



Advance Planning &  
Engineering Division  
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## ENVIRONMENTAL IMPACT REPORT

Project No. 180357  
SCH No. 2010091079

**SUBJECT:** **THE WATERMARK**. GENERAL PLAN AMENDMENT, COMMUNITY PLAN AMENDMENT, REZONE, VESTING TENTATIVE MAP, PLANNED DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT and a STREET VACATION to change the current land use designation from Industrial/Business Park to Commercial/Residential Prohibited and remove the Prime Industrial Lands identification on a portion of the project site, a rezone of a portion of the project site from IP-2-1 to CR-2-1 to construct a mixed-use development comprised of commercial office space, commercial retail space, and a movie theater. The Street Vacation is required to vacate Scripps Gateway Court. In addition to new development, the proposed project includes existing development that is occurring on the project site in accordance with existing/previous project approvals, including an approved CUP, Planned Industrial Development (PID) Permit, and Planned Development Permit (PDP) (CUP/PID No. 991027; CUP No. 174323/PDP No. 174234 Extension of Time). The 34.39-acre project site is located at 10137 Scripps Gateway Court and is designated Industrial/Business Park and the IP-2-1 zone within the Miramar Ranch North Community Plan area. (LEGAL DESCRIPTION: Lots 1 – 6, 8, 10, and 11; Scripps Gateway Unit No. 2; Map No. 14004). Applicant: Sudberry Properties.

**UPDATE:** **September 18, 2013. Revisions and/or minor corrections have been made to this document, in response to comments submitted, when compared to the draft Environmental Impact Report. In accordance with the California Environmental Quality Act, Section 15088.5, the addition of new information that clarifies, amplifies, or makes insignificant modifications does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is the identification of new significant environmental impacts or the addition of a new mitigation measure required to avoid a significant environmental impact. The modifications within the final environmental document do not affect the analysis or conclusions of the Environmental Impact Report. All revisions are shown in a ~~strikethrough~~ and/or underline format**

## **CONCLUSIONS:**

Based on the analysis conducted for the project described above, the City has prepared the following Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) to inform public agency decision-makers and the public of the significant environmental effects that could result if the project is approved and implemented, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project (State CEQA Guidelines Section 15121). As further described in the attached EIR, the City has determined that the project would have a significant environmental effect in the following areas: **Transportation/Traffic Circulation/Parking (direct and cumulative) and Air Quality (direct relative to construction).**

It is further demonstrated in the attached EIR that the project would not result in a significant environmental effect in the following areas: **Land Use, Visual Quality/Neighborhood Character, Global Climate Change, Energy, Noise, Biological Resources, Historical Resources, Geologic Conditions, Paleontological Resources, Hydrology/Water Quality, Health and Safety, Public Services and Facilities, and Public Utilities.**

Mitigation measures are proposed (Section 5.0) to reduce all Project impacts to below a level of significance, with the exception of **Transportation/Traffic Circulation/Parking**. Significant and unmitigated impacts relative to **Transportation/Traffic Circulation/Parking** would result on several street segments of Scripps Poway Parkway. The attached EIR and Technical Appendices document the basis for the above Determination.

## **MITIGATION, MONITORING AND REPORTING PROGRAM:**

A series of mitigation measures relative to **Transportation/Traffic Circulation/Parking** and **Air Quality** are identified within each issue area discussion in Section 5.0, Environmental Analysis, of the EIR to reduce environmental impacts. The mitigation measures are also fully contained in Section 11.0, Mitigation Monitoring and Reporting Program, of the EIR.

## **RECOMMENDED ALTERNATIVES FOR REDUCING SIGNIFICANT UNMITIGATED IMPACTS**

Based on the requirement that alternatives reduce significant impacts associated with the proposed project, the EIR considers the following Project Alternatives which are further detailed in the Executive Summary and Section 10.0 of the EIR:

1. No Project/Development Under Existing Approvals
2. Light Industrial Park
3. Prime Industrial Lands
4. Reduced Intensity – 17 Percent Reduction in Trips

Under CEQA Guideline Section 15126.6(e)(2), if the No Project Alternative is the



environmentally superior alternative, the EIR must also identify which of the other alternatives is environmentally superior. The EIR identifies both the Light Industrial Park or Prime Industrial Lands alternative as environmentally superior to the proposed project. These alternatives result in similar impacts when compared to each other and would result in reductions in the level of impacts associated with Transportation/Traffic Circulation/Parking. However, neither of these alternatives would accomplish the project's main goals and objectives. The Reduced Intensity – 17 Percent Reduction in Trips alternative would result in a slight reduction in Transportation/Traffic Circulation/Parking impacts and would meet the project objectives, but would not provide for the same amount of office space as the proposed project and does not include a hotel, which is included in the proposed project.

**PUBLIC REVIEW DISTRIBUTION:**

Individuals, organizations, and agencies that received a copy or notice of the draft EIR and were invited to comment on its accuracy and sufficiency is provided below. Copies of the Draft EIR, the Mitigation Monitoring and Reporting Program and any technical appendices may be reviewed in the office of the Advanced Planning & Engineering Division, or purchased for the cost of reproduction.

**RESULTS OF PUBLIC REVIEW:**

- ( ) No comments were received during the public input period.
- ( ) Comments were received but did not address the accuracy or completeness of the Draft Environmental Impact Report (EIR). No response is necessary and the letters are attached at the end of the EIR.
- (X) Comments addressing the accuracy or completeness of the Draft Environmental Impact Report (EIR) were received during the public input period. The letters and responses are located immediately after the Table of Contents.

  
Cathy Winterrowd  
Assistant Deputy Director  
Development Services Department

February 28, 2013  
Date of Draft Report

September 18, 2013  
Date of Final Report

Analyst: Shearer-Nguyen

## **DISTRIBUTION OF DRAFT ENVIRONMENTAL IMPACT REPORT:**

The following individuals, organizations and agencies received a copy or notice of the draft EIR and were invited to comment on its accuracy and sufficiency.

### FEDERAL

MCAS Miramar (13)

### STATE OF CALIFORNIA

Caltrans District 11 (31)

California Department of Fish and Game, South Coast Region (32)

Department of Toxics and Substances (39)

Regional Water Quality Control Board Region 9 (44)

State Clearinghouse (46A)

California Transportation Commission (51)

California Transportation Commission (51A)

California Transportation Commission (51B)

Native American Heritage Commission (56)

### CITY OF SAN DIEGO

Mayor's Office (91)

Councilmember Lightner, District 1 (MS 10A)

Councilmember Faulconer District 2 (MS 10A)

Councilmember Gloria, District 3 (MS 10A)

Councilmember, District 4 (MS 10A)

Councilmember Kersey, District 5 (MS 10A)

Councilmember Zapf, District 6 (MS 10A)

Councilmember Sherman, District 7 (MS 10A)

Councilmember Alvarez, District 8 (MS 10A)

Councilmember Emerald, District 9 (MS 10A)

Development Services

EAS

Transportation Development

Engineering

Fire

Planning Review

Landscaping

Geology

Long-Range Planning

Plan Airports

Park and Recreation

Facilities Financing

DPM

Public Utilities Department

Water/Wastewater

Long Range Planning & Water Resources

Warren Lovell, San Diego Police Department (MS 776)



Larry Trame, San Diego-Fire and Rescue Department (MS603)  
Transportation Development – DSD (78)  
Development Coordination – DSD (78A)  
Fire and Life Safety Services (79)  
Kenneth Barnes, San Diego Fire-Rescue (80)  
Library, Government Documents (81)  
Central Library (81A)  
Scripps Miramar Branch Library (81FF)  
Lisa Wood, Environmental Services Department (93A)  
Tom Tomlinson, Facilities Financing (93B)  
City Attorney (93C)

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San Diego County Archaeological Society, Inc. (218)  
Beeler Canyon Conservancy (436)  
Scripps Miramar Ranch Planning Group (437)  
Alliant International University (438)  
Miramar Ranch North Planning Committee (439)  
Scripps Ranch Civic Association (440)  
Acquisitions, Walter Library USIS (441)  
Valerie Mosqueda, Briggs Law Corporation  
Melodie Hallett  
Richard Hallett  
Sal Magallanez  
Febbie P. Moore  
Jack Little  
Marian Marum  
Lorayne Burley  
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Chistina Moseman  
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Tina Nelson  
Mark Sampson  
Mary Scudder  
Connie Simonson  
Annette Sorenson  
James Sullivan

OTHER AGENCIES, ORGANIZATIONS AND INDIVIDUALS (CONTINUED)

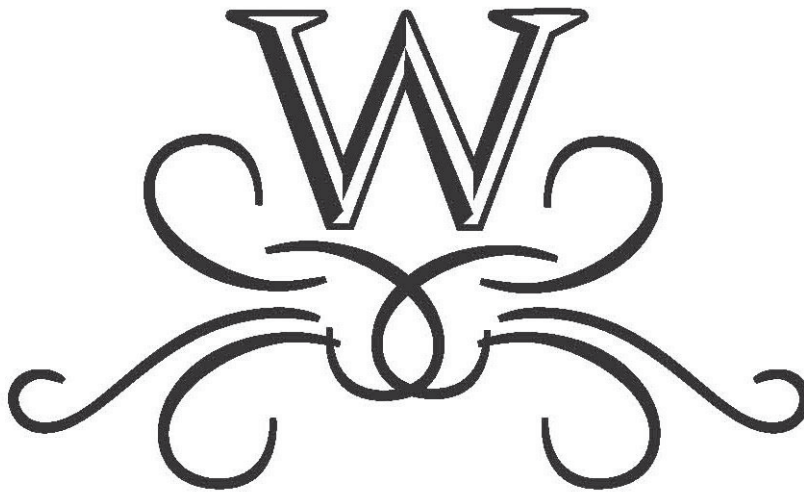
Chris Todd

Deanna Wong

Cathy Wood



WATERMARK



***FINAL  
ENVIRONMENTAL IMPACT REPORT***

**SEPTEMBER 2013**

SCH NO. 2010091079  
PTS NO. 180357





WATERMARK

***FINAL ENVIRONMENTAL IMPACT REPORT***

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# LETTERS OF COMMENTS AND RESPONSES

## WATERMARK DRAFT EIR COMMENT LETTERS

The following comment letters were received from agencies, organizations, and individuals during the public review of the draft EIR. A copy of each comment letter along with corresponding staff responses has been included.

In accordance with CEQA Guidelines Section 15204(a), review of an EIR should focus on the *sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated*. According to Section 15204(a), *[T]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. Many of the comments received during public review of the Watermark Draft EIR did not address the adequacy and/or sufficiency of the environmental document; however, staff endeavored to provide responses as appropriate as a courtesy to the commentors. Where letters of comment have resulted in revisions to the February 2013 Draft EIR, those changes are indicated in the Final EIR in strike-out/underline format (where omitted text is shown as ~~stricken~~ and added text is shown as underlined). Revisions that have been made to the Final EIR do not affect the conclusions contained in the EIR or the adequacy of the environmental document.*

Letter	Author	Address	Date	Representing	Page Number of Letter
<b>FEDERAL AGENCIES</b>					
A	C.L. Thorton Community Plans and Liaison Officer	Marine Corps Air Station P.O. Box 452001 San Diego, CA 92145-2001	March 20, 2013	United States Marine	4
<b>STATE AGENCIES</b>					
B	Jacob Armstrong, Chief	Caltrans, District 11 4050 Taylor Street San Diego, 92110	April 17, 2013	Caltrans Development Review Branch	7
C	Dave Singleton Program Analyst	Native American Heritage Commission 915 Capitol Mall, Room 364 Sacramento, CA 95814	March 4, 2013	Native American Heritage Commission	11
D	Dr. Nirumpa Suryavanshi Project Manager	Department of Toxic Substances Control 5796 Corporate Avenue Cypress, CA 90630	April 8, 2013	Department of Toxic Substances Control	16

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Letter	Author	Address	Date	Representing	Page Number of Letter
E		1400 Tenth Street P.O. Box 3044 Sacramento, CA		California State Clearinghouse	20
<b>LOCAL AGENCIES</b>					
F	James W. Royle, Jr. Chairperson	San Diego County Archaeological Society, Inc. P.O. Box 81106 San Diego, CA 92138-1106	March 14, 2013	San Diego County Archaeological Society, Inc. Environmental Review Committee	24
<b>INDIVIDUALS</b>					
G	Lorayne Burley	11223 Walking Fern Cove San Diego, CA 92131 E-mail: lwwitte@san.rr.com	April 7, 2013	Self	25
H	Jennifer Cesaro	E-mail: jenniwinston@yahoo.com	March 28, 2013	Self	33
I	Michael Cesaro	E-Mail: Michael.Cesaro@audatex.com	April 14, 2013	Self	34
J	Kevin Clements	E-mail: kelements@corelogic.com	April 12, 2013	Self	35
K	Brad Fields	E-mail: Bmfields@aol.com	March 24, 2013	Self	37
L	Jeff He, PhD	6044 Cornerstone Ct. W. Ste C San Diego, CA 92121 E-mail: jhe@accelagen.com	April 14, 2013	Self	38
M	Bob Ilko	E-Mail: srilko4@aol.com	April 14, 2013	Scripps Ranch Civic Association	39
N	Catherine Kastner	E-mail: cdk@kasner.com	April 5, 2013	Self	57
O	Ruriko Kusumoto	E-mail: rsakurauchi@san.rr.com	April 13, 2013	Self	58
P	Valorie McClelland	E-mail: valmac0214@sbcglobal.net	April 7, 2013	Self	60
Q	Christina Moseman	E-mail: tjmoseman@aol.com	April 14, 2013	Self	61
R	Jim Moseman	E-mail: jmoseman@san.rr.com	April 14, 2013	Self	64
S	Tina Nelsen	11414 Ann Arbor Lane San Diego, CA 92131 E-mail: mintchip@san.rr.com	April 2, 2013	Self	67
T	Mark Sampson	10636 Frank Daniels Way San Diego, CA 92131 E-mail: marksampson@sbcglobal.net	April 14, 2013	Self	68
U	Mary Scudder	E-mail: mary.scudder@yahoo.com	March 28, 2013	Self	70
V	Connie Simonsen	E-mail: ksimonsen@san.rr.com	March 30, 2013	Self	71
W	Annette Sorensen	E-mail: SorensenMarketing@att.net	March 29, 2013	Self	72
X	James Sullivan	9950-130 Scripps Vista Way San Diego, CA 92131 E-mail: jimmsully@gmail.com	April 10, 2013	Self	73

# LETTERS OF COMMENTS AND RESPONSES

Letter	Author	Address	Date	Representing	Page Number of Letter
Y	James Sullivan	9950-130 Scripps Vista Way San Diego, CA 92131 E-mail: jimsully@gmail.com	April 10, 2013	Self	78
Z	Chris Todd	E-mail: ctodd@wingertlaw.com	April 3, 2013	Self	80
AA	Deanna Wong	E-mail: decmwong@aol.com	March 28, 2013	Self	82
BB	Cathy Wood	E-mail: CWood@taxcomp.com	March 28, 2013	Self	84

# LETTERS OF COMMENTS AND RESPONSES

## COMMENT



**UNITED STATES MARINE CORPS**  
MARINE CORPS AIR STATION  
P.O. BOX 452001  
SAN DIEGO, CA 92145-2001

11103  
CP&L/180357  
May 29, 2009

CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
PROJECT MANAGEMENT DIVISION  
ATTN: RENEE MEZO  
1222 FIRST AVENUE MS 302  
SAN DIEGO CA 92101-4154

RE: MIRAMAR RANCH NORTH COMMUNITY PLAN; THE WATERMARK, 10137  
SCRIPPS GATEWAY COURT, JOB ORDER NUMBER 43-2396, PN 180357, APN  
319-810-01 to 319-810-11

Dear Ms. Mezo,

This is in response to the project review submittal of May 20, 2009, which proposes commercial development within the Miramar Ranch North Community Planning area.

On October 2, 2008, the Airport Land Use Commission (ALUC) approved the adoption of a revised Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP) that is consistent with the 2005 MCAS Miramar Air Installations Compatible Use Zones (AICUZ) Update. As a result, any development on this site is subject to safety, height, and noise guidelines consistent with the 2005 AICUZ Update.

The proposed site is contained within the "MCAS Miramar AICUZ Study Area" identified in the 2005 AICUZ Update for MCAS Miramar. It has been determined that this project is: 1) within the adopted 2008 MCAS Miramar ALUCP Airport Influence Area (AIA) Review Area II, 2) outside the 60+ dB Community Noise Equivalent Level (CNEL) noise contours, 3) outside all Accident Potential Zones (APZ), 4) beneath the Outer Horizontal Surface of MCAS Miramar (Federal Aviation Regulation Part 77), and 5) beneath and/or near established fixed and rotary-wing flight corridors for aircraft transiting to and from MCAS Miramar.

It has been determined that the proposed project is consistent with AICUZ noise and safety compatibility guidelines, and the structural heights of the proposed buildings do not appear to penetrate the Federal Aviation Administration (FAA) Part 77 Outer

A-1

A-1 Comments noted.

## RESPONSE

# LETTERS OF COMMENTS AND RESPONSES

11103  
CF&L/180357  
May 29, 2009

Horizontal Surface and/or any Terminal Instrument Procedures (TERPS) surfaces. However, please note that the FAA is the only agency that can officially determine if a structure exceeds an airspace surface and/or what impact it would have on air navigation.

This location will experience noise impacts from the Ground Controlled Approach (GCA) Box Pattern and Julian Flight Corridors for fixed-wing operations. The site will also experience noise impacts from the GCA Box Pattern and I-15 Flight Corridors for helicopter operations.

Occupants will routinely see and hear military aircraft and experience varying degrees of noise and vibration. Consequently, we are recommending full disclosure of noise and visual impacts to all initial and subsequent purchasers, lessees, or other potential occupants.

Since the project is within the AIA for the MCAS Miramar ALUCP, and to ensure that the project is consistent with ALUCP guidelines, we recommend that ALUC staff be contacted to determine if an official consistency determination is required.

Normal hours of operation at MCAS Miramar are as follows:

Monday through Thursday	7:00 a.m. to 12:00 midnight
Friday	7:00 a.m. to 6:00 p.m.
Saturday, Sunday, Holidays	8:00 a.m. to 6:00 p.m.

MCAS Miramar is a master air station, and as such, can operate 24 hours per day, 7 days per week. Fiscal and manpower constraints, as well as efforts to reduce the noise impacts of our operations on the surrounding community, impose the above hours of operation. Circumstances frequently arise which require an extension of these operating hours.

Thank you for the opportunity to review this land use proposal. If we may be of any further assistance, please contact Mr. Juan Lias at (858) 577-6603.



# LETTERS OF COMMENTS AND RESPONSES

11103  
CP&L/180357  
May 29, 2009

Sincerely,



E. L. THORNTON  
Community Plans and Liaison Officer  
By direction of the Commanding Officer

Copy to:  
San Diego County Regional Airport Authority, Sandi Sawa

# LETTERS OF COMMENTS AND RESPONSES

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 11 DIVISION OF PLANNING  
4080 TAYLOR ST., MS. 240  
SAN DIEGO, CA 92110  
PHONE: (619) 688-6960  
FAX: (619) 688-4299  
TTY: 711



EDGONDO G. BROWN, L. Governor

*Flex your power!  
Be energy efficient!*

April 17, 2013

11-SD-15  
PM 17.31  
The Watermark  
SCH# 2010091079

Elizabeth Shearer-Nguyen  
City of San Diego  
Planning and Development Services  
1222 First Avenue, MS-501  
San Diego, CA 92101

Dear Mrs. Shearer-Nguyen:

The California Department of Transportation (Caltrans) has reviewed the Draft Environmental Impact Report (DEIR-SCH 2010091079) for the proposed Watermark project near the I-15. Caltrans has the following comments:

**Traffic Analysis**

- B-1** • The proposed reconfiguration of the I-15/Scripps Poway Parkway Interchange to shift the westbound (WB) through lanes on Scripps Poway Parkway to the north and provide additional queuing length for WB traffic on Scripps Poway Parkway has already been completed by Caltrans.
- B-2** • The project should widen one lane (on Scripps Poway Parkway) into the existing landscaped median island east of the northbound (NB) I-15 ramp intersection to create a second trap/storage lane for the left-turning traffic from westbound Scripps Poway Parkway to the southbound (SB) I-15 entrance ramp.
- B-3** • To minimize potential backup on the off-ramp and potential rear-end collisions at this intersection, begin the proposed right turn lane 100 feet beyond the end of curb return.
- B-4** • The Synchro Worksheets were not provided for review as part of the EIR traffic analysis technical appendices. In order for Caltrans to properly review the EIR traffic analysis, a copy of the Synchro Worksheets should be provided for our Department's review. All State-owned signalized intersections affected by this project should also be analyzed using the intersecting lane vehicle (ILV) procedure from the Caltrans Highway Design Manual, Topic 406, page 400-21.
- B-5** • Given the proposed project's driveway proximity to the I-15 NB off-ramp, as well as high volumes on the freeway off-ramps and Scripps Poway Parkway, a queue analysis for the freeway off-ramps should be provided as part of the EIR's traffic analysis to determine potential project impacts to the freeway.

*"Caltrans improves mobility across California"*

**B-1** Comment noted. At the time of the traffic counts establishing existing conditions for the Traffic Impact Analysis (TIA), these improvements were not complete. Therefore, the "existing condition" as shown in the TIA is reflective of conditions as they existed when the traffic counts were completed and environmental analysis commenced.

**B-2** Comment noted. As shown on Figure 1-1 of the TIA, a widening into the median of Scripps Poway Parkway is proposed as suggested by this comment.

**B-3** Comment Noted. As shown on Figure 1-1 of the TIA, the planned turn lane has a "bulb-out" at the intersection and is currently planned to begin approximately 100' east of the off-ramp.

**B-4** The Synchro Worksheets are contained in the appendices to the TIA as discussed in the TIA. These worksheets will be made available to Caltrans for their information. All State-owned signalized intersections were analyzed using the industry standard HCM methodology using Synchro software as required by the Caltrans, Guide for the Preparation of Traffic Impact Studies, December 2002.

**B-5** A queue analysis for freeway on-ramps was provided in the TIA (Tables 1-7 thru 1-9). Queue analysis for the off-ramp legs of the intersections was not provided because the projected LOS at these locations is anticipated to be acceptable with the project and mitigation. Excessive queues on the off-ramps has not been observed in the field and is unlikely in the future. Excessive queues resulting from the metered on-ramps and backing onto Scripps Poway Parkway were observed and are shown in tables 1-7 thru 1-9 of the TIA. Mitigation in the form of additional storage is shown in Figure 1-1 (re-printed below as *Scripps Poway Parkway / I-15 Reconfigurations* with response no. M-7) of the TIA and included as MM 5.2-1 in the EIR.

# LETTERS OF COMMENTS AND RESPONSES

<p>Mrs. Shearer-Nguyen April 17, 2013 Page 2</p> <p><b>B-6</b> • Per the Manual of Uniform Traffic Control Devices (MUTCD) Section 2B.18 Support 13c, install an Activated Blank-Out "R3-1" sign at the intersection of northbound I-15 off ramp and Scripps Poway Parkway. Further coordination with Caltrans Traffic Electrical and Signal Branch would be required.</p> <p><b>B-7</b> • Please note, all changes to existing conditions with any potential impact to the States facilities, such as traffic signals, exit and entrance ramps, Americans with Disabilities Act (ADA) curb ramps, etc, must comply with all applicable State and Federal Standards.</p> <p><b>Non-motorized</b></p> <p><b>B-8</b> • This location is within close proximity to residential homes and businesses. It is anticipated that there would be an increase of pedestrian traffic on both the north and south side of Scripps Poway Parkway. Therefore, it is recommended to install detectable warning surface, per Caltrans 2010 Standard Plan A88A, at the north and southwest corner of this intersection. Also, it is recommended to provide Island Passageway at the revised median. All improvements must comply with all ADA requirements and Section 4450 of the California Government Code.</p> <p><b>B-9</b> • For ADA curb ramps and island passageway, construction details should be provided. Please refer to 2010 Caltrans Standard Plans A88A and A88B Curb Ramp and Island Passageway Details.</p> <p><b>B-10</b> • Caltrans standards now require curb ramps with slopes flatter than the legal maximum to account for construction tolerances. Therefore, design for less than maximum slope, e.g., 1.5% instead of 2%, 7.5% instead of 8.33%, etc. Try to obtain a 50-inch width instead of the minimum 48-inch clear width standard.</p> <p><b>B-11</b> • Do not use the term "maximum slopes" on plan sheets even if the maximum slope is flatter than the maximum standard (see DIB 82 <a href="http://www.dot.ca.gov/hq/oppd/dib/dib82-04.pdf">http://www.dot.ca.gov/hq/oppd/dib/dib82-04.pdf</a>).</p> <p><b>B-12</b> • Any modifications to the traffic signals will require implementing Caltrans Traffic Operations Policy Directive Number 12-01. "Change the Pedestrian Clearance Time to a Maximum Walking Speed of 3.5 feet per second. Also, if more than 50 percent of the existing pedestrian signals or pedestrian pushbutton is being replaced, install Accessible Pedestrian Signal (APS) System and Pedestrian Countdown Timers at this intersection."</p> <p><b>B-13</b> • Reduction in the width of the raised median on Scripps Poway Parkway east of the interchange may impact pedestrians and bicyclists. The existing raised median provides a refuge area for bicyclists and pedestrians and includes enough space for most bicycles to store safely if they are caught between signal phases. With the additional west bound turn pocket that is required by Caltrans Traffic Operations, there should be enough width to accommodate a refuge area. A minimum of six feet in width is recommended to maintain storage area for bicyclists and pedestrians.</p> <p style="text-align: right;"><small>*Caltrans improves mobility across California*</small></p>	<p><b>B-6</b> Comment Noted. Signage will be coordinated with Caltrans when final design for the improvements shown in Figure 1-1 of the TIA (re-printed below as <i>Scripps Poway Parkway / I-15 Reconfigurations</i> with response no. M-7) is completed.</p> <p><b>B-7</b> Comment Noted.</p> <p><b>B-8</b> Comment Noted. If the project would install detectable warning surfaces, as required by Caltrans.</p> <p><b>B-9</b> Comment Noted.</p> <p><b>B-10</b> Comment Noted.</p> <p><b>B-11</b> Comment Noted.</p> <p><b>B-12</b> Comment Noted.</p> <p><b>B-13</b> Comment Noted. The additional westbound turn pocket discussed in Comment B-2 and shown in Figure 1-1 of the TIA (re-printed below as <i>Scripps Poway Parkway / I-15 Reconfigurations</i> with response no. M-7) will leave a minimum of six feet in width in the median to maintain a safe storage area for bicyclists and pedestrians.</p>
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# LETTERS OF COMMENTS AND RESPONSES

Mrs. Shearer-Nguyen  
April 17, 2013  
Page 3

- Caltrans Complete Streets Deputy Directive 64-R1 (DD64-R1) requires Caltrans to ensure that the needs of all users of the transportation system are accommodated in all phases of work performed within Caltrans right-of-way (R/W). Any proposed work to be performed in Caltrans R/W should be inclusive of all users of the transportation system.
- The proposed bicycle facility should not be called a bike lane, per California Highway Design Manual (HDM) Chapter 1000, California Vehicle Code 21207, and California Streets and Highway Code section 891.
- The removal of the bike lane on Scripps Poway Parkway is not supported by Caltrans. The addition of the bike path on Scripps Poway Parkway does not absolve all conflict between non-motorized users and motor vehicles. The intent to remove bicycle traffic from eastbound (EB) traffic lanes on Scripps Poway Parkway in lieu of having bicyclists use the proposed path will not remove all bicyclists from eastbound lanes on Scripps Poway Parkway. Many experienced bicyclists will continue to take the outside lane on Scripps Poway Parkway, rather than use the proposed path. Forcing bicyclists to use the path would require them to negotiate the conflicts at the ingress and egress to the Project, as well as freeway off-ramp traffic turning right from the NB I-15 off-ramp. The project should appropriately identify the impacts to bicyclists and pedestrians. It is assumed as part of Caltrans review that the City of San Diego's TSW/Transportation Engineering Operations, Multi-Modal Program has reviewed any proposed changes to the non-motorized circulation as they relate to this project.

## General

- B-14** Please coordinate with Caltrans District 11 Landscape Architect and Maintenance for landscaping adjacent to freeway R/W.
- B-15** Grading for this proposed project which would modify existing drainage and increase runoff to State facilities will not be allowed.
- B-16** If any work is performed within Caltrans R/W an Encroachment Permit will be required. Please refer to Caltrans Encroachment Permits Manual ([http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment\\_permits\\_manual/index.html](http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment_permits_manual/index.html)).
- B-17** Current policy allows Highway Improvement Projects costing \$1 million or less to follow the Caltrans Encroachment Permit process. Highway Improvement Projects costing greater than \$1 million but less than \$3 million would be allowed to follow a streamlined project development process similar to the Caltrans Encroachment Permit process. In order to determine the appropriate permit processing of projects funded by others, it is recommended the concept and project approval

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**B-14** Comment Noted.

**B-15** Comment Noted.

**B-16** Comment Noted. Based on an examination of the proposal for a channelized right-in/out-access point on Scripps Poway Parkway, a 12-foot non-contiguous bike/pedestrian path was determined to provide protection to bicyclists while serving to help eliminate the conflict of traffic weaving between right turn lanes and thru lanes on Scripps Poway Parkway. As a result, the existing bike lane on Scripps Poway Parkway in the eastbound direction will be removed and replaced with the bike/pedestrian path as shown in Figure 4-1 and Figure 4-1 of the EIR.

**B-17** Comment Noted.


**B-18** Comment Noted. The Project has been designed so that runoff rates and durations are controlled to maintain or reduce pre-project flows, downstream erosion conditions and protect stream habitat by the use of Hydromodification Controls. The City approved, June 25, 2012 Drainage Report calculations and conclusions prove compliance to Hydromodification Plan Controls. There will be no off-site runoff onto Caltrans' facilities.

**B-19** Comment Noted.


**B-20** Comment Noted.




# LETTERS OF COMMENTS AND RESPONSES

<p>Mrs. Shearer-Nguyen April 17, 2013 Page 4</p> <p><b>B-21</b> for work to be done on the State Highway System be evaluated through the completion of a Permit Engineering Evaluation Report (PEER). A PEER should always be prepared, regardless of the cost of improvements, when new operating improvements are constructed by the permittee that become part of the State Highway System. These include but are not limited to, signalization, channelization, turn pockets, widening, realignment, public road connections, and bike paths and lanes. After approval of the PEER and necessary application and supporting documentation an Encroachment Permit can be issued.</p> <p><b>B-22</b> Highway Improvement Projects greater than \$3 million, or considered complex projects, would be required to adhere to the full Project Development Process (e.g. Project Initiation Documents, Project Study Reports and Cooperative Agreements). A Caltrans District responsible unit will be notified and a project manager will be assigned to coordinate the project approval.</p> <p><b>B-23</b> In order to expedite the process for projects sponsored by a local agency or private developer, it is recommended a PEER be prepared and included in the Lead Agency's CEQA document. This will help expedite the Caltrans Encroachment Permit Review process. The PEER document forms and procedures can be found in the Caltrans Project Development Procedures Manual (PDPM). <a href="http://www.dot.ca.gov/hq/oppd/pdpm/pdpm.htm">http://www.dot.ca.gov/hq/oppd/pdpm/pdpm.htm</a> <a href="http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/PEER_(TR-0112).pdf">http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/PEER_(TR-0112).pdf</a></p> <p><b>B-24</b> As part of the Encroachment Permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans' RW, and any corresponding technical studies. If these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Identification of avoidance and/or mitigation measures will be a condition of the encroachment permit approval as well as procurement of any necessary regulatory and resource agency permits. Encroachment Permit submittals that are incomplete can result in significant delays in permit approval.</p> <p><b>B-25</b> Additional information regarding Encroachment Permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.</p> <p>If you have any questions, or require further information, please contact Marisa Hampton at (619) 688-6954.</p> <p>Sincerely,  JACOB M. ARMSTRONG, Chief Development Review Branch</p> <p><small>"Caltrans improves mobility across California"</small></p>	<p><b>B-21</b> Comment Noted.</p> <p><b>B-22</b> Comment Noted.</p> <p><b>B-23</b> Comment Noted.</p> <p><b>B-24</b> Comment Noted.</p> <p><b>B-25</b> Comment Noted.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p>STATE OF CALIFORNIA  <b>NATIVE AMERICAN HERITAGE COMMISSION</b>          915 CAPITOL MALL, ROOM 364          SACRAMENTO, CA 95814          www.nahc.ca.gov          (916) 657-5390 - Fax</p> <p>Arnold Schwarzenegger, Governor</p>  <p>Ms. Elizabeth Shearer-Nguyen  <b>City of San Diego Development Services Department</b>          1222 First Avenue, MS - 501          San Diego, CA 92101</p> <p>March 4, 2013</p>	<p>RE: SCH# 2010091079 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) – <b>"The Watermark Project,"</b> located within the Miramar Ranch North Community Plan; City of San Diego; San Diego County, California</p> <p>Dear Ms. Shearer-Nguyen:</p> <p>The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.</p> <p>The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archaeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:</p> <ul style="list-style-type: none"> <li>✓ Contact the appropriate information center for a record search to determine:             <ul style="list-style-type: none"> <li>▪ If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources, which we know that it has.</li> <li>▪ The NAHC recommends that known cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report.</li> </ul> </li> <li>✓ If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible.             <ul style="list-style-type: none"> <li>▪ The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.</li> </ul> </li> <li>✓ Contact has been made to the the Native American Heritage Commission for:             <ul style="list-style-type: none"> <li>▪ A Sacred Lands File Check, and cultural resources have been identified to your agency.</li> <li>▪ A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter.</li> <li>▪ Lack of surface evidence of archaeological resources does not preclude their subsurface existence once ground-breaking activity begins. If that occurs, the NAHC suggests that inadvertent discoveries be coordinated with the NAHC.</li> </ul> </li> </ul> <p>Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA)</p>
<p>C-1</p> <p>Comments noted. The Native American Heritage Commission was contacted in writing on February 16, 2007, in accordance with State Government Code § 65352.3- 65352.4. In accordance with Government Code 65352.3, Tribes were given 90 days in which to request consultation; no consultation was requested. No comments were received during the 90-day consultation period. Additionally, local Native American Tribes were provided with notification of the availability of the draft EIR.</p> <p>In addition, archaeological resources are addressed in Section 5.9, <i>Historical Resources (Archaeological Resources)</i>, of the EIR. As concluded in that section, no cultural resources have been identified on the project site. Additionally, the project site has been graded in accordance with previous project approvals associated with the Scripps Gateway project, leaving the Watermark project site in a completely altered state. The Watermark project would not result in significant impacts to historical resources.</p>	

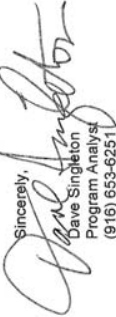
STATE OF CALIFORNIA  
Arnold Schwarzenegger, Governor



**NATIVE AMERICAN HERITAGE COMMISSION**  
915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
ds.nahc@oah.ca.gov  
www.nahc.ca.gov  
(916) 657-5580 - Fax

§15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,  
  
Dave Singleton  
Program Analyst  
(916) 653-6251

CC: State Clearinghouse  
Attachment: Native American Contacts list



# LETTERS OF COMMENTS AND RESPONSES

## Native American Contacts San Diego County March 4, 2013

Barona Group of the Capitan Grande Clifford LaChappa, Chairperson 1095 Barona Road Lakeside , CA 92040 sue@barona-nsn.gov (619) 443-6612 619-443-0681	Sycuan Band of the Kumeyaay Nation Daniel Tucker, Chairperson 5459 Sycuan Road El Cajon , CA 92019 ssilva@sycuan-nsn.gov 619 445-2613 619 445-1927 Fax
La Posta Band of Mission Indians Gwendolyn Parada, Chairperson PO Box 1120 Boulevard , CA 91905 gparada@lapostacasino. (619) 478-2113 619-478-2125	Viejas Band of Kumeyaay Indians Anthony R. Pico, Chairperson PO Box 908 Alpine , CA 91903 jrothauf@viejas-nsn.gov (619) 445-3810 (619) 445-5337 Fax
Manzanita Band of Kumeyaay Nation Leroy J. Elliott, Chairperson PO Box 1302 Boulevard , CA 91905 ljbirdsinger@aol.com (619) 766-4930 (619) 766-4957 Fax	Kumeyaay Cultural Historic Committee Ron Christman 56 Viejas Grade Road Alpine , CA 92001 (619) 445-0385
San Paqual Band of Mission Indians Allen E. Lawson, Chairperson PO Box 365 Valley Center, CA 92082 allenl@santpasqualband.com (760) 749-3200 (760) 749-3876 Fax	Campo Band of Mission Indians Ralph Goff, Chairperson 36190 Church Road, Suite 1 Campo , CA 91906 chraigoff@aol.com (619) 478-9046 (619) 478-5818 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7066.5 of the Health and Safety Code, Section 5997.94 of the Public Resources Code and Section 5997.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH420-00851076; CEQA Notice of Completion, draft Environmental Impact Report (DEIR) for The Watermark Project; located in the Miramar Ranch Community Plan Area; City of San Diego; San Diego County, California.



# LETTERS OF COMMENTS AND RESPONSES

## Native American Contacts San Diego County March 4, 2013

Inter-Tribal Cultural Resource Protection Council  
Frank Brown, Coordinator  
240 Brown Road  
Alpine, CA 91901  
frankbrown6928@gmail.com  
(619) 884-6437

Kumeyaay Cultural Repatriation Committee  
Bernice Paipa, Vice Spokesperson  
1095 Barona Road  
Lakeside, CA 92040  
(619) 478-2113  
(KCRC is a Coalition of 12  
Kumeyaay Governments)  
bp@lapostatitribe.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.54 of the Public Resources Code and Section 6097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2010091076; CEQA Notice of Completion; draft Environmental Impact Report (EIR) for The Watermark Project, located in the Miramar Ranch Community Plan Area; City of San Diego; San Diego County, California.

<div data-bbox="357 1711 422 1795" data-label="Image"> </div> <div data-bbox="430 1690 479 1816" data-label="Text"> <p>Matthew Rodriguez Secretary for Environmental Protection</p> </div> <div data-bbox="308 1417 381 1501" data-label="Image"> </div> <div data-bbox="381 1239 414 1659" data-label="Text"> <p>Department of Toxic Substances Control</p> </div> <div data-bbox="422 1354 470 1543" data-label="Text"> <p>Deborah C. Rauphael, Director 3756 Corporate Avenue Cypress, California 90630</p> </div> <div data-bbox="357 1113 430 1197" data-label="Image"> </div> <div data-bbox="430 1092 462 1218" data-label="Text"> <p>Edmund G. Brown, Jr. Governor</p> </div> <div data-bbox="503 1680 527 1785" data-label="Text"> <p>April 8, 2013</p> </div> <div data-bbox="576 1407 673 1785" data-label="Text"> <p>Mr. E. Shearer-Nguyen Environmental Planner City of San Diego Development Services Center 1222 First Avenue San Diego, CA 92101</p> </div> <div data-bbox="706 1123 747 1785" data-label="Text"> <p>NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WATERMARK PROJECT, (SCH No. 2010091079), SANDIEGO COUNTY</p> </div> <div data-bbox="755 1638 779 1785" data-label="Text"> <p>Dear Mr. Nguyen:</p> </div> <div data-bbox="795 1113 1112 1785" data-label="Text"> <p>The Department of Toxic Substances Control (DTSC) has received your submitted Draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The Project is the Watermark Project, General Plan Amendment, Community Plan Amendment, Rezone, Vesting Tentative Map, Planned Development Permit, Conditional Use Permit and a Street Vacation to change the current land use designation from Industrial/Business Park to Commercial/Residential Prohibited and remove the Prime Industrial Lands identification on a portion of the project site, a rezone of a portion of the project site from IPX2X1 to CRX2X1 to construct a mixed-use development comprised of commercial office space, commercial retail space, and a movie theater. The Street Vacation is required to vacate Scripps Gateway Court. In addition to new development, the proposed project includes existing development that is occurring on the project site in accordance with existing/previous project approvals, including an approved CUP, Planned Industrial Development (PID) Permit, and Planned Development Permit (PDP) (CUP/PID No. 991027; CUP No. 174323/PDP No. 174234 Extension of Time). The 34.39-acre project site is located at 10137 Scripps Gateway Court and is designated Industrial/Business Park and the IPX2X1 zone within the Miramar Ranch North Community Plan area."</p> </div> <div data-bbox="1128 1144 1153 1785" data-label="Text"> <p>Based on the review of the submitted document DTSC has the following comments:</p> </div> <div data-bbox="1161 1123 1226 1785" data-label="List-Group"> <ol style="list-style-type: none"> <li>1) The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:</li> </ol> </div> <div data-bbox="1299 1365 1323 1533" data-label="Text"> <p>♻️ Printed on Recycled Paper</p> </div>	<div data-bbox="803 1837 836 1900" data-label="Text"> <p>D-1</p> </div> <div data-bbox="803 189 860 1039" data-label="Text"> <p>Comments noted. These comments provide a summary of the proposed project description. No responses are necessary.</p> </div> <div data-bbox="1136 1837 1169 1900" data-label="Text"> <p>D-2</p> </div> <div data-bbox="1136 189 1282 1039" data-label="Text"> <p>Comments noted. The EIR evaluates whether conditions within the project area may pose a threat to human health or the environment in Section 5.13, <i>Health and Safety</i>, of the EIR. The EIR concluded that the project is not listed on a hazardous materials sites list; and, therefore, no impacts would occur.</p> </div>
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# LETTERS OF COMMENTS AND RESPONSES

Mr. E. Shearer-Nguyen  
April 8, 2013  
Page 2

## D-2 Cont.

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

## D-3

- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

## D-4

- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be

**D-3** Comments noted. The analysis contained in Section 5.13, *Health and Safety*, of the EIR indicates that there are no hazardous materials sites identified on the project site or within one-quarter mile of the site. No required investigations and/or remediation is necessary.

**D-4** Comments noted. The analysis contained in Section 5.13, *Health and Safety*, of the EIR indicates that there are no hazardous materials sites identified on the project site or within one-quarter mile of the site. No required investigations and/or remediation is necessary.



# LETTERS OF COMMENTS AND RESPONSES

<p>Mr. E. Shearer-Nguyen April 8, 2013 Page 3</p> <p>clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.</p> <p>4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.</p> <p>5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.</p> <p>6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.</p> <p>7) If the project site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.</p> <p>8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.</p> <p>9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see</p>	<p><b>D-5</b> Comments noted. The project does not propose the demolition of structures, asphalt or concrete-paved surface areas.</p> <p><b>D-6</b> Comments noted.</p> <p><b>D-7</b> Comments noted. The <i>Air Quality Analysis</i> prepared for the project evaluates toxic air contaminants (TACs) (see Section 5.4, <i>Air Quality</i>, and Appendix D to the EIR). Additionally, Section 5.13, <i>Health and Safety</i>, of the EIR addresses the health risk of TACs and determines that the emission of TACs would be minimal and would result in a less than significant impact.</p> <p><b>D-8</b> Comments noted. The project site was not used for agriculture, livestock or related activities.</p> <p><b>D-9</b> Comments noted. As concluded in Section 5.13, <i>Health and Safety</i>, of the EIR, the project would not generate hazardous wastes and would not use hazardous materials in substantial quantities.</p> <p><b>D-10</b> Comments noted.</p>
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# LETTERS OF COMMENTS AND RESPONSES

Mr. E. Shearer-Nguyen  
April 8, 2013  
Page 4

[www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Manjani Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

- 10) Also, in future CEQA document, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail.

If you have any questions regarding this letter, please contact me via e-mail [Suryavanshi\\_Nirupma@dtsc.ca.gov](mailto:Suryavanshi_Nirupma@dtsc.ca.gov), or phone (714) 484-5375.

Sincerely,



Dr. Nirupma Suryavanshi  
Project Manager  
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
Attn: Nancy Ritter  
[nritter@dtsc.ca.gov](mailto:nritter@dtsc.ca.gov)

CEQA # 3723

D-11

D-11 Comments noted.





STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Edmund G. Brown, Jr.  
Governor

April 15, 2013

Elizabeth Shearer-Nguyen  
City of San Diego  
1222 First Avenue, MS-501  
San Diego, CA 92101

Subject: The Watermark  
SCH#: 2010091079

Dear Elizabeth Shearer-Nguyen:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 12, 2013, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency  
1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

E-1

E-1 This letter acknowledges compliance with the State Clearinghouse review requirements for draft environmental documents.

# LETTERS OF COMMENTS AND RESPONSES

E-1  
Cont.

SCH#	Project Title	Lead Agency	EIR	Draft EIR
2010091079	The Watermark San Diego, City of			
<b>Document Details Report State Clearinghouse Data Base</b>				
<b>Description</b>				
To implement the Watermark project, the project applicant is requesting approval of an Amendment to the Miramar Ranch North Community Plan and associated General Plan Amendment to change the land use designation from Industrial/Business Park to Regional Commercial, a General Plan Amendment to remove the Prime Industrial Lands Identification from a portion of the project site, a Reason for a portion of the project site from IP-2-1 (Industrial-Park) to CR-2-1 (Commercial-Regional), a Vesting Tentative Map, a PDP with Design Guidelines, a Street Vacation for Scripps Gateway Court, and a CUP for a movie theater. The elements of these various project actions are described in detail in Section 3.0, Project Description, of this EIR.				
<b>Lead Agency Contact</b>				
<b>Name</b>	Elizabeth Shearer-Nguyen			
<b>Agency</b>	City of San Diego			
<b>Phone</b>	619.446.5359			
<b>email</b>				
<b>Address</b>	1222 First Avenue, MS-501			
<b>City</b>	San Diego	<b>State</b>	CA	<b>Zip</b> 92101
<b>Project Location</b>				
<b>County</b>	San Diego			
<b>City</b>	San Diego			
<b>Region</b>				
<b>Lat / Long</b>	32.933148° N / 117.110876° W			
<b>Cross Streets</b>	10137 Scripps Gateway Court			
<b>Parcel No.</b>				
<b>Township</b>				
	<b>Range</b>	<b>Section</b>	<b>Base</b>	
<b>Proximity to:</b>				
<b>Highways</b>	SR 52/I-15			
<b>Airports</b>	MCAS Miramar			
<b>Railways</b>				
<b>Waterways</b>				
<b>Schools</b>				
<b>Land Use</b>	Industrial-Business Park, IP-2-1/Prime Industrial Lands			
<b>Project Issues</b>	Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Public Services; Traffic/Circulation; Water Quality; Growth Including; Landuse; Cumulative Effects; Other Issues			
<b>Reviewing Agencies</b>	Resources Agency; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 11; Regional Water Quality Control Board, Region 9; Native American Heritage Commission			
<b>Date Received</b>	02/27/2013	<b>Start of Review</b>	02/27/2013	<b>End of Review</b> 04/12/2013

STATE OF CALIFORNIA  
 NATIVE AMERICAN HERITAGE COMMISSION  
 915 CAPITOL MALL, ROOM 364  
 SACRAMENTO, CA 95814  
 Tel: (916) 227-2300  
 www.nahc.ca.gov  
 (916) 657-5390 - Fax

Amok Schwanznagel, Governor



RECEIVED

March 4, 2013  
 MAR 11 2013  
 STATE CLEARING HOUSE  
 Clear 04/12/13

Ms. Elizabeth Shearer-Nguyen  
**City of San Diego Development Services Department**  
 1222 First Avenue, MS - 501  
 San Diego, CA 92101

E-2

E-2 This letter is the same letter as C-1, above. Please see response no. C-1.

RE: SCH# 2010091079 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) – **The Watermark Project**, located within the Miramar Ranch North Community Plan; City of San Diego, San Diego County, California

Dear Ms. Shearer-Nguyen:

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3<sup>rd</sup> 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate information center for a record search to determine:
    - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources, which we know that it has.
    - The NAHC recommends that known cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report.
  - ✓ If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible.
    - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.
  - ✓ Contact has been made to the Native American Heritage Commission for:
    - A Sacred Lands File Check, and cultural resources have been identified to your agency.
    - A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter.
    - Lack of surface evidence of archeological resources does not preclude their subsurface existence once ground-breaking activity begins. If that occurs, the NAHC suggests that inadvertent discoveries be coordinated with the NAHC.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA)

# LETTERS OF COMMENTS AND RESPONSES

STATE OF CALIFORNIA

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
TEL: 916/227-8500  
CA\_nahc@nrcall.ca.gov  
WWW.NAHC.CA.GOV  
(916) 857-5390 • Fax

Arnold Schwarzenegger, Governor



§15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
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Sincerely,

Dave Singleton  
Program Analyst  
(916) 653-6251

CC: State Clearinghouse

Attachment: Native American Contacts list



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

Environmental Review Committee

14 March 2013

To: Ms. Elizabeth Shearer-Nguyen  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Environmental Impact Report  
The Watermark  
Project No. 180357

Dear Ms. Shearer-Nguyen:

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

Based on the information contained in DEIR, we agree that no impacts to cultural resources are likely and, therefore, that no cultural resources mitigation measures are required.

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,

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

cc: SDCAS President  
File

P.O. Box 81106 San Diego, CA 92138-1106 (659) 538-0935

F-1

F-1 Comments noted.



