

**DOWNTOWN  
FINAL ENVIRONMENTAL IMPACT REPORT (Downtown FEIR)  
CONSISTENCY EVALUATION  
FOR THE  
320 WEST CEDAR PROJECT**

**December 23, 2016**

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## **DOWNTOWN FEIR CONSISTENCY EVALUATION**

**1. PROJECT TITLE:** 320 West Cedar ("Project")

**2. DEVELOPER:** JMan at the K Lofts, LLC

**3. PROJECT LOCATION:** The Project site is an approximately 5,000 square-foot (SF) site on the block bounded by Cedar Street, Front and Union streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area ("Downtown").

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

**4. PROJECT SETTING:** The Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan, certified by the Redevelopment Agency ("Former Agency") and City Council ("Council") on March 14, 2006 (Resolutions R-04001 and R-301265, respectively) and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04510), August 3, 2010 (Former Agency Resolution R-04544) and certified by City Council on February 12, 2014 (Resolution R-308724) and July 14, 2014 (Resolution R-309115) describes the setting of the DCP area including Little Italy. This description is hereby incorporated by reference.

The site is currently contains a surface parking lot and a vacant building, a locally designated historical resource the Oscar H. Millard Rental (HRB SR # 282). The project site is in the Residential Emphasis (RE) land use district as designated in the Centre City Planned District Ordinance (CCPDO). The Project site is subject to the following overlay zones: the Little Italy Sun Access Overlay (LISA); Fine Grain Development Overlay; and, the View Corridor on Cedar Street that requires a 15-foot setback at 50-feet in building height.

**5. PROJECT DESCRIPTION:** The Project is located on a 5,000 SF lot in southeast corner of the Little Italy neighborhood and consists of an 8-story, 93-foot tall residential building containing 42 dwelling units (DU) as well as a separate 5-story, 52-foot single-family home on the east end of the lot. The lot will be subdivided so that the apartment building will occupy a 62' x 50' lot (to the west) while the single family home will occupy a 38' by 35' lot (to the east). The 42 DU building will have 1,585 SF of ground-floor commercial space while the single family home will have 999 SF of ground-floor commercial.

The Base Maximum Floor Area Ratio (FAR) is 6.0, with a maximum allowable FAR with Bonuses of 8.0. With affordable housing the maximum allowable is 10.1. The project has an FAR of 6.9.

**6. CEQA COMPLIANCE:** The DCP, CCPDO, Redevelopment Plan for the Centre City Redevelopment Project and related activities have been addressed by the following environmental documents, which were prepared prior to this Consistency Evaluation and are hereby incorporated by reference:

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

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

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

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

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

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

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

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

The City of San Diego FEIR for the Climate Action Plan (“CAP FEIR”) certified by the City Council on December 15, 2015, (City Council Resolution R-310176) which includes the Addendum to the CAP FEIR certified by the City Council on July 12, 2016.

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

This Downtown FEIR Consistency Evaluation (“Evaluation”) has been prepared for the Project in compliance with State CEQA and Local Guidelines. Under these Guidelines, environmental review for subsequent proposed actions is accomplished using the Evaluation process, as allowed by Sections 15168 and 15180 of the State CEQA Guidelines. The Evaluation includes the evaluation criteria as defined in Section 15063 of the State CEQA Guidelines.

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

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

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

**7. PROJECT-SPECIFIC ENVIRONMENTAL ANALYSIS:** See attached Environmental Checklist and Section 10 *Evaluation of Environmental Impacts*.

