



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: September 14, 2021

TO: Oscar Galvez III, Development Project Manager, Development Services Department

FROM: Rachael Ferrell, Associate Planner, Development Services Department

SUBJECT: Scripps Mesa Apartment Map Waiver (Project No. # 678857)
California Environmental Quality Act – Section 15162 Evaluation

The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed Scripps Mesa Map Waiver (Project No. # 678857.)

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed amendments. DSD has determined that the proposed project for a Map Waiver to split 8 condominium unit developments already under construction is consistent with the Scripps Mesa Joint Occupancy Project Final Environmental Impact Report (SCH#2017011008) certified by the Board of Education for the San Diego Unified School District on June 19, 2018; and would not result in new impacts.

BACKGROUND

The project proposes a Map Waiver for an 8-condominium unit development, already under construction, to include 264 residential units, 2000-square feet of commercial uses, 4-story parking structure, and 4000-square feet of institutional uses.

EVALUATION

2018 Scripps Mesa Joint Occupancy EIR

In 2018, Scripps Mesa Joint Occupancy EIR was certified by the Board of Education for the San Diego Unified School District for development of mixed residential and commercial use. In order for condominiums to be separately owned, a Map Waiver is required to split the units. There is no physical development proposed for the map action, and all development is handled under separate permits.

CEQA 15162 CONSISTENCY EVALUATION

DSD reviewed the proposed amendments and conducted an 15162 consistency evaluation with the previously certified Scripps Mesa Joint Occupancy EIR (SCH#2017011008). The evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

CONCLUSION

Overall, it is not anticipated that the implementation of the proposed amendments would result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified Scripps Mesa Joint Occupancy EIR (SCH#2017011008). The project would not result in new impacts or changed circumstances that would require a new environmental document.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

DSD finds that none of the three criteria listed above has occurred. In addition, this evaluation supports the use of the certified Scripps Mesa Joint Occupancy EIR (SCH#2017011008) for the proposed project pursuant to CEQA Guidelines Section 15162.

Therefore, the certified Scripps Mesa Joint Occupancy EIR (SCH#2017011008) adequately covers the proposed Map Waiver for the split of the condominium units as a result of development.

Rachael Ferrell
Associate Planner

Attachment: 1. Scripps Mesa Joint Occupancy EIR (SCH#2017011008)
 <https://ceqanet.opr.ca.gov/2017011008/2>