



DATE ISSUED: July 17, 2008

**REPORT NO. PC-08-036**

ATTENTION: **Planning Commission, Agenda of July 24, 2008**

SUBJECT: BAHIA VIEW – CENTRE CITY SITE DEVELOPMENT PERMIT  
2007-27. PROCESS 4

**OWNER/  
APPLICANT:** Bahia View Condominiums LLC

### **SUMMARY**

**Issue** - Should the Planning Commission grant approval of the Bahia View Condominiums project in the Downtown Community Plan Area?

**Staff Recommendation:** **Approve** Centre City Site Development Permit (“SDP”) 2007-27 for the Bahia View Condominiums project involving the substantial alteration of the Tourist Hotel, Local Designated Resource #819, with conditions including the removal, restoration, and incorporation into the project of the 1888 portion of the historic Tourist Hotel building.

**Centre City Development Corporation (“CCDC”) Recommendation:** At its March 26, 2008 meeting, the CCDC Board granted Design Review approval and recommended to the Planning Commission approval of Centre City SDP 2007-27 including the removal and restoration of the three main facades of the 1888 portion of the Tourist Hotel.

**Community Planning Group Recommendation:** On March 19, 2008, the Centre City Advisory Committee (“CCAC”) voted 18-0 (2 recusals) and the Project Area Committee (“PAC”) voted 16-0 (2 recusals) to support approval of Centre City SDP 2007-27 including the removal and restoration of the three main facades of the 1888 portion of the Tourist Hotel.

**Historical Resources Board Recommendation:** The Historical Resources Board (“HRB”) reviewed the project at their January 24, 2008 meeting and voted unanimously to recommend a separate alternative from the staff recommendation to the Planning Commission (Attachment D). Specifically, the HRB voted that the entire Tourist Hotel structure be retained and rehabilitated on-site, although the vote included an option for the temporary relocation of the building to allow for the construction of the underground parking garage.

**Other Recommendations:** The East Village Association reviewed the project at their January 10, 2008 meeting and voted unanimously in support of the project.

**Environmental Review:** Under the 2006 Final Environment Impact Report (FEIR), an Environmental Secondary Study is prepared for all developments in the Centre City area in order to evaluate the project's compliance with the Downtown Community Plan and Planned District Ordinance and, therefore, the findings and conclusions of the FEIR. Under the FEIR's analysis and Mitigation, Monitoring, and Reporting Program, potential impacts to historical resources were evaluated. For resources on the San Diego Register, mitigation measures are proposed for projects that incorporate, modify, or relocate historical resources that avoid significant environmental impacts. The FEIR found that even with mitigation, the substantial alteration or demolition of an unknown number of historical resources represented a significant environmental impact; however, the City Council adopted a Statement of Overriding Considerations for these impacts. The attached Environmental Secondary Study has been prepared for the project, identifying in the MMRP Mitigation Measures A.1-1 and A1-2 which will apply to this project addressing the impacts to the historical resource.

**Fiscal Impact Statement:** The developer will purchase 1.0 FAR (15,000 square feet) through the FAR Payment Bonus Program, resulting in a payment of \$225,000 to the Redevelopment Agency for the acquisition and development of public parks.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The Downtown Community Plan designates the project site as mixed-use and accommodates residential uses as proposed in the project. This application involves the loss of 13 Single Room Occupancy (SRO) hotel rooms currently located in the "Home Run Hotel," and the addition of 95 residential units, six of which will be affordable to moderate income households. The developer is required to comply with regulations of the Land Development Code ("LDC") pertaining to the loss of the 13 SRO units. The LDC provides that the developer may replace the units in the new project or pay a per unit in-lieu fee. The developer has opted to pay the per unit in-lieu fee and, should the project be approved, the development permit will include a condition requiring the developer to enter into an agreement with the San Diego Housing Commission (SDHC) to provide for the relocation of the tenants and payment of the in-lieu fee before granting any construction permit (including demolition).

## **BACKGROUND**

On April 27, 2008 the Planning Commission held a public hearing to consider this application. After receiving the staff report and public testimony, the Commission continued the item to June 5 to allow the applicant to conduct further research into the use of the California Historical Building Code with respect to whether the entire building, or significant portions thereof, could be moved off-site and returned into the project and its new construction. The Commission had

received conflicting testimony regarding the code requirements from the applicants and Bruce Coons, representing the Save Our Heritage Organization (SOHO), and David Marshall, representing Heritage Architecture (Mr. Marshall is a former member of the Historical Resources Board which made a recommendation on the project). On June 5, 2008, the hearing was again continued to allow additional time for research and dialogue on potential alternatives.

## DISCUSSION

The project in April consisted of the removal of the three main facades of the 1888 portion of the historical Tourist Hotel building, which would be rehabilitated off-site and then returned onto a Type 1 substrate as part of the new construction. Although the outside of the historical building would be intact with all original materials, Mr. Coons and Mr. Marshall objected to the dismantling of the building and advocated that the structure could be moved off-site intact and then returned to the site once the underground garage, and potentially the tower construction, were completed.

The applicants have completed further structural, building condition, Building Code and relocation studies on alternatives to the original proposal. The project has now been revised to include the removal of the 1888 portion of the Tourist Hotel (the 1920's portion would be demolished with portions salvaged) from the site, then temporarily stored and rehabilitated and returned onto the underground parking garage as shown in the project drawings attached. The applicant has submitted a revised Tourist Hotel Conservation Plan (attached) which describes and illustrates this option.

This option was described as Scenario #3 in the original April 27 staff report (vs. the modified Scenario #2 which had been the proposal at that time). The Financial Feasibility Study conducted for the project indicated that this option was marginally feasible, although the financial returns would be smaller due to the added costs of moving, and the off-site storage of, the intact structure rather than only the facades. However, the applicant has determined that this option is financially feasible and has amended the application accordingly.

While the current proposal does not align with the HRB recommendation for retention of the entire Tourist Hotel structure (including the 1920's addition), it does present a compromise that appears to meet the concerns expressed in the April 27 hearing. Because the revised project preserves more of the historical resource, staff recommends approval of Site Development Permit 2007-27 for the Bahia View project subject to the following conditions which are included in the attached Draft Permit:

1. The 1888 portion of Historic Landmark #819, the Tourist Hotel, shall be removed from the site to a temporary off-site location, then rehabilitated and returned to the site in its current location as part of the Bahia View project, as outlined in the Bahia View Tourist Hotel Conservation Plan dated July 14, 2008. The rehabilitation of the structure shall be performed in accordance with a Treatment Conservation Plan

required under the project's Mitigation Monitoring and Reporting Program (MMRP) Measure HIST-A.1-2, which shall be reviewed and approved by the staff of the HRB and CCDC. Historical documentation shall be provided for the review and approval of HRB staff in the form of as-built drawings, historic photographs, and current photographs to ensure the rehabilitation of the exterior facades are completed consistent with the U.S. Secretary of Interior Standards to the extent possible.

2. Any railings associated with the amenity roof deck shall be no taller than four feet in height, be constructed of glass or other highly transparent materials, and be set back from the Market Street façade a minimum of 10 feet.

Respectfully submitted,

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Brad Richter  
Manager of Current Planning

Attachments: A – April 27, 2008 Planning Commission Report  
B – Keyser Marston Feasibility Analysis, including Addendum  
C – Site Development Permit Findings (submitted by the developer)  
D – HRB Staff Memorandum  
F – Draft Centre City SDP 2007-27  
G – Environmental Secondary Study  
H - Bahia View Tourist Hotel Conservation Plan  
Bahia View Basic Concept/Schematic Drawings  
Draft Resolution

DATE ISSUED: April 1, 2008 **REPORT NO. PC-08-036**

ATTENTION: **Planning Commission, Agenda of April 17, 2008**

SUBJECT: BAHIA VIEW – CENTRE CITY SITE DEVELOPMENT PERMIT  
2007-27. PROCESS 4

**OWNER/  
APPLICANT:** Bahia View Condominiums LLC

**SUMMARY**

**Issue** - Should the Planning Commission grant approval of the Bahia View Condominiums project in the Downtown Community Plan Area?

**Staff Recommendation:** Approve Centre City Site Development Permit (“SDP”) 2007-27 for the Bahia View Condominiums project involving the substantial alteration of the Tourist Hotel, Local Designated Resource #819, with conditions.

**Centre City Development Corporation (“CCDC”) Recommendation:** At its March 26, 2008 meeting, the CCDC Board granted Design Review approval and recommended to the Planning Commission approval of Centre City SDP 2007-27.

**Community Planning Group Recommendation:** On March 19, 2008, the Centre City Advisory Committee (“CCAC”) voted 18-0 (2 recusals) and the Project Area Committee (“PAC”) voted 16-0 (2 recusals) to support approval of Centre City SDP 2007-27.

**Historical Resources Board Recommendation:** The Historical Resources Board (“HRB”) reviewed the project at their January 24, 2008 meeting and voted unanimously to recommend a separate alternative from the staff recommendation to the Planning Commission (Attachment D). Specifically, the HRB voted that the entire Tourist Hotel structure be retained and rehabilitated on-site, although the vote included an option for the temporary relocation of the building to allow for the construction of the underground parking garage.

**Other Recommendations:** The East Village Association reviewed the project at their January 10, 2008 meeting and voted unanimously in support of the project.

**Environmental Review:** Under the 2006 Final Environment Impact Report (FEIR), an Environmental Secondary Study is prepared for all developments in the Centre City area in order to evaluate the project’s compliance with the Downtown Community Plan and Planned District Ordinance and, therefore, the findings and conclusions of the FEIR.

Under the FEIR's analysis and Mitigation, Monitoring, and Reporting Program, potential impacts to historical resources were evaluated. For resources on the San Diego Register, mitigation measures are proposed for projects that incorporate, modify, or relocate historical resources that avoid significant environmental impacts. The FEIR found that even with mitigation, the substantial alteration or demolition of an unknown number of historical resources represented a significant environmental impact; however, the City Council adopted a Statement of Overriding Considerations for these impacts. The attached Environmental Secondary Study has been prepared for the project, identifying in the MMRP Mitigation Measures A.1-1 and A1-2 which will apply to this project addressing the impacts to the historical resource.

**Fiscal Impact Statement:** The developer will purchase 1.0 FAR (15,000 square feet) through the FAR Payment Bonus Program, resulting in a payment of \$225,000 to the Redevelopment Agency for the acquisition and development of public parks.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The Downtown Community Plan designates the project site as mixed-use and accommodates residential uses as proposed in the project. This application involves the loss of 13 Single Room Occupancy (SRO) hotel rooms currently located in the "Home Run Hotel," and the addition of 95 residential units, six of which will be affordable to moderate income households. The developer is required to comply with regulations of the Land Development Code ("LDC") pertaining to the loss of the 13 SRO units. The LDC provides that the developer may replace the units in the new project or pay a per unit in-lieu fee. The developer has opted to pay the per unit in-lieu fee and, should the project be approved, the development permit will include a condition requiring the developer to enter into an agreement with the San Diego Housing Commission (SDHC) to provide for the relocation of the tenants and payment of the in-lieu fee before granting any construction permit (including demolition).

## **BACKGROUND**

The Bahia View project is an 8- to 22-story (85 to 283 feet tall) mixed-use project comprised of 95 residential condominium units, including six affordable units, and approximately 5,000 square feet of commercial retail space. The project proposes to utilize three Floor Area Ratio (FAR) Bonus Programs to earn 51,500 square feet in additional floor area, including a 35-percent density bonus for the provision of six residential units affordable to moderate income residents in the project.

The 15,000 square-foot project site is currently occupied by two structures, one of which is a locally-designated historical resource (the "Tourist Hotel," currently known as the "the Home Run Hotel") that operates as an SRO with 13 rooms, and a smaller building immediately adjacent (once known as the "Gem Café" and last operated as a Mexican restaurant), which is on the African American Heritage Survey (the building was reviewed by the HRB in January

2008 and was found not to have individual significance under any historical criteria; there is also currently no formal district associated with this survey). This application proposes demolition of the Gem Café building and the substantial alteration of one of the two buildings comprising the Tourist Hotel, involving the demolition of a portion of the building (the circa 1920s addition) and rehabilitation of portions of the original Tourist Hotel building facades (constructed in 1888) for incorporation into the project, as described further in this report.

The Land Development Code (“LDC”) provides that any development that would substantially alter a historical resource (that cannot be found to be consistent with the Secretary of Interior Standards) requires approval of a SDP by the Planning Commission. The applicant presented the project to the Design Assistance Subcommittee (“DAS”) of the HRB at several meetings in 2005 and 2006, who made recommendations to the project. The HRB reviewed the proposed project at its January 24, 2008 meeting, but did not support the project as proposed by the applicant and recommended by CCDC staff, finding that the entire Tourist Hotel building (both 1888 and circa 1920s portions) should be preserved and that the proposed removal, rehabilitation, and return of the facades to the site did not meet the Secretary of Interior Standards (Attachment D).

The 2004 African American Heritage Study prepared by CCDC identified the Gem Café building as a contributing structure to a proposed thematic district; however, no formal district has been established or is actively being pursued at this time. The HRB reviewed this building in January 2008 and found that the building did not possess architectural or historical significance warranting designation under any HRB Criteria.

This proposed project advances the Visions and Goals of the Downtown Community Plan and the Objectives of the Centre City Redevelopment Project by:

- Adding to the range of downtown housing opportunities;
- Integrating designated historic resources into the downtown fabric while achieving significant development and population intensification; and,
- Contributing to the vision of downtown as a major residential neighborhood.

#### DEVELOPMENT TEAM

<b>ROLE</b>	<b>FIRM/CONTACT</b>	<b>OWNED BY</b>
<b>Owner/Developer</b>	Bahia View Condominiums LLC Steve Gordon, Developer	Steve Gordon, Howard E. Harmatz, John J. Nichols, and David Zuckerman (Privately Owned)
<b>Architect</b>	TannerHecht Architects James Tanner, Project Architect	Jim Tanner and David Hecht (Privately Owned)

#### PROJECT DESCRIPTION

Site Area	15,000 sq.ft.
Maximum Floor Area Ratio (FAR) Permitted	6.0 / 10.0 – 12.1 (with TDR/Bonuses)
Minimum FAR Required	3.5
Proposed FAR	10.1
FAR Bonuses Proposed	1.0 Eco-Roof 1.0 FAR Purchase 2.1 Affordable Housing
Stories / Height	22 stories / 283 feet
Amount of Retail Space	4,978 sq.ft.
Type of Housing	Condominiums
Total Number of Units / Total Residential Square Feet	95 / 160,702 sq. ft.
Types of Units	5 Studio (500 sf avg) Market Rate 1 Studio (500 sf min) Affordable 14 1-br (908 sf avg) Market Rate 1 1-br (558 sf min) Affordable 63 2-br (1,493 sf avg) Market Rate 3 2-br (1,068 sf min) Affordable 6 3-br (1,831 sf avg) Market Rate 1 3-br (1,300 sf min) Affordable
Projected Sale Prices (Estimated)	Market Rate Affordable Studio \$169,237 Affordable 1-br \$190,703 Affordable 2-br \$212,374 Affordable 3-br \$237,595
Number of Units Demolished	13 SRO Hotel Rooms + 1 Manager's Unit
Inclusionary Housing Ordinance Compliance/ Number of Affordable Units	Combination of paying the in-lieu fee (for floor area earned from Eco-Roof and FAR Payment programs) and providing six units at 100% AMI
Parking Required Proposed	98 spaces (1.0/unit + 3 guest) 163 spaces (1.7/unit; 1.0/br)
Assessor's Parcel No.	535-153-14 and -11

## DISCUSSION

The Bahia View project is proposed for a 15,000 square-foot parcel located on the south side of Market Street between 14<sup>th</sup> and 15<sup>th</sup> streets in the East Village neighborhood. The site is located at the mid-block of an East Village “super-block” and is currently occupied by a locally designated historical resource known as the Tourist Hotel and a smaller one-story building identified on the African American Heritage Survey known as the Gem Café. The project site is surrounded by buildings on three sides. Other uses on the block include a low-rise warehouse (currently used for offices) and the eight-story “Element” development to the east, a four-story



senior residential project to the west (Pottiker Senior Residences), and a two-story metal barn to the south, which is planned to be demolished and landscaped as part of the 24-story “Laundry Lofts” project on the southeast corner of the block. The two buildings to the east between the project site and Element are subject to potential “no-build” restrictions related to the potential presence of an active seismic fault and underground storm drain. Across Market Street, the west side of the super block includes the six-story mixed-use Market Street Village project containing the Albertson’s grocery store, and a proposed 22-story “15<sup>th</sup> and Market” project on the east half of the block.

### Project Analysis

The project site is within a designated Neighborhood Center, which is intended to be mixed-use in character and a focal point of the neighborhood. Special development standards that reinforce the pedestrian scale of the public realm apply in this area (“Fine Grain Overlay”). Market Street is a designated Commercial Street and is required to have a minimum of 60% of the ground floor street frontage developed with active commercial uses such as retail, restaurants, and similar uses. The site has an allowable Base FAR of 6.0, with the ability to earn an additional 4.0 FAR through the FAR Bonus programs (not including the Affordable Housing FAR bonus, which may exceed the maximum FAR established for a site). The project proposes to utilize 10.1 FAR through the Eco-Roof, FAR Payment, and Affordable Housing bonus programs.

The project proposes to construct a 22-story tower and an eight-story townhouse building, and to rehabilitate the historical fabric of the two-story “Tourist Hotel,” to provide 95 residential units, including six affordable units, and ground floor retail. Five levels of subterranean parking will provide parking for 163 vehicles (1.7/unit). Access to the parking garage will be taken from Market Street. While the Centre City Planned District Ordinance (PDO) typically limits vehicular driveways on Market Street, it does allow for them when there is no alternative, such as the case with this landlocked parcel.

### FAR Bonuses

The project increases the permitted FAR from the Base 6.0 to 10.1 through the use of three FAR Bonus Programs, as follows:

FAR Payment Bonus Program – The developer will purchase 1.0 FAR (15,000 square feet) as eligible under the FAR Payment Bonus Program (of up to 1.0 FAR available for this site). Payment of \$225,000 to the Redevelopment Agency will need to occur prior to issuance of the Building Permit for the project.

Eco-Roof - The project proposes to provide an eco-roof to qualify an additional 1.0 FAR in the project. To qualify for the eco-roof bonus, 60% of the qualifying eco-roof area (excluding mechanical areas, stair towers, and required common open spaces) must be planted. The project will provide approximately 4,700 square feet of landscaping on the eighth level deck of the

townhouse building and on the level 23 roof deck. Neither will be generally accessible to residents of the building.

Affordable Housing - The underlying zoning of the property allows for a maximum FAR of 6.0 with a gross floor area of 90,000 square feet. The applicant is requesting a 35-percent density bonus, calculated on the Base FAR, in exchange for providing 10-percent of the pre-bonus units (six units) with restricted sales prices affordable to households earning no more than 100-percent of area median income. The affordable units are required to be sized to be no smaller than 80-percent of the median floor area of the market-rate units to be consistent with the compatibility requirements. The project will provide the following:

Bedroom Size	Number of Units	Income Restrictions	Sales Price Restrictions	Estimated Maximum Sales Price
Studio	1	100% AMI	35% of 100% AMI	\$169,237
1 Br	1	100% AMI	35% of 100% AMI	\$190,703
2 Br	3	100% AMI	35% of 100% AMI	\$212,374
3 Br	1	100% AMI	35% of 100% AMI	\$237,595

#### Design Analysis

The Bahia View project lies within an actively redeveloping part of East Village on Market Street and proposes an unusual and attractive design that responds effectively to the inherent challenges of this site while creating an appreciably distinctive composition in the downtown. The project is comprised of three components - the tower, eight-story townhouse building, and two-story historic building - knitted together by the vertical spine of the circulation core, which is predominantly featured on the Market Street frontage. The townhouse building sits opposite of the historical building and provides an intermediate scale between the tower and lower historical building. A recessed courtyard lobby entry sits between the historical building and the eight-story building.

The Tourist Hotel is comprised of two buildings that were constructed at two different times (circa 1888 and mid-1920s) and joined together with the later addition. The western two-thirds of the building is the original structure. The building is of wood frame construction with horizontal wood clapboard siding, with large storefronts, decorative pilasters, a false balcony on Market Street, and wood frame and sash windows. Historical reviews of the building establish that it is a locally significant example of *Italianate* construction, as reflected in the building's designation. As such, retaining the front façade and sidewalls, and stepping back the new construction from the historical resource, appreciably influenced the overall project design.

Briefly describing the treatment of the Tourist Hotel (see further discussion on the proposed rehabilitation under the SDP discussion below), the applicant proposes to rehabilitate the facades of the original (1888) portion of the building and reinstall the front façade and two sidewalls for incorporation in the project. In addition, the front staircase would be rehabilitated and reinstalled to re-establish the appearance of this building's use as a historic hotel. The

1920s addition would be dismantled and stored, allowing salvage of its materials and architectural elements for the rehabilitation of the 1888 facades.

Utilizing bold gestures, the new architecture defers to, and differentiates itself from, the historical building. The tower, which is largely clad in different textures of metal panel and glass, is significantly set back from the historical wood and lath building: 18 feet from the property line at the courtyard entry and 50 feet back from the street frontage for the first four stories. Beginning at level five, the floors begin to pull the building out over the resource and upward. A nine-story angled concrete buttress pierces and extends several floors into the tower, creating a dramatic counterpoint to the gradual stepping of the tower.

The tower is divided into the customary lower, middle and upper portions, which is subtly evidenced by occasional variations in floorplate and the horizontal transitions intended to distinguish them. Because of the relatively narrow width of the site (100 feet), the east and west elevations can only have limited openings within 20 feet of the property line. As such, glazing on these elevations is either fire-rated or pulled back to meet the 20-foot stepback requirement. The predominant pattern in the elevations is the arrangement of solid metal panels to glass and/or balconies, which presents different compositions on each elevation.

The eight-story townhouse building sits at the east property line and opens to the recessed courtyard entry. This building is primarily concrete and glass and complements the design of the tower with large openings in what appear to be large brackets. As mentioned earlier, the two buildings located to the east of the project site will not be redeveloped because of no-build restrictions. As such, the east elevation of this eight-story building will always be visible. Staff advised the project designers of the need to provide articulation for these exposed solid surfaces and the submitted drawings include an interesting artwork proposal inspired by wartime camouflage; the artwork is proposed to be in a pattern of colored metal panel that will provide relief and shadowing in order to avoid appearing as a painted flat surface.

Nearly half of the street façade is dedicated to the presence of, or visual access to, the rehabilitated 1888 portion of the Tourist Hotel, the design of which exhibits “fine grain” articulation in its historical fabric. The building would contain rehabilitated building facades located in the same location as the existing building and have ground floor retail, with residential units on the second floor and an outdoor residential amenity deck on the roof of the building.

Remaining street frontage is limited to the townhouse building and the courtyard entry. The ground floor of the townhouse building includes the garage entry and a ground floor retail space. The retail space is designed with continuous transparent storefronts in similar proportion and rhythm to the historical building to create a compatible relationship between these spaces. The courtyard sits between the townhouse building and historical building and is approximately 400 square feet in size. This space is designed to allow the east elevation of the resource to be viewed and to create a clear entry to the building with enhanced paving and a glass canopy that extends from the tower to the sidewalk. The rest of the plaza is open to the metal clad north face

of the tower and transparent west face of the townhouse building, approximately 18 feet back from the sidewalk and 23 feet back from the historical building, respectively. The courtyard gates (and transom over the garage gate) will be made of wood planks arranged horizontally with a random pattern of openings between the slats, recalling the pattern in the screen element at the upper floors on the west elevation of the building. The pattern is simple so as not to distract from the contemporary or historical architecture and will provide views into the areas beyond, thereby enhancing visual interest at the street level.

#### SITE DEVELOPMENT PERMIT

The Tourist Hotel is comprised of two two-story buildings joined at the center and constructed at different times. The older of the two buildings, circa 1888, was originally a saloon on the ground floor with rooms above. In the 1920s, an addition was made on the east side of the original structure, with another store unit on the ground floor and additional rooms above it. The buildings are connected above the second floor but have a gap between them (the original east façade of the 1888 building still remains). The front façade is continuous, with the later addition replicating the original architecture and creating visual unity along the street frontage. Even later changes were made to the rear of the building in the 1970s-1980s, including additional rooms, covered porches and exterior stairs. Combined, the two buildings consist of 13 rooms and one manager's unit and ground floor retail spaces. Both buildings have consistently operated as lodging rooms with ground floor commercial activity.

