



THE CITY OF SAN DIEGO

FINAL MITIGATED NEGATIVE DECLARATION

Project No. 451832

I.O. No. 24005859

SCH No. N/A

SUBJECT: STRAUSS FIFTH AVENUE APARTMENTS SDP: SITE DEVELOPMENT PERMIT (SDP), for the demolition of two buildings and surface parking lots, and to allow the construction of a 7-story, 262,172-square-foot total building area, 141-unit multi-family residential structure and three levels of below grade parking, on a 1.08-acre site. The project proposes the following associated improvements: hardscape, landscaping, storm drain, and off-site utility connections. The project also proposes construction improvements for the curb, gutter, and sidewalk along Fifth Avenue, as well as improvements to the entire alley located along the western boundary of the project. This is an Affordable Housing Density Bonus project requesting an additional 24 units for a maximum residential development of 142 units. However, only 141 units are proposed. The proposed 141 units would include 23 studio units, 66 one-bedroom units and 52 two-bedroom units with 6 of these units set aside for very-low-income households. Pursuant to the density bonus requirements, one incentive is requested to include an increase in building height from 65 feet to 85 feet. The project would require a deviation for development height to accommodate the 20 percent increase in units permitted for providing 5 percent of very-low-income units. The project also requests a deviation to allow the required onsite loading zone to be provided adjacent to the project site along 5th Avenue. The existing building at the south end of the project site, located at 3500 Fifth Avenue, will remain. The project is located at 3534 Fifth Avenue in the CV-1 zone of the Uptown Community Planning area, Mid-City Communities Planned District Area, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Very High Fire Hazard Severity Zones, Airport Influence Area (Review Area 2) and the Federal Aviation Administration (FAA) Part 77 Notification Area (Legal Description: Lots 13-17 Block 3 Loma Grande, in the City of San Diego, County of San Diego, State of California, According to Map Thereof No: 692 Filed at the Office of the County Recorder of San Diego County, November 23, 1891, Assessor Parcels Numbers 452-406-1500, 1600 and 1700). Applicant: Vicki Piazza, Carrier Johnson

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study, and determined that the proposed project would

have a significant environmental effect in the following area: **PALEONTOLOGICAL RESOURCES**. The project includes mitigation (see Section V) to reduce these impacts to below a level of significance.

IV. DOCUMENTATION: The attached Initial Study documents support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

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

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

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

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

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

Qualified Paleontological Monitor

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 451832 and/or Environmental Document Number 451832, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

NONE REQUIRED

4. **MONITORING EXHIBITS**
All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:**

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist		
Issue Area	Document submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at the Pre-Construction meeting
Paleontology	Paleontological Monitoring Reports	Paleontological Site Observations
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL RESOURCES

PAL-1

I. Prior to Permit Issuance

A. Entitlements Plan Check

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

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to MMC identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Preconstruction Meeting that shall include the PI, CM, and/or Grading Contractor, RE, BI, if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the CM and/or Grading Contractor.
 - a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored, including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the PME.
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition, such as trenching activities, does not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or e-mail with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If the resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils), the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The paleontologist

shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract:

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Preconstruction Meeting.
2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8 A.M. on the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section III - During Construction.

c. Potentially Significant Discoveries

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

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

B. If night work becomes necessary during the course of construction:

1. The CM shall notify the RE, or BI as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the

results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.

- a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

- b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

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

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and cataloged.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area, that faunal material is identified as to species, and that specialty studies are completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative) within 90 days after notification from MMC that the Draft Monitoring Report has been approved.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

VI. PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of the MITIGATED NEGATIVE DECLARATION were distributed to:

CITY OF SAN DIEGO

Councilmember Chris Ward, District 3

Central Library

City Attorney

Development Services Department

Paul Godwin, Development Project Manager

Anna McPherson, Senior Environmental Planner,

Rhonda Benally, Environmental

Margaret Barreras, Permit Planning

Jack Canning, Engineering

Kamran Khaligh, Transportation

Patrick Thomas, Geology

Brenda Sylvester, Fire-Plan Review

Daniel Neri, Landscaping Review

Bobby Mordenti, Plan-Airport Review

Alejandro Ruiz, PUD Water and Sewer Dev.

Frank January, Plan-Facilities Financing

Other Organizations and Interested Individuals

Uptown Planners, Leo Wilson (Chair)

Vicki Piazza, Carrier Johnson (Applicant)

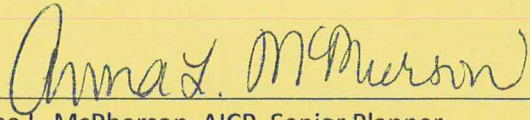
Banker's Hill Canyon Association

VII. RESULTS OF PUBLIC REVIEW:

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

Copies of the draft Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program and any Initial Study material are available in the office of the Land Development Review

Division for review, or for purchase at the cost of reproduction.



Anna L. McPherson, AICP, Senior Planner
Development Services Department

March 23, 2017

Date of Draft Report

April 20, 2017

Date of Final Report

Attachments:

Figure 1: Project Location on USGS Map

Figure 2: Project Location on Aerial Photograph

Figure 3: Site Plan

Figure 4a: Elevation Plans: East and South Elevations

Figure 4b: Elevation Plans: West and North Elevations

INITIAL STUDY CHECKLIST

1. Project Title/Project Number:

Strauss Fifth Avenue Apartments /451832

2. Lead agency name and address:

City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101

3. Contact person and phone number:

Rhonda Benally/(619) 446-5468

4. Project location:

3500 and 3534 Fifth Avenue, San Diego, California 92103 (Assessor's Parcel Numbers 452-406-1500, 1600, and 1700)

5. Project Applicant/Sponsor's name and address:

Ms. Vicki Piazza
Carrier Johnson
1301 Third Avenue
San Diego, CA 92101

6. General/Community Plan designation:

The General Plan designation is Multiple Use.

The Uptown Community Plan designates the site "Commercial/Residential" at a very-high residential density (73-110 dwelling units per acre).

7. Zoning:

CV-1 (Commercial Village)

8. Description of project:

A SITE DEVELOPMENT PERMIT (SDP) for the demolition of two buildings and surface parking lots, to allow the construction of a 7-story, 262,172-square-foot total building area, 141-unit multi-family residential structure and three levels of below-grade parking, on a 1.08-acre site. The project would also include the following amenities:
Ground Level

Landscaped courtyard between the Webster Building and proposed residential project

First Floor

- Lobby with lounge seating for tenants
- WIFI access
- Leasing offices
- Large bike storage room

Second Floor

- Clubhouse
- Spa area with fireplace
- Lounge seating surrounding the spa and direct access to the Clubhouse
- Interior courtyard with views of Fifth Avenue, landscaping, barbeque area, and individual/group fireplace and seating
- Fitness Center
- Yoga Studio

The project would also introduce hardscape, storm drain, and off-site utility connections, and proposes construction improvements for the curb, gutter, sidewalk along 5th Avenue, as well as improvements to the entire alley located along the western boundary of the project. The existing office building (Webster building) located at 3500 Fifth Avenue will remain.

Affordable Housing

The applicant is requesting a density bonus, pursuant to San Diego Municipal Code (SDMC) Affordable Housing Density Bonus Regulations (SDMC Section 143.0710); to allow 24 additional units equivalent to 142 units. However, only 141 units are proposed. The Uptown Community Plan commercial/residential designation would allow up to 118 units on the 1.08-acre (47,243 square feet) site. The proposed 141 units would include 23 studio units, 66 one-bedroom units and 52 two-bedroom units with 6 of these units set aside for very low-income households.

Deviations

For development height regulation south of Upas Street, the project would require a deviation to SDMC_§1512.0205(a) (2), which states that structures in this area are not to exceed a height of 65 feet. The project proposes an Increase in building height from 65 to 85 feet to accommodate the 20 percent increase in number of units, The increase is permitted because 5 percent of the project is reserved for very-low-income units. The project also requests a deviation to allow the required onsite loading zone to be provided adjacent to the project site along 5th Avenue.

Floor Area Ratio

The project site does not have a floor area ratio (FAR) limit. The FAR for the proposed residential development is 3.49, and the FAR for the project site including the existing office building to remain is 4.26.

Demolition

The 2-story residential structures that currently exist on the site, two surface parking lots, the alley along the western project boundary, and the sidewalk along Fifth Avenue

would all be demolished.

Grading

Project implementation would involve the grading of 0.80- acres of the 1.08-acre project site. Grading would include approximately 39,885 cubic yards (cy) of excavation material at a maximum cut depth of approximately 45 feet, and 39,885 cubic yards would be exported to a legal disposal site.

Construction

It is estimated that the proposed multi-family structure would be divided by Type Ia and Type IIIa construction materials. Type Ia would be for the garage and first two levels, primarily composed of a concrete frame with metal studs. Type IIIa would be for floors 3 through 7 and comprised of a wood frame with stucco, glass and tile.

Parking

The project is required to provide 196 parking spaces; it is providing three levels of underground parking that would accommodate 261 automobile, 15 motorcycle, and 58 bicycle spaces. Of these spaces, six are accessible. Additionally, the project would add two street parking spaces on Fifth Avenue and one street parking space on Walnut Avenue. Fifth Avenue provides access to the site.

Utilities

The project would include on-site infrastructure improvements, as well as connections to off-site utilities located on Fifth Avenue. Water and sewer facilities are currently available to the existing development; therefore, project improvements would be limited to a 6-inch fire service connection, a 6-to-8-inch sewer lateral, and four 2-inch domestic water service lines connecting to the 10-inch sewer pipe and/or an 8-inch water pipe located off-site on Fifth Avenue.

The existing storm water drainage will remain the same off-site; however, the on-site drainage pattern will change. The proposed on-site project storm drainage system has been designed to control flows and associated velocities, prevent erosion, and avoid impacts to the downstream conveyance system through the installation of three Contech Down Spout Storm Filters and six flow-through planters.

Drainage

The existing storm water drainage will remain the same off-site; however, the on-site drainage pattern will change. The proposed on-site project storm drainage system has been designed to control flows and associated velocities, prevent erosion, and avoid impacts to the downstream conveyance system through the installation of three Contech Down Spout Storm Filters and six flow-through planters.

Landscaping

Landscaping would be provided in conformance with the City's landscape regulations (SDMC §142.04). Jacaranda (*Jacaranda mimosifolia*) trees and Queen Palms (*Syagrus Romanzoffiana*) would be planted along Fifth Avenue and Walnut Avenue, respectively. Existing mature palms on Fifth Avenue would remain. Planters would be located within the common areas.