# LETTERS OF COMMENTS AND RESPONSES

<p>April 7, 2013</p> <p>Ms. E. Shearer-Nguyen Environmental Planner, City of SD Development Services Center 1222 First Avenue, MS 501 San Diego, CA 92101</p> <p>Please accept my comments regarding the adequacy of The Watermark DEIR - project No. 180357/SCH No. 2010091079.</p> <p><b>Comment #1</b> In section 5.2, Transportation/Traffic Circulation/Parking, 5.2.2 Impact Analysis, Issue 1 <i>Would the project result in:</i> <i>Traffic generation in excess of specific community plan allocation?</i> <i>An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system based on the table presented under Thresholds of Significance above?</i> <i>Addition of substantial amount of traffic to a congested freeway segment, interchange, or ramp as shown in the table under Significance of Thresholds above?</i> <i>Substantial impact upon existing or planned transportation systems?</i> <i>Substantial alterations to present circulation improvements including effects on existing public access to beaches, parks, or other open space areas?</i></p> <p>(1a) The level of service (LOS), with letter grades of E and F, for several intersections at or nearby the project site, is unacceptable despite the proposed mitigation measures. The roadway segments of Spring Canyon Rd/Scripps Creek Dr and Scripps Creek Dr/Cypress Canyon Rd, as stated in DEIR, would result in significant and unmitigated impacts. These two roadway segments services 3 Scripps Ranch elementary schools and 1 park thus resulting in substantial impacts.</p> <p>(1b) Mitigation measure, MM 5.2-1 results in removal of Miramar Ranch North Maintenance Assessment District (MRN-MAD) landscaping. The removal of landscaping will impact the visual quality, neighborhood character, and result in a loss of investment/property to the MRN-MAD.</p> <p>(1c) The volume of traffic with the project as planned (ADT = 18,000 cum/22,000 driveway) will increase usage to the neighboring park on Scripps Poway Parkway (Spring Canyon Park) and the overlook areas on Trail Crest Drive.</p> <p>(1d) At the January 13, 2010 Public Scoping Meeting, the transcripts of the proceedings shows that traffic in the project area was, and still is today, a top concern within the SR community. Since this traffic concern was shared 3 years ago, why did the project go ahead with plans for development with an intensity range of approx. 600,000 square feet of total space and not decrease the intensity of the project building plans?</p>	<p><b>G-1</b> This comment re-states the Issue 1 question, presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-2</b> Comments noted. These comments re-state the conclusions presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-3</b> As described in the EIR, the project proposes an interior vehicular circulation roadway that would run parallel to the I-15 northbound off-ramp in the northwest portion of the project site. This roadway would have access walkways and screening landscaping on the east side where the roadway meets interior project elements (see Figure 3-13, <i>Off-Ramp Frontage Landscape Design</i>). On the west side, where the roadway is adjacent to the off-ramp, enhanced landscaping with access plantings, as well as foreground, midground, and background planting would create a pleasant aesthetic/landscape screening from the freeway and would supplement the landscaped entry into the community. Along Scripps Poway Parkway, the project proposes non-contiguous sidewalks separated from the street with landscaped parkways. These parkways would be planted with street trees, low foreground planting, and midground planting. Thus, while this improvement would affect existing landscaping, the project would replace and enhance the landscaped entrance to the community at this location.</p> <p><b>G-4</b> Impacts on parks are evaluated based on the potential increase in residential units. The City's General Plan provides guidelines for public parks based on the residential population of a neighborhood and community. Needs are determined by multiplying the number of residential units by the anticipated population. Policies of the City's General Plan call for 2.8 acres of public parks per 1,000 residents. Neighborhood parks and facilities should serve a resident population of between 3,500 and 5,000 within an approximately half-mile radius; whereas, community parks and recreation centers should serve a resident population of between 18,000 and 25,000 within an approximately 1.5-mile radius; resource-based parks should provide approximately 15 to 17 acres per 1,000 residents City-wide.</p>
<p><b>G-1</b></p> <p><b>G-2</b></p> <p><b>G-3</b></p> <p><b>G-4</b></p> <p><b>G-5</b></p>	<p><b>G-1</b> This comment re-states the Issue 1 question, presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-2</b> Comments noted. These comments re-state the conclusions presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-3</b> As described in the EIR, the project proposes an interior vehicular circulation roadway that would run parallel to the I-15 northbound off-ramp in the northwest portion of the project site. This roadway would have access walkways and screening landscaping on the east side where the roadway meets interior project elements (see Figure 3-13, <i>Off-Ramp Frontage Landscape Design</i>). On the west side, where the roadway is adjacent to the off-ramp, enhanced landscaping with access plantings, as well as foreground, midground, and background planting would create a pleasant aesthetic/landscape screening from the freeway and would supplement the landscaped entry into the community. Along Scripps Poway Parkway, the project proposes non-contiguous sidewalks separated from the street with landscaped parkways. These parkways would be planted with street trees, low foreground planting, and midground planting. Thus, while this improvement would affect existing landscaping, the project would replace and enhance the landscaped entrance to the community at this location.</p> <p><b>G-4</b> Impacts on parks are evaluated based on the potential increase in residential units. The City's General Plan provides guidelines for public parks based on the residential population of a neighborhood and community. Needs are determined by multiplying the number of residential units by the anticipated population. Policies of the City's General Plan call for 2.8 acres of public parks per 1,000 residents. Neighborhood parks and facilities should serve a resident population of between 3,500 and 5,000 within an approximately half-mile radius; whereas, community parks and recreation centers should serve a resident population of between 18,000 and 25,000 within an approximately 1.5-mile radius; resource-based parks should provide approximately 15 to 17 acres per 1,000 residents City-wide.</p>



# LETTERS OF COMMENTS AND RESPONSES

As concluded in Section 7.0, *Effects Found Not to Be Significant*, of the EIR, an increase in local or regional population would not occur as a direct result of project implementation, because the project does not propose any new residential development. As the proposed project would not result in an increase in population, the project would not increase the use of recreational facilities such that substantial physical deterioration of the facility would occur. The proposed project would not result in the potential to impact parks and recreation.

## G-5

An applicant has the right to propose a project. In accordance with CEQA, the purpose of the EIR is to evaluate the potential impacts associated with the proposed project. Where impacts are determined to be significant, measures are presented to mitigate impacts to below a level of significance. Impacts to traffic circulation are presented in Section 5.2, *Transportation/Traffic Circulation/Parking*. CEQA does not make a determination as to whether a proposed project should proceed along the planning phases, be approved, or be denied.

Ultimate approval of the project lies with the decision-making body, which in the case of the Watermark project is the San Diego City Council. According to CEQA, the decision-making body may approve a project even if there are significant impacts or impacts which cannot be mitigated to below a level of significance through the adoption of Findings and a Statement of Overriding Considerations.

# LETTERS OF COMMENTS AND RESPONSES

<p><b>Comment #2</b> In section 5.2, Transportation/Traffic Circulation/Parking, 5.2.2 Impact Analysis, Issue 3 <i>Would the project result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</i></p> <p><b>G-6</b> (2a) The proximity of elementary school aged children walking to school, relative to the project site location, is of great concern. The increased traffic volumes on Scripps Poway Parkway will impact 3 elementary schools and 1 park, all within a few miles from the project site.</p> <p><b>G-7</b> The 3 Scripps Ranch, San Diego Unified School District, schools reside east of the project site. The schools are:</p> <ul style="list-style-type: none"> <li>• Innovations Academy (corner of Spring Canyon Rd and Scripps Poway Parkway)</li> <li>• Dingenman Elementary (on Scripps Creek Drive)</li> <li>• Ellen Browning Scripps Elementary (on Cypress Canyon Rd)</li> </ul> <p>At all three of these schools, children utilize the crosswalks on Scripps Poway Parkway. Currently, at all Scripps Ranch schools, AM drop-off and PM pickup generate substantial frustration to drivers, as well as safety risks to the children, neighboring residents and commuters. These school facilities have very limited parking for events, AM/drop-off or PM/pickup. The traffic congestion permeates into surrounding neighborhoods roadways.</p> <p>Spring Canyon Park is located on Scripps Poway Parkway within the Spring Canyon Rd/Scripps Creek Dr roadway segment. Spring Canyon Park is jointly used by Dingenman Elementary for activities and is a prime location for family AM drop-off and PM pickup. Unfortunately, I have witnessed parents stopping along Scripps Poway Parkway to allow children to enter or exit vehicles.</p> <p><b>G-8</b> (2b) There would be a change in traffic pattern for SR residents who reside on and nearby Scripps Highlands Drive, Trail Crest Drive, Winding Ridge Road and Farmingdale Street. As congestion and volumes increase near the project site, commuters and local residents will utilize this alternative route. This is currently a known problem with MedImpact employee traffic. Employees want to avoid Scripps Highland Drive and Scripps Poway Parkway and seek alternative access to I-15 via Scripps Ranch Blvd to Mira Mesa Blvd.</p> <p><b>G-9</b> (2c) An increase in traffic levels, with the proposed project, might only be due to cars and smaller trucks/vans but the added volume, presents safety risks due to the "type of vehicles" that utilize Scripps Poway Parkway. Scripps Poway Parkway is a major truck route between I-15 and R-67 and can consist of many large medium and heavy trucks.</p> <p>Medium trucks can include; box, platform, flatbed trucks and recreational vehicles. Heavy trucks can include; concrete transports, cranes, dump trucks, log carriers, semi-trailer/18-wheeler trucks.</p>	<p><b>G-6</b> This comment re-states the Issue 3 question, presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-7</b> All three schools referenced in this comment are located east of the project site, as shown in the aerial photo on the following page. Innovations Academy is located about 0.75 mile to the east, Dingenman Elementary School is about 1.0 mile east of the project site, and Ellen Browning Elementary School is located even farther east, approximately 1.5 miles from the project site.</p> <p>As presented in the EIR, the proposed project would result in an increase in traffic travelling east of the project site. Some trips could be generated from residential neighborhoods east of the project site due to residents working at the project site or using the shops, restaurants, and other services and amenities that the project would provide. Based on the Traffic Impact Analysis prepared for the project, 36 percent (or 7,743 trips) of the traffic generated by the project would travel to/from the east. Increased traffic volumes would not result in a significant impact to safety for children walking to school along Scripps Poway Parkway. Sidewalks separated by a landscaped parkway are provided along Scripps Poway Parkway. Additionally, there are many opportunities to cross at signalized intersections with protected crosswalks.</p> <p><b>G-8</b> Anticipated project traffic is shown in Figure 3-2 of the TIA and in Figures 5.2-4a and 5.2-4b of the EIR. As shown in these figures, little or no traffic from the project is expected to travel south from the project site on Scripps Highlands Drive, Trail Crest Drive, Winding Ridge Road and Farmingdale Street. As discussed in this comment, a certain amount of traffic may avoid the adjacent Scripps Poway Parkway/I-15 Interchange attempting to access I-15 via the Mira Mesa Boulevard Interchange.</p>
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# LETTERS OF COMMENTS AND RESPONSES

As shown in Figure 3-1 of the TIA and Figures 5.2-3a and 5.2-3b, this traffic is expected to travel on Spring Canyon Road/Scripps Ranch Boulevard to reach Mira Mesa Boulevard. This is consistent with experience from travel time surveys during peak hours completed by the applicant. Based on these surveys, the travel time from the project site to the Mira Mesa Boulevard/I-15 interchange was about half a minute to one minute shorter when traveling via Spring Canyon Road/Scripps Ranch Boulevard versus the routing mentioned in this comment.

The shorter travel time experienced when leaving the project site is consistent with the design of these roadways as Major and Prime Arterial roadways with major signalized intersections. Traveling through adjacent neighborhoods on Scripps Highland Drive, Trail Crest Drive, Winding Ridge Road and Farmingdale Street is not only less convenient but would force a driver through a circuitous routing on winding local residential streets. Additionally, the actual distance traveled via Scripps Highland/Trail Crest is 3.04 miles while traveling via Spring Canyon/Scripps Ranch Boulevard is 3.42 miles. Based on the higher speed limits and travel speeds prevalent on the Major/ Prime Arterial roadways, the travel time survey results are consistent with the results which would be expected.

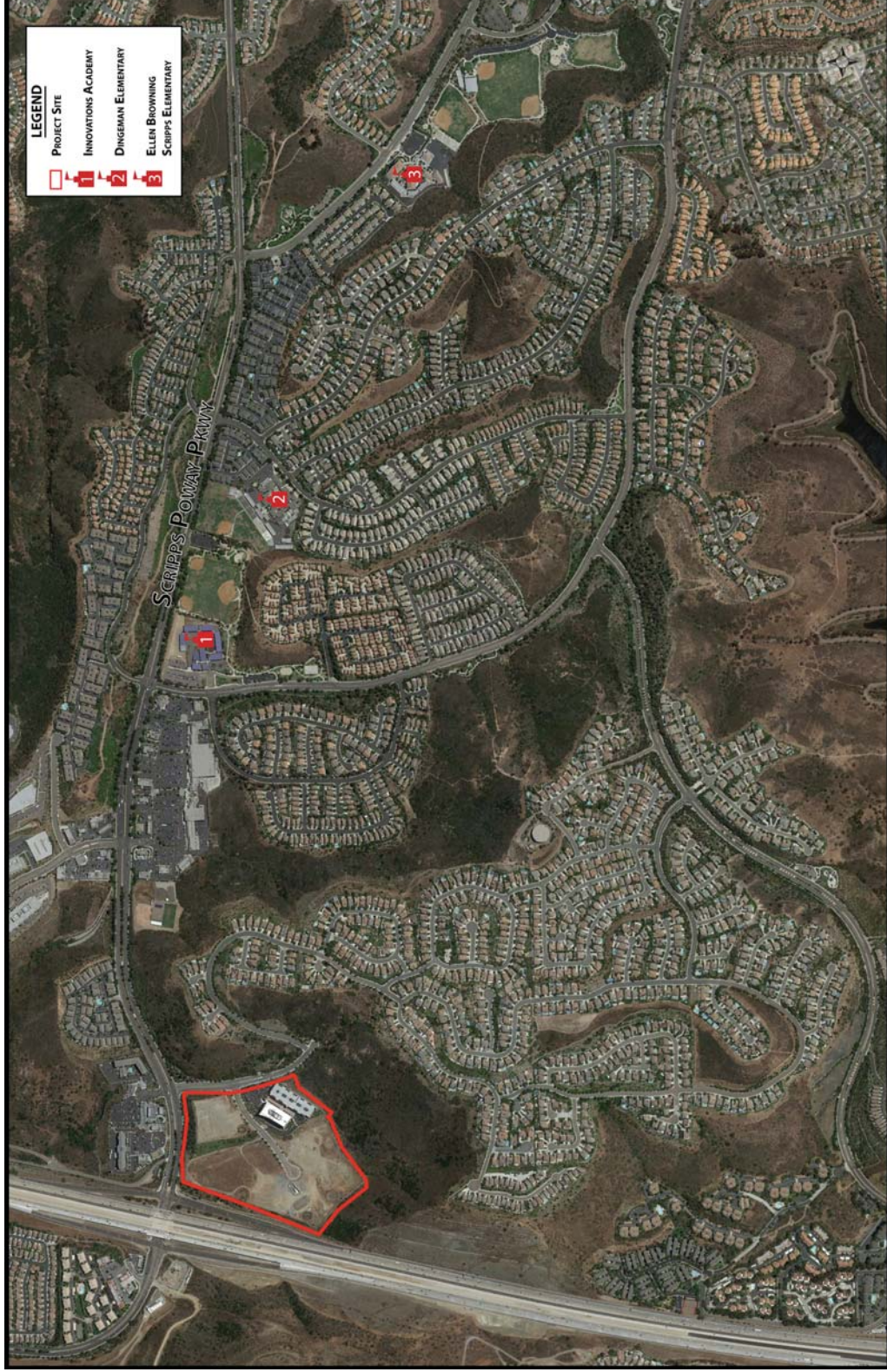
The shorter travel time of the Spring Canyon Road/ Scripps Ranch Boulevard route are consistent with the travel patterns shown in the TIA. It is unlikely that residents adjacent to Scripps Highland Drive, Trail Crest Drive, Winding Ridge Road and Farmingdale Streets would experience significantly higher traffic volumes in their neighborhood as a result of the project. However, these residents would experience increased traffic on Scripps Poway Parkway and adjacent to the project site as shown in the TIA and summarized in the EIR.

## G-9

Comments noted. The TIA prepared for the project includes an assumption for truck traffic based on the classification of the roadways affected and the typical amount of truck traffic those roads carry. Therefore, truck traffic is included in the traffic generation for the project, as well as part of the traffic volumes in the surrounding community.



# LETTERS OF COMMENTS AND RESPONSES



Watermark Project Site in Relation to Parks



# LETTERS OF COMMENTS AND RESPONSES

<p><b>Comment #3</b> In section 5.2, Transportation/Traffic Circulation/Parking, 5.2.2 Impact Analysis, Issue 6 <i>Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of safety of such facilities?</i></p> <p>(3a) The added vehicle volume (ADT =18,000/22,000), and loss of capacity and operating conditions, at several project intersections (LOS E/F) increases the hazards for bicycle and pedestrian users in the neighboring areas.</p> <p><b>Comment #4</b> In section 5.2, Transportation/Traffic Circulation/Parking, 5.2.2 Impact Analysis, Issue 7 <i>Would the project result in: An increased demand for off-site parking? Effects on existing parking?</i></p> <p>(4a) The project proposes a movie theater onsite. Some customers might opt for parking along Scripps Highland Drive or Trails Crest Drive to avoid the mass exit from the parking structure after show times.</p> <p>(4b) Does the project have a drop-off and pickup area movie theater customers? Onsite parking circulation could be impacted and/or off-site parking areas could become drop-off/pickup locations.</p> <p><b>Comment #5</b> In section 5.3, Visual Effects and Neighborhood Character, 5.3.1 Impact Analysis, Issue 3 <i>Would the project result in: Substantial change in the existing landform? The creation of a negative aesthetic site or project? Project bulk, scale, materials, or style which would be incompatible with surrounding development? Substantial alteration to the existing or planned character of the area, such as could occur with the construction of a subdivision in a previously undeveloped area? Note: For substantial alteration to occur, new development would have to be of a size, scale, or design that would markedly contrast with the character of the surrounding area.</i></p> <p>(5a) With the (Area A) project size projected to be 600,000 square feet of retail/office buildings in an area of 23 acres, what is the consideration for hard surfaces versus vegetated surface (HS vs. VS)? Do neighboring SR retail/office sites have similar HS vs. VS ratio values? If not, this could create a marked contrast in character with the surrounding area.</p>	<p><b>G-10</b> This comment re-states the Issue 6 question, presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-11</b> As shown in the TIA and presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR, the project would result in a significant increase in traffic at several locations. However, with respect to intersections, the project would mitigate all impacts. Additionally, the project would be adding a non-contiguous bicycle/pedestrian path along Scripps Poway Parkway. Although the project would increase traffic, it is not anticipated that any pedestrian and bicycle hazards would result based on unacceptable intersection delay or LOS.</p> <p><b>G-12</b> This comment re-states the Issue 7 question, presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. No response is necessary.</p> <p><b>G-13</b> The proposed project would meet the City's parking requirements, and adequate parking would be provided for all proposed uses. Additionally, as with most theaters, movie times would vary, and patrons would come and go as movies begin and end. The theater would be located proximate to the parking structure, where parking would be provided to serve movie patrons. While street parking may be available, moviegoers would need to walk across the entire development to access any available street parking.</p> <p>It should be noted that, although Scripps Highlands Drive forms the project site's eastern border, Trails Crest Drive is located farther east of the project. Walking distance between the proposed theater and available street parking on Trails Crest Drive is about 0.3 mile.</p> <p><b>G-14</b> There will be a drop-off area for the theater on the lid of the parking structure on the east side of the office building in this location.</p> <p><b>G-15</b> This comment re-states the Issue 3 question, presented in Section 5.3, <i>Visual Effects and Neighborhood Character</i>, of the EIR. No response is necessary.</p>
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# LETTERS OF COMMENTS AND RESPONSES

**G-16** As presented in Section 3.0, *Project Description*, of the EIR, the proposed project would provide for an approximately-1.7 acre plaza space designed to accommodate community gatherings and events. This space encompasses a grand lawn/event area, edged with paving and background planting (Figure 3-11, *Primary Public Plaza Landscape Design*). Seating opportunities, as well as a children's play area, water feature, focal elements, and thematic elements, would be located surrounding the grand lawn/event area.



# LETTERS OF COMMENTS AND RESPONSES

<p><b>G-17</b> This comment re-states the Issue 3 question, presented in Section 5.8, <i>Biological Resources</i>, of the EIR. No response is necessary.</p>	
<p><b>G-18</b> Table 3 within the Biological Technical Report identifies that a woodrat was observed on the project site during biological resource surveys. The project site was surveyed on September 13, 2011, by REC biologists between 10:00 a.m. and 3:00 p.m. The presence of the on-site woodrat was observed during these hours. The footnote to Table 3 states “This species could potentially be the sensitive desert woodrat, according to their range description....” The sensitive desert woodrat referred to in the footnote of Table 3 is the San Diego Woodrat (<i>Neotoma lepida intermedia</i>), which is listed as a Species of Special Concern by the California Department of Fish and Wildlife. The San Diego Woodrat is not listed as endangered; and the commenter’s notation that the report states the “endangered nocturnal desert woodrat, which is protected under the Endangered Species Act 1973” is in error. Although San Diego Woodrats exhibit nocturnal foraging behavior, they are also known to exhibit diurnal (daytime) activity near their den sites. No observations were conducted at night.</p>	
<p><b>G-19</b> Indirect impacts to off-site open space areas would not be considered significant. The off-site area adjacent to the proposed parking structure is Caltrans’ right-of-way and located between I-15 and the graded pad where the Watermark project would be located. Open space areas occur along the southern perimeter of the project site. Project lighting would be regulated by the City’s Municipal Code (Section 142.0740). The purpose of the City’s <i>Outdoor Lighting Regulations</i> is to minimize negative impacts from light pollution including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. Regulation of outdoor lighting is also intended to promote lighting design that provides for public safety and conserves electrical energy. The regulations require lighting fixtures minimize light trespass and to direct, shield, and control light to keep it from falling onto surrounding properties, with the goal that zero direct-beam illumination leaves the premises. Per Municipal Code Section 142.0740(c)(6), on properties which are adjacent to or contain sensitive biological resources, any exterior lighting shall be limited to low-level lights and shields to minimize the amount of light entering any identified sensitive biological resource areas.</p>	

<p><b>Comment #6</b> In section 5.8, <i>Biological Resources</i>, 5.8.2 Impact Analysis, Issue 1: <i>Would the project directly or indirectly impact any species identified as a candidate, sensitive, or special status species in the MSCP or other regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?</i></p>	
<p><b>G-17</b> (6a) The woodrat was observed in the coastal sage scrub chaparral (CSS/C) habitat area directly bordering the project site on the southeast end. It was noted that this species could be the endangered nocturnal desert rat, which is protected under the Endangered Species Act 1973, according to their range description. Were observations made during the night?</p>	
<p><b>G-18</b> (6b) As discussed in the Feb 2013 MRNPC meeting minutes, under “What improvements, if any, will be made to the N-S bike lane right of way adjacent to I-15, south of Scripps Poway Parkway?” measures to reduce darkness/glare/add lighting in this corridor, particularly with a large parking structure proposed adjacent to the corridor, could impact the wildlife species that utilize the CCS/C and SCS open space areas.</p>	
<p>Thank you for your time in this matter.</p>	
<p><b>Lorayne Burley</b> MRNPC resident member SR Schools Committee member 11223 Walking Fern Cove San Diego, CA 92131 lwitte@san.rr.com</p>	

# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

**From:** Jennifer Cesaro [jennwinston@yahoo.com]  
**Sent:** Thursday, March 28, 2013 4:07 PM  
**To:** DSD EAS  
**Cc:** President@ScrippsRanch.org  
**Subject:** The Watermark - Project #180357

To Whom It May Concern:

I wanted to express my interest in this project. I have been extremely excited about this from beginning. I think the addition of this high end shopping center will be so great for the Scripps Ranch Community. I believe it will even increase the value of the houses in the area. Scripps Ranch is a beautiful upscale neighborhood and this addition is just what it needs to keep and build upon that perception. My husband and I have lived in Scripps for 7 years now. We love it here, but it has always felt like it was missing something. Anytime we want to go out to eat or go shopping, we have to travel to other areas of San Diego. And of course no one ever comes out to meet us in our neighborhood. Why would they? There's nothing to do here, unless they want to eat at one of the chain or fast food establishments.

I even envision this center to be a place that the community will be able to come together during holidays and special occasions. Right now we don't really have a place for gatherings.

For those that are concerned about traffic, my thought is, with a shopping center, traffic will be dispersed throughout the day. If they were to put office buildings in the space, traffic would be concentrated at the worst times for all of us. So as far as traffic goes, this is the better option.

I want to say that one of the first things that peaked my interest with this project was the proposal to add a gourmet food market. That alone would be absolutely fantastic. We have nothing of the sort close by. I believe the closest we have is Jimbos, which is up in 4 S Ranch. That is quite a drive for grocery shopping and we only shop there if we are in the area. To think that we could have something similar in our neighborhood would be perfect. I know it would do well also. Scripps Ranch is an upper class neighborhood and residents are willing to pay the higher price tags that come with healthier options. So no doubt about it, this would be a hit.

Lastly, I look forward to having some non-chain or possibly higher end chain restaurants in my area that I could enjoy without having to travel far. Additionally, from what I understand after hearing the plans, it sounds like this is a place that I can go grab a nice lunch and maybe some coffee and take a stroll around the grounds with water features and nice architecture.

My husband and I really hope that these plans pass, as I think great things could come from it.

Sincerely,

Jennifer Cesaro

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**H-1**

Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

# LETTERS OF COMMENTS AND RESPONSES

From: Cesaro, Michael [Audatex - Americas] [mailto:Michael.Cesaro@audatex.com]  
Sent: Sunday, April 14, 2013 4:13 PM  
To: DSD EAS  
Cc: President@ScrippsRanch.org  
Subject: The Watermark - project #180357

To Whom It May Concern:

I'm writing to express my interest in the Watermark Project. I believe this development with the gourmet food market, upscale shops, movie theater and restaurants, is just what Scripps Ranch needs. If these proposed plans pass, it will be a benefit to the community. I'm really excited. My only complaint is that 3 years sounds to long to wait!

Michael Cesaro

Sent from my iPhone5s

I-1

I-1 Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

# LETTERS OF COMMENTS AND RESPONSES

**From:** Clements, Kevin [mailto:kclements@corelogic.com]  
**Sent:** Friday, April 12, 2013 3:05 PM  
**To:** DSD EAS  
**Cc:** President@scrippsrancho.org  
**Subject:** The Watermark - Project #180357"

We are residents of the Tiempo housing development which is just up the hill (at the end of Scripps Highland and Trailcrest) from the MedImpact buildings. We have lived here since 2002 and the community has always been fairly quiet and peaceful, until the MedImpact buildings opened a few years ago. Now we have employees that take walking breaks up our hill will come take smoking breaks at the top of Scripps Highland Drive, and more traffic is around our neighborhood. In recent months, several drivers will fail to stop at the stop sign at the top of Trailcrest and we have often had a policeman posted at our corner who has given out tickets to these drivers.

**J-1** Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

**J-2** Comments noted. The EIR evaluates traffic impacts associated with the project in Section 5.2, *Transportation/Traffic Circulation/Parking*, and concludes that the project would result in significant direct and cumulative impacts on roadway segments and intersections in the community. Mitigation measures would reduce all project-related traffic impacts to below a level of significance except for roadway segments on Scripps Poway Parkway between I-15 and Spring Canyon Road.

During the month of October there is usually a pumpkin patch at the proposed site and parking will often extend up Scripps Highland Drive. There is an increased noise level at that time as well. The size of this pumpkin patch is just a fraction of the size of the proposed Watermark site and should be an indication of the increased traffic that would be in our area as a result of this proposed retail center.

I have several concerns, one of which is the increased traffic that will undoubtedly occur around our neighborhood and through our neighborhood. The proposed exit at Scripps Gateway and Scripps Highland will exit into the street that goes into our neighborhood. Although planners may think that this is a solution to route traffic this way, it just serves to congest and cause more traffic through our neighborhood. Through our neighborhood watch we heard of several attempted break-ins over the holidays, and a few more since then.

While there are traffic reports being done, a comparison can be done to the 15 south exit at Mira Mesa Blvd, where on a Friday or Saturday evening, the traffic is backed up from the left turn lane into the exit lane on the freeway. This type of traffic at our exit is foreseeable with such a large shopping complex that does not have adequate room for the patrons to enter and exit.

Another cause for concern is that the developer wants to increase the size of the buildings by more than 30 feet above the 60 foot limitation. The area is not meant to handle such a size

**J-1**

**J-2**

**J-3**

**J-4**

**J-5**

**J-3** Please see response no. G-9, above.

**J-4** The Watermark project would be served by two access points. One access point is a direct right-in/right-out off Scripps Poway Parkway. A second access point is via Scripps Highland Drive. In order to access the project, right-turn movements would be needed. The direct right-in/right-out movement is designed to avoid queuing on Scripps Poway Parkway with a long ramp and a single lane opening to multiple lanes. Likewise, a right-turn lane is provided from Scripps Poway Parkway to Scripps Highland Drive. All of these access points into the project have been designed to operate efficiently with a minimum of queuing. Unlike the Mira Mesa Boulevard shopping center, right turns into the Watermark project can be made more efficiently than left turns. The distance from Scripps Highlands Drive to the I-15 NB off-ramp is approximately 950 feet, and the expected queue would be approximately 790 feet.



# LETTERS OF COMMENTS AND RESPONSES

<p><b>J-5 cont.</b> increase. Additionally, we made sizeable investments in our properties under the understanding and zoning limitations that the max height of the buildings would be limited to 60 feet and to increase the allowable height by 50% will severely diminish the property values on top of the devaluation that results from the shopping center in and of itself. Reducing property valuations will have an adverse effect on the collectable tax revenues for the city as the residents will undoubtedly have the properties reassessed which will cause the city to adjust the tax basis and thus reduce collectable monies.</p> <p><b>J-6</b> There are a proposed number of 55 shops, while the shopping areas on Scripps Poway Parkway have at least 2 – 3 vacancies in each of these shopping areas. Many businesses have come and gone because the community could not support them. A prime example is the Baskin Robbins in the Vons shopping plaza that has changed hands a few times and has since closed down. Scripps Ranch does NOT need a high end shopping center, let alone a high end movie theater with a bowling alley down the street from our community. This will only serve to increase traffic not only during rush hour, but during evening and weekend hours as well.</p> <p>While the residents realize that something is going into this area, a shopping area will invite unnecessary and troublesome traffic during most of the day and night hours, 7 days a week, versus a office type environment with more traditional business office hours in addition to resident property de-valuations and loss of tax revenues to the city of San Diego.</p> <p><b>J-7</b> The residents of the Tiempo housing development don not want to see an increase in traffic, crime, noise property devaluation and tax revenue loss as because this undesired and ill thought retail center.</p> <p>Thank you for respecting the desires of the residents of Scripps Ranch over the developers of the Watermark Project.</p> <p>Respectfully,  Kevin Clements    <b>Kevin Clements</b>  VP Business Development  CoreLogic Credco</p>	<p><b>J-5</b> As explained in Section 3.0, <i>Project Description</i>, and evaluated in Section 5.1, <i>Land Use</i>, the project proposes deviations to allow for development of the Class A office space approved under the existing Planned Industrial Permit, to allow for design and architectural elements, and to accommodate the parking garage. The proposed deviation from the 60 foot maximum structure height of the CR-2-1 zone would allow the Watermark project to proceed with development of additional Class A office space as envisioned in the existing planned industrial development permit (CUP/PID No. 1027). This deviation is necessary to maintain the existing vested development rights under that approval. The proposed deviation for structure height on the plaza (proposed Lot 9) enables the development of a landmark architectural feature, such as a clock tower, bell tower, or other architectural features to designate the gateway to the community. This would assist in achieving an objective of the Community Plan to develop the Mercy Interchange area as an attractive gateway to the community. The height deviation for the parking garage would allow for the construction of a parking garage to accommodate parking needs for the project. This would reduce land required for surface parking, providing for more public amenity open space. The proposed height deviation for the purpose of architectural detail, wayfinding, and the creation of a community gateway through landmarks; the height deviation for the parking garage; and the height deviations for project buildings would not represent a significant environmental impact and would not be out of character with adjacent and nearby developments.</p> <p>Relative to diminishing property values, in accordance with CEQA Guidelines Sections 15064(e) and 15131, economic or social effects of a project shall not be treated as a significant effect on the environmental, unless a physical change in the environment is caused by the economic or social effects of a project; or if the economic and social effects resulting from a physical change in the environment create a significant effect. Neither of these situations pertains to the proposed project.</p> <p><b>J-6</b> Comments noted. These comments do not address the completeness or adequacy of the EIR.</p> <p><b>J-7</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p>
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# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

From: Bnfields@aol.com  
Sent: Sunday, March 24, 2013 8:21 PM  
To: DSD EAS  
Cc: president@scrippsrancho.org  
Subject: Watermark EIR

What is being done to increase access from Scripps Poway Parkway coming from Scripps Ranch (i.e. the East) in order to minimize the impact of traffic through the Scripps Highlands residential community above the Watermark project? Is it possible to increase the length of the left hand turn lane turning from Westbound Scripps Poway Parkway onto Southbound Scripps Highlands?

Brad Fields, Scripps Ranch Resident

**K-1**

Access from Scripps Ranch (east of the project) to the project would be provided at the intersection of Scripps Poway Parkway/Scripps Highland Drive. Currently, there exist two left-turn pockets with over 250 feet of space available for cars waiting to make a left-turn. It is expected that the storage provided by these turn pockets would be adequate in the future with the project. The anticipated level of service at this intersection is also expected to be acceptable with the project and with proposed mitigation.

**K-1**

1

# LETTERS OF COMMENTS AND RESPONSES

From: Jeff He [mailto:jhe@accelagen.com]  
Sent: Sunday, April 14, 2013 9:45 PM  
To: DSD EAS  
Cc: President@ScrippsRanch.org  
Subject: Watermark project in Scripps Ranch

To Whom It May Concern:

I do not support the two components of the Watermark Project: bowling alley and movie theater for the following reasons:

1. From business point of view, it is a bad idea to have a bowling alley and a movie theater in Scripps Ranch. A big bowling Alley, Mira Mesa Bowl, is less than 4 miles away in Mira Mesa; another one, Poway Fun Bowl, is only 4.5 miles away. Those bowling alleys are located in busier commercial areas and, therefore, successful in attracting customers. Scripps Ranch, being a residential area, known for its 'country living', is not an ideal location for such business, and the business will unlikely be successful. Likewise, it is a terrible idea to have a movie theater in Scripps Ranch. Three other movie theaters are within 5 miles proximity. In particular, the very popular Edwards Cinema is less than 3 miles away. What makes Edwards so popular is not only its central location in very busy Mira Mesa area, but also its close proximity to restaurants, shops etc. The parking capacity also makes it possible to host a large number of customers.

In summary, bowling alley and movie theater will not be successful in Scripps Ranch.

2. From resident point of view, it raises serious safety and traffic concerns to have bowling alley and movie theater in Scripps Ranch. The residents love Scripps Ranch because it is a community secluded from city noise, traffic and enjoys a relatively low crime rate. Scripps Ranch does not attract high non-resident traffic due to its unique geographic location as well as neighborhood orientated business. Bowling alleys and movie theaters, on the other hand, can only survive on a large number of patrons from outside of Scripps Ranch. These people do not represent the typical middle-class demography in Scripps Ranch and will undoubtedly lead to higher crime rate as seen in area around movie theaters or bowling alleys. Furthermore, the proposed Watermark project is located in less than 0.2 mi from a very quiet Scripps Highland community which in past years had already seen house or car burglaries, and a busy commercial center nearby will only add many more crimes to this neighborhood. Lastly, the proposed location with dozens of shops, hotels, bowling alley and movie theater will worsen the traffic substantially in the area and cause a huge amount of inconvenience to Scripps Ranch residents I do not oppose a shopping center at the proposed location. However, I strongly believe only neighborhood orientated businesses such as restaurants, coffee shop, medical offices, child care center etc would benefit the local residents. I think the proposed project should include a neighborhood park with play area for children, field for ball games etc.

Best regards,

Jeff He, Ph.D.  
Accelagen, Inc.  
6044 Cornerstone Ct W, Ste C  
San Diego, CA 92121  
T: (858) 678-8618 x 112  
F: (858) 678-8628

L-1

L-1 Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

L-2

L-2 Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

L-3

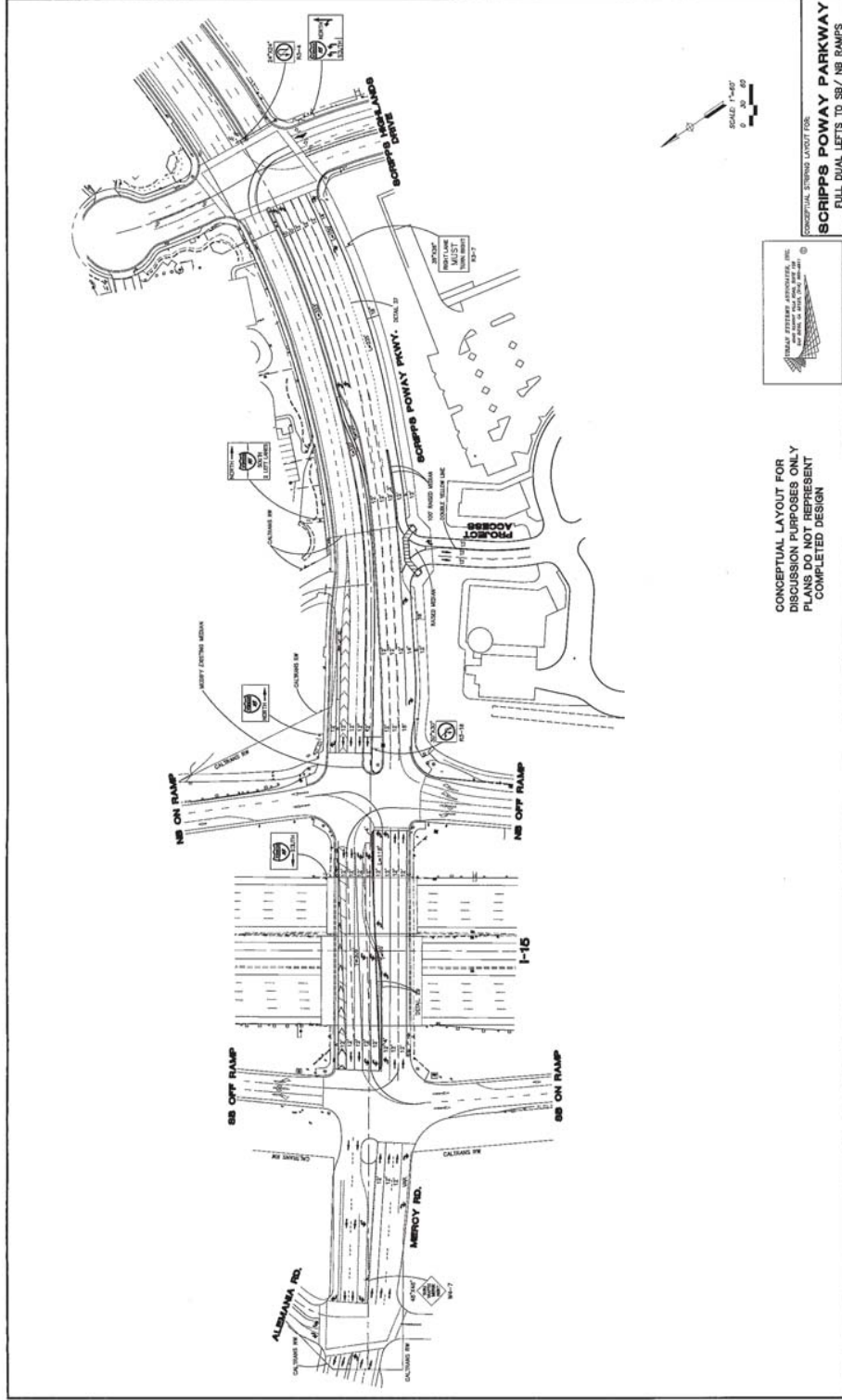
L-3 Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

# LETTERS OF COMMENTS AND RESPONSES

<p><b>M-1</b></p> <p>The City of San Diego and San Diego Police Department are responsible for monitoring and adjusting street signage and regulating on-street parking. The proposed project provides for adequate parking on-site to serve the proposed uses, and no significant parking impacts have been identified. Therefore, no mitigation measures relative to parking are required.</p>	<p>From: srfilko@aol.com [mailto:srfilko@aol.com]          Sent: Sunday, April 14, 2013 3:58 PM          To: DSD EAS          Cc: dustinstainer@hotmail.com; lwitte@san.rtr.com; mscreens@san.rtr.com          Subject: Watermark DEIR - #180357</p> <p>Dear E. Shearer-Nguyen:</p> <p>Below are comments from the Scripps Ranch Civic Association on the adequacy of The Watermark Draft Environmental Impact Report.</p> <p>Sincerely,          Bob Iiko, President          Scripps Ranch Civic Association</p>
<p><b>M-2</b></p> <p>People leaving the Watermark project via the driveway adjacent to Restaurant Pad A would be limited to right-in/right-out movements. There is currently a raised median and signage preventing motorists from turning left out of this driveway. The opportunity to make a u-turn is provided at the south end of Scripps Highland Drive before turning to go up the hill. Illegal u-turns are subject to enforcement by the San Diego Police Department. Also, please see response no. G-9, above.</p>	<p>1. There is one No Parking sign on Scripps Highlands Drive (SHD) and no red curbing at all. If the restaurant goes in Pad A then we can expect many users will want to use SHD for parking rather than use the MedImpact parking structure. It will be much easier to grab a space on the street than in the structure. Parking on the street also avoids having to drive through the structure to exit. Just south the driveway for Pad A there is only a couple parking spaces then the guardrail comes out to the curb. The road also narrows south of the Pad A driveway. We predict patrons will park on SHD south of the driveway thus making it unsafe for cars going south on SHD. The street on the other side of the median heading northbound is narrow and should be signed No Parking or red curbed for the entire length of SHD. Should these solutions be incorporated into plans and listed as mitigation measures?</p>
<p><b>M-3</b></p> <p>Parking for the proposed restaurant on Pad A will be provided on the first level of the parking structure, where designated areas will be provided for restaurant patrons. Additionally the restaurant will provide valet parking. Valet-parked cars would be parked in a valet-designated area of the parking garage. Signage at the restaurant would indicate that valet parking is provided and where self-parking for restaurant patrons is located.</p>	<p>2. There is a raised center median on SHD at the Pad A driveway which was designed to prohibit cars making a left onto SHD. There is a Right Turn Only sign forcing all vehicles exiting the driveway to go south on SHD. Since 98% to 99% of those turning right want to go the other direction, drivers will make illegal u-turns. In preparation of these comments to the DEIR, it was witnessed that it happened (and that it will only get worse). People dropping or picking up at the restaurant will choose to come back out the driveway as it will be faster than driving through the parking structure. To solve that problem, the driveway should be one way only (entrance only, no exit except delivery trucks). A no U-turn sign should be placed in the median's most southern point. A raised median on the south side should be constructed. The community will want to reduce the number of vehicles that go southbound SHD that will then cut through to find SR Bvd. These two solutions should be incorporated into the plans and listed as mitigation measures.</p>
<p><b>M-4</b></p> <p>The gates will be moved back farther into the garage past the parking area allocated for restaurant patrons. Please see also response no. M-3, above.</p>	<p>3. Where in the parking structure will customers of Pad A restaurant be located? Will the parking structure have assigned spaces (MedImpact employees, MedImpact visitors, Pad A restaurant)? If the restaurant parking is not adjacent to the restaurant or limited to the back or upper levels, more customers want to park on SHD rather than use the parking structure.</p>
<p><b>M-5</b></p> <p>The parking garage will be signed and posted directing restaurant patrons and employees to drive through the garage or, more likely, the access road between the garage and MedImpact parking. Please see also response no. M-3, above.</p>	<p>4. The MedImpact parking structure has gates blocking access to the structure for MedImpact employees only. With the restaurant going on Pad A, will those gates be removed? If so, how will spaces be apportioned?</p>
<p><b>M-6</b></p> <p>It is anticipated that the painted median on Scripps Highland Drive just south of Scripps Poway Parkway would remain in the future. There are currently no plans to install a raised median. Comment Noted.</p>	<p>5. Will there be exit direction signs at the Pad A restaurant drop off/pick up area informing drivers to go through the parking structure in order to exit onto SHD?</p> <p>6. Will there be a new raised median on SHD from the Scripps Poway Parkway (SPP) intersection towards the south or will it remain a painted median? Given the expected traffic volumes leaving the site on SHD turning west onto SPP, the left turn lane should be maximized similar to what SPP/City did for the double left turn lane on SR Bvd northbound onto MM Bvd.</p>
<p><b>M-7</b></p> <p>Proposed triple left turn from SHD onto SPP. Two left turns now with one through lane and one right turn lane. Re-stripe to a triple left turn and a shared through lane. There are only two through lanes on SPP to I-15 SB. The number 3 lane on SPP becomes a right turn only to I-15 NB. The triple left won't work if people in the number 3 left turn lane want to go anywhere other than I-15 NB. Otherwise they will cut in to merge into the number 2 lane towards Mercy Road and I-15 SB making it a gigantic bottleneck! SPP is three lanes going westbound but half way from SHD to the I-15 NB on ramp it turns into two lanes. To reduce the problem: The number 3 lane on SPP that turns into the right turn only lane for I-15 NB should be a right turn only lane from SHD to the I-15 (odd signage to SHD that the number 3 left turn lane is I-15 NB only). This would make the merge begin earlier on SPP for westbound vehicles. By moving the SPP merge further east, will it impact Scripps Summit Drive intersection? The</p>	<p>7. Proposed triple left turn from SHD onto SPP. Two left turns now with one through lane and one right turn lane. Re-stripe to a triple left turn and a shared through lane. There are only two through lanes on SPP to I-15 SB. The number 3 lane on SPP becomes a right turn only to I-15 NB. The triple left won't work if people in the number 3 left turn lane want to go anywhere other than I-15 NB. Otherwise they will cut in to merge into the number 2 lane towards Mercy Road and I-15 SB making it a gigantic bottleneck! SPP is three lanes going westbound but half way from SHD to the I-15 NB on ramp it turns into two lanes. To reduce the problem: The number 3 lane on SPP that turns into the right turn only lane for I-15 NB should be a right turn only lane from SHD to the I-15 (odd signage to SHD that the number 3 left turn lane is I-15 NB only). This would make the merge begin earlier on SPP for westbound vehicles. By moving the SPP merge further east, will it impact Scripps Summit Drive intersection? The</p>

# LETTERS OF COMMENTS AND RESPONSES

**M-7** The lane configuration of both Scripps Highland Drive and Scripps Poway Parkway would be modified as shown in Figure 1-1 (*Scripps Poway Park / I-15 Reconfigurations*) of the TIA. (Figure 1-1 is re-printed below for reference.)



**Scripps Poway Parkway / I-15 Reconfigurations**



# LETTERS OF COMMENTS AND RESPONSES

This configuration differs from what previously existed. This improvement would create additional storage and allow for smoother traffic flow. Additional signage would be provided as appropriate when this mitigation measure is implemented.

**M-8** Comments noted. See also response no. M-7, above.

**M-9** Please see response no. G-9, above.

**M-10** The EIR evaluates a range of project alternatives. Alternative 1 – *No Project/Development Under Existing Approvals* – evaluates full development of the project site as allowed under the existing MedImpact approvals, which would occur under the existing IP-2-1 zone. Based on the discussion presented in the EIR, 6,240 cumulative ADT, with 750 trips in the AM peak hour and 750 trips in the PM peak hour, are associated with that alternative. As concluded in the EIR, the *No Project/Development Under Existing Approvals* alternative would generate 15,525 less cumulative ADT than the proposed project, with 271 less AM peak hour trips and 1,414 less PM peak hour trips.

The EIR also addresses a *Prime Industrial Lands* alternative (Alternative 3). That alternative could also develop with the existing IP-2-1 zone. Based on the discussion presented in the EIR, traffic associated with the *Prime Industrial Lands* alternative would be the same as the *No Project/Development Under Existing Approvals* alternative, as similar land uses could develop.

**M-11** At the time of the existing conditions for the TIA, the signals at the I-15/ Scripps Poway Parkway Interchange were not interconnected with the signal at Scripps Highlands Drive. The project applicant would construct the infrastructure needed to synchronize the signals. Signal synchronization is the City's and Caltrans' responsibility. In the future, with the reconfiguration of the interchange as proposed by the project, Caltrans and the City may be able to better synchronize traffic signals, which would improve the traffic flow. Please refer to the TIA for more information.

current am and pm peak is pretty bad. Alternatively, could SPP from SHD to Mercy Road be three lanes where the number 3 lane is a through lane to Mercy and a right turn to I-15 northbound? The number 3 left turn lane would still need to be specifically marked so that drivers don't try to merge to the number 1 and 2 lanes to access I-15 southbound.)

**M-8** 8. Propose shifting westbound SPP over a lane to the right to add queue length to Southbound I-15. Will there be two lanes turning Southbound I-15? Need to know how many cars fit in the existing queue and compare that to how many they expect in the new queue? It is believed that it is significantly less than the number of cars coming from SHD to the I-15 south. There is already a queue without the project and not sure how much of an improvement it will really be for am/pm peak and off peak hours. It would shorten the signal delay for all directions by having 3 turning lanes rather than 2 (more cars in less time assuming they have a place to move once they turn onto SPP).

**M-9** 9. The traffic study area excluded any traffic impacts to the residential community above The Watermark. We are very concerned about this omission. There are community concerns that drivers will take a cut through the community to avoid SPP and I-15 instead by going to Scripps Ranch Blvd to Mira Mesa Blvd to access the I-15. What signage can be added or other mitigation measures can be used to deter cut through traffic?

**M-10** 10. What are the ADT's of the site if built as currently zoned I-P? How does that compare to the ADT's of the proposed project? Not only total ADT's but am/pm peak impacts?

**M-11** 11. Are the signals at I-15 NB off ramp and on ramp synchronized with the signal at SHD? Would that improve or impede traffic flow?

**M-12** 12. How could a double left turn not be preferable to a triple left turn from SHD to SPP? It may be counter intuitive to residents that allowing "X" number of cars per signal in less time is better than the same number of cars for a longer period. How would it improve traffic flow? Residents believe that there is a real and critical problem with the I-15 SB ramp meter. Majority of residents who travel in the area come from the east of SHD. If it is extremely difficult to get through the series of lights now on SPP, how by adding 20,000+ additional ADT's not deteriorate to an unacceptable level of service?

**M-13** 13. Confirm that the right turn exiting the project onto SPP vehicles are prohibited from merging to the number one lane of SPP to make a u-turn to avoid exiting SHD. How will the acceleration lane striping line up with the number one left turn/u-turn lane approaching the SHD intersection?

**M-14** 14. What are the retail hours of the food market?

**M-15** 15. How many more vehicles will be added to I-15 NB off ramp to SPP? How much longer of a delay?

**M-16** 16. Why the need to subdivide from 9 lots to 16 lots? Will they be sold individually?

**M-17** 17. Did the Developer and the City explore the possibility of traffic access directly from the I-15 off-ramp into the parking structure?

**M-18** 18. How will the heating and air conditioning units be screened for noise and aesthetics?

**M-19** 19. What is the potential proportional traffic count will enter the project using the new access point on Scripps Poway Parkway versus Scripps Highlands?

**M-20** 20. What is the potential proportional traffic count will exit the project using the new access point on Scripps Poway Parkway versus Scripps Highlands?

**M-21** 21. Will the clock tower chime? How loud and how often?

**M-22** 22. Provide information about new mass transit bus stop on Scripps Poway Parkway.

**M-23** 23. Can there be a connection to the project from the existing bike path that is parallel to I-15 other than at Scripps Poway Parkway? Could access be created some place near or in parking structure by the proposed theater via constructing a pedestrian/bike bridge?