The Tourist Hotel was designated as Local Historical Resource #819 on June 28, 2007, after being included in surveys prepared for CCDC in 1989 and 2001, and was most recently identified as site #37 in the East Village Combined Historical Surveys 2005, where it was evaluated as eligible for local listing. The historical designation applies to the building in its entirety, with no distinction made regarding the original portion and subsequent additions. The designation was for architectural significance under two HRB criteria: HRB Criterion A as a special element of downtown San Diego's architectural development, reflecting late nineteenth century *Italianate* commercial development; and HRB Criterion C as a good example of *Italianate* architecture.

Under Chapters 11-14 of the LDC, substantial alterations to a designated historical resource in which the project does not meet the Secretary of Interior Standards requires approval of a SDP, a Process 4 decision by the Planning Commission after recommendation by the HRB. As the Bahia View project proposes the substantial alteration of significant portions of the Tourist Hotel, a SDP is required.

The applicant presented the proposed project to the DAS of the HRB on several occasions prior to the designation to solicit HRB input on the proposed project, as well as the relationship established between the new building and the historical resource. In addition, the DAS toured the project site to observe the condition of the resource and the project site context.

The project was presented to the HRB on January 24, 2008. At the meeting, there was much discussion and debate among the HRB members about whether the entire structure should be retained or whether conserving the 1888 portion would be an acceptable compromise to allow development on the rest of the project site. In addition, the HRB actively discussed the rehabilitation plan, opposing the use of any new materials in the rehabilitation, as well as the temporary relocation of the 1888 building facades as proposed. Ultimately, no HRB members supported CCDC's recommendation to allow the proposed development and rehabilitation plans, voting instead to retain and rehabilitate both portions of the Tourist Hotel intact on the site. However, the HRB voted to also allow the temporary relocation of the entire building to an off-site location during construction of an underground parking structure, then moving the entire structure back onto the site in its original location. In addition, the HRB stated that no portion of the new building should encroach into the air space over the historical building.

The economic feasibility analysis prepared by the applicant (discussed in further detail below) did not find that this development scenario would be financially feasible because it would not allow sufficient development to occur on the project site. This alternative would likely result in the site being underutilized, contrary to the objectives of the Community Plan. A number of downtown projects, including the Icon and Electra, have successfully preserved street facades and reconstructed the volumes behind them to provide the appearance of the historical volume and appearance at street level, often with towers of contemporary construction methods and materials above. For these reasons, staff does not support the HRB recommended alternative.

Subsequent to the HRB meeting, the applicant prepared a Draft Treatment Conservation Plan ("TCP") outlining the proposed design and treatment strategy for the project (Attachment C). Under the 2006 FEIR and the City's mitigation requirements for substantial alterations to a historical structure, a TCP is required to be prepared by an architectural historian prior to any construction permit for the project. A TCP is not required during the application phase and the submitted document was not prepared by an architectural historian. Additionally, the TCP has not been evaluated by HRB staff for completeness or accuracy. However, the TCP is useful for providing a more detailed description to decision-makers outlining how the applicant proposes to manage the historical resource and envisions its eventual incorporation into the project.

The TCP proposes to direct conservation strategies toward the 1888 portion of the Tourist Hotel, relying upon a Period of Significance from 1888 to 1924, after which time the later additions were made to the building. As such, the project would rehabilitate significant portions of the original structure, specifically the north (front) façade, and the east and west facades (to a depth of 50 feet), as well as the interior stair at Market Street. The 1920s addition would not be rehabilitated and incorporated into the project, except for purposes of salvaging façade materials and architectural elements that may be useful to the rehabilitation of the 1888 structure.

In order to construct the below-grade parking and the high-rise tower, as well as construct a new Type I substrate (compatible with the rest of the project) to support the historical facades and reuse of this portion of the project site, the applicant proposes to stabilize and secure the

façade walls of both portions of the historical building and move them off-site, where the façades of the 1888 portion would be rehabilitated. To the extent possible, the rehabilitation will utilize original materials (those that are not deteriorated to the point that they cannot be rehabilitated or are not permitted to be reinstalled by building officials for fire safety purposes, for example). In addition, the project would include the re-creation of altered, damaged, or missing elements on this building. The existing ornamental cornice, frieze, and pilaster details, as well as window casework and storefront materials, from the 1920s addition will be used to provide materials for repair and completion of damaged or missing original elements of the 1888 façade. Where the use of original or salvaged materials from the 1920s addition is not possible, only contemporary materials and installation techniques approved by the HRB staff will be utilized. Once the rehabilitation of the facades and interior stairway are complete, as well as the subterranean parking, tower and new concrete building are ready, the facades will be carefully reinstalled in the exact location they currently exist.

The ground floor of the reconstructed project will have various levels due to sidewalk slope and the requirements for retail entrances, automobile entrance, and exit paths from the Residential tower to the street. The new internal structure of the 1888 building will be a Type I substrate consisting of concrete floor slabs and concrete columns. These will be internal elements only, and the floors will be located at the same vertical elevation as the existing floors, maintaining the same visual reference to the fenestration as the existing building. All the work associated with the 1888 portion of the Tourist Hotel will be done in accordance with the State Historic Building Code.

SDP Findings - The Planning Commission must make specific findings to grant the SDP request, as well as supplemental findings for the proposed substantial alteration to the historical resource. The applicant's consultant has submitted draft findings in support of this request (Attachment B). The following is CCDC's staff's evaluation of the required findings:

General Findings - SDMC §126.0504(a)

*1. The proposed development will not adversely affect the applicable land use plan.*

The Downtown Community Plan lists the following goals and policies in regards to historical resources:

- a) For structures on the Local Register of Historical Resources, "Whenever possible, retain resource on-site. Partial retention, relocation or demolition of a resource shall only be permitted through applicable City procedures."
- b) Protect historical resources to communicate downtown's heritage.
- c) Encourage the rehabilitation and reuse of historical resources.
- d) Allow development adjacent to historical resources respectful of context and heritage, while permitting contemporary design solutions that do not adversely impact historical resources.

- e) Encourage the retention of historical resources on-site with new development. If retention of a historical resource on-site is found to be infeasible under appropriate City review procedures, the potential relocation of the historical resource to another location within downtown shall be explored, and if feasible, adopted as a condition of a SDP.

The Bahia View project meets all of the design goals of the Community Plan and Centre City PDO for new developments in this area as the project conforms to the goals and policies for Neighborhood Centers, will activate Market Street, will add to the vitality of the neighborhood, and will provide 95 new residential units, including six affordable units. The Downtown Community Plan lists the above goals and policies intended to preserve and incorporate historical resources in the downtown community. While the Bahia View project recreates a portion of the historical fabric of the Tourist Hotel, it does not retain the entire building, including the 1920s addition, which is covered by the historical designation. The Community Plan does provide for demolition as a last resort when there are no other options and the appropriate City procedures are followed. If the Planning Commission can make the findings for approval of the SDP, then the project can be found consistent with the Community Plan. In addition, the Final Environmental Impact Report (FEIR) for the Downtown Community Plan recognized that not all historical resources may be saved in the downtown area due to conflicting housing and employment goals, and Overriding Considerations were adopted by the City Council recognizing this impact.

- 2. *The proposed development will not be detrimental to the public health, safety and welfare.*

The proposed development will consist of a mixed-use project that is consistent with the Downtown Community Plan and the Centre City PDO. The project will be compatible with the nearby residential and commercial buildings and other new developments in the area without harming the public health, safety and welfare.

- 3. *The proposed development will comply with the applicable provisions of the Land Development Code.*

The proposed project meets the development standards of the Centre City PDO.

Substantial Alteration Findings - SDMC §126.0504(i):

For projects that propose to substantially alter a designated historical resource, the following three findings must be made:

- 1. *There are no feasible measures, including a less environmentally damaging alternative, that can further minimize the potential adverse effects to the designated historical resource.*

The original Tourist Hotel building was constructed in 1888 for commercial use as a hotel with ground level retail space. In the 1920s, an addition to the original building added new rooms and additional ground floor commercial area. For structural and fire code reasons, the

existing structure cannot be incorporated into the proposed project planned for this site. Therefore, the project proposes to preserve large portions of the primary facades of the older, 1888 building and reconstruct them consistent with the original architecture and current building code requirements, with demolition of the rest of the building.

Keyser Marston (KMA) analyzed seven development scenarios to evaluate the feasibility of retaining substantial portions of the historical resource (for purposes of this study, the Gem Café was assumed to be a designated resource; the substantive sections of the report are included herein as Attachments A and A1). Of the seven scenarios studied, only the three scenarios (1, 2, and 3 in the table, below) that involved at least partial demolition and rehabilitation of the Tourist Hotel were found nominally feasible. While these scenarios result in only nominal returns, each of them allows more of the project site to be utilized efficiently, with positive effects on the project's financial returns. Scenarios 4, 5, 6, and 7, which would rehabilitate some or all of the buildings on-site, result in the loss of much greater site utilization and greater financial losses (negative financial returns). Therefore, there are no other feasible alternatives that would result in a less environmentally damaging result.

#### Summary of Alternative Development Scenarios

*Scenario #1* – Under this scenario, the Applicant would demolish both the Tourist Hotel and Gem Café. The front façade and primary staircase of the 1888 portion of the Tourist Hotel would be reconstructed in materials compatible with the new construction. A new Type I, 22-story building with 95 residential units, ground floor retail, and five levels of subterranean parking would be developed.

*Scenario #2* – This scenario is the same as Scenario #1, except that the front façade and primary staircase would be removed, restored, and re-installed on a new concrete structure with reconstructed side walls.

*Scenario #3* – This scenario is the same as Scenario #1, except that the entire portion of the 1888 Tourist Hotel would be moved off-site, restored, and re-installed on top of the podium lid of the subterranean parking garage in the same location where it currently exists.

*Scenario #4* – This scenario involves on-site renovation of the 1888 portion of the Tourist Hotel. The 1920 portion of the Tourist Hotel and the Gem Café would be demolished. A new Type II, seven-story building with 35 residential units, ground floor retail, and subterranean parking would be developed.

*Scenario #5* – This scenario involves the on-site renovation of both the Tourist Hotel and Gem Café. A new Type III, four-story building with 16 residential units, ground floor retail, and podium parking would be developed.

*Scenario #6* – This scenario involves the demolition of the Tourist Hotel and on-site



renovation of the Gem Café. A new Type V, three-story building with 20 residential units, surface parking, and ground floor retail would be developed.

*Scenario #7* – This scenario is similar to Scenario #5 except the Gem Café would be demolished. A new Type III, five-story building with 20 residential units, ground floor retail and podium parking would be developed.

2. *This deviation (from standard protective historical resource regulations) is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the historical resource have been provided by the applicant.*

The proposed development scenario is one of three that would allow a feasible amount of development while mitigating for the alterations to the historical resource (off-site rehabilitation of the 1888 portion of the Tourist Hotel and reinstallation of the same on-site). Two of these three scenarios involve demolition of the easternmost portion of the Tourist Hotel and restoration and/or rehabilitation of the western portion only. While all three of these scenarios result in only nominal returns, each of them allows more of the project site to be utilized efficiently, with positive effects on the project's financial returns. Scenarios 4, 5, 6, and 7, which would rehabilitate the all or some of the buildings on-site, result in the loss of much greater site utilization and greater financial losses.

The following table summarizes each of the seven development scenarios and the assumptions used in analyzing them. Scenarios 1, 2 and 3 involve utilization of FAR Bonus Programs and include six affordable residential units.

			Indicated Developer Profit	
			% of Cost	% of Value
Development Scenario	#1	Reconstruct exterior façade and staircase of 1888 Tourist Hotel	3.7%	3.5%
	#2	Off-site restoration of exterior façade and staircase of 1888 Tourist Hotel	3.4%	3.2%
	#3	Off-site renovation of 1888 Tourist Hotel	2.1%	2.0%
	#4	On-site renovation of 1888 Tourist Hotel	-31.0%	-43.6%
	#5	On-site renovation of entire Tourist Hotel and Gem Cafe	-46.0%	-82.5%
	#6	On-site renovation of Gem Café	-37.6%	-58.4%
	#7	On-site renovation of entire Tourist Hotel (not Gem Café)	-34.1%	-50.1%

3. *The denial of the proposed development would result in economic hardship to the owner. For the purposes of this finding, "economic hardship" means there is no reasonable*

*beneficial use of a property and it is not feasible to derive a reasonable economic return from the property.*

While the property has been operating as an SRO and a small restaurant, it is much under-utilized with respect to the goals and policies of the Downtown Community Plan and Centre City PDO, which establish FARs for the site as Maximum of 6.0-10.0 with a Minimum of 3.5. As surrounding recently constructed developments exhibit, the reasonable and desired goals for the site under the Downtown Community Plan is for greater development on the site, especially eliminating the vacant, underdeveloped portions. As the attached financial analysis shows, additional development on the site is restricted by the location of the two buildings, which would render any reasonable redevelopment of the property with the structures intact as infeasible, and therefore, create an economic hardship compared to other properties in the area. On this 15,000 square-foot parcel in a rapidly redeveloping downtown, the continued use of the property as a small SRO and even smaller restaurant/retail space would create an economic hardship by not allowing further redevelopment of the site appropriate to the neighborhood under the adopted Downtown Community Plan.

Consistency with Plans - The Downtown Community Plan encourages a diversity of commercial opportunities, housing types and uses. The project provides a mixed-use building comprised of 95 residential units, including six affordable units to households with moderate income levels. In addition, the project will incorporate the facades of a locally designated resource into the project, which will significantly enhance the condition of the site. The developer will comply with the requirements of the LDC for the replacement SRO units.

## CONCLUSION

The Bahia View project furthers the Downtown Community Plan goals and objectives in an attractive and sensitively designed new development that integrates a designated historical resource into the downtown fabric while achieving significant development and population intensification with 95 residential condominium units, including six affordable units, and approximately 5,000 square feet of commercial retail space. The requisite SDP findings can be made and implementation of Mitigation Measures A.1-1 and A.1-2 will mitigate impacts to the historical resource.

Therefore, staff recommends that the Planning Commission **Approve** SDP 2007-27 for the substantial alteration of the Tourist Hotel, Local Historical Resource No. 819, as described in Scenario #2 and in further detail in the draft TCP and this report, including the temporary relocation of the secured façade walls and stairway for rehabilitation, construction of a new Type I substrate and reinstallation of restored front and sidewalls, and front interior staircase, with the following additional conditions:

1. All modifications to, and rehabilitation of, the Historic Landmark #819, Tourist Hotel, shall be performed in accordance with the Treatment Conservation Plan required under

the project's Mitigation Monitoring and Reporting Program Measure HIST-A.1-2, which shall be reviewed and approved by the staff of the HRB and CCDC. Historical documentation shall be provided for the review and approval of HRB staff in the form of as-built drawings, historic photographs, and current photographs to ensure the rehabilitation of the exterior facades are completed consistent with the U.S. Secretary of Interior Standards to the extent possible.

2. The three historic facades of the 1888 Tourist Hotel building may be removed and taken to an offsite location for rehabilitation and reinstalled on a Type 1 substrate.
3. If any of the materials (exterior walls, window frames, and architectural details, or interior stair) are deteriorated and cannot be rehabilitated, and/or are not permitted to be reinstalled by the City of San Diego building officials, they may be recreated of new materials with the prior approval of the materials and execution methods by HRB staff.
4. Any railings associated with the amenity roof deck shall be no taller than four feet in height, be constructed of glass or other highly transparent materials, and be set back from the Market Street façade a minimum of 10 feet.

Respectfully submitted,

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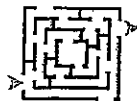
Suzanne Drolet  
Contract Planner

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Brad Richter  
Manager of Current Planning

Attachments: A – Keyser Marston Feasibility Analysis  
A1 – Addendum to Keyser Marston Feasibility Analysis (Scenario 7)  
B – Site Development Permit Findings (submitted by the developer)  
C – Draft Treatment Conservation Plan  
D – HRB Staff Memorandum  
E – Draft Resolution  
F – Draft Centre City SDP 2007-27  
G – Environmental Secondary Study  
Basic Concept/Schematic Drawings

ATTACHMENT B



KEYSER MARSTON ASSOCIATES

ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

MEMORANDUM

ADVISORS IN:  
REAL ESTATE  
REDEVELOPMENT  
AFFORDABLE HOUSING  
ECONOMIC DEVELOPMENT

SAN FRANCISCO  
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SAN DIEGO  
GERALD M. TRIMBLE  
PAUL C. MARRA

**To:** Brad Richter, Current Planning Manager  
Centre City Development Corporation

**From:** KEYSER MARSTON ASSOCIATES, INC.

**Date:** November 27, 2007

**Subject:** Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

I. INTRODUCTION

A. Objective

Per your request, Keyser Marston Associates, Inc. (KMA) has prepared a feasibility assessment for the proposed Bahia View Condominiums (Project). Bahia View Condominiums, LLC (Applicant) has proposed a 95-unit high-rise condominium development with limited ground floor commercial uses for a 15,000-square-foot (SF) site located on the south side of Market Street between 14<sup>th</sup> and 15<sup>th</sup> Streets (Site). The Site is currently improved with two older buildings:

1. A two-story building housing a single-room occupancy (SRO) hotel over ground floor retail (Tourist Hotel). The original building was built in 1988, with an extension added in 1921.
2. A small one-story commercial building (Gem Café).

Development of the proposed Project would require the demolition of both the Tourist Hotel and Gem Café. The front façade and main staircase of the 1888 portion of the Tourist Hotel would be re-constructed with new materials.

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To: Brad Richter, Current Planning Manager  
Subject: Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

November 27, 2007  
Page 2

The objective of the KMA analysis was to evaluate the financial feasibility of a range of alternative development scenarios that would preserve the Tourist Hotel and/or Gem Café on the Site. According to the 2006 San Diego Downtown Community Plan, any development that proposes to remove historic buildings must prepare a specific analysis to establish the infeasibility of retaining the entire or substantial portions of such buildings.

In completing this assignment, KMA conducted comparable financial evaluations of six different scenarios. This was accomplished through collecting and reviewing information from the Applicant; the Applicant's architect, TannerHecht Architecture; Maria Burke Lia; and Hunter Pacific Group, construction cost estimators.

## **B. Report Organization**

This report is organized as follows:

- Section II presents the key KMA findings.
- Section III presents the KMA method of analysis.
- Section IV specifies the limiting conditions pertaining to this report.
- The detailed KMA pro forma analyses are presented in the appendix.

## **II. KEY FINDINGS**

### **A. Identification of Alternative Development Scenarios**

KMA worked with Jim Tanner of TannerHecht Architecture and Marie Burke Lia, Attorney at Law, to identify potential development scenarios for the Site, both with and without the Tourist Hotel and Gem Café. During this process, six scenarios were formulated, as described below:

- Scenario #1 – Under this scenario, the Applicant would demolish both the Tourist Hotel and Gem Café. The front façade and primary staircase of the 1888 portion of the Tourist Hotel would be reconstructed in materials compatible with the new construction. A new Type I, 22-story building with 95 residential units, ground floor retail, and five levels of subterranean parking would be developed.

To: Brad Richter, Current Planning Manager  
Subject: Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

November 27, 2007  
Page 3

- Scenario #2 – This scenario is the same as Scenario #1, except that the front façade and primary staircase would be removed, restored, and re-installed on a new concrete structure with reconstructed side walls.
- Scenario #3 – This scenario is the same as Scenario #1, except that the entire portion of the 1888 Tourist Hotel would be moved off-site, restored, and re-installed on top of the podium lid of the subterranean parking garage in the same location where it currently exists.
- Scenario #4 – This scenario involves on-site renovation of the 1888 portion of the Tourist Hotel. The 1920 portion of the Tourist Hotel and the Gem Café would be demolished. A new Type II, seven-story building with 35 residential units, ground floor retail, and subterranean parking would be developed.
- Scenario #5 – This scenario involves the on-site renovation of both the Tourist Hotel and Gem Café. A new Type III, four-story building with 16 residential units, ground floor retail, and podium parking would be developed.
- Scenario #6 – This scenario involves the demolition of the Tourist Hotel and on-site renovation of the Gem Café. A new Type V, three-story building with 20 residential units, surface parking, and ground floor retail would be developed.

A more detailed summary of each of the scenarios can be found in the attached Summary Table 1.

#### B. Developer Profit Under Alternative Development Scenarios

It is the KMA conclusion that Scenarios 1, 2, and 3 generate a positive developer profit, whereas the remaining three scenarios yield *negative* returns. The first three scenarios feature a relatively efficient, five-level subterranean parking garage. On the other hand, Scenarios 4, 5, and 6 require on-site renovation of one or both of the existing buildings. As a result, the complexities and cost of developing the new building increase. Additionally, in those scenarios, the below-grade parking footprint is much smaller, less efficient, and therefore confined to only one level. The reduced number of parking spaces results in a fewer number of residential units that can be developed. This reduction in the number of residential units in the development program yields lower returns for the Applicant.

To: Brad Richter, Current Planning Manager  
Subject: Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

November 27, 2007  
Page 4

The following table summarizes the KMA conclusions regarding developer profit (all calculations are based on 2007 dollar figures):

			Indicated Developer Profit	
			% of Cost	% of Value
Development Scenario	#1:	Re-construct exterior façade and staircase of 1888 Tourist Hotel	3.7%	3.5%
	#2:	Off-site restoration of exterior façade and staircase of 1888 Tourist Hotel	3.4%	3.2%
	#3:	Off-site renovation of 1888 Tourist Hotel	2.1%	2.0%
	#4:	On-site renovation of 1888 Tourist Hotel	-31.0%	-43.6%
	#5:	On-site renovation of entire Tourist Hotel and Gem Café	-46.0%	-82.5%
	#6:	On-site renovation of Gem Café	-37.6%	-58.4%

As shown in the table above, the rates of return range from *negative* 46.0% to positive 3.7% of cost and *negative* 82.5% to positive 3.5% of value. Notably, Scenarios 1, 2, and 3 generate positive, albeit small, returns, while Scenarios 4, 5, and 6 generate sizeable negative returns.

KMA estimates that developers of new high-rise condominiums in downtown San Diego would require minimum target returns of 15% to 20% of value. By comparison, Scenarios 1, 2, and 3 all generate nominal returns in the low single digits and are therefore deemed not feasible in the current market. This finding is not surprising in light of recent trends locally and nationally in the housing market. Various industry experts have opined that the downtown housing market will improve starting in 2009 and resume steady absorption and value increases in 2010 and thereafter. Given the typical timeframe for predevelopment, construction, and sales of a high-rise condominium, the Project would likely be marketing for-sale condominiums in an improved housing market.

To: Brad Richter, Current Planning Manager  
Subject: Feasibility Assessment of Development Scenarios  
Bahla View Condominiums

November 27, 2007  
Page 5

### III. METHOD OF ANALYSIS

The key inputs and assumptions used in the KMA feasibility analysis are as follows (all calculations are based on 2007 dollar figures):

Table 1 – Project Description

Table 1 provides a description of each of the scenarios tested. Key assumptions used in preparing the scenarios include:

Development Scenario		Number of Stories	Construction Type	Number of Units	Average Unit Size	Parking
	#1:	22 Stories	Type I	95 Units	1,314 SF	5 Levels
	#2:	22 Stories	Type I	95 Units	1,314 SF	5 Levels
	#3:	22 Stories	Type I	95 Units	1,314 SF	5 Levels
	#4:	7 Stories	Type II	35 Units	945 SF	1 Level
	#5:	4 Stories	Type III	16 Units	1,000 SF	1 Level
	#6:	3 Stories	Type V	20 Units	950 SF	1 Level

Table 2 – Development Costs

Table 2 identifies the development cost assumptions used for each of the scenarios. Total development costs consist of the following:

- Acquisition costs - Per the Applicant, the Site was acquired in early 2006 for \$3,800,000.
- Direct construction costs - Site work, demolition, reconstruction, renovation, parking, shell construction, and contingency.
- Indirect costs - Architecture, engineering, permits and fees, single-room occupancy (SRO) replacement fee, inclusionary in-lieu fee, legal and accounting, taxes and insurance, developer fee, sales and marketing, and contingency.



To: Brad Richter, Current Planning Manager  
 Subject: Feasibility Assessment of Development Scenarios  
 Bahia View Condominiums

November 27, 2007  
 Page 6

- Financing costs - Loan fees and interest during construction and sales, and homeowners association (HOA) dues on unsold units.