9. Surrounding land uses and setting:

The 1.08-acre project site is located at 3534 Fifth Avenue in the Park West neighborhood of the Uptown Community Planning area. The site is bounded by a three-story office building to the south, an alleyway and residential buildings to the west, residential and retail buildings to the north, and Fifth Avenue on the east. Properties located to the immediate north, south, and east are zoned Mid-City Communities Planned District (MCCPD)-CV-1, while the properties located to the west, northwest and southwest are zoned MCCPD-NP-1. The project site is at an elevation of approximately 290 feet Mean Sea Level (MSL).

The project site is located in the Uptown Community Planning area, Mid-City Communities Planned District Area, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Very High Fire Hazard Severity Zones, Airport Influence Area (Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Notification Area. The site is in an urban neighborhood setting of similar residential and commercial uses.

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

NONE REQUIRED

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

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

Yes a Native American Tribe traditionally and culturally affiliated with the project area has requested consultation with the City of San Diego pursuant to Public Resources Code section 21082.3 (c). The City is in consultation with this tribe. No recorded sites exist in the urbanized and developed area where the project site is located.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION,

including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D)*. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS – Would the project:

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| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Pursuant to the City's Significance Determination Thresholds, impacts associated with scenic views may be significant if the project would create a substantial obstruction to these views from a public viewing area. The Uptown Community Plan identifies a view corridor looking west from an area near the intersection of First Avenue and Laurel Street. The project is located approximately 0.7 mile northeast of this location and is not visible from this identified view corridor. The Uptown Community Plan identifies Balboa Park, Maple Canyon, and the Spruce Street Suspension Bridge as amenities in the Park West area. The property is currently developed and is visible from adjacent businesses, residences, and roadways. Many structures within the vicinity are at a similar density and height. Thus, the project would provide visual continuity with the surrounding areas and would not result in any adverse change in views from Balboa Park, Maple Canyon, and/or the Spruce Street Suspension Bridge. The impact would be less than significant.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans 2011) and are highways that maintain sensitive landscapes or valuable scenic resources within the highway viewshed. There are no state scenic highways within the project site vicinity. Therefore, the project would not have an adverse effect on a scenic resource within a state scenic highway. No impact would occur.

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

Development of the project site would incrementally contribute to aesthetic changes in the area as well as existing development in the area.

Bulk/Scale

The area immediately surrounding the project is composed of mixed commercial and residential land uses, generally ranging from one to four-stories. There are numerous residential structures in excess of ten-stories located in the vicinity including Coral Tree Plaza (Seventh Avenue), two high-rise buildings located one block to the east (between Sixth and Seventh Avenue), one high-rise building located on Fifth Avenue and Redwood Street, and Century Plaza Towers (First Street). Other 6-to-7-

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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story structures are located on Fifth Avenue (Atlas Condominiums, north of the project) and on Sixth Avenue (Inn at Balboa Park, south of the project).

The project would include one 7-story building, which would be consistent with other buildings' height within the vicinity. Additionally, the project would include variations in height and depth of wall surfaces to break up the street level façade and bulk by integrating glass guardrails, recessed second floor, and exterior landscaping. These details serve to break down large surface areas and relate well to the pedestrian experience. Other visual amenities intended to minimize impact are to provide underground and enclosed parking. Therefore, the project does not meet the CEQA Thresholds, and no impact would occur.

Architectural Style

The project would replace two 1947–1948 buildings with modern-architectural-style buildings and would retain one existing office building. This change would not be significant, as the area does not have a single or common architectural theme. The Park West area has a wide range of architectural styles, and includes structures from the Victorian Age to present. Thus, the proposed mix of historic and modern architectural styles on-site would not be in contrast to the adjacent developments. Therefore, the project does not meet the CEQA Thresholds, and no impact would occur.

Cumulative Community Character

The Uptown community has an urban commercial and residential character with a variety of architectural styles and a mix of single-family and multi-family uses. The project would increase the urban feel of the site due to its increased building height and density, but would be consistent with nearby structures within the vicinity. Therefore, the project would not open up a new area for development, as the area is already a mix of single-family residential, multi-family residential, and commercial development that range from single-story to an excess of ten stories. Therefore, the project does not meet the CEQA Thresholds, and no impact would occur.

Landform Alteration

The project site is currently developed. Pursuant to the City's CEQA Significance Determination Thresholds (2016), impacts associated with landform alteration may be significant if the project would alter more than 2,000 cy of earth per graded acre by either excavation or fill. Grading would include approximately 39,885 cy of excavation at a maximum depth of 45 feet on approximately 0.80-acre of the entire site. Although the project would excavate more than 2,000 cy of earth, excavation for subterranean garages is not typically held to this threshold because the project would not create a visual above-ground alteration of the existing land surface (i.e., by creating a hillside disturbance, manufacturing slopes, or terracing). The project does not meet the CEQA Thresholds for landform alteration, and no impact would occur.

Development Features

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project design integrates a variety of massing and forms from different views in order to introduce variety at both the ground plane and skyline. The modern design with an open courtyard will be consistent with the emergent pattern of development within the Park West area. The project building would not create a visually disorganized appearance because the architectural features would be varied by including visual offsets such as glass guardrails, recessed second floor, below ground parking, exterior landscaping, and a second-floor interior courtyard. Although the property is visible by location (adjacent to Fifth Avenue, near Balboa Park), it is consistent with nearby land uses, height, and design features. Therefore, the project does not meet the CEQA Thresholds, and no impact would occur.

Therefore, the project would not degrade the existing visual character or quality of the site and its surroundings, and impacts related to visual character would be less than significant.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

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The project includes replacing two existing structures with one building in an urban area designated for commercial and residential use. Although the project would include exterior or outdoor lighting, the project would comply with the City of San Diego Glare and Outdoor Lighting Regulations (Chapter 14, Article 2, Division 7, page 2). Project lighting would be consistent with existing light sources associated with surrounding residential development. No substantial sources of light or glare would be generated during project construction, as construction activities would occur during daylight hours. Impacts would be less than significant.

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

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project site does not contain any agricultural resources, lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no agricultural resources including Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance would be converted to a non-agricultural use and no impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

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There are no Williamson Act Contract lands or agricultural zones on or near the site. Thus, the project would have no impact on agriculturally zoned land or Williamson Act Contract land.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

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The project site supports existing development and is zoned CV-1 (Commercial Village). No forest land or timberland exists on or near the project site. Thus, the project would have no impact on such resources.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

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The project site supports existing development. No forest land or timberland exists on or near the project site. Thus, the project would have no impact on such resources.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Neither the project site nor the surrounding area contains any farmland or forestland. The site is located in an urban, developed setting. Thus, the project would have no impact on farmland or forestland.

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

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The California Clean Air Act requires that areas that are designated as non-attainment of state ambient air quality standards for ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), and nitrogen dioxide (NO₂) need to prepare and implement plans to attain the standards by the earliest practicable date. The San Diego Air Basin (SDAB), in which the project site is located, is designated non-attainment for the state ozone standard. Accordingly, the Regional Air Quality Strategy (RAQS) was developed to identify feasible emission control measures and provide expeditious progress toward attaining the state standards for ozone. The two pollutants addressed in the RAQS are reactive organic gasses (ROG) and nitrogen oxides (NO_x), which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and by extension to maintaining and improving air quality. The RAQS, in conjunction with the transportation control measures, were most recently adopted in 2009 as the air quality plan for the region.

The California Air Resources Board mobile source emission projections and San Diego Association of Governments (SANDAG) growth projections are based on population, vehicle trends, and land use plans developed in general plans. As such, projects that propose development that is consistent with the growth anticipated by SANDAG's growth projections and/or a general plan would be consistent with the RAQS. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the RAQS. In the event that a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

The project site is located in the Uptown Community Plan and would be consistent with the Very High to High residential designation for the site. As such, the project would be consistent with the growth forecasts developed by SANDAG and used in the RAQS. Therefore, the project would not conflict with the goals and strategies in the RAQS or transportation control measures or obstruct their implementation and no impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Construction

Construction-related activities are temporary short-term sources of air emissions. Construction-related pollutants result from dust raised during demolition and grading, emissions from construction vehicles, and chemicals used during construction. Construction operations are subject to the requirements established in Regulation 4, Rules 52, 54, and 55, of the San Diego Air Pollution Control District's rules and regulations.

Construction emissions were modeled using California Emissions Estimator Model equipment and phasing estimations. The estimates are based on surveys, performed by the South Coast Air Quality Management District and the Sacramento Metropolitan Air Quality Management District, of typical construction projects, which provide a basis for scaling equipment needs and schedule with a project's size. Air emission estimates in California Emissions Estimator Model are based on the duration of construction phases; construction equipment type, quantity, and usage; grading area; season; and ambient temperature, among other parameters. A volatile organic compound content of 150 grams per liter for exterior architectural coatings and 100 grams per liter for interior architectural coatings were used in accordance with San Diego Air Pollution Control District Rule 67.0. Table 1 summarizes the worst-case project construction emissions. Emissions would be less than the significant for all criterion pollutants.

Table 1 Summary of Worst-case Construction Emissions (pounds per day)						
Phase	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Demolition	3	27	22	0	2	2
Site Preparation	2	24	16	0	7	4
Grading/Excavation	3	30	23	0	7	4
Building Construction	3	21	20	0	2	1
Paving	1	10	9	0	1	1
Architectural Coatings	34	2	3	0	0	0
Maximum Daily Emissions	34	30	23	0	7	4
<i>Significance Threshold</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>55</i>
NOTE: PM ₁₀ = particulates 10 microns or less in diameter; PM _{2.5} = particulates 2.5 microns or less in diameter						

Operation

Mobile source emissions would originate from traffic generated by the project. Area source emissions would result from activities such as the use of natural gas and consumer products. The project would result in a net increase of 132 residential units (141 minus 9 units) on the property. The

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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addition of 132 residential units (office building to remain) would not result in a substantial increase in pollutant emissions given the main source of emissions would be vehicular-related, and the amount of traffic generated by the residential units would generate a net average daily trips (ADT) of 804. Although the project would increase operational emissions generated at the site, the increase would not result in a significant impact on ambient air quality or a significant contribution to the existing air quality violation. Table 2 summarizes the estimated operational emissions as less than the significant for all criterion pollutants.

Table 2 Summary of Project Operational Emissions (pounds per day)						
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	5	0	12	0	0	0
Energy Sources	0	0	0	0	0	0
Mobile Sources	2	4	21	0	3	1
Total	7	4	33	0	4	1
<i>Significance Threshold</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>55</i>
Note: Totals may vary due to independent rounding.						