# LETTERS OF COMMENTS AND RESPONSES

	<p><b>M-12</b> As presented in the TIA and the EIR, the additional traffic from the Watermark project is expected to cause a deterioration of the existing level of service. However, the project's proposed improvements to the interchange would help alleviate some of the congestion that is anticipated. Part of these improvements is the reconfiguration of the Scripps Poway Parkway/ Scripps Highland Drive intersection to provide a triple left-turn from northbound to westbound. This improvement is necessary to address the anticipated future demand from the Watermark project and would mitigate the level of service at this intersection.</p> <p><b>M-13</b> Improvements to Scripps Poway Parkway and the anticipated future striping for this area are shown in Figure 1-1 (<i>Scripps Poway Park / I-15 Reconfigurations</i>). As shown, a raised median would be extended from the channelized right-out from the project access on Scripps Poway Parkway. This raised median would delay the merge of traffic into the thru lanes on Scripps Poway Parkway to prevent those vehicles from crossing the thru lanes and making a left/u-turn at Scripps Highland Drive.</p> <p><b>M-14</b> The hours of the food market have not yet been determined. However, it is anticipated that the hours for the market would be 7:00 AM – 11:00 PM.</p> <p><b>M-15</b> As shown in Figure 3-4 of the TIA, up to 243 PM peak hour additional vehicles are expected at the I-15 NB off-ramp and Scripps Poway Parkway from the Watermark project. These additional vehicles are expected to add up to 4.5 seconds of additional delay to the intersection when project traffic is added to the existing condition in the PM peak hour (see Table 1-4).</p> <p><b>M-16</b> The project would be subdivided for financing purposes so that separate uses can be financed separately and/or lots can be owned by separate entities. This comment does not address the completeness or accuracy of the EIR.</p> <p><b>M-17</b> Access from the I-15 ramp into the Watermark project was explored by the applicant and found to be infeasible due to Caltrans policy and practice.</p>
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# LETTERS OF COMMENTS AND RESPONSES

- M-18** Noise impacts associated with HVAC systems are analyzed in Section 5.7, *Noise*. As presented in the EIR, no noise levels - either directly or cumulatively - would exceed the City's property line standards. No impacts would occur and no mitigation is required. Relative to aesthetics, in accordance with Municipal Code Section 142.0910, all heating and air conditioning units must be contained within a completely enclosed structure that is architecturally integrated with the primary building on the premises. The purpose of this regulation is to ensure that rooftop mechanical equipment is screened from views. Therefore, the project would not result in impacts relative to aesthetics of roof-top equipment.
- M-19** As shown on Figure 3-4 of the TIA, up to 245 pm peak hour trips are expected to enter the project using the new right in/out access on Scripps Poway Parkway, and 733 PM peak hour trips are expected to enter via Scripps Highlands Drive. This represents up to 25% of project traffic entering the project.
- M-20** As shown on Figure 3-4 of the TIA, up to 154 pm peak hour trips are expected to exit the project using the new right in/out access on Scripps Poway Parkway and 872 pm peak hour trips are expected to exit via Scripps Highlands Drive. This represents up to 15% of the project traffic leaving the site.
- M-21** It is not anticipated that the clock tower would chime.
- M-22** The project applicant has been coordinating with MTS staff; initially, when the project was first submitted to the City for review (2010), and again in 2011 and 2012. MTS has consistently stated that no service on Scripps Poway Parkway is being considered in current MTS plans. The City requested that the project locate a bus stop as part of the Watermark project in the event MTS extends bus service to Miramar Ranch North along Scripps Poway Parkway. That bus stop is shown on project plans to be located east of Scripps Highlands Drive to be consistent with MTS's preference for bus stops to be at the far side of an intersection.
- M-23** Comments noted. The bike path along the I-15 freeway is within Caltrans right-of-way and is a Caltrans facility. This connection is not a part of the proposed project that has been evaluated in the EIR.

# LETTERS OF COMMENTS AND RESPONSES

<p><b>M-24</b> Will this project use "purple pipe" reclaimed water? If not, why not? How will the Developer mitigate what is likely to be a huge increase of water use?</p> <p><b>M-25</b> Where will retail, commercial and office employees go to recreate when not at work? Will they visit parks in Scripps Ranch? Hike open space trails? These resources are already stretched by overuse and budget cuts. Has this impact been studied and what does the Developer propose in way of mitigation?</p> <p><b>M-26</b> *Accepting that the DEIR set forth a rather imposing picture of the traffic impact of the project, the DEIR still does not even begin to accurately describe the problem with the traffic circulation. The traffic flow was analyzed in 2006 - 5 years ago. Traffic at the freeway on ramp has become increasingly more congested in the 5 years after the study was completed. In essence the traffic impact is exponentially greater than DEIR set out. The on ramp wait time exceeds 20 minutes as traffic backs up all the way to Scripps Summit. And that is without the extra ADT's contemplated by the report. David Bergman, (See DEIR page 5.2-5 Traffic counts summarized on this figure were completed in October and November 2008.)</p> <p><b>M-27</b> It defies logic and common sense to assume that the evaluated intersections and on-ramps haven't become more congested since 2008? If not, what data/information do you have to support such a conclusion? If so, should the DEIR be revised accordingly? We consider the use of outdated traffic information data to be a fatal flaw in the DEIR and request an updated traffic study using current data projected on the most validated model. To repeat, it is a disservice to residents and City Council to base traffic projections on stale data.</p> <p><b>M-28</b> A more recent, more accurate traffic count is a prudent measurement to use rather than something 5 years old? Shouldn't the resident and City's decision makers have up to date information?</p> <p><b>M-29</b> Aren't the existing am/pm peak period traffic counts today significantly higher than in 2008? If no, what data/information do you have to support such a conclusion? If yes, should the DEIR be revised accordingly?</p> <p><b>M-30</b> Aren't the I-15 ramp meter delays worse in 2012 when the study was done than in 2008? If not, what data/information do you have to support such a conclusion? If yes, should the DEIR be revised accordingly?</p> <p><b>M-31</b> A study of the freeway ramp delays today would be significantly better to use than counts from 2008? We believe that the DEIR should be revised accordingly.</p> <p><b>M-32</b> I fail to see the need for this project. There is so much vacant office space now, why do we need more office buildings? I haven't heard about not enough hotel rooms. There is plenty of retail and movie theatres now, and certainly enough traffic. I prefer to preserve what little greenery we have now. - Ivan Morris</p> <p><b>M-33</b> *We are hoping to see a different approach than just another strip-mall (like the New Vons mall or Poway's Community Drive Poway Rd mall to name two of hundreds of similar malls around San Diego County). We think that Scripps Ranch deserves and would benefit from a more, better and perhaps more distinctive design approach. In that regard, key features that we would like to see in the project include: 1) a central area with parking on the outside surrounding it so that all facilities are within walking distance. This would make it different from the typical "drive in, go to one or two nearby places and drive out" that typify so many sprawling strip malls, including the New Vons mall. By making car parking on the outside of the project, visitors would park their car once, walk into the mall and be surrounded by different shops and eating/drinking establishments within easy walking distance. Such a centralized layout should better serve shoppers by facilitating spontaneous walk-by/walk-in customers that are not well served by the strip mall configurations. We've all seen many of the peripheral shops/restaurants in the New Vons area struggle and many have closed, potentially contributed by a lack of routine foot traffic. It makes more economic, community and environmental sense to only have to park once to be able to access all the facilities in the mall. At first glance, it seems that the parking structure you mentioned might accommodate this. A central communal area that can be used as a gathering place, including a playground for kids and possibly a raised area that would double as stage for live events in the Ranch. I'm sure that restaurants and snack shops would benefit greatly from such an area. Nightlife: several of our friends around SR lament the lack of night-life alternatives other than just dining or happy hours at Ballast Point. Somewhere for drinks, live music might serve to better unite the community and keep our resident night-life lovers - and their business - in Scripps Ranch. - Steve Wolff and Wendie Plehler</p> <p><b>M-34</b> *We live in the community just up the hill from this project and we have experienced more traffic since the opening of the MedImpact building. We also have employees walking around our neighborhood, smoking, and wandering up Trailcrest and into the housing areas during their breaks. While this may seem like a wonderful opportunity to create jobs, in my opinion, it is an</p>	<p><b>M-24</b> As part of the proposed project, reclaimed water lines would be installed, and reclaimed water would be available for use in landscaped areas of the project site.</p> <p>The proposed project would not result in a substantial increase in water use. As presented in Section 5.15, <i>Public Utilities</i>, of the EIR, Public water facilities are located in Scripps Highlands Drive and Scripps Poway Parkway. The size and capacity of these existing utilities would be adequate to serve the proposed project. No new systems or alterations to the existing utilities would be required, and no impacts to water facilities would occur. Additionally, the City has prepared a Water Supply Assessment (WSA) for the project. As presented in Section 5.15, based on the results of the WSA, the project would not result in any unanticipated demands and would not result in significant impacts associated with water supply.</p> <p><b>M-25</b> As concluded in Section 7.0, <i>Effects Found Not to Be Significant</i>, of the EIR, an increase in local or regional population would not occur as a direct result of project implementation. As the proposed project would not result in an increase in population, the project would not increase the use of recreational facilities such that substantial physical deterioration of the facility would occur. The proposed project would not result in the potential to impact parks and recreation. See also response no. G-4, above.</p> <p><b>M-26</b> As stated in the comment, traffic counts for the TIA were completed in late 2008. Counts were completed at that time in order to commence environmental analysis for the project. Early discussions with the City, Planning Group, and Caltrans preceded the completion of the first draft TIA, which was based on the 2008 counts.</p> <p>In 2009/10, the recession was particularly deep and periodic counts showed volumes which were significantly lower than 2008. For example, according to Caltrans count data, freeway volumes on I-15 at post mile 17.311 (Mercy Road) showed a "Back AADI" (i.e. ADT) of 256,000 in 2008, 240,000 in 2009 and 248,000 in 2010. The effects of the recession caused economic activity and traffic to decrease. Therefore, counts from 2008 more appropriately reflect "typical" traffic conditions for the area.</p>
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Subsequently, with construction at the interchange that began in 2008 and was completed in 2011, counts could not be re-taken. However, in order to account for regional growth, counts were increased with traffic data from other projects as they were completed to illustrate “Near-Term” and traffic increases have been projected to show long term trends as well. Therefore, any increase in traffic volumes is captured in at least one of the three time horizons (i.e. existing/Near Term/Long Term) that were evaluated as part of the TIA.

**M-27** As discussed in response number M-26 above, traffic counts were completed in late 2008 during peak traffic conditions at the I-15/ Scripps Poway Parkway interchange and surrounding areas. Ramp volumes from Caltrans count data shows that in 2006, the Southbound on-ramp had 15,400 ADT. In 2007, traffic conditions peaked at 16,300 ADT and subsequently declined slightly to 16,200 ADT in 2010/11. For the Northbound on-ramp, the difference is similar with 10,200 ADT in 2006, rising to 10,600 ADT in 2007 and reducing to 10,100 ADT in 2010 (see attached). Therefore, it can be seen that traffic conditions were relatively stable with a modest peak occurring around 2007. The existing counts were taken in this time-frame and traffic conditions were monitored to make sure no significant changes occurred.

Also, as discussed in response M-26, traffic conditions were temporarily impacted during construction making more recent counts difficult. For example, when ramp meter rates were requested from Caltrans in March 2010 as part of ongoing monitoring of traffic conditions while the traffic study was being completed, Caltrans noted “temporary conditions during construction”. These temporary conditions led to significantly higher ramp meter rates than is typical and impacted both observed conditions and measured values based on temporary signal timing and lane configurations.

Therefore, “pre-construction” conditions from 2008 were deemed most appropriate in evaluating impacts from the Watermark project not only because counts completed during this time frame represent a recent peak in traffic conditions but because they most accurately represent “typical” traffic conditions for the area not influenced by construction activity.

**M-28** Please see response no M-26 and M-27, above.

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	<p><b>M-29</b> As discussed in response no M-26 and M-27, above, the AM/PM peak hour traffic counts today are not significantly higher than 2008. As discussed in response no M-27, recent counts on the freeway ramps and other roadways have shown lower volumes than in 2008. The AM/PM peak hour volumes would likewise likely decrease. Therefore, the volumes reflected in the TIA represent more “typical” traffic conditions prior to the recession and construction activity.</p> <p><b>M-30</b> As discussed in response no M-26 and M-27, above, the ramp volumes today are not significantly higher than 2008. As discussed in response no M-27, recent counts on the freeway ramps and other roadways have shown lower volumes than in 2008. Ramp meter delay is dependent on ramp meter rates, ramp volumes, and freeway volumes. The ramp meter rates used in the TIA are based on more recent data from 2012. The ramp meter volumes were from recently published Caltrans data. The applicant’s consultant’s field observations from August 2011 were also used when evaluating ramp meter conditions. Therefore, information used in the ramp meter analysis is more recent than 2008.</p> <p><b>M-31</b> As discussed in response no M-26 and M-27, above, the ramp volumes today are not significantly higher than 2008. As discussed in response no M-27, recent counts on the freeway ramps and other roadways have shown lower volumes than in 2008. Ramp meter delay is dependent on ramp meter rates, ramp volumes, and freeway volumes.</p> <p><b>M-32</b> Comments noted. These comments do not address the completeness or accuracy of the EIR.</p> <p><b>M-33</b> Comments noted. These comments do not address the completeness or accuracy of the EIR.</p>
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<p>opening for more traffic and people to start roaming our neighborhood. We are also part of the neighborhood watch and thefts are more rampant in recent months, especially during the holidays. I wholeheartedly oppose this project on the basis of what I am reading in the newsletter. While there may be space for these facilities, our house is on the edge of these areas which will have to accept the overflow of traffic going in and out of our neighborhood. With a movie theater and bowling alley, the traffic is not just at "rush hour" but throughout the evening and night as well. I would like to know who the appropriate city council people are to bring these concerns to, since we are the community that lives directly above this development. While the rest of Scripps Ranch see this as a shopping opportunity, it threatens to add more traffic and crime to our area." Deanna Wong</p> <p>35. "I'm really concerned about the increase in traffic! I don't see a way it can be dimensioned adequately. In fact, access to the freeway (southbound) from Scripps Poway Parkway is already slow at rush hour. The modification under the bridge doesn't help much...and we'll have additional construction going on for this...I don't like, neither support, the plan. There's no need for an additional mall! We have all the services offered in the plan within less than 2 miles from the planned location (Edward cinema in Miramesa, along with shopping malls and restaurants, 2 hotels across the planned location) and more restaurants, in the west case mail, with more restaurants and shops...). No, we don't need more! Definitely, I don't support the re-zoning. In the worst case scenario (plan is approved): What would be the plans for the current bike path? Just Martinez</p> <p>36. "1) the extra entrance/exit directly on to Scripps Poway Parkway. My concern is that this feed out will limit the ability of people to make a right turn on the red light exiting the 15 freeway north and turning on to Scripps Poway Parkway. If cars can't make a right turn on the red light, they will be stuck in a backup on the freeway. This is already a problem. I don't want to see a ramp and potentially all the way on to the freeway. At rush hours, this is already a tight spot. I realize its a high priority for shoppers to exit using Scripps Highland Drive, but that mild inconvenience means the roads will be safer for everyone. Not having that separate exit will also preclude people from exiting there and then trying to cross 3 lanes of traffic to be in the far left lane to make a U turn and then return to the freeway. 2) Bowling Alley. I realize we can't dictate to developers what they put in places, but with bowling alleys in Mira Mesa and Poway, I don't see that we need another bowling alley in close proximity. Bowling Alleys are rarely placed in high end neighborhoods and the presence of a bowling alley suggests that Scripps Ranch is perhaps a less tony neighborhood than some of us would like to believe it is. Further, I don't see that any high end retailer worth their salt would want to be in the same space as a bowling alley. Putting a bowling alley there, suggests that the retail shops will be a 99 cent store and the like-all of which have their place, but preferably not in Scripps Ranch. 3) Layout-The current design has large separations between retail establishments. This discourages people from visiting more than one retail store at a time. It's too much walking. A better design would be to place the retail stores in the center with parking around the exterior, or in a donut shape with both an exterior area of stores and interior block of stores with parking in between. At the lawns and water features are wasted if nobody will use the retail center due to poor layout. 4) Movie Theatre. With the Mira Mesa 18 less than a mile away, the Poway Ultra Star and the Carmel Mountain Reading theatres all nearby, I fail to see the need for another movie theatre. If they need to use the below ground area for something, why not have some of the parking garage be underground? 5) The plan mentioned restaurants plural, but I only see one restaurant on the diagram. What Scripps Ranch badly needs is more sit down restaurants and more of them should be encouraged. We need more cafes and bistros that have upscale food at reasonable prices-along the lines of Yamni's &amp; Friggrille. That means something other than chains and fast casual. A bakery would be delightful. Perhaps the 3rd Corner owners would open a new restaurant here. They have one in Palm Desert and the other in Ocean Beach and that's a very far spread and exactly the kind of restaurant we need. 6) Market. The plans call for a market but don't specify what kind of market. Given that we already have a Vons and Abernethys within a mile, I hope this will be a high end market aka Whole Foods or Bristol Farms." Nikki Levy</p> <p>37. "Although a new theater, restaurants, and a small number of shops may be nice and add to employment possibilities in the Scripps Ranch area, overall the jobs that hotels and retail establishments provide are low level, menial work that demand only the lowest level of training and pay barely minimum wage. If the Scripps Ranch area is to add traffic to Scripps Poway Parkway--and we are talking TRAFFIC with the number of hotel rooms and level of proposed development, then at least let be for jobs of a professional nature such as engineering, finance, law, or medicine. We would like to go on record as being against such a massive development that will increase traffic in an area that has overflooded and crowded access to the I 15 freeway corridor; these are surface streets we use on a daily basis, and commute times are already excessive. Scripps Poway Parkway carries traffic to the freeway from Poway and beyond; it can't handle more cars without adverse affect all drivers who must use the road. Let's be reasonable about the density of develop and limit the types of growth necessary in this area. We are a family of three generations of adult women, and we live in Scripps Ranch because of its "live-ability" and people-friendly neighborhoods and services. The proposed Watermark development does not fit in with our vision of our community". Gail Richmond, Margaret Samuelson Walker and Kelly Walker</p> <p>38. "When I think that McMillan paid \$2 million for Scripps Ranch HS and \$1 million for our library, and still made millions in profit, while these Subberry folks are possibly building an on-ramp from a freeway that looks like a parking lot each morning and</p>	<p><b>M-34</b> Comments noted. Also, please see response no. G-9, above.</p> <p><b>M-35a</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p> <p><b>M-35b</b> The proposed project would not affect the existing Class I bike path that occurs parallel to the I-15 and is located within Caltrans' right-of-way. As described in Sections 4.0, <i>History of Project Changes</i>, and 5.2, <i>Transportation/Traffic Circulation/Parking</i>, the project proposes the construction of a separated bike lane within a multi-use path facility along Scripps Poway Parkway to reduce the potential for bicycle/motorists conflicts and to improve bicycle and pedestrian safety/access along the project's frontage on Scripps Poway Parkway.</p> <p><b>M-36a</b> Please see response nos. J-4 and M-13, above.</p> <p><b>M-36b</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p> <p><b>M-36c</b> Comments noted.</p> <p><b>M-36d</b> Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.</p> <p><b>M-36e</b> Comments noted.</p> <p><b>M-36f</b> Comments noted. The applicant anticipates that the market would be a specialty market on a smaller scale than a full-size grocery store.</p> <p><b>M-37</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p> <p><b>M-38</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p>
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<p>each afternoon. It makes me wonder at the tenacity of the Sudberry Properties outfit. To whom do I send this remark? David DeBus</p> <p>39. "This sounds great. Perhaps a little heavy for that area. I wonder if the population will support "higherend" retail. I also wonder if they'll actually make a playground and park as promised. I would like to see a clause that will allow for local vendors to participate rather than an entire mall of "Big Box" outlets. I'm tired of landlords pricing personal owned businesses out because they don't fit their "criteria" (i.e. "Big" name). The community wants small business owners to succeed and will frequent their stores if given a chance." Natalia Moorhead</p> <p>40. What is the proposed number of retail stores as shown in the plans made available to the community?</p> <p>41. Is there a food court in the project?</p> <p>42. If 75% of the vehicles enter the Scripps Highlands driveway, are the two left turn lanes long enough on westbound Scripps Powey Parkway to handle the queuing traffic?</p> <p>43. If 85% of the vehicles leave using the Scripps Highlands driveway, should it be signalized?</p> <p>44. What is the road designation for Scripps Highlands Drive (residential; collector; arterial)? What will be if the project is built?</p> <p>45. What is the ADT capacity and actual traffic numbers for Scripps Highlands Drive (ADT) in 2013?</p> <p>46. Is the left turn queue long enough on northbound Scripps Highlands to handle westbound turning traffic onto Scripps Powey Parkway?</p> <p>47. What is the level of service of intersection existing versus proposed project of Scripps Powey Parkway and Scripps Highlands?</p> <p>48. What is the level of service at I-15 and Scripps Powey Parkway? What impact does the project have on ADT, delay and level of service? Keep in mind there are two signals at the I-15 (one on each side). Note: The left turn queue going south on I-15 is too short for the existing traffic; now add project traffic.</p> <p>49. What is the total number of ADT's for the no project alternative in comparison to the proposed development?</p> <p>50. What are the changes in ADT's for the am/pm peak periods between the no project alternative versus proposed?</p> <p>51. The history of the site is confusing in the Master Plan Guideline. Please consider doing an overview of the Scripps Gateway development and how MedImpact and now Watermark are part of that development in one concise location in the Final EIR.</p> <p>52. Has the Traffic Impact Analysis (TIA) as earlier presented changed? Right in, right out access from the site heading east on SPP, Widening of SPP from I-15 to Scripps Highway Drive, Additional lanes under the I-15/SPP/Mercy Road bridge, Longer left turn pocket for the SPP WB traffic into the SB I-15 ramp, Signal mitigation at I-15 northbound and southbound intersections and Scripps Highland intersection; Enhanced pedestrian and bike access; and, Interchange improvements at north ramps, south ramps, and Scripps Highland Drive/SPP intersection.</p> <p>53. Describe what additional lanes under the I-15 will be. Through lanes to Mercy Road and/or turn lanes to I-15?</p> <p>54. Describe how the left turn pocket for westbound SPP to I-15 south will be made longer.</p> <p>55. Describe the improvements to I-15 north ramps and I-15 south ramps.</p> <p>56. The DEIR says that MedImpact buildings will be 350,743 square feet on page 2-5 but the traffic study page 7-1 says it is 324,274 square feet. Which one is correct? If the DEIR is correct, the traffic study should be revised?</p>	<p><b>M-39</b> Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.</p> <p><b>M-40</b> The number of shops is not known at this time. The buildings are designed in a manner that smaller or larger shops can be created, depending on the needs of the shop owner.</p> <p><b>M-41</b> The project does not include a food court. It is anticipated that there will be smaller, quick-serve food services, such as coffee shops, sandwich shops, etc.</p> <p><b>M-42</b> Please refer to response M-13, above.</p> <p><b>M-43</b> The intersection of Scripps Highlands Drive/ Scripps Gateway Court (access to the project) is planned to be signalized as part of the Watermark project.</p> <p><b>M-44</b> Scripps Highlands Drive currently operates as a four lane collector, between Scripps Powey Parkway and Scripps Gateway Court, and is classified as a two lane Collector in the Miramar Ranch North Community Plan.</p> <p><b>M-45</b> Please refer to Figure 4-1 of the TIA for the City of San Diego level of service and capacity table. A four lane collector has a capacity of 30,000 ADT. According to counts from October 2008, Scripps Highland Drive had 4,699 ADT. Please refer to Appendix B of the TIA for additional traffic count information. Counts used in the TIA are from 2008. A discussion of traffic conditions from 2008 to 2011 is found in response to comments M-26 and M-27. Traffic data from 2013 was not published or available at the time the traffic study for the Watermark project was completed or at the time environmental analysis commenced.</p>
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**M-46**

It is anticipated that, with the reconfiguration shown in the Scripps Poway Parkway / I-15 Reconfigurations figure above (also Figure 1-1 of the TIA), there will be enough storage for left turning vehicles from Scripps Highland Drive to Scripps Poway Parkway. This intersection is projected to operate at an acceptable level of service with these improvements as shown in Table 1-13.

**M-47**

The existing level of service at Scripps Poway Parkway/ Scripps Highlands Drive is “B” in the AM peak hour and “C” in the PM peak hour. The level of service for Scripps Poway Parkway/ Scripps Highlands Drive is “C” in the AM peak hour and “D” in the PM peak hour in the existing with project condition. For more information please refer to tables 1-4 thru 1-6 and table 1-13 of the TIA.

**M-48**

The level of service at Scripps Poway Parkway and I-15 NB and SB ramps without project for Existing, Near Term and Horizon Year 2030 during the PM peak hour are “C”, “D” and “D” respectively. During the AM peak hour, the level of service is “B” for all conditions without the project. The level of service at the Scripps Poway Parkway and I-15 SB ramps with the project for Existing, Near Term and Horizon Year 2030 scenarios during the PM peak hour are “D”, “E” and “E” respectively. During the AM peak hour, the level of service is “C”, “D” and “D” for the Existing, Near Term and Horizon Year 2030 scenarios with the project respectively. The level of service at Scripps Poway Parkway and I-15 NB ramps with and without the project for Existing, Near Term and Horizon Year 2030 is level of service “C”. As shown on Figure 3-2 and Figure 3-3 of the TIA, it is anticipated that 13,120 ADT and 547 peak hour trips will be contributed to the interchange area by the proposed project. This will contribute to an increase in delay and a deterioration of level of service at this location. Signals at both the NB ramps and the SB ramps were evaluated in the TIA with associated level of service changes. Capacity deficiencies have been noted, and mitigation has been proposed where feasible. Please refer to Section 1.0 of the TIA for more details.

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	<p><b>M-49</b> The <i>No Project/Development Under Existing Approvals</i> alternative is addressed in Section 10.2.2 of the EIR. As presented in that section, the <i>No Project/Development Under Existing Approvals</i> alternative would generate 6,240 cumulative ADT, with 750 ADT in the AM peak hour and 750 ADT in the PM peak hour. (Driveway trips for this alternative would be the same as the cumulative trips.) As presented in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR, including the traffic that would be generated by the existing and approved development of the MedImpact facilities on Lots 1 and 2 (3,243 cumulative ADT, with 438 trips in the AM peak hour and 438 trips in the PM peak hour), the project results in 21,765 cumulative ADT, with 1,021 trips in the AM peak hour and 2,164 trips in the PM peak hour.</p> <p>Driveway trips with the proposed project (including the trips associated with the MedImpact facilities) would be 24,557 ADT, with 1,080 trips in the AM peak hour and 2,440 trips in the PM peak hour.</p> <p><b>M-50</b> As presented in Section 10.2.2, <i>Alternative 1 – No Project/Development Under Existing Approvals Alternative</i>, the <i>No Project/Development Under Existing Approvals</i> alternative would generate 15,525 less cumulative ADT than the proposed project, with 271 fewer AM peak hour trips and 1,414 fewer PM peak hour trips.</p> <p><b>M-51</b> The history of the approvals in effect on the project site is presented in Section 2.3, <i>Project History</i>, and Section 3.1, <i>Project Background</i>, of the EIR.</p> <p><b>M-52</b> The TIA has not changed since the DEIR was released. Information regarding mitigation can be found in Figure 1-1 and on page 1-7 of the TIA. Information regarding pedestrian and bicycle access as well as associated improvements and the right in/out access can be found in Section 12.0 of the TIA.</p>
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- M-53** Figure 1-1 (re-printed below as *Scripps Poway Parkway / I-15 Reconfigurations* with response no. M-7) and page 1-7 of the TIA describe improvements to the I-15/Mercy/Scripps Poway Parkway Interchange. As described in the TIA on page 1-7 and shown in Figure 1-1, the proposed reconfiguration would narrow the median and shift the westbound through lanes on Scripps Poway Parkway to the north and provide additional queuing length for westbound traffic on Scripps Poway Parkway to the Interchange. The existing “back-to-back” left turn lanes would be eliminated, and additional queuing for westbound traffic turning left from Scripps Poway Parkway to Southbound I-15 would be provided. The additional westbound lane in the median would feed turns onto the I-15 southbound ramp. Please refer to Figure 1-1 for details.
- M-54** Please refer to comment response M-53, above.
- M-55** Please refer to comment response M-53, above.
- M-50** As presented in Section 10.2.2, *Alternative 1 – No Project/Development Under Existing Approvals Alternative*, the *No Project/Development Under Existing Approvals* alternative would generate 15,525 less cumulative ADT than the proposed project, with 271 fewer AM peak hour trips and 1,414 fewer PM peak hour trips.
- M-51** The history of the approvals in effect on the project site is presented in Section 2.3, *Project History*, and Section 3.1, *Project Background*, of the EIR.
- M-52** The TIA has not changed since the DEIR was released. Information regarding mitigation can be found in Figure 1-1 and on page 1-7 of the TIA. Information regarding pedestrian and bicycle access as well as associated improvements and the right in/out access can be found in Section 12.0 of the TIA.
- M-56** Both the DEIR and traffic study are correct. Of the 350,743 square feet built and approved on the Med-Impact site, only 324,274 square feet is office space which generates traffic. The remaining square footage is dedicated to on-site amenities for Med-Impact employees only and does not generate any traffic.



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<p><b>M-57</b> 57. What is the comparison of no project build out driveway counts versus project for driveway counts?</p> <p><b>M-58</b> 58. How exactly are the ADT's calculated for: - MedImpact only? - No project alternative? - Project?</p> <p><b>M-59</b> Show in the comments each calculation formula in detail for each of these. <u>Thank you.</u></p> <p>59. DEIR on page 5.1-17 says office total is 502,112 square feet (including MedImpact of 350,743 square feet) thus leaving 151,369 square feet of office in the project. Parking calculations says 132,369 square feet of office. Which is correct? Which should be revised? Should the traffic study be revised accordingly?</p> <p><b>M-60</b> 60. What is the ADT's leaving the project to go South on Scripps Highlands Drive? What is AM/PM peak ADT's and other than AM/PM peak ADT's?</p> <p><b>M-61</b> 61. What is the ADT capacity of Scripps Poway Parkway?</p> <p><b>M-62</b> 62. What is the ADT capacity of Scripps Highlands Drive?</p> <p><b>M-63</b> 63. How many ADT's will be added to Scripps Highlands Drive?</p> <p><b>M-64</b> 64. With Project, how many ADT's will Scripps Poway Parkway be over capacity for the following segments (both existing and near term)? - I-15 to Scripps Highlands Drive - Scripps Highlands Drive to Scripps Summit Drive - Scripps Summit Drive to Scripps Creek Drive</p> <p><b>M-65</b> 65. Where will the employees for the Project recreate in the community?</p> <p><b>M-66</b> 66. In the DEIR analysis of the Prime Industrial overlay, the text discusses vacancies at the Northridge business park (ie, Nokia no longer there). That may have been the case in 2009, but since then Intel has moved in thus challenging the conclusion that Prime Industrial overlay is not relevant. Prime industrial land is a scarce resource that requires very thoughtful management.</p> <p><b>M-67</b> 67. According to industry experts, the industrial vacancy rate is dropping and look to speculative construction in 2014, and 2015. See <a href="http://www.uslandinfo.com/news/2013/sep/09/industrial-vacancy-collapses/">http://www.uslandinfo.com/news/2013/sep/09/industrial-vacancy-collapses/</a>. How can the Prime Industrial overlay be removed if there is expected new industrial space construction for the next two years?</p> <p><b>M-68</b> 68. In Appendix C (Traffic Analysis) regarding traffic mitigation page 14-14 references Figure 1, but there is no Figure 1. Please provide.</p> <p><b>M-69</b> 69. The traffic mitigation discussed in Appendix C page 14-14 says that the "back to back" left turn lanes will be eliminated and replaced with a single left turn lane. So, that's 145 feet of queuing and approximately how many vehicles, and what proportion of the projected increase will this accommodate?</p> <p><b>M-70</b> 70. The traffic mitigation discussed in Appendix C page 14-14 says that the median modifications to increase road width on Scripps Poway Parkway will be required. How exactly will the median be modified, how many feet and approximate number of vehicle queuing will be added?</p> <p><b>M-71</b> 71. In the DEIR, the theater is listed as being 43,917 square feet on pages 5.1-17 and 10-5 but in Appendix O it is listed as 4,500 square feet. Which one is correct?</p> <p><b>M-72</b> 72. In the DEIR, the theater is listed as being 43,917 square feet on pages 5.1-17 and 10-5 but in the parking calculations it is listed as being 35,917 square feet. Which one is correct? If the DEIR is correct then the parking calculations needs to be corrected?</p> <p><b>M-73</b> 73. Without the benefit of reviewing the Conditional Use Permit for the theater, we cannot ascertain which square footage is used in that permit and how does it compare to the DEIR text and parking calculations square footages?</p>	<p><b>M-57</b> Please see response no. I-49 above.</p> <p><b>M-58</b> Trip generation used in the EIR and TIA are based on the City's Trip Generation Manual. The generation rates are calculated by multiplying a "Trip Rate" factor by the development intensity. Peak Hour trips are calculated based on a percentage of the average daily traffic (ADT).</p> <p>Trip generation for MedImpact only is calculated by multiplying the square footage of MedImpact Buildings 1 and 2 by a generation rate of 10 trips per 1,000 square feet + the future development of MedImpact allowed under the existing entitlements multiplied by a generation rate based on the logarithmic formula of "<math>\ln(1)=0.756 \ln(x) + 3.95</math>" for multi-tenant office space. Because the No Project / No Build Alternative is build-out under the existing MedImpact entitlements, the trip generation calculation is the same for MedImpact only and the No Project / No Build Alternative.</p> <p>Trip generation for the proposed project is presented in Table 5.2-6, <i>Watermark Project Traffic Generation</i>, of the EIR. For MedImpact Buildings 1 and 2, the same formula as expressed above is used; however, the building square footages is slightly different. (See Table 5.2-6.) In addition to MedImpact Buildings 1 and 2 and multi-tenant office space, the proposed project includes retail uses, a movie theater, and hotel use. The trip generation for retail uses is calculated by taking the square footage of the retail space and multiplying that by the logarithmic formula of "<math>\ln(t)=.756*\ln(x)+5.25</math>". Trip generation for the movie theater is calculated based on the square footage of the movie theater multiplied by 80 trips per 1,000 square feet. The hotel's trip generation is calculated by multiplying hotel rooms by 10 trips per room.</p> <p><b>M-59</b> The target office development for the project is presented in Table 3-1, <i>Proposed Project Development Intensity</i>. As shown in that table, a target development intensity for office use is 502,112 square feet, which includes 350,743 square feet of office use for MedImpact. The Site Plan for the project shows 132,369 square feet of mixed-use office space. The EIR and TIA are conservative in their evaluations, assuming a higher amount of office use than currently proposed, which results in a greater amount of parking.</p>
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# LETTERS OF COMMENTS AND RESPONSES

This allows for the potential that the ultimate mix of uses may differ from what is shown as the target development intensity and that more office uses could occur in the project, provided that the trip generation and AM/PM peak hour trips presented in the TIA and evaluated in the EIR are not exceeded. Parking would be provided based on the actual use and in accordance with City parking regulations.

**M-60** Figure 3-1 of the TIA shows the expected trip distribution percentages from the Watermark project. These percentages are based on a SANDAG Select-Zone traffic model as discussed on page 4-2 of the TIA. Based on this model, 3% of project traffic with 557 ADT and a maximum of 31 peak hour trips in the peak direction were shown to travel south on Scripps Highlands Drive from the project site (see Figure 3-5 of the TIA). Please also refer to response no. G-9.

**M-61** As shown on Table 5-1 of the TIA, the ADT capacity of Scripps Poway Parkway between the I-15 ramps and Scripps Highland Drive is 60,000 ADT.

**M-62** Per Table 5-1 of the TIA, the ADT capacity of Scripps Highlands Drive is 30,000 ADT along the four-lane portion of the road.

**M-63** Please refer to Figure 3-7 of the TIA (Figures 5.2-4a and 5.2-4b in the EIR) to see the traffic assignment from the project. Up to 17,209 daily project trips are anticipated to use Scripps Highlands Drive.

**M-64** Please refer to Tables 1-1 thru 1-3 and Sections 6.0, 9.0 and 11.0 of the TIA for this information. As shown on Table 6-1, in the Existing with project condition, only Scripps Poway Parkway between I-15 and Scripps Highlands Drive is expected to be over capacity in the existing with project condition along the six lane portion of Scripps Poway Parkway. Also as shown in this table, the segment of Scripps Poway Parkway between Spring Canyon Road and Scripps Creek Drive is also expected to exceed capacity. On the segment of Scripps Poway Parkway between I-15 and Scripps Highlands Drive, capacity is expected to be exceeded by 10,733 ADT in the existing with project condition and 12,711 ADT in the Near Term with project condition (see Tables 1-1 and 1-2).

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On the segment of Scripps Poway Parkway between Spring Canyon Road and Scripps Creek Drive, capacity is expected to be exceeded by 1,960 ADT in the existing with project condition and 2,479 ADT in the near term with project condition (see tables 1-1 and 1-2). As discussed on page 1-7 and shown in Figure 1-1 of the TIA, an additional lane would be added to the segment of Scripps Poway Parkway between I-15 and Scripps Highlands Drive as mitigation to augment roadway and intersection capacity. A peak hour arterial level of service analysis on Scripps Poway Parkway between Spring Canyon Road and Scripps Creek Drive shows an acceptable level of service in peak hours for the existing and near term with project conditions (see tables 1-1 and 1-2).

**M-65** Please see response no. M-25 above.

**M-66** Comments noted.

**M-67** Comments noted. See also response no. M-66 above.

**M-68** Page 14-14 of the TIA references Figure 1-1. The figure can be found in Section 1.0 of the TIA found in appendix C to the EIR.

**M-69** Approximately 300 feet of actual queuing space will be provided through the additional lane to be provided in the median as shown on Figure 1-1 (reprinted above as “Scripps Poway Parkway / I-15 Reconfigurations”). However, together with the whole improvements shown on Figure 1-1, approximately 750 feet of additional queuing space will be provided versus the existing condition examined in the TIA. This additional queuing space will be provided through a narrowed median, as well as lane reallocation from the previously existing thru lane to feed the left turn lanes. However, since the signal timing of the future interchange after mitigation has not been established, it is impossible to quantify how much this will improve the existing and future queue with the project. Table 1-13 of the TIA shows the expected improvement in level of service at I-15/ Scripps Poway Parkway with project mitigation.

**M-70** Please see response to comment M-69, above. The median would be narrowed by 12 feet for a length of approximately 450 feet.

# LETTERS OF COMMENTS AND RESPONSES

	<p><b>M-71</b> There is a typo in the <i>Prime Industrial Lands Criteria Analysis</i> contained in Appendix O to the EIR. The size of the movie theater should have read “45,000 square feet”, a rounding and approximation for the size of the movie theater as proposed by the project and shown on project plans. This error has been corrected. This typo does not affect the conclusions of the <i>Prime Industrial Lands Criteria Analysis</i> or the conclusions in the EIR.</p> <p><b>M-72</b> The EIR and the TIA are based on the initial project submittal, which showed a larger theater. In this manner, the EIR provides a worst case analysis. The EIR and TIA show adequate parking based on the target development intensity, which included a larger theater.</p> <p><b>M-73</b> Please see response no. M-72, above. Parking for the theater would be provided in accordance with City requirements and at a rate that corresponds to the actual square footage for the theater when building permits are submittal for City approval.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p><b>M-74</b> 74. On pages 10-18 of the DEIR it states the project will provide "balance of traffic". How exactly does the project do that? The term appears odd, even dangerous when the fulcrum of the "balance" or data cited in 2008 and significant majority of projected ADT generation during non-peak hours that are approximately 20% of Scripps Poway Parkway traffic!</p> <p><b>M-75</b> 75. How does the project provide "balance of traffic", when the project adds over 15,000 ADT's versus no project alternative? This affords reason and common sense, and more importantly is not supported by the data.</p>	<p><b>M-74</b> As a predominantly residential community, Miramar Ranch North currently experiences high peak hour/directional traffic. As a primarily retail development, the Watermark project will add traffic during off-peak, PM and weekend periods and directional traffic that balance the directional and peak hour traffic of the community. For example, retail is primarily closed during the morning peak hour of traffic. Additionally, traffic is balanced in the PM peak hour between directions. This mix of directional traffic helps spread traffic to use other elements of the road network which do not conflict with the high residential peak direction. Additionally, by serving retail needs within the community, the overall length of vehicle trips may be reduced. Please refer to Tables 3-1 and 3-2 of the TIA for detailed information.</p> <p><b>M-75</b> The "balance" of trips referenced in the EIR refers to the fact that commercial retail uses generate traffic during off-peak hours and throughout the day, whereas, office uses create directional traffic that occurs primarily as traffic entering the site during the AM peak hour and leaving the site during the PM peak hour, as employees arrive and leave work.</p>
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# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

**From:** Catherine Kastner [cdk@kastner.com]  
**Sent:** Friday, April 05, 2013 7:50 AM  
**To:** Elizabeth Shearer-Nguyen  
**Subject:** Watermark is a Great Idea

I received the call regarding the survey for the grocery store Lazy Acres - it will be a great addition to the neighborhood.

We need this Project!

**Catherine Kastner | Founder**  
**The Kellam Group**  
**Paralegal and Business Services**  
**cdk@kastner.com**  
**619-733-3434**

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**N-1** Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.

# LETTERS OF COMMENTS AND RESPONSES

<p><b>From:</b> Ruriko Kusumoto [mailto:rsakurauchi@san.rr.com] <b>Sent:</b> Saturday, April 13, 2013 11:43 PM <b>To:</b> DSD EAS <b>Cc:</b> President@ScrippsRanch.org <b>Subject:</b> The Watermark - Project #180357</p> <p>I live in Scripps Highlands and I drive by the lot proposed for this Watermark project almost every day. After reviewing the report on this new retail center, I have some major concerns and am opposing the current proposal.</p> <p><b>O-1</b> First of all, even without any commercial retail, the traffic in the morning commute hours makes it difficult to make a left turn from Scripps Highlands onto Scripps Poway Parkway. I also notice a similar situation in the afternoon commute hours. The proximity of the project to the 15 freeway will probably impact commuters who exit the freeway onto Scripps Poway Parkway. Even with the proposed extra right turn lane into the development, especially during the commute hours, I could see that there may be a backup of traffic exiting the freeway. So, this development will affect both the commuters entering the freeway as well as those exiting the freeway.</p> <p><b>O-2</b> Secondly, I am concerned about the safety and well being of our neighborhood. Recently, there has been an increase in break-ins in our neighborhood, and I am concerned that bringing in extra retail may invite people who do not live in the area to wander into our neighborhood. Although most of the employees of Medimpact have been respectful, I do see an increase in people walking in our neighborhood or using the small community parks and benches that we as a homeowner's association pay to maintain. Multiply that by the number of people who shop and patronize the proposed shops. As a homeowner, I need to insure that the money I put into maintaining the common areas are being used for us. Perhaps, a security gate needs to be placed so that only people that live in the neighborhood have access to our common areas.</p> <p><b>O-3</b> Thirdly, I have a concern about fire safety. Scripps Ranch was impacted by a devastating fire in 2003 that destroyed many homes in the Pomerado Rd. area. From a personal friend whose home was destroyed, she explained that fire crews were not allowed into her area. Here is a portion of her email The 2003 Cedar Firestorm burned down our house and 5 others in our little cul de sac The next street over is Pinecastle and Walnutdale which is a long huge cul de sac</p>	<p><b>O-1</b> Comment Noted. Please refer to response no. J-4 for an explanation of the project access.</p> <p><b>O-2</b> Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.</p> <p><b>O-3</b> Comments noted. Fire safety is addressed in Section 5.13, <i>Health and Safety</i>, of the EIR. As described in Section 5.13, the project site is bordered on the south by existing open space area. Two brush management zones (one of 65 feet and one of 35 feet) buffer the open space area from project development. The requirements for these brush management zones are in addition to those mandated by California Public Resources Code in Section 4291 of the City of San Diego Landscape Technical Manual. These brush management zones would minimize the risk of exposure of people or buildings to potential wildland fires that may occur in surrounding open space areas and would effectively minimize exposure to wildland fire risk. Project impacts associated with wildland fires would not be significant.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p>with 40-50 homes with only 1 entry/exit street. Those 40-50 homes ALL burned down because San Diego Fire Dept. will not permit a fire truck to enter a dead end cul de sac. The fire dept. does not want to take a chance for injury to firemen and equipment from the flames and explosion of homes. Also if the fire was at the entry of the cul de sac, there was no other escape exit.</p> <p>O-4 In 2007 when we had to evacuate our home again. We have 2 exits out of our neighborhood but the line of cars/traffic to get out on Pomerado Road to freeway 15 took forever---an hour!! If it was a real fire in the SR, I think we would be toast.</p> <p>O-5 With such a high density of stores, movie theater, hotel, and parking structure, on a hillside with a lot of brush, fire safety should be a major concern.</p> <p>O-6 On a fourth note, I am concerned about the increased noise levels that we will experience with increased traffic in our area. When the pumpkin patch is open during the month of October, I do hear the extra noise into the evening hours of not only people at the pumpkin patch, but also with those people driving into our neighborhood.</p> <p>O-7 Lastly, sadly with the economy, there are already many vacancies in the current shopping centers of Scripps Ranch. Even in the Vons shopping center, we recently lost Baskin Robbins which should be a fixture in almost every community. If our community cannot even support a Baskin Robbins, do we need another shopping center with high end stores and restaurants? I've seen restaurants come and go in the Trader Joe's shopping center as well.</p> <p>Thank you for taking our concerns and comments. Please reconsider building the Watermark project. I vote "No," for this project.</p> <p>Sincerely, Ruriko Kusumoto</p>	<p>O-4 Comments noted. Please see response no. O-3 above.</p> <p>O-5 Comments noted. Please see response no. O-3 above.</p> <p>O-6 Comments noted. Noise impacts associated with the project are addressed in Section 5.7, <i>Noise</i>, of the EIR. In order to evaluate potential noise impacts associated with the project, a <i>Noise Analysis</i> was prepared and is included in Appendix F of the EIR.</p> <p>As concluded in Section 5.7, the proposed Watermark project would not result in significant noise impacts associated with construction and/or operation. The project would not result in exposure of people to noise levels that exceed the City's adopted noise ordinance and would not be in conflict with the City's noise guidelines and/or the Noise Element of the City's General Plan. No significant noise impacts would result from the proposed project.</p> <p>O-7 Comments noted. The purpose of the EIR is to evaluate the potential for significant impacts on the environment resulting from the proposed project. CEQA identifies a significant effect on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions with the areas affected by the project." (CEQA Guidelines Section 15382.) The EIR addresses the physical changes to the environment that would result from implementation of the proposed project.</p> <p>Additionally, in accordance with CEQA Guidelines Sections 15064(e) and 15131, economic or social effects of a project shall not be treated as a significant effect on the environmental, unless a physical change in the environment is caused by the economic or social effects of a project; or if the economic and social effects resulting from a physical change in the environment create a significant effect. Neither of these situations pertains to the proposed project.</p>
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# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

**From:** VALORIE MCCLELLAND [vleimac0214@sbloglobal.net]  
**Sent:** Sunday, April 07, 2013 12:22 PM  
**To:** Elizabeth Shearer-Nguyen  
**Cc:** president@scrippsrancho.org  
**Subject:** The Watermark - Project #180357

E. Shearer-Nguyen

After reviewing the plans for the Watermark shopping complex I have a couple of concerns. The main concern is the traffic impact and while there was some attempt at changes to the roads to mitigate the impact they still don't address the underlying issue: there is already too much traffic congestion in that area. Currently in the morning from 6:30 until 9:30 and in the afternoon from 4:00 until 6:00 it can take 10 to 15 minutes to travel less than a mile on Scripps-Poway Parkway to get on Hwy 15. This shopping complex will just exacerbate that situation. On the weekends at certain times we see the same kind of traffic problem. The mitigation plans add lanes which will make pedestrian traffic a problem. It discourages people from walking to the store because of so many busy lanes of traffic to cross. You can see similar problems in Carmel Mountain Ranch and Mira Mesa. If I want to go to two stores across the street from each other, I have to drive, rather than walk because pedestrian access is so poor.

With the number of shops and business planned it is a highly congested plan which adds to traffic. This shopping will not just be for Scripps Ranch but also draw in people from other areas which would be fine except that it will bring more cars and traffic into an already congested area.

My other concern is: need. The existing shopping areas in Scripps Ranch and neighboring Mira Mesa and Carmel Mountain Ranch have empty spaces. The businesses that are there are struggling. All of the retail shops have a negative impact on existing businesses.

Thank you for considering my concerns.  
Valorie McClelland  
Scripps Ranch Resident for 26 years

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**P-1a**

**Comment Noted.** Please refer to response no. M-74 and the TIA for information regarding the characteristic of retail traffic and information regarding the anticipated project impacts and mitigation.

**P-1b**

**Comments noted.**

**P-1c**

**Comments noted.**

**P-2**

**Comments noted.**



# LETTERS OF COMMENTS AND RESPONSES

**From:** Moseman [mailto:tjoseman@aol.com]  
**Sent:** Sunday, April 14, 2013 7:45 AM  
**To:** DSD EAS  
**Cc:** President@ScrippsRanch.org  
**Subject:** The Watermark - Project #180357

April 12, 2013

Dear Environmental Planner:

As a long time, Scripps Ranch resident, I write to address possible inadequacies of the Draft Environmental Impact Report (DEIR) for the above referenced proposed mixed use shopping complex. I appreciate the detrimental environmental effects identified by the DEIR including: traffic circulation, transportation, parking, and air quality. Here I further share my concerns for traffic congestion, public safety and crime, and the very feasibility of such a project at this time and place, all substantial negative issues which I feel any alternatives will fail to remedy.

First and foremost, if this proposal is approved, it will further exacerbate traffic, not only to the immediate Interstate 15 Northbound and Southbound on and off ramps on Scripps Poway Parkway (SPP), but also spread to adjacent freeway pathways and other surface streets in Scripps Ranch. Scripps Ranch residents have four primary freeway accesses. These include SPP, Pomerado Road, Carroll Canyon Road, and Mira Mesa Boulevard. Depending on the time of day, wait on these roads to get to and from the Interstate alone, can reach 20 minutes. Obviously, if the Watermark Project is built along SPP, the wait to approach this freeway on and off ramp will be extended. Moreover, as commuters try to avoid this additional delay, they will transverse neighborhood streets to reach the other interstate access pathways aforementioned, which already have significant traffic issues. Pomerado Road is commonly inundated with students and staff driving to and from Marshall Middle School and Alliant International University as it is the only road they can use to reach these schools. Carroll Canyon Road likewise is busied with students and staff commuting to Scripps Ranch.

High School and other travelers to the nearby businesses in that area. While, Mira Mesa Boulevard, having the city's designation for a red light camera at the intersection of Westview Drive, solidifies the significant traffic along this road and its particular freeway access.

Q-1

Q-1 Comments noted. No responses are necessary.

Q-2

Q-2 Comment Noted. Please refer to response no. G-9 for information about traffic on neighborhood streets and accessing other freeway interchanges.