Key assumptions used by KMA in estimating development costs are as follows:

		Parking Costs (Per SF)	Shell Costs (Per SF GBA)	Indirects (% of Directs)	Financing (% of Directs)	Total Development Costs (1) (Per SF GBA)
Development Scenario	#1:	\$107	\$278	26.7%	10.8%	\$511
	#2:	\$107	\$278	26.6%	10.8%	\$512
	#3:	\$107	\$278	26.4%	10.8%	\$519
	#4:	\$125	\$274	30.7%	9.4%	\$575
	#5:	\$129	\$221	35.0%	9.0%	\$657
	#6:	\$115	\$238	39.9%	7.7%	\$683

(1) Includes land acquisition costs.

These estimates are based on industry standards and KMA's experience with similar residential projects in Southern California. Additionally, KMA engaged Hunter Pacific Group (HPG), a cost estimator, to provide estimates for direct construction and rehabilitation costs.

#### Table 3 – Project Value

Table 3 presents an estimate of gross sales proceeds for the residential and retail components upon completion. The Applicant is proposing to use Floor Area Ratio (FAR) bonuses as provided under the 2006 San Diego Downtown Community Plan. As such, for Scenarios 1, 2, and 3, KMA assumed that six (6) of the 95 units would be affordable to households earning up to 100% of Area Median Income (AMI).

Although the Community Plan allows the affordable for-sale units to be affordable to households earning up to 120% AMI, the Applicant has chosen to set the affordable sales prices consistent with parameters set forth in the City of San Diego Inclusionary Housing Ordinance. Therefore, the affordable for-sale housing must be affordable to

**To:** Brad Richter, Current Planning Manager  
**Subject:** Feasibility Assessment of Development Scenarios  
 Bahia View Condominiums

November 27, 2007  
 Page 7

households earning up to 100% AMI. In doing so, the Applicant avoids payment of the inclusionary in-lieu fee (\$7.31/SF) in the first three scenarios.

The methodology of calculating the affordable sales prices is described in the attached Worksheet A. The resulting affordable sales prices by unit type (number of bedrooms) are as follows:

Unit Type	Affordable Sales Price
Studio Unit	\$160,000
One Bedroom	\$182,000
Two Bedroom	\$201,000
Three Bedroom	\$219,000

KMA based the market-rate revenue projections on other projects currently planned or under construction in downtown San Diego, as well as readily available market data from secondary sources such as Multiple Listing Service (MLS) and the Downtown Residential Marketing Alliance (DRMA).

KMA assumed per-SF market prices for the market-rate condominiums for the scenarios as follows:

		Market Price Per SF			
		Studio Unit	One Bedroom	Two Bedroom	Three Bedroom
Development Scenario	#1:	\$640	\$675	\$730	\$750
	#2:	\$640	\$675	\$730	\$750
	#3:	\$640	\$675	\$730	\$750
	#4:	\$450	\$525	\$640	--
	#5:	--	--	\$525	--
	#6:	--	--	\$500	--

To: Brad Richter, Current Planning Manager  
Subject: Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

November 27, 2007  
Page 8

This revenue projection reflects the construction type of the building in each scenario, as well as the view premiums associated with the higher level floors in Scenarios 1, 2, and 3.

Rent for the ground floor retail uses in the buildings were estimated at \$3.00 per SF per month NNN in all scenarios. KMA assumed a vacancy rate of 10% and a capitalization rate of 6.5% to calculate the sales proceeds of the rental component, as shown below:

		Retail Space (SF)	Sales Proceeds	Value Per SF
Development Scenario	#1:	4,978	\$2,357,000	\$473
	#2:	4,978	\$2,357,000	\$473
	#3:	4,978	\$2,357,000	\$473
	#4:	2,150	\$1,018,000	\$473
	#5:	3,695	\$1,750,000	\$474
	#6:	1,150	\$544,000	\$473

Table 4 – Indicated Developer Profit

Table 4 presents the indicated developer profit for each scenario. Developer profit was estimated based on the difference between gross sales proceeds of the residential and retail components less the sum of total development costs and cost of sale, as shown below (all dollar figures are in millions):

To: Brad Richter, Current Planning Manager  
 Subject: Feasibility Assessment of Development Scenarios  
 Bahia View Condominiums

November 27, 2007  
 Page 9

		Total Value	(Less) Cost of Sale	(Less) Development Costs	Indicated Profit	% of Cost	% of Value
Development Scenario	#1:	\$90.4	(\$2.7)	(\$84.6)	\$3.1	3.7%	3.5%
	#2:	\$90.4	(\$2.7)	(\$84.8)	\$2.9	3.4%	3.2%
	#3:	\$90.4	(\$2.7)	(\$85.9)	\$1.8	2.1%	2.0%
	#4:	\$20.8	(\$0.6)	(\$29.3)	(\$9.1)	-31.0%	-43.6%
	#5:	\$10.1	(\$0.3)	(\$18.2)	(\$8.4)	-46.0%	-82.5%
	#6:	\$10.0	(\$0.3)	(\$15.6)	(\$5.9)	-37.6%	-58.4%

#### IV. LIMITING CONDITIONS

1. Keyser Marston Associates, Inc. (KMA) has made extensive efforts to confirm the accuracy and timeliness of the information contained in this document. Such information was compiled from a variety of sources deemed to be reliable including state and local government, planning agencies, and other third parties. Although KMA believes all information in this document is correct, it does not guarantee the accuracy of such and assumes no responsibility for inaccuracies in the information provided by third parties. Further, no guarantee is made as to the possible effect on development of current or future federal, state, or local legislation including environmental or ecological matters.
2. The accompanying projections and analyses are based on estimates and assumptions which were developed using currently available economic data, project specific data and other relevant information. It is the nature of forecasting, however, that some assumptions may not materialize and unanticipated events and circumstances may occur. Such changes are likely to be material to the projections and conclusions herein and, if they occur, require review or revision of this document.
3. The analysis assumes that neither the local nor national economy will experience a major recession. If an unforeseen change occurs in the economy, the conclusions contained herein may no longer be valid.

**To:** Brad Richter, Current Planning Manager  
**Subject:** Feasibility Assessment of Development Scenarios  
Bahia View Condominiums

November 27, 2007  
Page 10

4. The findings are based on economic rather than political considerations. Therefore, they should be construed neither as a representation nor opinion that government approvals for development can be secured.
5. Development opportunities are assumed to be achievable during the specified time frame. A change in development schedule requires that the conclusions contained herein be reviewed for validity.
6. The analysis, opinions, recommendations and conclusions of this document are KMA's informed judgment based on market and economic conditions as of the date of this report. Due to the volatility of market conditions and complex dynamics influencing the economic conditions of the building and development industry, conclusions and recommended actions contained herein should not be relied upon as sole input for final business decisions regarding current and future development and planning.
7. Any estimates of development costs, capitalization rates, income and/or expense projections are based on the best available project-specific data as well as the experiences of similar projects. They are not intended to be projections of the future for the specific project. No warranty or representation is made that any of the estimates or projections will actually materialize.

attachments

**APPENDIX  
TABLE OF CONTENTS**

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Summary Table 1.....	Summary of Development Scenarios
Summary Table 2.....	Summary of Financial Feasibility
Attachment A.....	Scenario #1
Attachment B.....	Scenario #2
Attachment C.....	Scenario #3
Attachment D.....	Scenario #4
Attachment E.....	Scenario #5
Attachment F.....	Scenario #6
Worksheet A.....	Estimate of Affordable Prices

# SUMMARY TABLE 1

## SUMMARY OF DEVELOPMENT SCENARIOS BAHIA VIEW CONDOMINIUMS CENTRE CITY DEVELOPMENT CORPORATION

		SCENARIO #1	SCENARIO #2	SCENARIO #3	SCENARIO #4	SCENARIO #5	SCENARIO #6
I. STATUS OF EXISTING BUILDINGS							
A. Tourist Hotel  Original - 1888   Annex - 1920  B. Gem Café	• Demolish	• Partially demolish	• Renovate off-site	• Renovate on-site	• Renovate on-site	• Renovate on-site	• Demolish
	• Exterior façade and staircase re-created	• Exterior façade and staircase restored off-site					
	• Demolish	• Demolish	• Demolish	• Demolish	• Demolish	• Renovate on-site	• Demolish
	• Demolish	• Demolish	• Demolish	• Demolish	• Demolish	• Renovate on-site	• Renovate on-site
II. PROPOSED DEVELOPMENT SCENARIOS							
A. Construction Type	Type I	Type I	Type I	Type I	Type II	Type III	Type V
B. Number of Stories	22 Stories	22 Stories	22 Stories	22 Stories	7 Stories	4 Stories	3 Stories
C. Type of Parking	Subterranean	Subterranean	Subterranean	Subterranean	Stacked	Podium	Subterranean
D. Number of Parking Levels	5 Levels	5 Levels	5 Levels	5 Levels	1 Level	1 Level	1 Level
III. PROJECT DESCRIPTION							
A. Number of Residential Units	95 Units	95 Units	95 Units	95 Units	35 Units	16 Units	20 Units
B. Average Unit Size	1,314 SF	1,314 SF	1,314 SF	1,314 SF	945 SF	1,000 SF	950 SF
C. Number of Affordable Units	6 Units	6 Units	6 Units	6 Units	0 Units	0 Units	0 Units
D. Retail Area	4,978 SF	4,978 SF	4,978 SF	4,978 SF	2,150 SF	3,695 SF	1,150 SF

# SUMMARY TABLE 2

## SUMMARY OF FINANCIAL FEASIBILITY (1) BAHIA VIEW CONDOMINIUMS CENTRE CITY DEVELOPMENT CORPORATION

	SCENARIO #1	SCENARIO #2	SCENARIO #3	SCENARIO #4	SCENARIO #5	SCENARIO #6
<b>I. DEVELOPMENT COSTS</b>						
A. Restoration/Renovation Costs	\$435,000	\$613,000	\$1,571,000 ↓ \$107 /SF \$90,000 /Space	\$1,003,000 \$125 /SF \$56,000 /Space	\$1,915,000 \$129 /SF \$68,000 /Space	\$447,000 \$115 /SF \$66,000 /Space
B. Parking Costs	\$107 /SF \$90,000 /Space	\$107 /SF \$90,000 /Space	\$107 /SF \$90,000 /Space	\$125 /SF \$56,000 /Space	\$129 /SF \$68,000 /Space	\$115 /SF \$66,000 /Space
C. Shell Construction Costs	\$278 /SF GBA	\$278 /SF GBA	\$278 /SF GBA	\$274 /SF GBA	\$221 /SF GBA	\$238 /SF GBA
D. Total Development Costs	\$84.6 Million \$511 /SF GBA	\$84.8 Million \$512 /SF GBA	\$86.0 Million \$519 /SF GBA	\$29.3 Million \$575 /SF GBA	\$18.2 Million \$657 /SF GBA	\$15.6 Million \$683 /SF GBA
<b>II. RESIDENTIAL AND RETAIL VALUATION</b>						
A. Market Residential Sales Price Per SF Per Unit	\$720 /SF \$977,000 /Unit	\$720 /SF \$977,000 /Unit	\$720 /SF \$977,000 /Unit	\$600 /SF \$567,000 /Unit	\$525 /SF \$525,000 /Unit	\$500 /SF \$475,000 /Unit
B. Retail Rent (\$/SF Mo.NNN)	\$3.00 /SF	\$3.00 /SF	\$3.00 /SF	\$3.00 /SF	\$3.00 /SF	\$3.00 /SF
<b>III. INDICATED DEVELOPER PROFIT</b>						
A. Indicated Developer Profit % of Cost % of Value	3.7% 3.5%	3.4% 3.2%	2.1% 2.0%	-31.0% -43.6%	-46.0% -82.5%	-37.6% -58.4%

(1) All figures reflect 2007 estimates.

Prepared by: Keyser Marston Associates, Inc.  
Filename: itcddclProtype Scenarios;11/27/2007.rtf







## KEYSER MARSTON ASSOCIATES

ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

### MEMORANDUM

**ADVISORS IN:**  
REAL ESTATE  
REDEVELOPMENT  
AFFORDABLE HOUSING  
ECONOMIC DEVELOPMENT

**To:** Brad Richter, Current Planning Manager  
Centre City Development Corporation

**From:** KEYSER MARSTON ASSOCIATES, INC.

**Date:** March 12, 2008

**Subject:** Revised Feasibility Assessment of Development Scenario  
Bahia View Condominiums

**SAN FRANCISCO**  
A. JERRY KEYSER  
TIMOTHY C. KELLY  
KATE EARLE FUNK  
DEBBIE M. KERN  
ROBERT J. WETMORE

**LOS ANGELES**  
CALVIN E. HOLLS, II  
KATHLEEN H. HEAD  
JAMES A. RABE  
PAUL C. ANDERSON  
GREGORY D. SOO-HOO

**SAN DIEGO**  
GERALD M. TRIABLE  
PAUL C. MARRA

#### I. INTRODUCTION

##### A. Objective

Per your request, Keyser Marston Associates, Inc. (KMA) has prepared a feasibility assessment for the proposed Bahia View Condominiums (Project). As background, Bahia View Condominiums, LLC (Applicant) has proposed a 95-unit high-rise condominium development with limited ground floor commercial uses for a 15,000-square-foot (SF) site located on the south side of Market Street between 14<sup>th</sup> and 15<sup>th</sup> Streets (Site). The Site is currently improved with two older buildings:

1. A two-story building housing a single-room occupancy (SRO) hotel over ground floor retail (Tourist Hotel). The original building was built in 1888, with an extension added in 1921.
2. A small one-story commercial building (Gem Café).

In November 2007, KMA completed a financial feasibility analysis of the proposed Project. The objective of that KMA analysis was to evaluate the financial feasibility of a range of alternative development scenarios that would preserve the Tourist Hotel and/or Gem Café on the Site. According to the 2006 San Diego Downtown Community Plan, any development that proposes to remove historic buildings must prepare a specific analysis to establish the infeasibility of retaining the entire or substantial portions of such buildings.

In completing the previous assignment, KMA conducted comparable financial evaluations of six different scenarios. This was accomplished through collecting and reviewing information from the Applicant; the Applicant's architect, Tanner Hecht Architecture; Maria Burke Lia; and Hunter Pacific Group, construction cost estimators.

KMA has subsequently been requested to analyze an additional scenario that assumes the Tourist Hotel will be renovated in place and the Gem Café will be demolished. The remainder of this report discusses this alternative.

## **B. Report Organization**

This report is organized as follows:

- Section II presents the key KMA findings.
- Section III presents the KMA method of analysis.
- Section IV specifies the limiting conditions pertaining to this report.
- The detailed KMA pro forma analysis is presented in the appendix.

## **II. KEY FINDINGS**

### **A. Identification of Alternative Development Scenario**

KMA worked with Jim Tanner of TannerHecht Architecture to create Scenario #7. This scenario involves on-site renovation of the entire Tourist Hotel and demolition of the Gem Café. A new Type III, five-story building with 20 residential units, ground floor retail, and podium parking would be developed on the Site.

### **B. Developer Profit Under Scenario #7**

It is the KMA conclusion that Scenario #7 yields negative returns. Scenario #7 requires on-site renovation of the Tourist Hotel and demolition of the Gem Café. As a result, the complexities and cost of developing the new building increase. Additionally, the podium parking footprint is small and inefficient, and therefore confined to only one level. The reduced number of parking spaces results in a fewer number of residential units that can be developed. This reduction in the number of residential units in the development program yields lower returns for the Applicant.

To: Brad Richter, Current Planning Manager March 12, 2008  
 Subject: Revised Feasibility Assessment of Development Scenario Page 3  
 Bahia View Condominiums

The following table summarizes the KMA conclusions regarding developer profit (all calculations are based on 2008 dollar figures):

Scenario #7: On-Site Renovation of Tourist Hotel		
Indicated Developer Profit	-34.1% of Cost	-50.1% of Value

KMA estimates that developers of new high-rise condominiums in downtown San Diego would require minimum target returns of 15% to 20% of value. By comparison, Scenario #7 generates *negative* returns and is therefore deemed infeasible in the current market. This finding is not surprising in light of recent trends locally and nationally in the housing market.

### III. METHOD OF ANALYSIS

The key inputs and assumptions used in the KMA feasibility analysis are as follows (all calculations are based on 2008 dollar figures):

Table 1 – Project Description

Table 1 provides a description of the scenario tested. Key assumptions used in preparing the scenario include:

Table 1 - Project Description	
Number of Stories	5 Stories
Construction Type	Type III
Number of Units	20 Units
Average Unit Size	1,000 SF
Parking	1 Level

Table 2 – Development Costs

Table 2 identifies the development cost assumptions used for the scenario. Total development costs consist of the following:

- Acquisition costs - Per the Applicant, the Site was acquired in early 2006 for \$3,800,000.
- Direct construction costs - Site work, demolition, reconstruction, renovation, parking, shell construction, and contingency.
- Indirect costs - Architecture, engineering, permits and fees, single-room occupancy (SRO) replacement fee, inclusionary in-lieu fee, legal and accounting, taxes and insurance, developer fee, sales and marketing, and contingency.
- Financing costs - Loan fees and interest during construction and sales, and homeowners association (HOA) dues on unsold units.

Key assumptions used by KMA in estimating development costs are as follows:

Table 2 – Development Costs	
Parking Costs	\$129/SF Garage
Shell Costs	\$189/SF GBA
Indirect Costs	38.6% of Directs
Financing Costs	9.4% of Directs
Total Development Costs (1)	\$554/SF GBA
(1) Includes land acquisition costs	

These estimates are based on industry standards and KMA's experience with similar residential projects in Southern California. Additionally, KMA engaged Hunter Pacific Group (HPG), a cost estimator, to provide estimates for direct construction and rehabilitation costs.

**To:** Brad Richter, Current Planning Manager  
**Subject:** Revised Feasibility Assessment of Development Scenario  
Bahia View Condominiums

March 12, 2008  
Page 5

Table 3 – Project Value

Table 3 presents an estimate of gross sales proceeds for the residential and retail components upon completion.

KMA based the market-rate revenue projections on other projects currently planned or under construction in downtown San Diego, as well as readily available market data from secondary sources such as Multiple Listing Service (MLS) and the Downtown Residential Marketing Alliance (DRMA).

KMA assumed per-SF market prices for the market-rate condominiums for the scenarios as follows of \$525/SF for a two-bedroom unit, as shown below:

Table 3 – Residential Project Value	
Average Unit Size	1,000 SF
Sales per SF	\$525
Sales per Unit	\$525,000
Sales Proceeds	\$10,500,000

Rent for the ground floor retail uses in the buildings was estimated at \$3.00 per SF per month NNN.

KMA assumed a vacancy rate of 10% and a capitalization rate of 6.5% to calculate the sales proceeds of the rental component, as shown below:

Table 3 – Rental Project Value	
Retail Space	3,630 SF
Sales Proceeds	\$1,719,000
Value per SF	\$474/SF

Table 4 – Indicated Developer Profit

Table 4 presents the indicated developer profit for each scenario. Developer profit was estimated based on the difference between gross sales proceeds of the residential and retail components less the sum of total development costs and cost of sale, as shown below.

Table 4 – Indicated Developer Profit	
Total Value	\$12,219,000
(Less) Cost of Sale	(\$367,000)
(Less) Development Costs	<u>(\$17,975,000)</u>
Indicated Profit	(\$6,123,000)
% of Cost	(34.1%)
% of Value	(50.1%)

#### IV. LIMITING CONDITIONS

1. Keyser Marston Associates, Inc. (KMA) has made extensive efforts to confirm the accuracy and timeliness of the information contained in this document. Such information was compiled from a variety of sources deemed to be reliable including state and local government, planning agencies, and other third parties. Although KMA believes all information in this document is correct, it does not guarantee the accuracy of such and assumes no responsibility for inaccuracies in the information provided by third parties. Further, no guarantee is made as to the possible effect on development of current or future federal, state, or local legislation including environmental or ecological matters.
2. The accompanying projections and analyses are based on estimates and assumptions which were developed using currently available economic data, project specific data and other relevant information. It is the nature of forecasting, however, that some assumptions may not materialize and unanticipated events and circumstances may occur. Such changes are likely to be material to the projections and conclusions herein and, if they occur, require review or revision of this document.

**To:** Brad Richter, Current Planning Manager  
**Subject:** Revised Feasibility Assessment of Development Scenario  
Bahia View Condominiums

March 12, 2008

Page 7

3. The analysis assumes that neither the local nor national economy will experience a major recession. If an unforeseen change occurs in the economy, the conclusions contained herein may no longer be valid.
4. The findings are based on economic rather than political considerations. Therefore, they should be construed neither as a representation nor opinion that government approvals for development can be secured.
5. Development opportunities are assumed to be achievable during the specified time frame. A change in development schedule requires that the conclusions contained herein be reviewed for validity.
6. The analysis, opinions, recommendations and conclusions of this document are KMA's informed judgment based on market and economic conditions as of the date of this report. Due to the volatility of market conditions and complex dynamics influencing the economic conditions of the building and development industry, conclusions and recommended actions contained herein should not be relied upon as sole input for final business decisions regarding current and future development and planning.
7. Any estimates of development costs, capitalization rates, income and/or expense projections are based on the best available project-specific data as well as the experiences of similar projects. They are not intended to be projections of the future for the specific project. No warranty or representation is made that any of the estimates or projections will actually materialize.

attachments





## ATTACHMENT C

November 28, 2007

Ms. Suzanne Drolet  
Centre City Development Corporation  
225 Broadway, Suite 1100  
San Diego CA 92101

Re: Historical Site Development Permit Findings for the Bahia View Condominiums Project

Dear Ms. Drolet:

This Letter Report is intended to address the historical Site Development Permit findings required for the approval of the above project. The proposed Draft Findings are included in the attachment to this Letter Report.

### Background:

This project affects two commercial structures more than 45 years of age, one of which has been designated as a local historical resource and one of which has not been designated as of the date of this report.

The designated structure is the two-story Tourist Hotel, constructed in 1888 and enlarged by one third after 1921, at 1425-1431 Market Street. This building has consistently contained commercial uses on the ground floor and short term residential uses above. Constructed in the Italianate style, it was built during San Diego's short-lived 1880s boom that followed the first rail connection to the east. It was designated on June 28, 2007, under Historical Resources Board Criterion A, as a special element of downtown San Diego's architectural development, reflecting late nineteenth century Italianate commercial development, and under Criterion C, as an excellent example of late nineteenth century Italianate commercial architecture in San Diego. While the Tourist Hotel has undergone numerous alterations and is in poor condition, the Italianate influences can still be seen in its front façade. The 1888 building was enlarged by an addition to the east after 1921 that continued the Italianate façade appearance. The HRB Staff Report supporting designation concluded that this addition likely occurred between 1925 and 1926.

The non-designated structure is the Gem Café, constructed ca. 1914 as a small restaurant building in an early 20<sup>th</sup> Century commercial style with no distinguishing features or decorative elements. The building has consistently been used as a restaurant by its various owners and

tenants. For three years out of the past ninety-two years, between 1933-1936, an African-American woman, Mrs. Hattie T. Payne, operated a restaurant at this location. Consequently, it was included in a 2004 African-American Heritage Study of downtown conducted for and distributed by CCDC. Subsequent historical analyses of this property have concluded that it does not merit local historical designation on the basis of its individual significance and that it cannot be considered historically significant as a contributor to a non-existent African-American Historical District.

#### Project Impact:

The Bahia View Condominiums Project is a proposed residential and retail development consisting of a 22-story, 95 unit, high-rise concrete frame tower with retail and residential amenities on the ground floor over a 5 level underground garage. The Tourist Hotel and the Gem Café now occupy the majority of the street frontage of the 15,000 square foot project site,

#### Design Assistance Subcommittee Review:

The Design Assistance Subcommittee (DAS) of the Historical Resources Board (HRB) reviewed this project at four meetings, on August 5, 2005, November 5, 2005, December 7, 2005 and February 1, 2006. The purpose of these reviews was to determine the manner in which the Tourist Hotel might be incorporated into the proposed Bahia development, since it was understood that the Tourist Hotel was likely eligible for the local historical register. The Gem Café was only peripherally mentioned during these meetings because, based on the information known about it, it was not considered eligible for the local register. Through this DAS review, the project had been modified to the extent presented on February 1, 2006, as follows. The post 1921 eastern one third of the building would be removed and the original 1888 portion would be incorporated into the new development. That incorporation would be accomplished by moving the 1888 portion off site to facilitate the necessary excavation to construct the underground garage. The 1888 exterior elements would be rehabilitated and returned to the site to be incorporated into a new fire-rated structure. Existing wall materials and windows would be retained, restored and reused to the greatest extent possible, as would an interior stairway. These materials would be used on the two side elevations for the depth of the historical structure in addition to the storefront. According to the Meeting Record for the February 2006 DAS meeting, the chair of the Subcommittee indicated that the Boardmembers "had a level of comfort with the direction of the current proposal." All planning for this project, from February 2006 forward, proposed the elimination of the post 1921 addition to the building.