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

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The region is classified as attainment for all criterion pollutants except ozone, PM10, and PM2.5. The SDAB is non-attainment for the 8-hour federal and state ozone standards. The SDAB is non-attainment for the 8-hour federal and state ozone standards. Ozone is not emitted directly, but is a result of atmospheric activity on precursors. Nitrogen oxides (NOX) and ROG are known as the chief "precursors" of ozone. These compounds react in the presence of sunlight to produce ozone. As summarized in Tables 1 and 2 above, emissions of ozone precursors (ROG and NOX), PM10, and PM2.5 from construction and operation would be below the applicable thresholds. Therefore, the project would not generate emissions in quantities that would result in an exceedance of National Air Quality Strategy or California Air Quality Strategy for ozone, PM10, or PM2.5, and impacts would be less than significant.

- d) Expose sensitive receptors to substantial pollutant concentrations?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Examples include residences, schools, playgrounds, childcare centers, churches, athletic facilities, retirement homes, and long-term health care facilities. Sensitive receptors near the project site include adjacent residential uses, doctor's offices, and a nearby nursing home (one block to the west on Fourth Avenue). Sensitive receptors in proximity to localized CO sources, toxins, and odors are concerning. As described above in II(a) and II(b), emissions (including CO) associated with the project would be less than the significance threshold. However, sensitive receptors are held to a more restrictive standard.

The project was evaluated to determine whether it has the potential to produce CO hot spots at intersections near the project site. A hot spot is a localized area, most often near a congested intersection, where the 1-hour or 8-hour CO standards are exceeded. Localized CO impacts can occur where projects contribute traffic to intersections in areas where the ambient CO concentrations are projected to be near or above state or federal standards.

When 100 percent of project traffic (804 ADT) is added to the Fifth Avenue segment, the existing plus project ADT would be at a level of service "C." The project would not significantly increase the percentage of vehicles operating in cold start mode and would not significantly increase traffic volumes on local roads. In addition, the project is located in a centralized, multiple land use area where City buses, walking, and alternative forms of transportation will be used. Therefore, the project would not result in significant concentrations of CO at any local intersections. The impact would be less than significant.

- e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

The project would involve the use of diesel-powered construction equipment. Diesel exhaust may be noticeable temporarily at adjacent properties; however, construction activities would be temporary, short-term, and intermittent. The project at operation would include multi-family residences and businesses that would not generate objectionable odors. The impact would be less than significant.

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

- a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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No sensitive plant species or wildlife species occur on-site or in the immediate vicinity. The site is developed. Furthermore, based on the location of the subject site there is no connectivity with other habitats, and the site is not in proximity to other biological resources. Therefore, no substantial adverse effects to any species would result. No impact would occur.

- b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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The existing site conditions and surrounding areas are developed. No sensitive habitat occurs on the site. No impact would occur.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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No federally protected wetlands are located on-site. The existing site conditions and surrounding areas are developed. The project would have no impact on jurisdictional waters.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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The project is located 0.1 mile west of an urban canyon adjacent to the Balboa Park area. However, the existing development on-site and within the vicinity precludes the project from impacts associated with species movement to and from this urban canyon. No impact would occur.

- e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?

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The project is located in an urban neighborhood and it is not adjacent to the Multi-Habitat Planning Area (MHPA) as established in the Multiple Species Conservation Program (MSCP) Subarea Plan. The project would not conflict with any local policies or ordinances protecting biological resources are identified, including the Environmentally Sensitive Lands Regulations. Thus, there would be no impacts.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

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The project site is not located within or adjacent to any portion of the MSCP Subarea Plan Preserve Areas. Thus, no direct or indirect impacts to the MSCP Subarea Plan Preserve Areas would occur from the project. Thus, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and no impact would occur.

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

- a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?

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The term "historic resources" applies to any such resource that is at least 45 years old, is either listed or determined to be eligible for listing, in the California Register of Historical Resources, and/or meet the definitions in the Historical Resources Regulations in the Land Development Code (SDMC § 143.0212). The two buildings proposed for demolition were constructed in 1948. However, based on City Plan-Historic staff review (PTS 405719) the two buildings proposed for demolition did not meet the City's designation criteria as an individually significant resource under any Historical Resource Board criteria. No historical buildings are recorded immediately adjacent to the project. For these reasons, impacts to historic resources would be less than significant.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

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According to the archaeological maps in the Environmental Analysis Section library, the site is located in a high sensitivity area for archaeological resources. The Environmental Analysis Section consulted with qualified City staff for a California Historic Resources Information System database search. Based on the California Historic Resources Information System search conducted it was determined there are no archaeological resources recorded in or adjacent to the project site. Furthermore, this area has been heavily developed and this area while on the Sensitivity map is not known to be very rich in significant archaeological sites. Qualified City staff recommended no additional archaeological evaluations. The Geotechnical Investigation states that the top 4 feet are generally composed of fill soils, which were placed during the initial grading of the site in the 1940s. Therefore, the subsurface soil characteristics located within the project footprint would be unlikely to support undisturbed cultural deposits. The impact would be less than significant. Mitigation will not be required.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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According to the Geotechnical Investigation, the project area is underlain by the San Diego formation and Very Old Paralic Deposits (Geocon Incorporated 2015). The Very Old Paralic Deposits, and San Diego formation is a marine sedimentary deposit and has a high paleontological resource sensitivity.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Per the City of San Diego's CEQA Significance Determination Thresholds, projects that involve more than 1,000 cy of excavation and 10 feet deep or greater within a high sensitivity area could result in a potentially significant impact on paleontological resources. In addition, monitoring would be required for shallow grading (less than 10 feet) when a site has either been previously graded and/or unweathered geologic deposits, formation, or rock units are present at the surface of the site.

The project would involve 39,885 cy of cut and would excavate to a maximum depth of 45 feet. Considering the high paleontological sensitivity ratings for underlying geology and that the geologic formations are near the ground surface (Geocon Incorporated 2015), the project grading activities have potential to disturb or destroy paleontological resources. Disturbance or loss of fossils would be considered a significant environmental impact.

To mitigate this potential impact to paleontological resources, the project would implement the Mitigation, Monitoring and Report Program (MMRP) in Section V of the Mitigated Negative Declaration. With implementation of the paleontological monitoring program, as detailed in the MMRP PAL-1, potential impacts to paleontological resources would be reduced to below a level of significance.

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| d) Disturb and human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No cemeteries, formal or informal, have been identified on the project site. It is not anticipated that human remains would be encountered on the project site during construction-related activities. Thus, no impacts to human remains would occur.

VI. GEOLOGY AND SOILS – Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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of Mines and Geology Special Publication 42.

Based on the California Geological Survey, an active fault is defined by evidence of activity within the last 11,000 years. The geotechnical report (Geocon Incorporated 2015) prepared for the project indicates that there are no known active, potentially active, or inactive faults on the project site. The site is also not located within State of California Earthquake Fault Zone. The potentially active Florida Canyon Fault (1 mile to the east) and Texas Street Fault (1.5 miles to the east) will not affect site development for the project. No known active, potentially active or inactive faults exists on-site and all earthwork would be conducted in accordance with the City's grading guidelines, the current California Building Codes, and the specifications outlined in the Geotechnical Investigation. The project would result in a less than significant impact.

ii) Strong seismic ground shaking? ☐ ☐ ☒ ☐

As described in the geotechnical report (Geocon Incorporated 2015), the project site is in a seismically active region and may be subject to moderate to severe ground shaking in response to a major earthquake. The nearest known active fault is the Newport-Inglewood/Rose Canyon Faults located approximately 1 mile west of the site. Seismic design of the structures, in accordance with the California Building Code, would ensure that the potential for impacts from regional geologic hazards would be less than significant.

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

Liquefaction typically occurs when a site is located in a zone with seismic activity, on-site soil is silty/clay with low plasticity, the groundwater is within 50 feet of the surface, and soil densities are less than 70 percent. According to the geotechnical investigation (Geocon Incorporated 2015) the project site is underlain by undocumented fill, Very Old Paralic Deposits, and the San Diego Formation. The report also indicates that the project site has a very low potential for liquefaction and seismically induced settlement because the Very Old Paralic Deposits and San Diego Formations are dense soils. Thus, impacts related to seismic-related ground failure would be less than significant.

iv) Landslides? ☐ ☐ ☒ ☐

Per the geotechnical investigation (Geocon Incorporated 2015), the project site is not on or below any known or mapped landslides. A review of the State of California Earthquake and Fault Zone indicates that the project site is not in an area susceptible to landslides. Therefore, impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Result in substantial soil erosion or the loss of topsoil?

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The project site and surrounding area is developed. There would be no impact to the loss of topsoil and erosion.

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

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Refer to Section VI(a). The geotechnical investigation (Geocon Incorporated 2015) indicates that the risk of lateral spread during a seismic event is considered remote. Implementation of the project would not result in landslide, lateral spread, subsidence, liquefaction, or collapse. All potential impacts related to unstable geology or soil would be less than significant.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

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The geotechnical investigation indicates that there are three geologic units on-site: undocumented fill, Very Old Paralic Deposits, and San Diego Formation. The undocumented fill material will be removed during excavation for the subterranean parking. The Very Old Paralic Deposits and San Diego Formations have a low to very low expansion potential as defined by Section 1803.5.3 of the 2013 California Building Code. Thus, the project would have a less than significant impact related to expansive soils.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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The project site is in an area that is already developed with existing infrastructure (i.e., water and sewer lines) and it would not require a septic system. Thus, the project would have no impact.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS – Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

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In December 2015, the City adopted a Climate Action Plan (CAP) that outlines the actions that the City would undertake to achieve its proportional share of state greenhouse gas emission reductions. In conjunction with the CAP, the City requires all projects to prepare CAP Consistency Checklist to show that measures required by the CAP are implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. If project consistency is shown, no further technical studies are required. The results of the project's CAP Consistency Checklist are presented below.

Step 1: Land Use Consistency

The project is consistent with the adopted land use designation and zone. The project proposes to develop a 262,172-square-foot, 7-story, 141-unit apartment building with amenities over three levels of subterranean parking located at 3435 Fifth Avenue in the Uptown Community Plan area. The Community Plan designates the site "Commercial/Residential" at a very-high (73–110 dwelling units per acre) residential density. The 1.08-acre site is in the CV-1 zone of the Mid-City Communities Planned District (MCCPD), which allows up to 118 units with a Site Development Permit (SDP). To achieve the desired density, the project would utilize the City's Affordable Housing Density Bonus program to develop the 23 bonus units and obtain a deviation from the maximum structure height. In exchange, the project would set aside 6 units for very-low-income households for the requisite 55-year term and is therefore consistent with the goals and objectives in the Housing Element of the General Plan for the creation and promotion of affordable housing.