**8. MITIGATION, MONITORING AND REPORTING PROGRAM:** As described in the Environmental Checklist and summarized in **Attachment A**, the following mitigation measures included in the MMRP, found in Volume 1.B.2 of the Downtown FEIR, will be implemented by the proposed Project:

**AQ-B.1-1; HIST-A.1.1-3; HIST-B.1-1; NOI-B.1-1; NOI-C.1-1; NOI-D.1-1; PAL-A.1-1**

**9. DETERMINATION:** In accordance with Sections 15168 and 15180 of the CEQA

Guidelines, the potential impacts associated with future development within the DCP area are addressed in the Downtown FEIR prepared for the DCP, CCPDO, and the six subsequent addenda to the Downtown FEIR listed in Section 6 above, as well as the Final Supplemental EIR for the Downtown San Diego Mobility Plan and the CAP FEIR. These documents address the potential environmental effects of future development within the Centre City Redevelopment Project based on build out forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the Downtown FEIR and its subsequent addenda and the CAP FEIR, as listed in Section 6 above, concluded that development would result in significant impacts related to the following issues (mitigation and type of impact shown in parentheses):

### **Significant but Mitigated Impacts**

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

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

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

In certifying the Downtown FEIR and approving the DCP, CCPDO, and 10th Amendment to the Redevelopment Plan, the City Council and Redevelopment Agency adopted a Statement of Overriding Considerations which determined that the unmitigated impacts were acceptable in light of economic, legal, social, technological or other factors including the following.

### **Overriding Considerations**

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

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

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

1. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Centre City Redevelopment Project is to be undertaken as a result of the development of the proposed Project, which will require important or major revisions in the Downtown FEIR and the six subsequent addenda to the FEIR or with the CAP FEIR;
2. No new information of substantial importance to the Centre City Redevelopment Project has become available that shows the Project will have any significant effects not discussed previously in the Downtown FEIR or subsequent addenda to the Downtown FEIR or CAP FEIR; or that any significant effects previously examined will be substantially more severe than shown in the CAP FEIR and the Downtown FEIR or subsequent addenda to the FEIR; or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment;
3. No Negative Declaration, Subsequent EIR, or Supplement or Addendum to the CAP EIR and the Downtown FEIR, as amended, is necessary or required;
4. The proposed actions will have no significant effect on the environment, except as identified and considered in the CAP FEIR and the Downtown FEIR and subsequent addenda to the Downtown FEIR for the Centre City Redevelopment Project. No new or additional project-specific mitigation measures are required for this Project; and
5. The proposed actions would not have any new effects that were not adequately covered in the CAP FEIR and Downtown FEIR or addenda to the Downtown FEIR, and therefore, the proposed Project is within the scope of the program approved under the CAP FEIR and Downtown FEIR and subsequent addenda listed in Section 6 above.

CivicSD, the implementing body for the City of San Diego, administered the preparation of this Evaluation.



Christian Svensk, Senior Planner, CivicSD  
Lead Agency Representative/Preparer

12/23/2016

Date

## ENVIRONMENTAL CHECKLIST

### 10. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

The following Overriding Considerations apply directly to the proposed Project:

- Develop downtown as the primary urban center for the region.
- Develop full-service, walkable neighborhoods linked to the assets downtown offers.
- Implement a coordinated, efficient system of vehicular, transit, bicycle, and pedestrian traffic.

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>1. AESTHETICS/VISUAL QUALITY:</b>						
<p>(a) <i>Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the DCP?</i></p> <p>Views of scenic resources including San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park, and the downtown skyline are afforded by the public viewing areas within and around the downtown and along view corridor streets within the planning area.</p> <p>The CCPDO includes several requirements that reduce a project's impact on scenic vistas. These include view corridor setbacks on specific streets to maintain views and controls building bulk by setting limits on minimum tower spacing, street wall design, maximum lot coverage, and building dimensions.</p> <p>The project proposes the construction of an 8-story residential development along Cedar Street in the Little Italy neighborhood. The project site is located within a view corridor per Figure 5.6-2 of the DCP FEIR and would not comply with the CCPDO requirement for view corridor setbacks and design. Under City Affordable Housing Density Bonus regulations the Project is using an incentive for this deviation as it is providing affordable housing.</p> <p>The project's encroachment into the view corridor is not substantial or significant, with only a small portion of the Bay not visible from the primary vantage point that is at a higher elevation.</p> <p>Lastly, the site itself does not possess any significant scenic resources that could be impacted by the proposed Project therefore impacts to on-site scenic</p>					<b>X</b>	<b>X</b>