#### Current Incorporation Proposal:

The current proposal will either reconstruct the exterior of the 1888 building and its internal stairway in new materials, matching the original but compatible with Type 1 new construction, or reinstall refurbished existing exterior and stairway materials on a new Type 1 building.

A Feasibility Assessment by Keyser Marston Associates has been prepared which evaluates the current proposal and four other alternative scenarios. This Assessment is discussed more extensively below.

Site Development Permit (Historical) Requirements:

Under the San Diego Municipal Code, any development proposed for a site where a designated historical resource is present must obtain a Site Development Permit to address impacts to the historical resource. In addition to the general findings that must be made for the Site Development Permit, pursuant to SDMC §126.0504(a), when a historical resource will be substantially altered or demolished, the decision maker must also make supplemental, historical findings before the Permit may be approved. The proposed project will be considered a substantial alteration of the designated Tourist Hotel since its post 1921 addition will be removed. The historical SDP Findings are as follows.

Supplemental Findings (SDMC §126.0504(i)):

1. There are no feasible measures, including a less environmentally damaging alternative, that can further minimize the potential adverse effects to the designated historical resource or district;
2. The deviation (from standard protective historical resource regulations) is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the historical resource have been provided by the applicant; and
3. The denial of the proposed development would result in economic hardship to the owner. For purposes of this finding, "economic hardship" means there is no reasonable beneficial use of a property and it is not feasible to derive a reasonable economic return from the property. (SDMC §126.0504(i))

If the project will substantially alter or demolish a historical resource, the purpose of these findings is to establish that there are no feasible measures that can be incorporated into the project to further minimize adverse effects to the historical resource. An architectural and economic feasibility analysis must be undertaken to determine whether measures to minimize or avoid the adverse effects can be identified and incorporated into the development project.

The City of San Diego Environmental Impact Report Guidelines provide guidance as to the evidence that must be developed to support a finding of economic infeasibility:

"If the findings address economic feasibility, then the evidence provided by the applicant must, at a minimum, analyze the economic feasibility in terms of comparative costs and

comparative profit or losses. Evidence must be provided that demonstrates that the additional costs are sufficiently severe as to render it impractical to proceed with the mitigation measure or alternative.”

The California Environmental Quality Act defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into consideration economic, environmental, legal, social, and technological factors.” (14 Cal Code Regs §15364)

#### Feasibility Analysis:

The purpose of this analysis is to determine whether there are any feasible measures that can be included in the project to avoid or reduce adverse impacts to the historical resource. The first step in this analysis is to determine the architectural development options or scenarios for the property that would avoid or reduce the adverse impacts to the Tourist Hotel and, if necessary, to the Gem Café. For the proposed project, the scenarios address incorporation of the 1888 portion of the Tourist Hotel into the new development and, in the event it becomes necessary, the Gem Café as well. The second step in this analysis is to compare the costs, profits and losses of each scenario to determine if an economically feasible and less environmentally damaging scenario can be identified.

#### Development Site:

The subject property consists of 15,000 square feet on the south side of Market Street in the middle of the block between 14<sup>th</sup> and 15<sup>th</sup> Streets. There is no alley serving this block and, therefore, parking access can only occur on the Market Street frontage. The site is located within the Neighborhood Mixed Use Center Land Use District of the Downtown Community Plan and Planned District Ordinance and has a base FAR of 6.0, which would allow 90,000 square feet of development. Bonus FAR programs available to this site would increase the FAR and allow additional square feet of development. The historical resource is located on the Market Street frontage.

#### Proposed Development:

As permitted by the Downtown Planned District Ordinance, the proposed 22-story Bahia View Condominiums would consist of 165,680 square feet of gross building area and 163 parking spaces in 5 levels of underground parking. The entrance to and egress from the underground parking will be located on the Market Street frontage.

#### Development Scenarios:

The proposed project, which would reconstruct the exterior façade material and the internal staircase of the 1888 portion of the Tourist Hotel in materials compatible with new construction

matching existing, will be considered the base scenario or Scenario 1. Scenario 2 would be the same as Scenario 1, but the exterior and stairway elements would consist of existing façade materials and stairway removed, restored and re-installed. Scenario 3 would be the same as Scenario 1, but the entire 1888 building, including the stairway, would be moved off-site, restored and re-installed on top of the podium lid of the subterranean parking garage in its current location. Scenario 4 would retain and rehabilitate the 1888 building on site, demolish the Gem Café and build a new type II, seven story building with 35 residential units, ground floor commercial and underground parking on the rest of the site. Scenario 5 would retain and rehabilitate the 1888 building and the Gem Café on site, and build a new type III, four-story building with 16 residential units, ground floor commercial and podium parking on the rest of the site. Scenario 6 would retain and rehabilitate the Gem Café, demolish the 1888 building and build a new type V, three-story building with 20 residential units, ground floor commercial and surface parking on the rest of the site.

Feasibility Assessment Conclusion:

The economic feasibility of retaining the historical resource on the project site has been analyzed in terms of developer profit projections. The evidence demonstrates Scenarios 1, 2 and 3 would generate positive developer profit, whereas the remaining three scenarios yield negative returns. The first three scenarios feature a relatively efficient, five-level underground parking garage whereas the other scenarios, which require on-site retention of one or both of the existing buildings, would limit the underground parking potential to a smaller, single level. The reduced parking means reduced number of residential units and a lower return for the developer.

The analysis also notes that the projected developer profit for Scenarios 1, 2 and 3, of between 2.1% and 3.7% are low in terms of standard market expectations for such projects, which would have been between 15% and 20% in previous markets. However, given the typical time frame to construct such projects, it is anticipated that these units would be coming on line in an improved housing market in 2010 and after. The projected developer losses, for Scenarios 4, 5 and 6, range between -31% and -82.5%.

Scenarios 1, 2 and 3 are economically feasible and would avoid or reduce impacts to the historical resource(s) to the greatest extent possible.

Please see our attached Draft Site Development Permit Findings for your consideration.

Respectfully submitted,

Marie Burke Lia  
Attorney at Law

## **APPLICATION OF SITE DEVELOPMENT PERMIT (SDP) REQUIREMENTS**

Because a designated historical resource is present, in order to issue a Site Development Permit for this project, the Planning Commission must make three general findings with reference to the project. The three findings, and information in support of each, follow:

### **General Findings - SDMC §126.0504(a)**

- 1) The proposed development will not adversely affect the applicable land use plan.

The proposed project is consistent with the objectives of the Downtown Community Plan, the Redevelopment Plan for the Centre City Redevelopment Project and the Centre City Planned District Ordinance in all respects.

- 2) The proposed development will not be detrimental to the public health, safety and welfare.

The proposed development will consist of a mixed use project containing 22 stories of 95 residential units with retail and residential amenities on the ground floor and a 5 level underground garage consistent with the FAR for the area. The area is also designated as a Neighborhood Mixed Use Center (NC) Land Use District in the Centre City Planned District Ordinance and the proposed use is consistent with that District. The project will be compatible with the nearby residential and commercial buildings and other new developments in the area.

- 3) The proposed development will comply with the applicable provisions of the Land Development Code.

The proposed project will comply with all development regulations of the Land Development Code and the Centre City Planned District Ordinance, such that no variances will be required.

For projects that will relocate the resource, the Planning Commission must make three Supplemental Findings with reference to the project. The three findings, and information in support of each, follow:

### **Substantial Alteration Findings - SDMC §126.0504(i):**

1. There are no feasible measures, including a less environmentally damaging alternative, that can further minimize the potential adverse effects to the designated historical resource.

Incorporation of the 1888 portion of the designated Tourist Hotel into the proposed new development would be less environmentally damaging and would

be economically feasible under three possible scenarios. Each of these scenarios would involve temporarily removing the 1888 portion of the Tourist Hotel from the site while the underground garage is being constructed and then returning it to its original site in one of three alternative forms: with replicated façade materials and internal staircase, with rehabilitated original façade materials and internal staircase or with a rehabilitated building and internal staircase. Any attempt to retain all of the Tourist Hotel and/or the 1914 Gem Café, if designated, in place during construction would preclude the construction of the 5 level underground garage needed to support the proposed 22 story condominium development.

2. This deviation (from standard protective historical resource regulations) is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the historical resource have been provided by the applicant.

The Mitigation Monitoring and Reporting Plan for the Final Environmental Impact Report for the Downtown San Diego Community Plan requires that a Documentation Program be completed prior to demolition and compliance with the City's Historic Regulations contained in Chapter 14, Article, 3, Division 2, which shall include but not be limited to one or more actions prepared and adopted by the HRB for the demolition of a Local Register Resource. (*Mitigation Measure HIST-A.1-3.*) As discussed above, three out of six scenarios for this project, which would allow the temporary relocation of the 1888 portion of the Tourist Hotel and its return in one of three forms, would constitute feasible measures to mitigate for the loss of the 1921 portion of the Tourist Hotel and the Gem Café, should it be designated.

3. The denial of the proposed development would result in economic hardship to the owner. For the purposes of this finding, "economic hardship" means there is no reasonable beneficial use of a property and it is not feasible to derive a reasonable economic return from the property.

The project site is located within an area of Centre City designated for moderately dense mixed use development with a 6.0 FAR. Its land use is identified as a Neighborhood Mixed Use Center (NC). The 6.0 FAR would allow 90,000 square feet of development and the allowable bonuses would increase that amount. Under Scenarios 1-3, a 22 story building of type I construction, with 95 residential units and 5 levels of underground parking, could be constructed on this site. Under Scenarios 4-6, buildings with a range of 16-35 units of other construction types with one level of underground parking could be constructed on this site. The difference between these two scenarios is a profit for the developer under Scenarios 1-3 and losses for the developer under Scenarios 4-6 in the range of -31% to -82.5%. The imposition of any one of Scenarios 4-6 would result in an economic hardship, no reasonable beneficial use of the property and it would not be feasible to derive a reasonable economic return from the property.





# Attachment D

## CITY OF SAN DIEGO M E M O R A N D U M

DATE: March 13, 2008

TO: Suzanne Drolet, Centre City Development Corp.

FROM: Cathy Winterrowd, Senior Planner, HRB Liaison

SUBJECT: Bahia View Condominiums Project; Tourist Hotel HRB Site #

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This memo is being provided to summarize and present the discussion of the Historical Resources Board (HRB) review of the proposed Bahia View Condominiums Project, at their meeting of January 24, 2008. The HRB reviewed the proposed project alternatives, the final secondary study, and the CCDC staff recommendations as presented at the meeting and in the staff report.

The HRB generally was not supportive of either Alternative 1 (the applicant's preferred alternative) or 2 (the CCDC staff recommended alternative) due to the impact they would have on the designated historic Tourist Hotel. The discussion focused on the concept that the proposal constituted a reconstruction of a historical resource, rather than the more appropriate rehabilitation treatment of a historical resource. Throughout the HRB's discussion a preference to leave the hotel in place and construct the new project on the remaining portion of the property was voiced. The building is intact, dates to a very early period of downtown San Diego's history, and occupies only a small portion of the overall project site. The HRB further felt that the project applicant did not incorporate into the project the direction and recommendations from numerous meetings with the Design Assistance Subcommittee (DAS).

Mr. Marshall, Chair of DAS, stated that what the HRB was being asked to approve was the demolition of the building, under either Alternative 1 or 2. He stated the only alternative that could be considered as a compromise, would be Alternative 4, which is, the onsite renovation of the Tourist Hotel. He further clarified that the entire building, including the 1906 addition, should be retained as part of the new project.

Comments by Mr. Eisenhart focused the HRB discussion on the following recommendations: the restoration of the entire 1888 portion of the Tourist Hotel, use of historic materials in the restoration, DAS review of the proposed restoration, preservation of the air rights above the entire portion of the 1888 resource with no new building impacts to those air rights, and the possibility of moving the resource off the site during construction and allowing construction of underground parking with the resource returned to the exact location after that construction is done.

Following additional discussion of the project, the following motion was made by Mr. Marshall and seconded by Ms. Burnett:

The Board should reject the alternatives as presented by CCDC and that the alternative that we would support would be the restoration of the entire 1888 and 1914 portion of the building, not just the façade, so the site returns back to a reasonable location per the Design Assistance meetings; that the rehabilitation be done per the standards which would include retaining historic materials; that the drawings, the design as it's revised be brought back for DAS signoff; and that it is permissible for the building to be temporarily moved off site in order to build substructure or a garage, but that it needs to be brought back to its original location. And I would add that the project must maintain the current historic status of the building and not damage its eligibility for future state or national designation which it has been previously identified as eligible for.

The motion passed with a vote of : 7 (favor) - 0 (opposed) - 0 (abstain).



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Cathy Winterrowd, Senior Planner



July 14, 2008

Mr. James Tanner  
Tanner Hecht Architecture  
350 Eleventh Avenue, No. 124  
San Diego, CA 92101

Re: Historic Tourist Hotel at 1425 Market Street

Dear Mr. Tanner,

This is to convey structural observations following a walkthrough at the abovementioned site on February 29, 2008, destructive testing on June 2, 5 and 24, 2008 and a site meeting with representatives from Hansen House Movers on June 12, 2008. Representatives from Hansen House Movers were also present during the June 24, 2008 site meeting. Destructive testing was performed by David Cohen with Aaron Industries.

#### History

The original two-story wood-framed structure located in the northwest corner of the lot is reported to have been constructed circa 1888. In the mid-1920s a separate, somewhat smaller, structure was constructed of similar materials approximately four feet to the east.

Both structures front on Market Street on the north side where they are presently connected by a continuous façade consisting of large storefront windows, a false balcony and a decorative parapet. See Photo 1. Shops occupy the first floor while the second floor houses single rooms for rent with common bathrooms. A single run stairway on the north side of the original structure connects the residential occupancy with the street. See Photo 2.

At the first floor level the buildings are completely separated behind the façade; however, a wood-framed corridor runs between and is supported by the two buildings at the second floor level. A small section toward the north end of the

corridor contains two crosswalls at the second level and is roofed; the remainder of the corridor has only plastic corrugated roofing above for weather protection. See Photo 3.

### Construction

The original structure and the later addition appear to be founded on continuous concrete footings although the width and depth of the footings is not pertinent to this study and was not verified.

At the north side of both buildings the exterior studs are 2x4s at 16 inches on center continuous from the 6x beam at the top of the storefront windows to the top of the parapet. (All lumber measurements are actual dimensions unless noted otherwise.) 4x posts are spaced at approximately six feet on center along both storefronts. See Photo 4.

The balcony at the second level on the north side is framed with 1-7/8"x6" joists approximately 5 feet long with a 3-foot 6-inch cantilever. See Photo 5 and Sketch 1. The joists run in the north-south direction and are approximately 48 inches on center. As shown in Photo 6 the balcony joists are notched on the underside to accommodate the rim joist.

The railing is constructed of 3x4 posts at approximately 8 feet on center with 3x cross rails at top and bottom and 1"x2-1/4" verticals at 5 inches on center. See Photo 7 and Sketch 2.

At the roof level on the north side 2x4 ceiling joists run in the east-west direction at 16 inches on center and 2x6 roof rafters run parallel at 32 inches on center. No joints were observed in the ceiling joists but, where there are discontinuities in the rafters, a perpendicular 2x4 flat over short 2x4 verticals serves to transfer the load to the ceiling joists below. 1x12s flat serve as roof sheathing. See Photos 8 and 9 and Sketch 1.

Exterior walls on the east and west sides of both buildings, including walls fronting on the four-foot separation, are wood-framed bearing walls sheathed with horizontal wood clapboard siding. Studs are balloon-framed 2x4s at 16 inches on center and are continuous from the plate line at the first floor on up. The east sides of the structures are not pertinent to this study and were not surveyed.

Interior wood-framed bearing walls at the second level line up with bearing walls running in the north-south direction at the first level. Rafters, ceiling joists and floor joists typically run in the east-west direction. Floor joists are 2-1/4"x9-5/8".

See Photos 10 through 16 for results of destructive observation. See also Sketches 3 through 6.

Walls on the east and west sides of the original stairs from the street level to the second floor are also bearing walls. Framing is 1x2 studs at 16 inches on center with lath and plaster on the outside and 1x tongue and groove sheathing and notched stringers on the inside. Sheathing extends above the stair opening to a height well below current guardrail requirements. A handrail with a round cross-section is mounted to the studs on the west side of the stair. See Photo 17 and Sketch 7.

Interior walls and ceilings are finished with lath and plaster. Windows generally have wood trim and sashes.

Room additions, covered porches and exterior stairs at the rear of both buildings were reportedly constructed in the 1970s and are not a part of this study.

### Condition

The condition of the structures has been based solely on results of destructive observation in limited areas and may not be representative of all construction.

The balcony and railing members attached to the original building are in fair to good condition but balcony members attached to the smaller building are in fair to poor condition with termite damage and dryrot. Railing members and verticals are in a state of disrepair and will require strengthening at the connections.

No termite droppings were observed below the decorative parapet but no destructive testing was performed. It is anticipated that connections will require strengthening at the parapet as well.

Studs, floor and ceiling joists and roof rafters appeared to be in good condition at all locations surveyed with the exception of termite damage at one ceiling joist at the roof level on the north side of the original structure (Photo 18) and termite damage at a ground floor sill plate/beam on the east side of the original structure (Photo 19).

Distress was observed in exterior wood-framed walls sheathed with horizontal siding in two areas.

At the north end of the west wall the studs are seated on horizontal 1x tongue and groove sheathing. The sheathing is supported by short 2x4 studs inclined at an angle with a sill plate below. It appears that the entire first floor system was

originally a raised wood floor with joists and a tongue and groove diaphragm. Floor joists were removed in the north half of the building and the walls, no longer held in line by the joists and sheathing, bulged outward near the base. This does not appear to be a stable condition and collapse may occur during a seismic event or even under vertical load only. See Photo 15.

The second location is on the east side of the original building and can be seen in Photo 19. The 4x sill plate/beam supporting the floor joists has rotated outward causing uneven bearing at the floor joists. Floor joists in this vicinity exhibit crushing where they rest on the backside of the sill plate due to excessive compression perpendicular to grain.

Photo 20 shows a rodent's nest and charred wood from a previous fire that fell out of the interstitial space by the let-in brace shown in Photo 16. The extent of the fire is unknown but it is possible that some of the members were affected structurally.

Interior walls at the first and second floor levels appear to be in good condition. Paneling at the stairs and the stair structure itself show no signs of distress. Newel posts and the handrail also appear to be in reasonable condition.

The connection of the 1"x9-1/4" interlocking horizontal wood clapboard siding to the studs and plates appears to be generally in good condition.

Wood trim and sashes at the windows are deteriorated in many instances making replacement of at least portions of the wood necessary.

Although buildings of that era were not designed with any specific method of lateral load-resistance in mind it appears that lateral loads for both buildings are taken out in wood lath and plaster shear walls. If the unstable condition at the first floor is remedied and sufficient shear walls are provided at the south side it is possible the buildings may be able to resist lateral loads calculated under the current Historic Building Code.

### Moving

Lath and plaster is fairly rigid and can withstand load to a certain point if the structure on which it is mounted is braced. This may be difficult to accomplish during the moving process.

If walls are to be moved offsite during construction of the major portion of the project and replaced it is important that the walls be preserved from racking insofar as possible. There is no diaphragm to tie together the lower ends of the

Mr. James Tanner  
July 14, 2008  
Page 5 of 5

balloon-framed exterior walls or the posts at the storefront windows. It may be advisable to build a framework on which to mount the walls before they are moved offsite to help maintain their original shape and appearance.

Although moving the original building in two stages (first the second floor and then the first floor) has been suggested, this would involve cutting the balloon-framed wall studs and installing intermediate plates and blocking. This approach would not preserve the original construction.

### Summary

The original structure appears to be in reasonable condition for its age and type of construction with some notable exceptions.

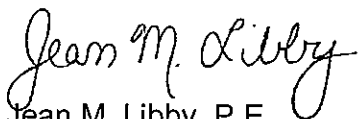
1. Where the floor diaphragm has been removed on the north side the existing construction does not appear to be stable. Collapse may occur under seismic loading or even under vertical loading. This condition should be remedied in the near future if the building is not moved.
2. Damage is apparent at supports and sheathing at the false balcony along the north sides of the buildings. Wood members, sheathing and connections require replacement and repair. Similar work may be required at the decorative parapet.
3. Termite damage and dryrot are evident in limited areas. Fumigation and treatment of dryrot should be pursued as recommended by a professional. Repair or replacement of some members is likely to be required. Note that deterioration may extend beyond what is currently visible.

The structure should be well braced during any anticipated move as directed by qualified professionals who are experienced in the moving of historic structures.

It is recommended the first and second floors be moved as a unit to preserve the original construction.

If you have questions or need additional information please call.

Sincerely,  
Martin & Libby



Jean M. Libby, P.E.  
Principal

JML:jl



ATTACHMENT F

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**RECORDING REQUESTED BY:**

Centre City Development Corporation  
Architecture & Planning Division  
225 Broadway, Suite 1100  
San Diego, CA 92101

**WHEN RECORDED MAIL TO:**

Centre City Development Corporation  
225 Broadway, Suite 1100  
San Diego, CA 92101

**THIS SPACE FOR RECORDER'S USE ONLY**

**NOTE: COUNTY RECORDER, PLEASE  
RECORD AS RESTRICTION USE OR  
DEVELOPMENT OF REAL  
PROPERTY AFFECTING THE TITLE  
TO OR POSSESSION THEREOF**

**CENTRE CITY SITE DEVELOPMENT PERMIT NO. 2007-27**

**(BAHIA VIEW CONDOMINIUMS)**

**CENTRE CITY DEVELOPMENT CORPORATION  
CENTRE CITY SITE DEVELOPMENT PERMIT NO. 2007-27**

Pursuant to the regulations of the Centre City Planned District Ordinance (PDO), an application from Steve Gordon, on behalf of Bahia View Condominiums LLC, Owner/Permittee, to construct a mixed use residential project located on the 15,000 square foot site located at 1425 – 1433 Market Street, in the East Village District of the Downtown Community Planning Area, and more particularly described as the west half of Lots J, K, and L in Block 174 of Horton's Addition in the City of San Diego, County of San Diego, State of California, according to Map thereof in the office of the County Recorder of San Diego, was reviewed by Centre City Development Corporation.

A Centre City Site Development Permit is granted by Centre City Development Corporation (CCDC) to Bahia View Condominiums LLC, Owner/Permittee.

1. General

The Developer shall construct, or cause to be constructed on the Site, a mixed-use residential project consisting of 95 residential units, including a minimum of six units at 100% Average Median Income, and approximately 5,000 square feet of commercial retail space. The total floor area ratio of the development for all uses above ground (excluding the exempted retail floor area) shall not exceed 10.1.

2. Local Historical Resource #819 – Tourist Hotel Building

All modifications to, and rehabilitation of, the Historic Landmark #819, Tourist Hotel, shall be performed in accordance with the Treatment Conservation Plan required under the project's Mitigation Monitoring and Reporting Program Measure HIST-A.1-2, which shall be reviewed and approved by the staff of the HRB and CCDC. Historical documentation shall be provided for the review and approval of HRB staff in the form of as-built drawings, historic photographs, and current photographs to ensure the rehabilitation of the exterior facades are completed consistent with the U.S. Secretary of Interior Standards to the extent possible.

The 1888 portion of the Tourist Hotel building may be removed and taken to an offsite location for rehabilitation and reinstalled on the site as shown in the approved Basic Concept Drawings.

If any of the materials (exterior walls, window frames, and architectural details, or interior stair) are deteriorated and cannot be rehabilitated, and/or are not permitted to be reinstalled by the City of San Diego building officials, they may be recreated of new materials with the prior approval of the materials and execution methods by HRB staff.

Any railings associated with the amenity roof deck shall be no taller than four feet in height, be constructed of glass or other highly transparent materials, and be set back from the

Market Street façade a minimum of 10 feet.

3. Single Room Occupancy Hotel (Chadwick Hotel) Units

Prior to the granting of any construction permit (including demolition) the developer shall enter into an agreement with the San Diego Housing Commission (SDHC) to provide for the relocation of the tenants of the Chadwick Hotel and remit payment of the in-lieu fee before granting any construction permit (including demolition).