Step 2: Clarifications: Strategy 1: Energy and Water Efficient Buildings:

1. The project would include roofing materials with a minimum 3-year age solar reflection and thermal emittance or solar reflection index equal or greater than the values specified in the voluntary measures under the California Green Building Standards.
2. With respect to plumbing fixtures and fittings provided as part of this project, the low-flow fixtures/appliances would be consistent with each of the following:
 - 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

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- Clothes washers: water factor of 6 gallons per cubic feet of drum capacity
3. The project is designed to have an energy budget that meets the performance standards for high-rise (4 or more stories) residential projects for the Title 24, Part 6 Energy Budget for the Proposed Design Building as calculated by Compliance Software certified by the California Energy Commission. The project would have a 5% improvement for indoor lighting for Title 24.
 4. Eighteen (18) of the required 196 parking spaces required, would be provided with a listed cabinet, box or enclosure connected a conduit linking parking spaces with an electrical service, in a manner approved by the building and safety official. Of the total listed cabinets, boxes or enclosures provided, at least ten would have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by.

Based on consistency with the City CAP Consistency Checklist, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and impacts would be less than significant.

- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Based on consistency with the City CAP Consistency Checklist demonstrated in VII(a) above, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS

MATERIALS –

Would the project:

- a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?

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The project does not propose any use that would involve the routine transport, use, or disposal of significant hazardous materials. The project construction and operational maintenance activities may involve small amounts of solvents, cleaners, paint, oils and fuel for equipment, and pesticides/herbicides. The structures proposed for demolition were tested negative for asbestos containing materials, but had the potential for lead based paints. Therefore, during demolition all potentially hazardous materials (lead based paints) would be handled in accordance with California Occupational Safety and Health Administration requirements for employee safety and disposed of in accordance with state and county regulations and would be conditioned upon approval of the project to comply with all federal, state and local regulations. Given the compliance with all federal, state and local regulations, the project would have a less than significant risk to the public related to hazardous materials.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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Refer to response VIII(a) above. The project would have no impact associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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The site is not within 0.25 mile of an existing school. The project construction and operations would not result in the emission of hazardous materials that would affect the nearby school. The project would have no impact related to hazardous material emissions near a school.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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Refer VIIIa The site is not listed on Geotracker for hazardous materials. Government Code §65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. In addition, a review of the Cortese List indicated that there are no hazardous material locations recorded within 0.5 mile of the project site. Therefore, the project is not located on a site or near a site included on a list of hazardous materials sites that would create a significant hazard, and impacts would be less than significant.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

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The project site is within the Airport Land Use Compatibility Plan (ALUCP;2014) and airport influence area (Review Area 2 – airspace protection and overflight boundaries) for San Diego International Airport and Naval Air Station (North Island). Per the ALUCP, Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1. Only airspace protection and overflight policies and standards apply within Review Area 2. The proposed height would be approximately 85 feet and would not exceed the Federal Aviation Administration (FAA) Part 77 height criteria of 200 feet above ground level. The project has received three FAA letters, “Determination of No Hazard to Air Navigation” dated June 5, 2015. Therefore, it was determined the project would not be a hazard to air navigation and the potential safety hazard for people residing or working in the project area would be less than significant.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

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The project site is not in proximity to any private airstrip. There would be no impact.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project would not negatively impact an adopted emergency response plan or evacuation plan as construction equipment staging areas would be restricted to on-site locations, and public roadways would not be impeded by construction operations. The temporary closure of the segment of Fifth Avenue adjacent to the project site for installation of utility connections would not result in a significant access restriction, as emergency vehicles would continue to be able to access the area through Sixth Avenue and the open portion of Fifth Avenue. Traffic control plans would be required during construction. The project would be constructed on existing development and operations would not affect existing traffic flow through Fifth Avenue. Thus, there would be a less than significant impact.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project does not include structures located within 100 feet of natural vegetation or wildlands, as the site and surrounding areas are currently developed. A fire threat may exist in the nearby open space canyons, as fires have occurred in the past. The Fire Department has an active program promoting the clearing of canyon vegetation away from structures. However, the closest urban canyons are located a block to the east from Sixth Avenue and existing development provides a defensible space around the project property. The project will not intermix urbanized areas with wildlands and will have no impact.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project lies within the San Diego Mesa Hydrologic Area (908.20) of the Pueblo San Diego Hydrologic Unit (908.00) (Omega Engineering Consultants 2015). The San Diego Bay receives runoff conveyed from the property, and is currently on the 303(d) list of impaired waters for polychlorinated biphenols. Construction and operation of the project would potentially result in the release of heavy metals, trash and debris, oil and grease, bacteria and viruses, and pesticides into runoff from the project site. The project would not directly discharge runoff into a 303(d) listed water body (Omega Engineering Consultants 2016a).

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would comply with the City's Stormwater Management and Discharge Control Ordinance (SDMC Chapter 4, Article 3, Division 3), Storm Water Runoff and Drainage Regulations (Land Development Code §142.02 et al.), and other applicable storm water quality standards during and after construction. The Water Pollution Control Plan (WPCP) prepared for the project identified construction-related Best Management Practices (BMPs) that would be implemented (Omega Engineering Consultants 2015). These include soil stabilization BMPs such as utilizing temporary cover as needed during stockpiling and sediment control BMPs such as temporary silt fences and gravel bags and utilization of street sweeping. The WPCP would also require utilization of a temporary construction entrance during grading operations to reduce tracking of sediments, and implementation of wind control BMPs such as watering disturbed soils and watering stockpile areas with plastic covering. The WPCP also requires implementation of water control and conservation measures, adherence to paving and grinding guidelines, and implementation of waste management and materials pollution control BMPs. Implementation of the BMPs outlined in the WPCP would also require completion of Inspection, Maintenance, and Repair Program.

The Storm Water Quality Management Plan (SWQMP) prepared for the project identified operational BMPs that would be implemented (Omega Engineering Consultants 2016a). In addition, an infiltration study was prepared by GEOCON. However, pursuant to the results of the study, full or partial infiltration is considered infeasible. Therefore, proposed stormwater management would utilize bio-filtration devices instead of infiltration (GEOCON 2016). These include four bio-filtration areas that would collect runoff from the project site and serve as hydromodification storage facilities. Bio-filtration area 1 would be located at the south end of the project site and receive runoff from walkways and the proposed building rooftop. Bio-filtration areas 2 and 3 would be located in the courtyard on the second story of the proposed building. Bio-filtration area 4 would be located along the northerly end of the proposed building and will treat runoff from the nearby roof areas.

Implementation of these BMPs, along with regulatory compliance, would preclude any violations of applicable standards and discharge regulations. Therefore, project impacts related to water quality would be less than significant.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would not involve groundwater wells or pumping. The project will reduce the impervious surface area from 96.6 percent to 91.6 percent (Omega Engineering Consultants 2016a); however, the project site is at an elevation of approximately 290 feet Mean Sea Level (MSL) and groundwater in the area is at approximately five feet above MSL (Geocon Incorporated 2016). Due to the depth of groundwater compared to the elevation of the project site, impacts will be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

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A Hydrology Report was prepared for the project by Omega Engineering Consultants (2016b). Runoff generated by the site in the existing condition drains via sheet flow and concentrated gutter flow off site to the curb face along the easterly side of Fifth Avenue. The runoff is then conveyed to the City of San Diego storm drain inlet located at the southeasterly corner of the intersection of Fifth Avenue and Brookes Avenue and to an outfall located in San Diego Bay.

The project would redevelop the entire project site and reduce the impervious surface area from 96.6 percent to 91.6 percent, which would decrease peak runoff volumes and flow rates for the 85th percentile event and the 100-year storm event. Under the 100-year storm, runoff flow rates would be reduced from 4.67 cubic feet per second (cfs) to 3.78 cfs. The project would modify drainage locally, but existing flow path described above will remain the same. Additionally, the project would include development of four bio-filtration areas to receive runoff and manage storm flows. Therefore, the project's impact on drainage patterns will be less than significant.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

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The project would retain the off-site existing drainage pattern, and runoff would continue to be conveyed to Fifth Avenue. As discussed above, the project would reduce runoff flow rates under the 100-year storm event from 4.67 cfs to 3.78 cfs and would implement four bio-filtration areas that would collect runoff from the project site and serve as hydromodification storage facilities. Therefore, the project would not result in downstream flooding issues. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

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The project would comply with all City and Regional Water Quality Control Board storm water quality standards during construction and operation. The project would include construction and operational BMPs to maintain water quality (see IX(a)), including implementation of four bio-filtration areas that would collect runoff from the project site and serve as hydromodification storage facilities (Omega Engineering Consultants 2015 and 2016a). Thus, project impacts associated with runoff would be less than significant.

- f) Otherwise substantially degrade water quality?

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The project would comply with all storm water quality standards during construction and after construction and appropriate BMPs (see IX(a)) would be implemented (Omega Engineering Consultants 2015, 2016a). Thus, water quality impacts would be less than significant.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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The property is currently developed and located on a 1 to 5 percent slope to the east. No housing will be within the 100-year floodplain. There would be no impact.

- h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

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The property is currently developed and located on a 1 to 5 percent slope to the east. No structures will be within the 100-year floodplain. There would be no impact.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is not within a 100-year flood hazard area and the project would not expose people or structures to a significant flooding hazard. The project is not located within a levee-protected area, nor is it downstream from a dam. There would be no impact.

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| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project site is approximately 4.5 miles from the Pacific Ocean and approximately 290 feet above mean sea level. Considering that the project site is outside the tsunami inundation zone, there would be no impact.

X. LAND USE AND PLANNING – Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The existing site is developed with residential, office, and parking uses. The project will retain the existing commercial office building located south of the proposed residential building, and consolidate the residential and parking uses into one building. Additionally, the project is located in an area surrounded by apartments, single-family homes, professional offices, and a variety of shops and businesses. The proposed 7-story residential building will not physically divide these surrounding established businesses and homes because the project does not involve the introduction of new infrastructure such as a major roadway. No impacts would result.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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In addition to the objectives and policies of the General Plan, the Uptown Community Plan is the prevailing document determining land use guidance that control development type, density, and/or appearance within the project specific area. The SDMC provides details pertaining to these developmental regulations such as height, bulk, dimensions, and/or common areas. The project would not conflict with the overarching goals of the City's General Plan, the Uptown Community Plan, and regulations set forth in the SDMC.

The project is consistent with the relevant goals and policies of the City's General Plan and the Uptown Community Plan. The project proposes to develop a 262,172-square-foot, 7-story, 141-unit

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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apartment building with amenities over three levels of subterranean parking located at 3435 Fifth Avenue in the Uptown Community Plan area. The Community Plan designates the site “Commercial/Residential” at a very-high (73–110 dwelling units per acre) residential density. The 1.08-acre site is in the CV-1 zone of the MCCPD, which allows up to 118 units with a SDP. To achieve the desired density, the project would utilize the City’s Affordable Housing Density Bonus program to develop the 23 “bonus units” and obtain a deviation from the maximum structure height. The project site is within MCCPD of the SDMC (Chapter 15, Article 12, Division 2) and requires a height limitation of 65 feet (§1512.0205(a)(2)), a height equivalent to 6 stories. The project, however, is seeking one density bonus incentive to allow the maximum height to 85 feet, or 7 stories. In exchange, the project would set aside 6 units for very-low-income households for the requisite 55-year term and is therefore consistent with the goals and objectives in the Housing Element of the General Plan for the creation and promotion of affordable housing.

