

**DOWNTOWN  
FINAL ENVIRONMENTAL IMPACT REPORT (Downtown FEIR)  
CONSISTENCY EVALUATION  
FOR THE  
EZABELLE PROJECT**

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## **DOWNTOWN FEIR CONSISTENCY EVALUATION**

**1. PROJECT TITLE:** Ezabelle ("Project")

**2. DEVELOPER:** Nakhshab Development, Design, Inc.

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

The 4,200 SF site is located at 454 13<sup>th</sup> Street on the west side of 13<sup>th</sup> Street between Island Avenue and J Street. The site currently contains a single-story residential building known as the Wright House that was constructed in 1881 and designated by the City of San Diego Historic Resources Board as a local historic resource on November 16, 2017 (HRB No. 1278). The site slopes downward slightly from west to east by approximately two feet. The Project site is in the Residential Emphasis land use district as designated in the CCPDO and subject to the Park Sun Access Overlay that requires at least 50% of the gross floor area be dedicated to employment uses, the Limited Vehicle Access overlay that controls the height of new development to the south and west of future park sites to ensure they maintain adequate sunlight, with which the Project complies.

**4. PROJECT DESCRIPTION:** This Project consists of a seven-story, 77 foot tall mixed-use development comprised of 45 dwelling units (DU), of which six are affordable, restricted to 30-50% of Area Median Income (AMI). All units are studios that range in size from 211 SF to 392 SF. The ground floor consists of leasable commercial space, 564 SF of which is within portions of the designated historic resource proposed to be retained on-site and incorporated into the Project. The Project does not include off-street parking. 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 9.0. The project has an FAR of 5.9.

**5. 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 (City Council Resolution R-310595).

The Downtown FEIR and the CAP FEIR are “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The aforementioned environmental documents are the most recent and comprehensive environmental documents pertaining to the proposed Project. The Downtown FEIR 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.

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

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

**AQ-B.1-1; HIST-A.1-1; HIST-A.1-2; HIST-B.1-1; PAL-A.1-1; LU-B.4-1; NOI-B.1-1; TRF-A.1.1-2; TRF-A.1.1-3, TRF-A2.2-1**

**8. 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)
- Historical Resources: Impacts to Historical Resource (HIST-A.1) (C/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 parks and public spaces
5. Relieve growth pressure on outlying communities
6. Maximize the advantages of downtown's climate and waterfront setting
7. Implement a coordinated, efficient system of vehicular, transit, bicycle, and pedestrian traffic
8. Integrate historical resources into the new downtown plan
9. Facilitate and improve the development of business and economic opportunities located in the downtown area
10. Integrate health and human services into neighborhoods within downtown
11. Encourage a regular process of review to ensure that 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:

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James Alexander, Associate Planner, CivicSD  
Lead Agency Representative/Preparer

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:

1. Develop downtown as the primary urban center for the region
2. Develop full-service, walkable neighborhoods linked to the assets downtown offers
3. Relieve growth pressure on outlying communities
4. Integrate historical resources into the new downtown plan
5. Facilitate and improve the development of business and economic opportunities located in the downtown area