4. Federal Aviation Administration (FAA) Determination

The Developer shall submit a copy of a current FAA Determination of No Hazard to Air Navigation in conjunction with the submittal of 100% Construction Drawings.

5. Floor Area Ratio (FAR) Bonus

The project is achieving FAR Bonus of 4.1 through Section 156.0309(e)(8) of the Centre City PDO, as follows:

- a. Bonus Payment Program - The developer shall purchase an additional approximate 15,000 square feet, equivalent to 1.0 FAR, by submitting the fees (\$15.00 per square foot) through the FAR Payment Bonus Program established by the Redevelopment Agency. Fees shall be paid prior to the issuance of a Building Permit and shall be based on final building area calculations.
- b. Eco-Roof – 1.0 FAR, equivalent to 15,000 square feet, shall be granted with provision of 60% (sixty percent) of the net roof area above a height of 30 feet planted as an eco-roof in accordance with Section 156.0311(i)(5) and as illustrated on the Basic Concept/Schematic Drawings. The remaining 15% of qualifying eco-roof area may consist of surface to accommodate maintenance access but shall generally be a permeable surface to absorb and/or channel run-off to planted areas. CC&Rs shall be recorded on the property providing for the development and on-going maintenance, and replacement, if necessary, of the eco-roof to City standards for the life of the project. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office and executed prior to issuance of building permits.
- c. Affordable Housing – 2.1 Bonus FAR, equivalent to 31,500 square feet, shall be granted to the project according to Section 156.0309(e) of the Municipal Code with the provision that six of the residential units shall be restricted per San Diego Municipal Code Chapter 14, Article 3, Division 7. The affordable units shall be designated units which are comparable in bedroom mix, design, and overall quality of construction to the market-rate units in the development. The developer shall enter into an agreement with the City of San Diego Housing Commission to monitor the long term affordable restrictions for the units qualifying as affordable units prior to the issuance of a Building Permit for the project.

6. Residential Amenities and Facilities

The development includes the following residential amenities and facilities as illustrated on the approved Basic Concept/Schematic Drawings, which shall be required to be maintained by the project in perpetuity:

- a. Pet Open Space – A minimum of 100 square feet of area for use by pets and clearly marked for such exclusive use. The pet open space must contain permeable surface of gravel, sand, grass or similar, or a concrete surface connected to a drain in proximity to an outside faucet for washing down the surface. The development shall be responsible for daily cleaning and regular maintenance of this space.
- b. Common Outdoor Open Space – Common outdoor spaces shall include approximately 4,842 square feet on the ground floor and approximately 1,632 square feet on the level three roof terrace, for use by the residents of the development. The dimensions of the common outdoor open spaces must not be reduced for the life of the project. A minimum of ten percent (10%) of each common outdoor open space area must be planted area and each area must be accessible to all residents of the project through a common corridor.
- c. Common Indoor Space – An approximately 1,040 square foot residential community room shall be provided on the ground floor adjacent to the outdoor open space (pool deck). An additional 630 square foot residential lounge shall be provided adjacent to the community room. These spaces shall be maintained for use by residents of the development and may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space and must be accessible through a common corridor.

7. Parking

The development includes approximately 163 parking spaces. A minimum of 95 spaces dedicated to residential units shall be designed to City Standards. Three spaces shall be dedicated and permanently maintained for exclusive use by residential guests and service vehicles, and signs shall be posted accordingly. If any residential parking spaces are designed with dimensions less than the City Standards, future buyers of the residential units shall be informed of the dimensional size of their parking spaces prior to the sale of such units. Any tandem parking stalls must be assigned to the same unit. In addition, a minimum of 7 motorcycle spaces shall be provided along with storage area for a minimum of 18 bicycles. Any subterranean parking facilities encroaching into the public right-of-way shall be located a minimum of six feet back from the face of curb to a depth of eight feet below sidewalk grade, measured to the outside of any shoring. An Encroachment Removal and Maintenance Agreement shall be obtained from the City to allow any encroachment of the garage into the public right-of-way.

8. Tentative Map

The Permittee shall be responsible for obtaining all map approvals required by the City of San Diego for the sale of the residential units or commercial spaces as condominiums.

9. Development Impact Fees

The project will be subject to Centre City Development Impact Fees. For projects containing commercial space(s), the Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed.

10. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the Centre City PDO and Centre City Streetscape Manual. These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the design review process.

- a. Architectural Standards - The architecture of the development shall establish a high quality of design and complement the design and character of the East Village District and the site's location on Market Street, and in context with the historical Tourist Hotel, as shown in the approved Basic Concept/Schematic Drawings on file with CCDC. The project shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale - The project shall consist of an 8- to 22-story building with maximum building height of 283 feet measured to the top of the parapet, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the Centre City PDO and the Federal Aviation Administration. All building elements shall be complementary in form, scale, and architectural style.
- c. Building Materials - All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within 1 (one) inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any plaster materials shall consist of a hard troweled, or equivalent, smooth finish. Any stone materials shall

employ larger modules and full-corner profiles to create a substantial and non-veneer appearance. All down-spouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24.

All construction details shall be highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public right of way. No substitutions of materials or colors shall be permitted without the prior written consent of CCDC. A final materials board which illustrates the location, color, quality, and texture of proposed exterior materials shall be submitted with 100% Construction Drawings and shall be consistent with the materials board approved with the Basic Concept/ Schematic Drawings.

- d. Street Level Design - Street level storefront windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings a minimum of ten feet.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and projection surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials (no stucco or other inconsistent material), and incorporate drip edges and other details to minimize staining and ensure long-term durability.

- e. Utilitarian areas - Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the public right-of-way and adjoining developments, except for utilities required to be exposed by the City or utility company. The project shall provide trash and recyclable material storage areas per Municipal Code Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building/garage area and shall be kept clean and orderly at all times. The project shall implement a recycling program to provide for the separation of recyclable materials from the non-recyclable trash materials.

The Developer shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights. Such plan shall be submitted in conjunction with 100% Construction Drawings.

- f. Mail/Delivery Locations - It is the developer's responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal/loading use. The developer shall locate all mailboxes and parcel lockers outside of the public right-of-way, either within the building or recessed into a building wall. A single, centralized interior mail area in a common lobby area is encouraged for all residential units within a project, including associated townhouses with individual street

entrances. Individual commercial spaces shall utilize a centralized delivery stations within the building or recessed into a building wall, which may be shared with residential uses sharing a common street frontage address.

- g. Vehicle Access - Vehicular access to the site shall be limited to Market Street; the curb cut may not exceed 30 feet in width.
- h. Circulation and Parking - Subterranean parking shall meet the requirements of the Building Inspection Department, Fire Department, and City Engineer. All parking shall be mechanically ventilated. The exhaust system for mechanically ventilated structures shall be located to mitigate noise and exhaust impacts on the residential units, adjoining properties, and public right-of-way.

The Developer shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights. Such plan shall be submitted in conjunction with 100% Construction Drawings.

- i. Open Space/Project Amenities - A landscape plan that illustrates the relationship of the proposed on- and off-site improvements and the location of seating, water, and electrical hookups shall be submitted with 100% Construction Drawings.
- j. Roof Tops - A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted with 100% Construction Drawings. Any roof-top mechanical equipment must be grouped, enclosed, and screened from surrounding views.
- k. Eco-Roof - Drawings, relevant details and specifications shall be submitted with the 100% Construction Documents to include: 1) dimensioned plans included and coordinated with the Building Permit drawings that demonstrate square foot allocations for both planted and non planted areas, and include the gross (total gross area of all roofs over 30 feet in height) and net (after deducting for areas covered by stairway and elevator enclosures and areas devoted to required common or private outdoor open space areas) roof areas; 2) construction details necessary to build the Eco-Roof, with typical sections that include attachments, water proofing, landscape and ground surfaces, both planted and non-planted areas; and, 3) specifications relevant to landscape and irrigation proprietary systems.
- l. Signage - All signs shall comply with the City of San Diego Sign Regulations and the Centre City PDO.
- m. Lighting - A lighting plan which highlights the architectural qualities of the proposed project and also enhances the lighting of the public right-of-way shall be submitted with 100% Construction Drawings. All lighting shall be designed to avoid illumination of adjoining properties.

- n. Noise Control - All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City of San Diego Noise Ordinance and California Noise Insulation Standards as set forth in Title 24 of the California Code of Regulations. All mechanical equipment shall be located to mitigate noise and exhaust impacts on adjoining development, particularly residential. Developer shall provide evidence of compliance at 100% Construction Drawings.
- o. Energy Considerations - The design of the improvements shall include, where feasible, energy conservation construction techniques and design, including cogeneration facilities, and active and passive solar energy design. The Developer shall demonstrate consideration of such energy features during the review of the 100% Construction Drawings.
- p. Street Address - Building address numbers shall be provided that are visible and legible from the public right-of-way.

11. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted with the 100% Construction Drawings. The on-site landscaping shall establish a high quality of design and be sensitive to landscape materials and design planned for the adjoining public rights-of-way.

12. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual. The Manual is currently being updated and the developer shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

	Market Street
Paving	Market Street Paving
Street Trees	Palo Alto Sweet Gum
Street Lights	CCDC Gateway

All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCDC Streetscape Manual, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject property.

The developer will be responsible for evaluating, with consultation with CCDC, whether any existing trees within the right-of-way shall be maintained and preserved. No trees shall be removed prior to obtaining a Tree Removal Permit from the City Streets Division per City Council Policy 200-05.



- a. Street Lights - All existing lights shall be evaluated to determine if they meet current CCDC and City requirements, and shall be modified or replaced if necessary.
- b. Sidewalk Paving - Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement with the City.
- c. On-Street Parking - The developer shall maximize the on-street parking wherever feasible.
- d. Litter Containers - One CCDC Standard public trash receptacle shall be provided.
- e. Public Utilities (sewer, water and storm drain) - The Developer shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City Utilities located in the public right-of-way. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Developer may use existing laterals if acceptable to the City, and if not, Developer shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals. Private sewer laterals require an Encroachment Maintenance and Removal Agreement.

Public sewer mains are existing in Market Street to serve the proposed development. The developer will be required to submit calculations, satisfactory to the Metropolitan Wastewater Department Director, for sizing of the sewer lateral from this site to its connection with a public sewer main so that adequate main capacity can be verified to show that the sewer main will have adequate capacity necessary to serve this development. The developer will be responsible for any required upgrade to existing mains. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the Building Permit plan check. Utilization of existing sewer laterals is at the sole risk and responsibility of the developer to ensure the laterals are functional and connected to a public sewer facility. Prior to connecting to any existing sewer lateral, the lateral will be inspected using a closed-circuit television (CCTV) by a California Licensed Plumbing Contractor to verify the lateral is in good working condition and free of all debris.

Public water facilities are located within the Market Street right-of-way adjacent to the project site. The developer will be required to 'kill' all unused water services adjacent to the project site and install new services where appropriate. Service kills require an engineering permit and must be shown on a public improvement plan. If and when the developer submits for a tentative map or tentative map waiver, the Water Department will require CC&Rs to address the operation and maintenance of the private on-site water system serving the project. No structures or landscaping of any kind shall be installed within 10 feet of water facilities.

All roof drainage and sump drainage, if any, shall be connected to the storm drain system in the public street, or if no system exists, to the street gutters through sidewalk underdrains. Such underdrains shall be approved through an Encroachment Removal Agreement with the City. The project shall comply with the City of San Diego Storm Water Management and Discharge Control Ordinance and the storm water pollution prevention requirements of Chapter 14, Article 2, Division 1 and Chapter 14, Article 2, Division 2 of the Land Development Code.

- f. Franchise Public Utilities - The Developer shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the project and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk right-of-way shall be removed and incorporated into the adjoining development where feasible.
- g. Fire Hydrants - If required, the Permittee shall install fire hydrants at locations satisfactory to the Fire Department and Development Services Department.
- h. Backflow preventers - The developer shall locate all water meters and backflow preventers in locations satisfactory to the Water Utilities Department and CCDC. Backflow preventers shall be located outside of the public right-of-way adjacent to the project's water meters, either within the building, a recessed alcove area, or within a plaza or landscaping area. The devices shall be screened from view from the public right-of-way. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City of San Diego's Engineering and Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24 of the State Building Code.

13. Removal and/or Remedy of Soil and/or Water Contamination

The Developer shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the Site (and encountered during installation of improvements in the adjacent public rights-of-way which the Developer is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design and construct all improvements on the Site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.

- c. Prepare a site safety plan and submit it to the appropriate governmental, CCDC, and other authorities for approval in connection with obtaining a Building Permit for the construction of improvements on the Site. Such site safety plan shall assure workers and other visitors to the Site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

14. Environmental Impact Mitigation and Archaeological/Paleontological Protection

Qualified archaeological and paleontological monitors shall be retained to carefully monitor the excavation and grading activities while the project is underway, and to implement mitigation measures and/or mitigation monitoring requirements as identified in the Secondary Environmental Study.

15. Model

Prior to obtaining a Building Permit, the Permittee shall provide a one-inch (1") to fifty-foot (50') scale block building model which illustrates the true scale of the buildings on the site based on the building facade and the floor plate of the structure from the ground floor to and including the rooftop. No base is required. Landscaping at the ground level shall also be shown. Architectural detail such as windows, door, and balconies shall not be shown. Other building elements and articulation less than three feet in scaled dimension need not be shown.

The model shall be made of solid acrylic plastic (e.g., Lucite, Plexiglas), be colored solid white and be compatible with the scale and contours of the model of downtown on display at the Centre City Development Corporation's Downtown Information Center. Upon acceptance by CCDC, the model shall be installed by the developer or his designated representative on the model of downtown and the model shall become the property of the Centre City Development Corporation for its use.

16. Construction Fence

Developer shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a

consistent color with the project's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.

17. Development Identification Signs

Prior to commencement of construction on the Site, the Developer shall prepare and install, at its cost and expense, two signs on the barricades around the Site which identifies the development. Each sign shall be at least four (4) feet by six (6) feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- Completion Date \_\_\_\_\_.
- For information call \_\_\_\_\_.

The sign shall also contain the CCDC "Paradise in Progress" logo and the Downtown Construction Hotline phone number. Additional project signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 square feet per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to CCDC for approval prior to installation.

18. This Centre City Development Permit shall be conditioned upon obtaining a Building Permit within three (3) years from the date of issuance. If a Building Permit has not been obtained in three years and the project is to proceed, the Permittee must apply for an extension in compliance with the provisions of the CCPDO and LDC.
19. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
20. This permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interest of any successor shall be subject to each and every condition set out.
21. This project shall comply with the standards, policies, and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
22. No permit for construction, operation, or occupancy of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until this Permit is recorded in the OFFICE OF THE COUNTY RECORDER.

Centre City Site Development Permit 2007-27  
Bahia View Condominiums

This Centre City Development Permit is granted by the Planning Commission on \_\_\_\_\_.

CENTRE CITY DEVELOPMENT  
CORPORATION

PERMITTEE SIGNATURE

\_\_\_\_\_  
Brad Richter                      Date  
Manager of Current Planning

\_\_\_\_\_  
Steve Gordon                      Date  
Bahia View Condominiums LLC  
Owner/Permittee

State of \_\_\_\_\_

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
Date Name, Title of Officer

personally appeared \_\_\_\_\_,  
Name(s) of Signer(s)

\_\_\_ personally known to me - **OR** -

\_\_\_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

**ENVIRONMENTAL SECONDARY STUDY**

**FOR THE PROPOSED**

**BAHIA VIEW PROJECT**

**March 2008**

**Prepared for:** Bahia View Condominiums, LLC

**Preparation Administered by:** Centre City Development Corporation  
225 Broadway, Suite 1100  
San Diego, CA 92101

**Prepared by:** Jones & Stokes  
9775 Businesspark Avenue, Suite 200  
San Diego, CA 92131

## ENVIRONMENTAL SECONDARY STUDY

**1. PROJECT TITLE:** Bahia View Project

**2. APPLICANT:** Steve Gordon, Bahia View Condominiums, LLC

**3. PROJECT LOCATION:** An approximately 15,000 square-foot site located on the south side of Market Street between 14<sup>th</sup> and 15<sup>th</sup> streets within the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project, downtown San Diego (**Figure 1**). Centre City includes approximately 1,500 acres of the metropolitan core of San Diego, bounded by Interstate 5 on the north and east and San Diego Bay on the south and southwest. Centre City is located 15 miles north of the United States International Border with Mexico.

**4. PROJECT SETTING:** The Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area describes the existing setting of Centre City including the East Village Redevelopment District. This description is hereby incorporated by reference. Located in the highly urbanized Centre City environment, the project site is currently occupied by two structures and a vacant lot. One of these structures is a locally-designated historical resource called the "Tourist Hotel," currently known as the "Home Run Hotel," that operates as a Single Room Occupancy (SRO) hotel with 13 rooms. This structure was built in 1888 with later additions built in 1925-1926 and was designated by the Historical Resource Board (HRB) on the basis of its Italianate architecture. The other structure is a smaller building once known as the "Gem Café" which last operated as a Mexican restaurant. As depicted in **Figure 2**, directly east of the project site are two, two-story commercial buildings, an eight-story residential development and a one-story office building proposed to be developed as seven stories of loft apartments. Directly west of the project site is a four-story senior residential project and to the south is a low-rise metal barn, which is planned to be demolished and landscaped as part of a proposed 24-story residential project on the southeast corner of the block. To the north of the site across Market Street is a mid-rise residential building with an Albertson's grocery store on the ground floor, and a vacant lot proposed to be a 5- to 22-story mixed use development.

**5. PROJECT DESCRIPTION:** The Bahia View Condominium project proposes 95 residential condominium units, including six affordable units, and approximately 5,000 square feet of ground floor retail space, with parking for 163 vehicles in five subterranean levels. Development of the site involves the demolition the Gem Café building and substantial alteration of the Tourist Hotel building. Utilizing a period of significance based upon when the later addition to the Tourist Hotel was built (utilizing Sanborn Maps and City Directory research), the project proposes to restore the public's experience of the 1888 portion of the building. Under this scenario, the 1925-1926 addition will be removed exposing the original east elevation of the 1888 Tourist Hotel. In addition to the original Market Street façade, the east and west sidewalls (to a depth of 50 feet) of the 1888 Tourist Hotel are to be rehabilitated and installed on a new Type I substrate. Damaged ornamental detail is to be restored based on existing profiles and configurations. The front interior staircase will be removed, rehabilitated and reinstalled in its original



location. (For more detailed description, refer to Draft Treatment Conservation Plan on file at CCDC). While the project will strive to meet the Secretary of Interior Standards for the rehabilitated facades and attempts to re-create the historical (1888) presence to the public, the project removes a portion of the building (1920s addition) and reconstructs the physical volume on a new substrate; therefore, the Secretary of Interior Standards cannot be met. The Land Development Code (LDC) requires approval of a Site Development Permit (SDP) by the Planning Commission to allow the substantial alteration of an historical resource in which the Secretary of Interior Standards cannot be met. The developer will pay the SRO replacement in-lieu fee due to the demolition of the 13 SRO units in compliance with the requirements of the Land Development Code (LDC).

**Figure 3** depicts the site/first floor plan of the three main volumes; the 1888 Tourist Hotel building, the tower, and 8-story mid-rise building. Along Market Street, the first floor includes retail space in a portion of the 1888 Tourist Hotel building, a recessed open-air entry courtyard, and retail space in the new mid-rise building; and, the lobby, lounge area, retail space, a fitness center, and the pool area, which are associated with the mid-rise building and tower. As depicted in **Figures 4** through **8**, the floor plans for the second through the 22<sup>nd</sup> floor contain six studio units (including one affordable unit), 15 one-bedroom units, (including one affordable unit), 67 two-bedroom units, (including three affordable units), seven three-bedroom units, (including one affordable unit), and an outdoor common area on the third floor/roof of Tourist Hotel building. **Figure 9** depicts the roof plan with 3,781 square feet designated for a planted eco-roof.

**Figures 10** through **13** depict the building elevations. The project's design concept consists of three buildings in an integrated configuration that incorporates a portion of the two-story historical Tourist Hotel building. This building will be reconstructed to an interior depth of 50 feet and the north, east, and west facades would be reconstructed as historically authentic. New buildings would maintain physical separation from the historical building to the east and above. An 8-story building is proposed to the east of the recessed courtyard at the tower's lobby entry, with the 22-story tower situated 18 feet back from the sidewalk at the courtyard and 50 feet behind the historical building. The tower floor plate gradually steps over the historical resource beginning at floor five and extending to the tower's full height. The design of the tower and mid-rise building consists of metal and glass in a contemporary design that is distinguished from, and defers to the historical fabric of the historical building.

The project is located in the Neighborhood Mixed-Use Center land use designation, which is intended to ensure development of distinctive centers that provide a focus to the neighborhoods. This district supports mixed-use (residential/non-residential) projects that contain and active ground-floor uses. A broad array of compatible uses, including retail, restaurants and cafes, residential, office, cultural, educational, and indoor recreation are permitted. Building volume restrictions apply to allow sunlight to reach streets and public spaces, and design standards seek to establish highly pedestrian-oriented development.

The building is designed per CCDC PDO Requirements for a maximum Base FAR of 6.0 and Bonus FAR of 4.1 through the Eco-Roof, FAR Payment, and Affordable Housing bonus programs.

**6. CEQA COMPLIANCE:** The Centre City Redevelopment Community Plan and related activities have been addressed by the following environmental documents, which were prepared prior to this Secondary Study and are hereby incorporated by reference:

Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, 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 City Council (Resolution No. R-301265) on March 14, 2006.

Addendum to the FEIR for the 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency by Resolution R-04193 and by the city council by R-302932 on July 31, 2007.

The FEIR is a "Program EIR" as described in Section 15168 of the State CEQA Guidelines. The aforementioned environmental document is the most recent and comprehensive environmental document pertaining to the proposed project. This environmental document is available for review at the office of Centre City Development Corporation, 225 Broadway, Suite 1100, San Diego, CA 92101.

This Secondary Study has been prepared in compliance with the San Diego Redevelopment Agency's amended "Procedures for Implementation of CEQA and the State CEQA Guidelines" (adopted July 17, 1990). Under these Agency Guidelines, environmental review for subsequent specific development projects is accomplished using the Secondary Study process defined in the Agency Guidelines, as allowed by Sections 15168 and 15180 of the State CEQA Guidelines. The Secondary Study includes the same evaluation criteria as the Initial Study defined in Section 15063 of the State CEQA Guidelines. Under this process, the Secondary Study is prepared for each subsequent specific development project to determine whether the potential impacts were anticipated in the FEIR. No additional documentation is required for subsequent specific development projects if the Secondary Study determines that the potential impacts have been adequately addressed in the FEIR and subsequent specific development projects implement appropriate mitigation measures identified in the MMRP that accompanies the FEIR.

If the Secondary Study 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 specific development project being proposed. Should a proposed project result in: a) new or substantially more severe significant impacts that are not adequately addressed in the FEIR, or b) there is a substantial change in circumstances that would require major revision to the 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 Supplement to the 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 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 specific development project as being within the scope of the project covered by the 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 the attached **Table A**, the following mitigation measures included in the Mitigation Monitoring and Reporting Program (MMRP) found in volume 1.B.2 of the FEIR will be implemented by the proposed project:

**AQ-B.1-1; HIST-A.1-1; HIST-A.1-2; HIST-B.1-1; NOI-B.1-1; NOI-C.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 Centre City Redevelopment Project are addressed in the Final Environmental Impact Report (FEIR) prepared for the San Diego Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, which was certified on March 14, 2006 and the Addendum to the FEIR certified by the Redevelopment Agency by Resolution R-04193 and by the City Council by R-302932 on July 31, 2007.