The project is consistent with the goals and recommendations for residential development within the Uptown Community Plan. The proposed structure incorporates the objectives of the Urban Design Element with the use of offsetting planes, building articulation, varied exterior building materials and pedestrian interest at the street level. The development would enhance the level and quality of pedestrian activity in the community and would be compatible in bulk, scale and design with the pattern of the existing neighborhood.

As previously indicated, the site is located in an area that is diverse with many single and multi-family residences, offices, retail and commercial centers some of which are mixed-use structures in excess of ten-stories as well as 6- to 7-story structures. These mixed land use characteristics are compatible with the existing office building to remain, and the proposed building, which will offer multi-family residences. In addition, the proposed additional floor allows for the construction of more affordable units on the site, which assists the City comply with its Regional Housing Needs Allocation requirements.

As described in VIII(e), the project site is within the Airport Land Use Compatibility Plan (ALUCP) and airport influence area (Review Area 2 – airspace protection and overflight boundaries) for San Diego International Airport and Naval Air Station (North Island) according to the Airport Land Use Compatibility Plan (ALUCP; 2014). The use and density is consistent with the ALUCP. Per the ALUCP, Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1. Only airspace protection and overflight policies and standards apply within Review Area 2. The proposed height would be approximately 85 feet and would not exceed the FAA Part 77 height criteria of 200 feet above ground level. The project has received three FAA letters, “Determination of No Hazard to Air Navigation,” dated June 5, 2015. Therefore, the project would be consistent with the ALUCP.

The project meets the objective in the Transportation Element of the community plan for development of off-street parking facilities by providing three levels of underground parking that would accommodate 261 automobile, 15 motorcycle, and 58 bicycle spaces. The proposed three levels of parking would also ensure that the project is consistent with parking requirements set forth

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in the Affordable Housing Regulation (Section 143.0740(f)(2)). Additionally, the project would add two street parking spaces on Fifth Avenue and one street parking space on Walnut Avenue.

Therefore, the project is consistent with the land use requirements set forth in the Uptown Community Plan, the SDMC, ALUCP, and the City's Affordable Housing Density Bonus Regulations. Impacts would be less than significant.

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| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The site is currently developed. The site and surrounding land is not in a designated preserve area outlined in the City's Subarea Plan. The site is not in a MHPA and is not located adjacent to MHPA land. Refer to Section IV above. There would be no impact.

XI. MINERAL RESOURCES – Would the project?

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| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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There are no known mineral resources on the project site. The existing site and surrounding lands are currently developed. The site and surrounding lands are located in a neighborhood (commercial, residential) with similar uses. The site and surrounding area is not suitable for mining operations. There would be no impact.

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| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The City's General Plan does not identify the project site as being within a mineral resource zone. There would be no impact.

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

- a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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An Acoustical Analysis Report were prepared by Eilar Associates, Inc., May 16, 2017 that analyzed the potential noise impacts associated with construction on sensitive receptors (residential), and exterior and interior noise from transportation. The analysis also evaluated the operational noise associated with proposed heating, ventilating and air conditioning (HVAC) units to sensitive receptors within the facility.

Construction Noise

Noise associated with the demolition of the structures, grading, and construction could potentially result in short-term noise impacts to adjacent residential properties. A variety of noise-generating equipment would be used during the construction phase of the project such as scrapers, backhoes, front-end loaders, and concrete saws, among others.

Noise from temporary construction activities is not expected to exceed the City of San Diego noise limits at the property line. The City of San Diego Noise Ordinance limit for construction activities is 75 A-weighted decibels equivalent noise level [dB(A) L_{eq}] averaged over a 12-hour period. Construction would be prohibited between the hours of 7 p.m. and 7 a.m., Sundays, and legal holidays. Other noise control measures include maintaining construction equipment in proper working condition, and placing staging equipment away from sensitive noise receptors. The project would be required to comply with the City's Noise Ordinance. No mitigation would be required. Construction noise impacts would be less than significant.

HVAC Units

The project would be required to comply with SDMC §59.5.0401 residential property line noise limit of 60 dB between 7 a.m. to 7 p.m., 55 dB between 7 p.m. and 10 p.m., and 50 dB between 10 p.m. and 7 a.m. On-site noise sources would include rooftop HVAC equipment. According to the noise modeling prepared by Eilar and Associates (2016) floors 1 through 7 will be below 40 dB(A) at the worst-case scenario (HVAC units on 100 percent of the time, at all hours of the day). Thus, HVAC noise would be less than significant.

Traffic Noise

Per Table NE-3 Land Use - Noise Compatibility Guidelines presented in the City of San Diego Noise Element of the General Plan, and the CEQA Thresholds, noise levels at outdoor use areas for multi-family residences shall not exceed 65 dB community noise equivalent level (CNEL). Future traffic noise impacts were calculated at common outdoor use areas (second floor courtyard) and for each floor building façade (mimicking the private patio). According to the acoustical analysis, traffic noise

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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levels at the common exterior use areas and building façade are all below 65 CNEL, except for the first-floor eastern façade (65.2 CNEL).

Per Table NE-3 Land Use - Noise Compatibility Guidelines of the General Plan, exterior to interior noise levels shall not exceed 45 CNEL with windows opened. Because the exterior noise levels at the building facades range from 49.4 to 65.2 CNEL and some receivers exceeded the 65 CNEL threshold, the project would include the following design features as conditions of approval to reduce noise to acceptable levels:

- Proposed exterior wall assembly must have a Sound Transmission Class (STC) rating of 57
- All closed windows and glass doors for residential units shall have a minimum rating of STC 28
- All units would include mechanical ventilation (for air circulation).

Implementation of these design features as conditions of approval would reduce noise to acceptable levels, and impacts would be less than significant.

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| b) Exposure of persons to, or generation of, excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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The Project would potentially expose people to ground borne vibrations or noise levels during construction. However, these would be temporary impacts associated with heavy-duty construction equipment. This temporary impact would be considered less than significant because construction would be prohibited during evening hours (7:00 p.m. to 7:00 a.m.) in accordance with SDMC §59.5.0404 Construction Noise. According to Table 11 of the Acoustical Analysis (Eilar and Associates 2016), vibration-inducing construction equipment, such as a pile driver, will not be used; therefore, impacts will be less than significant.

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| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Refer to the analysis under XII (a). Impacts would be less than significant.

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| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Refer to the analysis under XII (a). Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels?

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The project site is located 1.5 miles northeast of the San Diego International Airport. According to the San Diego International Airport ALUCP, the project area is located outside of the 60 dB or greater noise contours. Future residential structures will not result in excessive exterior noise from the San Diego International Airport; however, to ensure that interior noise levels are less than 45 dB, the project would include the following design features as conditions of approval to reduce noise to acceptable levels:

- Proposed exterior wall assembly must have a Sound Transmission Class (STC) rating of 57
- All closed windows and glass doors for residential units shall have a minimum rating of STC 28
- All units would include mechanical ventilation (for air circulation).

Implementation of these design features as conditions of approval would reduce interior noise to acceptable levels, and impacts would be less than significant.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

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The project site is not located within the vicinity of a private airstrip. No impact would occur.

XIII. POPULATION AND HOUSING – Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project does not propose density or regulatory changes that would remove, restrict, or encourage population growth in the area. The project would result in 141 residential units and associated improvements. Since the project is an infill development project with access to existing infrastructure and would be consistent with the City's General Plan, SDMC, and the City's Affordable Housing residential designations/regulations, it would not induce population growth indirectly or directly. Population and housing impacts would be less than significant.

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

The project proposes to remove two multi-family residences (a total of 9-units), and construct one, 141-unit apartment building in its place. The net housing is an excess of 132 units and would not result in a negative displacement of housing. Impacts would be less than significant.

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

See XIII (b). Impacts would be less than significant.

XIV. PUBLIC SERVICES

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

The City provides fire services through geographic service areas. Fire protection for the community is within the service area of three fire stations: Fire Stations 3, 5, and 8. The nearest fire station is Fire Station 5, located at Ninth and University Avenue, approximately 0.5 mile north of the site. The San

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Diego Fire Department has a response time goal of having first responding unit arrive within 7.5 minutes from the receipt of the 911 call in fire dispatch, 90 percent of the time.

Although the project would result in additional residential units, the project would not result in a measurable adverse effect on fire response times due to the project's infill location, fire stations proximity (all less than 1 mile), and the minimal increase in demand for fire service that the residences would generate. Because of these factors, the project would not adversely impact fire response times and would not represent a substantial change in demand such that additional facilities would need to be constructed. As the project would not require the construction of additional facilities, impacts would be less than significant.

ii) Police Protection ☐ ☐ ☒ ☐

The Western Division of the San Diego Police Department is located at 5215 Gaines Street and would provide police protection to the project area. The average response times for the Western Division for 2014 were 6.4 minutes for emergency calls, 10.8 minutes for Priority 1 calls, 25.4 minutes for Priority 2 calls, 62.8 minutes for Priority 3 calls, and 69.7 minutes for Priority 4 calls. The San Diego Police Department's Citywide response time goals are 7 minutes for emergency calls, 14 minutes for Priority 1 calls, 27 minutes for Priority 2 calls, 68 minutes for Priority 3 calls, and 70 minutes for Priority 4 calls.

Although the project that would result in additional residential units, the project would not result in a measurable adverse effect of police response times due to the project's infill location and minimal increase in demand for police service that the proposed number of residences would generate. Additionally the project would be subject to applicable Development Impact Fees for public facilities financing in accordance with SDMC §142.0640 at the time of building permit issuance. As the project would not adversely affect existing levels of police protection services or create a significant new demand and would not require the construction of a new or expansion of an existing facility. Impacts related to police protection would be less than significant.

iii) Schools ☐ ☐ ☒ ☐

The schools serving the project site would be three public elementary schools: Florence (0.5 mile northwest), Alice Birney (1.25 miles northeast), and Grant (1.25 miles northwest). In addition to the elementary schools, one Junior High School–Roosevelt (0.75 mile east)–and one High School–San Diego High (1.75 miles southeast)–would serve the project site. These schools are within the San Diego Unified School District (SDUSD). The SDUSD provides opportunities for students to attend schools within their residential neighborhoods, as well as opportunities to attend schools in educational settings outside their identified attendance boundaries (Choice Program).