# LETTERS OF COMMENTS AND RESPONSES

<p><b>Q-3</b> Second, while I concede that public safety and crime are not areas formally assessed in the DEIR, I feel they are paramount factors to consider when deciding whether to approve or disapprove this proposal. Applicably, the DEIR does not appear to acknowledge the long standing bicycle/pedestrian pathway that runs parallel to Interstate 15 Northbound, nor the important fact that this pathway is intersected by SPP. I highlight this region as exceptionally hazardous as my sister and I have personally witnessed two near accidents involving bicyclists and vehicles here. I believe the downward sloping SPP exit off the Interstate 15, along with the lack of commanding signage of the bicycle/pedestrian pathway, has led to these dangerous situations. In both events, the car drivers seemed to look solely to their left when making their right hand turns on to SPP and failed to see the bicyclists, as they skid to avoid hitting them. This exact freeway exit and intersection would be needed to access the Watermark Project. I fear if approval is given for the mixed use shopping complex, which would include a hotel with transitory guests unfamiliar to this area, I may witness more bicyclists fall to the ground or even worse bodily injury accidents involving vehicles and pedestrians. Additionally, I have learned that businesses placed near freeway on and off ramps are often targeted for crimes due to their easy access locations and "quick getaways." I mention that both banks on SPP, Bank of America and Wells Fargo, less than 1/4 mile from the proposed project, have been robbed several times as media reports sought the public's assistance in finding the suspects. I believe that the San Diego Police Department (SDPD) and other law agencies can confirm the crime statistics of the conveniently positioned targets and admit to the littering, loitering, vandalism, and other crimes that can be brought by theaters, shops, and other businesses in their vicinity. With challenges in the city budget, I feel that the SDPD and Fire Departments have enough demand for their time and assistance and need not be burdened with conceivably more responsibilities in this area.</p> <p>Third, I believe the feasibility of such a project at this time and place is extremely questionable. While I recognize the time and effort dedicated to the project planning, I point out the many vacancies and failed businesses located within a mile radius of its proposed location. For instance, in the Scripps Ranch Marketplace, "Blockbuster" has closed and is open for an immediate retail business. Likewise, for large scale corporations,</p>	<p><b>Q-3</b> Comments noted. See also response nos. M-35b and P-1b.</p> <p><b>Q-4</b> Comments noted. As part of the EIR review process, the City's Fire-Rescue and Police Departments were contacted. The result of this coordination is presented in Sections 2.6, <i>Public Infrastructure and Services</i>, and 5.14, <i>Public Services and Facilities</i>, of the EIR. As concluded in Section 5.14, the proposed project would not have significant impacts on these services or require construction of new public facilities.</p> <p><b>Q-5</b> Comments noted. See also response nos. M-33 and P-2, above.</p>
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# LETTERS OF COMMENTS AND RESPONSES

## Q-5 Cont.

"Nokia" has left The Plaza at SN on Scripps Summit Drive, while The Pinnacle Medical Building on Wexford Drive has long had vacancies for medical and dental operations. These are just a few

examples that offer prompt opportunities for corporate and retail businesses, without the need for any degradation to the environment (air, water, land) and numerous mandates for starting new developments. I might add that if these vacancies are eventually filled, traffic congestion will grow exponentially as the "Nokia"

building in itself can employ hundreds of employees if not more.

Lastly and in closing, I respectfully urge all City Council Members and decision-making authorities of this project, to seriously contemplate the identified

DEIR findings, along with those not obviously defined such as I highlighted, and any alternatives presented. I truly hope after such careful review of the complete information that all will vote to deny The Watermark Project and thus conclude its negative impacts far outweigh the positives. I thank you in advance for your time and consideration.

Sincerely,  
Christina Moseman  
Scripps Ranch

## Q-6 Comments noted.

# LETTERS OF COMMENTS AND RESPONSES

<p>From: jmooseman@san.rr.com [mailto:jmooseman@san.rr.com]          Sent: Sunday, April 14, 2013 9:19 PM          To: DSD EAS          Cc: presidents@scrippsrancho.org          Subject: DEIR</p> <p>Dear Environmental Planner,</p> <p>After reviewing the DEIR, I voice strong objection to the change in zoning of the proposed Watermark Project.</p> <p>Even after eliminating the hotel and commercial business -- rezoning proposals this would only decrease the predicted 'increase trips' by 17%. This means the remaining 're zoned Entertainment' proposal brings the wallop of increase traffic.</p> <p>Yet the mitigation measures in the report describe adding left turn lanes with queuing modifications. This does not account for the fixed freeway access and perhaps even increased freeway traffic.</p> <p>Getting you faster on a ramp does not mean faster access to freeway especially during rush hours or Friday and Saturday nights. This quickly will back onto the surface streets as those who live here already experience on Mira Mesa Blvd just west of the I-15.</p> <p>Also they did not take into account southbound traffic from the I-15 turning east on Scripps Poway except to reduce medians- again a very limited measurement with rapid filling.</p> <p>Remember Entertainment usage carries a different mind set with its users. They are not going to work but to play, they can be less cautious and more distracted.</p> <p>The analysis did not include or mention the low profile but heavily used pedestrian and bicycle X-ing at the Northbound I-15 exit at Scripps Poway. This connects to the Knott memorial and the Penasquitos preserve. I have observed numerous close calls and read of several collisions from vehicle right turns into Scripps Poway vs. crosswalk users. Actually, motor vehicles have a large visual impairment from the freeway superstructure at this location that impairs both west and east bound turns.</p> <p>To significantly increase the traffic is truly asking for safety problems--I am sure the City does not want to be liable for poor planning and structural inadequacies. Both Police and Fire are predicting increase response times if such a project is approved.</p> <p>I chuckled when the report mentioned to keep the speed limit to 15 mph to prevent noise pollution. Good luck with law enforcement.</p> <p>Also there are Artesian springs at the hairpin turn of Scripps Highland. I have seen foxes, bobcats, kites and osprey in the vicinity. These are grassland inhabitants. For some reason the report does not consider these creatures significantly impacted.</p> <p>Direct downhill construction can definitely affect such a unique habitat and water supply. I would hate to see the rodent population go unchecked.</p> <p>It seems this analysis was hermitically sealed without adequately envisioning practical human usage.</p> <p>The least impact would be to keep the current zoning.</p>	<p><b>R-1</b> Comment noted.</p> <p><b>R-2</b> Comment noted. The Reduced Intensity – 17 Percent Reduction in Trips Alternative would include the existing MedImpact facilities on previously approved Lot 1, the future approved development on Lot 2, and development of the remainder of the site in a manner similar to the proposed project but without development of the hotel (approximately 90,540 square feet) and the office building (approximately 132,007 square feet). The Site Plan for the proposed project shows the hotel located in the southwest corner of the project site (Building L). This alternative would eliminate the hotel and provide surface parking where the hotel would have occurred. Under the proposed Site Plan, office uses would occur on floors two through 6 of Building M. Because this alternative would eliminate office uses in Building M, Building M would change from a six-story retail/office building to a two-story retail building. With the elimination of these elements, this alternative would result in approximately 17 percent less total trips than under the proposed project (15,341 with this alternative compared to 18,552 resulting from the proposed project).</p> <p><b>R-3</b> Comment Noted. Increased freeway traffic was projected and is shown in Tables 1-7 thru 1-12 of the TIA. Mitigation for the project is shown on Figure 1-1 (re-printed below as <i>Scripps Poway Parkway / I-15 Reconfigurations</i> with response no. M-7) and discussed on page 1-7 of the TIA. Mitigation is further discussed in Section 14.7 of the TIA. As discussed in Section 5.2 of the DEIR, significant project impacts are expected to remain after project mitigation.</p> <p><b>R-4</b> Southbound traffic from I-15 to eastbound Scripps Poway Parkway is shown on Figure 3-4 of the TIA as well as subsequent intersection AM/PM peak hour traffic figures in the TIA. Southbound traffic was fully accounted for in the analysis.</p> <p><b>R-5</b> Comment noted.</p>
<p><b>R-1</b></p> <p><b>R-2</b></p> <p><b>R-3</b></p> <p><b>R-4</b></p> <p><b>R-5</b></p> <p><b>R-6</b></p> <p><b>R-7</b></p> <p><b>R-8</b></p> <p><b>R-9</b></p>	<p><b>R-1</b> Comment noted.</p> <p><b>R-2</b> Comment noted. The Reduced Intensity – 17 Percent Reduction in Trips Alternative would include the existing MedImpact facilities on previously approved Lot 1, the future approved development on Lot 2, and development of the remainder of the site in a manner similar to the proposed project but without development of the hotel (approximately 90,540 square feet) and the office building (approximately 132,007 square feet). The Site Plan for the proposed project shows the hotel located in the southwest corner of the project site (Building L). This alternative would eliminate the hotel and provide surface parking where the hotel would have occurred. Under the proposed Site Plan, office uses would occur on floors two through 6 of Building M. Because this alternative would eliminate office uses in Building M, Building M would change from a six-story retail/office building to a two-story retail building. With the elimination of these elements, this alternative would result in approximately 17 percent less total trips than under the proposed project (15,341 with this alternative compared to 18,552 resulting from the proposed project).</p> <p><b>R-3</b> Comment Noted. Increased freeway traffic was projected and is shown in Tables 1-7 thru 1-12 of the TIA. Mitigation for the project is shown on Figure 1-1 (re-printed below as <i>Scripps Poway Parkway / I-15 Reconfigurations</i> with response no. M-7) and discussed on page 1-7 of the TIA. Mitigation is further discussed in Section 14.7 of the TIA. As discussed in Section 5.2 of the DEIR, significant project impacts are expected to remain after project mitigation.</p> <p><b>R-4</b> Southbound traffic from I-15 to eastbound Scripps Poway Parkway is shown on Figure 3-4 of the TIA as well as subsequent intersection AM/PM peak hour traffic figures in the TIA. Southbound traffic was fully accounted for in the analysis.</p> <p><b>R-5</b> Comment noted.</p>

# LETTERS OF COMMENTS AND RESPONSES

	<p><b>R-6</b> Please see response to comment B-13 and B-16. As discussed in these comments the existing pedestrian/bicycle pedestrian refuge crossing Scripps Poway Parkway at the I-15 northbound ramps will remain and a pedestrian/bicycle pathway on Scripps Poway Parkway will be constructed with the project. See also response to comment B-3. The turn lane into the project will not begin until approximately 100 feet east of the intersection to avoid conflicts with bicyclists.</p> <p><b>R-7</b> Comments noted. See also response no. Q-4, above.</p> <p><b>R-8</b> During the environmental review for the project, site surveys were conducted, and an evaluation of all sensitive wildlife species with the potential to occur onsite was performed. Foxes, bobcats, kites, and osprey were not observed on the project site nor were they found to have the potential to occur on the project site. Furthermore, no grassland habitat or artesian springs occur on the project site. The only habitats of value that occur on the project site include Coastal Sage Scrub/Chaparral and Seeded Coastal Sage Scrub, for which the project would result in no impact.</p> <p>It should be noted that the project abuts an existing open space preserve, which would not be impacted by the proposed project. Although it is possible the wildlife species noted in this letter by the commentor occurred in this off-site open space area, the open space supports coastal sage scrub and southern mixed chaparral, not grassland habitats. Furthermore, compliance with existing regulations and mitigation measures identified throughout the EIR ensure that on-site construction activities will not impact off-site areas, and no impacts were identified.</p> <p><b>R-9</b> Comments noted. These comments do not address the completeness or adequacy of the EIR.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p>There are very nice theatres less than a mile away. There are 2 hotels across the street. There are retail store and even commercial building vacancies ¼ to 1/3 mile east of the location.</p> <p>This is more than forcing a square peg into a round hole it feels more like jamming twenty college kids into a VW bug.</p> <p>In this case, for the benefit of all involved let us make the right move and say "NO GO ON THE REZONE"</p> <p>Sincerely, Jim Moseman, Scripps Ranch Resident</p>	
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**R-10**

**R-10** Comments noted. These comments do not address the completeness or accuracy of the EIR. No responses are necessary.



# LETTERS OF COMMENTS AND RESPONSES

<p><b>Shearer-Nguyen, Elizabeth</b></p> <p><b>From:</b> mitchip@san rr.com  <b>Sent:</b> Tuesday, April 02, 2013 11:19 AM  <b>To:</b> DSD EAS  <b>Cc:</b> president@scrippsrancho.org  <b>Subject:</b> The Watermark - Project # 180357</p> <p>As a 17-year resident of Scripps Ranch Villages (Miramar Ranch North), it is quite distressing to read in The Watermark Draft EIR that the proposed Watermark Project will, for the next 17 years and beyond (2030) is the year used in the draft EIR, severely impact traffic flow to unacceptable levels (E and F). It is inconceivable to me that if the City of San Diego has defined levels of service ((LOS A-F) related to traffic flows, and further stipulated which levels are unacceptable (E and F), that the City of San Diego or the community of Scripps Ranch Villages (Miramar Ranch North) would even consider moving forward with such a project as The Watermark that is defined as having an effect that is "cumulatively significant and unmitigated impacts associated with traffic" (page 10-33), the result of which will be to not only inconvenience but endanger the safety of motorists and pedestrians by moving ahead with The Watermark Project as proposed.</p> <p>Of particular concern is the draft EIR's complete disregard for traffic patterns on the section of road that is Eastbound Scripps Poway Parkway between the Mercy Road underpass and Scripps Highland Drive. To create an entrance and exit to the proposed Watermark Project at this location definitely does create an increased hazard which is not assessed in the draft EIR. Motorists exiting the I-15 northbound at Scripps Poway Parkway already cause accidents by turning right (eastbound) at this intersection. Adding an entrance/exit along that section of road on eastbound Scripps Poway Parkway will surely cause a tremendous increase in accidents and injuries, and potentially deaths. The draft EIR defines this entry/exit point as a "solution" to the question of emergency access, but it does not address the hazard it compounds at that section of eastbound Scripps Poway Parkway.</p> <p>The draft EIR in section 10.0 Alternatives, fails to define the resulting LOS associated with each Alternative, therefore it is not possible to adequately assess the transportation/traffic circulation of each alternative.</p> <p>The current proposed Watermark Project SHOULD NOT proceed.</p> <p>Based on current draft EIR, certainly Alternative 1 is the most attractive and favored for consideration in this resident's opinion.</p> <p>With any of these proposals, how is the catch phrase of "country living" truthfully touted on license plate frames in our community?</p> <p>Sincerely,  Tina Nelsen  11414 Ann Arbor Lane  San Diego, CA 92131</p> <p style="text-align: right;">1</p>	<p><b>S-1</b> Comments noted. Traffic impacts associated with the proposed project are addressed in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the EIR. In order to assess the traffic impacts of the proposed project, a <i>Traffic Impact Analysis</i> was prepared and is included in Appendix C of the EIR. As presented in the <i>Traffic Impact Analysis</i> and concluded in Section 5.2, the Watermark project would result in significant direct and cumulative traffic impacts. Mitigation measures are proposed to reduce impacts; however, traffic impacts would not be reduced to below a level of significance and a significant, unmitigated traffic impact would remain. CEQA Section 15093(b) requires that the decision-maker adopt a Statement of Overriding Considerations when the decision-maker decides to approve a project that would result in the occurrence of significant impacts which cannot be avoided or substantially lessened. The Statement of Overriding Considerations provides the specific reasons to support approval of a project even when significant impacts cannot be fully mitigated.</p> <p><b>S-2</b> Please refer to response nos. R-6, B-13, B-16 and B-3, above.</p> <p><b>S-3</b> The EIR includes an evaluation of traffic associated with each alternative, including total cumulative, driveway, and peak hour trips, which provides sufficient information "to allow a evaluation, analysis, and comparison" of each alternative with the proposed project, as required by CEQA Guidelines Section 15126.6(d).</p> <p><b>S-4</b> Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p><b>From:</b> Mark Sampson [mailto:mark.sampson@sbcglobal.net]  <b>Sent:</b> Sunday, April 14, 2013 5:59 PM  <b>To:</b> DSD EAS  <b>Cc:</b> President@ScrippsRanch.org  <b>Subject:</b> The Watermark - Project #180357</p> <p>Thank you for the opportunity to comment upon the draft environmental impact report for the proposed Watermark mixed-use development plan filed for the intersection of I-15 and Scripps Poway Parkway. There are many elements of the proposed development that appear to have benefits for the North City community and the residents. A review of the EIR gives rise to a number of questions regarding the proposed development project. The issues and related questions are listed below:</p> <p>Existing city parks allow for the construction of up to 350,000 square feet of office space. Approximately 150,000 square feet has been built and is occupied. Table 3.1 <i>Proposed Project Development Intensity</i> of the draft Watermark EIR outlines a program for the development of in excess of 500,000 square feet of office space at 150,000 square feet more than is originally approved. Additionally, there is a total targeted development intensity that approaches nearly one million square feet in a relatively small footprint. What benefit should the North City communities expect in exchange for increase in the developer entitlement?</p> <p>The Watermark draft EIR contains in Section 3.2 <i>Purpose And Objectives of the Project</i> the objective of:      "Implement design guidelines that would ensure high quality design and aesthetics, landmark for the community."      While the developer has an extensive portfolio of commercial and mixed-use projects, there appears to be little evidence that Mark Ranch North and Scripps Ranch could exceed anything more than the which is already present in the existing commercial centers (Scripps Ranch Marketplace, a commercial center at northeast corner of I-15 and Scripps Poway Parkway, etc.). How can the community ensure that Watermark is not more of the same? What assurances are available that Watermark would truly be a landmark for the community and offer high quality design and aesthetics similar to what exist in other high end retail and mixed-use centers such as Santana Row in San Jose, CA, Bay Street in Emeryville, CA, or The Grove, Los Angeles, CA. How does the community ensure that the project as illustrated in the architectural renderings is actually the development that is placed in the ground? Additionally, Section 3.2 <i>Purpose And Objectives of the Project</i> cites the goal of providing a community gather place:      "provide quality public space for community use in the form of a pedestrian plaza as a focal point for the project, which would function as a lively gathering place for visitors, employees, and neighbors."      What exactly are the proposed civic benefits? Is the sole public space for community use a pedestrian plaza? What amenities may become available to service as a point of attraction for both adult and juvenile community members? The proposed project will serve as a gateway to Miramar Ranch North, Scripps Ranch and Poway communities. Additionally, Watermark will be viewed by hundreds of thousands of commuters weekly from north- and southbound lanes of I-15. How can the North City communities ensure that the Watermark development is in fact a landmark for the community and not a detriment to the community's expectations, especially in view of the requested building height restriction waivers and proposed land use intensity? Thank you for the opportunity to comment on the proposed Watermark project and for your considerations of my concerns.</p> <p>Sincerely,          Mark Sampson          10636 Frank Daniels Way          San Diego, CA 92131          mark.sampson@sbcglobal.net</p>	<p><b>T-1</b> Comments noted. As presented in Section 3.0, <i>Project Description</i>, of the EIR, the project would result in the target development intensity of approximately 502,112 square feet of office space. This development intensity includes the 350,743 square feet of office space currently approved for and partially developed on Lots 1 and 2 of MedImpact.</p> <p>The purpose of an EIR is not to identify the benefits of a project for a particular area, community, or region. Instead, CEQA requires that the EIR analyze the potential for significant environmental impacts to result from the proposed project. Therefore, the project's benefits are not addressed in the EIR. CEQA Section 15124(b) requires that an EIR include a statement relative to the objective sought by the project. For the Watermark EIR, the <i>Project Objectives</i> are presented in Section 3.2, <i>Purpose and Objectives of the Proposed Project</i>.</p> <p><b>T-2</b> The project includes Design Guidelines that would be approved as part of the Planned Development Permit. The intent of these discretionary actions is to ensure that development occurs in the manner that is shown on the plans included in the approval package for the project.</p> <p>The Site Plan, Landscape Plan, Vesting Tentative, and associated maps and exhibits become apart of the approval package and would be used by staff in reviewing and approving future building permits for the project. If building permits result in substantial changes from what is approved, subsequent review by staff would be required and modifications to project approvals may be necessary, which would initiate new discretionary actions, reviews, and approvals.</p> <p><b>T-3</b> As presented in Section 3.0, <i>Project Description</i>, of the EIR, the proposed project would provide for a large (approximately 1.7 acres) plaza space designed to accommodate community gatherings and events. This space encompasses a grand lawn/event area, edged with paving and background planting (Figure 3-11, <i>Primary Public Plaza Landscape Design</i>). Seating opportunities, as well as a children's play area, water feature, focal elements, and thematic elements, would be located surrounding the grand lawn/event area available for public use.</p>
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# LETTERS OF COMMENTS AND RESPONSES

T-4

As discussed in Section 5.3, *Visual Effects and Neighborhood Character*, of the EIR, the Miramar Ranch North Community Plan Design Element provides specific recommendations for the development of property within the Mercy Interchange Gateway, which encompasses the project site. This section of the Community Plan calls for “*the sensitive development of the Mercy interchange area as an attractive gateway into the community.*” Sensitive development refers to attention given to continuity within projects in this gateway region, including the Watermark site, the adjacent commercial development, and multi-family developments located to the northwest of the interchange area. To implement the goal of creating a coherent and signature design statement at this gateway to the Miramar Ranch North community, the office buildings draw from the same palette of colors and materials as is existing on-site, including the use of natural stone, to achieve compatibility in the implementation of the office campus. The modern design is achieved through an extensive use of glass with metal and accents. Building articulation employs the subtle use of offsets and curves to provide relief from standard rectangular building design. The buildings are oriented to provide an offset view from the freeway and the primary drive, as well as shield the view of the parking structures that serve each building. (See Figures 5.3-2a, 5.3-2b, and 5.3-3a, and 5.3-3b.) Additionally, the project has been reviewed by City staff and found to be consistent with the land use policies of the City’s General Plan. See also response T-2, above.

# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

From: Mary Scudder [mary.scudder@yahoo.com]  
Sent: Thursday, March 28, 2013 4:07 PM  
To: DSD EAC  
Cc: psudder@scrippsranh.org; Ken Scudder  
Subject: The Watermark - Project #160357

U-1

Hi,

My name is Mary Scudder and I am a Scripps Ranch resident who lives in northern Scripps Ranch off of Scripps Poway Parkway. After reading the environmental impact report, I feel that the traffic generated by the Watermark project would greatly affect the traffic in our area as well as lower our property values.

Northern Scripps Ranch has become more and more like Mira Mesa Blvd. every year since our house was built in the late 1990's and, as homeowners, we do not appreciate being sandwiched in between all of the commercial properties along the miles and miles of Scripps Poway Parkway, from the I15 freeway to Poway. Traffic is already a nightmare in the mornings and evenings and the trucks are loud and obnoxious as they drive down the road.

Thank you for your time and please do not allow this project to go forward.

Mary Scudder

U-1 Comments noted.

# LETTERS OF COMMENTS AND RESPONSES

## Shearer-Nguyen, Elizabeth

**From:** Connie Simonsen [cksimonsen@san.rr.com]  
**Sent:** Saturday, March 30, 2013 7:42 PM  
**To:** DSD EIS; Residnt@scrippsrairch.org; Kensey, Mark  
**Cc:** ksimonsen@san.rr.com  
**Subject:** Watermark draft EIR

I am writing regarding the Watermark project after having reviewed the draft EIR. While I understand the desire to develop this site, I am very troubled by the conclusions in the draft EIR regarding transportation/traffic circulation/parking. After having seen the back-up of traffic on Scripps Poway Parkway, particularly westbound vehicles turning left from Scripps Poway Parkway onto the I-15 South, the fact that this project is going to greatly increase traffic flow is unacceptable. The following language from the report should raise a huge red flag. Having seen a similar growth at the intersection of Westview Parkway and Mira Mesa Boulevard as a result of the still-increasing development, and the extremely dysfunctional level of traffic there, I do not feel that it is in the community's best interest to similarly invite high-traffic retail uses immediately adjacent to the freeway, when there is no or insufficient mitigation to accompany it.

I would very much like to hear your thoughts on the matter. Thank you.

Kevin Simonsen  
[ksimonsen@san.rr.com](mailto:ksimonsen@san.rr.com)

Mitigation measures are proposed (Section 5.0) to reduce all Project significance, with the exception of Transportation/Traffic Circulation and unmitigated impacts relative to Transportation/Traffic Circulation on several street segments of Scripps Poway Parkway. The attached Appendices document the basis for the above Determination.

V-1

V-1 Comments noted. Also see response no. S-1, above.



# LETTERS OF COMMENTS AND RESPONSES

## Shearer-Nguyen, Elizabeth

**From:** Annette Sorensen [SorensenMarketing@att.net]  
**Sent:** Friday, March 29, 2013 3:08 PM  
**To:** DSD EAS  
**CC:** President@ScrippsRanch.org  
**Subject:** The Watermark - Project #180357

As both a resident of Scripps Ranch and a business owner in Scripps Ranch, I wholeheartedly support the plans for the Watermark Project. I have lived in Scripps Ranch for 30 years and this project will bring many much needed services to our area that I must typically drive 20 or more minutes to find such as an upscale market and dining. Scripps Ranch currently has only one restaurant, La Bastide, that could be considered fine dining.

While I'm aware that a number of people who live next to the proposed shopping center are concerned about traffic, the traffic studies that Sudberry Properties has provided should alleviate these concerns. I am hopeful that this project can move forward and provide Scripps Ranch residents with much needed services and entertainment.



W-1 Comments noted.

# LETTERS OF COMMENTS AND RESPONSES

**Sullivan Family**  
9950-130 Scripps Vista Way  
San Diego CA 92131

April 9, 2013

To: The City of San Diego Development Services Department  
Attn: E. Shearer-Nguyen  
Environmental Planner  
City of San Diego DSC  
1222 First Avenue  
MS 501  
San Diego, CA 92101

**SUBJECT:** draft E.I.R. **The Watermark**, Project No. 180357/SCH No.2010091079

Dear Planners,

**X-1**

This is in response to the draft E.I.R. for the Watermark project located in the northwest area of Scripps Ranch in District 5. Currently a bicycle path parallels the east side of I-15 connecting the Scripps Miramar Ranch and the Miramar Ranch communities. The bike path joins with bike lanes on Erma Rd. at the south and Scripps Poway Parkway on the North. The planned Watermark project is located on the north end of this bikeway with a significant number of families residing in the multi-family residential communities located on the south end at the Erma Rd. access- less than 1 mile from the project. I have lived in Scripps Townhomes, a 164 unit, multi-level-resort style townhome community located adjacent to the bike path since 1998. I have served as Board President for much of the past decade and have advocated on behalf of the numerous communities in this area to preserve our high quality of life and reduce the negative impacts of the ongoing development of our region. This has included mitigating the addition of lanes to the freeway by installing a pollution barrier, providing community input for the location of the anticipated DAR as well as numerous Water Department relining project improvements. Working closely with Caltrans, the City and local community groups we have been successful in improving many areas of concern that will serve this community for many years to come. As a result of my ongoing commitment to this community and the close proximity of the proposed project I believe I have a direct interest in the Watermark project as proposed.

**X-2**

After attending the MRNPC Workshop on the project in Feb 2013, followed by discussing the project with local leaders and meeting on-site with the Caltrans Bicycle and Pedestrian Coordinator, I have concluded that potential problems exists that are not being considered, as well as opportunities to significantly improve the use of non-motorized transportation to enter/exit the project, ultimately reducing the already anticipated negative impacts. The DEIR concludes that "the project would result in significant environmental impacts to the following areas: **Transportation/Traffic circulation/Parking, and Air Quality**". Obviously, the most effective way to reduce all of these impacts is by reducing the total amount of vehicles actually entering the project with the goal of still being able to provide easy and safe access alternatives. I believe specific improvements in bike and pedestrian access are solutions that should be added to this project prior to approval by the City.

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**X-1** Comments noted.

**X-2** Comments noted.

# LETTERS OF COMMENTS AND RESPONSES

<p><b>X-3</b></p> <p>It's clear that concerns regarding traffic volume, signal modifications, and average daily trips are being well considered and debated in regard to the north and eastern portion of this project. I believe numerous adjustments have been made in these areas and expect more to follow based on community feedback to the E.I.R.. That being the case my focus has been limited to the impacts along the eastern perimeter of the project. <i>My goal is to improve safety and convenience for bicyclists and pedestrians to access the project with the added desire to reduce the potential eyecore and potential for added criminal activity created by the Caltrans 100' setback between the bikeway and the proposed project. I believe that the best way to accomplish the goal of reducing the negative impacts identified in the DEIR, as well as encourage greater use of the bikeway to access the project, would be to add a Bicycle/Pedestrian connection from the bikeway to the planned parking structure.</i> This would require a cooperative effort with Caltrans, The City and Sudberry Properties, but so far I have been unable to find anything that would prohibit this from taking place.</p> <p><b>X-4</b></p> <p>Figure 3-6 <b>Watermark Pedestrian Plan</b>, on page 3-14 identifies the existing bikeway in relation to the proposed multi-story parking structure. A simple crossover bridge/driveway could certainly be approved over the setback by Caltrans to access this nearby parking structure. This would serve multiple purposes and would be in keeping with the City of Villages Strategy to "Focus growth into mixed-use activity centers that are pedestrian friendly ...". The effects of this modification would be substantial. (a) It would cut the distance from Erma Rd. to the center of the proposed project by 1/3; making this a .75 mile walk (approx. 12 minutes walking) on the bike path from the numerous clusters of homes off Erma Rd. to the heart of the project. (b) It will eliminate the need for pedestrians and cyclists to navigate the hazardous intersection at both Scripps Poway Parkway and the proposed "Right in/Right out" concept proposed on Scripps Poway Parkway close to the freeway exit. (c) It can easily be designed to provide a safe and comfortable environment that is accessible to pedestrians of all abilities. This access could be constructed at ground level or connect at numerous higher levels based on the existing grade and elevation changes along the bikeway.</p> <p><b>X-4 (cont)</b></p> <p>Ultimately this modification would help create and encourage a new and significantly large "Walkable Community" within Scripps Ranch. By providing an access point at the proposed parking structure the distance as well as the amount of grade change (think hill) required for the trip on foot or bike is reduced significantly. It would become a distance that would appeal to many as "walkable"- <i>only 7/10ths of a mile would put you in the heart of the project.</i> The trip on foot with an access through the structure then takes only 12 minutes. Without an access from the bikeway (the existing proposed plan) the distance to the same location in the project will require a 1.2 mile journey and take over 17 minutes on foot. I believe the additional time and distance will discourage regular pedestrian use.</p> <p><b>X-4 (cont)</b></p> <p>For the residents of the Scripps Townhomes HOA, Affinity HOA, Terraces HOA, Scripps Westview HOA, Scripps Landing apartments, Scripps Terrace apartments, Scripps Mesa condominiums and the currently under construction Solterra apartment/homes this could be an opportunity to leave the vehicle at home and walk to their local business center. The numbers should not be ignored; there are approximately 1,000 multi-family housing units with thousands of residents living less than a mile away from this proposed project. These are consumers the project developer should be looking to entice as they can provide a steady base of customers from the local area who can leave their vehicles at home. Not only could this reduce some of the anticipated negative impacts as stated in the DEIR, this is also the model for future development in our City and others; high-density housing located near major travel corridors within walkable</p>	<p><b>X-3</b> Comments noted.</p> <p><b>X-4</b> The bike path along the I-15 freeway is within Caltrans right-of-way and is a Caltrans facility. Adding a private connection to the public bike path would require coordination with Caltrans. This connection is not a part of the proposed project that has been evaluated in the EIR.</p>
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# LETTERS OF COMMENTS AND RESPONSES

<p>reach of food and entertainment opportunities. The City of San Diego has stated this to be their goal. Caltrans has policies in place and initiatives to "Promote alternative transportation" also providing additional guidelines in the PDPM for proposals after freeway construction. It appears well understood promoting pedestrian use is ultimately best for all. Now all we need is the desire and pressure from our City Leaders to ensure developers follow these strategies as we grow and our limited resources are consumed.</p> <p><b>X-5</b> An extraordinary amount of time, money and energy is being spent on traffic analysis and considering how to get the most vehicles in and out of this project but I see very little energy in developing and encouraging non-motorized travel to this project. The Bikeway along this project is the only reasonable and safe place to develop high volume non-motorized use. This is the only real solution of adding customers to the project that has zero negative consequences to the traffic and parking problems, yet it is all but ignored in the development plan. My hope is that the addition of a pedestrian access/ground level walkway from the bike path through the parking structure is given thoughtful consideration and pressure is placed on the developer to create a plan that is as good, or better than what I have proposed to encourage more non-motorized access.</p> <p><b>My specific comments/concerns:</b></p> <ol style="list-style-type: none"> <li><b>X-6</b> 1. Why has a pedestrian/bike access from the bikeway to the proposed parking structure not been included in this project?</li> <li><b>X-7</b> 2. Page 2-9 Figure 2-5 <b>Surrounding Land Uses</b> - This map shows the significant Geographical Land Uses in the areas for multiple miles to the East and portions of the south. However, the numerous multi-family housing communities to the south, less than a mile away (at the south end of the bikeway off Erma Rd.) have not been included. Why were these communities with thousands of residents omitted from the report?</li> <li><b>X-8</b> 3. Wouldn't the residents off Erma Rd. benefit the most from a pedestrian friendly street, site and building design? Most of the other communities and are faced with safety issues and the physical challenges of the terrain that will ultimately discourage non-motorized access. Why are there no plans to encourage pedestrian traffic from this quadrant?</li> <li><b>X-9</b> 4. The Intersection at the off ramp of I-15 and Scripps Poway Parkway is already a known hazard to pedestrians and cyclists. The addition of a driveway in such close proximity to the off ramp will only add to the problems with distracted drivers and increase the risk to non-motorized travelers. With movie theaters, dining and possibly a bowling center it should be assumed children and young adults will travel to the project either by foot or bicycle. Why has the developer not presented solutions to allow easier and safer access for young or disabled people in this area? It makes no sense to funnel pedestrians into a main entrance that is sure to be busy and at times very congested. Wouldn't an access point prior to reaching this danger zone remove the need to put pedestrians and cyclists at risk?</li> <li><b>X-10</b> 5. Regardless if an access is added to the proposed project, there exists a 100' Caltrans setback between the bikeway along the freeway and the project limit lines. This is currently a drainage area with only modest landscape and no real "design plan" in place. My concerns for this area include:             <ol style="list-style-type: none"> <li>What plans are in place to incorporate the setback area into the aesthetic of the project? Obviously much thought has been placed on the appearance of the actual project as you exit the freeway (see: <b>Site-West Elevation, Conceptual design for illustrative purposes</b>- Figure 3-7a Project Elevation, Page 3-16), however I have seen nothing that addresses the specific improvements to this area. Will this simply become</li> </ol> </li> </ol>	<p><b>X-5</b> Comments noted. Please see response no. X-4, above.</p> <p><b>X-6</b> Please see response no. X-4 above.</p> <p><b>X-7</b> There was no intent to omit land uses located farther south of the project site outside the Miramar Ranch North community. The purpose of Figure 2-5 was to show the land uses adjacent to and in the immediate vicinity of the proposed project.</p> <p><b>X-8</b> The figure on the following page shows the location of residential development along Erma Road in the Scripps Miramar Ranch community and the relationship with the proposed project. Residential development along Erma Road is approximately 3.5 miles from the MedImpact site, if accessed using existing public streets, and about 1.5 miles if using the bike path along the I-15 freeway. The project does not discourage pedestrian traffic from the Erma Road area. See also response no. X-4.</p> <p><b>X-9</b> Please see response no. X-4 and also responses M-35b and P-1b, above.</p> <p><b>X-10</b> The area addressed in this comment is a combination of slopes within the project site boundaries and Caltrans right-of-way. The proposed project would be responsible for maintaining its slopes, and Caltrans has the responsibility of maintaining its rights-of-way.</p>
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Watermark Project in Relationship with Erma Road Area



# LETTERS OF COMMENTS AND RESPONSES

<p>a 100-foot Caltrans "dead zone" between the freeway/bikeway and the project? The conceptual design shows a clean and landscaped exterior outside the project walls. Is this landscape improvement included in the proposed project or is this a rendering that includes the existing Caltrans setback (that currently looks nothing like the concept drawings) and will see no change?</p> <p>b) Due to this setback and with a lack of a pedestrian access it should be assumed a path/trail would eventually be formed down the slope and into the project (behind or near the hotel?) to cut the travel distance. Will the Project developer encourage and allow this, ignore it or try preventing it? My concern is that an unsafe situation will be created due to the lack of alternatives available.</p> <p>c) With numerous eateries, employment/work opportunity and items of value being thrown in the trash bins it is highly likely that if this area is ignored the south portion may develop into encampments of sorts. This is regularly seen just to the north in the canyon on the other side of Scripps Poway Parkway. What plans are in place to prevent this type of negative activity from entering our community?</p> <p>6. Due to the change in land use designation from Industrial/Business Park to Commercial/Residential Prohibited will any additional fees be collected from the developer to accommodate this dramatic change in land use? Obviously the change in use has a significant impact on the local area. What was once going to be business people coming and going to work or training, has now developed into a proposal that would drive tourists, shoppers and diners to this area. A portion of which I assume will use our local parks, litter our streets and want to enjoy all our area has to offer. This typically equates to more operating costs and greater damage to local facilities. What if any additional fees or local improvements, like a bikeway access, have the developer offered in order to mitigate this additional burden on our community?</p> <p>I support smart and responsible development in my community. I believe with some modifications to the proposed Watermark project this could add significantly to the quality of life of Scripps Ranch residents. Obviously these improvements will require a cooperative team effort between the developer, Caltrans and the City. Because it's almost impossible to go back and correct even a minor problem in an efficient manner, I feel that working together now and putting the best project before the City Council is well worth the effort.</p> <p>Thank you for your consideration of my concerns.</p> <p>Sincerely,</p> <p>James Sullivan Scripps Ranch Resident President- Scripps Townhomes Owners Association</p>	<p><b>X-11</b> The project applicant is not proposing a path through the steep slopes on the western border of the project site or within Caltrans' right-of-way. Neither is the project encouraging unauthorized access through these areas. The developer will be responsible for maintenance of the on-site slope and security for the project. Caltrans has responsibility for its right-of-way.</p> <p><b>X-12</b> The developer will be responsible for maintenance of the on-site slope and security for the project. Caltrans has responsibility for its right-of-way.</p> <p><b>X-13</b> No FBA fees are required for the project.</p> <p><b>X-14</b> Comments noted.</p>
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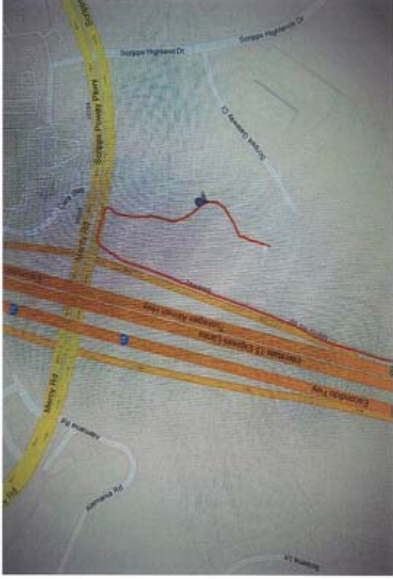
# LETTERS OF COMMENTS AND RESPONSES

<p><b>Shearer-Nguyen, Elizabeth</b></p> <p><b>From:</b> James Sullivan [jimsully@gmail.com] <b>Sent:</b> Wednesday, April 10, 2013 11:27 AM <b>To:</b> DSD/EAS <b>cc:</b> President@scrippsenvch.org; Janet Wagner; Dustin Steiner <b>Subject:</b> Re: Project Name, The Watermark <b>Attachments:</b> The Watermark Project- maps showing difference in travel from bikeway.docx</p> <p>City Planners- If this document can be included in my comments on the draft E.I.R. it may be helpful to those trying to understand my concerns and the benefits of having an alternative access included in the project. Thank you- James Sullivan</p> <p>On Wed, Apr 10, 2013 at 10:35 AM, James Sullivan &lt;jimsully@gmail.com&gt; wrote: Dear Sir or Ma'am, Attached are my comments regarding the draft E.I.R. for the Sudberry project located in District 5. Project name: The Watermark Project Number: 180357 If possible, please confirm receipt. Thank you, James Sullivan 9950-130 Scripps Vista Way San Diego, CA 92131 858-437-5520</p> <p style="text-align: center;">1</p>	<p><b>Y-1</b> The maps attached to this commentor's e-mail are intended to be used in reference to previous comment letter "X". No responses are necessary.</p>
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# LETTERS OF COMMENTS AND RESPONSES

## The Watermark Project, proposed by Sudberry Properties

Travel route without a bikeway access point to the project:



Potential route of travel and distance reduction if an access point is developed at the proposed parking structure:



# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

**From:** Christopher W. Todd [ctodd@wingslaw.com]  
**Sent:** Wednesday, April 03, 2013 11:18 AM  
**To:** DSD EAS  
**Subject:** The Watermark – Project No. 180357

Please accept these comments concerning the referenced project.

An earlier request to amend the Community Plan to allow this development received community support, so long as there would be no significant traffic impacts. The Draft Environmental Impact Report (DEIR) for the development was released for review February 5, 2013. The DEIR does not reflect “no significant traffic impacts,” despite Sudberry’s apparent efforts to mitigate. Overall, projected traffic is estimated to be three times what would have been anticipated if the original office buildings had been developed. Traffic – already bad – is projected to be worse, particularly along Scripps Poway Parkway between Interstate 15 and Scripps Creek Drive. Additionally, Sudberry has not included any information concerning any study of traffic impacts to Scripps Highland Drive, Scripps Ranch Boulevard, Spring Canyon Road, and/or Mira Mesa Boulevard and the streets adjoining. These streets are logical overflows to the projected worsened traffic on Scripps Poway Parkway. Further traffic engineering study should be required, with further mitigation beyond that already proposed.

Sudberry has articulated no special plans for bus service. Sudberry should be required to present results of collaborative efforts with MTS to improve accessibility to bus routes for Scripps Ranch residents. The DEIR does not address this sufficiently.

Sudberry is evaluating in-pavement flashers for the North-South bike lane parallel to I-15 crossing Scripps Poway Parkway to provide greater visibility to the existing crossing in that very busy area. For Eastbound Scripps Poway Parkway, the frontage will be widened with construction of retaining wall. With the increased frontage, Sudberry will build a 10'-12"-wide multi-modal path behind a 6' planted traffic break. However, Sudberry has done nothing to improve visibility and safety for pedestrian crossings across Scripps Poway Parkway at Scripps Highland Drive, Scripps Summit Drive, Spring Canyon Road/Hill Drive, Scripps Creek Drive/Village Ridge Road, or Cypress Canyon Road/Village Ridge Road, all of which provide pedestrian access to schools and retail stores. Sudberry should be required to mitigate increasing traffic risks at these intersections at a minimum. The DEIR does not appear to address this.

Recent CalTrans mitigation has left a nighttime darkened area on the N-S bike lane right of way adjacent to I-15 and south of Scripps Poway Parkway. This darkened area is near the Erma Road residences at the South end of this path. With increased public presence at the proposed development, community members request that Sudberry take measures to mitigate vandalism, trash, graffiti, loitering, and darkness in this corridor, particularly with a large parking structure proposed adjacent to the corridor. Since Sudberry will be in the immediate vicinity with heavy equipment, residents request that the bikeway corridor be made more aesthetically pleasing, less of an eyesore, and less of an attractive nuisance to vandals or the homeless. The DEIR makes no reference to this issue.

The proposed development includes public gathering space. However, the DEIR does not appear to address increased use of already existing public space (parks, school playgrounds, trails, picnic spots, Miramar Reservoir, other public gathering spaces). The DEIR should address Sudberry’s mitigation of increased use of those spaces.

Thank you for your consideration.

–Chris Todd  
 Scripps Ranch/Miramar Ranch North resident

[My Bio](#) | [Website](#) | [xCard](#)

**Z-1**

**Comment Noted.** Please refer to comment response G-9 for information about traffic on neighborhood streets and accessing other freeway interchanges. Please refer to tables 1-1 thru 1-6 for information regarding impacts to intersections and street segments within the project study area including Scripps Highland Drive.

**Z-2**

Please see response no. M-22, above.

**Z-3**

Please refer to response no. G-12. Other than the locations and improvements discussed in the comment, no changes to the existing bicycle or pedestrian facilities are planned as a result of the project. Bike lanes and non-contiguous sidewalks exist on Scripps Poway Parkway providing safe facilities for both pedestrians and bicyclists. Striped crosswalks are provided at all signalized intersections discussed in the comment to provide safe pedestrian/bicycle crossing of Scripps Poway Parkway as well as safe access to schools.

**Z-4**

Please see response no. X-4, above.

**Z-5**

Please see response no. M-25, above.

# LETTERS OF COMMENTS AND RESPONSES

  
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# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

From: Deanna Wong [deanwong@aol.com]  
 Sent: Friday, March 28, 2013 11:26 PM  
 To: DSD/EAS  
 Cc: Elizabeth@scrippsrancho.org  
 Subject: The Watermark - Project #180357

Dear E. Shearer-Nguyen,

We are residents of the Tiempo housing which is just up the hill (at the end of Scripps Highland and Trailcrest) from the MedImpact buildings. We have lived here since 2001 and the community has always been fairly quiet and peaceful, until the MedImpact buildings opened a few years ago. Now we have employees that take walking breaks up our hill while some take smoking breaks at the top of Scripps Highland Drive, and more traffic is around our neighborhood. In recent months, several drivers will fail to stop at the stop sign at the top of Trailcrest and we have often had a policeman posted at our corner who has given out tickets to these drivers.

During the month of October there is usually a pumpkin patch at the proposed site and parking will often extend up Scripps Highland Drive. There is an increased noise level at that time as well. The size of this pumpkin patch is just a fraction of the size of the proposed Watermark site and should be an indication of the increased traffic and noise that would be in our area as a result of this proposed retail center. The report states that an increase in noise will not be noted, but we as residents of this neighborhood know that there will definitely be an increase in noise with that much traffic so close to our homes.

I have several concerns, one of which is the increased traffic that will undoubtedly occur around our neighborhood and through our neighborhood. The proposed exit at Scripps Gateway and Scripps Highland will exit into the street that goes into our neighborhood. Although planners may think that this is a solution to route traffic this way, it just serves to congest and cause more traffic through our neighborhood. Through our neighborhood watch we heard of several attempted break-ins over the holidays, and a few more since then.

An addition concern is if there were a fire, that the Scripps Poway Parkway is our closest exit to the freeway. In the mornings, there is already traffic backed up so that we can often not turn left onto Scripps Poway Parkway because the freeway is backed up to Scripps Highland. During the cedar fires, homes and entire neighborhoods burned in areas that had only one exit or entry point. We will be plugging up our closest exit point to the freeway and out of our neighborhood.

Another cause for concern is that the developer wants to increase the size of the buildings by more than 30 feet above the 60 foot limitation. The area is not meant to handle such a size increase. An immediate comparison for traffic can be done to the 15 south exit at Mira Mesa Blvd, where on a Friday or Saturday evening, the traffic is backed up from the left turn lane into the exit lane on the freeway. This type of traffic at our exit is foreseeable with such a large shopping complex that does not have adequate room for the patrons to enter and exit.

There are a proposed number of 55 shops, while the shopping areas on Scripps Poway Parkway (where the Vons is located and also where the Santiana's and Sombro's is located) have at least 2-3 vacancies in their shopping areas. Many businesses have come and gone because the community could not support them. A prime example is the Baskin Robbins in the Vons shopping plaza that has changed hands a few times and has since closed down. Scripps Ranch does NOT need a high end shopping center, let alone a high end movie theater with a bowling alley down the street from our community. This will only serve to increase traffic not only during rush hour, but during evening and

AA-1

Comments noted.

AA-2

Comments noted. Please see response no. O-6, above.

AA-3

Comments noted. Please see response no. and G-8, above.

AA-4

Comments noted. Please see response no. O-3 and Q-4, above.

AA-5

Comments noted. Please see response nos. G-9 and J-5, above.

AA-6

Comments noted. Please see response nos. M-33 and P-2, above.

# LETTERS OF COMMENTS AND RESPONSES

<p>weekend hours as well. While the residents realize that something is going into this area, a shopping area will invite traffic during most of the day and night hours, 7 days a week, versus a business building that is open Monday through Friday with business hours. Watermark thinks that the community needs more shopping; we have sufficient shops and stores already in place. There are vacancies in all of these shopping centers already.</p> <p>We do not want to see an increase in crime, noise, traffic, and a devaluation of our property because of this retail center.</p> <p>Deanna Wong</p> <p><b>AA-7</b></p>	<p><b>AA-7</b> Comments noted. These comments do not address the completeness or adequacy of the EIR. No responses are necessary.</p>
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# LETTERS OF COMMENTS AND RESPONSES

**Shearer-Nguyen, Elizabeth**

**From:** Cathy Wood [CWood@taxcomp.com]  
**Sent:** Thursday, March 28, 2013 3:16 PM  
**To:** DSD EAS  
**Cc:** President@ScrippsRanch.org  
**Subject:** Watermark Shopping Center

Hello --

I would ideally like to see this complex have a direct link to the bike path that is adjacent to the property along interstate 15. I would also, again ideally have this tied with a bus hub. I think it is very important to offer transportation alternatives to driving.

**BB-1**

My concern is that another large shopping center is going to impact the traffic that is using Pomerado to avoid the I5 Corridor. I think that road is going to be seeing an increase in traffic, and will cause other issues for the residents who live along that road.

**BB-2**

Thank you  
Best Regards,  
Cathy Wood  
CWood@taxcomp.com

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**BB-1** Please see response no. X-4 and response no. M-22, above.

**BB-2** Please refer to the TIA for information regarding project traffic and impacts. The intersection of Scripps Poway Parkway/Pomerado Road was evaluated and the Watermark project is not anticipated to have any impacts at that location. As shown on Figure 3-1, up to 2% of the Watermark project traffic is expected to use Pomerado Road. This would reflect up to 342 ADT on any one segment of Pomerado Road. No significant impacts to Pomerado Road are anticipated.

## LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ac	acre
ADD	Assistant Deputy Director
ADT	Average Daily Traffic
AEOZ	Airport Environs Overlay Zone
AF	acre-feet
AFY	acre-feet per year
AHM	Acutely Hazardous Materials
AIA	Airport Influence Area
ALS	advanced life support
ALUC	Airport Land Use Commission
ALUC Plan/ALCUP	Airport Land Use Compatibility Plan
AM/a.m.	morning
AMSL	above mean sea level
APCD	Air Pollution Control District
ARB	Air Resources Board
ASHRAE	American Society of Heating, Refrigerating, and Air-Conditioning Engineers
BAT	Best Available Technology Economically Achievable
BAU	business as usual
BCT	Best Conventional Pollutant Control Technology
BEIGIS	Biogenic Emissions Inventory Geographic Information System
BI	Building Inspector
BMP(s)	Best Management Practice(s)
CA	California
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAC	California Administrative Code
CAFE	Federal Corporate Average Fuel Economy standard
CalEEMod	California Emission Estimator Model
CalEPA	California EPA
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CBC	California Building Code
CCAP	California Climate Action Plan
CCR	California Code of Regulations
CEC	California Energy Commission
CEFS	California Emission Forecasting System
CEFS	criteria pollutant forecast system
CEIDARS	California Emission Inventory Development and Reporting System
CEQA	California Environmental Quality Act

## LIST OF ACRONYMS AND ABBREVIATIONS

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CFC	chlorofluorocarbons
CFS	cubic feet per second
CGS	California Geologic Survey
CH <sub>4</sub>	methane
Class A Building	Office building classification representing the highest quality building in their market. They are generally the best looking buildings with the best construction, and possess high quality building infrastructure. Class A buildings also are well-located, have good access, and are professionally managed. As a result of this, they attract the highest quality tenants and also command the highest rents.
CMP	Congestion Management Plan
CNEL	community noise equivalent level
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	CO <sub>2</sub> equivalent
CR-2-1	City of San Diego Commercial – Regional zone
CSVR	Consultant Site Visit Record
CUP	Conditional Use Permit
dB	decibel
dB(A)	A-weighted decibel
DEH	County Department of Environmental Health
°	degrees, as in degrees Fahrenheit
DIF	Development Impact Fee
DSD	City of San Diego Development Services Department
EAS	City of San Diego Environmental Analysis Section
EDU	equivalent dwelling unit
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESD	Environmental Services Department
et seq.	and the following
FAA	Federal Aviation Administration
FBA	Facilities Benefit Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
ft.	feet
FSC	Forest Stewardship Council
g/bhp-hr	grams of particulate matter per brake horsepower hour
GCC	global climate change
GCP	General Construction Permit
GHG	greenhouse gas
g/l	gram per liter
GWP	global warming potential



## LIST OF ACRONYMS AND ABBREVIATIONS

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HAPs	Hazardous Air Pollutants
HCFC	hydrochlorofluorocarbons
HCM	Highway Capacity Manual
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
HMMD	Hazardous Materials Management Division
H <sub>2</sub> S	hydrogen sulfide
H&SC	California Health and Safety Code
HUD	Federal Department of Housing and Urban Development
HVAC	heating, ventilation, and air conditioning
HVAC&R	heating, ventilation, air conditioning, and refrigerating
I-	Interstate, as in I-15
IAQ	indoor air quality
IEPR	Integrated Energy Policy Report
Inc.	incorporated
IPCC	United Nations Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
IP-2-1	City of San Diego Industrial Park zone
ISO	California Independent System Operator
IWRP	Integrated Water Resources Plan
K	Kindergarten
kg	kilogram
“kit of parts”	<u>Term used to describe elements that are common amongst the buildings of a multiple building project that create a unified architectural character within the project. Included in these elements can be various types of building massing and articulation, forms and materials of entries, windows, awnings and other architectural treatments. The use of similar, but not identical, elements on multiple buildings creates a unified character within the project.</u>
kV	kilovolt
kWh	kilowatt hour
lb	pound
LCFS	Low Carbon Fuel Standard
LDC	City of San Diego Land Development Code
LDR	Land Development Review
LEED	Leadership in Energy and Environmental Design
Leq	equivalent continuous sound level
LID	Low Impact Development
LOS	level of service
MCAS Miramar	Marine Corps Air Station Miramar
mgd	million gallons per day

## LIST OF ACRONYMS AND ABBREVIATIONS

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$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
$\text{mg}/\text{m}^3$	milligrams per cubic meter
MHPA	Multi Habitat Planning Area
M-IP	City of San Diego Manufacturing – Industrial Park zone
MMC	Mitigation Monitoring Coordination
MMT	million metric tons
MMRP	Mitigation Monitoring and Reporting Program
mph	miles per hour
MSCP	Multiple Species Conservation Program
MT	metric tons
MMT	million metric tons
MW	megawatt
MWh	megawatt hour
MWD	Metropolitan Water District of Southern California
MWWD	Metropolitan Wastewater Department
NAAQS	National Ambient Air Quality Standards
NB/nb	northbound
$\text{NF}_3$	nitrogen trifluoride
NOC	Notice of Completion
NOI	Notice of Intent
NOP	Notice of Preparation
No.	number
NO	nitrogen oxide
$\text{NO}_x$	oxides of nitrogen
$\text{NO}_2$	nitrogen dioxide
NPDES	National Pollution Discharge Elimination System
$\text{N}_2\text{O}$	nitrous oxide
$\text{O}_3$	ozone
OCA	off-site consequences analysis
OHP	California Office of Historic Preservation
OPR	The Governor’s Office of Planning and Research
Pb	lead
PDFs	Project Design Features
PDP	Planned Development Permit
PFC	perfluorocarbon
PFFP	Public Facilities Financing Program
PID	Planned Industrial Development
PM/p.m.	afternoon
$\text{PM}_{2.5}$	particulate matter less than 2.5 microns in diameter
$\text{PM}_{10}$	particulate matter of 10 microns in diameter or smaller
ppm	parts per million
PRC	Public Resources Code
PVC	polyvinyl chloride

## LIST OF ACRONYMS AND ABBREVIATIONS

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RAQS	Regional Air Quality Strategy
RCP	reinforced concrete pipe
RE	Resident Engineer
RMPP	Risk Management and Prevention Plan
ROG	Reactive Organic Gas
RPS	California's Renewable Portfolio Standard
RSA	Regionally Significant Arterial
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SB/sb	southbound
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCGHGI	San Diego County Greenhouse Gas Inventory
SDCRAA	San Diego County Regional Airport Authority
SDCWA	San Diego County Water Authority
SDFD	San Diego Fire-Rescue Department
SDG&E	San Diego Gas and Electric
SDPD	San Diego Police Department
sec.	second(s)
SF <sub>6</sub>	sulfur hexafluoride
SIP	State Implementation Plan
SMACNA	Sheet Metal and Air Conditioning National Contractors Association
SO <sub>x</sub>	sulfur monoxide
SO <sub>2</sub>	sulfur dioxide
SR	State Route, as in SR-76
SRRE	Source Reduction and Recycling Element
SWRCB	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TAC(s)	Toxic Air Contaminant(s)
Tc	time of concentration
TIA	Traffic Impact Analysis
TLV-STEL	Thresholds Limit Value – Short Term Exposure Limit
TLV-TWA	Threshold Limit Value – Time Weighted Average
TMDL	Total Maximum Daily Load
TNM	Traffic Noise Model

## LIST OF ACRONYMS AND ABBREVIATIONS

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UBC	Uniform Building Code
UFC	Uniform Fire Code
UNFCCC	United Nations Framework Convention on Climate Change
U.S./US	United States
USAI	Urban Systems Associates, Inc.
UWMP	Urban Water Management Plan
v/c	vehicle to capacity ratio
VMT	vehicle miles traveled
VOC	Volatile Organic Compounds
VTM	Vesting Tentative Map
WARM	Waste Reduction Model
WMP	Waste Management Plan
WSA	Water Supply Assessment
WQTR	Water Quality Technical Report

## EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared for the Watermark project, a private development project located in the Miramar Ranch North Community Plan area. This document analyzes the potential environmental effects associated with implementation of the project (including direct and indirect impacts, secondary impacts, and cumulative effects). Prepared under the direction of the City of San Diego's Environmental Analysis Section, this EIR reflects the independent judgment of the City of San Diego.

### PURPOSE AND SCOPE OF THE EIR

This EIR has been prepared in accordance with, and complies with, all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 as amended (PRC 21000 et seq.), State CEQA Guidelines (CAC 15000 et seq.), and City of San Diego's EIR Preparation Guidelines. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of San Diego is the *Lead Agency* under whose authority this document has been prepared. As an informational document, this EIR is intended for use by the City of San Diego decision-makers and members of the public in evaluating the potential environmental effects of the proposed Watermark project.

This EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential significant adverse environmental impacts of the proposed Watermark project. By recognizing the environmental impacts of the proposed project, decision-makers will have a better understanding of the physical and environmental changes that would accompany the project should it be approved. The EIR includes recommended mitigation measures which, when implemented, would provide the Lead Agency with ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the proposed project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

The Watermark project proposes a General Plan Amendment to remove the Prime Industrial Land identification from a portion of the project site, an Amendment to the Miramar Ranch North Community Plan to change the current land use designation from Industrial/Business Park to Regional Commercial for a portion of the site, a Rezone for a portion of the site from IP-2-1 to CR-2-1 (~~residential prohibited~~ Commercial - Regional) for a portion of the site, Vesting Tentative Map (VTM), Planned Development Permit (PDP), Conditional Use Permit (CUP) to allow a movie theatre use, Vacation of a Public Utility Easement, and a Street Vacation to vacate Scripps Gateway Court. It is intended that this EIR, once certified, serve as the primary environmental document for those actions. According to Section 15162 of the CEQA Guidelines, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of



new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternative which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In accordance with CEQA Guidelines Section 15082(a), a Notice of Preparation (NOP), dated September 24, 2010, has been prepared for the project and distributed to all Responsible and Trustee Agencies, as well as other agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR for the proposed Watermark project. A copy of the NOP and letters received during its review are included in Appendix A to this EIR. In addition, comments were also gathered at a public scoping session held for the project on January 13, 2010. A transcript of the public scoping meeting is included in Appendix B.

Based on an initial review of the project and comments received, the City of San Diego determined that the EIR for the proposed project should address the following environmental issues:

- Land Use
- Transportation/Traffic Circulation/Parking
- Visual Effects and Neighborhood Character
- Air Quality
- Global Climate Change
- Energy
- Noise
- Biological Resources
- Historical Resources (Archaeological Resources and Historic Resources)
- Geologic Conditions
- Paleontological Resources
- Hydrology/Water Quality
- Health and Safety
- Public Services and Facilities
- Public Utilities
- Cumulative Impacts

Based on the analysis contained in Section 5.0, *Environmental Analysis*, of this EIR, the proposed project would result in significant impacts to: Transportation/Traffic Circulation/Parking (direct and cumulative), and Air Quality (direct relative to construction). Mitigation measures have been identified which would reduce direct and cumulative impacts to below a level of significance for all significant impacts except: Transportation/Traffic Circulation/Parking (direct and cumulative).

### PROJECT LOCATION AND SETTING

The regional and local setting of the project is discussed in Section 2.0, *Environmental Setting*, of this EIR. The proposed Watermark project is located in the Miramar Ranch North community of the City of San Diego, within San Diego County. The Watermark project site is located in the southeast quadrant of I-15 and Scripps Poway Parkway. Situated south of Scripps Poway Parkway, east of I-15, a distance north of Mira Mesa Boulevard, and west of Scripps Highlands Drive, the Watermark project site encompasses approximately 34.39 acres, with 22.42 acres developed as a mix of office and retail (Area A) and 11.97 acres remaining as the MedImpact office complex (Area B). (For a full description of Area A and B, please see Section 3.0, *Project Description*.) Single-family residential development within the Scripps Highlands neighborhood occurs east and south of the project site at elevations above the project site. Steep slopes vegetated in native habitat and preserved through an open space easement separate the Watermark site from the Scripps Highlands residential neighborhood on the south and east. North of the project is a small neighborhood commercial center (with hotels and restaurants) and office buildings are located to the northeast of the project site. (For a detailed discussion of the project setting, please see Section 2.0, *Environmental Setting*.)

### PROJECT BASELINE

CEQA Guidelines Section 15125(a) guides the discussion of the environmental setting for the proposed project and advises in the establishment of the project baseline. According to CEQA, “[a]n EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published[...]. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” The following discussion explains the baseline for the Watermark project.

The proposed Watermark project site encompasses the entirety of the approved 2001 Scripps Gateway project amendment for the MedImpact corporate headquarters (see Section 2-3, *Project History*). Under that approved amendment, the MedImpact project site was divided into six lots. Lots 1 and 2 (referred to as Area B in this EIR) of that previous approval include the existing approximately 155,000 square feet of office space (Lot 1) and the yet-to-be constructed 195,743 square feet (Lot 2) of approved corporate office development for MedImpact development. Lot 1 (4.16 acres) includes the recently completed office building and parking structure. Lot 2 (5.68 acres) is entitled as part of the previous approved MedImpact project to construct an office building, parking structure, and ancillary building. While no construction has occurred on Lot 2, building permits can be issued and construction can proceed in accordance with the existing, vested approvals. When completed, Lots 1 and 2 will result in 350,743 square feet of corporate office space. The remainder of the project site (referred to as Area A in this EIR) encompasses 21.13 acres of previously graded but undeveloped pads and 3.42 acres of open space (Lot A). For purposes of this EIR, the existing development on MedImpact Lot 1, the vested development for MedImpact Lot 2, and the remainder of the graded and undeveloped project site establish the existing conditions and baseline for the project. (See Table ES-1, *Baseline Conditions*.)

Table ES-1. *Baseline Conditions*

	Area	Existing Conditions
Area A	21.13 Acres	Undeveloped/Graded Pads
	3.42 Acres	Open Space Lot A
Area B		
MedImpact Lot 1	4.16 Acres	155,000 square feet corporate office space
MedImpact Lot 2	5.68 Acres	195,743 square feet corporate office space
<b>TOTAL</b>	<b>34.39 Acres</b>	<ul style="list-style-type: none"> <li>• 21.13 acres - Undeveloped/Graded Pads</li> <li>• 3.42 acres - Open Space Lot A</li> <li>• 9.84 acres - 350,743 square feet corporate office space</li> </ul>

## PROJECT HISTORY

The Watermark project site was a part of the larger Scripps Gateway project site (LDR No. 92-0466). Approved in July 1998, the Scripps Gateway project resulted in the subdivision of the original 242.1-acre property and zoning the property for residential, commercial retail, and industrial park uses through the approval of a General Plan/Community Plan Amendment, Tentative Map, Planned Development Permits, and associated actions. Consistent with the original approvals, residential development has occurred east and south of the Watermark site, and retail commercial and office uses have occurred to the north.

The Watermark portion of the Scripps Gateway project is identified as the location of the industrial park uses, originally approved as a Planned Industrial Development (PID) permit, and was zoned M-IP (now the IP-2-1 zone) as part of the original approvals. A Final EIR for the Scripps Gateway project (dated July 16, 1998) was certified for the existing approvals/previous project (LDR No. 92-0466; SCH No. 92101036).

The PID portion of the Scripps Gateway project (i.e., the entire Watermark project site) was subsequently amended in 2001, granting approval for MedImpact to construct its corporate campus to be comprised of seven buildings for use as office, employee training, a cafeteria, exercise facility, and childcare facility (for employee use only) for a total of 658,456 square feet. Public improvements and mass grading was completed at the MedImpact site in 2002. In early 2008, construction began on previously approved Lot 1 of the MedImpact site. Current project approvals included an approved CUP, PID Permit, PDP, and Extension of Time (CUP/PID No. 99-1027; CUP No. 174323/PDP No. 174234 Extension of Time).

## PROJECT DESCRIPTION

To implement the Watermark project, the project applicant is requesting approval of an Amendment to the Miramar Ranch North Community Plan and associated General Plan Amendment to change the land use designation from Industrial/Business Park to Regional Commercial, a General Plan Amendment to remove the Prime Industrial Lands identification from a portion of the project site, a Rezone for a portion of the project site from IP-2-1 (Industrial-Park) to CR-2-1 (Commercial-Regional), a Vesting Tentative Map, a PDP with Design Guidelines, a Street Vacation for Scripps Gateway Court, and a CUP for a movie theater. The elements of these various project actions are described in detail in Section 3.0, *Project Description*, of this EIR.

Development is occurring on Lots 1 and 2 of the project site in accordance with existing project approvals for the MedImpact development. Existing project approvals include an approved CUP, PID Permit, PDP, and Extension of Time (CUP/PID No. 99-1027; and CUP No. 174323/PDP No. 174234

Extension of Time). An *Addendum to an Environmental Impact Report* No. 92-0466 was prepared for PID No. 99-1027. The existing approvals allow for the construction of two Class A office buildings, totaling 350,743 square feet, and four additional buildings as the new corporate headquarters for MedImpact Healthcare Systems, Inc. The first of the two buildings (approximately 155,000 square feet) and parking structure have been constructed on the site (Area B). Total development approved for MedImpact is 658,456 square feet. The proposed project includes changes to the approved MedImpact PID, which involves constructing a restaurant in the northeast corner of MedImpact Lot 1 and shared use of parking garages on MedImpact Lots 1 and 2.

Table ES-2, *Proposed Project Development Intensity*, shows the proposed development for the Watermark project, including the existing approvals in effect on the site. In order to allow flexibility in the mix of regional commercial office and/or retail uses in a manner that is reflective of market conditions for employment and retail serving uses, the Traffic Impact Analysis (TIA) is based on a “target development intensity.” It is the target development intensity that forms the basis of analysis in this EIR. Depending on the needs of the marketplace at the time development occurs, other mixes of office and retail development could occur and may result in more or less than the target development intensity, provided that the overall development remains consistent with the TIA for both total traffic generated and the amount of peak-hour directional trips and that the development complies with the Watermark Architectural Design Guidelines. Therefore, the following table includes the target development intensity, as well as the minimum and maximum development intensity range, that could be developed subject to the limitations of the Traffic Impact Analysis.

**Table ES-2. Proposed Project Development Intensity**

USE	DEVELOPMENT INTENSITY		
	APPROVED (Lots 1 and 2)	PROPOSED <sup>1</sup>	
		Development Intensity Range	Target Development Intensity
Commercial Office	350,743 sq. ft. <sup>2</sup>	400,000 – 658,456 sq. ft.	502,112 sq. ft.
Commercial Retail	--	0 – 500,000 sq. ft.	316,000 sq. ft.
Entertainment (Theater)	--	0 – 45,000 sq. ft.	43,917 sq. ft.
Hotel (130 rooms)	--	0 – 100,000 sq. ft.	90,540 sq. ft.
		<b>TOTAL</b>	<b>953,566 sq. ft.</b>

<sup>1</sup> Includes approved project of 350,743 square feet.

<sup>2</sup> Constructed on Lot 1 – 155,000 square feet.

The proposed PDP includes the development square footage for the Watermark project and would supplant the existing vested approvals in effect on the project site (see discussion above). For the purposes of the EIR, the approved on-going development approved for Area B will be considered as part of the existing conditions, except where noted.

**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION**

Section 5.0 of this EIR presents the *Environmental Analysis* of the proposed project. Based on the analysis contained in Section 5.0 of this EIR, the proposed Watermark project would result in significant impacts to: Transportation/Traffic Circulation/Parking (direct and cumulative), and Air Quality (direct relative to construction). Mitigation measures have been identified which would reduce significant direct and cumulative impacts to below a level of significance for all impacts except: Transportation/Traffic Circulation/Parking (direct and cumulative). The alternatives identified in this analysis are intended to further reduce or avoid significant environmental impacts associated with the proposed project.

Table ES-3, *Summary of Environmental Impacts and Mitigation Measures*, summarizes the potential environmental impacts of the Watermark project by issue area, as analyzed in Section 5.0, *Environmental Analysis*, of this EIR. The table also provides a summary of the mitigation measures proposed to avoid or reduce significant adverse impacts. The significance of environmental impacts after implementation of the recommended mitigation measures is provided in the last column of Table ES-1. Responsibilities for monitoring compliance with each mitigation measure are provided in Section 11.0, *Mitigation Monitoring and Reporting Program*, of this EIR.

**Table ES-3. Summary of Environmental Impacts and Mitigation Measures**

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
<p><b>Transportation/Traffic Circulation/Parking</b>                      The project would result in significant direct and cumulative impacts to street segments, and intersections. Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, provides a summary of the project's impacts before and after mitigation to roadways segments, arterials, intersections, metered freeway on-ramps, and freeway segments from project start through Horizon Year.</p>	<p><b>MM 5.2-1</b> Prior to issuance of the first construction permit, owner/permittee shall assure by permit and bond the reconfiguration to shift the westbound through lanes on Scripps Poway Parkway to the north and provide additional queuing length for westbound traffic on Scripps Poway Parkway to the interchange. The "back-to-back" left turn lanes will be eliminated and additional queuing for traffic turning left from Scripps Poway Parkway to southbound I-15 will be provided. Reduction in the width of raised median on Scripps Poway Parkway east of the interchange will be required. All work to be done to the satisfaction of the City Engineer.</p> <p><b>MM 5.2-2</b> Prior to issuance of the first construction permit, owner/permittee shall assure by permit and bond the provision of a triple left-turn at Scripps Poway Parkway and Scripps Highlands Drive intersection by re-striping the northbound leg to take a thru-lane and make it a shared left-thru lane. The pedestrian crossing on the west leg of the intersection will be removed. Additionally, a northbound right-turn overlap will be provided. All work to be done to the satisfaction of the City Engineer.</p>	<p>All intersection impacts would be mitigated to below a level of significance.</p> <p>Impacts to street segments would remain significant and unmitigated.</p> <p>The project would not result in impacts to metered freeway on-ramps and freeway segments.</p>
<p><b>Air Quality</b>                      Project construction emissions of PM<sub>10</sub> are considered significant but temporary.</p>	<p><b>MM 5.4-1.</b> Standard dust control measures would be employed during construction. These standard dust control measures include the following:</p> <ul style="list-style-type: none"> <li>• Watering active grading sites a minimum of three times daily</li> <li>• Apply soil stabilizers to inactive construction sites</li> <li>• Replace ground cover in disturbed areas as soon as possible</li> <li>• Control dust during equipment loading/unloading (load moist material, ensure at least 12 inches of freeboard in haul trucks)</li> <li>• Reduce speeds on unpaved roads to 15 mph or less</li> <li>• Water unpaved roads a minimum of three</li> </ul>	<p>Mitigated to below a level of significance.</p>



Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	<p>times daily</p> <p>These dust control measures would reduce the amount of fugitive dust generated during construction to below a level of significance.</p>	

**POTENTIAL AREAS OF CONTROVERSY**

Pursuant to CEQA Guidelines Section 15123(b)(2), an EIR shall identify areas of controversy known to the Lead Agency, including issues raised by the agencies and the public, and issues to be resolved, including the choice among alternatives and whether and how to mitigate for significant effects. The NOP for the EIR was distributed on September 24, 2010, for a 30-day public review and comment period. In addition, a Public Scoping Meeting was held on January 13, 2010. Comments received in response to the NOP and at the public scoping session present issues to be address in the EIR. No areas of controversy were raised in the comments received.

Presented in Table ES-4, *Summary of NOP Responses and Scoping Meeting Comments*, is a summary of the comments received as part of the City scoping process. (Please see Appendix A for a copy of the NOP and letters received during its review, and Appendix B for a transcript of the public scoping session.)

**Table ES-4. Summary of NOP Comments and Scoping Meeting Comments**

Issue Raised	Response
<b>Department of Fish and Game – October 20, 2010</b>	
<p>This letter requests:</p> <ol style="list-style-type: none"> <li>the project address direct and/or indirect impacts to biological resources on or adjacent to the project site; and</li> <li>the environmental document describe why the proposed project, irrespective of other alternatives to the project, is consistent with and appropriate in the context of open space preservation and the City’s Subarea Plan and Implementing Agreement.</li> </ol>	<p>The biological report prepared for the project is summarized in Section 5.8, <i>Biological Resources</i>, and includes a complete assessment of flora and fauna within and surrounding the project site, a discussion of the project’s impacts on biological resources, and mitigation measures to reduce those impacts. Section 5.2, <i>Land Use</i>, address the project’s consistency with the City’s open space preservation plans.</p>
<b>Department of Toxic Substances Control – October 26, 2010</b>	
<p>This letter identifies the need for the DEIR to address hazardous wastes/substances at the project site and in the surrounding area, for any investigation to be summarized in the document, and for a regulatory agency to oversee investigations, samplings, and/or remedial actions.</p>	<p>Potential project impacts relative to human health, public safety, and hazardous materials are discussed in Section 5.13, <i>Health and Safety</i>, and mitigation measures are identified.</p>
<b>Department of Transportation – October 2, 2010</b>	
<p>This letter requests a traffic study be prepared for the proposed project that analyzes near- and long-term effects to State facilities and cumulative traffic impacts, and that mitigation measures are included. The geographic area of the traffic study is requested to include as a minimum all regionally significant arterial system segments and intersections. Analysis should include all freeway entrance and exit ramps where the proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities, as well as a focused analysis for project trips assigned to a State highway facility that is experiencing significant delay.</p>	<p>A traffic impact analysis was prepared for the proposed project and is summarized in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, of the Draft EIR. The analysis evaluates existing conditions, Near Term, and Horizon Year (2030). Cumulative impacts were also analyzed. Impacts were identified for project area roadways, intersections, and freeway ramp meters. Mitigation measures have been identified.</p>
<b>San Diego County Archaeological Society – October 10, 2010</b>	
<p>This letter acknowledges receipt of the NOP and requests to be included on the distribution list of the DEIR, as well as to receive a copy of the cultural resources technical report.</p>	<p>A copy of the EIR and all cultural reports will be sent to the San Diego County Archaeological Society, as requested.</p>

Issue Raised	Response
<b>San Diego Audubon Society – October 24, 2010</b>	
This letter requests: <ol style="list-style-type: none"> <li>1. a forward-looking issue question be added to the EIR to address if the project has implemented all reasonable measures to reduce the GHG emissions of our region and corresponding narrative detail;</li> <li>2. a new issue question to Biological Resources relative to the project’s tendency to degrade nearby and downstream habitat areas; and</li> <li>3. the EIR study urban runoff, identify measures that would delay runoff to a greater extent than natural to offset the impacts of prior developments, and prohibit release of any sediments with the runoff.</li> </ol>	The EIR analyses GHG emissions to the fullest extent possible in Section 5.5, <i>Global Climate Change</i> . Impacts to Biological Resources are addressed in Section 5.8, and project hydrology, including drainage and runoff, is addressed in Section 5.12, <i>Hydrology and Water Quality</i> .
<b>Briggs Law Corporation – October 15, 2010</b>	
This letter requests inclusion of the Briggs Law Corporation – Inland Empire Office on the EIR distribution list.	No environmental issues were raised in this letter. Briggs Law Corporation was included on the distribution list, as requested.

**SUMMARY OF PROJECT ALTERNATIVES**

***Alternatives Considered But Rejected***

The *Alternatives* section (Section 10.0) of this EIR includes a discussion of alternatives which were considered early in the project design process but which have been rejected. The Alternative Location alternative was determined to be *Considered but Rejected*.

***Alternative Location Alternative***

The proposed Watermark project is intended to serve as a regional commercial center and provide shopping opportunities that are not provided by local neighborhood and community retail, with Class A office buildings (MedImpact) designed as a corporate campus. According the *Watermark Fiscal Revenue Generation Study* (The London Group, July 2012), the growth in the I-15 corridor has increased the demand for specialty retailers that is being served by the emergence of lifestyle retail centers. The project’s unique nature allows for a site design on a much smaller footprint than the traditional regional center that includes multiple anchor tenants. While the project’s strategic location takes advantage of the proximity to I-15 to provide employment and attract users from the I-15 corridor communities and the region at large, the site also provides an optimum location between two major regional centers to serve an emerging clientele and is well situated to serve an increased demand in high quality corporate office to reflect shifts in the economic structure of the region.

There are no other sites areas within Miramar Ranch North or adjoining communities appropriately located and of sufficient size that could develop in a manner similar to that proposed by the Watermark project. Additionally, there are no other sites under the applicant’s control along the I-15 corridor of sufficient size to allow development of a mixed-use commercial center that meets the project’s objectives.

In accordance with CEQA Guidelines Section 15126.6(f)(2), alternative locations for the proposed project would be considered if “*any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessens any of the significant effects of the project would need to be considered for inclusion in the EIR.*” Moving the Watermark project to an alternative site in the community or other areas of the City would not avoid or substantially lessen the

project's impact and could result in greater environmental effects. The project is proposed for a graded site that is slated for development in the Miramar Ranch North Community Plan. The site has easy access to public streets and freeways. Given traffic congestion in the City and County, traffic generated from any alternative site could have the potential to result in impacts on circulation segments, intersections, and freeways. A similar level of intensity as the proposed project constructed at another site in the City or County would have the same level of impacts relative to air quality and GHG emissions. However, the project site has a potential advantage over other sites from an environmental resources standpoint, as the project site does not possess sensitive biological or important cultural resources. Other sites in the City or County may contain significant sensitive resources; and development on another site could result in impacts to biological resources and impacts to cultural resources, which would not occur at the proposed project site.

For these reasons, there are no other feasible alternative locations for the Watermark project as proposed that would meet the project's objectives. Therefore, the Alternative Location alternative has been considered but rejected as infeasible.

### ***Alternatives Considered***

Alternatives considered for the Watermark project, including a discussion of the "No Project" alternative, are addressed in detail in Section 10.0, *Alternatives*. Relative to the requirement to address a "No Project" alternative, CEQA Guidelines Section 15126.6(e)(2) states that:

(2) *The "no project" analysis shall discuss the existing conditions at the time the notice of preparatory is published . . . as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved based on current plans and consistent with available infrastructure and community services.*

CEQA Guidelines Section 15126.6(e)(3) states that:

- (A) *When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future.*
- (B) *If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed.*

In accordance with CEQA, a true No Project alternative would not include the approved MedImpact entitlements. However, because the existing MedImpact approvals can proceed if the Watermark project is not approved, this EIR addresses the No Project Alternative as development that could occur under the existing approvals, as directed by Section 15126(e)(3) of CEQA.

Alternatives to the Watermark project discussed in this EIR include the "No Project" alternative that is mandated by CEQA and other alternatives that were developed in the course of project planning and environmental review for the proposed project. Specifically, the following project alternatives are addressed in this EIR:

- Alternative 1 – No Project/Development Under Existing Approvals

- Alternative 2 – Light Industrial Park
- Alternative 3 – Prime Industrial Lands
- Alternative 4 – Reduced Intensity – 17 Percent Reduction in Trips

### ***Alternative 1 – No Project/Development Under Existing Approvals***

Under the No Project/Development Under Existing Approvals Alternative, the proposed project would not proceed. Instead, the project site would develop under existing approvals consistent with the current Community Plan and General Plan and zoning for the project site. This would ~~which~~ involves development of the 34.39-acre site as permitted under the approved CUP/PID No. 99-1027. The approved CUP/PID No 99-1027 allows development of corporate office structures and ancillary buildings on the project site, including the construction of seven buildings for use as office, employee training, cafeteria, exercise facility, and child daycare facility for a total of 658,456 square feet. This alternative would not require ~~also assumes that no~~ additional grading, as the project site has been graded in accordance with the Vesting Tentative Map approved in concert with ~~would be required to construct~~ the existing entitlements.

When compared to the proposed project, the No Project/Development Under Existing Approvals Alternative would result in less overall traffic volumes but the potential for increased trips to neighborhood services. This alternative would result in less vehicular emissions, resulting in less impacts associated with air quality and GHG emissions. Significant air quality impacts associated with construction would occur, similar to the proposed project. Additionally, this alternative would generate less noise associated with less trips than would occur with the proposed project. This alternative would result in the same level of impacts as the proposed project relative to Land Use, Visual Quality and Neighborhood Character, Energy, Historic Resources, Geologic Conditions, Paleontological Resources, Hydrology/Water Quality, Health and Safety, Public Services and Facilities, and Public Utilities.

The No Project/Development Under Existing Approvals Alternative would meet some of the project objectives. Specifically, this alternative would create a coherent and signature design statement as a community gateway to Miramar Ranch North and would result in a project of high quality design and aesthetics, creating a landmark for the community. This alternative would not provide quasi-public space for community use in the form of a pedestrian plaza as a focal point for the project, which would function as a lively gathering place for visitors, employees, and neighbors; and would not implement transportation (vehicular, bicycle, and pedestrian) improvements that would improve operations of the current roadway and bicycle network and would encourage pedestrian use. Additionally, this alternative would not provide flexibility in the allocation of commercial office and retail development based on market demand and consistent with limitations established by the TIA prepared for the project and would not provide for retail uses currently unavailable in the surrounding market area.

### ***Alternative 2 – Light Industrial Park***

The project includes a proposed Community Plan Amendment to change the land use designation from Industrial to Regional Commercial and an amendment to the General Plan to remove the Prime Industrial Lands identification from the site. While the EIR concludes that the proposed land use changes would not result in significant environmental impacts, the proposed project would not be in strict conformation with the Miramar Ranch North Community Plan and the City's General Plan. Therefore, an alternative has been developed to evaluate development of the project site with light industrial land uses, which would be in compliance with the Community Plan's recommendation for a range of light industrial and mini storage uses at this location. ~~land use documents and would not~~

~~require an amendment to the Community Plan.~~

The Light Industrial Park Alternative would include the on-going development of the MedImpact facilities, including the constructed facilities on Lot 1 and the approved facilities for Lot 2, but would develop the remainder of the site with a mix of manufacturing, wholesale distribution, warehousing, and recreational vehicle storage area screened by mini-warehousing facilities as identified in the Miramar Ranch North Community Plan. Under this alternative, this mix of light industrial uses/mini storage uses would occur on the approximately 21 developable acres outside Area B (MedImpact Lots 1 and 2). The Light Industrial Park alternative would include one- and two-story buildings that would be available for manufacturing, wholesale distribution, mini storage, and warehouse uses and would include an open and screened recreational vehicle storage area. For this alternative, it is assumed that, similar to the proposed project, architectural design guidelines would be developed to ensure high quality design of structures within the project.

The project site is currently zoned IP-2-1. The IP-2-1 zone allows a range of light industrial uses but does not include moving and storage facilities (such as mini storage) and warehouses. Therefore, this alternative would include a rezone from the IP-2-1 zone to the IL-2-1 zone to accommodate the range of light industrial/mini storage uses as outlined in the Community Plan and described for this alternative. Additionally, because this alternative would include uses that are not considered Prime Industrial Lands uses, like the proposed project, an amendment to the General Plan would be required to remove the Prime Industrial Lands identification from the project site.

Overall traffic volumes would be reduced under this alternative; however, this alternative would not provide the balancing of traffic that occurs with the proposed project. Because this alternative would not provide retail commercial and restaurant uses at the project site, neighborhood trips to those services could potentially occur outside the community. Therefore, this alternative would result in less overall trips and could create increased trips to neighborhood services.

While visual quality impacts would not be regarded as significant under this alternative, the gateway statement anticipated by the Community Plan for this area of Miramar Ranch North would not be provided. The nature of types of light industrial, warehousing and mini storage uses associated with this alternative would contrast with the high quality office facilities developed for MedImpact. This alternative would create mini storage facilities and open areas for storage of recreational vehicles. The nature of these types of light industrial uses could create an inconsistent architectural style with the office facilities developed for MedImpact. Additionally, large areas of open surface parking would occur under this alternative. Because this alternative would include open storage facilities and a greater amount of surface parking, it could be regarded as less compatible with surrounding residential development to the north, east, and south, and the commercial retail development to the west and would not create the gateway statement anticipated in the community plan. Therefore, visual quality and neighborhood character impacts would be greater under this alternative.

Relative to air quality and GHG emissions, this alternative has the potential to result in greater impacts. Air quality associated with operational impacts (vehicle trips) would be reduced under the Light Industrial Park Alternative. Relative to construction, impacts would be similar. Warehousing and manufacturing uses which would occur under this alternative would involve a greater amount of diesel trucks accessing the site and would include diesel emissions above those that would occur with the



project. Additionally, light industrial uses, and in particular research and development uses, use toxic substances and hazardous materials which would not occur with the proposed project.

Noise impacts under this alternative would be greater than the proposed project. The Light Industrial Park Alternative could result in an increase in noise levels in the immediate environment due to an increase in truck traffic (in particular, heavy trucks) accessing the site. While such increases in noise would be at a nuisance level and are not anticipated to be significant, this level of noise would not occur with the proposed project.

Similar to the proposed project, the Light Industrial Park Alternative would also not result in significant impacts on site hydrology or drainage. However, this alternative could result in increased impacts associated with water quality, due to the increase in impervious surfaces associated with open parking areas and the use of hazardous materials in manufacturing. While required adherence to State and County regulations would ensure that significant impacts are avoided. These impacts would not occur under the proposed project.

The potential for health and safety impacts could increase with the Light Industrial Park Alternative. Light industrial uses, particularly manufacturing and research and development, can employ hazardous materials. Accidental spills and/or release of hazardous materials or the generation of toxic fumes would create a health and safety risk not associated with the proposed project.

The Light Industrial Park Alternative would result in less cumulative impacts associated with traffic and vehicular emissions, but would result in greater impacts associated with cumulative air quality and GHG emissions, due to diesel truck emissions and emissions that could be generated by light industrial uses that use toxic substances and hazardous materials. For these reasons, cumulative air quality and GHG impacts would be considered greater under this alternative than the proposed project.

This alternative would require similar mitigation as is required for the proposed project to reduce impacts associated with public services and facilities (solid waste generation) to below a level of significance. The same level of impacts as the proposed project would result under this alternative relative to Energy, Historic Resources, Geologic Conditions, Paleontological Resources, and Public Utilities. None of those issues areas were found to result in significant impacts with the proposed project.

This alternative would not meet most of the project objectives. Specifically, this alternative would not create a coherent and signature design statement at a community gateway to Miramar Ranch North. It would not provide flexibility in the allocation of commercial office and retail development based on market demand and consistent with limitations established by the Traffic Impact Analysis prepared for the project and would not allow for retail uses currently unavailable in the surrounding market area. Although this alternative would implement a high quality design and aesthetics, it does not have the same potential to create a landmark statement for the community as would occur under the proposed project. This alternative would not provide quasi-public space for community use in the form of a pedestrian plaza as a focal point for the project, which would function as a lively gathering place for visitors, employees, and neighbors.

***Alternative 3 – Prime Industrial Lands***

The Prime Industrial Lands Alternative would include low-rise buildings that would be available for research and development, manufacturing, warehouse heavy or light industrial, and research and development uses consistent with the General Plan's Prime Industrial Lands identification. Under this alternative, the on-going development of the MedImpact facilities and Lots 1 and 2 (350,743 square feet of office uses) would occur; and 21 acres of light industrial uses (such as warehouse distribution, heavy or light manufacturing, and research and development) would occur on the project site, outside Lots 1 and 2. For this alternative, it is assumed that, similar to the proposed project, architectural design guidelines would be developed to ensure high quality design of structures within the project, and that light industrial buildings would be compatible with the existing MedImpact office building and parking structure.

This alternative would not require a Community Plan Amendment or an amendment to the General Plan, as land uses described under this alternative would be consistent with the land uses allowed in the Community Plan and in Prime Industrial Lands. This alternative would not require a rezone, as all uses described for this alternative would be permitted in the existing zones for the project site. However, the uses that would occur under this alternative could result in greater impacts associated with air quality, greenhouse gas emissions, noise, use of toxic substances, and hazardous materials.

Overall traffic volumes would be reduced under this alternative; however, this alternative would not provide the balancing of traffic that occurs with the proposed project. Instead, the project site would develop solely as an employment center, with traffic entering the site during AM peak hours and leaving the site during PM peak hours. Because this alternative would not provide retail commercial and restaurant uses at the project site, neighborhood trips to those services could potentially occur outside the community. Therefore, this alternative would result in less overall trips and the potential for increased trips to neighborhood services.

While visual quality impacts would not be regarded as significant under this alternative, the gateway statement anticipated by the Community Plan for this area of Miramar Ranch North would not be provided. This alternative would result in an active industrial park, with predominately low-rise structures, open surface parking, and truck bays for distributing products. This alternative would be less compatible with surrounding development and would not create the gateway statement anticipated in the community plan. As such, the visual effect of this alternative would not be as desirable, and neighborhood character compatibility would be reduced.

Relative to air quality and GHG emissions, this alternative has the potential to result in greater impacts. Air quality associated with operational impacts (vehicle trips) would be reduced under the Prime Industrial Lands Alternative. Relative to construction, impacts would be the same or slightly less. Manufacturing uses which would occur under this alternative would involve a greater amount of diesel trucks accessing the site and would include diesel emissions above those that would occur with the project. Additionally, Prime Industrial Lands uses, and in particular research and development uses, use toxic substances and hazardous materials which would not occur with the proposed project. For these reasons, air quality impacts and the project's contribution to global climate change would be considered greater under this alternative than the proposed project.

Noise impacts under this alternative would be greater than the proposed project. The Prime Industrial Lands Alternative would result in an increase in noise levels in the immediate environment due to an increase in truck traffic (in particular, heavy trucks) accessing the site. While such increases in noise

would be at a nuisance level and are not anticipated to be significant, this level of noise would not occur with the proposed project.

Similar to the proposed project, the Prime Industrial Lands Alternative would also not result in significant impacts on site hydrology or drainage. However, this alternative could result in increased impacts associated with water quality, due to the increase in impervious surfaces associated with open parking areas and the use of hazardous materials in manufacturing and research and development. While required adherence to State and County regulations would ensure that significant impacts are avoided, these impacts would not occur under the proposed project, and impacts associated with water quality would be increased under this alternative.

The potential for health and safety impacts could increase with the Prime Industrial Lands Alternative. Light industrial uses, particularly manufacturing and research and development, can employ hazardous materials. Accidental spills and/or release of hazardous materials or the generation of toxic fumes would create a health and safety risk not associated with the proposed project.

The Prime Industrial Lands Alternative would result in less cumulative impacts associated with traffic and vehicular emissions, but would result in greater impacts associated with cumulative air quality and GHG emissions, due to diesel truck emissions and emissions that could be generated Prime Industrial Lands uses that use toxic substances and hazardous materials. For these reasons, cumulative air quality and GHG impacts would be considered greater under this alternative than the proposed project.

This alternative would require similar mitigation as is required for the proposed project to reduce impacts associated with public services and facilities (solid waste generation) to below a level of significance. The same level of impacts as the proposed project would result under this alternative relative to Energy, Historic Resources, Geologic Conditions, Paleontological Resources, and Public Utilities. None of those issues areas were found to result in significant impacts with the proposed project.

This alternative would not meet most of the project objectives. Specifically, this alternative would not create a coherent and signature design statement at a community gateway to Miramar Ranch North. It would not provide flexibility in the allocation of commercial office and retail development based on market demand and consistent with limitations established by the Traffic Impact Analysis prepared for the project and would not allow for retail uses currently unavailable in the surrounding market area. Although this alternative would implement design guidelines that would ensure high quality design and aesthetics, it does not have the same potential to create a landmark statement for the community as would occur under the proposed project. This alternative would not provide quasi-public space for community use in the form of a pedestrian plaza as a focal point for the project, which would function as a lively gathering place for visitors, employees, and neighbors. This alternative would be required to implement transportation (vehicular, bicycle, and pedestrian) improvements that would improve operations of the current roadway and bicycle network and would encourage pedestrian use.

### ***Alternative 4 – Reduced Intensity – 17 Percent Reduction in Trips***

A reduced intensity alternative is addressed in the EIR to evaluate a project alternative that would attain most of the project's goals but reduce project traffic to a point where there would be no unmitigated traffic impacts. It was determined that a 17 percent reduction in trips would avoid unmitigated traffic impacts; all traffic impacts that would result under this alternative could be mitigated to below a level of

significance.

The Reduced Intensity – 17 Percent Reduction in Trips Alternative would include the existing MedImpact facilities on previously approved Lot 1, the future approved development on Lot 2, and development of the remainder of the site in a manner similar to the proposed project but without development of the hotel (approximately 90,540 square feet) and the office building (approximately 132,007 square feet). (See Table 10.1, *Alternative 4 – Reduced Intensity – 17 Percent Reduction in Trips Development Intensity*.) The proposed *Watermark Site Plan* (see Figure 3-5) shows the hotel located in the southwest corner of the project site (Building L). This alternative would eliminate the hotel and provide surface parking where the hotel would have occurred. Under the proposed Site Plan, office uses would occur on floors two through 6 of Building M. Because this alternative would eliminate office uses in Building M, Building M would change from a six-story retail/office building to a two-story retail building. Figure 10-1, *Reduced Intensity – 17 Percent Reduction in Trips Alternative Site Plan*, shows the Site Plan resulting from this alternative. With the elimination of these elements, this alternative would result in approximately 17 percent less total trips than under the proposed project (15,341 with this alternative compared to 18,552 resulting from the proposed project).

For the most part, the Reduced Intensity – 17 Percent Reduction in Trips Alternative would have similar impacts and require the same mitigation as the proposed project. This alternative would result in similar uses as the proposed project, but at a reduced level. An Amendment to the Miramar Ranch North Community Plan would still be required to change the land use designation from Industrial to Retail Commercial/Residential Prohibited. Like the proposed project, the General Plan would be amended to remove the Prime Industrial Lands identification from the project site. Like the proposed project, this alternative would create a coherent and signature design statement at this gateway to the Miramar Ranch North community and would maintain consistency with the architectural style established with the existing MedImpact campus by maintaining complementary architectural vocabulary for the mixed-use project. Traffic would be reduced under this alternative, and there would be a concomitant reduction in emissions resulting in a slight reduction in impacts associated with air quality, GHG emissions, and noise. While the Site Plan under this alternative would be modified to eliminate the hotel and the office component of a retail/office building, views of the site would not be substantially different than the proposed project, and impacts associated with Visual Quality and Neighborhood Character would be the same as the proposed project. Impacts relative to all other environmental issue areas would be the same as the proposed project.

### **Environmentally Superior Alternative**

CEQA requires that the EIR identify the Environmentally Superior Alternative among all of the alternatives considered, including the proposed project. If the No Project Alternative is selected as environmentally superior, then the EIR shall also identify an Environmentally Superior Alternative among the other alternatives.

Through a comparison of potential impacts from each of the proposed alternatives and the proposed project, the **No Project/Development Under Existing Approvals** alternative could be considered environmentally superior because it would result in the least amount of environmental impacts.

When compared to the proposed project, the No Project/Development Under Existing Approvals Alternative would result in less overall traffic volumes, but could potentially create increased trips to neighborhood services located outside the community. The No Project alternative would result in a less

vehicular emissions, resulting in less impacts associated with air quality and GHG emissions. Additionally, this alternative would generate less noise associated with the reduction in traffic. Because the No Project alternative would result in less environmental impacts than the proposed project, it would be considered the environmentally superior alternative.

Of the other alternatives evaluated in this EIR, either the Light Industrial Park or Prime Industrial Lands Alternative could be considered environmentally superior to the proposed project. The Light Industrial Park and Prime Industrial Lands Alternatives result in similar impacts. However, neither of these alternatives would accomplish the project's main goals and objectives. When compared to the proposed project, the Light Industrial Park and Prime Industrial Lands Alternatives would result in greater overall impacts to the aesthetics of the Miramar Ranch North community and would not create a statement gateway for the community. These alternatives would also not be in compliance with the Community Plan's recommendation for a mix of land uses in this area and would not provide services and amenities to serve nearby residential neighborhoods. Due to the nature of manufacturing and research and development uses that would occur with either of these alternatives, these alternatives could result in the use of hazardous materials that could create health and safety risks and impact to urban runoff; and greater impacts to Air Quality, Global Climate Change, Noise, Hydrology/Water Quality, and Health and Safety would occur. With regards to Transportation/Traffic Circulation/Parking, both the Light Industrial Park and Prime Industrial Lands Alternatives result in less overall traffic volumes than the proposed project; however, these alternatives would not provide for mixed-use development that could potentially reduce trips for the surrounding residential community. The Light Industrial Park and Prime Industrial Lands Alternatives would result in the same level of impacts as the proposed project relative to Energy, Historic Resources, Geologic Conditions, Paleontological Resources, Public Services and Facilities, and Public Utilities.

The Reduced Intensity – 17 Percent Reduction in Trips Alternative would meet the project objectives but would not reduce traffic impacts to the degree that either the Light Industrial Park or Prime Industrial Lands Alternative would. The Reduced Intensity – 17 Percent Reduction in Trips Alternative would be similar in design and uses as the proposed project but would not provide for the same amount of office space as the proposed project and does not include a hotel, which is included in the proposed project.



# 1.0 INTRODUCTION

## 1.1 PURPOSE AND LEGAL AUTHORITY

This Environmental Impact Report (EIR) is an informational document intended for use by the City of San Diego decision-makers and members of the general public in evaluating the potential environmental effects of the proposed Watermark project. This document has been prepared in accordance with, and complies with, all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 as amended [Public Resources Code (PRC) 21000 et seq.], State CEQA Guidelines [California Administrative Code (CAC) 15000 et seq.], and the City of San Diego's EIR Preparation Guidelines. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of San Diego is the Lead Agency under whose authority this document has been prepared.

In accordance with CEQA Guidelines Section 15161 and as determined by the City of San Diego, this document constitutes a "Project EIR" and has been focused "*primarily on the changes in the environment that would result from the development project.*" The Watermark project proposes a mixed-use development comprised of commercial office space, commercial retail space, and a hotel on 34.96 gross acres [with 22.42 acres being rezoned and developed as a mix of office and retail (Area A), and the remaining 11.97 acres retaining the existing zone and being developed as the MedImpact office complex (Area B)]. (For a full description of Area A and Area B, please see Section 3.0, *Project Description.*) A Conditional Use Permit (CUP) to allow a movie theater use is also included in the project proposal, and Scripps Gateway Court would be vacated, requiring processing of a Street Vacation. The project requires discretionary approvals including: a General Plan Amendment to remove the Prime Industrial Land identification from Area A of the project site, an Amendment to the Miramar Ranch North Community Plan to change the current land use designation from Industrial/Business Park to Regional Commercial/Residential Prohibited, Rezone a portion of the site (Area A) from IP-2-1 to CR-2-1 (~~residential-prohibited~~ Commercial - Regional), Vesting Tentative Map (VTM), Planned Development Permit (PDP), CUP, and a Street Vacation to vacate Scripps Gateway Court.

This EIR provides decision-makers, public agencies, and the general public with detailed information about the potential significant adverse environmental impacts of the proposed Watermark project. By recognizing the environmental impacts of the proposed project, decision-makers will have a better understanding of the physical and environmental changes that would accompany approval of the project. The EIR includes recommended mitigation measures which, when implemented, will lessen or avoid project impacts. The development of mitigation measures to lessen or avoid project impacts provides the Lead Agency with ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the proposed project are presented to evaluate feasible alternative development scenarios that can further reduce or avoid any significant impacts associated with the project.

### 1.1.1 Authority and Intended Uses of the EIR

Acting as the Lead Agency, the City of San Diego has determined that the Watermark project has the potential to create significant adverse environmental impacts. The City of San Diego Development Services Department (DSD), Environmental Analysis Section (EAS), reviewed the

proposed development and has required that an EIR be prepared as part of the project's environmental review process, in accordance with CEQA.

The analysis and findings in this document reflect the independent conclusions of the City of San Diego. Based on an environmental initial study conducted for the project, comments received at the public scoping session held on January 13, 2010 (see Appendix B), and the comments received in response to the Notice of Preparation (NOP) (see Appendix A), this EIR discusses the potential significant adverse effects of the project on a number of environmental issues. Where environmental impacts have been determined to be potentially significant, this EIR presents mitigation measures directed at reducing those adverse environmental effects and makes a determination relative to the ability of the mitigation measures to reduce impacts to below a level of significance. In the event that potentially significant impacts cannot be mitigated to below a level of significance, the EIR states that project approval would require that the decision-maker adopt Findings and a Statement of Overriding Considerations in accordance with Sections 15091 and 15093 of the CEQA Guidelines.

In addition, feasible alternatives to the proposed project have been developed - including the *No Project/Development Under Existing Approvals* alternative, the *Light Industrial Park* alternative, *Prime Industrial Lands* alternative, *Reduced Density – 17 Percent Reduction in Trips* alternative. An analysis of the impacts of those project alternatives compared to that of the proposed project provide a basis for consideration by decision-makers.