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
resources are not significant. Impacts associated with scenic vistas would be similar to the DCP FEIR and would not be significant.						
<p>(b) <i>Substantially incompatible with the bulk, scale, color and/or design of surrounding development?</i></p> <p>The bulk, scale, and design of the Project would be compatible with existing and planned developments in the Little Italy neighborhood. Development of the site would improve the area by providing a new, modern building on a currently underutilized site. The Project would utilize high quality materials and contemporary design sensitive to the character of the surrounding neighborhood. Additionally, a variety of mid, low and high-rise buildings are located within the vicinity of the Project site and the scale of the proposed Project would be consistent with that of surrounding buildings. Therefore, project-level and cumulative impacts associated with this issue would not occur.</p>					<b>X</b>	<b>X</b>
<p>(c) <i>Substantially affect daytime or nighttime views in the area due to lighting?</i></p> <p>The proposed project would not involve a substantial amount of exterior lighting or include materials that would generate substantial glare. Furthermore, outdoor lighting that would be incorporated into the proposed project would be shielded or directed away so that direct light or glare does not adversely impact adjacent land uses. The City's Light Pollution Law (Municipal Code Section 101.1300 et seq.) also protects nighttime views (e.g., astronomical activities) and light-sensitive land uses from excessive light generated by development in the downtown area. The proposed project's conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>2. AGRICULTURAL RESOURCES:</b>						
<p>(a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?</i></p> <p>The DCP Area is an urban downtown environment that does not contain land designated as prime agricultural soil by the Soils Conservation Service. In addition, it does not contain prime farmland designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.</p>					<b>X</b>	<b>X</b>
<p>(b) <i>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</i></p> <p>The DCP Area does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 512101 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act Contract would not occur.</p>					<b>X</b>	<b>X</b>

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

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

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

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>(b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies?</i></p> <p>As identified in the FEIR, the DCP Area is not within a sub-region of the San Diego County Multiple Species Conservation Program (MSCP). Therefore, impacts associated with substantial adverse effects on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations by local, state or federal agencies would not occur.</p>					<b>X</b>	<b>X</b>
<b>5. GEOLOGY AND SOILS:</b>						
<p>(a) <i>Substantial health and safety risk associated with seismic or geologic hazards?</i></p> <p>The proposed Project site is located within the Downtown Special Fault Zone as established and defined by the <i>City of San Diego Seismic Safety Study</i>. The site is not located within a currently established State of California Earthquake Fault Zone. The site is located near the southern onshore portion of the Rose Canyon Fault Zone, which is designated as an Earthquake Fault Zone by the California Department of Mines and Geology.</p> <p>Geocon Incorporated prepared a Geotechnical Investigation (“Geocon Investigation”) for the Project in 2016 which states, “based on the results of our investigation, it is our opinion that the site can be developed as proposed provided the recommendations of this report are followed and implemented during design and construction.”</p> <p>Moreover the Geocon Investigation states “it is our opinion that faults do not underlie the subject property. Accordingly, the potential for surface</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>rupture due to faulting in the area of the proposed development is considered to be very low and it is our opinion that building setbacks are not required.”</p> <p>Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the site’s location such hazards could nevertheless occur. Conformance with, and implementation of, all seismic-safety development requirements, including all applicable requirements of the Alquist-Priolo Zone Act, the seismic design requirements of the International Building Code (IBC), the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards are not significant.</p>						
<b>6. GREENHOUSE GAS EMISSIONS:</b>						
<p><i>(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i></p> <p>The Downtown Community Plan provides for the growth and buildout of Downtown Community Plan area (“Downtown”). The City’s Climate Action Plan (“CAP”) EIR analyzed greenhouse gas (“GHG”) emissions on a citywide basis – inclusive of the anticipated assumptions for the growth and buildout of Downtown. The City’s CAP outlines measures that would support substantial progress towards the City’s 2035 GHG emissions reduction targets, which are intended to the keep the City in-line to achieve its share of 2050 GHG reductions.</p> <p>The CAP Consistency Checklist was adopted on July 12, 2016 to uniformly implement the CAP for project-specific analyses of GHG emission impacts. The Project has been analyzed against the CAP</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Consistency Checklist and based this analysis, it has been determined that the Project would be consistent with the CAP and would not contribute to cumulative GHG emissions that would be inconsistent with the CAP. As such, the Project would be consistent with the anticipated growth and buildout assumptions of both the Downtown Community Plan and the CAP.</p> <p>Therefore, this impact is considered not significant.</p>						
<p>(b) <i>Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas?</i></p> <p>As stated above in Section 6.a., construction and operation of the proposed Project would not result in a significant impact related to GHG emissions on the environment. The Project is consistent with the City's CAP and growth assumptions under the Downtown Community Plan as stated in Section 6.a. Additionally, the Project would be consistent with the recommendations within Policy CE-A.2 of the City of San Diego's General Plan Conservation Element. Therefore, the Project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p> <p>This impact is considered not significant.</p>					<b>X</b>	<b>X</b>
<b>7. HAZARDS AND HAZARDOUS MATERIALS:</b>						
<p>(a) <i>Substantial health and safety risk related to onsite hazardous materials?</i></p> <p>The FEIR states that contact with, or exposure to, hazardous building materials, soil and ground water contaminated with hazardous materials, or other hazardous materials could adversely affect human health and safety during short-term</p>					<b>X</b>	<b>X</b>