Based on the number of additional units proposed by the project, the current student generation rates and number of potential students are included in Table 3 below.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Table 3 Potential Student Generation Rates from the Project		
Number of Additional Units	Potential Student Generation Rates	Number of Potential Students
132	K-5: 0.032-0.064	K-5: 4-8
	6-8: 0.012-0.024	6-8: 2-4
	9-12: 0.015-0.030	9-12: 2-4
	K-12: 0.059-0.118	K-12: 8-16

Based on the number of units the project has the potential to provide housing to a relatively small amount of students. Capacity at SDUSD schools would be sufficient to accommodate the project's projected student population based on the current Choice Program and future enrollment studies prepared by the SDUSD.

In addition, pursuant to Government Code §65995 et seq., the project proponent would be required to pay applicable school fees before the issuance of construction permits. With payment of statutory school fees, adverse impacts to school facilities would be avoided and no new school facilities would be required to accommodate the project. . Thus, the project would not adversely affect schools or create a significant new demand and would not require the construction of a new or expansion of an existing facility. Additionally, as stated previously the project would be required to pay developer fees for school facilities construction that would reduce impacts to schools to a level less than significant.

iv) Parks

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The project would be serviced by a number of parks, and joint-use facilities. Balboa Park is located approximately 0.1 mile east of the project site, which consists of more than 1,000 acres of land that offers opportunities for passive recreation, various gardens, arts and international culture associations, 15 museums, as well as the San Diego Zoo. Mission Hills Park (includes Pioneer Memorial Park), provides passive recreation amenities, such as multi-purpose turf areas, parking lot, a children's play area, seating, picnicking, walkways, and landscaping. Similarly, Old Trolley Barn Park provides multi-purpose turf areas, a children's play area, seating, picnicking, walkways, and landscaping. West Lewis Street, a pocket park, provides passive recreation amenities, a trail, public art, interpretive signage, and seating. There are two joint-use facilities within Uptown, which are Birney Elementary School and Roosevelt Middle School.

Since the project is a residential redevelopment project that would add a relatively small amount of dwelling units, the project would not individually impact City parks and would not represent a substantial change in park use such that additional parks would need to be acquired. In addition, the General Plan allows park equivalencies to be used when vacant land is limited, unavailable or is cost-prohibitive. The application of park equivalencies is determined by the community and City staff through a set of guidelines. The community and City identified and evaluated population-based park and recreation opportunities, as well as potential park equivalency sites, for their recreational value,

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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possible uses and functions, public accessibility, consistency with General Plan policies and guidelines, and other land use policy. Future development proposed within the Uptown Community Plan Area would be subject to payment of developer impact fees for public facilities financing in accordance with SDMC §142.04. Thus, physical impacts associated with the construction of park facilities would not occur, and impacts would be less than significant.

v) Other public facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would be serviced by the Mission Hills and University Heights libraries. A new 25,000-square-foot facility will replace the current 3,850-square-foot Mission Hills Branch Library located at 925 West Washington Street and built in 1961 prior to the minimum standard of 15,000 square feet for branch libraries. Because the new facility will provide expanded library services to future residences living in the area, the project would not result in additional public facilities such as libraries. Thus, no new facilities would be constructed as a result of this project, no physical impacts associated with the construction of new facilities would occur, and impacts would be less than significant.

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Balboa Park, located one block to the east of the project site, is a "Resource-based park," and provides for citywide and visitor recreational facilities. Balboa Park offers playgrounds, tennis courts, shuffleboard, a bicycle track, golf course, pool, and other forms of active and passive recreation. Many of these facilities are located at the Morley Field recreation area in the northeast corner of the park.

As noted in XIV(a)(iv), the project would add a relatively small amount of 132-dwelling units (141-units minus 9-units), the project would not individually impact parks or recreational facilities and would not represent a substantial change in use such that additional parks/facilities would need to be acquired. In addition, the project would be subject to payment of DIF for public facilities financing in accordance with SDMC §142.0640 Therefore, no adverse physical deterioration of facilities would occur, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

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See XV(a). No impact would occur.

XVI. TRANSPORTATION/TRAFFIC – Would the project?

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

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The Mobility Element of the Uptown Community Plan includes goals and policies that lead to a multi-modal network that encourages walking, bicycling, and public transit. As part of this effort, the City has recently re-striped one of the three travel lanes on Fifth Avenue to provide a Class II bike lane with buffers on Fifth Avenue from Hillcrest to Downtown. This segment of Fifth Avenue has a capacity of 17,500 ADT. The existing ADT on Fifth Avenue fronting the project site is 10,850 based on a 24-hour machine traffic count obtained Thursday, October 5, 2015. Project access would be provided from Fifth Avenue, a one-way, 2-lane, north-bound road. The proposed 141 multi-family dwelling units are expected to generate a net increase of approximately 798 ADT, with 64 AM and 71 PM peak hour trips. When 100 percent of project traffic (798ADT) is added to this segment of Fifth Avenue, the existing with project ADT would be 11,648 ADT (10,850 +798). The volume-to-capacity ratio on this segment is 0.67 (11,648 /17,500), which would represent a level of service "C," which is acceptable in the City of San Diego.

Fifth Avenue fronting the project site is expected to operate acceptably with the addition of project trips as discussed above, and the project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?

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See XVI(a). The project would not conflict with a congestion management plan and would not negatively affect level of service standards. There would be no impact.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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The project site is within the airport influence area (Review Area 2) and the FAA Notification area for San Diego International Airport and the Naval Air Station North Island. The project would not result in a change in air traffic patterns, that would result in substantial safety risks. In addition, City staff received FAA letters (dated June 5, 2015) the project would not result in a hazard to Air Navigation. Impacts would be less than significant.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

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The project proposes 141 multi-family dwelling units that would be accessed to and from Fifth Avenue. Fifth Avenue is a one-way, two-lane northbound road that would operate acceptably with the addition of project trips. Fifth Avenue would be improved along the project frontage by providing new curb and gutter, new sidewalk, access driveway, pavement, sewer and water laterals, and landscaping. The alley located on the western boundary would be entirely improved with new concrete, alley apron, and curb ramp. The project would include residential uses and retain access to and from Fifth Avenue. The project would not increase hazards associated with any design feature or incompatible uses. Therefore, impacts would be less than significant.

- e) Result in inadequate emergency access?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project has been reviewed by the City's Fire Chief and determined to be consistent with all policies of that department, with no impediments to emergency access. There would be no impact.

- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

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The infill development project is consistent with the policies of the Uptown Community Plan, and the City's Street Design Manual. The project includes bicycle parking spaces and would not impede the use of any alternative transportation facility such as bus stops or sidewalks. Therefore, the project would not result in any conflicts regarding policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. There would be no impact.

XVII. UTILITIES AND SERVICE SYSTEMS –
Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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Operational discharges from the project will be diverted into the San Diego Metropolitan Sewerage System and is ultimately treated at the Point Loma Wastewater Treatment Plant (WWTP). A joint permit issued by the California Regional Water Quality Control Board, San Diego Region and the U.S. Environmental Protection Agency regulate the discharge of treated wastewater from the Point Loma WWTP into the Pacific Ocean. The City's water monitoring program ensures that the treated water at the Point Loma WWTP complies with all permits and state and federal water quality-based standards. Therefore, the project would not exceed applicable wastewater treatment requirements with respect to discharges to the sewer system. Impacts would be less than significant.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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The City Public Utilities Department will provide water to the project. Water purchased from the San Diego County Water Authority represents approximately 85 percent of the City's water supply sources. The San Diego County Water Authority owns and operates water storage reservoirs collected from the Colorado River, State Water Project, and local sources.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would add 132-dwelling units (141-units minus 9-units) that would not represent a substantial change in water demand. Since the property is already developed, the project would connect to an existing 8-inch water line. In addition, water reduction measures and all public water facilities, including services and meters, must be designed and constructed in accordance with current City Water Facility Design Guidelines and City regulations.

For wastewater treatment, the project would connect to an existing 10-inch public sewer line. The existing sewer line is located along Fifth Avenue. The City Public Utilities Department maintains the sewer system in this area. The San Diego Metropolitan Sewerage System provides regional wastewater collection, treatment, and disposal services for the City. The Point Loma WWTP treats wastewater from residential, commercial, and industrial sources in the City of San Diego. No existing capacity issues have been identified to meet the population forecast demands. Only lateral connections would be required for the project, no line extensions or off-site improvements would be necessary.

The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities that would cause significant environmental effects. Existing water and sewer facilities are currently available to the existing development. The project proposes an increased residential density to the area; however, improvements would be limited to extension of pipes onto the project site. Sewer and water capacity fees will be due and collected at the issuance of building permits. Thus, impacts would be less than significant.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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The project would construct on-site storm water drainage facilities and would not change the existing offsite runoff pattern as discussed in Sections IX(a) and IX(c). All facility construction is consistent with the City's Drainage Master Plan(s) and City Engineering Standards. The project includes storm water drainage facility upgrades necessary to support the project. Thus, impacts would be less than significant.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

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See response to XVII(b). Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Result in a determination by the wastewater treatment provided which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

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Refer to Response XVII.(b). The project would result in adequate wastewater treatment capacity and impacts would be less than significant.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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The California Public Resources Code (Assembly Bill 939) requires each city in the state to divert at least 50 percent of its solid waste from landfill disposal through source reduction, recycling, composting, and transformation. Subsequent approvals, (Assembly Bill 341) require a 75 percent solid waste diversion by the year 2020. The City has enacted codes and policies aimed at helping it achieve this diversion level, including the Refuse and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2 Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C&D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6). The project would comply with these codes.

As prescribed in the project's Waste Management Plan (RECON, 2016), the project would comply with all applicable City ordinances regarding collection, diversion, and disposal of waste generated from C&D, grading, and occupancy. Demolition, grading, and construction is estimated to generate 53,129 tons of waste, of which 99.7 percent (52,982 tons) would be diverted primarily through source separation. The demolition and construction waste would be separated on-site into material-specific containers in order to facilitate reuse and recycling. A designated solid waste materials coordinator will ensure that all contractors and subcontractors are educated and that procedures for waste reduction and recycling efforts are implemented. This would reduce the anticipated impact of waste disposal to below the threshold of direct significance as well as greatly exceed the state requirement of 50 percent and 2020 goal of 75 percent. During occupancy, the waste management plan includes a provision of sufficient interior and exterior storage space for refuse and recyclable materials, and a means of handling and recycling landscaping and green waste materials. Impacts associated with solid waste generation and landfill capacity would be less than significant.

- g) Comply with federal, state, and local statutes and regulation related to solid waste?