### 1.1.2 Availability and Review of the Draft EIR

After completion of the Draft EIR, a Notice of Completion (NOC) is published to inform the public and interested and affected agencies of the availability of the Draft EIR for review and comment. In addition, the Draft EIR is distributed directly to affected public agencies and to interested organizations for review and comment.

The EIR and all related technical studies are available for review or can be purchased for the cost of reproduction at the offices of the City of San Diego, Development Services Department, Land Development Review Division, located at 1222 First Avenue, Fifth Floor, San Diego, California 92101. Copies of the Draft EIR are also available at the following public libraries:

San Diego Public Library  
Central Library  
820 E Street  
San Diego, California 92101

Scripps Miramar Ranch Library  
10301 Scripps Lake Drive  
San Diego, California 92131-1026

The EIR can also be reviewed on the City's web site through the following link:

<http://clerkdoc.sannet.gov/Website/publicnotice/pubnotceqa.html>

Agencies, organizations, and individuals have been invited to comment on the information presented in the Draft EIR during a 45-day public review period. Specifically, comments addressing the scope and adequacy of the environmental analysis have been solicited. Respondents have also been asked to provide or identify additional environmental information and/or other feasible

alternatives that are germane to the project, but which they feel may not have been addressed in the analysis. Following the public review period, responses to the public review comments relevant to the adequacy and completeness of the EIR are prepared and compiled into the Final EIR. The City of San Diego City Council, prior to any final decision on the project, will consider the Final EIR for certification.

### 1.2 SCOPE AND CONTENT OF EIR

#### 1.2.1 Scope of EIR

An NOP, dated September 24, 2010, was prepared for the project and distributed to all Responsible and Trustee Agencies, as well as other agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR for the proposed Watermark project. A copy of the NOP and letters received during its review are included in Appendix A to this EIR. In addition, comments were also gathered at a public scoping session held for the project on January 13, 2010. A transcript of the public scoping meeting is included in Appendix B.

Based on an initial review of the project and comments received, the City of San Diego determined that the EIR for the proposed project should address the following environmental issues:

- Land Use
- Transportation/Traffic Circulation/Parking
- Visual Effects and Neighborhood Character
- Air Quality
- Global Climate Change
- Energy
- Noise
- Biological Resources
- Historical Resources (Archaeological Resources and Historic Resources)
- Geologic Conditions
- Paleontological Resources
- Hydrology/Water Quality
- Health and Safety
- Public Services and Facilities
- Public Utilities
- Cumulative Impacts

Based on the analysis contained in Section 5.0 of this EIR, the proposed project would result in significant impacts to: Transportation/Traffic Circulation/Parking (direct and cumulative) and Air Quality (direct during construction). Mitigation measures have been identified which would reduce direct, and cumulative impacts to below a level of significance for all significant impacts except: Transportation/Traffic Circulation/Parking (direct and cumulative).

#### 1.2.2 Format of EIR

Under each issue area presented above, Section 5.0, *Environmental Analysis*, of this EIR includes a description of the existing conditions relevant to each environmental topic; presents the threshold(s) of significance, based on the City of San Diego's CEQA Significance Determination Thresholds, for the particular issue area under evaluation; identifies an issue statement or issue statements; assesses any impacts associated with implementation of the project; provides a summary of the significance of any project impacts; and presents recommended mitigation measures and mitigation monitoring and reporting, as appropriate, for each significant issue area. *Cumulative Impacts* are presented under a

separate discussion section (Section 6.0) based on issues that were found to be potentially cumulatively significant. Section 7.0, *Effects Not Found to be Significant*, presents a brief discussion of the environmental effects of the project that were evaluated as part of the Initial Study process and were found not to be potentially significant. The EIR also includes mandatory CEQA discussion areas (Sections 8.0 and 9.0), which present a discussion of *Growth Inducement* and *Significant Irreversible Environmental Changes*, respectively, as well as a discussion of project *Alternatives* (Section 10.0) which could avoid or reduce potentially significant environmental impacts associated with implementation of the project. Based on this general format, the following presents an outline of the various sections of the EIR for the Watermark project:

- **Executive Summary.** An overview of the EIR, a description of the proposed project, and a summary of impacts and mitigation measures are provided in this section. Areas of controversy, as well as any issues to be resolved, are also presented.
- **Section 1.0: Introduction.** The purpose of the EIR and a discussion of the public review process are provided in this section. This section also includes the scope and format of the EIR.
- **Section 2.0: Environmental Setting.** This section provides a description of the project location and the environment of the project site, as well as the vicinity of the project site, as it exists before implementation of the proposed project. The existing environmental setting and conditions as presented in Section 2.0 form the baseline upon which the analysis of potential environmental impacts associated with the project is based. A summary of the project's relationship to the City's General Plan and the Miramar Ranch North Community Plan and existing zoning is also included as part of the Environmental Setting. This section also provides a general discussion of public services and facilities serving the project area.
- **Section 3.0: Project Description.** This section details the physical and operational characteristics of the project.
- **Section 4.0: History of Project Changes.** This section chronicles any physical changes that have been made to the project in response to environmental concerns raised during the City's review of the project.
- **Section 5.0: Environmental Analysis.** The existing environmental setting, potential environmental impacts, and recommended mitigation measures are discussed in this section. Unavoidable significant adverse impacts that remain after mitigation, if any, are also identified in this section.
- **Section 6.0: Cumulative Effects.** This section describes a list of past, present, and reasonably anticipated future projects in the surrounding area, which, in concert with build-out of the proposed project, may potentially contribute to significant cumulative impacts in the area. The impacts of these related projects in conjunction with the proposed project are analyzed in this section.
- **Section 7.0: Effects Not Found to be Significant.** This section identifies the issues where potential impacts were considered to be less than significant during the Initial Study process and

describes the reasons why these possible significant environmental effects were deemed not to be significant. For the Watermark project, four environmental issue areas – *Agricultural and Forestry Resources*, *Mineral Resources*, *Recreation*, and *Population and Housing* – were determined during the Initial Study not to be potentially significant and, therefore, are not analyzed in Section 5.0 of this EIR. A brief discussion of those environmental issues and why each was determined not to be potentially significant is presented in this section.

- **Section 8.0: Growth Inducement.** This section discusses the project’s potential to foster economic or population growth in the adjacent areas or in the City, either directly or indirectly.
- **Section 9.0: Significant Irreversible Environmental Changes.** This section describes potentially significant irreversible environmental changes that may be expected with the development of the proposed project.
- **Section 10.0: Alternatives.** Projects or development scenarios, which may occur on the site and meet most of the project’s objectives, were developed as alternatives to the proposed project and are described in this section. Alternative sites where the proposed project may be feasibly constructed are also discussed. Specifically, the *Alternatives* section of this EIR addresses the following project alternatives:

**Alternatives Considered but Rejected:**

- Alternative Location for the Project

**Alternatives Considered:**

- No Project/Development Under Existing Approvals Alternative
  - Industrial Park Alternative
  - Prime Industrial Lands Alternative
  - Reduced Intensity – 17 Percent Reduction in Trips Alternative
- **Section 11.0: Mitigation Monitoring and Reporting Program.** This section documents the various mitigation measures required as part of the project.
  - **Section 12.0: References.** A list of the reference materials consulted in the course of the EIR’s preparation is included in this section.
  - **Section 13.0: Individuals and Agencies Consulted.** Agencies and individuals contacted during preparation of the EIR are identified in this section.
  - **Section 14.0: Certification Page.** Persons and agencies responsible for the preparation of the EIR are identified in this section.



The Technical Appendices are printed under separate cover as an accompaniment to this EIR. The appendices contain the various supporting documents used in preparing the EIR, including:

- Appendix A - Notice of Preparation and Comment Letters  
The Notice of Preparation and Comment Letters pertain to the entire Watermark site (*Areas A and B*).
- Appendix B - Public Scoping Meeting Comments and Transcript  
The Public Scoping Meeting Comments and Transcripts pertain to the entire Watermark site (*Areas A and B*).
- Appendix C – Traffic Impact Analysis for Watermark  
The Traffic Impact Analysis for Watermark evaluates traffic from Area A. This study includes the MedImpact traffic (Area B) in the analysis of other projects. As a result, the Traffic Impact Analysis evaluates traffic impacts of the entire project site, *Areas A and B*.
- Appendix D - Air Quality Technical Report  
The Air Quality Technical Report analyzes the construction impacts of Area A and the operational impacts of Area A and Area B (with Area B being analyzed as an existing condition). As a result, this report evaluates the entire project site, *Areas A and B*.
- Appendix E – Greenhouse Gas Evaluation  
By nature, greenhouse gas and global climate change evaluations are a cumulative study, taking into account the entirety of the immediately surrounding area. As such, the Greenhouse Gas Evaluation analyzes the impacts of the entire project site, *Areas A and B*.
- Appendix F – Noise Study  
The Noise Study determines the noise impacts associated with daily operations of the mixed-use project proposed for Area A. Noise impacts associated with the MedImpact facilities (Area B) have already been fully analyzed in the Scripps Gateway EIR. As a result, this study evaluates noise impacts for *Area A* only.
- Appendix G – Watermark Biological Resources Report  
The Biological Resources Report address the entire project site, *Areas A and B*.
- Appendix H – Drainage Study  
The Drainage Study is an update to the drainage study previously conducted and approved for the Scripps Gateway project. As such, the report analyzes drainage for the entire project site, *Areas A and B*.
- Appendix I - Preliminary Geotechnical Investigation Report  
Because Lot 1 of Area B is constructed with approved MedImpact facilities and Lot 2 can develop in accordance with existing approvals for MedImpact, the Preliminary Geotechnical Investigation Report provides geotechnical recommendations for *Area A* only.
- Appendix J - Sewer Study Amendment  
Because Lot 1 is constructed with the MedImpact facilities and sewer facilities are in place for Lot 2, the Sewer Study Amendment presents the preliminary design of on-site sewer facilities for *Area A* only.

- Appendix K – Preliminary Water Quality Technical Report  
Because Lot 1 of Area B is constructed with approved MedImpact facilities and Lot 2 can develop in accordance with existing approvals for MedImpact, the Preliminary Water Quality Technical Report addresses water quality impacts relative to *Area A* only.
- Appendix L - Water Supply Assessment Report  
The Water Supply Assessment Report pertains to the entire Watermark site (*Areas A and B*).
- Appendix M - Letters/Responses to Service Providers  
The Letters/Responses to Service Providers pertain to the entire Watermark site (*Areas A and B*).
- Appendix N - Federal Aviation Regulations Part 77 Letters on Non-Obstruction and ALUCP Consistency Letter  
The Federal Aviation Regulations Part 77 Letters on Non-Obstruction and ALUCP Consistency Letter pertain to the entire Watermark site (*Areas A and B*).
- Appendix O – Prime Industrial Lands Criteria Analysis  
The Prime Industrial Lands Criteria Analysis pertains to the entire Watermark site (*Areas A and B*).
- Appendix P – Collocation/Conversion Suitability Analysis  
The Collocation/Conversion Suitability Analysis pertains to the entire Watermark site (*Areas A and B*).
- Appendix Q – Preliminary Waste Management Plan  
The Preliminary Waste Management Plan pertains to the entire Watermark site (*Areas A and B*).
- Appendix R – Preliminary Hydromodification Management Study.  
The Preliminary Hydromodification Management Study assumes the approvals in place for Lots 1 and 2 (*Area B*) and the proposed development of the Watermark project in *Area A*. Therefore, this study pertains to the entire Watermark site (*Areas A and B*).
- Appendix S – Final Paleontological Mitigation Report – Scripps Gateway  
The Scripps Gateway Final Paleontological Mitigation Report pertains to the entire Watermark project site (*Areas A and B*).

### 1.2.3 Incorporation by Reference

As permitted by Section 15150 of the CEQA Guidelines, this EIR has referenced several technical studies, analyses, and reports. Information from the documents, which has been incorporated by reference into this EIR, has been briefly summarized; the relationship between the incorporated part of the referenced document and the EIR is described. The documents and other sources, which have been used in the preparation of this EIR, are identified in Section 12.0, *References*. In accordance with Section 15150(b) of the CEQA Guidelines, the location where the public may obtain and review these referenced documents and other sources used in the preparation of the EIR is also identified (see Section 1.1.2).

### 1.3 EVALUATION OF ENVIRONMENTAL EFFECTS

The environmental analysis contained in this EIR has been developed to adequately address the environmental issues identified as needing further analysis. Additionally, this EIR addresses concerns raised by comments on the NOP and those received at the January 13, 2010, public scoping session, as presented under *Potential Areas of Controversy* in the *Executive Summary*.

The environmental impact analysis seeks to determine the significance of potential impacts and to develop appropriate mitigation for impacts that have been determined to be significant. In order to facilitate the analysis of each issue, a standard format was developed to analyze each issue thoroughly. This format is presented below, with a brief discussion of the information included within each topic.

#### 1.3.1 Existing Conditions

This introductory discussion of each issue section describes the existing environmental conditions related to the specific issue being analyzed. In accordance with Section 15125 of the CEQA Guidelines, both the existing local and regional settings are discussed as appropriate and as they exist prior to implementation of the proposed project and during the preparation of this EIR. This section provides the baseline conditions with which environmental changes created by the project are compared and analyzed. The existing environmental conditions section is the baseline setting for documenting the nature and extent of environmental changes or impacts anticipated to result from project implementation.

#### 1.3.2 Impact Analysis

This section presents an evaluation of the impacts that would result from implementation of the proposed project. The analysis is comprised of four subsections described below, specifically: *Threshold(s) of Significance*, *Impact Analysis*, *Significance of Impacts*, *Mitigation Measures*, and *Significance of Impacts following Implementation of Mitigation Measures* (as necessary).

##### ***Thresholds of Significance***

Pursuant to Section 15064.7 of the CEQA Guidelines, a threshold of significance is an identifiable quantitative, qualitative, or performance level criterion or criteria. Non-compliance with the threshold(s) would normally mean the effect would be determined to be significant, and compliance with the threshold(s) would normally mean the effect would be determined to be less than significant.

The City of San Diego Development Services Department has developed significance thresholds, referred to as *California Environmental Quality Act Significance Determination Thresholds – Development Services Department* (January 2011), which provide the basis for distinguishing between impacts which are determined to be significant (i.e., impact exceeds the threshold of significance) and those which are typically less than significant. This EIR uses the Development Services Department's Thresholds of Significance to determine significance of potential impacts for each issue area evaluated in this document, with the exception of Global Climate Change.

The City of San Diego is utilizing the California Air Pollution Control Officers Association (CAPCOA) report "CEQA & Climate Change" (CAPCOA 2009) to determine whether a GHG analysis would be required for submitted projects. The CAPCOA report references a 900 metric ton

guideline as a conservative threshold for requiring further analysis and possible mitigation. This emission level is based on the amount of vehicle trips, the typical energy and water use associated with projects, and other factors.

CAPCOA identifies project types that are estimated to emit approximately 900 metric tons of GHG's annually. This 900 metric ton threshold is roughly equivalent to 35,000 square feet of office space, 11,000 square feet of retail, 50 single-family residential units, 70 multi-family residential units, and 6,300 square feet of supermarkets. Because the Watermark project proposes greater than 35,000 square feet of office space and greater than 11,000 square feet of retail space, the proposed project exceeds the CAPCOA threshold, requiring CEQA review of GHG emissions.

### ***Impact Analysis***

The impact analysis presented in this EIR begins with a specific “issue question” intended to clearly focus the discussion of the specific environmental issue. The analysis then identifies specific project-related direct and indirect, short-term and long-term, and unavoidable impacts associated with implementation of the Watermark project. A discussion of cumulative impacts is presented in a separate section titled *Cumulative Impacts* (Section 6.0).

Section 15126.2 of the CEQA Guidelines requires that an EIR “*identify and focus on the significant environmental effects of the proposed project.*” “Effects” and “impacts” have the same meaning under CEQA and are used interchangeably within this EIR. A “significant effect” or “significant impact” on the environment means “*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project*” (Section 15382 of the CEQA Guidelines). With respect to each potential effect, an analysis has been conducted in this EIR to determine if and to what extent:

- The project causes the identified “impact;”
- The impact produces a substantial, or potentially substantial, change in the physical conditions within the area affected by the project (i.e., “significant”); and
- The changed conditions are “adverse.”

In accordance with Section 15145 of the CEQA Guidelines, if, after thorough investigation, a Lead Agency finds that a particular impact is too speculative, the agency should so note its conclusion and terminate discussion of the impact. Therefore, impacts found to be speculative in nature are not evaluated in this EIR.

### ***Significance of Impacts***

The *Significance of Impacts* subsection provides a concise and brief statement as to whether or not a project impact would constitute a significant environmental effect.

### ***Mitigation Measures***

This section identifies those mitigation measures that are required to reduce potentially significant environmental impacts and indicates whether those measures would reduce impacts to below a level of significance. As applicable, mitigation measures are discussed in the following terms:

- The specific technical requirements and details for all mitigation measures are described.

- The effectiveness of each measure; i.e., the extent to which the magnitude of impact will be reduced is addressed.
- If the proposed mitigation could result in a significant impact, the potential impact is disclosed and mitigation is provided.

### ***Significance of Impacts following Implementation of Mitigation Measures***

This conclusion statement addresses the level of significance following implementation of any recommended mitigation measures, as applicable.

## **1.4 RESPONSIBLE AND TRUSTEE AGENCIES**

State law requires that all EIRs be reviewed by trustee and responsible agencies. A Trustee Agency is defined in Section 15386 of the State CEQA Guidelines as “a state agency having jurisdiction by law over natural resources affected by a project that is held in trust for the people of the State of California.” Per Section 15381 of the CEQA Guidelines, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency which have discretionary approval power over the project.” For the Watermark project, one State agency would be regarded as a Responsible Agency: the California Department of Transportation – District 11 (Caltrans).

### **1.4.1 California Department of Transportation**

The proposed project would result in impacts to State freeways under the control of Caltrans. Project mitigation measures may require contributions to freeway improvements and/or access rights for improvements within Caltrans’ rights-of-way. The project applicant would be required to coordinate with Caltrans for these improvements.

### **1.4.2 Regional Water Quality Control Board**

Pursuant to Section 401 of the Clean Water Act, the local Regional Water Quality Control Board (RWQCB) (Region 9) would be responsible for issuing a waiver or certification for any project actions resulting in the discharge of runoff from the site. Conformance with the Clean Water Act is established through compliance with the requirements of the National Pollution Discharge Elimination System (NPDES) for discharge of storm water runoff associated with construction activity. Compliance also requires conformance with applicable Best Management Practices (BMPs) and development of a Storm Water Pollution Prevention Plan (SWPPP) and monitoring program plan. A *Water Quality Technical Report (WQTR)* has been completed for the project, which addresses BMPs and the SWPPP (See Appendix K of this EIR.) (Water Quality is addressed in Section 5.12, *Hydrology/Water Quality*, of this EIR.)

### **1.4.3 Federal Aviation Administration**

The project’s proximity to MCAS – Miramar requires notification to the Federal Aviation Administration (FAA) in order to conduct an Obstruction Evaluation/Airport Airspace analysis under Title 14 code of Federal Regulations, Part 77. The project has completed an initial request for the aeronautical study and has received Determination of No Hazard to Air Navigation for the project (see Appendix N). Individual structures would be required to file subsequent notification to the FAA at least 30 days before the earlier of a) the date proposed construction or alteration is to begin, or b) the date the application for a construction permit would be filed. (The project’s relationship to MCAS Miramar is addressed in Section 5.1, *Land Use*, of this EIR.)



Additionally, the Watermark project was reviewed for consistency with the MCAS Airport Land Use Compatibility Plan (ALUCP) by the San Diego County Regional Airport Authority Land Use Commission (ALUC). The project site is located within Review Area 2 of the Airport Influence Area (AIA) for the MCAS Miramar ALUCP. Based on its letter dated August 9, 2010, the ALUC staff determined that a determination of consistency with the ALUC is not required pursuant to Policies 2.6.1(a)(2) and 2.6.1(b)(2) of the MCAS Miramar ALUCP. A subsequent e-mail correspondence from MCAS Miramar to City staff dated May 3, 2013, further documents that no review is needed, as MCAS Miramar found no issues with noise, accident potential, or height guidelines in the ALUCP.

## 2.0 ENVIRONMENTAL SETTING

### 2.1 REGIONAL SETTING

This EIR addresses potential environmental impacts associated with the proposed Watermark project, which is located in the Miramar Ranch North community of the City of San Diego, within San Diego County (see Figure 2-1, *Regional Map*). The City of San Diego covers approximately 206,989 acres in the southwestern section of San Diego County, in southern California. The City is located approximately 17 miles north of the United States-Mexico border and is bordered on the north by the City of Del Mar, the City of Poway, and unincorporated San Diego County land. On the east, the City of San Diego is bordered by the cities of Santee, El Cajon, La Mesa, and Lemon Grove, as well as unincorporated County of San Diego land. To the south, San Diego is bordered by the cities of Coronado, Chula Vista, and National City, as well as the United States-Mexico border. The Pacific Ocean is the City of San Diego's western border.

The Miramar Ranch North community is located in the north-central portion of the San Diego Metropolitan area, predominantly within the northeast limits of the City of San Diego. The community is located approximately 16 miles north of downtown San Diego and 13 miles south of the City of Escondido. The City of Poway is located immediately to the north of Miramar Ranch North, and Interstate 15 (I-15) forms the community's western border. Beyond I-15 to the west lie the Rancho Penasquitos and Mira Mesa communities within the City of San Diego. The Scripps Miramar Ranch Community Plan area is adjacent to Miramar Ranch North on the south. As shown in Figure 2-2, *Vicinity Map*, the Watermark project site is located in the northernmost portion of the Miramar Ranch North Community.

### 2.2 PROJECT LOCATION

As shown in Figure 2-3, *Project Location Map*, the Watermark project site is located in the southeast quadrant of I-15 and Scripps Poway Parkway. Situated south of Scripps Poway Parkway, east of I-15, a distance north of Mira Mesa Boulevard, and west of Scripps Highlands Drive, the Watermark project site encompasses approximately 34.39 acres, with 22.42 acres being rezoned and developed as a mix of office and retail (Area A), 11.97 acres remaining as the MedImpact office complex (Area B), and 0.57 acre of off-site improvement area associated with road improvements along Scripps Poway Parkway. (For a full description of Area A and B, please see Section 3.0, *Project Description*.) Single-family residential development within the Scripps Highlands neighborhood occurs east and south of the project site at elevations above the project site. Steep slopes vegetated in native habitat and preserved through an open space easement separate the Watermark site from the Scripps Highlands residential neighborhood on the south and east. North of the project is a small neighborhood commercial center (with hotels and restaurants) and office buildings are located to the northeast of the project site.

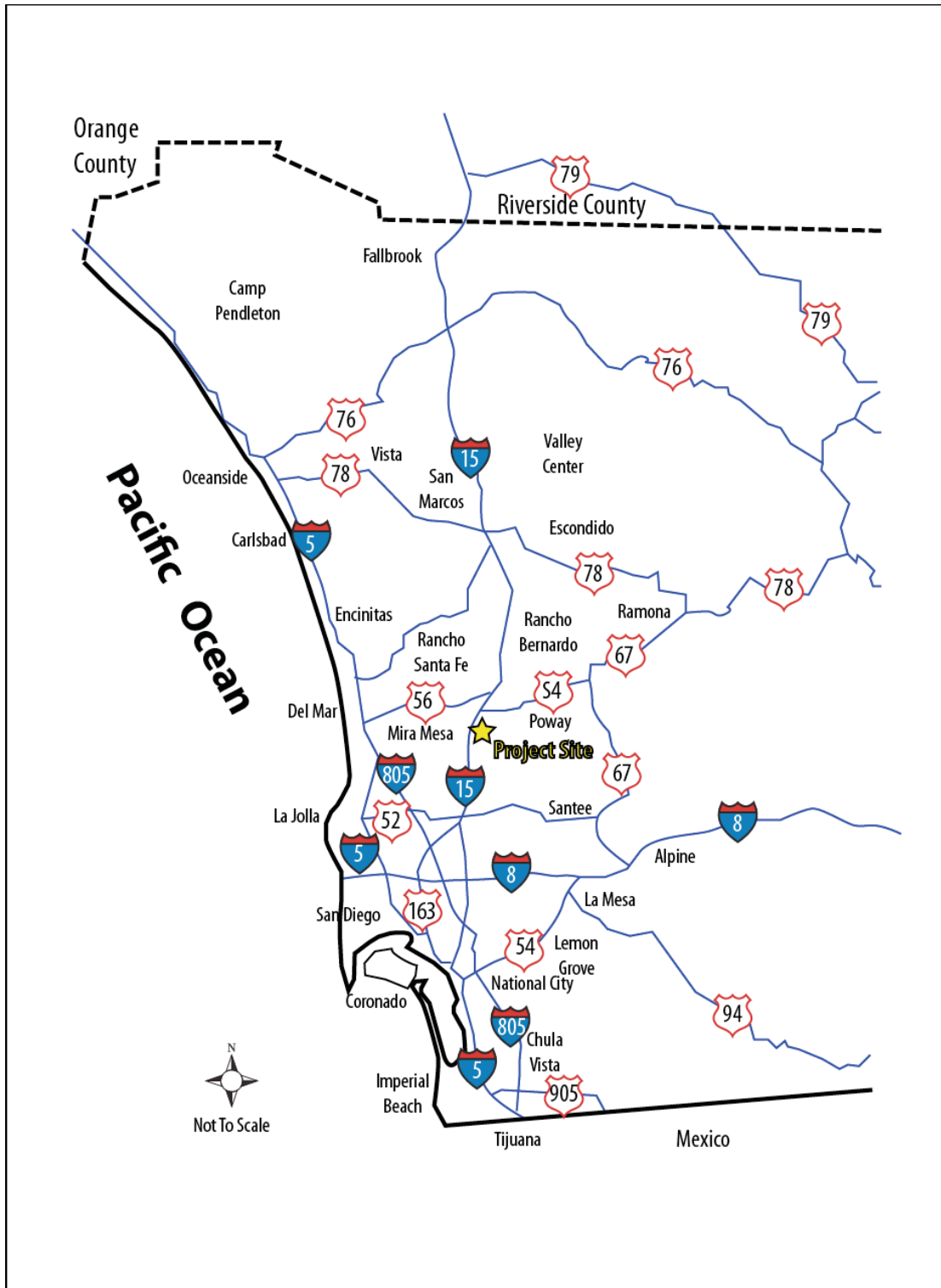


Figure 2-1. Regional Map



Figure 2-2. Vicinity Map



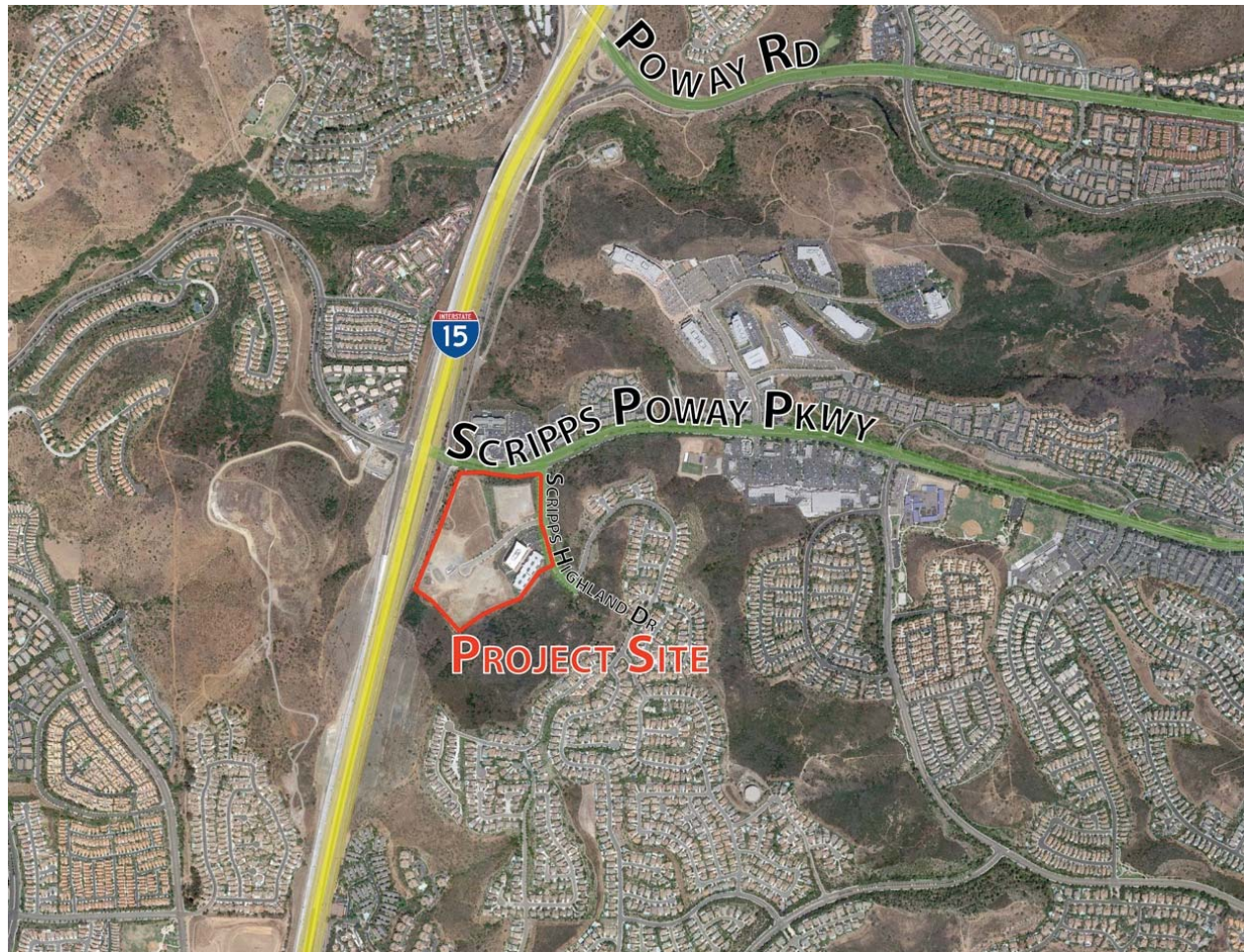


Figure 2-3. Project Location Map

Access to the project site is provided off Scripps Ranch Parkway. I-15 freeway ramps occur at Scripps Poway Parkway providing north- and south-bound access to the interstate.

Marine Corps Air Station Miramar (MCAS Miramar) is located approximately 4.5 miles southwest of the project site. The project site is within the MCAS Miramar Airport Influence Area (AIA). (See Section 5.1, *Land Use*, for a discussion of the proposed project's relationship to MCAS Miramar's Air Compatibility Land Use Plan.)

### 2.3 PROJECT HISTORY

The Watermark project site was a part of the larger Scripps Gateway project site (LDR No. 92-0466). Approved in July 1998, the Scripps Gateway project resulted in the subdivision of the original 242.1-acre property and zoning the property for residential, commercial retail, and industrial park uses through the approval of a General Plan/Community Plan Amendment, Tentative Map, Planned Industrial Development Permits, and associated actions. Consistent with the original approvals, residential development has occurred east and south of the Watermark site, and retail commercial and office uses have occurred to the north.



The Watermark portion of the Scripps Gateway project is identified as the location of the industrial park uses, originally approved as a Planned Industrial Development (PID) permit, and was zoned M-IP (now the IP-2-1 zone) as part of the original approvals. A Final EIR for the Scripps Gateway project (dated July 16, 1998) was certified for the existing approvals/previous project (LDR No. 92-0466; SCH No. 92101036).

The PID portion of the Scripps Gateway project (i.e., the entire Watermark project site) was subsequently amended in 2001 (LDR 99-1027), granting approval for MedImpact to construct its corporate campus to be comprised of seven buildings for use as office, employee training, a cafeteria, exercise facility, and childcare facility (for employee use only). Total development approved for MedImpact under the existing approvals is 658,456 square feet. Public improvements and mass grading were completed at the MedImpact site in 2002. In early 2008, construction began on previously approved Lot 1 of the MedImpact site. Current project approvals include an approved CUP, PID Permit, and Extension of Time (CUP/PID No. 99-1027; CUP No. 174323/PDP No. 174234 Extension of Time). The existing approvals in part allow for the construction of two Class A office buildings, totaling 350,743 square feet (Area B), as the new corporate headquarters for MedImpact Healthcare Systems, Inc. The first of the two buildings (approximately 155,000 square feet) and parking structure have been constructed on Lot 1 of the project site and are currently occupied.

The Watermark project proposes development of a portion of the previously approved PID portion of Scripps Gateway with a mix of retail commercial, movie theater, hotel, office buildings, and parking (both surface and structured). A detailed description of the proposed project is provided in Section 3.0, *Project Description*, of this EIR.

### 2.4 EXISTING SITE CONDITIONS

The Watermark project site encompasses approximately 34.96 acres (Areas A and B plus off-site improvement) and has been graded in accordance with existing approvals. Approximately 11.97 acres of the project site (Area B) are being developed as the MedImpact office complex, with the remaining 22.42 acres (Area A) proposed to be rezoned and developed as a mix of office and retail uses. The remaining 0.57-acre encompasses an off-site area associated with proposed improvements along Scripps Poway Parkway. (A detailed discussion of the proposed project and MedImpact office complex is included in Section 3.0, *Project Description*.) Figure 2-4, *Existing Site Conditions*, depicts the current lotting and the graded conditions for the project site.



Figure 2-4. Existing Site Conditions

One MedImpact building and parking structure have been constructed on approximately 4.16 acres in the eastern portion of the site (previously approved Lot 1). The office building is six stories in height, and the parking structure provides four levels of parking. Previously approved Lot 2 (5.68 acres), located immediately southwest of the existing MedImpact office building, has been graded for development of additional facilities to serve MedImpact. Other areas of the site planned for development in accordance with the original project approvals are graded and void of vegetation. Steep slopes vegetated in native habitat rim the project site on the south and west. Landscaped manufactured slopes occur along the west, north, and east perimeters of the site and around the graded pad in the northeast portion of the site. Scripps Poway Parkway forms the project site's northern border, and Scripps Highlands Drive forms the site's eastern border. Scripps Gateway Court extends west off Scripps Highlands Drive to the east, providing access to the existing MedImpact facilities. An open space area exists immediately south of the project site (Lot A).

### 2.4.1 Topography

The Watermark project site is comprised of graded lots with internal perimeter slopes on previously approved Lots 1 and 6. Additionally, previously approved open space Lot A contains perimeter slopes. Elevations of the graded pads range from approximately 500 feet above mean sea level (AMSL) in the northwest portion of the site to approximately 585 AMSL in the southeast portion of the site. Due to site topography, drainage occurs to the northwest, away from open space areas.

### 2.4.2 Biological Resources

As previously stated, the project site has been graded in accordance with existing project approvals, leaving the site as large graded pads essentially void of vegetation. Within Area B, previously approved Lot 1 has been developed as the first phase of the MedImpact campus, and previously approved Lot 2 is awaiting construction of other buildings approved as part of the MedImpact facilities. As such, the proposed project site consists of an existing paved cul-de-sac road (Scripps Gateway Court), graded pads, manufactured slopes and construction trailers, as well as an office building and parking structure existing on previously approved Lot 1. Since the site has been previously graded in accordance with existing approvals, a majority of the on-site conditions consist of non-native habitat, landscaped slopes, disturbed/ruderal areas, and developed lands. Within the southern portion of the property (Lot A), seeded coastal sage scrub slopes and undisturbed coastal sage scrub/chaparral habitat exists. Wildlife use of the property is limited as would be expected from a previously graded parcel. Little diversity, shelter, or food is available for use by wildlife. Species observed are typical of urbanized or ruderal areas and lack the typical diversity observed in native habitats or non-native grasslands. *Biological Resources* are addressed in Section 5.8 of this EIR.

### 2.4.3 Cultural Resources

The Watermark project site has been graded in accordance with the approved Scripps Gateway project. The Final EIR prepared for the Scripps Gateway project identified the potential for two archaeological sites (CA-SDI-10,780 and CA-SDI-13,186) near the Watermark project site boundaries. CA-SDI-10,780 lies under Scripps Poway Parkway and has been fully mitigated. CA-SDI-13,186 was tested as part of the Scripps Gateway project and determined not to be significant under CEQA. Cultural resources are addressed in Section 5.9, *Historical Resources (Archaeological Resources)*, of this EIR.



### 2.4.4 Geologic Conditions

Compacted fill and Santiago Peak Volcanics (metavolcanic-type rock) underlie the project site. According to the *City of San Diego Seismic Safety Study, Geologic Hazards and Faults*, the project site is categorized as *Zone 53: level or sloping terrain, unfavorable geologic structure, and low to moderate risk*. There are no active faults crossing the site. Previous grading of the project site in accordance with existing approvals has alleviated any unfavorable geologic conditions. Based on the geotechnical investigation performed for the proposed project, the site has suitable conditions for the construction and support of the proposed Watermark development. *Geological Conditions* are addressed in Section 5.10 of this EIR.

### 2.4.5 Paleontological Resources

The project site is underlain by compacted fill and Santiago Peak Volcanics composed of metavolcanic-type rock. Neither of these geologic units have the potential for paleontological resources per the Final Paleontological Mitigation Report prepared for the Scripps Gateway EIR (Appendix S of this EIR). No resources were located during the previous mass grading over this site associated with the Scripps Gateway project and none are expected for the proposed Watermark project. Paleontological Resources are addressed in Section 5.11, *Paleontological Resources*, of this EIR.

### 2.4.6 Visual Resources

The Watermark project site is situated on approximately 34.96 acres, ~~with 22.42 acres being rezoned and developed as a mix of office and retail, 11.97 acres entitled as the MedImpact office complex, and 0.57 acre associated with off-site improvements along Scripps Poway Parkway, in the Miramar Ranch North community.~~ The project site has been graded in accordance with previous approvals resulting in the creation of flat development pads. Steep slopes vegetated in native habitat that occur along the southern and southeastern portions of the site are preserved in open space easements (Lot A). Landscaped manufactured slopes occur along the west, north, and east perimeters of the graded pad in the northeast portion of the site.

Development has occurred on Area B of the project site in accordance with existing approvals. Specifically, the MedImpact building and parking structure have been constructed on approximately 4.16 acres in the eastern portion of the site (previously approved Lot 1). This office building is six stories in height, and the parking structure provides four levels of parking. Scripps Gateway Court has been constructed and extends off Scripps Highlands Drive, providing access to the existing MedImpact facilities.

Visual resources are addressed in Section 5.3, *Visual Effects/Neighborhood Character*, of this EIR.

## 2.5 SURROUNDING LAND USES

The Watermark project site is situated just east of the I-15 freeway and south of Scripps Poway Parkway. To the east and southeast are the Scripps Highlands residential neighborhoods. North of the Watermark project site, across Scripps Poway Parkway, is a retail commercial site (Scripps Gateway), providing hotel, retail, financial, and restaurant uses. Beyond that is an office building site, identified in the Miramar Ranch North Community Plan as the *North Ridge Site*, at an elevation higher than the adjacent commercial center. Figure 2-5, *Surrounding Land Uses*, shows the land uses surrounding the project site.

## 2.0 ENVIRONMENTAL SETTING



Figure 2-5. Surrounding Land Uses



### 2.6 PUBLIC INFRASTRUCTURE AND SERVICES

Public services are those amenities that serve residents on a community-wide basis. These services include fire protection, police protection, emergency medical, libraries, schools, and parks, as well as their maintenance. Future employees of and visitors to the Watermark project may require use of these services.

The following is a general discussion of the public services and facilities which would be required for the Watermark project based on correspondence and telephone conversations with service providers (see Appendix M, Letters/Responses to Service Providers), in addition to information obtained from the City of San Diego General Plan. (See Section 5.14, *Public Services and Facilities*, for an evaluation of the proposed project's possible impacts on public services and facilities. Figure 5.14-1, *Location of Public Services*, shows the location of public services and facilities that serve the project site and surrounding area.) This discussion does not include a description of parks, public schools, or libraries. Such services are residentially-driven. While employees of and visitors to uses within the Watermark could use these services, they would likely use them in the communities in which they reside.

#### 2.6.1 Police

Police protection for the Watermark would be provided by the San Diego Police Department. The goals of police service within San Diego are to provide for safe, peaceful, and orderly communities; and to respond to community needs, respect individuals, develop partnerships, manage emergencies, and apprehend criminals with the highest quality of service. Until the 1980s, the City provided its police services citywide, primarily from a single centralized facility. Several in-house and consultant studies were conducted during the 1970s to evaluate the benefits of decentralizing police functions. As a result of these studies, it was determined that several area stations were to be established throughout the City to better serve individual communities. To accomplish this, a twenty-year plan was developed to establish four new area police stations (Southeastern, Western, Eastern, and Northeastern), replace the existing Southern Division station, construct a new Administrative and Technical Center to replace the existing police headquarters, and relocate the Central Division. Developing needs also led to the construction of a Mid-City Division facility and a centralized Traffic Division facility.

To better serve local communities, the San Diego Police Department has established Community Relations Storefront locations throughout the City. The Miramar Ranch North community is served by the Northeastern Division police facility, on beat 233, located at 13396 Salmon River Road. The Northeastern Division provides police services to the communities of San Pasqual, Rancho Bernardo, Carmel Mountain, Rancho Peñasquitos, Sabre Springs, Mira Mesa, Miramar Ranch North, Rancho Encantada, Scripps Ranch, and Miramar.

According to May 17, 2012, correspondence with Police Lieutenant Ken Hubbs of the SDPD (see Appendix M), the Northeastern Division is currently staffed with 96 sworn personnel and one civilian employee. The current patrol strength is 73 uniformed patrol officers. Officers work ten-hour shifts. Staffing is comprised of three shifts which operate from 6:00 a.m. to 4:00 p.m. (First Watch), 2:00 p.m. to midnight (Second Watch), and from 9:00 p.m. to 7:00 a.m. (Third Watch). Using the Department's recommended staffing guidelines, Northeastern Division currently deploys a minimum of nine patrol officers on First Watch, 11 patrol officers on Second Watch, and seven

patrol officers on Third Watch. The goal citywide is to maintain 1.45 officers per 1,000 population ratio.

The San Diego Police Department has mutual aid agreements with all other Law Enforcement Agencies in San Diego County. Additionally, in order to best manage emergencies as development and population growth occurs, the City of San Diego has established the average response time guidelines. The calls are prioritized by the phone dispatcher and routed to the radio operator for dispatch to the field units. The priority system is designed as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the call priority as necessary based on the information received. Priority E and Priority 1 calls involve serious crimes in progress or those with a potential for injury. Priority 2 calls include vandalism, disturbances, and property crimes. Priority 3 includes calls after a crime has been committed, such as cold burglaries and loud music. Priority 4 include calls regarding parking complaints or lost and found reports.

The project site is located in the City of San Diego within the boundaries of police beat 246. The 2011 average response times for beat 246 are 7.7 minutes for Priority E calls, 15.2 minutes for Priority 1 calls, 21.2 minutes for Priority 2 calls, 44.8 minutes for Priority 3 calls, and 51.7 minutes for Priority 4 calls. The department's response time goals are:

- Priority E Calls (imminent threat to life) within seven minutes.
- Priority 1 Calls (serious crimes in progress) within 14 minutes.
- Priority 2 Calls (less serious crimes with no threat to life) within 27 minutes.
- Priority 3 Calls (minor crimes/requests that are not urgent) within 70 minutes.
- Priority 4 Calls (minor requests for police service) within 70 minutes.

The citywide average response times, for the same period, were 6.3 minutes for Priority calls, 11.1 minutes for Priority 1 calls, 22.8 minutes for Priority 2 calls, 62 minutes for Priority 3 calls, and 67.8 minutes for Priority 4 calls – all within the Department's response time goals. The Department strives to maintain the response time goals as one of various other measures used to assess the level of service to the community.

The department is currently reaching its targeted staffing ratio of 1.45 per 1,000 residents based on 2011 estimated residential population of 1,311,882. The ratio is calculated using the Department's total to take into account the support and investigative positions within the department. This ratio does not include the significant population increase resulting from persons who commute to work from outside the city of San Diego or those visiting. There are no current plans for additional police sub-stations in the immediate project area. Police response times in this community will continue to increase with the build-out of community plans and the increase of traffic generated by new growth. A Crime Prevention through Environmental Design Review (CPTED) is recommended by the police department to address general safety concerns.

### 2.6.2 Fire Safety

The goal of Fire-Rescue service within San Diego is to protect life, property, and the environment by delivering the highest level of emergency and fire-rescue services, hazard prevention, and safety education. The San Diego Fire-Rescue Department is responsible for the preparation, maintenance, and execution of Fire Preparedness and Management Plans and participates in multi-jurisdictional

disaster preparedness efforts. In the event of a large wildfire within or threatening City limits, the City's Fire-Rescue Department can be assisted by the California Department of Forestry, Federal Fire Department, or other local fire department jurisdictions.

A policy of San Diego Fire-Rescue is to locate, staff, and equip fire stations to meet established response times. There are two fire stations located near the Miramar Ranch North community in order to facilitate expeditious response times: Station Number 37 located at 10750 Scripps Lake Drive, and Station Number 44 located at 10011 Black Mountain Road.

In order to best serve the community, San Diego Fire-Rescue has established the following guideline. Response time objectives are based on national standards.

- Total response time for deployment and arrival of the first-in engine company for fire suppression incidents should be within four minutes 90 percent of the time.
- Total response time for deployment and arrival of the full first alarm assignment for fire suppression incidents should be within eight minutes 90 percent of the time.
- Total response time for the deployment and arrival of first responder or higher-level capability at emergency medical incidents should be within four minutes 90 percent of the time.
- Total response time for deployment and arrival of a unit with advanced life support (ALS) capability at emergency medical incidents, where this service is provided by the City, should be within eight minutes 90 percent of the time.

According to May 31, 2012, correspondence with Assistant Fire Marshal Lawrence Trame (see Appendix M), to treat medical patients and control small fires, the first-due unit should arrive within 7.5 minutes, 90 percent of the time from the receipt of the 911-call in fire dispatch. This equates to one-minute dispatch time, 1.5 minutes company turnout time, and five minutes drive time in the most populated areas. To confine fires near the room of origin, to stop wildland fires to under three acres when noticed promptly, and to treat up to five medical patients at once, a multiple-unit response of at least 17 personnel should arrive within 10.5 minutes from the time of 911-call receipt in fire dispatch, 90 percent of the time. This equates to one-minute dispatch time, 1.5 minutes company turnout time, and eight minutes drive time spacing for multiple units in the most populated areas.

To direct fire station location timing and crew size planning as the community grows, the adopted fire unit deployment performance measures based on population density (per square mile) zones are listed in the table below:

	Structure Fire Urban Area	Structure Fire Rural Area	Structure Fire Remote Area	Wildfires Populated Areas
	>1,000- people/sq. mi.	1,000 to 500 people/sq. mi.	500 to 50 people/sq. mi.	Permanent open space areas
1 <sup>st</sup> Due Travel Time	5	12	20	10
Total Reflex Time	7.5	14.5	22.5	12.5
1 <sup>st</sup> Alarm Travel Time	8	16	24	15
1 <sup>st</sup> Alarm Total Reflex	10.5	18.5	26.5	17.5

Where more than one square mile is not populated at similar densities, and/or a contiguous area with different zoning types aggregates into a population “cluster,” the following measures guide the determination of response time measures and the need for fire stations:

Area	Aggregate Population	First-Due Unit Travel Time Goal
Metropolitan	> 200,000 people	4 minutes
Urban-Suburban	< 200,000 people	5 minutes
Rural	500 - 1,000 people	12 minutes
Remote	< 500	> 15 minutes

Brush management is considered an integral, key component of an overall Fire Preparedness and Management Plan. For the Watermark project, brush management is addressed in Section 5.13, *Health and Safety*.

## 2.7 PLANNING CONTEXT

Development projects within the City of San Diego are guided by the City’s General Plan. More specifically, however, development proposals are reviewed in accordance with the community plan for the community in which they are located. The project site encompasses approximately 34.96 acres within the Miramar Ranch North Community Plan Area, with 22.42 acres being rezoned and developed as a mix of office and retail, 11.97 acres remaining as the MedImpact office complex, and 0.57 acre associated with improvements along Scripps Poway Parkway. In addition to the General Plan, for the Watermark project, the Miramar Ranch North Community Plan applies. (See Section 5.1, *Land Use*, of this EIR for a detailed discussion of the planning documents and policies affecting development of the project site.)

### 2.7.1 City of San Diego General Plan

The City’s General Plan sets forth a comprehensive, long-term plan for development within the City of San Diego. As such, the plan and development guidelines it identifies pertain to the project site. Elements of the General Plan address the following issue areas: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; and Historic Preservation. The General Plan identifies the project site as Industrial Employment (Figure 2-6, *City of San Diego General Plan Land Use Map*). Land use is addressed in Section 5.1, *Land Use*, of this EIR.

The project site is identified as Prime Industrial Land in the City of San Diego General Plan. The project proposes to remove the Prime Industrial Land identification from a portion of the project site (Area A) and change the land use designation for that area from Industrial to Regional Commercial. Impacts to local and regional Prime Industrial Lands due to proposed land use designation and zoning changes are discussed in Section 5.1.

### 2.7.2 Miramar Ranch North Community Plan

The project site is governed by the Miramar Ranch North Community Plan, which was first adopted by the San Diego City Council in 1980. Several amendments have occurred since its adoption, with the most recent amendment occurring in 1998.

According to the adopted Miramar Ranch North Community Plan, the project site is designated for Industrial/Business Park uses (see Figure 2-7, *Miramar Ranch North Community Plan Land Use Map*). The project proposes an amendment to the Community Plan to change the existing land use designation for a portion of the site to Regional Commercial/Residential Prohibited. Section 3.0, *Project Description*, describes the proposed Community Plan Amendment, and Section 5.1, *Land Use*, addresses the environmental effects that would result from the proposed change in land use.

## 2.8 ZONING

Zoning for the Watermark project site is governed by the City's Land Development Code (LDC). Within the Miramar Ranch North community, the project site is currently zoned IP-2-1 (Industrial-Park). (See Figure 2-8, *Existing Zoning*.) The purpose of the City's IP zones is to provide for high quality science and business park development. The property development standards of this zone are intended to create a campus-like environment characterized by comprehensive site design and substantial landscaping. Restrictions on permitted uses and signs in this zone are provided to minimize commercial influence. The IP-2-1 zone allows a mix of light industrial and office uses.

The project proposes to rezone a portion of the project from the existing IP-2-1 zone to CR-2-1 (Commercial-Regional). Area B (where the MedImpact facilities are located), consisting of 11.97 acres, would remain zoned IP-2-1. The remainder of the project site (Area A), 22.42 acres, would be rezoned to CR-2-1. The purpose of the CR-2-1 zone is to provide for a broad mix of business/professional office, commercial service, retail, wholesale, and limited manufacturing uses. Specifically, the CR-2-1 zone allows regional-serving commercial and limited industrial uses with an auto orientation but no residential uses. *Proposed Zoning* for the project is presented in Section 3.3.2.