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>construction or long term operation of a development. The Project is subject to federal, state, and local agency regulations for the handling of hazardous building materials and waste. Compliance with all applicable requirements of the County of San Diego Department of Environmental Health and federal, state, and local regulations for the handling of hazardous building materials and waste would ensure that potential health and safety impacts caused by exposure to on-site hazardous materials are not significant during short term, construction activities. In addition, herbicides and fertilizers associated with the landscaping of the Project could pose a significant health risk over the long term operation of the Project. However, the Project's adherence to existing mandatory federal, state, and local regulations controlling these materials would ensure that long-term health and safety impacts associated with on-site hazardous materials over the long term operation of the Project are not significant.</p>						
<p>(b) <i>Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i></p> <p>The Project is not located on or within 2,000 feet of a site on the State of California Hazardous Waste and Substances Sites List; however, there are sites within 2,000 feet of the Project site that are listed on the County of San Diego's Site Assessment Mitigation (SAM) Case Listing. The FEIR states that significant impacts to human health and the environment regarding hazardous waste sites would be avoided through compliance with mandatory federal, state, and local</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
regulations as described in Section 7.a above.  Therefore, the FEIR states that no mitigation measures would be required.						
(c) <i>Substantial safety risk to operations at San Diego International Airport?</i>  According to the Airport Land Use Compatibility Plan for San Diego International Airport (SDIA), the entire downtown planning area is located within the SDIA Airport Influence Area. The FEIR identifies policies that regulate development within areas affected by Lindbergh Field including building heights, use and intensity limitations, and noise sensitive uses. The Project does not exceed the intensity of development assumed under the FEIR, nor does it include components that would in any way violate or impede adherence to these policies, impacts related to the creation of substantial safety risks at San Diego International Airport would not be significant, consistent with the analysis in the FEIR. Therefore, there are no potential direct or cumulative impacts related to this issue.					<b>X</b>	<b>X</b>
(d) <i>Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan?</i>  The Project does not propose any features that would affect an emergency response or evacuation plan. Therefore, no impact associated with this issue is anticipated.					<b>X</b>	<b>X</b>
<b>8. HISTORICAL RESOURCES:</b>						
(a) <i>Substantially impact a significant historical resource, as defined in § 15064.5?</i>			<b>X</b>	<b>X</b>		