	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. 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. The Project site is not located within any designated view corridor. The site itself does not possess any significant scenic resources that could be impacted by the proposed Project therefore impacts to on-site scenic resources are not significant. Impacts associated with scenic vistas would be similar to the DCP FEIR and would not be significant.</p>					<b>X</b>	<b>X</b>
<p>(b) <i>Substantially incompatible with the bulk, scale, color and/or design of surrounding development?</i></p> <p>The bulk, scale, and design of the Project would be compatible with existing and planned developments in the East Village neighborhood. Development of the 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</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>						
surrounding buildings. Therefore, project-level and cumulative impacts associated with this issue would not occur.						
<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 (SDMC Section 101.1300 et seq.) also protects nighttime views (e.g., astronomical activities) and light-sensitive land uses from excessive light generated by development in the downtown area. The proposed project’s conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.</p>					<b>X</b>	<b>X</b>
<b>2. AGRICULTURAL RESOURCES:</b>						
<p>(a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?</i></p> <p>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</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>						
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.						
<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. The proposed Project is consistent with the land use and transit-supportive policies and regulations of the DCP and CCPDO; which are in accordance with those of the RAQs. Therefore, the proposed Project would not conflict with, but would help implement, the RAQS with its compact, high intensity land use and transit-supportive design. Therefore, no impact to the applicable air quality plan would occur.</p>					X	X
<p>(b) <i>Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</i></p> <p>The Project could involve the exposure of sensitive receptors to substantial air contaminants during short-term construction activities and over the long-term</p>			X			X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>operation of the Project. Construction activities associated with the Project could result in potentially significant impacts related to the exposure of sensitive receptors to substantial emissions of particulate matter. The potential for impacts to sensitive receptors 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</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>emission generators: construction and mobile-sources. Site preparation activities and construction of the Project would involve short-term, potentially adverse impacts associated with the creation of dust and the generation of construction equipment emissions. The clearing, grading, excavation, and other construction activities associated with the Project would result in dust and equipment emissions that, when considered together, could endanger human health. Implementation of <b>Downtown FEIR Mitigation Measure AQ-B.1-1</b> (see Attachment A) would reduce dust and construction equipment emissions generated during construction of the Project to a level below significance.</p> <p>The air emissions generated by automobile trips associated with the Project would not exceed air quality significance standards established by the San Diego Air Pollution Control District. However, the Project's mobile source emissions, in combination with dust generated during the construction of the Project, would contribute to the significant and unmitigated cumulative impact to air quality identified in the Downtown FEIR. No uses are proposed that would significantly increase stationary-source emissions in Downtown; therefore, impacts from stationary sources would be not significant.</p>						