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project would comply with all federal, state, and local regulations related to solid waste as prescribed in the Waste Management Plan (RECON 2015). See XVII(e). Therefore, impacts would be less than significant.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

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As described in Sections IV and V of the Initial Study, the project site is located on developed property. Therefore, the project would not degrade the quality of the biological 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 facility or animal community, or reduce the number or restrict the range of a rare or endangered facility or animal. However, the project has the potential to degrade the quality of the environment, notably with respect to paleontological resources. As detailed in Section V(c), the presence of Very Old Paralic Deposits and San Diego formations implicates mitigation measure **PAL-1** in order to reduce potentially significant impacts of California prehistory to a less than significant level. Thus, the project would not eliminate important examples of the major periods of California prehistory.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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As documented in this Initial Study, the project may have the potential to degrade the environment as a result of impacts to Paleontological Resources, which may have cumulatively considerable impacts. As such, mitigation measures would be required to be implemented to reduce impacts to less than significant.

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

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Based on the analysis included in this Initial Study, it has been determined that there would be no significant direct or indirect effect on human beings. No impact would occur.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

- ☒ City of San Diego General Plan. 2008
- ☒ Community Plans: Uptown Community Plan, 1988, 2016

II. Agricultural Resources & Forest Resources

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

III. Air Quality

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

IV. Biological Resources

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

☒ City of San Diego Land Development Code Biology Guidelines.

☐ Site Specific Report:

V. Cultural Resources (includes Historical Resources)

☐ City of San Diego Historical Resources Guidelines.

☐ City of San Diego Archaeology Library.

☐ Historical Resources Board List.

☐ Community Historical Survey:

☐ Site Specific Reports:

VI. Geology and Soils

☐ City of San Diego Seismic Safety Study.

☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

☒ Site Specific Report: Geotechnical Investigation, Strauss Fifth Avenue Apartments, San Diego, California was prepared by GEOCON Incorporated, May 8, 2015.

☒ Site Specific Report: Response to City Comments, Strauss Fifth Avenue Apartments, San Diego, California, was prepared by GEOCON Incorporated, September 29, 2016.

☒ Site Specific Report: Structural and Civil Plans Review, Strauss Fifth Avenue Apartments, San Diego, California, was prepared by GEOCON Incorporated, June 26, 2015.

VII. Greenhouse Gas Emissions

☐ Site Specific Report:

VIII. Hazards and Hazardous Materials

☐ San Diego County Hazardous Materials Environmental Assessment Listing,

☐ San Diego County Hazardous Materials Management Division

☒ FAA Determination of "No Hazard to Air Navigation, June 5, 2015.

☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized.

☒ Geotracker. Accessed online January 19, 2016 at <http://geotracker.waterboards.ca.gov>

___ Site Specific Report:

IX. Hydrology and Water Quality

___ Flood Insurance Rate Map (FIRM).

___ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map. June 19, 1997. Panel 1336F.

___ Clean Water Act Section 303(d) list.

X Department of Conservation website:
http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SanDiego/Documents/Tsunami_Inundation_PointLoma_Quad_SanDiego.pdf

X Site Specific Report: Storm Water Management Recommendations, Strauss Fifth Avenue Apartments, San Diego, California, was prepared by GEOCON Incorporated, June 6, 2016, revised September 2, 2016.

X Site Specific Report: Water Pollution Control Plan (WPCP), was prepared by Omega Engineering Consultants, Inc., September 18, 2015.

X Site Specific Report: Storm Water Quality Management Plan (SWQMP) for Strauss 5th & Walnut, was prepared by Omega Engineering Consultants, Inc., June 1, 2016a.

X Site Specific Report: Preliminary Hydrology Report for Strauss 5th & Walnut, was prepared by Omega Consultants, Inc., March 25, 2016b.

X. Land Use and Planning

X City of San Diego General Plan. 2008

X City of San Diego Housing Element 2013

X Community Plan: Uptown Community Plan. 1988, 2016.

X Airport Land Use Compatibility Plan: San Diego International Airport ALUCP 2014.

X City of San Diego Zoning Maps

XI. Mineral Resources

___ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

___ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

☐ Site Specific Report:

XII. NOISE

☐ Community Plan

☒ Airport Land Use Compatibility Plan CNEL Maps

☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes

☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

☒ City of San Diego Municipal Code

☒ City of San Diego General Plan. 2008

☒ Site Specific Report: Acoustical Analysis Report for Strauss Fifth Avenue 3534 Fifth Avenue, San Diego, California, was prepared by Eilar Associates, Inc., May 16, 2016

XIII. Paleontological Resources

☒ City of San Diego Paleontological Guidelines.

☐ Demere, Thomas A. and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996

☐ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

☐ Site Specific Report:

XIV. Population and Housing

☒ City of San Diego General Plan. 2008

☒ Community Plan: Uptown Community Plan, 1988, 2016.

☒ U.S. Census. Accessed online March 23, 2016 at:
<https://www.census.gov/quickfacts/table/PST045215/0666000>

☐ Series 11 Population Forecasts, SANDAG

☒ City of San Diego: General Plan Housing Element 2013-2020.

XV. Public Services

- ☒ City of San Diego General Plan. 2008
- ☒ City of San Diego. Accessed online February 16, 2017 at:
<https://www.sandiego.gov/police/services/divisions/western>
- ☒ Community Plan: Uptown Community Plan, 1988, 2016
- ☐ Public Facilities Financing Plan

XVI. Recreation

- ☒ City of San Diego General Plan. 2008
- ☒ Community Plan: Uptown Community Plan, 1988, 2016
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources:

XVII. Transportation / Traffic

- ☐ City of San Diego General Plan.
- ☐ Community Plan.
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ☐ San Diego Region Weekday Traffic Volumes, SANDAG.
- ☒ Site Specific Report: 3534 5th Avenue – Trip Generation Memorandum, was prepared by Urban Systems Associates, Inc., February 23, 2016.

XVIII. Utilities

- ☒ Site Specific Report: A Waste Management Plan for the 3534 Fifth Avenue Project, San Diego, California, was prepared by RECON Environmental, Inc, March 24, 2016.

XIX. Water Conservation

- ☐ Sunset Magazine, New Western Garden Book, Rev. ed. Menlo Park, CA: Sunset Magazine

Map Source: USGS 7.5 minute topographic map series, POINT LOMA quadrangle, 1994, PUEBLO LANDS OF SAN DIEGO



 Project Boundary



Project Location on USGS Map


Strauss Fifth Avenue Apartments SDP/Project No. 451832
City of San Diego – Development Services Department

FIGURE

1

Image Source: SANDAG (flown November, 2014)



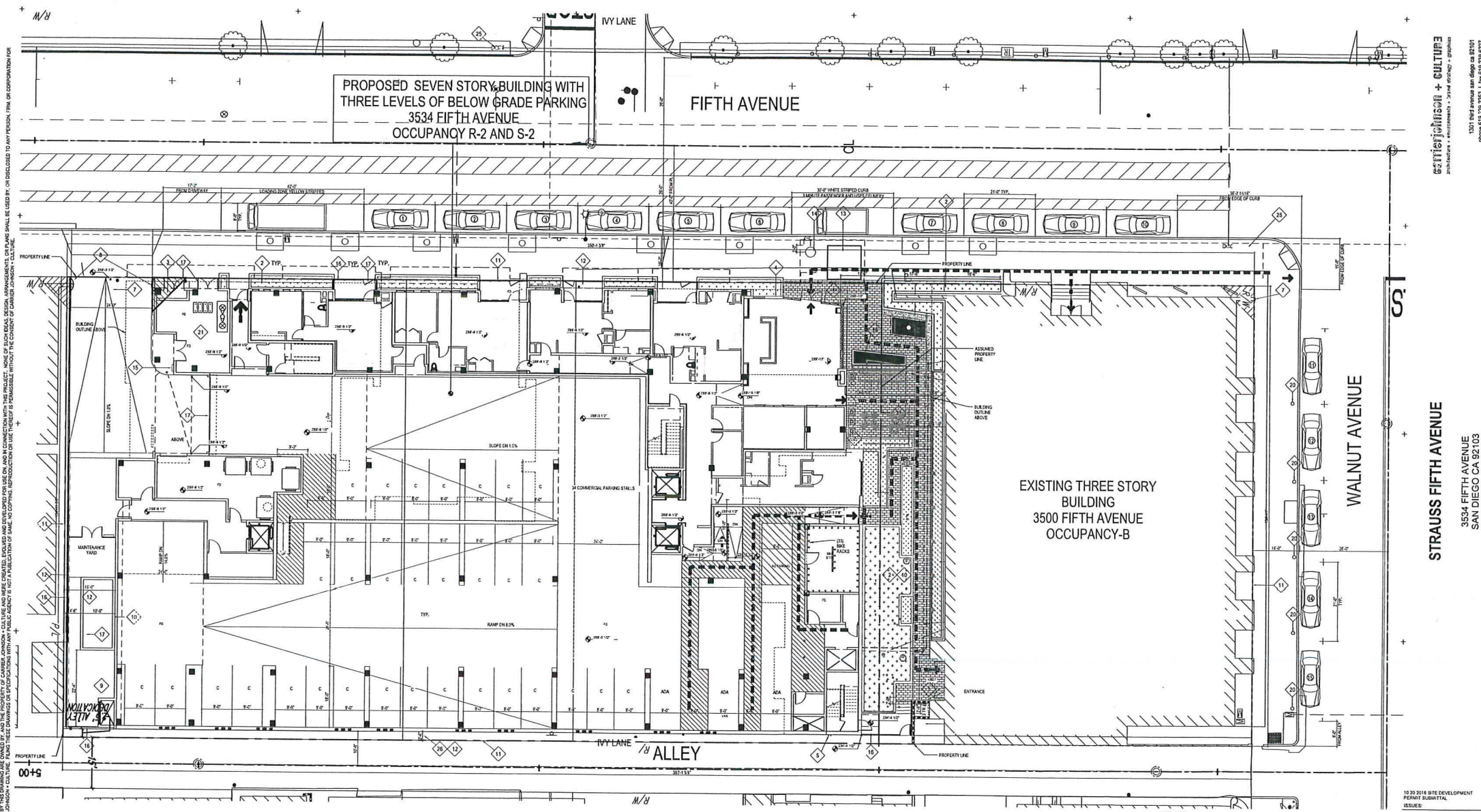
 Project Boundary



Project Location on Aerial Photograph
Strauss Fifth Avenue Apartments SDP/Project No. 451832
City of San Diego – Development Services Department