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>The proposed project includes the construction of an 8-story, 42 dwelling unit, apartment building and a 5-story single-family house. These buildings would replace the vacant, Oscar H. Millard Rental (HRB SR #282), that would be demolished as part of the project. The Oscar H. Millard Rental (Millard Rental) is a locally designated historical resource per Table 5.3-2 <i>Inventoried Historic Resources with the Downtown Community Plan Area</i> (DCP FEIR, p. 5.3-7).</p> <p>As part of this Project, a Historical Research Report was completed to determine if the Millard Rental is eligible for listing in the National Register of Historic Properties and the California Register of Historical Resources. The results of the analysis concluded that the Millard Rental is not eligible for either the State or Federal registers.</p> <p>Per the San Diego Municipal Code (SDMC) Section 126.0502(d)(1) the demolition of a locally designated historical resource, in this case the Millard Rental, is reviewed under a Process Four for a Site Development Permit with approval to be decided by the Planning Commission based on the Site Development findings outlined in SDMC Section 112.0504(a)&amp;(i).</p> <p>DCP FEIR <b>Mitigation Measure Hist-A.1-3</b> (Attachment A) reduces the impact of demolishing a locally designated historical resource. Implementation of Mitigation Measure Hist-A.1-3 requires compliance with SDMC Section 143.02: Historical Resources Regulations. Mitigation Measure Hist-A.1-3 specifically requires the applicant to submit a Documentation Program prior to the issuance of a Demolition Permit as well as comply with any other conditions</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p><b>Issues and Supporting Information</b></p>						
<p>contained in the Site Development Permit.</p> <p>The City Council adopted a Statement of Overriding Considerations for the potential significant impacts that were identified in the DCP FEIR, thereby finding that the impacts associated with implementing the DCP are acceptable in light of the benefits.</p> <p>If the Planning Commission makes the required findings and approves the Project's SDP for the substantial alteration to an historic resource, no further environmental review would be required due to the adoption of Overriding Considerations.</p>						
<p>(b) <i>Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries?</i></p> <p>According to the FEIR, the likelihood of encountering archaeological resources is greatest for Projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in the DCP Area, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. Thus, the excavation and surface clearance activities associated with development of the Project and the two levels of subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains.</p> <p>Implementation of <b>FEIR Mitigation Measure HIST-B.1-1</b>, (Attachment A) would minimize,</p>	<b>X</b>	<b>X</b>				

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

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

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>implementation of BMPs required by the local Standard Urban Storm water Mitigation Program (SUSMP) and Storm water Standards would reduce the Project's long-term impacts.</p> <p>Thus, adherence to the state and local water quality controls would ensure that direct impacts to groundwater and surface water quality would not be significant.</p> <p>Despite not resulting in direct impacts to water quality, the FEIR found that the urban runoff generated by the cumulative development in the downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the FEIR to feasibly reduce this cumulative impact to below a level of significance.</p> <p>Consistent with the FEIR, the Project's contribution to the cumulative water quality impact would remain significant and unmitigated.</p>						
<p>(b) <i>Substantially increase impervious surfaces and associated runoff flow rates or volumes?</i></p> <p>The project site is currently developed and covered with impervious surfaces. Implementation of the Project would not substantially increase the runoff volume entering the storm drain system. The FEIR found that implementation of the Downtown Community Plan would not result in a substantial increase in impervious surfaces within the downtown planning area because the area is a highly urbanized area paved with pervious surfaces and very little vacant land (approximately 3 percent of the planning area). Redevelopment of downtown</p>					<b>X</b>	<b>X</b>