	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>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>
<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 in a seismically active region. There are no known active or potentially active faults located on the Project site. However, the Project site is located within the Rose Canyon Fault Zone, which is designated as an Earthquake Fault Zone by the California Department of Mines and</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>Geology. Within this fault zone is the Downtown Graben and San Diego Fault and a seismic event on this fault could cause significant ground shaking on the proposed Project site. The site also lies with the Alquist-Priolo Earthquake Fault Zone (A-P Zone) established by the California Geologic Survey. Therefore, the potential exists for substantial health and safety risks on the Project site associated with a seismic hazard.</p> <p>Michael W. Hart, Engineering Geologist, prepared a Geologic Study in November 2017 and Christian Wheeler Engineering prepared a Geotechnical Investigation in December 2017 for the Project. Both reports conclude that the subject site is not traversed by an active or potentially active fault. Therefore, the potential for surface rupture from displacement or fault movement beneath the proposed improvements is considered to be low.</p> <p>Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the site's moderate to non-expansive geologic structure, such hazards could nevertheless occur. Conformance with, and implementation of, all seismic-safety development requirements, including all applicable requirements of the Alquist-Priolo Zone Act, the seismic design requirements of the International Building Code (IBC), the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards are not significant.</p>						
<b>6. GREENHOUSE GAS EMISSIONS:</b>						
<i>(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</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 DCP provides for the growth and buildout of Downtown. The City’s CAP FEIR analyzed greenhouse gas (“GHG”) emissions on a citywide basis – inclusive of the anticipated assumptions for the growth and 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 keep the City in-line to achieve its share of 2050 GHG reductions.</p> <p>The CAP Consistency Checklist was adopted to uniformly implement the CAP for project-specific analyses of GHG emission impacts. The Project has been analyzed against the CAP Consistency Checklist and based on 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 DCP and the CAP. 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 DCP as stated in Section 6.a. Additionally, the Project would be consistent with the recommendations within Policy CE-A.2 of the City of San Diego’s General Plan Conservation Element. Therefore, the Project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions</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>						
of greenhouse gases. This impact is considered not significant.						
<b>7. HAZARDS AND HAZARDOUS MATERIALS:</b>						
<p>(a) <i>Substantial health and safety risk related to onsite hazardous materials?</i></p> <p>The Downtown FEIR states that contact with, or exposure to, hazardous building materials, soil and ground water contaminated with hazardous materials, or other hazardous materials could adversely affect human health and safety during short-term construction or long term operation of a development. The Project is subject to federal, state, and local agency regulations for the handling of hazardous building materials and waste. Compliance with all applicable requirements of the County of San Diego Department of Environmental Health and federal, state, and local regulations for the handling of 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>					<b>X</b>	<b>X</b>
<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</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>site on the State of California Hazardous Waste and Substances Sites List; however, there are sites within 2,000 feet of the Project site that are listed on the County of San Diego’s Site Assessment Mitigation (SAM) Case Listing. The Downtown FEIR states that significant impacts to human health and the environment regarding hazardous waste sites would be avoided through compliance with mandatory federal, state, and local regulations as described in Section 7.a above. Therefore, the Downtown FEIR states that no mitigation measures would be required.</p>						
<p><i>(c) Substantial safety risk to operations at San Diego International Airport?</i></p> <p>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.</p>					<b>X</b>	<b>X</b>
<p><i>(d) Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan?</i></p> <p>The Project does not propose any features that would affect an emergency response or evacuation plan. Therefore, no impact associated with this issue is</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>						
anticipated.						
<b>8. HISTORICAL RESOURCES:</b>						
<p>(a) <i>Substantially impact a significant historical resource, as defined in § 15064.5?</i></p> <p>The project site contains the historic Wright House, which is a locally designated historic resource in the San Diego Register (DCP FEIR, p. 5.3-8). The Wright House is currently vacant. The historic resource will undergo a complete restoration per the approved Treatment Plan. The Project proposes to retain portions of the historic resource on-site and incorporate them into the design of the new construction, resulting in a substantial alteration of the historic resource. The substantial alteration consists of the removal of three facades and relocation onto a new concrete structure at the front of the property, and constructing six levels of residential units directly above the building, setback 10'-3" from the bay windows of the front façade.</p> <p>This is consistent with DCP Goals 9.1-G-1, "Protect historical resources to communicate Downtown's heritage," 9.1-G-2, "Encourage the rehabilitation and reuse of historical resources," and 9.2-G-1, "Integrate historical resources into the Downtown fabric while achieving policies for significant development and population intensification," and with DCP Policies 9.2-P-1, "Incorporate elements of historical buildings in new projects to impart heritage," and 9.2-P-3, "Promote the adaptive reuse of intact buildings (designated or not) and/or significant elements, as a cultural and suitability goal."</p> <p>DCP FEIR <b>Mitigation Measure HIST-A.1-1</b> requires compliance with Chapter 14, Article 3, Division 2 of the SDMC, which regulates historic resources. <b>Mitigation Measure HIST-A.1-2</b> requires the applicant to submit a Treatment Plan for retained</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>historic resources for review and approval. Implementation of SDMC §143.0201 et seq., as required by Mitigation Measures HIST-A.1-1 and HIST-A.1-2 (Attachment A), will further ensure that the inclusion of the Wright House will not significantly impact the historic resource.</p> <p>The Project would include substantial alterations to the Wright House that may be approved through the SDP review and approved by the City in conformance with the City’s Historical Resources Regulations as provided in <b>Mitigation Measure HIST-A.1-1 and HIST-A.1-2.</b></p>						
<p><i>(b) Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries?</i></p> <p>According to the Downtown FEIR, the likelihood of encountering archaeological resources is greatest for projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in Downtown, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. Thus, the excavation, demolition, and surface clearance activities associated with development of the Project and the level of subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains. Implementation of <b>Downtown FEIR Mitigation Measure HIST-B.1-1</b>, (see Attachment A) would minimize, but not fully mitigate, these potential impacts. Since the potential for archaeological resources and human remains on the Project site</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>						