## 2.9 MCAS MIRAMAR ALUCP

As shown in Figure 2-9, *MCAS Miramar – Airport Influence Area Map*, the Watermark project area is located within the AIA identified in the Airport Land Use Compatibility Plan (ALUCP) for MCAS Miramar. The basic function of the ALUCP is to promote compatibility between airports and the land uses that surround them to the extent that these areas are not already devoted to incompatible land uses. The ALUCP safeguards the general welfare of the inhabitants within the vicinity of MCAS Miramar and the public in general. (See Section 5.1, *Land Use*, for a discussion of the project site's relationship with the MCAS Miramar ALUCP.)



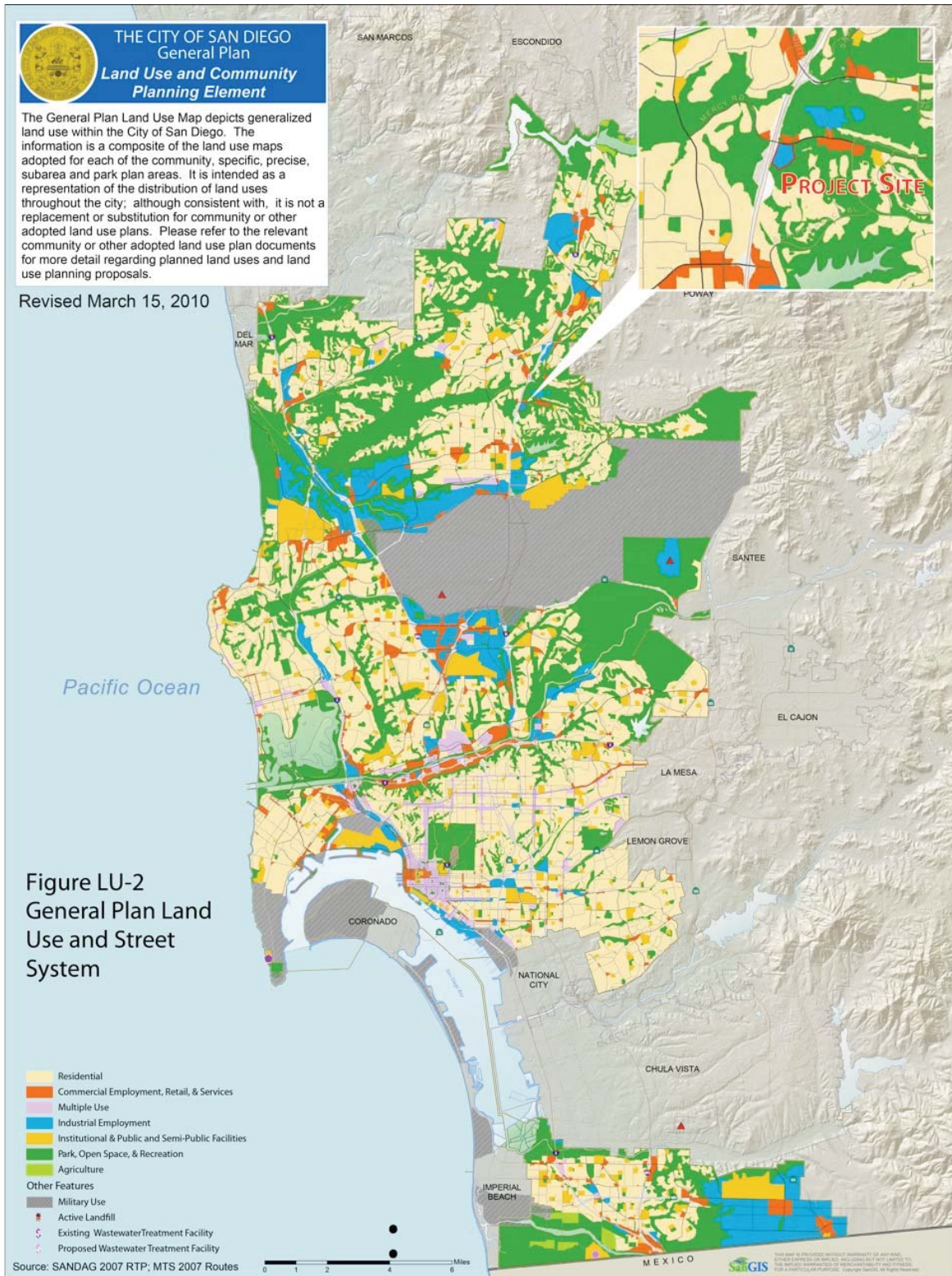
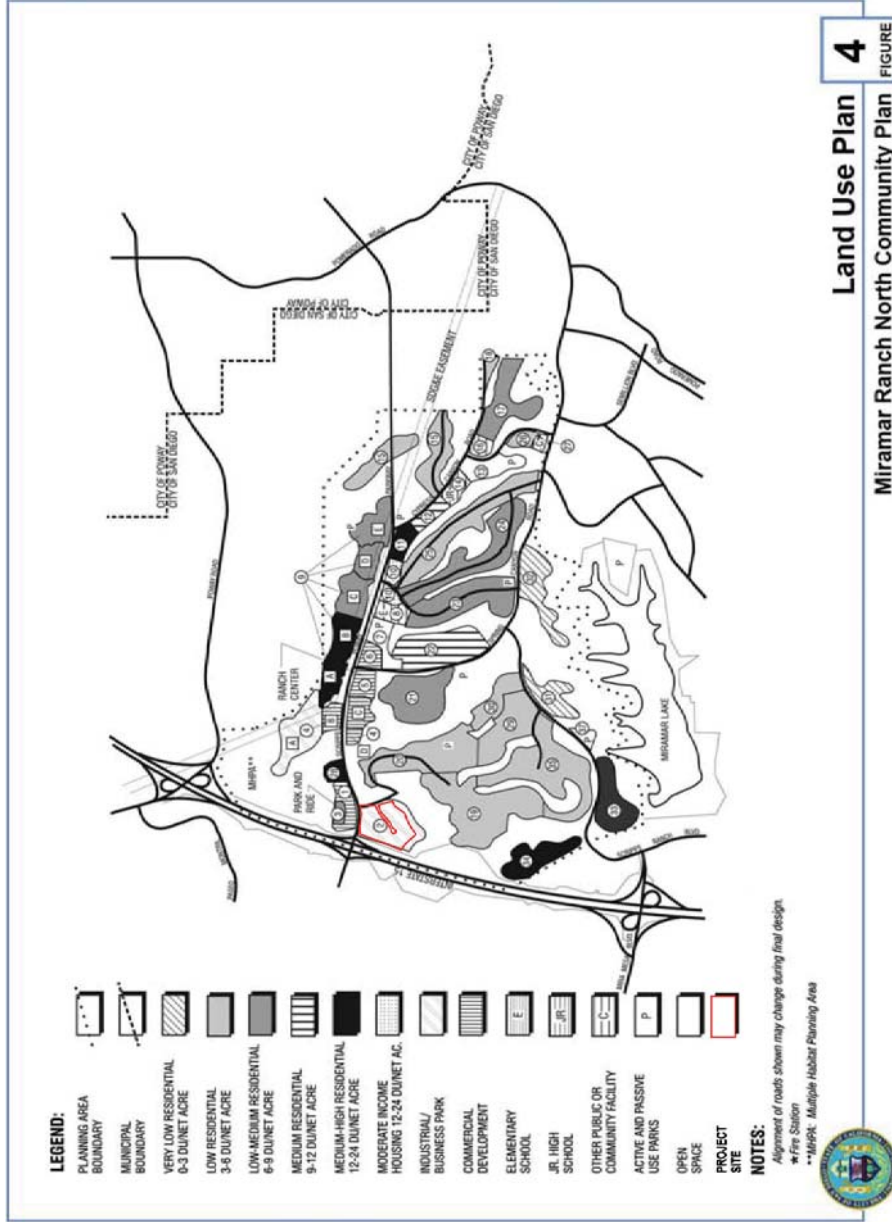


Figure 2-6. City of San Diego General Plan Land Use Map





**LAND USE BY PARCEL**

Parcel	Land Use Category	Density Range DU/AC	Usable <sup>1</sup> Acreage	Unit Limit
1	Future Institutional		47	
2	Industrial		6	
3	Park and Ride		27	
4A	Industrial		2	
4B	Commercial		33	
4C	Commercial		4	
4D	Commercial		11	
5	Commercial		5	
6	Recreational Commerce		11	
7	Park		7	
8	School		18	
9A	Medium-High	12-24	5	133
9B	Medium-High	12-24	9	133
9C	Low-Medium	6-9	12	80
9D	Low-Medium	6-9	13	73
9E	Low-Medium	6-9	12	74
10	Medium-High	12-24	12	288
11	Medium-High	12-24	6	144
12	Medium	9-12	6	72
13	Park		20	
14	School		5	
15	Low	3-6	44	244
16	Institutional		6	
17	Low-Medium	6-9	24	224
18	Low	3-6	3	17
19	Low	3-6	63	250
20	Low	3-6	50	199
21	Low-Medium	6-9	39	264
22	Medium	9-12	40	382
23	Low-Medium	6-9	35	235
24	Low-Medium	6-9	34	200
25	Low	3-6	37	174
26	Low	3-6	4	18
27	Fire Station		1	
28	Medium-High	12-24	8	135
29	Low	3-6	29	138
30	Low	3-6	7	30
31	Very Low	0-3	19	55
32	Very Low	0-3	31	102
33	Medium-High	12-24	20	300
34	Medium-High	12-24	19	410
35	Low	3-6	43	195
37	Lakeview Park		3	
<b>Total</b>			<b>839</b>	<b>4,589</b>

1. Usable Acreage - Pad areas less any roads shown in Figure 4.

Figure 2-7. Miramar Ranch North Community Plan Land Use Map



## 2.0 ENVIRONMENTAL SETTING

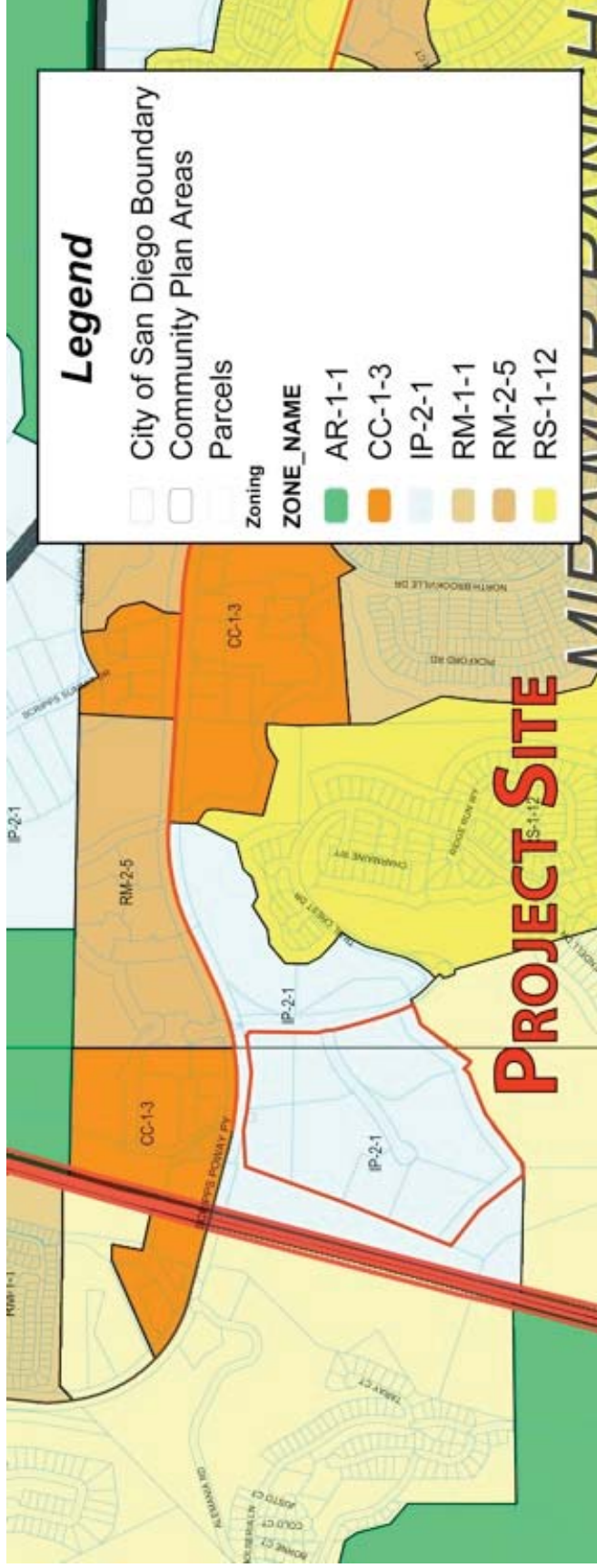


Figure 2-8 Existing Zoning



## 2.0 ENVIRONMENTAL SETTING

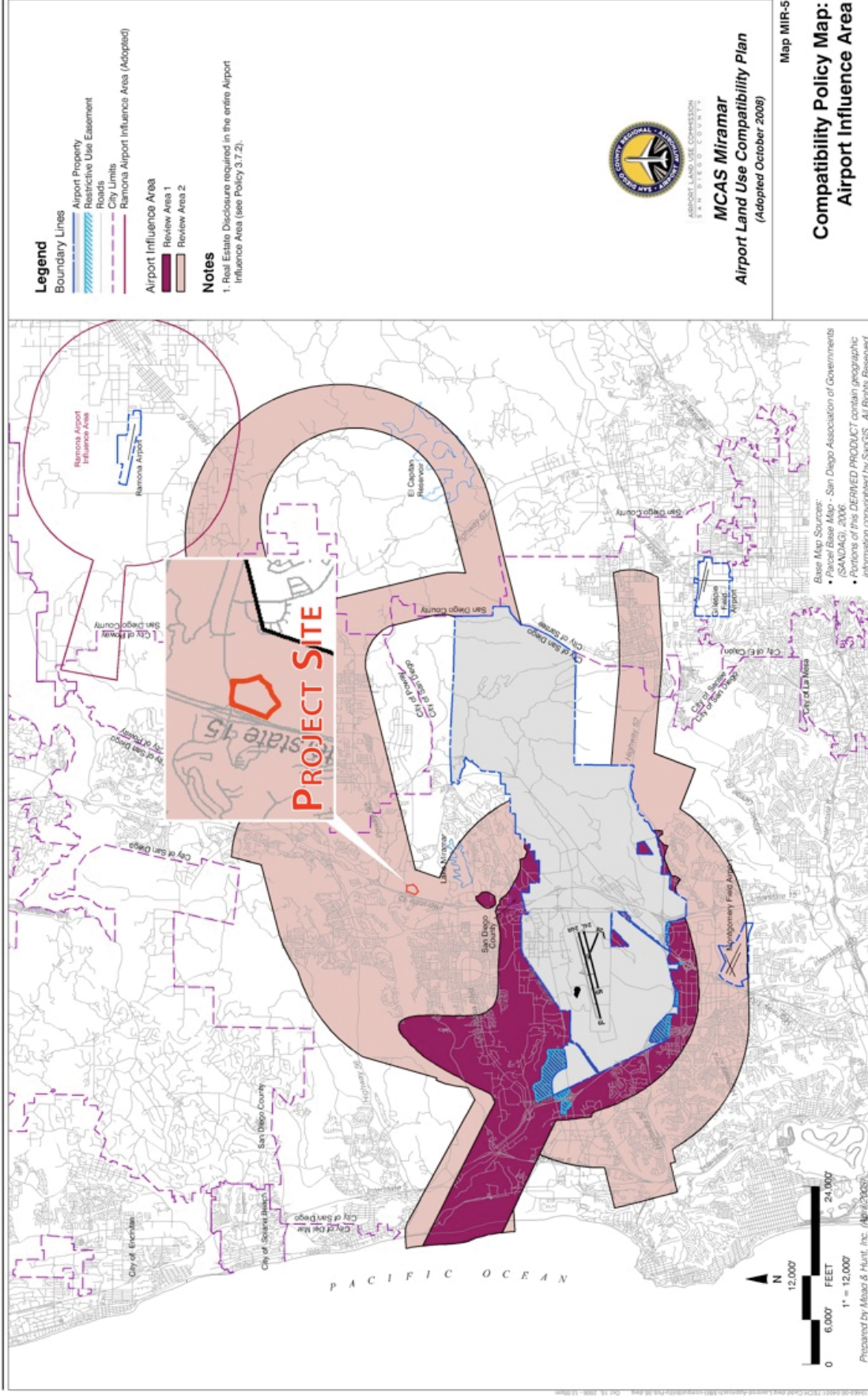


Figure 2-9. MCAS Miramar - Airport Influence Area Map

There are two Review Areas for MCAS Miramar. Review Area 1 consists of locations where noise and/or safety concerns may necessitate limitations on the types of land uses. Specifically, Review Area 1 encompasses locations exposed to noise levels of *CNEL* 60 dB or greater together with all of the safety zones depicted on the associated maps in the ALUCP. Within Review Area 1, *all* types of land use actions are to be submitted to the *ALUC* for review to the extent review is required by law. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight areas depicted on the associated maps in the ALUCP. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The additional function of this area is to define where various mechanisms to alert prospective property owners about the nearby airport are appropriate. Within Review Area 2, only land use actions for which the height of objects is an issue are subject to *ALUC* review.

The project site is within Review Area 2. The project's proximity to MCAS Miramar requires notification to the Federal Aviation Administration (FAA) in order to conduct an Obstruction Evaluation/Airport Airspace analysis under Title 14 code of Federal Regulations, Part 77. The project has completed an initial request for the aeronautical study and has received Determination of No Hazard to Air Navigation for the project (see Appendix N). Individual structures would be required to file subsequent notification to the FAA at least 30 days before the earlier of a) the date proposed construction or alteration is to begin, or b) the date the application for a construction permit would be filed. (The project's relationship to MCAS Miramar is addressed in Section 5.1, *Land Use*, of this EIR.)

The MCAS Miramar ALUCP addresses four types of airport land use compatibility concerns: noise, safety, airspace protection, and overflight. Noise contours have been established for the purpose of evaluating the noise compatibility of land use development in the AIA of MCAS Miramar. The Watermark project site is well outside any impacting noise contours for MCAS Miramar. (See Section 5.7, *Noise*, for a discussion on noise impacts, including those from aircraft activity at MCAS Miramar.) Safety zones for the MCAS Miramar ALUCP have been established for the purpose of evaluating the safety compatibility of land use development in the AIA. The Watermark project site is not located within a safety zone. Airport protection zones have been established to evaluate the airspace compatibility of land use development within the AIA. The Watermark project is not within the conical surface Airspace Protection Compatibility Area. The project site is within an overflight zone. Impacts relative to the overflight zone are discussed in Section 5.1, *Land Use*.

### 2.10 PROJECT BASELINE

CEQA Guidelines Section 15125(a) guides the discussion of the environmental setting for the proposed project and advises in the establishment of the project baseline. According to CEQA, “[a]n EIR *must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published[...]. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.*” The following discussion explains the baseline for the Watermark project.

The proposed Watermark project site encompasses the entirety of the approved 2001 Scripps Gateway project amendment for the MedImpact corporate headquarters, including the existing development on Lot 1 and the approved entitlements for Lot 2 (see Section 2-3, *Project History*), and the currently undeveloped portion of the MedImpact project (Lots 3 – 6). Under that approved

amendment, the MedImpact project site was divided into six lots. Lots 1 and 2 (referred to as Area B in this EIR) of that previous approval include the existing approximately 155,000 square feet of office space (Lot 1) and the yet-to-be constructed 195,743 square feet (Lot 2) of approved corporate office development for MedImpact development. Lot 1 (4.16 acres) includes the recently completed office building and parking structure. Lot 2 (5.68 acres) is entitled as part of the previous approved MedImpact project to construct an office building, parking structure, and ancillary building. While no construction has occurred on Lot 2, building permits can be issued and construction can proceed in accordance with the existing, vested approvals. When completed, Lots 1 and 2 will result in 350,743 square feet of corporate office space. The remainder of the project site (referred to as Area A in this EIR) encompasses 21.13 acres of previously graded but undeveloped pads for MedImpact and 3.42 acres of open space (Lot A). For purposes of this EIR, the existing development on MedImpact Lot 1, the vested development for MedImpact Lot 2, and the remainder of the graded and undeveloped project site establish the existing conditions and baseline for the project. (See Table 2-1, *Baseline Conditions*.)

**Table 2-1. *Baseline Conditions***

	Area	Existing Conditions
Area A	21.13 Acres	Undeveloped/Graded Pads
	3.42 Acres	Open Space Lot A
Area B		
MedImpact Lot 1	4.16 Acres	155,000 square feet corporate office space
MedImpact Lot 2	5.68 Acres	195,743 square feet corporate office space
Off-Site Area	0.57 acre	Off-Site Improvement Area
<b>TOTAL</b>	<b>34.96 Acres</b>	<ul style="list-style-type: none"> <li>• 21.13 acres - Undeveloped/Graded Pads</li> <li>• 3.42 acres - Open Space Lot A</li> <li>• 9.84 acres - 350,743 square feet corporate office space</li> <li>• 0.57 acre - Off-Site Improvement Area</li> </ul>

## 3.0 PROJECT DESCRIPTION

### 3.1 PROJECT BACKGROUND

This EIR analyzes potential environmental effects associated with the proposed Watermark project, located on approximately 34.96 acres in the Miramar Ranch North community, San Diego, California, with 22.42 acres (Area A) being rezoned and developed as a mix of office and retail, 11.97 (Area B) acres remaining as the MedImpact office complex, and 0.57 acre associated with improvements along Scripps Poway Parkway. As described in Section 2.3, *Project History*, the Watermark project site was a part of the larger Scripps Gateway project, approved in 1998. Industrial park land uses were originally approved for the Watermark project site as a PID permit, and the project site was zoned M-IP (now the IP-2-1 zone) as part of the original approvals.

The Watermark project site is the location of previous approvals associated with the larger Scripps Gateway project approved in 1998 (LDR No. 92-0466). The Scripps Gateway project was subsequently amended in 2001, granting approval for MedImpact to construct its corporate campus on the project site (LDR No. 99-1027). Under the approved 2001 amendment, the MedImpact facilities were to be comprised of seven buildings for use as offices, employee training, a cafeteria, exercise facility, and childcare facility (for employee use only) for a total of 658,456 square feet. (See Figure 2-4, *Existing Site Conditions*.) Public improvements and mass grading were completed at the site in 2002. Under the proposed project, two of the seven buildings approved with the MedImpact project have been (previously approved Lot 1) or will be constructed (previously approved Lot 2).

Development has occurred on the project site under the existing entitlements for the construction of the first of two Class A office buildings, totaling 350,743 square feet, as the new corporate headquarters for MedImpact Healthcare Systems, Inc. In 2008, construction for MedImpact began on previously approved Lot 1 of the project site, and the first of the two buildings (approximately 155,000 square feet) and parking structure have been constructed on the project site. The second office building and accessory facilities are approved and will be developed on previously approved Lot 2. The Watermark project encompasses the previously approved Lots 1 and 2 (Area B) and the proposed development of the remainder of the project site (Area A) as a mixed-use commercial retail and office development. The proposed project includes changes to the approved MedImpact PID, which involve constructing a restaurant in the northeast corner of MedImpact Lot 1 and shared use of parking garages on MedImpact Lots 1 and 2.

Figure 2-3, *Project Location Map*, shows development that has occurred on the project site to-date, including the MedImpact building and parking structure that exist on previously approved Lot 1 of the Watermark project site, as well as graded areas for Lot 2 and all of Area A that has not yet developed. Development of previously approved Lot 2 has been approved and can move forward with or without approval of the Watermark project. The Watermark project proposes development on Area A with a mix of retail commercial, movie theater, hotel, office buildings, and parking (both surface and structured), as described in detail below. Approved development of Area B is included within the Watermark project site boundary, except where noted for certain environmental impact analysis. (See Section 1.2.2, *Format of the EIR*, for a discussion of what areas each technical study addresses.)



The MedImpact corporate headquarters will ultimately be comprised of an 88-foot-tall, five-story and 112-foot-tall six-story LEED® Gold-rated office buildings with high visibility to the I-15 corridor. An ancillary structure of 26,469 square feet to serve as an employee cafeteria and fitness center will be located between the two office buildings. These first two phases of the project have already received City approval.

To implement the goal to create a coherent and signature design statement at this community gateway to Miramar Ranch North, these Class A office buildings draw from the same palette of colors and materials, including the use of natural stone, to achieve compatibility in the implementation of the office campus. The modern design is achieved through an extensive use of glass with metal and accents. Building articulation employs the subtle use of offsets and curves to provide relief to rectangular building design. The buildings are oriented to provide an offset view from the freeway and the primary drive from Scripps Highland Drive, as well as shield the view to the parking structures that serve each building.

### 3.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT

CEQA Guidelines require that the Project Description include a statement of the objectives sought by the proposed project. A clearly defined written statement of the objectives would help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and would aid decision-makers in preparing findings and overriding considerations, if necessary. The statement of objectives also needs to include the underlying purpose of the project [CEQA Guidelines Section 15124(b)].

Actions associated with the proposed project include a VTM, a PDP with Design Guidelines, a Street Vacation for Scripps Gateway Court, and a CUP for a movie theater. To implement the Watermark project, the project also requires an Amendment to the Miramar Ranch North Community Plan to change the land use designation from Industrial/Business Park to Regional Commercial and associated General Plan Amendment to change the General Plan land use designation from industrial to Regional Commercial, a General Plan Amendment to remove the Prime Industrial Lands identification from Area A of the project site, and a Rezone for a portion of the project site from IP-2-1 (Industrial-Park) to CR-2-1 (Commercial-Regional).

#### ***Project Purpose***

The purpose of the Watermark project is to create a viable mix of commercial retail, visitor commercial, office, and entertainment uses that would serve the adjacent residential neighborhoods, the Miramar Ranch North community, and adjacent communities. The project's location and proposed uses would serve to reduce trips to outlying areas for similar retail services while also expanding employment uses proximate to residential development.



### ***Project Objectives***

The project objectives associated with the Watermark project are as follows:

- Create a coherent and signature design statement at a community gateway to Miramar Ranch North.
- Provide flexibility in the allocation of commercial office and retail development based on market demand and consistent with limitations established by the Traffic Impact Analysis prepared for the project.
- Allow for retail uses currently unavailable in the surrounding market area.
- Implement design guidelines that would ensure high quality design and aesthetics, creating a landmark for the community.
- Provide quasi-public space for community use in the form of a pedestrian plaza as a focal point for the project, which would function as a lively gathering place for visitors, employees, and neighbors.
- Implement transportation (vehicular, bicycle, and pedestrian) improvements that would improve operations of the current roadway and bicycle network and would encourage pedestrian use.

### **3.3 PROJECT CHARACTERISTICS**

To implement the Watermark project, the project applicant is requesting approval of an Amendment to the Miramar Ranch North Community Plan to change the land use designation from Industrial/Business Park to Regional Commercial and associated General Plan Amendment to change the General Plan land use designation from industrial to Regional Commercial, a General Plan Amendment to remove the Prime Industrial Lands identification from Area A of the project site, a Rezone for a portion of the project site from IP-2-1 (Industrial-Park) to CR-2-1 (Commercial-Regional), a Vesting Tentative Map, a PDP with Design Guidelines, Vacation of a Public Utility Easement, a Street Vacation for Scripps Gateway Court, and a CUP for a movie theater. The elements of these various project actions are described below.

In addition to new development, the proposed project includes development that is occurring on the project site in accordance with existing project approvals. Existing project approvals include an approved CUP, PID Permit, PDP, and Extension of Time (CUP/PID No. 99-1027; and CUP No. 174323/PDP No. 174234 Extension of Time). The existing approvals allow for the construction of two Class A office buildings, totaling 350,743 square feet, and four additional buildings as the new corporate headquarters for MedImpact Healthcare Systems, Inc. The first of the two buildings (approximately 155,000 square feet) and parking structure have been constructed on the site.

Table 3-1, *Proposed Project Development Intensity*, shows the proposed development for the Watermark project, including the existing approvals in effect on the site. In order to allow flexibility in the mix of regional commercial office and/or retail uses in a manner that is reflective of market conditions for employment and retail serving uses, the Traffic Impact Analysis is based on a “target development intensity.” It is the target development intensity that forms the basis of analysis in this EIR. Depending on the needs of the marketplace at the time development occurs, other mixes of office and retail development could occur and may result in more or less than the target development intensity, provided that the overall development remains consistent with the Traffic Impact Analysis for both total traffic generated and the amount of peak-hour trips and that the

development complies with the Watermark Architectural Design Guidelines. Therefore, the following table includes the target development intensity, as well as the minimum and maximum development intensity range, that could be developed subject to the limitations of the Traffic Impact Analysis.

**Table 3-1. Proposed Project Development Intensity**

USE	DEVELOPMENT INTENSITY		
	APPROVED (Lots 1 and 2)	PROPOSED <sup>1</sup>	
		Development Intensity Range	Target Development Intensity
Commercial Office	350,743 sq. ft. <sup>2</sup>	400,000 – 658,456 sq. ft.	502,112 sq. ft.
Commercial Retail	--	0 – 500,000 sq. ft.	316,000 sq. ft.
Entertainment (Theater)	--	0 – 45,000 sq. ft.	43,917 sq. ft.
Hotel (130 rooms)	--	0 – 100,000 sq. ft.	90,540 sq. ft.
		<b>TOTAL</b>	<b>953,566 sq. ft.</b>

<sup>1</sup> Includes approved project of 350,743 square feet.

<sup>2</sup> Constructed Lot 1 – 155,000 square feet.

The proposed PDP includes the development square footage for the Watermark project (both Area A and B) and would supplant the existing vested approvals. For the purposes of the EIR, the development of Area B (Lots 1 and 2) will be considered as part of the existing conditions, except where noted.

**3.3.1 Miramar Ranch North Community Plan/General Plan Amendment**

The project site is identified as the *Mercy Site* in the Miramar Ranch North Community Plan and shown for industrial park uses. (See Figure 2-7, *Miramar Ranch North Community Plan – Existing Land Use Designations*.) The project is proposing an amendment to the Miramar Ranch North Community Plan to change the land use designation from Industrial to Regional Commercial (see Figure 3-1, *Miramar Ranch North Community Plan – Proposed Land Use Designations*). Specific elements of the Community Plan that are affected by this proposed change include the Industrial and Commercial elements. Additional minor changes are proposed to the Miramar Ranch North Community Plan text and graphics to ensure consistency with the proposed amendment for the Watermark throughout. The proposed revisions to the Miramar Ranch North Community Plan are detailed below.

- **Figure 4, Miramar Ranch North Community Plan: Land Use Plan:** Proposed change in Land Use Plan to identify the Watermark project site as Regional Commercial (see Figure 3-1).
- **Various tables and exhibits:** Change the land use on the project site from Industrial to Regional Commercial and adjust area acreages, as applicable, throughout the Community Plan.
- **Transportation Element:** Update text to reflect current and on-going improvements to I-15; expand discussion of the Mercy Road Interchange to reflect change in land uses on the Watermark site.

- **Industrial Element:** Adjust area acreages and revise text and exhibits to remove the Mercy Site (the Watermark project site) from discussion as a location for industrial development.
- **Commercial Element:** In addressing the *Community Commercial Needs* (Section 6.1 of the Community Plan’s Commercial Element Chapter), the proposed amendment expands discussion to include the Watermark project as a regional commercial center to provide “*shopping opportunities currently served by North County Fair in Escondido that are not provided by local neighborhood and community retail*”, with Class A office buildings (MedImpact) designed as a corporate campus. Additional text is proposed for the Community Plan’s Commercial Element that defines the purpose of the change in land uses for the project site, stating:

*The growth in the I-15 corridor has increased the demand for specialty retailers that is being served by the emergence of lifestyle retail centers. The unique nature of this type of center allows for a site design on a much smaller footprint than the traditional regional center that includes multiple anchor tenants. The Mercy Interchange site provides an optimum location between two major regional centers to serve an emerging clientele. This site is also well located to serve an increased demand in high quality corporate office to reflect shifts in the economic structure of the region. The General Plan designation of Regional Commercial provides flexibility to meet the needs of any combination of regional commercial office and/or retail.*

Proposed revisions to Section 6.2 – *Location of Commercial Development* – of the Community Plan’s Commercial Element addresses the types of uses that can occur at the project site, stating:

*Regional commercial development is proposed for the southeast corner of the Mercy Interchange site, with access provided from Scripps Poway Parkway and Scripps Highlands Road. As should in Figure 17 [of the Community Plan], this location takes advantage of the proximity to I-15 to provide employment and attract users from the I-15 corridor communities and the region at large. This designation allows a flexible range of commercial service, civic, retail, office, and limited industrial uses; residential is prohibited at this location. The larger size of this site (almost 30 acres) provides greater opportunities for an integrated design of commercial office and/or retail uses that would not typically compete with the community serving retail identified in the Plan. The following uses are appropriate:*

- *Commercial recreation, such as sports club, hotel, restaurant and/or movie theater.*
- *Corporate and business offices and commercial support services.*
- *Financial institutions.*
- *Retailing establishments.*
- *Service station and/or automobile repair.*
- *Food store and/or drugstore.*



3.0 PROJECT DESCRIPTION

LAND USE BY PARCEL

Parcel	Land Use Category	Density Range DU/AC	Usable <sup>1</sup> Acreage	Unit Limit
	Future Institutional		47	
1	Commercial		6	
2A	Regional Commercial		22	
2B	Industrial		12	
3	Park-and-Ride		2	
4A	Industrial		33	
4B	Commercial		4	
4C	Commercial		11	
4D	Commercial		5	
5	Commercial		11	
6	Recreational Commerce		7	
7	Park		18	
8	School		5	
9A	Medium-High	12 - 24	9	133
9B	Medium-High	12 - 24	9	133
9C	Low-Medium	6 - 9	12	80
9D	Low-Medium	6 - 9	13	73
9E	Low-Medium	6 - 9	12	74
10	Medium-High	12 - 24	12	288
11	Medium-High	12 - 24	6	144
12	Medium	9 - 12	6	72
13	Park		20	
14	School		5	
15	Low	3 - 6	44	244
16	Institutional		6	
17	Low-Medium	6 - 9	24	224
18	Low	3 - 6	3	17
19	Low	3 - 6	63	250
20	Low	3 - 6	50	199
21	Low-Medium	6 - 9	39	264
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23	Low-Medium	6 - 9	35	235
24	Low-Medium	6 - 9	34	200
25	Low	3 - 6	37	174
26	Low	3 - 6	4	18
27	Fire Station		1	
28	Medium-High	12 - 24	8	135
29	Low	3 - 6	29	158
30	Low	3 - 6	7	30
31	Very Low	0 - 3	19	55
32	Very Low	0 - 3	31	102
33	Medium-High	12 - 24	20	300
34	Medium-High	12 - 24	19	410
35	Low	3 - 6	43	195
37	Lakeview Park		3	
<b>Total</b>			<b>846</b>	<b>4,589</b>

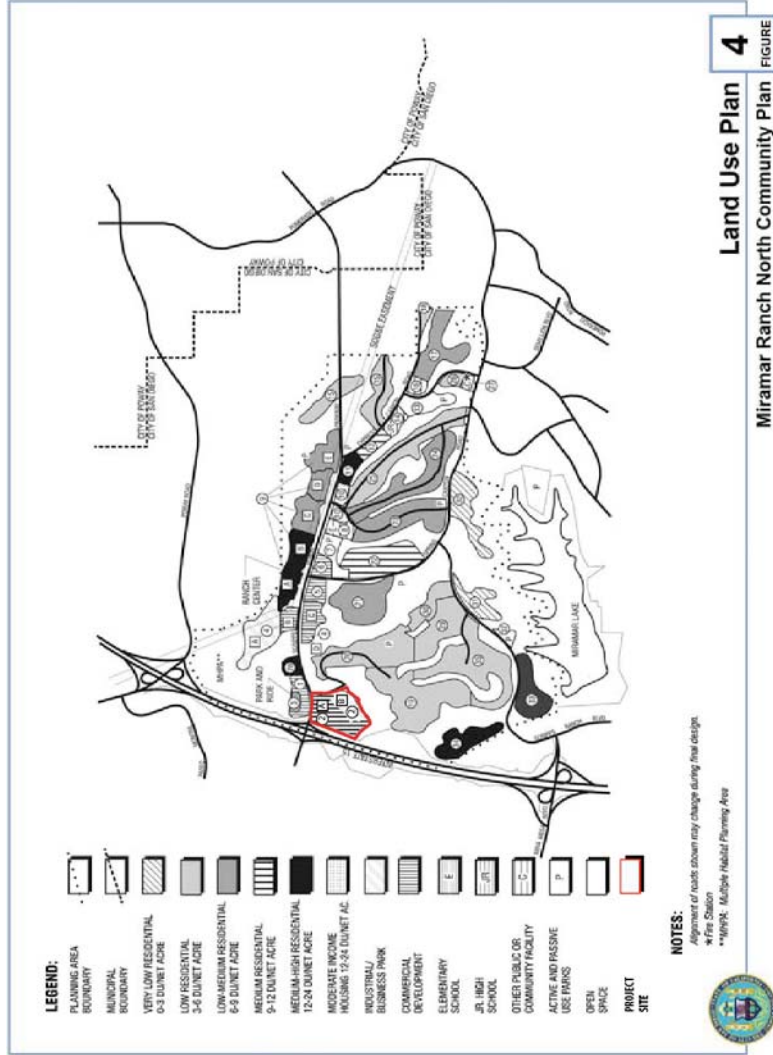


Figure 3-1. Miramar Ranch North Community Plan – Proposed Land Use Designations





Additionally, the proposed amendment inserts the following text into Section 6.3 – *Commercial Element Guidelines* – of the Community Plan’s Commercial Element:

*The regional commercial center should be developed under appropriate commercial and industrial zoning that prohibits residential uses and provides flexibility by allowing for corporate and multi-tenant office uses and community and regional serving retail establishments.*

*In addition, it is recommended that the regional commercial be undertaken as a planned development permit (PDP). The PDP should be utilized to implement the proposals in regard to uses outlined in Section 6.2 [of the Community Plan], while providing the flexibility to adjust the combination of commercial office and retail subject to the limitations of the final traffic impact study. The use of design guidelines in conjunction with the PDP would ensure development would be aesthetically pleasing and visually compatible within the site.*

### 3.3.2 Proposed Zoning

As stated in Section 2.8, *Existing Zoning*, and shown in Figure 2-8, the project site is currently zoned IP-2-1 (Industrial-Park). The purpose of the City’s IP zones is to provide for high quality science and business park development. The property development standards of this zone are intended to create a campus-like environment characterized by comprehensive site design and substantial landscaping. Restrictions on permitted uses and signs in this zone are provided to minimize commercial influence. The IP-2-1 zone allows a mix of light industrial and office uses.

The project proposes to rezone a portion of the project from the existing IP-2-1 zone to CR-2-1 (Commercial-Regional). Specifically, Lots 1 and 2 of Area B (where the MedImpact facilities are located), 11.97 acres, would remain zoned IP-2-1. The remainder of the project site, 22.42 acres, would be rezoned to CR-2-1 (see Figure 3-2, *Proposed Zoning*).

The CR zones provide areas for a broad mix of business/professional office, commercial service, retail, wholesale, and limited manufacturing uses. The CR zones are intended to accommodate large-scale, high intensity developments. According to the City’s Land Development Code, property within the CR zones would be primarily located along major streets, primary arterials, and major public transportation lines. The CR-2-1 zone allows for regional-serving commercial and limited industrial uses with an auto orientation but no residential use.

### 3.3.3 Vesting Tentative Map

In order to facilitate development of the Watermark project, a Vesting Tentative Map (VTM) is proposed. The Watermark VTM details grading required for the project and final elevations, as well as necessary infrastructure, and has been prepared in accordance with the State Subdivision Map Act and City requirements (see Figure 3-3, *Watermark Vesting Tentative Map*). The VTM also subdivides the property for financing and ownership purposes. The *Proposed Lotting* for the project is shown in Figure 3-4 (see Figure 2-4, *Existing Site Conditions*, for existing approved lotting).

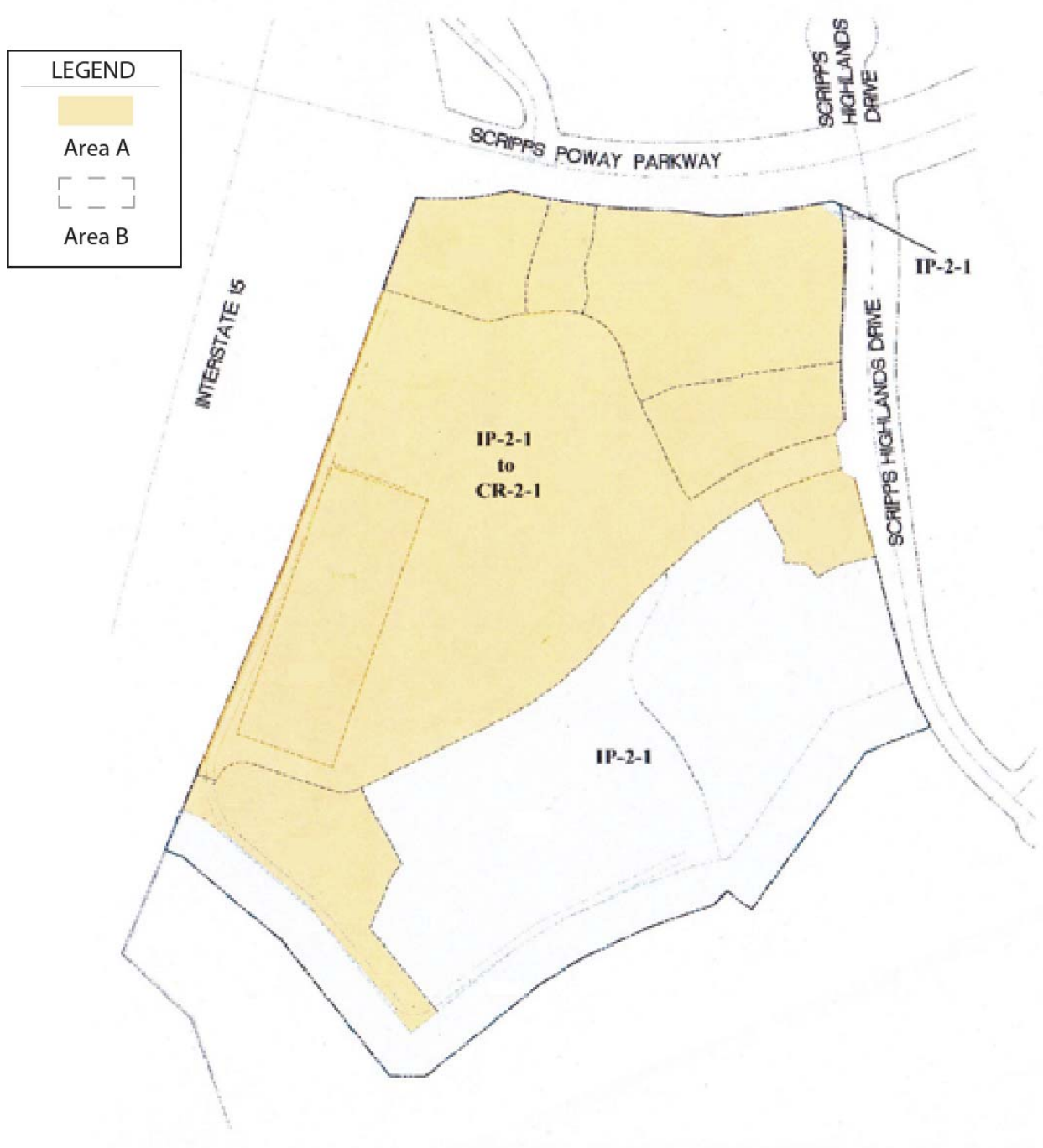


Figure 3-2. Proposed Zoning

Of the approximately 34.96-acre project site, roughly 18.9 acres would be re-graded for the Watermark project. As the project site has been previously graded in accordance with original and existing project approvals, for the most part, the proposed Watermark project would require only finish grading to accommodate development. Primary changes to the existing graded site involve grading for the proposed driveway access off Scripps Poway Parkway. At this location, previously graded slopes along Scripps Poway Parkway would be re-graded to allow for construction of the driveway entrance. Grading would also occur for a basement level below the proposed theater, where retail shops would be located. Earthwork for the project would require approximately 140,000 cubic yards of cut and approximately 75,000 cubic yards of fill. Approximately 65,000 cubic yards of material would be exported. Cut slopes would range up to 25 feet in height, and fill slopes would reach 17 feet in height. All manufactured slopes would have a gradient of 2:1.

Retaining walls are proposed at the edge of the graded pads in various locations on the site. A retaining wall would occur along the southern portion of the site, ranging in heights of three feet to six feet for a length of approximately 360 feet. A smaller section of retaining wall, approximately 150 feet in length and reaching a height of 15 feet, would occur in the western portion of the site. Retaining walls, ranging from three feet to six feet, would also be used along Scripps Poway Parkway. Smaller walls would be used at the project entry and internally in conjunction with buildings.

### 3.3.4 Planned Development Permit

A PDP is proposed for the Watermark project. According to the City's Land Development Code, the purpose of a PDP is “. . . to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. . .” A PDP is proposed for the Watermark project to allow for flexibility in buildings heights and wall heights, and to allow shade structure on the roof of the parking garage as described below under *Proposed Deviations*. The Watermark PDP would apply to 22.42 acres of the project site where a mixed-use development comprised of commercial office space, commercial retail space, a movie theater, and 130-room hotel are proposed. The remaining 11.97 acres of the project site would retain the approved MedImpact corporate headquarters CUP/PID 99-1027.





### 3.0 PROJECT DESCRIPTION



#### LEGEND

ITEM	SYMBOL
PROPERTY LINE/TW BOUNDARY	—
RIGHT-OF WAY	—
NO ACCESS EASEMENT	—
EXISTING CONTOUR	482
PROPOSED CONTOUR	482
CUT/FILL SLOPE (2:1 MAX)	—
DAYLIGHT LINE	—
EXISTING DRAINAGE DITCH	—
DAYLIGHT LINE	—
PROPOSED DRAINAGE DITCH	—
FLOW DIRECTION AND SLOPE	—
RETAINING WALL	—
LIMIT OF WORK	—
PROPOSED STORM DRAIN	—
EXISTING STORM DRAIN	—
CLEANOUT	—
CURB INLET	—
RIDGE LINE	—
UNDERGROUND BUILDING	—
BUILDING FINISH FLOOR ELEVATION	519.2FF
STEP BETWEEN BUILDING FINISH FLOORS	—
CROSS SECTION NODE	—
PROPOSED SIGNALIZED INTERSECTION	TS
EXISTING SIGNALIZED INTERSECTION	TS
VISIBILITY TRIANGLE PER MUNICIPAL CODE 11.5.0273 (NO OBSTACLES OVER 3" HIGH ALLOWED WITHIN VISIBILITY TRIANGLE)	—

#### STORMWATER BMP NOTES

- 1 BELOW GROUND MEDIA FILTER VAULT OR EQUAL PER MOWR
  - 2 BIO-SWALE PER MOWR
  - 3 LID AREA - PERVIOUS PAVEMENT, FLOW THROUGH LANDSCAPE OR EQUAL PER MOWR
  - 4 CATCH BASIN FILTER INSERT OR EQUAL PER MOWR
- STORMWATER QUALITY BMPs WILL BE DEPENDANT UPON FINAL ENGINEERING AND ARE SUBJECT TO CHANGE.

Figure 3-3. Watermark Vesting Tentative Map



### 3.0 PROJECT DESCRIPTION

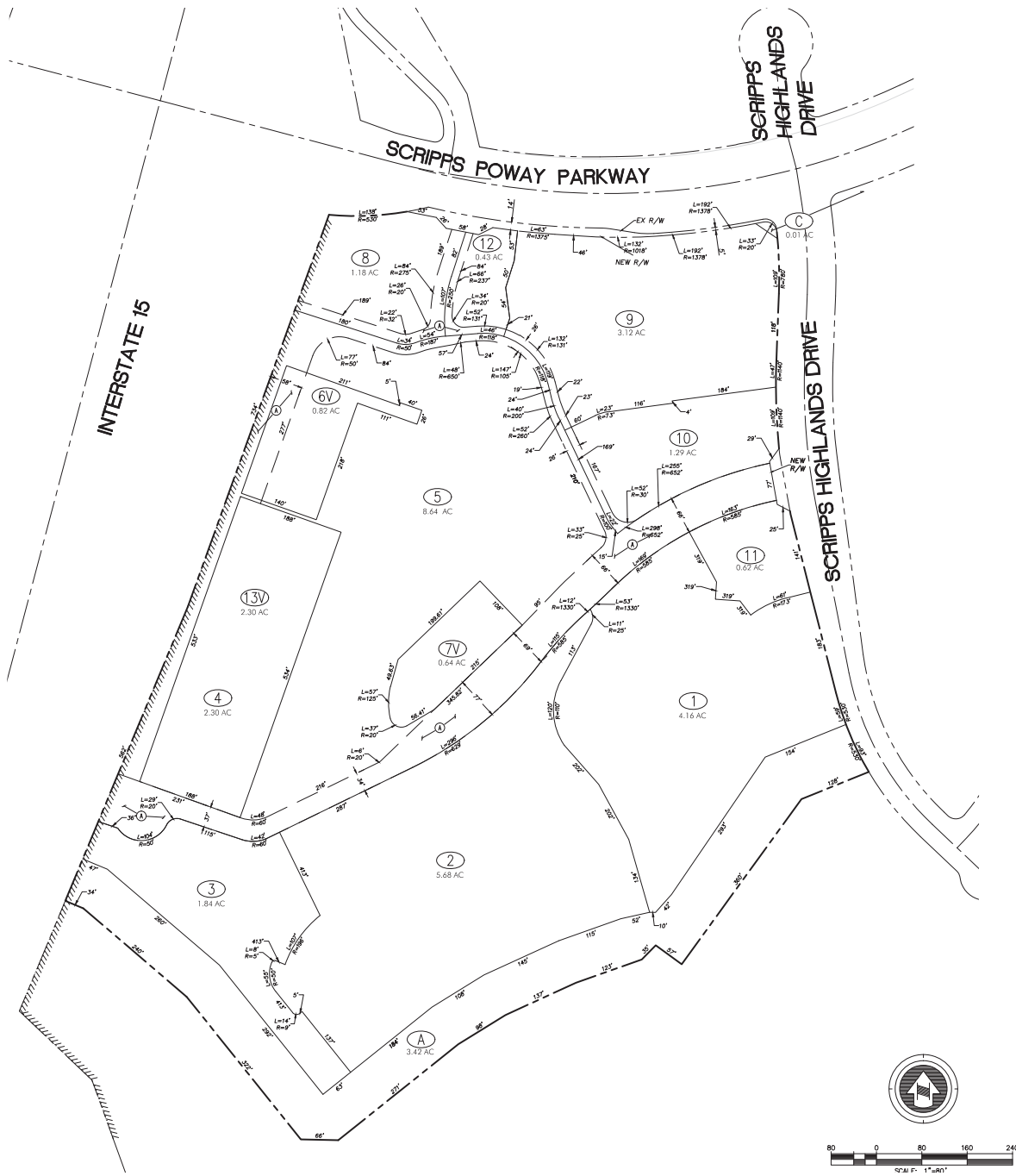


Figure 3-4. Proposed Lotting

### ***Proposed Site Plan and Development Intensity***

The project proposes numerous buildings to accommodate a variety of retail stores, restaurants, hotel, movie theater, and offices. Anchor tenants would be located in the northeast and northwest corners of the site. A movie theater is proposed in the northwest portion of the site, wrapped with retail stores at the base. A hotel is planned in the southwest corner of the site. Free-standing/sit-down restaurant(s) and smaller scale shops and eateries are planned throughout the site. A retail use could also occur ~~on top of~~ adjacent to the proposed parking garage, located in the western portion of the site. Buildings would range in heights of one story to six stories. (See Figure 3-5, *Watermark Site Plan*.)