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



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

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

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
impacts to surrounding neighborhoods.						
<b>11. MINERAL RESOURCES:</b>						
<p>(a) <i>Substantially reduce the availability of important mineral resources?</i></p> <p>The FEIR states that the viable extraction of mineral resources is limited in the DCP Area due to its urban nature and the fact that the area is not recognized for having high mineral resource potential. Therefore, no impact associated with this issue would occur.</p>					<b>X</b>	<b>X</b>
<b>12. NOISE:</b>						
<p>(a) <i>Substantial noise generation?</i></p> <p>The Project would not result in substantial noise generation from any stationary sources over the long-term. Short-term construction noise impacts would be avoided by adherence to construction noise limitations imposed by the City's Noise Abatement and Control Ordinance. The FEIR defines a significant long-term traffic noise increase as an increase of at least 3.0 dB (A) CNEL for street. The FEIR identified nine street segments in the downtown area that would be significantly impacted as a result of traffic generation; however, none of these identified segments are in the direct vicinity of the Project site. Nevertheless, automobile trips generated by the project, would, in combination with other</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>development in downtown significantly increase noise on several street segments resulting in cumulatively significant noise impacts.</p> <p>The FEIR concludes that there are no feasible mitigation measures available to reduce the significant noise increase in noise on affected roadways and this impact remains significant and unavoidable.</p>						
<p>(b) <i>Substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)?</i></p> <p>The Project is a residential development with approximately 36 DU. Under the CCPDO, developments of this size are not required to contain a common outdoor open space area and this project does not propose one.</p>					<b>X</b>	<b>X</b>
<p>(c) <i>Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)?</i></p> <p>Traffic noise levels could exceed 65 dB (A) CNEL in the Project area and interior noise levels within habitable rooms facing adjacent streets could experience interior noise levels in excess of 45 dB (A) CNEL (the standard set forth in the DCP FEIR). However, adherence to Title 24 of the California Building Code and implementation of <b>Mitigation Measure NOI-B.1-1</b> would reduce interior noise levels to below 45 dB (A).</p> <p>Therefore, direct project-level impacts associated with this issue would be mitigated to a level less than significant.</p>			<b>X</b>			<b>X</b>
<b>13. POPULATION AND HOUSING:</b>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>(a) <i>Substantially induce population growth in an area?</i></p> <p>The FEIR concludes that build-out of the DCP would not induce substantial population growth that results in adverse physical changes. The Project is consistent with the DCP and CCPDO and does not exceed those analyzed throughout the FEIR.</p> <p>Therefore, project-level and cumulative impacts associated with this issue are not significant.</p>					<b>X</b>	<b>X</b>
<p>(b) <i>Substantial displacement of existing housing units or people?</i></p> <p>The Project site is currently occupied by a parking lot and the vacant Millard Rental that was last used for commercial purposes. An addition to the Millard Rental contained one apartment unit that is vacant and will be demolished. The Project proposes to construct 43 units.</p> <p>Therefore, no direct or cumulative impacts associated with this issue would occur as there is no substantial displacement of existing housing units or persons.</p>					<b>X</b>	<b>X</b>
<b>14. PUBLIC SERVICES AND UTILITIES:</b>						
<p>(a) <i>Substantial adverse physical impacts associated with the provision of new schools?</i></p> <p>The population of school-aged children attending public schools is dependent on current and future residential development. In and of itself, the Project would not generate a sufficient number of students to warrant construction of a new school facility. However, the FEIR concludes that the additional student population anticipated at build</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>out of the DCP Area would require the construction of at least one additional school, and that additional capacity could potentially be accommodated in existing facilities. The specific future location of new facilities is unknown at the present time.</p> <p>Pursuant to Section 15145 of CEQA, analysis of the physical changes in the DCP Area, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and project specific mitigation measures.</p> <p>Therefore, implementation of the Project would not result in direct or cumulative impacts associated with this issue.</p>						
<p>(b) <i>Substantial adverse physical impacts associated with the provision of new libraries?</i></p> <p>The DCP FEIR concludes that, cumulatively, development in downtown would generate the need for a new Main Library and possibly several smaller libraries in downtown. In and of itself, the proposed Project would not generate additional demand necessitating the construction of new library facilities. However, according to the analysis in the FEIR, future development projects are considered to contribute to the cumulative need for new library facilities downtown identified in the FEIR. Nevertheless, the specific future location of these facilities (except for the Main Library) is unknown at present. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area, which may occur from future construction of these public facilities, would</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>be speculative and no further analysis of their impacts is required. (The environmental impacts of the Main Library were analyzed in a Secondary Study prepared by Civic SD (formerly CCDC) in 2001.) Construction of any additional library facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p> <p>Therefore, approval of the Project would not result in direct or cumulative impacts associated with this issue.</p>						
<p>(c) <i>Substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities?</i></p> <p>The Project would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the FEIR. However, the FEIR reports that the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area that may occur from future construction of this fire station facility would be speculative and no further analysis of the impact is required. However, construction of the second new fire protection facility would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify significant impacts and appropriate mitigation measures.</p>					<b>X</b>	<b>X</b>
<p>(d) <i>Substantial adverse physical impacts associated with the provision of new law enforcement facilities?</i></p>					<b>X</b>	<b>X</b>