These previous documents address the potential effects of future development within the Centre City Redevelopment Project based on buildout forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the FEIR and Addendum 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

- Aesthetics/Visual Quality: Views of the Bay And Bay Bridge (VIS-B.1) (C)
- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Architectural (HIST-A.1) (D/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)
- Parking: Excessive Parking Demand (TRF-D.1) (C)

In certifying the FEIR and approving the San Diego Downtown Community Plan, Planned District Ordinance and 10th Amendment to the Redevelopment Plan, the San Diego 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

- Implement Downtown's Role As Primary Urban Center
- Relieve Growth Pressure On Outlying Communities
- Organize Balanced Mix Of Uses Around Neighborhood Centers
- Maximize Employment
- Capitalize On Transit Opportunities

The proposed activity analyzed within this secondary study is covered under the Final Environmental Impact Report [FEIR] for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, which was certified by the Redevelopment Agency by Resolution R-04001 and by the City Council by Resolution R-301265 on March 14, 2006, and the Addendum to the FEIR for the 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the 10<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency by Resolution R-04193 and by the City Council by R-302932 on July 31, 2007. This activity is adequately addressed in the environmental documents noted above and the secondary study prepared for this project reveals there is no change in circumstance, additional information, or 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 the California Environmental Quality Act [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 Secondary Study and the 2006 FEIR:

1. No substantial changes are proposed in the Centre City Redevelopment Project (Project), or with respect to the circumstances under which the Project is to be undertaken as a result of the development of the proposed project, which will require important or major revisions in the 2006 FEIR or 2007 Addendum to the FEIR for the Project;
2. No new information of substantial importance to the Centre City Redevelopment Project has become available which was not known or could not have been known at the time the 2006 FEIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the 2006 FEIR or 2007 Addendum to the FEIR, or that any significant effects previously examined will be substantially more severe than shown in the 2006 FEIR or 2007 Addendum 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 2006 FEIR is necessary or required; and
4. The development of the site will have no significant effect on the environment, except as identified and considered in the 2006 FEIR and 2007 Addendum to the FEIR for the Centre City Redevelopment Project. No new or additional project-specific mitigation measures are required for this project.
5. If the project includes contaminated soils or other hazards covered by uniformly applied development standards, also use this bullet. Uniformly applied development policies or standards previously adopted by the City and/or County of San Diego relating to the identification and remediation of soil contamination will substantially mitigate the site-specific effects associated with the potential soil contamination by previous activities on the proposed project site, and therefore the project site's existing soil conditions are not considered peculiar to the project site, nor is an EIR warranted for the proposed project;
6. The proposed project and its associated activities would not have any new effects that were not adequately covered in the 2006 FEIR or 2007 Addendum to the FEIR, and therefore, the proposed project is within the scope of the program approved under 2006 FEIR and 2007 Addendum to the FEIR.

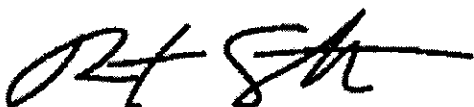
The Centre City Development Corporation (CCDC), the implementing body for the Redevelopment Agency of the City of San Diego, administered the preparation of this Secondary Study.



\_\_\_\_\_  
Signature of Lead Agency Representative

3/26 /2008

\_\_\_\_\_  
Date



\_\_\_\_\_  
Signature of Preparer

March 26, 2008

\_\_\_\_\_  
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 FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance (PDO), and Redevelopment Plan for the Centre City Project Area. However, since the application process for the proposed project was submitted prior to adoption of these documents in February 2006, the planning policies and regulations applicable to the proposed project are the 1992 Community Plan and PDO. These previous regulations do not allow more intense or dense development, or substantially different types of development on the project site than assumed in the FEIR analysis.

Based on the assumption that the proposed activity is adequately addressed in the FEIR, the following table indicates how the impacts of the proposed activity relate to the conclusions of the 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 FEIR are identified and are summarized in Table A to this Secondary Study. 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 FEIR analysis, the following issue areas have been identified as Significant and Not Mitigated even with inclusion of the proposed mitigation measures, where feasible:

- Aesthetics/Visual Quality: Views of the Bay And Bay Bridge (VIS-B.1) (C)
- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Architectural (HIST-A.1) (D/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)
- Parking: Excessive Parking Demand (TRF-D.1) (C)

The following Overriding Considerations apply directly to the proposed project:

- Implement Downtown's Role As Primary Urban Center
- Organize Balanced Mix Of Uses Around Neighborhood Centers
- Capitalize On Transit Opportunities
- Relieve Growth Pressure On Outlying Communities



	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) Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the San Diego Downtown Community Plan? Views of scenic resources such as 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. Additionally, Highway 163 is a State Scenic Highway entering downtown at Tenth Avenue, however this highway is not in close proximity to the proposed project, therefore the proposed project would not impact this scenic resource. Lastly, the project would not be located on a street designated as a view corridor by the San Diego Downtown Community Plan. Therefore, significant impacts associated with these issues could not occur.</p> <p>The proposed project would be an 8- to 22-story (approximately 85- to 283-foot tall) building in the East Village District. The architectural features of the proposed project do not include extreme height, bulk, scale, or a site orientation that would substantially disturb views of the San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park and the downtown skyline from public viewing areas. In addition, the project would conform to the design measures required by the San Diego Downtown Community Plan and PDO. Thus, 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>						
<p>direct impacts associated with this issue would not occur.</p> <p>The proposed project is over 75-feet in height and is considered a high-rise building by the Uniform Building Code. The proposed 8- to 22-story project would be consistent with the FEIR conclusion of an unmitigated significant cumulative impact to existing views of San Diego Bay and the San Diego-Coronado Bay Bridge from Balboa Park and Highway 94 caused by high-rise development within the East Village District.</p> <p>The project site itself does not possess any significant scenic resources that could be impacted by the proposed project. Impacts to on-site scenic resources are not significant.</p>						
<p>(b) Substantially incompatible with the bulk, scale, color and/or design of surrounding development? The bulk, scale, and design of the proposed project would be compatible with the existing and planned development of the surrounding area (East Village District). The project would provide a gradation in building heights including the existing two-story historical building and new 8- and 22-story buildings. A number of mid- and high rise buildings either exist or are planned for the areas to the south, east, west and north surrounding the site. Redevelopment of the site will improve the condition of the site by providing a new, modern building on a currently underutilized site that is designed to be sensitive in massing and setbacks from a locally-designated historical resource, as well as the rehabilitation of a designated historical</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>						
resource. The project utilizes an attractive design that is sensitive to existing development and is compatible with the redeveloping character of the surrounding neighborhood. Therefore, project-level and cumulative impacts associated with this issue would not occur.						
(c) Substantially affect daytime or nighttime views in the area due to lighting? The proposed project would not involve a substantial amount of exterior lighting or include materials that would generate substantial glare. 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 generation by development in the downtown area. Therefore, the proposed project's conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.					X	X
<b>2. AGRICULTURAL RESOURCES</b>						
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? Centre City is an urban downtown environment that does not contain land designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.					X	X
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? The area					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>						
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.						
<b>3. AIR QUALITY</b>						
(a) Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategies or the State Implementation Plan? The proposed mixed-use development is consistent with the Neighborhood Mixed Use Center land use designation of the San Diego Downtown Community Plan and PDO ), the land use policies and regulations of which are in accordance with those of the Regional Air Quality Strategy (RAQS). Thus, the proposed project would not conflict with, but would help implement, the RAQS with its compact, high intensity land use. No impact to the applicable air quality plan would occur.					X	X
(b) 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? The proposed 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. The potential for short-term, temporary impacts to sensitive receptors during construction activities would be mitigated to below a level of significance			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>through compliance with the City's mandatory standard dust control measures and the dust control and construction equipment emission reduction measures required by FEIR Mitigation Measure AQ-B.1-1 (See Table A).</p> <p>The proposed project could 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 downtown 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 level assumed by the FEIR. Additionally, the proposed 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 3.c.</p>						
(c) 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? Implementation of the proposed project could		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>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 proposed 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 construction activities associated with the proposed project would result in dust and equipment emissions that, when considered together, could endanger human health. Implementation of FEIR Mitigation Measure AQ-B.1-1 (see Table A) would reduce dust and construction equipment emissions generated during construction of the proposed project to a level below significance.</p> <p>The air emissions generated by automobile trips associated with the proposed 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. The proposed mixed-use project does not propose any uses that would significantly increase stationary-source emissions in the downtown planning area; therefore, impacts from stationary sources would be not significant.</p>						
<b>4. BIOLOGICAL RESOURCES</b>						
(a) Substantially effect, either directly or through habitat modifications, any species identified					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>						
as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies? Due to the highly urbanized nature of the downtown area, there are no sensitive plant or animal species, habitats, or wildlife migration corridors within the area. In addition, the ornamental trees and landscaping included in the proposed project are considered of no significant value to the native wildlife in their proposed location. Therefore, no impact associated with this issue could occur.						
(b) 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? As identified in the FEIR, the San Diego Downtown Community Plan area is not within a subregion 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.					X	X
<b>5. HISTORICAL RESOURCES</b>						
(a) Substantially impact a significant historical resource, as defined in § 15064.5? The project site currently contains the Tourist Hotel, which was designated by the Historical Resources Board (HRB) as Local Historical Resource No. 819 on June 28, 2007.  Development of the site would involve the substantial alteration of the Tourist Hotel	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>building. Utilizing a period of significance based upon when the later addition to the Tourist Hotel was built (utilizing Sanborn Maps and City Directory research), the project proposes to restore the public's experience of the 1888 portion of the building. Under this scenario, the 1925-1926 addition will be removed exposing the original east elevation of the 1888 Tourist Hotel. In addition to the original Market Street façade, the east and west sidewalls (to a depth of 50 feet) of the 1888 Tourist Hotel are to be rehabilitated per Secretary of Interior Standards and installed on a new Type I substrate. Damaged ornamental detail is to be restored based on existing profiles and configurations. The front interior staircase will be removed, rehabilitated and reinstalled in its original location. (For more detailed description, refer to Draft Treatment Conservation Plan, on file at CCDC).</p> <p>Because the Tourist Hotel is scheduled for substantial alteration, implementation of Mitigation Measure HIST-A.1-1, (as applicable to Local Criteria C structures) and Mitigation Measure HIST-A.1-2 (potential for direct and/or indirect impacts to a retained or relocated local resource) is required.</p> <p>Consistent with the conclusions of the FEIR, implementation of these mitigation measures and any conditions of approval stemming from them (as may be ultimately approved by the Planning Commission), would not be sufficient to reduce the identified cumulative impacts associated with the loss of this Local Register historic resource in conjunction with</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>						
<p>an unknown number of similar resources within the Downtown area to below a level of significance. Therefore, consistent with the analysis of the FEIR, the proposed project would contribute to significant cumulative impacts associated with this issue.</p> <p>The City Council adopted a Statement of Overriding Considerations for this potential significant impact identified in the FEIR, thereby acknowledging that the benefits of implementing the Downtown Community Plan outweigh the potential for impacts resulting from such actions (refer to P.6 of this Secondary Study). Because of the adoption of Overriding Considerations for this impact, there is no further environmental review required for the proposed demolition of the Tourist Hotel if the Planning Commission makes the required findings and approves the SDP for demolition, and conditions the project with Mitigation Measures HIST-A.1-1 and HIST-A.1-2 (see Table A).</p> <p>A second building once known as the Gem Café also exists on the site. This building is currently listed on the African American Heritage Survey as a contributing structure to a potential thematic district; however an associated thematic district does not currently exist. Although this thematic district was never formed, the building's listing on the survey warrants a project-level review of the building for potential cultural value. The Gem Café was reviewed by the HRB for locally significant architectural and cultural significance in January 2008, and determined the building not to meet any of the criteria to be</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>						
designated as a local historical resource and as such, no further environmental review is required. In addition to the HRB determination, an Historical Assessment was prepared for the building (Kathleen Crawford, December 2006) which found that there was no significant relationship between the building and the African American community in Centre City, therefore the building is not considered potentially significant under CEQA.						
(b) Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries? 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 downtown planning 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, demolition, and surface clearance activities associated with development of the proposed project and the five-level subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains. Implementation of FEIR Mitigation Measure HIST-B.1-1, (see Table A) would minimize, but not fully mitigate, these potential impacts. Since the potential for	<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>						
archaeological resources and human remains on the proposed 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) Substantially impact a unique paleontological resource or site or unique geologic feature? The proposed project site is underlain by the 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 a five-level of subterranean parking would involve excavation beyond the FEIR standard, resulting in potentially significant impacts to paleontological resources. However, implementation of FEIR Mitigation Measure PAL-A.1-1 (see Table A) would ensure that the proposed project's potentially direct impacts to paleontological resources are not significant. Furthermore, the project would not impact any resources outside of the			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>						
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.						
<b>6. GEOLOGY AND SOILS</b>						
<p>(a) Substantial health and safety risk associated with seismic or geologic hazards? The proposed project site is in a seismically active region. According to a Geotechnical Investigation prepared by Geocon Incorporated in August 2007, there are no known active, potentially active, or inactive faults located on the project site. However, the project site is located approximately 75 feet from a fault located within 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. A seismic event on this fault could cause significant groundshaking on the proposed project site. Therefore, the potential exists for substantial health and safety risks on the project site associated with a seismic hazard.</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</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>						
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.						
<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>						
(a) Substantial health and safety risk related to onsite hazardous materials? 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 construction or long term operation of a development. The proposed 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 wastes would ensure that potential health and safety impacts caused by exposure to onsite 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 proposed project's adherence to existing mandatory federal, state, and local regulations controlling these materials would					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>						
<i>ensure that long-term health and safety impacts associated with onsite hazardous materials over the long-term operation of the project are not significant.</i>						
(b) 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>The proposed 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 regulations as described in section 7.a above. Therefore, the FEIR states that no mitigation measures would be required.</i>					X	X
(c) Substantial safety risk to operations at San Diego International Airport? <i>The proposed project is not within the boundaries of the Airport Influence Area of the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA). In addition, the project has obtained an FAA "Determination of No Hazard to Air Navigation, therefore, impacts associated with this issue are not anticipated to occur.</i>					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>						
(d) Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan? 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.					X	X
<b>8. HYDROLOGY AND WATER QUALITY</b>						
(a) Substantially degrade groundwater or surface water quality? The project proposes soil excavation at a depth that may 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		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>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 Stormwater Mitigation Program (SUSMP) and Stormwater 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 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. Consistent with the FEIR, the project's contribution to the cumulative water quality impact will remain significant and unmitigated.</p>						
(b) Substantially increase impervious surfaces and associated runoff flow rates or volumes? The proposed project site is currently developed and covered with impervious surfaces. Implementation of the proposed project would result in impervious surfaces similar to those that exist onsite. Therefore, the proposed project would not substantially increase the runoff volume entering the storm drain system. Therefore, impacts associated with this issue are not significant. (Impacts					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>						
<i>associated with the quality of urban runoff are analyzed in Section 8.a.)</i>						
(c) Substantially impede or redirect flows within a 100-year flood hazard area? The project site is not located within a 100-year floodplain. Similarly, the proposed project would not affect offsite flood hazard areas, as no 100-year floodplains are located downstream. Therefore, impacts associated with these issues are not significant.					X	X
(d) Substantially increase erosion and sedimentation? The project site is currently developed with impervious surfaces. The hydrology of the proposed site would not be substantially altered by implementation of the proposed project as the site would maintain a similar quantity of impervious surfaces and, therefore, the proposed project would not substantially increase the long-term potential for erosion and sedimentation. However, the potential for erosion and sedimentation could increase during the short-term during site preparation, excavation, and other construction activities. 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.					X	X
<b>9. LAND USE AND PLANNING</b>						
(a) Physically divide an established community? The proposed project does not propose any features or structures that would physically divide an establishment community. Impacts associated with this issue would not occur.					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>(b) Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation? The project site is located within the East Village District of the Centre City Planned District under the San Diego Downtown Community Plan. The project site is within the Centre City PDO designated Neighborhood Mixed-Use Land Use District. The Neighborhood Mixed-Use Land Use District is intended to ensure development of distinctive centers that provide a focus to the neighborhoods. It supports mixed-use (residential/non-residential) projects that contain active ground-floor uses. A broad array of compatible uses, including retail, restaurants and cafés, residential, office, cultural, educational, and indoor recreation are permitted, with active ground floor uses. Building volume restrictions apply to allow sunlight to reach streets and public spaces, and design standards seek to establish highly pedestrian-oriented development.</p> <p>As discussed above, the project is required to acquire a Site Development Permit (SDP) by the Planning Commission to allow significant alteration of a locally designated historical resource(s). With approval of the SDP by the Planning Commission, the project conforms to the design measures required by the San Diego Downtown Community Plan and PDO. The Centre City PDO permits a maximum base Floor Area Ratio (FAR) of 6.0 and a minimum FAR of 3.5 on the proposed project site. In conformance with PDO requirements, the project proposes a Base FAR of 6.0 and an</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>additional 4.1 FAR through the FAR bonus programs including the Eco-Roof, FAR Payment, and Affordable Housing bonus program.</p> <p>As discussed in 7.c, the proposed project is not within the jurisdiction of the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA). In addition, the proposed project would not conflict with other applicable land use plans, policies, or regulations. The proposed project complies with the goals and requirements of the San Diego Downtown Community Plan, and meets all applicable standards of the PDO. Therefore, no significant direct or cumulative impacts associated with an adopted land use plan would occur.</p>						
<p>(c) Substantial incompatibility with surrounding land uses? Sources of land use incompatibility include lighting, shading, industrial activities, and noise. The proposed 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 proposed project's emitting 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 proposed project are not subject to potential land use incompatibilities (potential land use incompatibilities resulting from hazardous materials and air emissions are evaluated</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>						
elsewhere in this Secondary Study). The project site is located within the Public Park Sun Access Overlay; however, the proposed project height does not exceed the provisions for height contours detailed in the PDO, and is in conformance with all applicable development regulations required by the PDO. Potentially significant impacts associated with the project's incompatibility with traffic noise on adjacent grid streets are discussed in Sections 11.b and 11.c. No impacts associated with incompatibility with surrounding land use would occur.						
(d) Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development? Although not expected to be a substantial direct impact of the project because substantial numbers of transients are not known to congregate onsite, the project, in tandem with other downtown redevelopment 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 will 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 impacts to surrounding neighborhoods.		<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>10. MINERAL RESOURCES</b>						
(a) Substantially reduce the availability of important mineral resources? The FEIR states that the viable extraction of mineral resources is limited in the Centre City due to its urbanized nature and the fact that the area is not designated as having high mineral resource potential. Therefore, no impact associated with this issue would occur.					X	X
<b>11. NOISE</b>						
(a) Substantial noise generation? The proposed 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. In addition, the proposed project is consistent with the land use designation for this site in the Downtown Community Plan. Therefore, as significant noise impacts were not identified in the Downtown Community Plan, the proposed project is not expected to result in substantial noise increases. Thus, no significant impact related to noise generation would be associated with the proposed project. However, the project would, in combination with other development in the downtown, contribute to the cumulatively significant traffic noise increases on nine street segments. This impact is consistent with the analysis of the FEIR and considered cumulatively significant and not mitigated.		X			X	
(b) Substantial exposure of required outdoor residential open spaces or public parks and	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>plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)? The proposed project is considered a residential project, and the balcony spaces and common outdoor areas proposed by the project are required by the PDO. According to the FEIR, the project site is located on street segments that are expected to carry traffic volumes that would create traffic noise in excess of 65 dBA CNEL. Therefore, substantial exposure of required outdoor open space areas to noise levels exceeding the 65 dBA CNEL standard would occur. Impacts associated with this issue would be considered significant without mitigation.</p> <p>Per Mitigation Measure NOI-C.1-1, (see Table A) an Exterior Noise Analysis Report was prepared by Kimley-Horn and Associates, Inc. since the required outdoor open space areas would be exposed to noise levels in excess of 65 dBA CNEL. The study concluded that the north-facing balconies on levels 11 through 22 would need to incorporate 3-foot high walls or Plexiglas around each balcony to effectively reduce exterior sound levels to below 65 dBA CNEL to comply with the City of San Diego 65 dBA CNEL noise limit for private outdoor space. However, implementation of the required 3-foot balcony wall height to reduce noise below a level of significance would detract from the overall design aesthetic of the tower, and therefore, conflict with the goals and visions of the Downtown Community Plan as well as the requirements of the PDO. This impact is consistent with the analysis of the FEIR and is considered</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>						
<i>significant and not mitigated.</i>						
(c) Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)? As traffic noise levels on the street segments bordering the project site are expected to reach levels in excess of 65 dBA CNEL, interior noise levels within habitable rooms facing the street segments would experience interior noise levels in excess of 45 dBA CNEL (the FEIR standard). Implementation of Mitigation Measure NOI-B.1-1 (See Table A) would reduce interior noise levels to below 45 dB (A). Therefore, project-level impacts associated with this issue would be mitigated to a level less than significant.			X	X		
<b>12. POPULATION AND HOUSING</b>						
(a) Substantially induce population growth in an area? The proposed project is consistent in land use with the San Diego Downtown Community Plan. Adverse physical changes associated with the population growth generated by the proposed project would not exceed those analyzed throughout the FEIR and this Secondary Study. Therefore, project-level and cumulative impacts associated with this issue are not significant.					X	X
(b) Substantial displacement of existing housing units or people? One of the existing structures on the project site consists of a 13-room SRO hotel that is proposed to be demolished. While SROs are technically a commercial use, they do fulfill a housing need for some members of the community. The LDC requires developers to mitigate the loss of SRO units through replacement of the units or payment					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>						
of a per unit in-lieu fee. The developer will pay a per unit in-lieu fee which includes a condition requiring the developer to enter into an agreement with the San Diego Housing Commission (SDHC) to provide for the relocation of the tenants. No other housing units currently exist on the project site. Therefore, project-level and cumulative impacts associated with this issue are not significant.						
<b>13. PUBLIC SERVICES AND UTILITIES:</b>						
(a) Substantial adverse physical impacts associated with the provision of new schools? The FEIR concludes that the additional student population anticipated at build out of the downtown area would require the construction of at least one additional school. In and of itself, the proposed project would not generate a sufficient number of students to warrant construction of a new school facility. However, the project would contribute, in combination with other development in downtown to the need for at least one additional school in downtown, consistent with the analysis of the FEIR. Nevertheless, as indicated in the FEIR, the specific future location of a new school is unknown at present time. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area, which may occur from future construction of schools, would be speculative and no further analysis of their impacts is required. However, construction of new schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify					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>						
<i>potentially significant impacts and appropriate mitigation measures.</i>						
(b) Substantial adverse physical impacts associated with the provision of new libraries? The FEIR concludes that, cumulatively, development in the downtown would generate the need for a new Main Library and possibly several smaller libraries within the downtown. In and of itself, the proposed project would not generate additional demand necessitating the construction of new library facilities. However, the proposed project would contribute to the cumulative need for new library facilities in the downtown identified in the FEIR. Nevertheless, the specific future location of these facilities (except the Main Library) is unknown at present time. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area, which may occur from future construction of these public facilities, would 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 CCDC in 2001). Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.					X	X
(c) Substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities? The FEIR does not conclude that the cumulative development of the downtown would generate additional demand necessitating					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>						
the construction of new fire protection/emergency facilities. 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 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.						
(d) Substantial adverse physical impacts associated with the provision of new law enforcement facilities? The 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.					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>						
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.						
(e) Substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities? The FEIR concludes that new water treatment facilities would not be required to address the cumulative development of downtown. In addition, water pipe improvements that may be needed to serve the proposed project are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.					X	X
(f) Substantial adverse physical impacts associated with the provision of new storm water facilities? The FEIR concludes that the cumulative development of the downtown would not impact the existing downtown storm drain system. Since implementation of the proposed project would result in an amount of impervious surfaces similar to the existing use of the site, the amount of runoff volume entering the storm drain system would					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>						
not create demand for new storm water facilities. Direct and cumulative impacts associated with this issue are considered not significant.						
(g) Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities? 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 proposed project are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.					X	X
(h) Substantial adverse physical impacts associated with the provision of new landfill facilities? 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 and the					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>						
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 the California Environmental Quality Act (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.						
<b>14. PARKS AND RECREATIONAL FACILITIES:</b>						
(a) 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? The FEIR discusses impacts to parks and recreational facilities and the maintenance thereof and concludes that buildout of the Downtown Community Plan 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					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>						
<i>result of the proposed project. No significant impacts with this issue would occur.</i>						
<b>15. TRANSPORTATION/TRAFFIC</b>						
(a) Cause the LOS on a roadway segment or intersection to drop below LOS E? Based on Centre City Cumulative Traffic Generation Rates for hotel and retail projects contained in the May 2003 San Diego Municipal Code Trip Generation Manual, the worst-case scenario for automobile trips by the project is 470 Average Daily Trips (ADT) based on a trip generation rate of four ADT per residential unit (total of 380 ADT) and 18 ADT per 1,000 square feet of retail space (total of 90 ADT) for the proposed mixed-use project. Anticipated traffic generation does not exceed the 2,400 ADT or 200 peak hour trip thresholds used for determining the need for a traffic study established in the FEIR, therefore the project is not considered a large project that would generate significant automobile trips. With buildout of the Downtown Community Plan, a total of 62 intersections are anticipated to operate at LOS F, however, none of the impacted intersections are adjacent to the project site. The proposed project's direct impacts on downtown roadway segments or intersections would not be significant. However, the traffic generated by the proposed project would, in combination with the traffic generated by other downtown development, contribute to the significant cumulative traffic impacts projected in the FEIR to occur on a number of downtown roadway segments and intersections, and streets within neighborhoods surrounding the Plan area at buildout of the downtown. The FEIR includes		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>						
mitigation measures to address these impacts, but 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. These mitigation measures are not the responsibility of the proposed project, and are therefore not included in Table A. Therefore, consistent with the analysis of the FEIR, the proposed project would contribute to significant cumulative impacts associated with this issue.						
(b) Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes? The FEIR concludes that development within the downtown will result in significant cumulative impacts to freeway segments and ramps serving the downtown planning area. Since the land use designation of the proposed development is consistent with the land use designation assumed in the FEIR analysis, the proposed development 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. TRF-A.2.1-1 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 proposed project, and therefore is not included in Table A. The 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 proposed project's cumulative-level		X			X	