The Site Plan includes pedestrian areas and gathering places, with smaller gathering areas and seating nodes contrasted by open lawn areas designed to accommodate large events and community interaction. Proposed as the central focal point for the Watermark project is a grand lawn and oversized water feature. The change in elevation through the project is addressed with decorative stairs intended to reflect the grand stairways of Europe. (See Figure 3-6, *Watermark Pedestrian Plan*.)

The project would provide a total of 2,191 parking spaces to serve the range of uses that could occur on the site. A parking structure, located in the southwest portion of the site, would provide 1,727 parking spaces in five levels. Other surface parking lots located throughout the site would provide an additional 246 parking spaces, and 218 parking spaces would be provided in an adjacent existing off-site parking garage. The proposed on-site parking structure would be four feet above the height limit of 60 feet allowed in the CR-2-1 zone. The additional height of the canopy/shade structures on the top level of the parking garage results in a structure height of ~~74~~100 feet. To articulate the parking structure, a corner feature may be included, which would be accommodated within the 103 feet structure height.

The Watermark Design Guidelines address form, colors and materials for the future commercial office and retail components of the project in a manner which, while they may not be the same, is compatible with the architecture of the existing commercial office campus. Comprehensive landscape, internal streetscape, and lighting plans are also of significant importance in creating a unified project and would also be reviewed by the developer to ensure conformance with the established design aesthetic.

The architectural guidelines utilize a *Kit of Parts*<sup>1</sup> that has been developed to be used in whole or in combination to achieve the intended ambiance and character of the project. Based on the proposed Design Guidelines, each new building should incorporate a sufficient number of architectural elements so as to reflect the Watermark design character. Buildings are to employ staggered setbacks, varied building heights, widths, shapes, orientations, colors, and materials. A variety of architectural elements have been identified in the Kit of Parts to achieve the project's goal of a lasting and high quality design. To provide visual interest to the roofline, building heights would be varied with roof materials that include metal and clay tile as examples of a high quality finish.

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<sup>1</sup> "Kit of Parts" refers to Term used to describe elements that are common amongst the buildings of a multiple building project that create a unified architectural character within the project. Included in these elements can be various types of building massing and articulation, forms and materials of entries, windows, awnings and other architectural treatments. The use of similar, but not identical, elements on multiple buildings creates a unified character within the project.













Horizontal rooflines should be further detailed with cornices and molding that embellishes the top of the building. All roof mounted equipment, apparatus and vents would be architecturally screened from view and painted for compatibility with the roof color.

The proposed Design Guidelines call for metal and fabric canopies and wood trellises to provide additional building articulation, as well as shade and opportunities for enhanced landscaping. Stucco siding is to be enhanced by the use of a variety of accent materials, including metal, wood, brick and stone veneer. Precast concrete elements for base and vertical building elements are to provide relief from the building wall.

As shown in Table 3-2, *Watermark – Maximum Structure Height*, the project includes design elements and structure heights that exceed the height requirements of the CR-2-1 zone. The allowable maximum structure height in the CR-2-1 zone is 60 feet. In order to allow for the architectural design elements and building height of the proposed parking structure, a deviation to the height requirements of the CR-2-1 zone is proposed.

As shown in Figures 3-7a – 3-7c, *Project Elevations*, the Watermark project would feature architectural elements that are to be complimentary to the project's design, as well as the architecture of the MedImpact office buildings. The project's architectural elements are intended to provide interesting and identifiable features, which would allow pedestrians and the motoring public to easily find their destinations. Architectural features would be located on the hotel, the market, the theater, in the plaza gathering space, and at the project entry. The architectural features are to follow the architectural theme set for the project and may include a clock tower or bell tower in the plaza open area to function as a way-finder for community events. Other architectural features would provide vertical relief to the façades and would create focal points around the project for both pedestrians and passing vehicles.

Project access is taken from a primary entry off Scripps Highlands Drive and a secondary right-in/right-out driveway from Scripps Poway Parkway. The entry from Scripps Highlands Drive continues into the project site along a private drive that runs between the IP-2-1 and proposed CR-2-1 portions of the project site. This private drive continues to the western perimeter of the project site, where access is available to the parking structure; the valet parking and surface lots may be accessed from the private drive as it enters the project site in the east. The driveway off Scripps Poway Parkway allows access to the surface lots in the northeast or the parking structure in the western portion of the project site.

### ***Design Guidelines***

The project includes *Design Guidelines* which present the overall site development, architectural character, and controls for ~~the project~~ Area A of the proposed project. Area B would remain subject to the approved MedImpact corporate headquarters CUP/PID 99-1027. An objective of the Watermark project is to create a coherent and signature design statement as a community gateway to Miramar Ranch North. According to the proposed Design Guidelines, the purpose of the Architectural Design Guidelines is “to maintain the high level of architectural quality established with the existing MedImpact campus by maintaining a complimentary architectural vocabulary for the retail project in order to unify the multiple buildings on the site, to maintain a level of design quality in making the project aesthetically pleasing, and to enhance the area in which the project is located.”





3.0 PROJECT DESCRIPTION



West Elevation



West Elevation - Building 'E'



West Elevation - Building 'L'



Site - West Elevation

Conceptual design for illustrative purposes only.

Figure 3-7a. Project Elevations













The Design Guidelines address form, colors, and materials for the future commercial office, retail, and entertainment components of the project in a manner that is compatible with the architecture of the existing MedImpact commercial office campus.

The approach to implementing development of the Watermark project in a manner that is compatible with the architecture of the existing MedImpact commercial office campus is by utilizing a *kit of parts* that has been developed to be used in whole or in combination to achieve the intended ambiance and character of the project. Each new building within the Watermark project would incorporate a sufficient number of architectural elements to reflect the Watermark design character, employing staggered setbacks, and varied building heights, widths, shapes, orientations, colors, and materials.

A variety of architectural elements have been identified in the kit of parts. To provide visual interest to the roof line, the Design Guidelines require that building heights be varied with roof materials that include metal and clay tile as examples of a high quality finish. Horizontal rooflines should be further detailed with cornices and molding that embellishes the top of the building. All roof mounted equipment, apparatus, and vents shall be architecturally screened from view and painted for compatibility with the roof color. Metal and fabric canopies and wood trellises are recommended to provide additional building articulation as well as shade and opportunities for enhanced landscaping. Stucco siding is to be enhanced by the use of a variety of accent materials, including metal, wood, brick, and stone veneer. Precast concrete elements may be used for base and vertical building elements to represent durable and long-lasting construction materials while providing relief from the building wall.

The Design Guidelines require that light fixtures for major tenants, shops, and individual buildings be of matching and/or complimentary design. Additionally, landscaping and architectural features shall be illuminated and accented with appropriate lighting. Parking structure and lot lighting shall match the site lighting theme; building mounted flood lighting shall not be used to illuminate parking areas. All lighting shall be screened to respect the residential area located to the east of the Watermark. Signage for the Watermark project would conform to the City of San Diego Land Development Code Sign Regulations.

### **Proposed Deviations**

Approval of the PDP for the Watermark project would require adoption of deviations that are proposed in order to create “a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone” [LDC Section 126.0604 (5)]. Specifically, the Watermark project proposes a deviation from the 60 foot maximum structure height of the CR-2-1 zone to allow for design and architectural elements, and to accommodate the parking garage.

~~A deviation request from the 60 foot maximum structure height of the CR-2-1 would allow Watermark to proceed with development of additional Class A office space as envisioned in the existing planned industrial development permit (CUP/PID No. 1027). This deviation is necessary to maintain the existing vested development rights under that approval. Should the feasibility of developing commercial retail uses be unachievable under future market conditions, the Watermark~~

~~Project would be completed as a corporate office park as envisioned under the existing entitlement. The structure height deviation for office buildings would apply to proposed Lots 3, 4 and 5.~~

A deviation for structure height on proposed Lot 9 for the plaza would enable the development of a landmark architectural feature, such as a clock tower, bell tower, or other architectural features to designate the gateway to the community. This would assist in achieving an objective of the Community Plan to develop the Mercy Interchange area as an attractive gateway to the community. Such a feature would provide a visible landmark to I-15 travelers, as well as persons entering Miramar Ranch North. The project proposes a deviation in height for landmark architectural features from 60 feet allowed in the CR-2-1 zone to 103 feet.

A deviation for height would also allow for the construction of a parking garage to accommodate parking needs for the project. This would reduce land required for surface parking, providing for more public amenity open space. The project proposes a deviation for the parking structure from 60 feet to a maximum of 103 feet.

A summary of the deviations for maximum allowable height are listed below in Table 3-2, *Watermark – Maximum Structure Height*.

**Table 3-2. Watermark – Maximum Structure Height**

LDC Zone	CR-2-1	
	Allowed	Proposed
Hotel (Lot 3)	60 feet	90 feet
Parking Structure (Lot 4)	60 feet	74 -103 feet
Theater/Plaza (Lot 6V and 9)	60 feet	103 feet
Market (Lot 9)	60 feet	75 - 85 feet
Justification	An increased height on proposed Lots 3, 4, and 5 enables the flexibility to implement the previously approved Planned Industrial Development permit in a vertical and/or horizontal mixed-use project of commercial office and retail uses. Allowing taller office buildings provides greater flexibility in the final site design for the location of both office and parking structures, increasing the available open space for employee amenities and landscaping. An increase in structure height on proposed Lot 9 shall be for the development of an architectural feature, such as a clock tower, bell tower, or architectural features to designate the gateway to the community.	

**Landscape Concept Plan**

The proposed Landscape Concept Plan (see Figure 3-8, *Watermark Landscape Plan*) includes the use of indigenous and/or drought tolerant plant material, whenever possible. No invasive or potentially invasive species ~~shall~~ would be allowed. Planting is intended to be a connecting device linking the various pieces of the project and design style. The Landscape Concept Plan emphasizes a garden setting, where plant material would be used to help define spaces, screen objectionable views, encourage circulation paths, highlight entry points, and provide softness and scale to the architecture. Evergreen, deciduous, and flowering material are proposed throughout the project. Located adjacent to open space slopes, the perimeter planting is proposed as a blend of native material and native friendly (i.e. non-invasive) fire safe planting. (See Table 3-3, *Landscaping Materials*, below.)

Circulation throughout the project is accentuated with a hierarchy of landscape treatments. Enhanced paving at major intersections and nodes is proposed to signify pedestrian/vehicle interaction areas. Vehicle nodes with small medians are proposed to help slow the traffic flow, as well as break up long linear drives. Street trees are proposed to define vehicle/pedestrian spaces and to provide shade and scale to the street scene. Entry points would be highlighted with decorative trellis work and enhanced plantings.

Landscaping throughout the Watermark site is characterized by accent planting; foreground, midground, and background planting; and trees and palms. Around parking areas, evergreen trees and shrubs would screen parking from adjacent uses and, where applicable, canopy trees would be provided with permeable paving border. Plantings along primary roadways, such as Scripps Poway Parkway and Scripps Highlands Road, would ~~seek to~~ maintain the existing street tree program. Enhanced plantings would be present at project entries and other primary focal points. Areas of special interest would have customized planting schemes, described below. Locations of areas of special interest are shown on Figure 3-8, *Watermark Landscape Plan*.



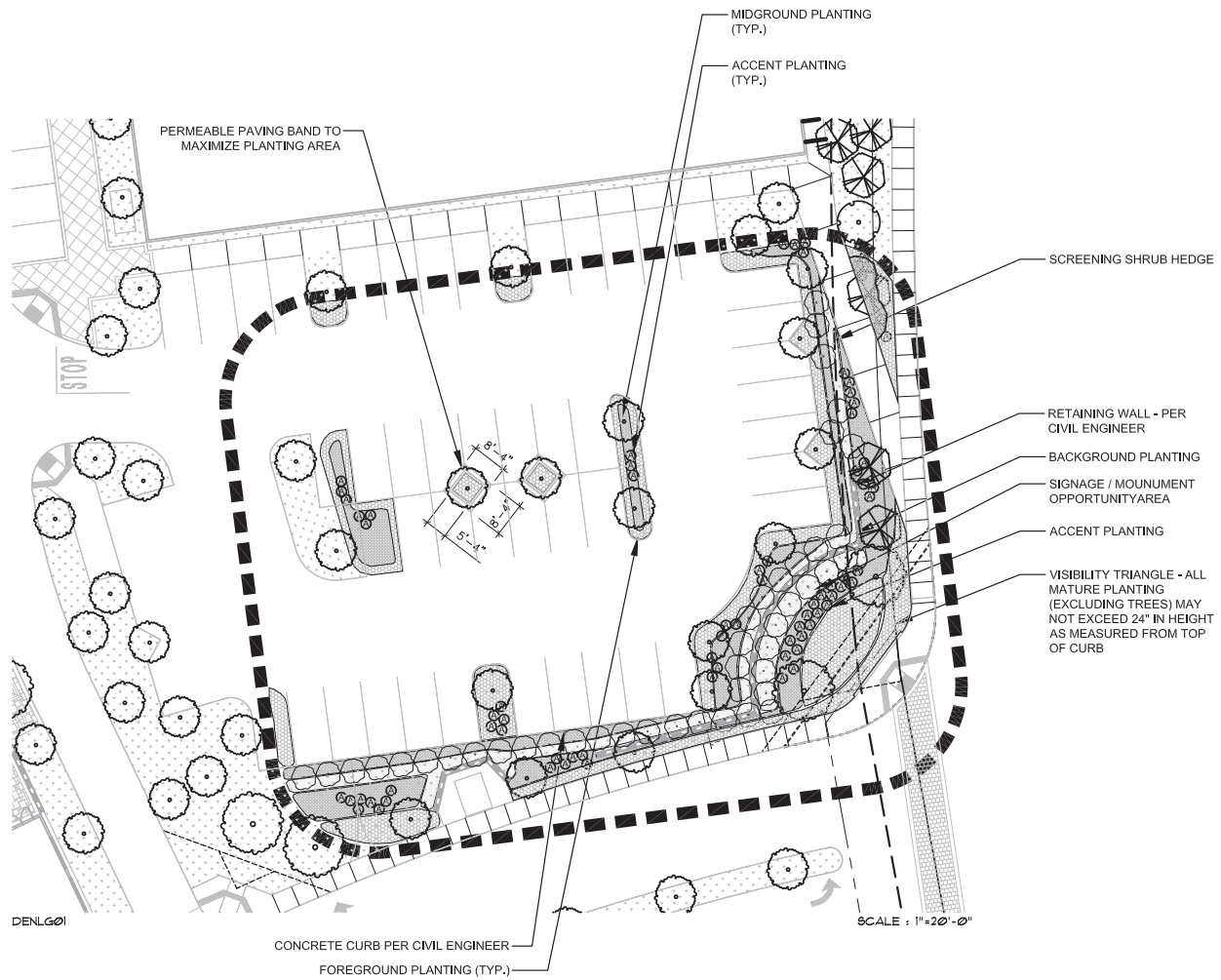






*A – Entry from Scripps Highlands Road*

Landscaping at the intersection of Scripps Highlands Road and the private internal street (Figure 3-9, *Entry from Scripps Highlands Road Landscape Design*) would offer an opportunity for dual purpose landscaping that both accents this entry point as well as screens interior parking from the roadway. A shrub hedge, as well as a retaining wall and background planting, would be used to screen parking from the roadway. At the intersection, accent planting and a signage/monument opportunity area would announce the entrance to the Watermark. Within the parking area, where applicable, a permeable paving band would maximize planting area; and parking lot landscaping would include foreground, midground, and accent planting.

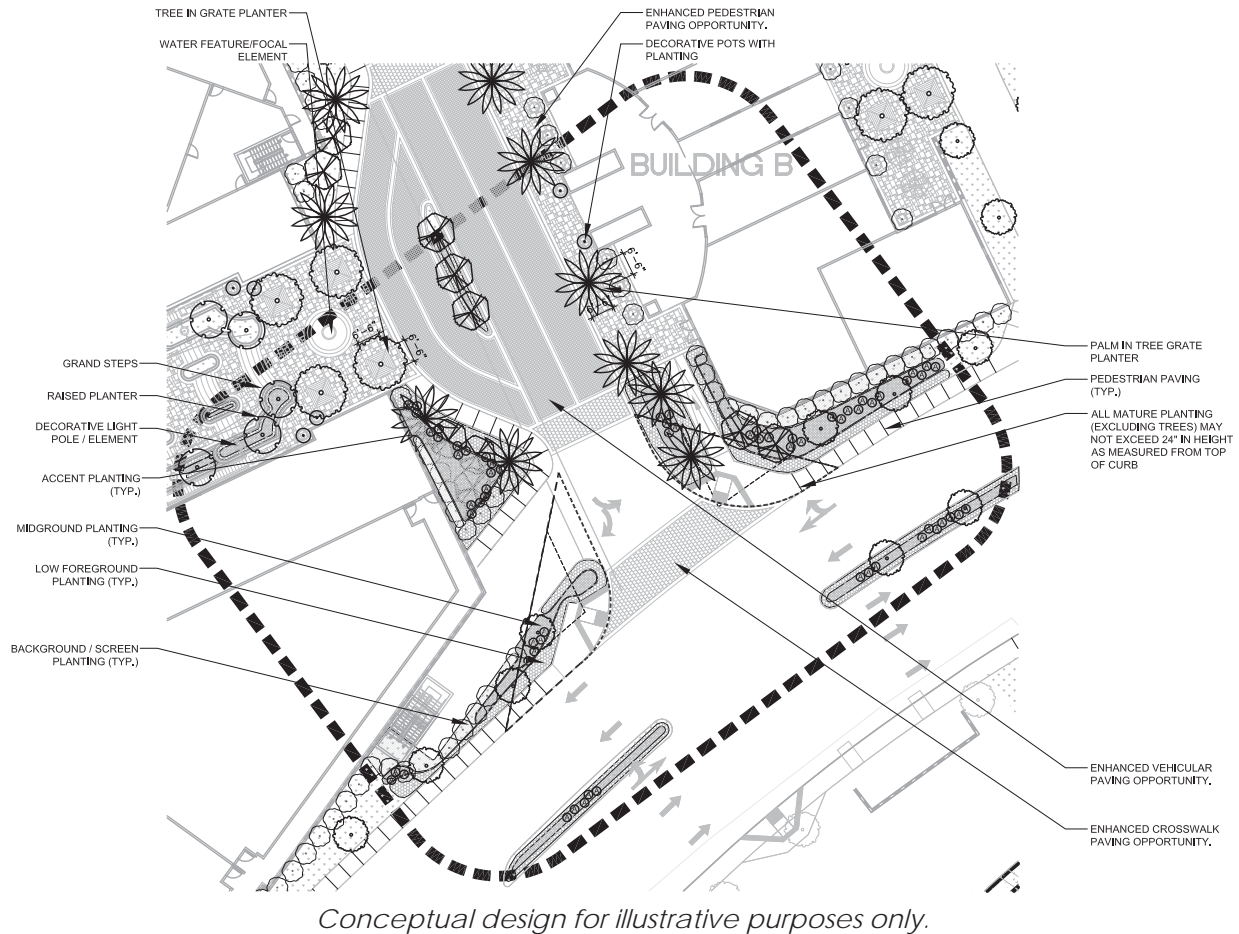


*Conceptual design for illustrative purposes only.*

**Figure 3-9. Entry from Scripps Highlands Road Landscape Design**

**B – First Project Driveway from Private Drive**

Accent landscaping, enhanced paving, and architectural embellishments would denote the primary site entry off the interior private drive (Figure 3-10, *First Project Driveway from Private Drive Landscape Design*). Palm and other trees in grate planters would line the drive aisle, as well as decorative pots with planting and enhanced pedestrian paving opportunities. Off the east side of the drive aisle, a pedestrian plaza would invite pedestrian access to the project site. Within this connector plaza, a water feature or other focal element would be present within view of the entry aisle, with access terracing into the project site via grand steps. Raised planters and decorative light poles or other focal elements would accent the enhanced paving and other hardscape elements. Roadway plantings would include low foreground planting, midground planting, and background/screening planting.



**Figure 3-10. First Project Driveway from Private Drive Landscape Design**



*C – Primary Public Plaza*

Central to the Watermark project is a large plaza space designed to accommodate community gatherings and events. For this purpose, this space encompasses a grand lawn/event area, edged with paving and background planting (Figure 3-11, *Primary Public Plaza Landscape Design*). Seating opportunities, as well as a children’s play area, water feature, focal elements, and thematic elements, would be located surrounding the grand lawn/event area. Opportunities for enhanced vehicular paving are present at points where pedestrian crosswalks intersect interior drive aisle. Landscaping would include accent planting along the drive aisle, and foreground, midground, and background planting surrounding the grand lawn/event area.



Figure 3-11. *Primary Public Plaza Landscape Design*



*D – Secondary Driveway from Private Drive*

Secondary access from the private street would have a less formal approach to its architectural elements and landscaping than the entry at Scripps Highlands Road (Figure 3-12, *Secondary Driveway from Private Drive Landscape Design*). Background planting and enhanced paving for both pedestrian and vehicular circulation would denote this entry. Removable themed bollards could restrict vehicular access to the focal element at the center of a roundabout with decorative paving, accent planting, and foreground and midground planting. Seating opportunities would exist along the private street with decorative planting in pots. Trees in grates surrounding a thematic element would be located to the west of the roundabout.

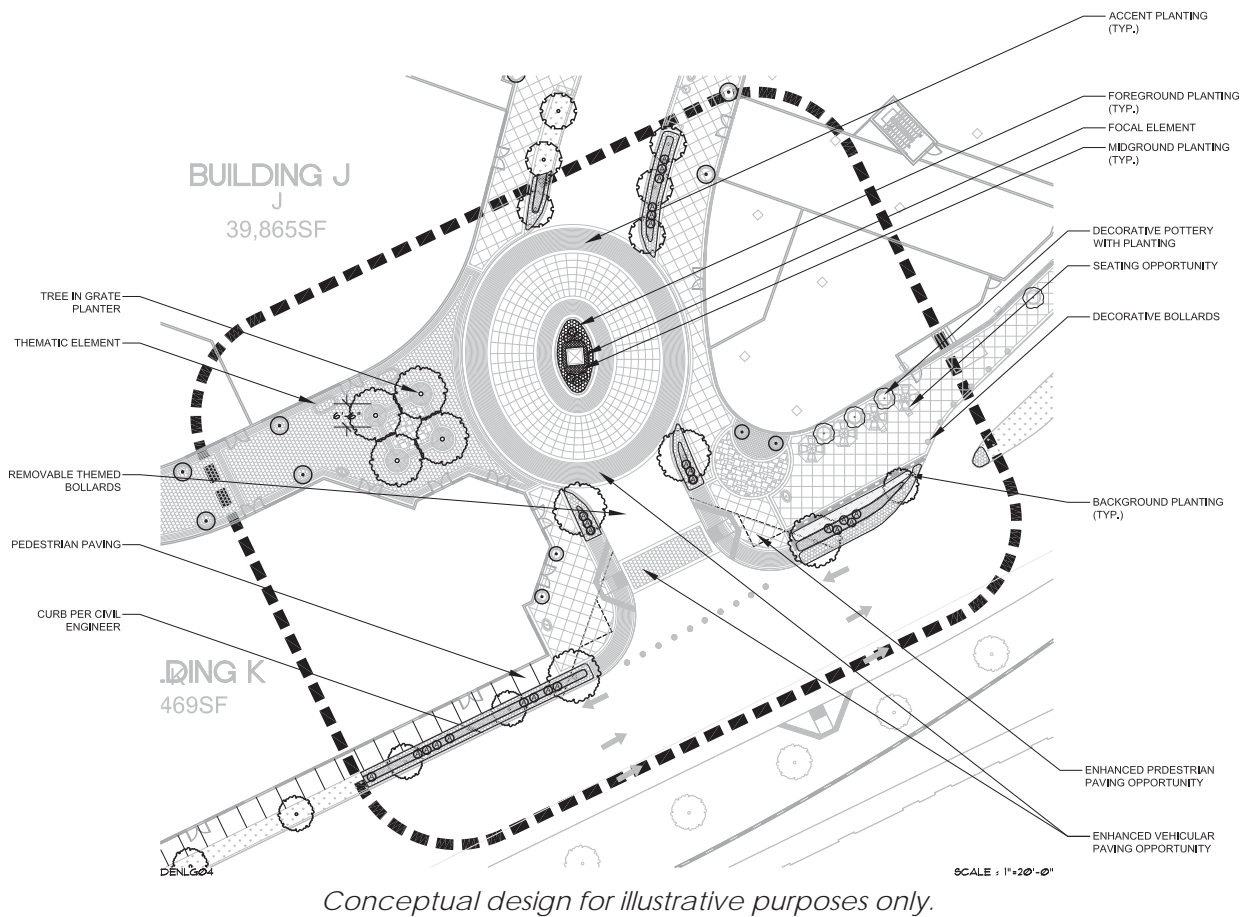


Figure 3-12. *Secondary Driveway from Private Drive Landscape Design*

*E – Off-ramp Frontage*

An interior vehicular circulation roadway would run parallel to the I-15 northbound off-ramp in the northwest portion of the project site. This roadway would have access walkways and screening landscaping on the east side where the roadway meets with interior project elements (Figure 3-13, *Off-ramp Frontage Landscape Design*). On the west side, where the roadway is adjacent to the off-ramp, enhanced landscaping with accent planting, as well as foreground, midground, and background planting would create a pleasant aesthetic/landscape screening from the freeway.

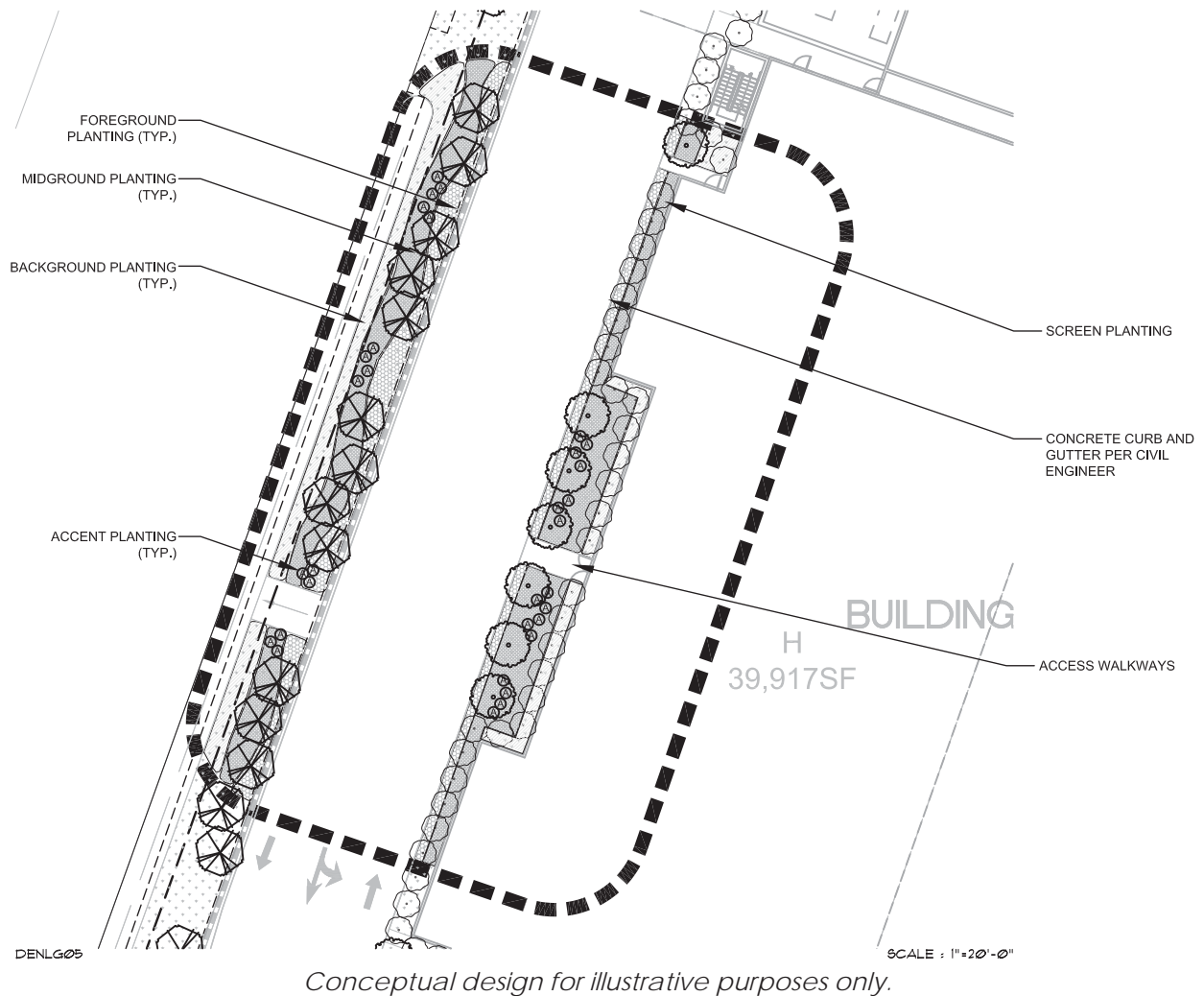
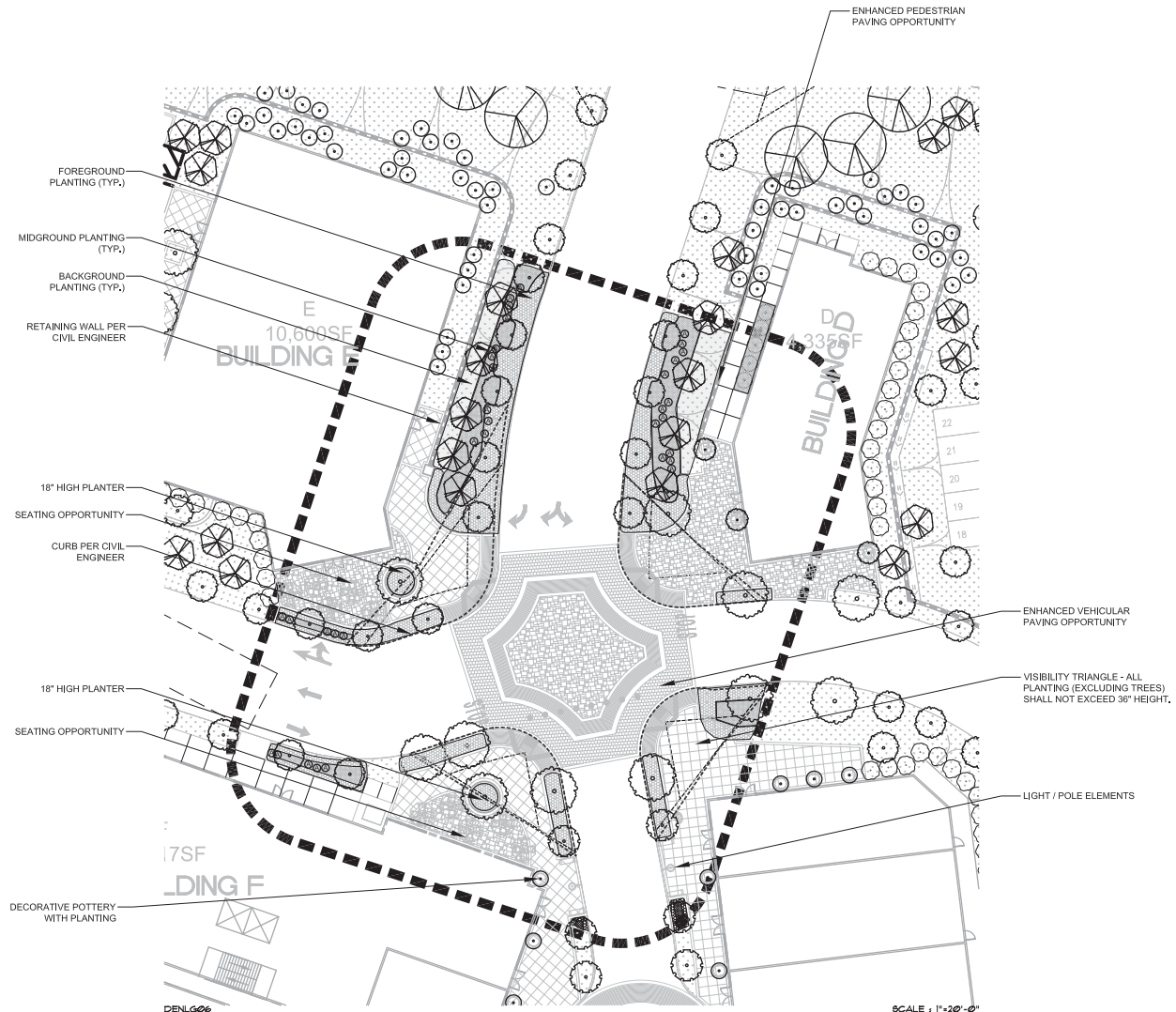


Figure 3-13. *Off-ramp Frontage Landscape Design*

**F – Entry off Scripps Poway Parkway**

The project entry off Scripps Poway Parkway would be lined with foreground, midground, and background plantings which also screen retaining walls necessary for lot development (Figure 3-14, *Entry off Scripps Poway Parkway Landscape Design*). A T-intersection would be accentuated with enhanced vehicular paving and bollards directing traffic. Enhanced paving with seating opportunities for pedestrians would occur at the corners of this intersection, accented with decorative pottery with plantings, as well as taller planters. Thematic light/pole elements would tie in with the overall project aesthetic.



*Conceptual design for illustrative purposes only.*

**Figure 3-14. Entry off Scripps Poway Parkway Landscape Design**

Provided in Table 3-3, *Landscaping Materials*, is the proposed landscaping materials that would be used at the Watermark project.

**Table 3-3. Landscaping Materials**  
Accent Shrubs

<i>Botanical Name</i>	<i>Common Name</i>
Agave species	Agave
<i>Clystoma callistegiodes</i>	Violet trumpet vine
<i>Cycas revoluta</i>	Sago palm
<i>Distictis buccinatoria</i>	Blood red trumpet vine
<i>Ficus pumila</i>	Creeping fig
Mandevillea species	Mandevillea
Passiflora species	Passion vine
<i>Parthenocissus tricuspidata</i>	Boston ivy
Phormium species	New Zealand flax
Strelitzia species	Bird of paradise
Yucca species	Yucca

Foreground Shrubs and Groundcovers

<i>Botanical Name</i>	<i>Common Name</i>
Aeonium species	Aeonium
Agapanthus species	Lily of the Nile
Baccharis species	Coyote bush
Bougainvillea species	Bougainvillea
Carissa species	Natal plum
<i>Cistus hybridus</i>	Rockrose
Coprosma species	Mirror plant
<i>Cuphea hyssopifolia</i>	Mexican false heather
Geranium species	Geranium
Hemerocallis species	Daylily
Liriope species	Lily turf
Myoporum species	Myoporum
Rosmarinus species	Rosemary
<i>Trachelospermum jasminoides</i>	Star jasmine

Midground Shrubs

<i>Botanical Name</i>	<i>Common Name</i>
Anigozanthos species	Kangaroo paw
Buxus species	Boxwood
Hebe species	Hebe
Lantana species	Lantana
Lavandula species	Lavender
Salvia species	Sage

## Background Shrubs

<i>Botanical Name</i>	<i>Common Name</i>
Azalea species	Azalea
Euonymus species	Euonymus
Ceanothus species	Wild lilac
Ligustrum species	Japanese privet
Nandina species	Heavenly bamboo
Photinia species	Photinia
Plumbago species	Cape plumbago
Raphiolepis species	Indian hawthorn
Rosa species	Rose
Viburnum species	Viburnum
Xylosma species	Xylosma

## Trees and Palms

<i>Botanical Name</i>	<i>Common Name</i>
<i>Agonis flexuosa</i>	Australian willow myrtle
Arbutus species	Strawberry tree
<i>Archontophoenix cunninghamiana</i>	King palm
Bambusa species	Bamboo
Bauhinia species	Orchid tree
<i>Butia capitata</i>	Pindo palm
<i>Brahia armata</i>	Mexican blue palm
<i>Cercis occidentalis</i>	Western redbud
<i>Cinnamomum camphora</i>	Camphor tree
Citrus species	Citrus
<i>Cupaniopsis anacardioides</i>	Carrotwood
<i>Eriobotrya deflexa</i>	Bronze loquat
Erythrina species	Coral tree
Eucalyptus species	Eucalyptus
Jacaranda species	Jacaranda
Juniper species	Juniper (topiary)
<i>Koelreuteria bipinnata</i>	Chinese lantern
Ligustrum species	Privet
<i>Liquidambar styraciflua</i>	Sweet gum
<i>Liriodendron tulipifera</i>	Tulip tree
Magnolia species	Magnolia
Olea species (fruitless varieties)	Fruitless olive
<i>Phoenix dactylifera</i>	Date palm
Pinus species	Pine
Platanus species	Sycamore
<i>Podocarpus macrophyllus</i>	Yew pine
<i>Prunus caroliniana</i>	Carolina cherry
<i>Prunus cerasifera</i>	Purple leaf palm
Pyrus species	Pear
<i>Quercus agrifolia</i>	Coast live oak
<i>Quercus ilex</i>	Holly oak
<i>Quercus virginiana</i>	Southern live oak



Rhaphiolepis species	Majestic beauty/Indian hawthorn
<i>Rhus lancea</i>	African sumac
Robina species	Locust
<i>Syagrus romanzoffiana</i>	Queen palm
Tabebuia species	Pink trumpet tree
<i>Tipuana tipu</i>	Tipu tree
<i>Tristania conferta</i>	Brisbane box

**3.3.5 Street Vacation**

The project proposes the vacation of Scripps Gateway Court. Currently, Scripps Gateway Court is a public street that begins at Scripps Highlands Drive on the east and ends internal to the project site as a cul-de-sac. This street provides access to the recently constructed MedImpact office building. The proposed Street Vacation would allow for integration of this area into the overall project design. A private drive would be provided to maintain necessary traffic flow, provide for efficient access and movement of people and vehicles through the project, and would connect with proposed uses and the proposed parking structure and other surface parking areas.

**3.3.6 Conditional Use Permit**

According to the City’s Land Development Code (Chapter 12, Article 6, Division 3: *Conditional Use Permit Procedures*), the purpose of a Conditional Use Permit is to allow “uses that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone.” Uses are reviewed “on a case-by-case basis to whether and under what conditions the use may be approved at a given site”, and “conditions may be applied to address potential adverse effects associated with the proposed use.”

As part of the Watermark project and consistent with recommendations in the Miramar Ranch North Community Plan, a movie theater is proposed and would be located in the CR-2-1 zone. According Section 126.0303(b) of the City’s Land Development Code, a Conditional Use Permit (CUP) is required for *theaters that are outdoor or over 5,000 square feet in size*. The size of the movie theater at the Watermark project could range up to 45,000 square feet. Therefore, the proposed movie theater would be permitted in the CR-2-1 zone, with application of a CUP.

**3.4 DISCRETIONARY ACTIONS**

A discretionary action is an action taken by an agency that calls for the exercise of judgment in deciding whether to approve or how to carry out a project. For the Watermark project, the following discretionary actions would be considered by the San Diego City Council:

- **General Plan Amendment and Community Plan Amendment** – The approximately 34.96-acre project site is located within the Miramar Ranch North Community Plan Area and is designated for Industrial/Business Park uses. The project proposes to change the land use designation to Regional Commercial. Because the Community Plan would be amended, this would result in an amendment to the City’s General Plan as the Community Plan functions as the land use plan for the Miramar Ranch North community of the City.

The project site is identified as a location for Prime Industrial Lands in the City. Prime Industrial Lands are defined in the Economic Prosperity Element of the City’s General Plan as “areas that support export-oriented base sector activities such as warehouse distribution, heavy or light

*manufacturing, research and development uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base.”* In order to develop the site with the proposed mix of commercial and office uses, the project would remove the Prime Industrial Lands identification from Area A of the project site and would change the General Plan land use designation from Industrial to Regional Commercial for Area A. The General Plan would need to be amended to reflect these changes.

- **Rezone** – A rezone is proposed for a portion of the site to change the existing IP-2-1 zone to CR-2-1.
- **Vesting Tentative Map** – In order to facilitate development of the Watermark project, a VTM is processed. The Watermark VTM details proposed grading for the project, as well as necessary infrastructure, and has been prepared in accordance with the guidelines of the State Subdivision Map Act and City of San Diego requirements.
- **Planned Development Permit** – The PDP approval would establish the Design Guidelines and development intensity ranges for the project and allows for minor ~~variations~~ deviations to the regulations of the proposed CR-2-1 zones through proposed deviations. The deviations ~~would provide~~ are proposed to provide for a superior project than could occur with a strict interpretation of the CR-2-1 zone regulations.
- **Conditional Use Permit** – A CUP is required for the proposed movie theater.
- **Street Vacation** – The Street Vacation is required to vacate a Scripps Gateway Court. In its place, a private drive would provide vehicular, bicycle, and pedestrian access for the project to efficiently serve existing (MedImpact facilities on Area B) and proposed developments.
- **Public Utility Easement Vacation** – Vacation of a Public Utility Easement containing storm drain, water, and sewer is proposed.
- **Environmental Impact Report** – Concurrent with the Watermark discretionary actions, an EIR has been prepared in accordance with the provisions of the CEQA. The EIR (SCH No. 2010091079) evaluates the land use, circulation, and infrastructure improvements resulting from implementation of the Watermark project and the potential environmental impacts that would result from their implementation. Review and certification of this EIR by the decision maker would complete the environmental review for the project in accordance with CEQA and City regulations.

As described in Section 1.4, *Responsible and Trustee Agencies*, of this EIR, review by Caltrans, a State agency, would be required for the proposed project.

**Caltrans** - Project features which necessitate encroachment into freeway easements and access rights for improvements within Caltrans’ rights-of-way would require coordination with Caltrans for those improvements. Caltrans approval would be required for any work within its rights-of-way.

Additionally, the project requires review by the Regional Water Quality Control Board (RWQCB) and the Federal Aviation Administration (FAA).

- **NPDES Permit** – The project would comply with National Pollutant Discharge Elimination System (NPDES) requirements for discharge of storm water runoff associated with construction activity. Compliance also requires conformance with applicable Best Management Practices (BMPs) and development of a Storm Water Pollution Prevention Plan (SWPPP) and monitoring program plan. (Water quality is addressed in Section 5.12, *Hydrology/Water Quality*, of this EIR.)
- **Obstruction Evaluation/Airport Airspace Analysis, Part 77 Determination (Federal Aviation Administration)** – The project's proximity to MCAS – Miramar requires notification to the Federal Aviation Administration (FAA) in order to conduct an Obstruction Evaluation/Airport Airspace analysis under Title 14 code of Federal Regulations, Part 77. The project has completed an initial request for the aeronautical study and has received Determination of No Hazard to Air Navigation for the project (see Appendix N). Individual structures would be required to file subsequent notification to the FAA at least 30 days before the earlier of a) the date proposed construction or alteration is to begin, or b) the date the application for a construction permit would be filed.

Additionally, the Watermark project was reviewed for consistency with the MCAS Miramar ALUCP. A letter from MCAS Miramar determined that the proposed project is contained within the MCAS Miramar AICUZ Study Area and is: within the adopted AIA; 2) outside the 60+ dB community noise equivalent level noise contours; 3) outside all Accident Potential Zones; 4) beneath the Outer Horizontal Surface of MCAS Miramar (Federal Aviation Regulation part 77); and beneath and/or near established fixed- and rotary-wing flight corridors for aircraft transiting to and from MCAS Miramar. It was determined that the propose project is consistent with the AICUZ noise and safety compatibility guidelines.

### 4.0 HISTORY OF PROJECT CHANGES

The section chronicles the physical changes that have been made to the project in response to environmental concerns raised during the City's review of the project.

#### ***Changes to Bicycle Circulation***

In the initial development of the proposed Watermark project, staff identified a potentially significant issue associated with bicycle circulation. Currently, a bicycle path parallels the east side of I-15, connecting the Scripps Miramar Ranch and the Miramar Ranch North communities. The bike path is constructed as a separated bike path outside the I-15 right-of-way that begins at Erma Road in Scripps Miramar Ranch and ends at Scripps Poway Parkway in Miramar Ranch North. The bike path joins with bike lanes on Erma Road at the south and Scripps Poway Parkway on the north. Because the project proposes the addition of a right-in/right-out driveway along Scripps Poway Parkway, staff raised concern that bicyclists traveling on the bike lane along Scripps Poway Parkway could cross into vehicles accessing the project site at the new driveway off Scripps Poway Parkway.

In order to eliminate the potential for bicycle/motorist conflicts, the applicant re-designed the project to include a separated bike lane. The project proposes that the existing bike lane on the south side of Scripps Poway Parkway be relocated and constructed as a multi-use path adjacent to the project site. This would require a limited dedication from the Watermark project site in order to be achieved. Figure 4-1, *Proposed Multi-Use Path*, shows a preliminary layout of the right in/out driveway with the proposed dedication for the bike path highlighted. Figure 4-2, *Multi-Use Path Cross-Section*, shows this facility in cross-section.

## 4.0 HISTORY OF PROJECT CHANGES

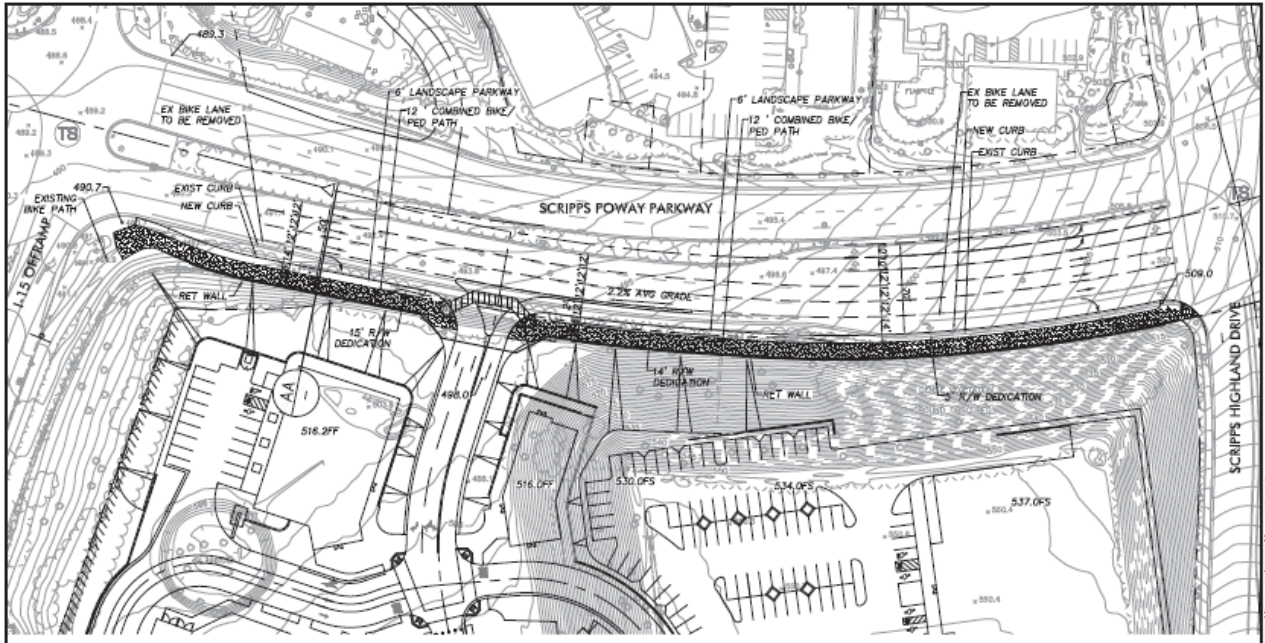


Figure 4-1. Proposed Multi-Use Path

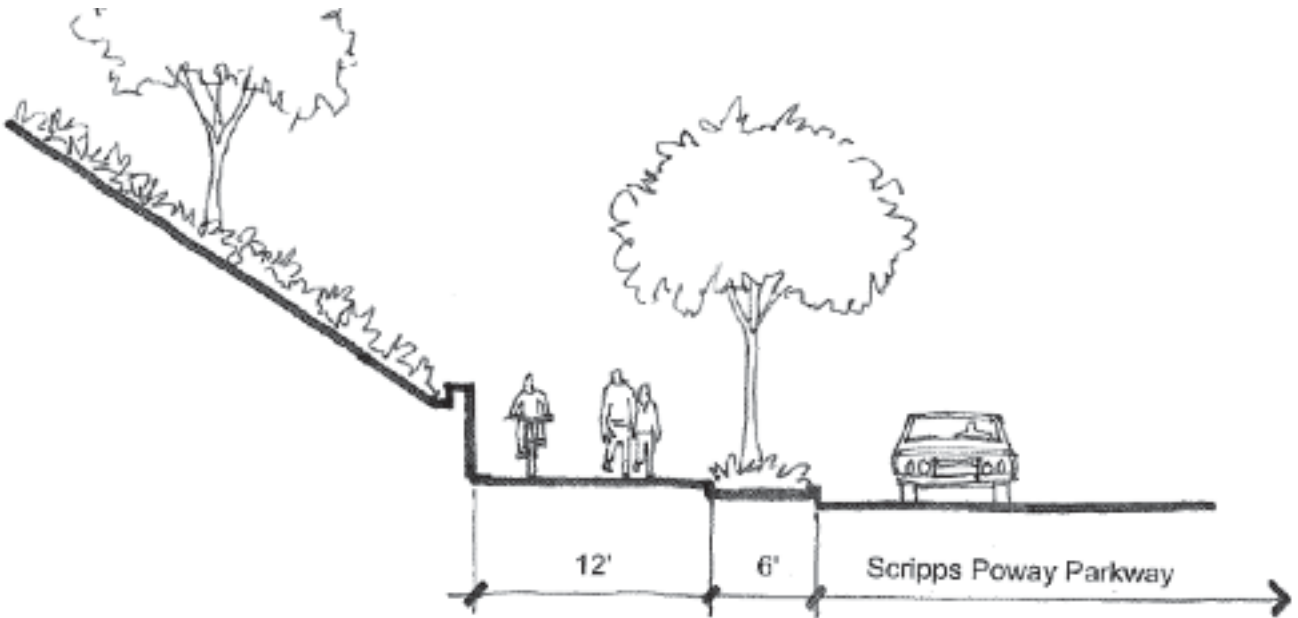


Figure 4-2. Multi-Use Path Cross-Section