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



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>mimicking the above-ground street grid pattern.</p> <p>According to the DCP FEIR, in the short term, planned water supplies and transmission or treatment facilities are adequate for development of the DCP. Water transmission infrastructure necessary to transport water supply to the downtown area is already in place. Build out of the 2006 DCP, however, would generate more water demand than planned for in the adopted 2010 UWMP. This additional demand was not considered in SDCWA's Urban Water Management Plan (UWMP). To supplement this and meet the additional need, SDCWA indicates in the DCP FEIR that it will increase local water supply (from surface water, water recycling, groundwater, and seawater desalination) to meet the additional demand resulting from build out of the DCP.</p> <p>California Water Code Section 10910 requires projects analyzed under CEQA to assess water demand and compare that finding to the jurisdiction's projected water supply.</p> <p>Since the proposed project does not meet the requirements of SB 610 and is consistent with the Downtown Community Plan, direct and cumulative impacts related to water supply would be considered not significant.</p>						
<p>(f) <i>Substantial adverse physical impacts associated with the provision of new storm water facilities?</i></p> <p>The FEIR concludes that the cumulative development of the downtown would not impact the existing downtown storm drain system. Since implementation of the Project would not result in a significant increase of impervious surfaces, the amount of runoff volume entering the storm drain system would not create demand for new storm</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
water facilities.  Direct and cumulative impacts associated with this issue are considered not significant.						
(g) <i>Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities?</i>  The FEIR concludes that new wastewater treatment facilities would not be required to address the cumulative development of the downtown. In addition, sewer improvements that may be needed to serve the Project are categorically exempt from environmental review under CEQA as stated in the FEIR.  Therefore, impacts associated with this issue would not be significant.					<b>X</b>	<b>X</b>
(h) <i>Substantial adverse physical impacts associated with the provision of new landfill facilities?</i>  The FEIR concludes that cumulative development within the downtown would increase the amount of solid waste to the Miramar Landfill and contribute to the eventual need for an alternative landfill. Although the proposed Project would generate a higher level of solid waste than the existing use of the site, implementation of a mandatory Waste Management Plan and compliance with the applicable provisions of the San Diego Municipal Code would ensure that both short-term and long-term project-level impacts are not significant.  However, the Project would contribute, in combination with other development activities in downtown, to the cumulative increase in the generation of solid waste sent to Miramar Landfill					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>and the eventual need for a new landfill as identified in the FEIR. The location and size of a new landfill is unknown at this time. Pursuant to Section 15145 of CEQA, analysis from the physical changes that may occur from future construction of landfills would be speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts of the proposed Project and appropriate mitigation measures.</p> <p>Therefore, cumulative impacts of the proposed Project are also considered not significant.</p>						
<b>15. PARKS AND RECREATIONAL FACILITIES:</b>						
<p>(a) <i>Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</i></p> <p>The FEIR discusses impacts to parks and other recreational facilities and the maintenance thereof and concludes that build out of the DCP would not result in significant impacts associated with this issue. Since the land use designation of the proposed development does not differ from the land use designation assumed in the FEIR analysis, the Project would not generate a level of demand for parks and recreational facilities beyond the level assumed by the FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the Project.</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
No significant impacts with this issue would occur.						
<b>16. TRANSPORTATION/TRAFFIC:</b>						
