDE THE SYSTEM INTO CONTROLLABLE UNITS, WITH A BRASS BODY AND INSTALLED IN A CONCRETE VALVE BOX.
- 9. QUICK COUPLING VALVES LOCATED AT ONE HUNDRED (100) FOOT INTERVALS OR AS NEEDED TO SERVICE THE AREA AND BE INSTALLED IN A CONCRETE VALVE BOX.
- 10. A RAIN SENSING DEVICE LOCATED OUTSIDE OF THE RIGHT-OF-WAY, WITH THE DEVICE UNOBSTRUCTED TO THE SKY.
- 11. CONCRETE VALVE BOXES WITH CAST-IRON LIDS. THE CLEVIS PIN AND SHEET METAL CLIP SHALL BE REPLACED WITH A MARINE TYPE, STAINLESS STEEL MACHINE BOLT AND SELF-LOCKING NUT.

LEVEL 5 POOL DECK PLAN

- 1. SPA
- 2. POOL
- 3. STAIRS TO POOL DECK OR SPA
- 4. FIREPLACE COURTYARD WITH LOUNGE FURNISHING
- 5. FIRE PLACE
- 6. BUILT IN BBQ UNIT/ OUTDOOR KITCHEN
- 7. BBQ COURTYARD WITH DINING TABLES
- 8. METAL AND CANVAS CABANAS WITH CHAISE LOUNGES
- 9. ELEVATED POOL DECK
- 10. SUNBATHING DECK WITH CHAISE LOUNGES
- 11. SHALLOW WADING 'WATER FEATURE'
- 12. ADA RAMP TO POOL DECK
- 13. FENCED DOG RUN UNDER SHADE CANOPY
- 14. BUILDING COLUMN (SEE ARCHITECTURE PLAN)
- 15. OUTDOOR FITNESS PATIO
- 16. YOGA DECK
- 17. INFINITY EDGE WATER FEATURE
- 18. RAISED TREE PLANTER
- 19. PROPOSED PLANTER BEDS
- 20. GREEN WALL
- 21. FLEX LAWN
- 22. STADIUM SEATS/STAIRS FOR FITNESS ROUTINES
- 23. COVERED OUTDOOR LARGE EVENT SPACE
- 24. AGGREGATE PAVING AT SPA GARDEN
- 25. PERIMETER WALKING TRAIL
- 26. BENCHES
- 27. EMERGENCY STAIR EXIT

CallisonRTKL Inc.

333 S. Hope St., Ste. C200  
Los Angeles, CA 90071  
Tel: 213.633.6000

CallisonRTKL Project No: 040-170132.00

Consultant



11th & B  
San Diego, CA

Owner Address

B Street LLC  
9948 Hibert St., Ste. 210  
San Diego, CA 92131

Issue Drawing Log

1	08/21/2018	CSD Development Permit
2	11/08/2018	CSD Development Permit
3	12/05/2018	2nd Submission - Addendum 1
4	01/17/2019	CSDDP - 3rd Submission
5	06/10/2019	4th Submission
5-1	06/26/2019	4th Submission - Addendum 1

Seal

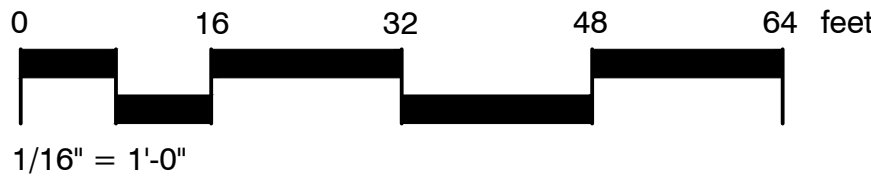
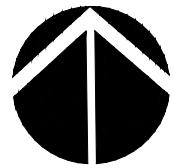
Sheet Identification

LEVEL 5 POOL DECK  
PLAN AND NOTES

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MAIN AMENITY DECK AND POOL AREA

SCALE: 1/16" = 1'-0"





LEVEL 7 MAIN POOL AMENITY SPACE	20,900 SQ FT
LEVEL 38 SKY DECK AMENITY SPACE	3,600 SQ FT
LEVEL 39 SKY DECK AMENITY SPACE	1,530 SQ FT

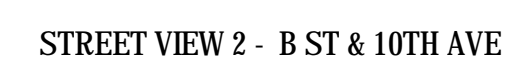
TOTAL COMMON AREA	26,030 SQ FT
(TOTAL PLANTING AREA	4,961 SQ FT)

1. GLASS RAILING
2. STAIRS TO ELEVATED SPA DECK - 2' HIGH
3. SUNBATHING DECK
4. RAISED TREE PLANTERS
5. SPA BUILT AGAINST STRUCTURAL GLASS AT EDGES
6. OVERHEAD SHADE CANOPY
7. LOUNGE FURNISHING AND FIREPIT
8. CLUB CHAIRS AT RAILING EDGE
9. SUNRISE PATIO
10. PLANTING AREA
11. ADA RAMP TO SPA PLATFORM (5%)



landscape architecture | environmental planning | urban design

# L-102



0 8 16 24 32 feet

$1/8" = 1'-0"$





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## Issue Drawing Log

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Sheet Identification

## AMENITY AREA PERSPECTIVES

**L-103**