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, consistent with the analysis of the Downtown FEIR. Furthermore, project-level significant impacts to important archaeological resources would contribute to the potentially significant and unmitigated cumulative impacts identified in the Downtown FEIR.						
<p><i>(c) Substantially impact a unique paleontological resource or site or unique geologic feature?</i></p> <p>The Project site is underlain by the San Diego Formation and Bay Point Formation, which has high paleontological resource potential. The Downtown FEIR concludes that development would have potentially adverse impacts to paleontological resources if grading and/or excavation activities are conducted beyond a depth of 1-3 feet. The Project's proposal for a level of subterranean parking would involve excavation beyond the FEIR standard, resulting in potentially significant impacts to paleontological resources. Implementation of <b>Downtown FEIR Mitigation Measure PAL-A.1-1</b> (see Attachment A) would ensure that the Project's potentially direct impacts to paleontological resources are not significant. Furthermore, the Project would not impact any resources outside of the Project site. The mitigation measures for direct impacts fully mitigate for paleontological impacts, therefore, the Project's contribution to cumulative impacts to paleontological resources would be significant but mitigated because the same measures that mitigate direct impacts would also mitigate for any cumulative impacts.</p>			<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>9. HYDROLOGY AND WATER QUALITY:</b>						
<p>(a) <i>Substantially degrade groundwater or surface water quality?</i></p> <p>The Project’s construction and grading activities may involve soil excavation at a depth that could surpass known groundwater levels, which would indicate that groundwater dewatering might be required. Compliance with the requirements of either (1) the San Diego Regional Water Quality Control Board under a National Pollution Discharge Elimination system general permit for construction dewatering (if dewatering is discharged to surface waters), or (2) the City of San Diego Metropolitan Wastewater Department (if dewatering is discharged into the City’s sanitary sewer system under the Industrial Waste Pretreatment Program), and (3) the mandatory requirements controlling the treatment and disposal of contaminated dewatered groundwater would ensure that potential impacts associated with construction dewatering and the handling of contaminated groundwater are not significant. In addition, Best Management Practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP) would ensure that short-term water quality impacts during construction are not significant. The proposed Project would result in hard structure areas and other impervious surfaces that would generate urban runoff with the potential to degrade groundwater or surface water quality. However, implementation of BMPs required by the local Standard Urban Storm water Mitigation Program (SUSMP) and Storm water Standards would reduce the Project’s long-term impacts. Thus, adherence to the state and local water quality controls would ensure that direct impacts to groundwater and surface water quality would not be significant.</p> <p>Despite not resulting in direct impacts to water quality, the Downtown FEIR found that the urban</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>						
runoff generated by the cumulative development in the downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the Downtown FEIR to feasibly reduce this cumulative impact to below a level of significance. Consistent with the Downtown FEIR, the Project's contribution to the cumulative water quality impact would remain significant and unmitigated.						
<p><i>(b) 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 Downtown FEIR found that implementation of the DCP would not result in a substantial increase in impervious surfaces within Downtown because the area is a highly urbanized area paved with pervious surfaces and very little vacant land (approximately 3 percent of the planning area). Redevelopment of downtown is therefore anticipated to replace impervious surfaces that already exist and development of the small number of undeveloped sites would not result in a substantial increase in impermeable surface area or a significant impact on the existing storm drain system. The Project is also required to comply with the City of San Diego BMPs required as part of the local SWPPP. The Project incorporates a variety of pervious surfaces (such as landscape areas and open spaces), as well as features designed to utilize storm water. Implementation of these features is encouraged by the DCP as they capture rain water and reduce surface volume entering the storm drain system. Therefore, impacts associated within this issue are not significant. (Impacts associated with the quality of urban runoff are</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>						
analyzed in Section 9a.)						
<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>
<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 designation 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. Within the RE District, at least 80% of the gross floor</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>area must be occupied by residential uses. Non-residential uses may occupy no more than 20% of the gross floor area. The Project complies with the provisions of the RE District.</p> <p>The Project is located in the Park Sun Access Overlay, which ensures adequate sunlight to future park sites designated in the DCP by controlling the height of new development to the south and west as illustrated in Figure M of the CCPDO. The Project complies with the provisions of this Overlay.</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 will meet all applicable development standards of the CCPDO and SDMC. Therefore, no significant direct or cumulative impacts associated with an adopted land use plan would occur.</p>						
<p><i>(b) 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 incompatibility impacts related to the Project’s emission of, and exposure to, lighting are not significant. In addition, the Downtown FEIR concludes that existing mandatory regulations addressing land use compatibility with industrial activities would ensure that residents of, and visitors to, the Project are not subject to potential land use incompatibilities (potential land use incompatibilities resulting from hazardous materials and air emissions are evaluated elsewhere in this evaluation).</p> <p>Potentially significant impacts associated with the</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>						
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>(c) <i>Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development?</i></p> <p>Although not expected to be a substantial direct impact of the Project because substantial numbers of transients are not known to congregate on-site, the Project, in tandem with other Downtown development activities, would have a significant cumulative impact on surrounding communities resulting from sanitation problems and litter generation by transients who are displaced from Downtown into surrounding canyons and vacant land as discussed in the Downtown FEIR. Continued support of Homeless Outreach Teams (HOTs) and similar transient outreach efforts would reduce, but not fully mitigate, the adverse impacts to surrounding neighborhoods caused by the transient relocation. Therefore, the Project would result in cumulatively significant and not fully mitigated impacts to surrounding neighborhoods.</p>		<b>X</b>			<b>X</b>	
<b>11. MINERAL RESOURCES:</b>						
<p>(a) <i>Substantially reduce the availability of important mineral resources?</i></p> <p>The Downtown 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>