<p>(a) <i>Cause the LOS on a roadway segment or intersection to drop below LOS E?</i></p> <p>Based on Centre City Cumulative Traffic Generation Rates for residential projects contained in the May 2003 SDMC Trip Generation Manual, the worst-case scenario for automobile trips by the Project is 219 Average Daily Trips (ADT) based on a trip generation rate of four ADT per unit and 18 ADT per 1,000 square feet of retail space. Since this does not exceed the 2,400 ADT threshold for significance the Project's impacts on roadway segments and intersections would not be significant.</p> <p>Traffic generated by the proposed project in combination with traffic generated by other downtown development would contribute to the significant cumulative impacts projected in the DCP FEIR to occur on a number of downtown roadway segments and intersections as well as streets within neighborhoods surrounding the DCP. However, the project's direct impacts on downtown roadway segments or intersections would not be significant.</p> <p>The DCP FEIR includes mitigation measures to address impacts associated with buildout of the DCP, but the DCP FEIR acknowledges that the identified measures may or may not be able to fully mitigate these cumulative impacts due to constraints imposed by bicycle and pedestrian activities and the land uses adjacent to affected roadways.</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Pursuant to <b>Mitigation Measure TRAF-A.1.1-2</b>, the applicant will also be required to pay development impact fees to fund a fair share fee towards transportation improvements for the DCP Area. As required by <b>Mitigation Measure TRAF-A.1.1-3</b>, the City adopted the Downtown Community Public Facilities Financing Plan 2015 that established a transportation fee. The transportation fee is intended to fund street, transit, bicycle, pedestrian improvements, promenades, and below grade parking structures, as further set forth in the Downtown Community PFFP.</p>						
<p>(b) <i>Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes?</i></p> <p>The DCP FEIR concludes that development within downtown will result in significant cumulative impacts to freeway segments and ramps serving the downtown planning area. Since the land use designation of the Project is consistent with the land use designation assumed in the FEIR analysis, the Project would contribute on a cumulative-level to the substandard LOS F identified in the FEIR on all freeway segments in the downtown area and several ramps serving the downtown.</p> <p>FEIR <b>Mitigation Measure TRF-A.2.1-1</b> would reduce these impacts to the extent feasible, but not to below the level of significance. The FEIR concludes that the uncertainty of implementing freeway improvements as well as increasing ramp capacities limits the ability to fully mitigate impacts.</p> <p>Thus, the Project's cumulative-level impacts to freeways would remain significant and unavoidable, consistent with the analysis of the</p>		<b>X</b>			<b>X</b>	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
FEIR. The Project would not have a direct impact on freeway segments and ramps.						
<p>(c) <i>Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</i></p> <p>The proposed Project, in and of itself, does not include any features that would discourage the use of alternative modes of transportation. The Project's proximity to several other community serving uses, including nearby shopping and recreational activities also encourage walking. Additionally, visitors of the proposed Project would be encouraged to use alternative transportation means as there are several bus lines within a five-minute walk. Therefore, the Project will cause no significant impacts related to alternative modes of transportation or cause transit service capacity to be exceeded.</p>					<b>X</b>	<b>X</b>
<b>17. MANDATORY FINDINGS OF SIGNIFICANCE:</b>						
<p>(a) <i>Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i></p> <p>As indicated in the FEIR, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the DCP area. Additionally, the Project does not have the potential to eliminate important examples of major periods of California history or pre-history</p>					<b>X</b>	<b>X</b>

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
at the Project level.  No other aspects of the Project would substantially degrade the environment. Cumulative impacts are described in Section 17(b) below.						
(b) <i>Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?</i>  As acknowledged in the FEIR, implementation of the DCP, CCPDO, and Redevelopment Plan would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. Implementation of the mitigation measures identified in the FEIR would reduce some significant impacts; however, the impacts would remain significant and immitigable as identified in the FEIR and the Statement of Overriding Considerations adopted by the City. This Project’s contribution would not be greater than anticipated by the FEIR and therefore no further analysis is required.		<b>X</b>				
(c) <i>Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?</i>  As acknowledged in the FEIR, implementation of the DCP, CCPDO, and Redevelopment Plan would result in cumulative impacts associated	<b>X</b>	<b>X</b>				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. However, the impacts associated with this Project would be no greater than those assumed in the FEIR and therefore no further environmental review is required under CEQA.						

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