FIGURE

2



1 ACCESSIBILITY SITE PLAN
SCALE: 1/32" = 1'-0"

ACCESSIBILITY LEGEND	NOTES	SITE PLAN KEYNOTES
<p>ACCESSIBLE PATH OF TRAVEL PER CBC 118-118 PATH OF TRAVEL SHALL BE A MINIMUM 5' WIDE ACCESS ROUTE WITHOUT ANY HORIZONTAL VERTICAL CHANGES EXCEEDING 1/4" PER FOOT. EXCEPT THAT VERTICAL CHANGES DO NOT EXCEED 1/4" VERTICAL AND IS AT LEAST 4" RISE. SURFACE IS TO BE SMOOTH AND FREE OF OBSTRUCTIONS. THE WIDTH OF TRAVEL SHALL BE AT LEAST 5' UNLESS OTHERWISE NOTED. THE PATH SHALL BE MAINTAINED FREE OF OBSTRUCTIONS TO BE MAINTAINED AND PROTRUSIONS OBJECTS GREATER THAN 4" PROTRUSION FROM WALK AND NOSE OF ACCESS SHALL BE MAINTAINED TO VERIFY THAT THERE ARE NO OBSTRUCTIONS IN THE PATH AND THE PATH COMPLETES WITH CBC 118-402.42.</p> <p>ACCESSIBLE PARKING SPACE PER CBC 118-502</p> <p>ACCESSIBLE CURB RAMP 1/2" GROOVED BORDER AND DETECTABLE WARNING SURFACE PER CBC 118-408</p> <p>ACCESSIBLE BUILDING ENTRANCE - PROVIDE INTERNATIONAL SYMBOL OF ACCESSIBILITY ENTRANCE SIGN (V) WITH ARROW BETWEEN 4" TO 7" OF 1/4" X 1/4" SQUARES ON SINGLE SQUARES, CENTERED ON RIGHT PANEL OF DOUBLE SQUARES PER CBC 118-404</p>	<p>1. SEE SHEET 10-B FOR OCCUPANCY AND EXISTING SUMMARY FOR LEVEL 1.</p> <p>2. EXISTING WEBSTER BUILDING, 3500 FIFTH AVENUE, TO REMAIN ON SITE. PARKING FOR BUILDING WILL BE PROVIDED IN PROPOSED BUILDING.</p> <p>3. FOR GRADING, PUBLIC IMPROVEMENT, POST CONSTRUCTION BMP AND CONSTRUCTION EMPE APPROVALS, SEE DRAWING NO. 23184-D, CIVIL/CDM/A Approved 12/25/2016 AND SWPPP Filed Under PIS 423920.</p> <p>4. GRADE PLANE CALCULATION: 285'-1" x 281'-0" = 283'-0" = 282'-9 1/2"</p> <p>5. SUBTERRANEAN GARAGES ENCROACHMENTS SHALL EXTEND 4 FEET BELOW THE TOP OF THE SIDEWALK AND SHALL NOT BE LOCATED WITHIN 8 FEET FROM THE CURB FACE, EXCEPT TO ACCOMMODATE ACCESS HATCHES TO UNDERGROUND VAULTS. SUCH HATCHES SHALL BE LOCATED TO NOT INTERFERE WITH STREET TREE PLANTING.</p> <p>6. NO ACCESS GATE SHALL SWING OPEN INTO THE PUBLIC RIGHT OF WAY.</p> <p>7. FIVE (5) EXISTING METERED SPACES ON WALNUT AVENUE. TEN (10) NON-METERED SPACES ON FIFTH AVENUE. ONE (1) 42' LONG LOADING ZONE STRIPPED YELLOW. ONE (1) 35' LONG USFS AND PASSENGER DROP OFF, STRIPPED WHITE. THE PROJECT IS A DEVIATION FOR THE ON STREET LOADING ZONE.</p>	<p>1. INTERNATIONAL SIGN OF ACCESSIBILITY SEE DETAIL ISAA8.71</p> <p>2. PLANTER - PER LANDSCAPE DRAWINGS</p> <p>3. GAS METERS</p> <p>4. KNOX BOX AT 7'-0" ABOVE ADJACENT GRADE</p> <p>5. FIRE SPRINKLER RISER LOCATION</p> <p>6. LINE OF BELOW GRADE GARAGE</p> <p>7. 10' X 10' VISIBILITY TRIANGLE</p> <p>8. INSTALL 30" CONVEX TRAFFIC MIRROR-POST MOUNTED FOR VISIBILITY TO THE SOUTH</p> <p>9. BOILER AND EQUIPMENT YARD</p> <p>10. STORM WATER FILTER PER CIVIL DRAWINGS</p> <p>11. PROPERTY LINE OR RIGHT OF WAY</p> <p>12. REQUIRED SETBACK</p> <p>13. SDGE VAULT COVER</p> <p>14. SDGE MANHOLE, SEE 2/A1.21</p> <p>15. ADA ENTRY SIGN, SEE 2/E1A.140</p> <p>16. PLANK FENCING - 6'-0" TALL</p> <p>17. GATE</p> <p>18. EXISTING TRASH ENCLOSURE AREA</p> <p>19. PLANTER WALL OR BENCH PER LANDSCAPE DWG'S</p> <p>20. EXISTING METER</p> <p>21. SEE MEP DRAWINGS FOR EQUIPMENT</p> <p>22. CONCRETE SITE STAIR & HAND RAIL-SEE 1/A1.21</p> <p>23. ASSUMED PROPERTY LINE</p> <p>24. CMU WALL</p> <p>25. FIRE HYDRANT</p> <p>26. DEDICATED TO CITY FOR ALLEY INCREASE IN WIDTH</p>

LEGAL DESCRIPTION
LOTS 11-17 OF LOMA GRANDE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 892 FILED AT THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 23, 1891.

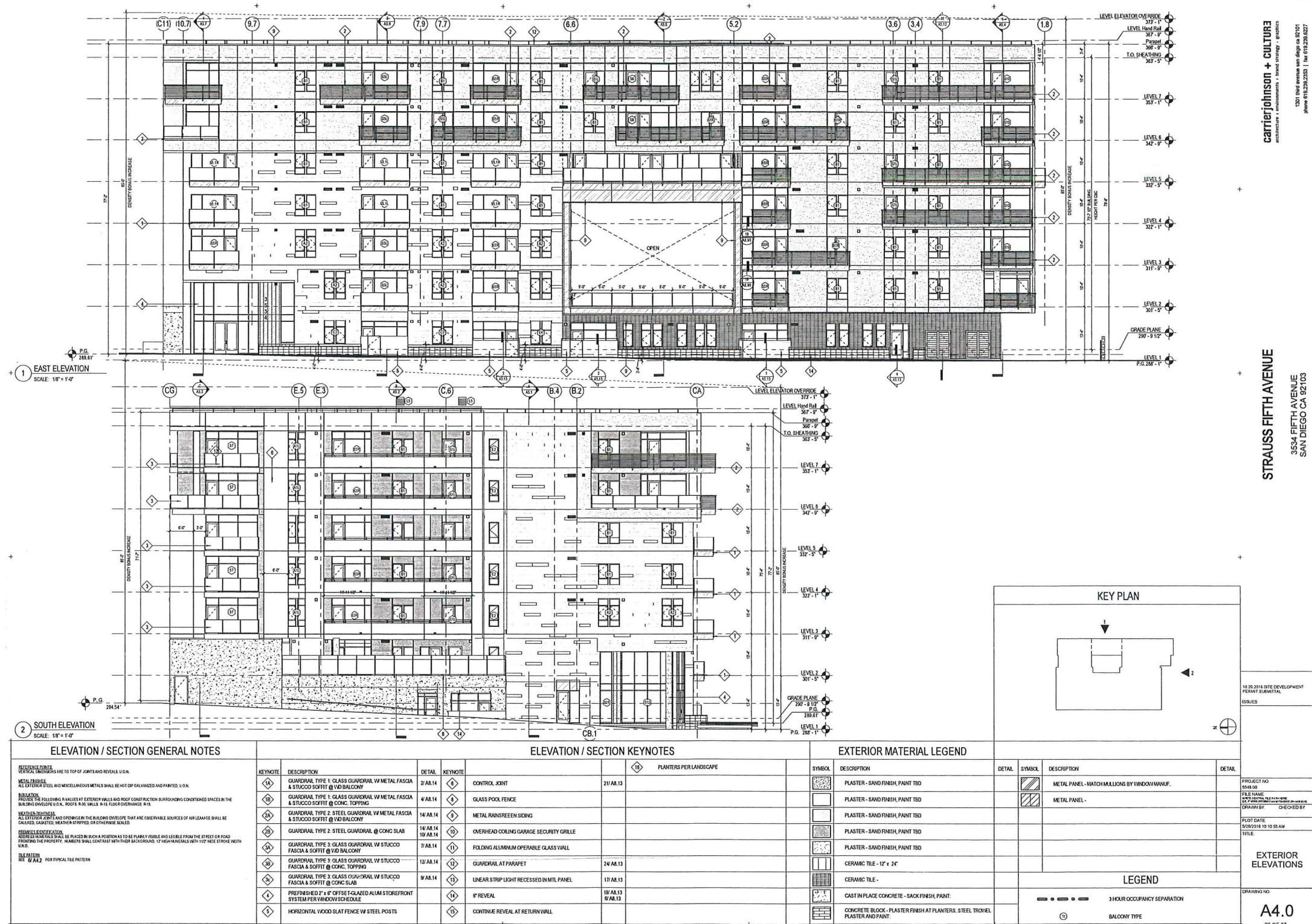
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STRAUSS FIFTH AVENUE
3534 FIFTH AVENUE
SAN DIEGO CA 92103

PROJECT NO: 5548.00
FILE NAME: Strauss Plan 10-19
DRAWN BY: VJP
CHECKED BY: VJP
PLOT DATE: 7/6/2015 5:18:02 PM
TITLE:
ARCHITECTURAL AND ACCESSIBILITY SITE PLAN
DRAWING NO:
A1.1
12 OF 37



Strauss Fifth Avenue Apts SDP



carriehjohson + cultura
ARCHITECTURE + PLANNING + INTERIOR DESIGN + GRAPHICS
1301 Third Avenue San Diego CA 92101
Phone 619.231.2353 | Fax 619.231.6227

STRAUSS FIFTH AVENUE
3534 FIFTH AVENUE
SAN DIEGO CA 92103

10.25.2018 DATE DEVELOPMENT
PERMIT SUBMITTAL
SSJ/JS

PROJECT NO.
1545-00
FILE NAME
24.7.2018 STRAUSS FIFTH AVENUE
DRAWN BY
CHECKED BY

PLAT DATE
10/25/2018 10:55 AM
TITLE

EXTERIOR ELEVATIONS

26 OF 37



East and South Elevations

Environmental Analysis Section Project No. 451832

CITY OF SAN DIEGO · DEVELOPMENT SERVICES DEPARTMENT

Strauss Fifth Avenue Apts SDP

Figure
4a