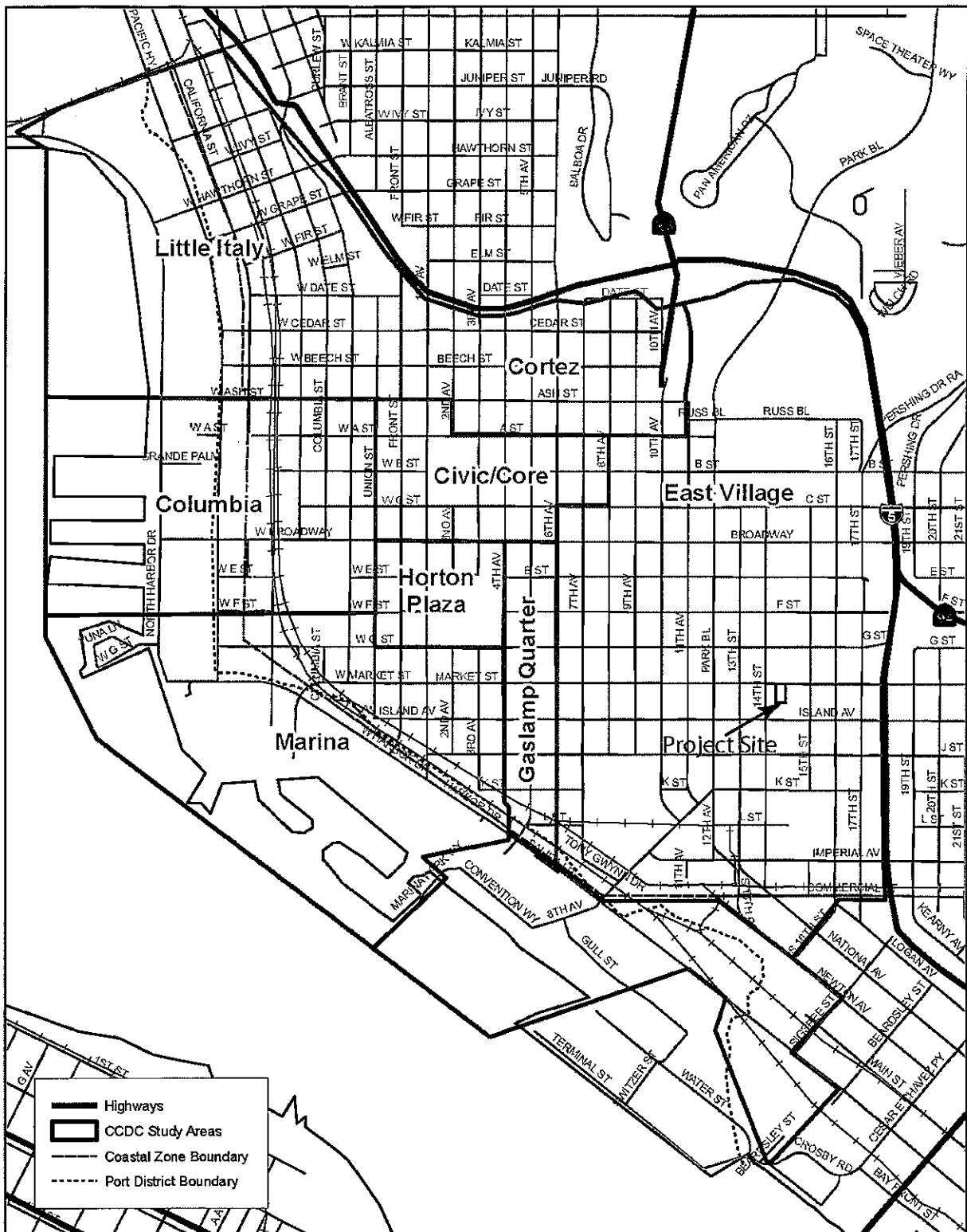
	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
impacts to freeways would remain significant and unavoidable, consistent with the analysis of the FEIR. The proposed project would not have a direct impact on freeway segments and ramps.						
(c) Create an average demand for parking that would exceed the average available supply? The proposed project, composed of residential condominium units and retail space, is considered mixed-use per the Centre City PDO. Thus, the proposed project is in conformance with applicable land use plans. The Centre City PDO requires a minimum of 1 off-street parking space per unit plus 1 guest space for every 30 units and is exempt from retail parking requirements since the retail space would total less than 30,000 square feet, which would result in the need for a minimum of 98 parking spaces. Implementation of the project would result in 163 parking spaces. Since this is more than the 98 spaces required by the Centre City PDO, the project would not have a significant direct impact on downtown parking. However, demand generated by cumulative downtown development would exceed the amount of parking provided by such development in accordance with the PDO. Implementation of FEIR Mitigation Measure TRF-D.1-1 would reduce, but not fully mitigate, the significant cumulative impact of excessive parking demand (this mitigation measure is not the responsibility of the proposed project, and therefore is not included in Table A). Therefore, the proposed project would contribute to the cumulatively significant and not mitigated shortfall in parking supply		<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>						
<i>anticipated to occur throughout the downtown by the FEIR.</i>						
(d) Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded? <i>The proposed project does not include any features that would discourage the use of alternatives modes of transportation. In addition, the project site is located less than two blocks from an existing light-rail trolley station, and there is regular bus service adjacent to the project site on Market Street and elsewhere in the East Village District. The project's proximity to several existing and planned community serving uses, including nearby shopping and recreational activities, also encourages walking. Additionally, SANDAG has indicated that transit facilities should be sufficient to serve the downtown population without exceeding capacity.</i>					X	X
<b>16. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? <i>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</i>	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>						
located in the Centre City area. However, the project does have potential to eliminate important examples of major periods of California history or prehistory at the project level. No other aspects of the project would substantially degrade the environment. Cumulative impacts described in the subsection 16.b below.						
(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)? As acknowledged in the FEIR, implementation of the Downtown Community Plan , PDO , and Redevelopment Plan will result in cumulative impacts associated with: air quality, archeological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This project will 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. Cumulative impacts would not be greater than those identified in the FEIR.		X				
(c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? As described elsewhere in this study, the proposed project would result in significant and unmitigated impacts. Those impacts	X	X				

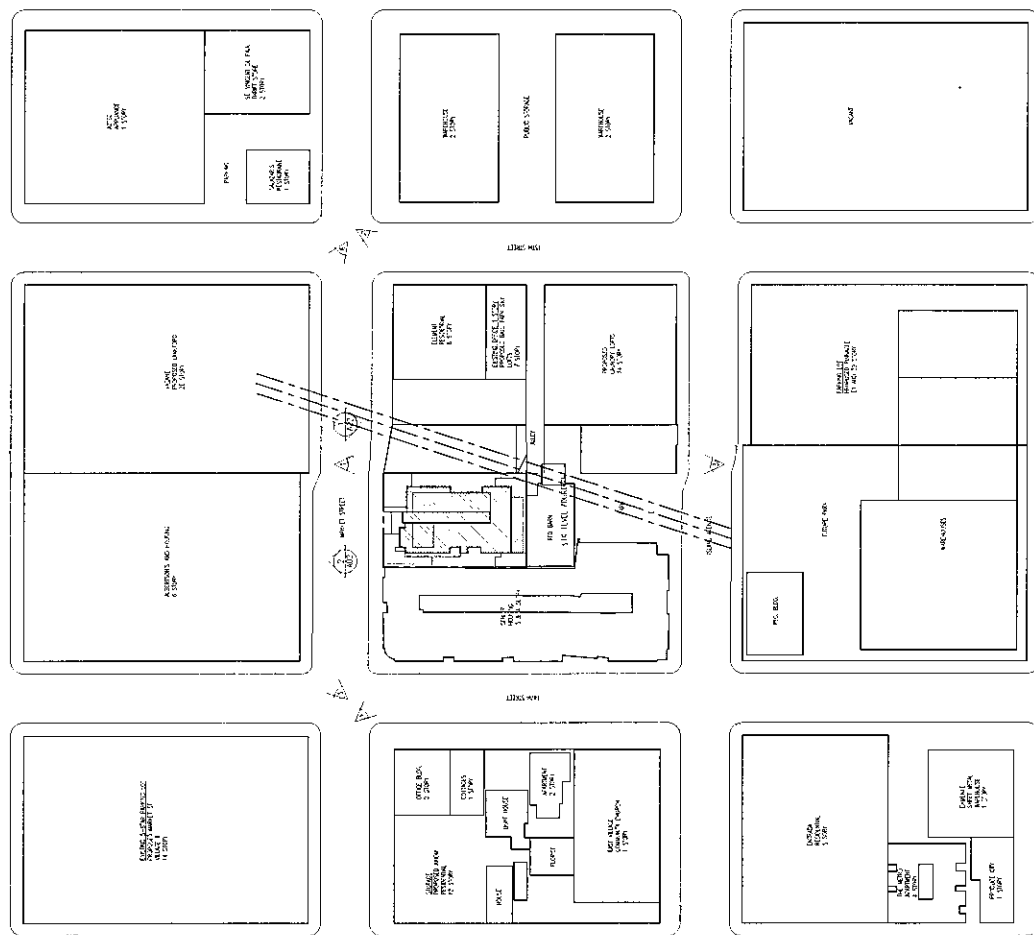
	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<i>associated with air and noise could have substantial adverse effects on human beings. However, these impacts would be no greater than those assumed in the FEIR. Implementation of the mitigation measures identified in the FEIR would mitigate many, but not all, of the significant impacts.</i>						



NO SCALE

Figure 1  
Location Map  
March 2008

The Bahia View Project  
CCDC Secondary Study



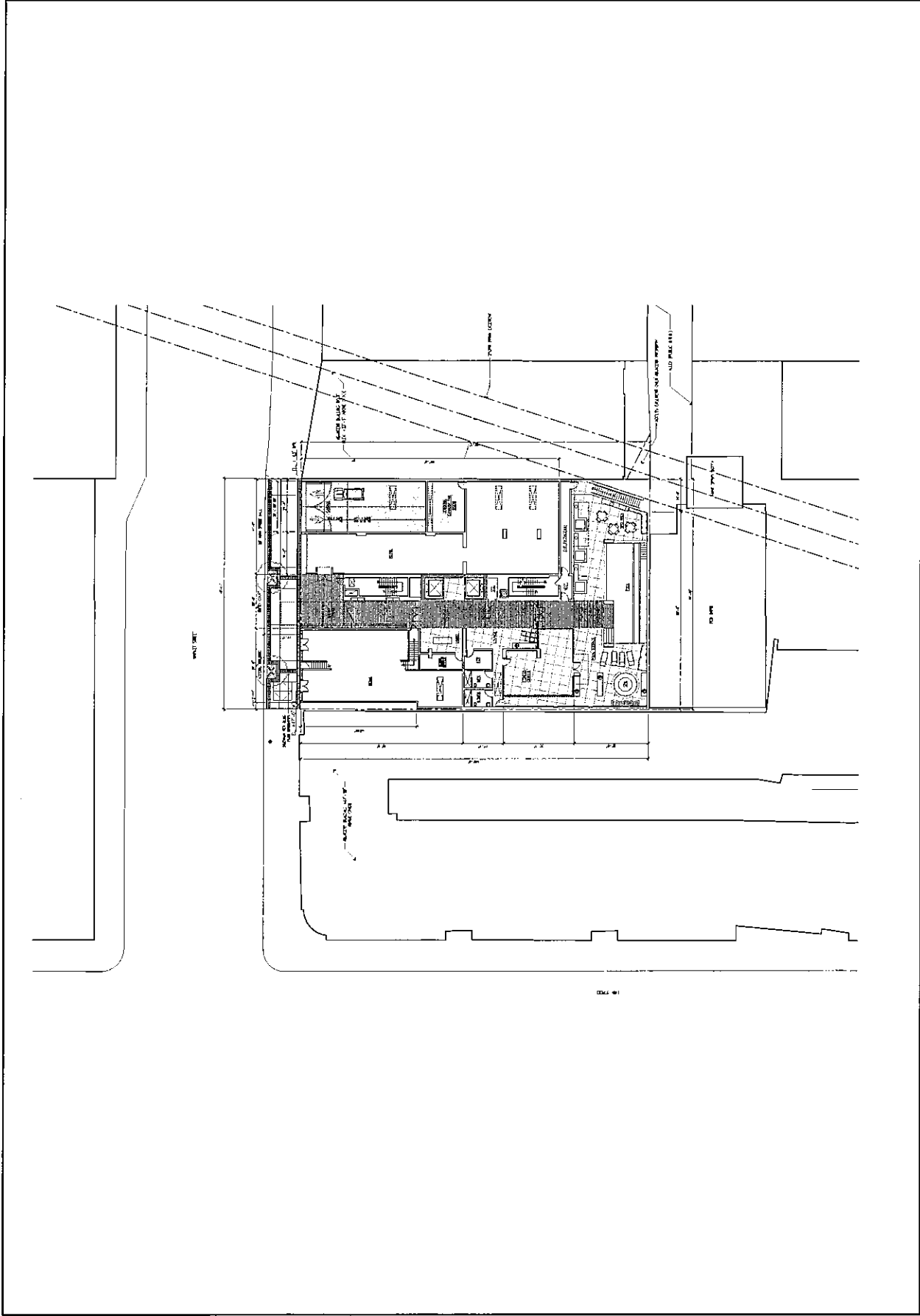
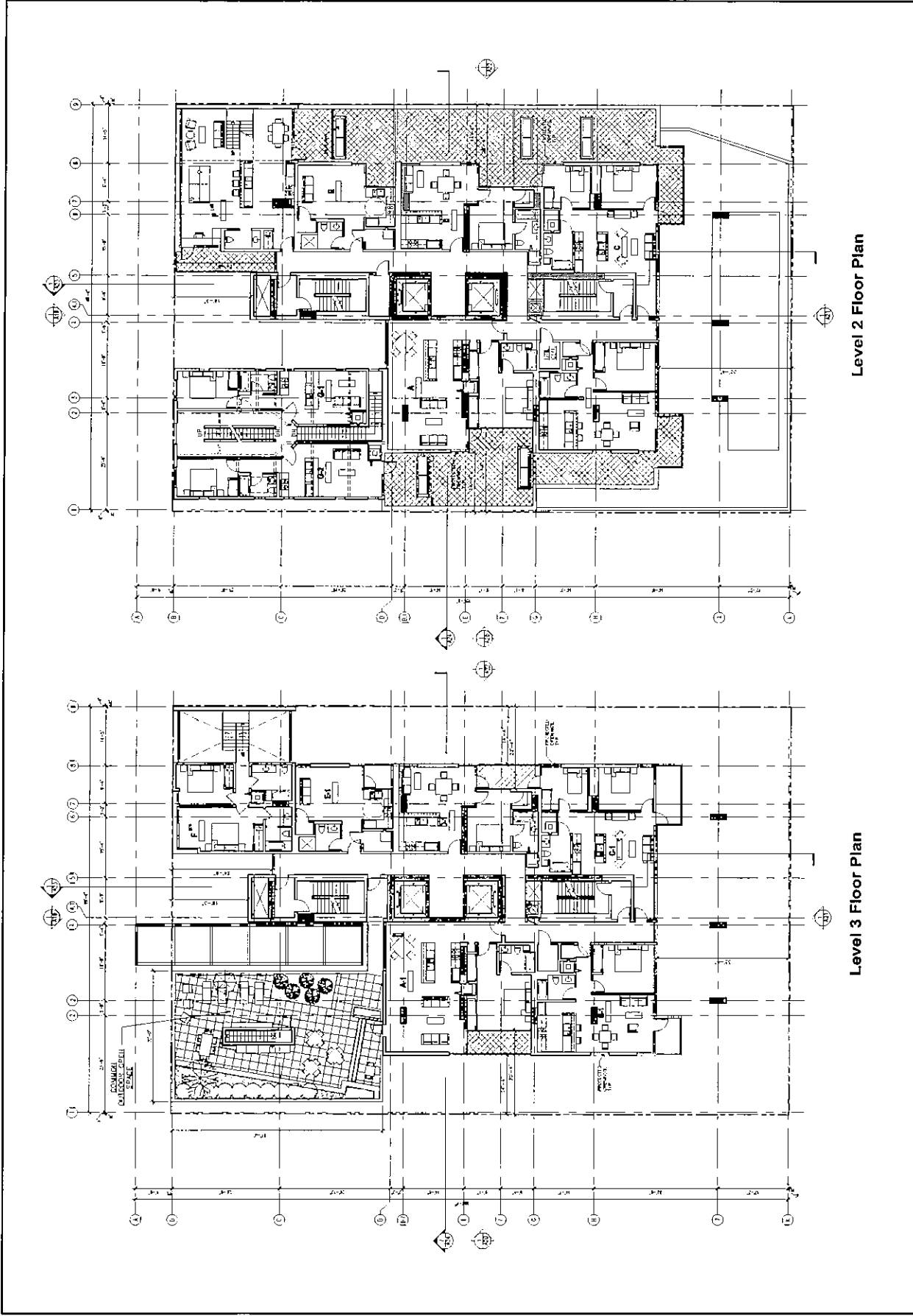
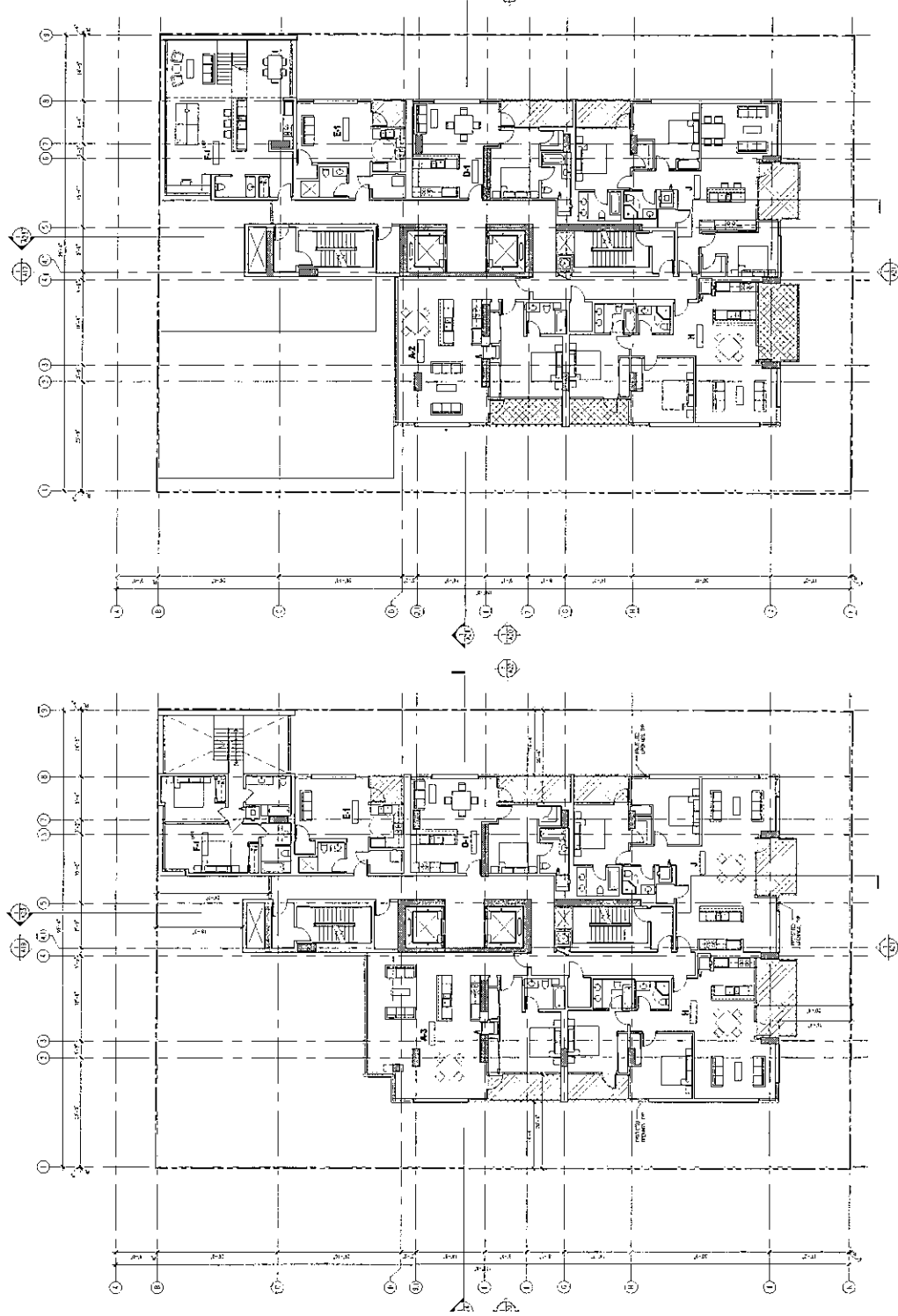