	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>12. NOISE:</b>						
<p><i>(a) 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 Downtown FEIR defines a significant long-term traffic noise increase as an increase of at least 3.0 dB (A) CNEL for street. The Downtown FEIR identified nine street segments in Downtown 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 development in Downtown significantly increase noise on several street segments resulting in cumulatively significant noise impacts. The Downtown FEIR concludes that there are no feasible mitigation measures available to reduce the significant noise increase in noise on affected roadways and this impact remains significant and unavoidable.</p>		<b>X</b>			<b>X</b>	
<p><i>(b) 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 45 DU. Under the CCPDO, developments with 50 DU or less are not required to contain a common outdoor open space area. However, this Project proposes an approximately 3,000 SF rooftop outdoor common space that includes lounge areas, a communal barbeque, and a pet relief area.</p>					<b>X</b>	<b>X</b>
<p><i>(c) 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</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>						
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). Therefore, direct project-level impacts associated with this issue would be mitigated to a level less than significant.						
<b>13. POPULATION AND HOUSING:</b>						
<i>(a) Substantially induce population growth in an area?</i>					<b>X</b>	<b>X</b>
The Downtown FEIR concludes that build-out of Downtown would not induce substantial population growth that results in adverse physical changes. The Project is consistent with the DCP and CCPDO and does not exceed those analyzed throughout the Downtown FEIR. Therefore, project-level and cumulative impacts associated with this issue are not significant.						
<i>(b) Substantial displacement of existing housing units or people?</i>					<b>X</b>	<b>X</b>
The Project site is currently occupied by the vacant Wright House. No existing housing units are on-site or would be affected by the development or operation of the proposed project. Overall displacement of existing housing units or persons would not occur as a result of the proposed project, and the construction of replacement housing would not be required. Therefore, no direct or cumulative impacts associated with this issue would occur.						
<b>14. PUBLIC SERVICES AND UTILITIES:</b>						
<i>(a) Substantial adverse physical impacts associated with</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><i>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 out of Downtown would require the construction of at least one additional school, and that additional capacity could potentially be accommodated in existing facilities. The specific future location of new facilities is unknown at the present time. Pursuant to Section 15145 of CEQA, analysis of the physical changes in Downtown, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures. Therefore, implementation of the Project would not result in direct or cumulative impacts associated with this issue.</p>						
<p><i>(b) Substantial adverse physical impacts associated with the provision of new libraries?</i></p> <p>The FEIR concludes that, cumulatively, development in Downtown would generate the need for a new Central Library which was completed in 2013 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 Downtown FEIR, future development projects are considered to contribute to the cumulative need for new library facilities Downtown identified in the Downtown FEIR. Nevertheless, the specific future location of these facilities is unknown at present.</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>						
Pursuant to Section 15145 of CEQA, analysis of the physical changes in Downtown, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional library facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures. Therefore, approval of the Project would not result in direct or cumulative impacts associated with this issue.						
<p><i>(c) Substantial adverse physical impacts associated with the provision of new fire protection/ emergency facilities?</i></p> <p>The Project would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the Downtown FEIR. The Fire Station No. 2 (Bayside) facility is nearing completion in the Little Italy neighborhood and the San Diego Fire Department is in the process of identifying sites for new fire stations in Downtown. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in Downtown that may occur from future construction of fire station facilities would be speculative and no further analysis of the impact is required. Environmental documentation prepared pursuant to CEQA would identify significant impacts and appropriate mitigation measures for any future fire station facilities.</p>					<b>X</b>	<b>X</b>
<p><i>(d) Substantial adverse physical impacts associated with the provision of new law enforcement facilities?</i></p> <p>The Downtown FEIR analyzes impacts to law enforcement service resulting from the cumulative development of Downtown and concludes the construction of new law enforcement facilities would</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>						
not be required. Since the land use designation of the proposed development is consistent with the land use designation assumed in the Downtown FEIR analysis, the Project would not generate a level of demand for law enforcement facilities beyond the level assumed by the Downtown FEIR. However, the need for a new facility could be identified in the future. Pursuant to 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><i>(e) 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 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.</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>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><i>(f) Substantial adverse physical impacts associated with the provision of new storm water facilities?</i></p> <p>The Downtown FEIR concludes that the cumulative development of 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 water facilities. Direct and cumulative impacts associated with this issue are considered not significant. Direct and cumulative impacts associated with this issue are considered not significant.</p>					<b>X</b>	<b>X</b>
<p><i>(g) Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities?</i></p> <p>The Downtown FEIR concludes that new wastewater</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>						
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 Downtown FEIR. Therefore, impacts associated with this issue would not be significant.						
<p><i>(h) Substantial adverse physical impacts associated with the provision of new landfill facilities?</i></p> <p>The Downtown 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 and the eventual need for a new landfill as identified in the Downtown FEIR. The location and size of a new landfill is unknown at this time. Pursuant to Section 15145 of CEQA, analysis from the physical changes that may occur from future construction of landfills would be speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts of the proposed Project and appropriate mitigation measures. Therefore, cumulative impacts of the proposed Project are also considered 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>15. PARKS AND RECREATIONAL FACILITIES:</b>						
<p>(a) <i>Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</i></p> <p>The Downtown FEIR discusses impacts to parks and other recreational facilities and the maintenance thereof and concludes that build out of Downtown would not result in significant impacts associated with this issue. Since the land use designation of the proposed development does not differ from the land use designation assumed in the Downtown FEIR analysis, the Project would not generate a level of demand for parks and recreational facilities beyond the level assumed by the Downtown FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the Project. No significant impacts with this issue would occur.</p>					<b>X</b>	<b>X</b>
<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 211 Average Daily Trips (ADT) based on a trip generation rate of four ADT per unit and 18 ADT per 1,000 square feet of commercial/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 Project in combination with traffic generated by other downtown development</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>would contribute to the significant cumulative impacts projected in the DCP FEIR to occur on a number of downtown roadway segments and intersections, and street within neighborhoods surrounding the DCP area at buildout of the downtown. 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. Pursuant to <b>Downtown FEIR Mitigation Measure TRF-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>Downtown FEIR Mitigation Measure TRF-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><i>(b) Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes?</i></p> <p>The Downtown FEIR concludes that development within Downtown will result in significant cumulative impacts to freeway segments and ramps serving the Downtown area. Since the land use designation of the Project is consistent with the land use designation assumed in the Downtown FEIR analysis, the Project would contribute on a cumulative-level to the substandard LOS F identified in the Downtown FEIR on all freeway segments in the Downtown area and several ramps serving Downtown. <b>Downtown FEIR</b></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>Mitigation Measure TRF-A.2.1-1</b> would reduce these impacts to the extent feasible, but not to below the level of significance. This mitigation measure is not the responsibility of the Project, and therefore is not included in Attachment A. The Downtown FEIR concludes that the uncertainty associated with implementing freeway improvements and limitations in increasing ramp capacity limits the feasibility of fully mitigating impacts to these facilities. Thus, the Project's cumulative-level impacts to freeways would remain significant and unavoidable, consistent with the analysis of the Downtown FEIR. The Project would not have a direct impact on freeway segments and ramps.</p>						
<p>(c) <i>Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</i></p> <p>The proposed Project in and of itself does not include any features that would discourage the use of alternative modes of transportation. The Project's proximity to several other community serving uses, including nearby shopping and recreational activities also encourage walking. Additionally, visitors of the proposed Project would be encouraged to use alternative transportation means as there are several bus lines and the MTS facility/trolley station 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</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><i>important examples of the major periods of California history or prehistory?</i></p> <p>As indicated in the Downtown FEIR, due to the highly urbanized nature of the Downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the Downtown area. Additionally, the Project does not have the potential to eliminate important examples of major periods of California history or pre-history at the Project level. No other aspects of the Project would substantially degrade the environment. Cumulative impacts are described in Section 17.b below.</p>						
<p><i>(b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?</i></p> <p>As acknowledged in the Downtown FEIR, the buildout of Downtown would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. Implementation of the mitigation measures identified in the Downtown FEIR would reduce some significant impacts; however, the impacts would remain significant and immitigable as identified in the Downtown FEIR and the Statement of Overriding Considerations adopted by the City. This Project’s contribution would not be greater than anticipated by the Downtown FEIR and therefore no further analysis is required.</p>		<b>X</b>				
<p><i>(c) Does the Project have environmental effects that would cause substantial adverse effects on human</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><i>beings, either directly or indirectly?</i></p> <p>As acknowledged in the FEIR, the build-out of Downtown would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, traffic, and water quality. This Project would contribute to those impacts. However, the impacts associated with this Project would be no greater than those assumed in the Downtown FEIR and therefore no further environmental review is required under CEQA.</p>						

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