Figure 3  
Site Plans  
March 2008



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Level 4 Floor Plan

Level 5 Floor Plan



NO SCALE

Figure 5  
Fourth and Fifth Level Floor Plan  
March 2008



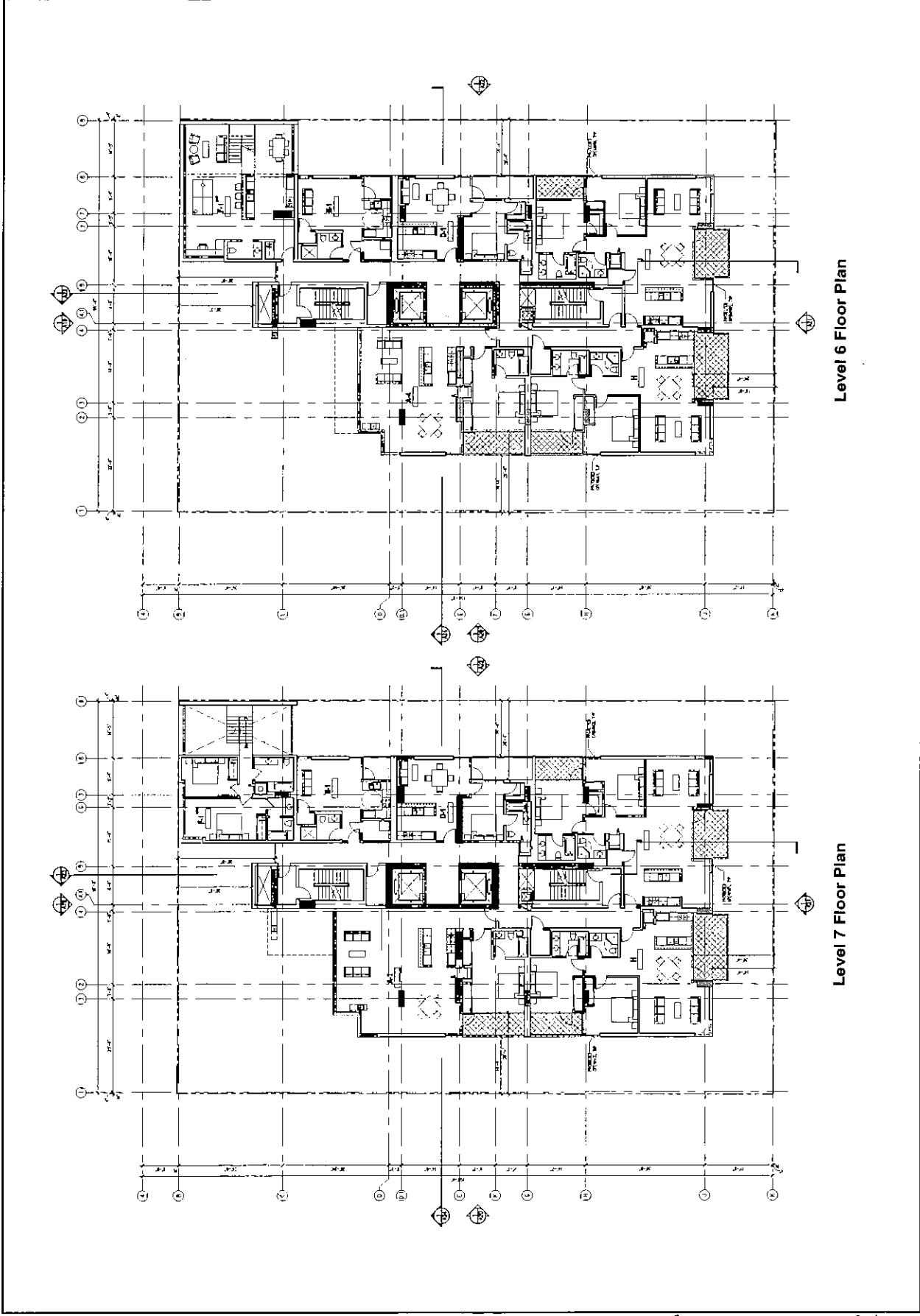


Figure 6  
Sixth and Seventh Level Floor Plan  
March 2008

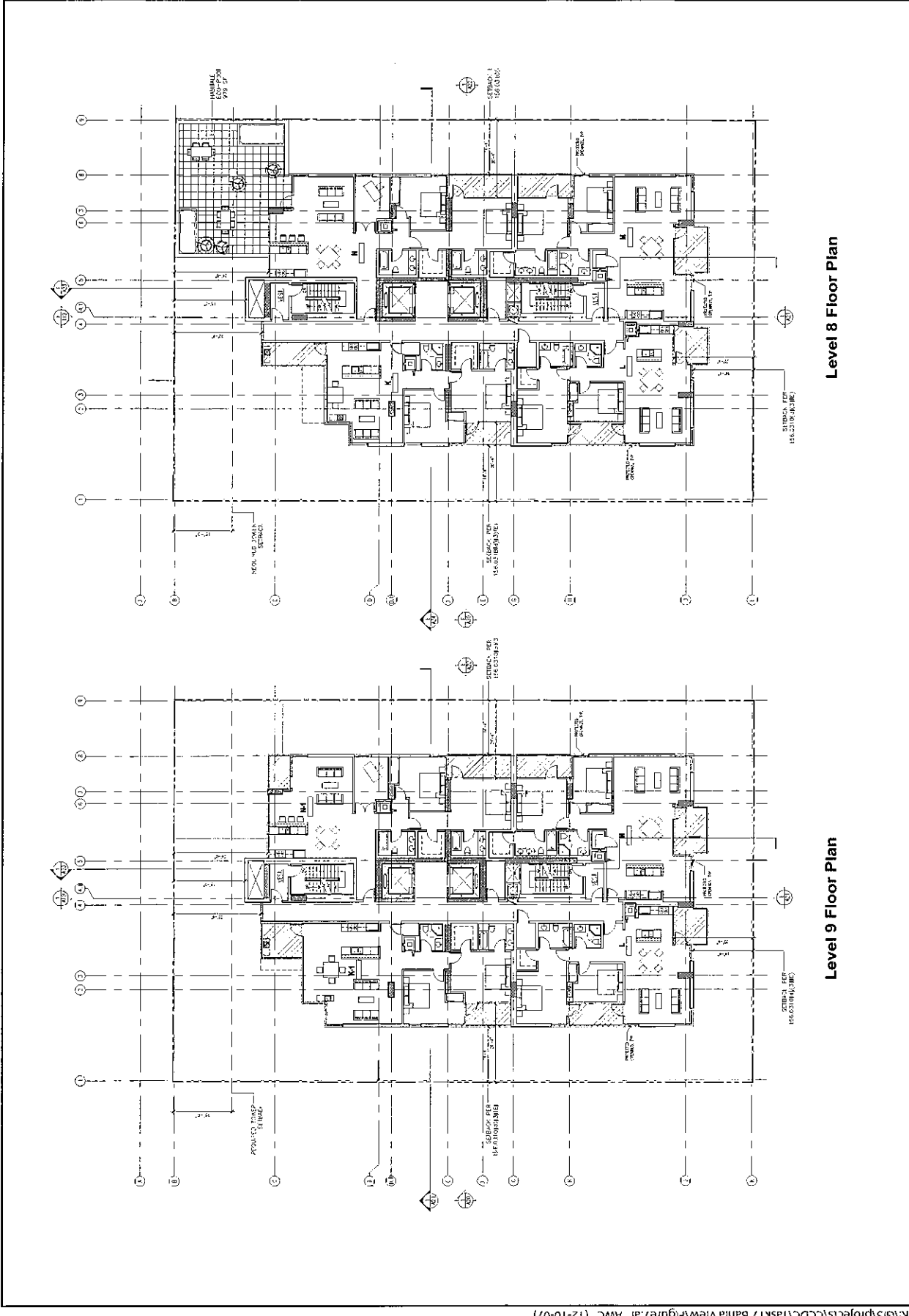


Figure 7  
Eighth and Ninth Level Floor Plan  
March 2008

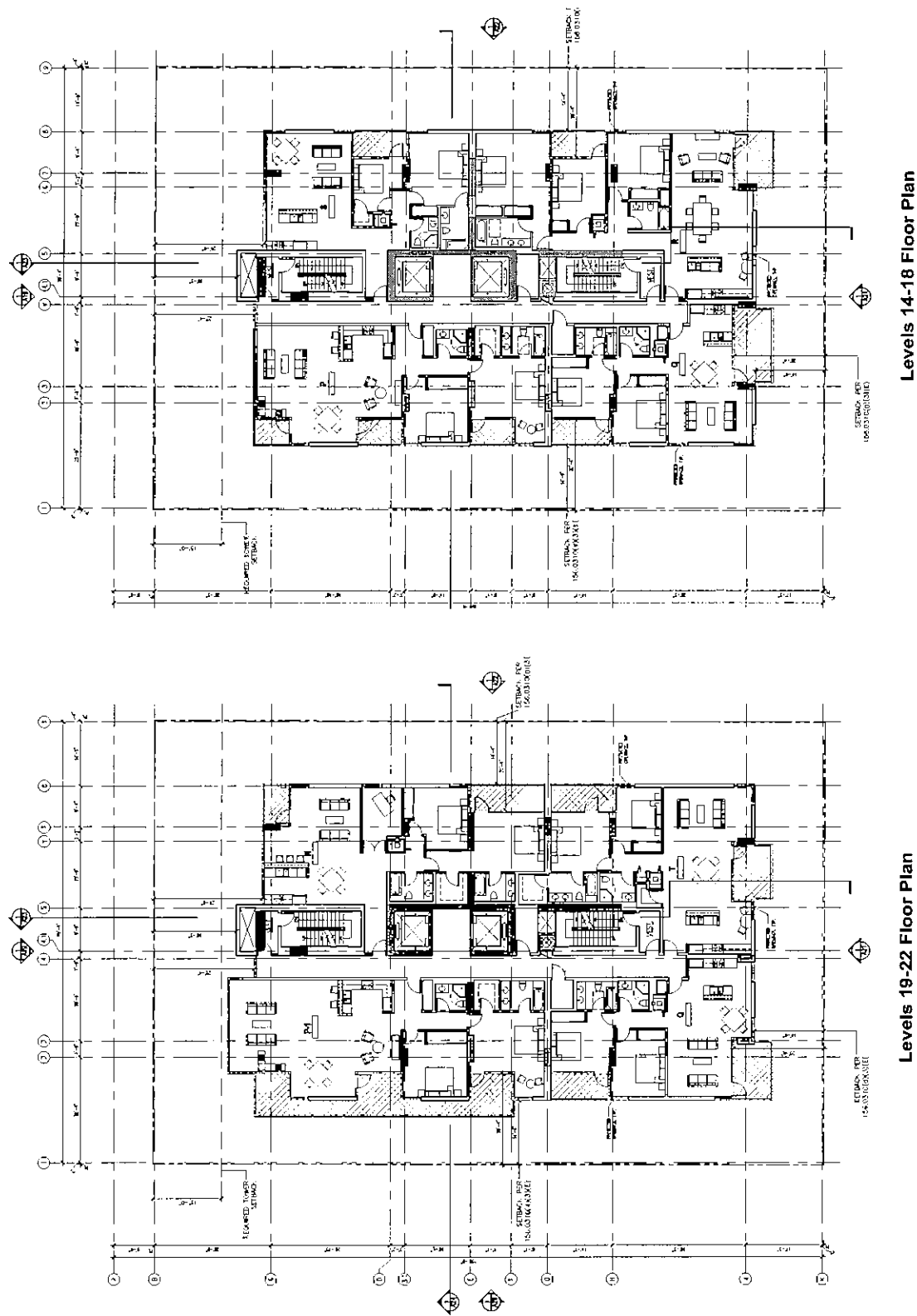


Figure 8  
Floor Plans for Level 14 through 18 and 19 through 22  
March 2008

The Bahia View Project  
CCDC Secondary Study

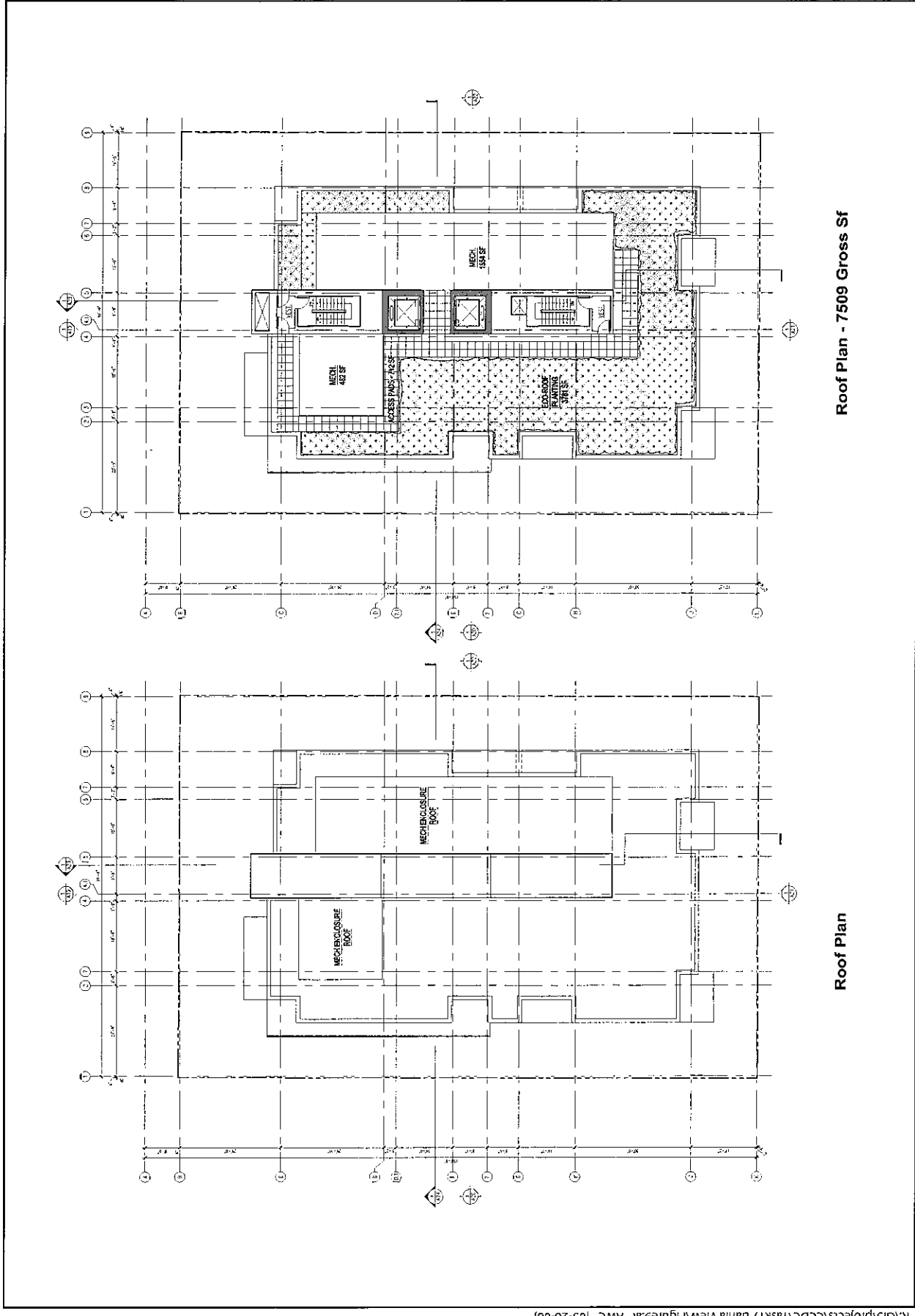
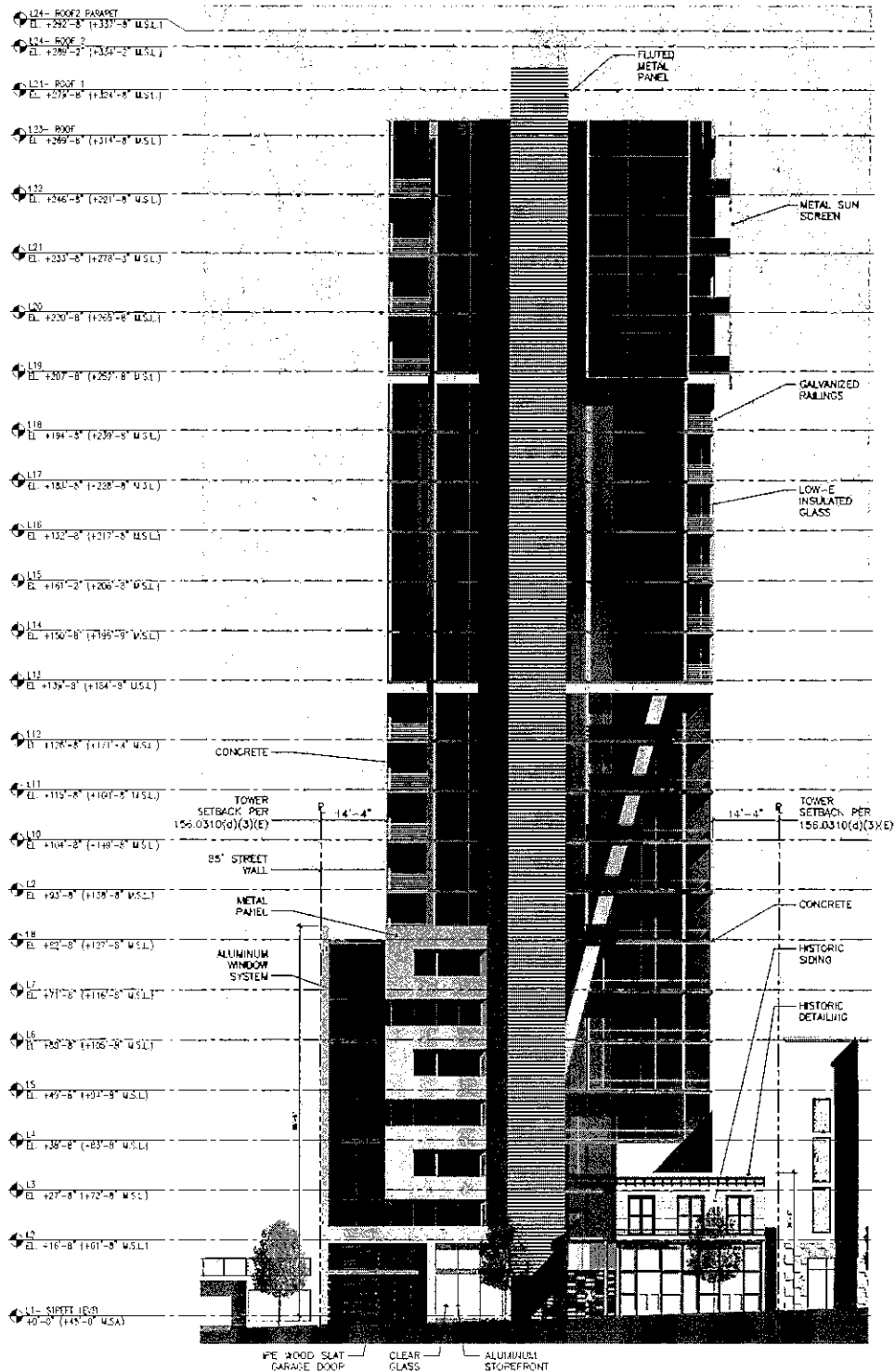


Figure 9  
Roof Plan  
March 2008



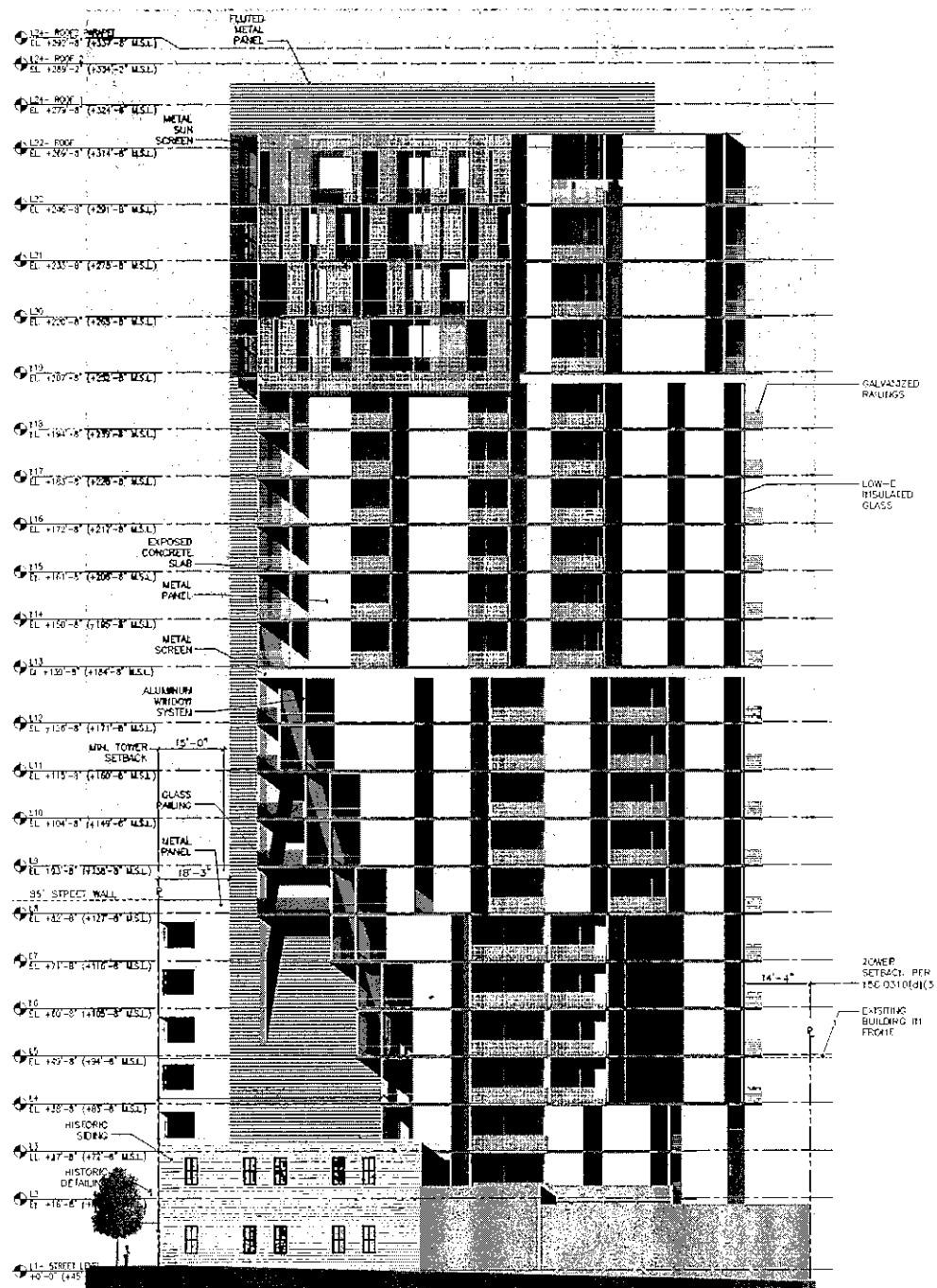


Figure 11  
West Elevation

**NO SCALE**

The Bahia View Project  
CCDC Secondary Study

March 2008

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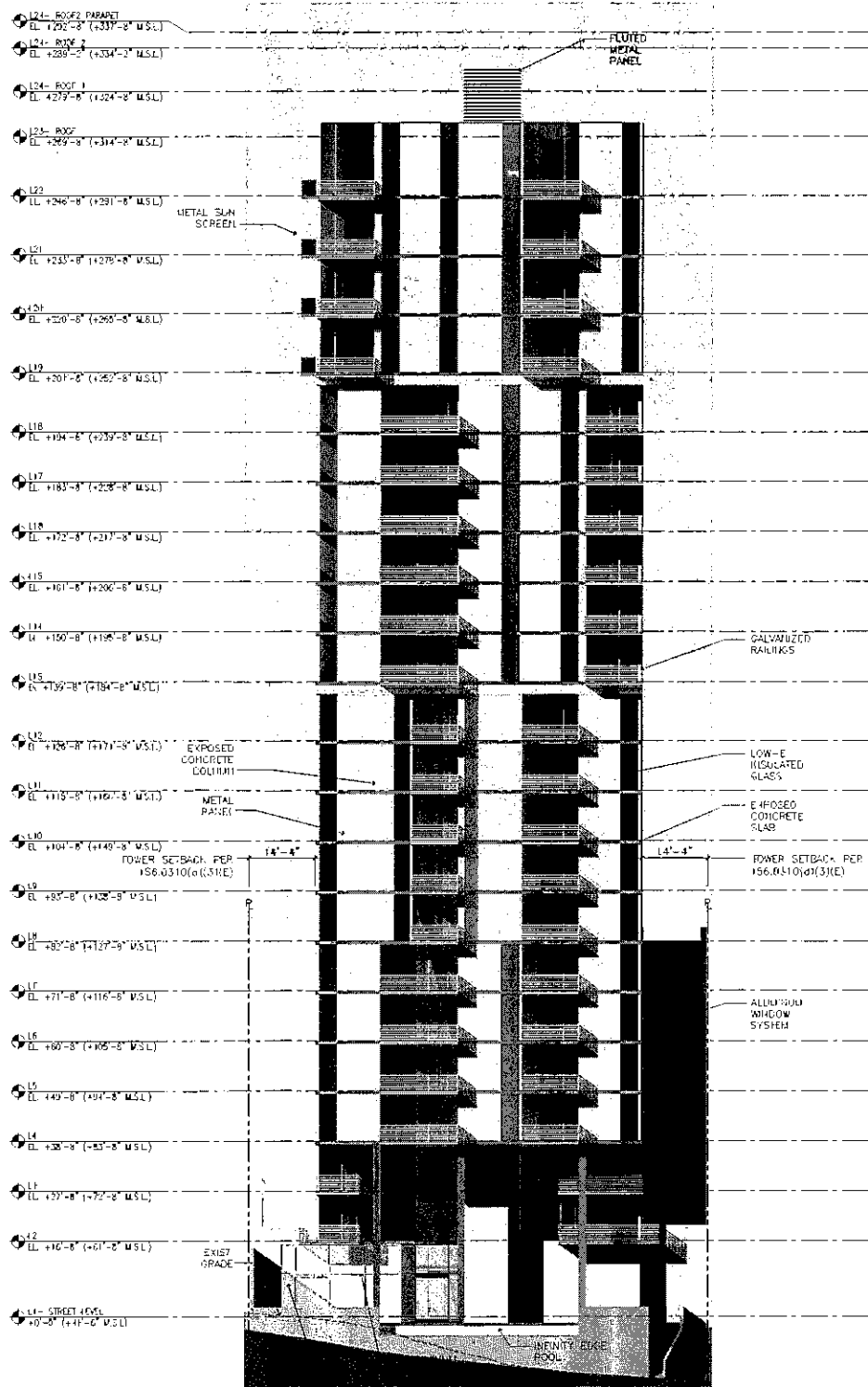


Figure 12  
South Elevation  
March 2008

NO SCALE

The Bahia View Project  
CCDC Secondary Study

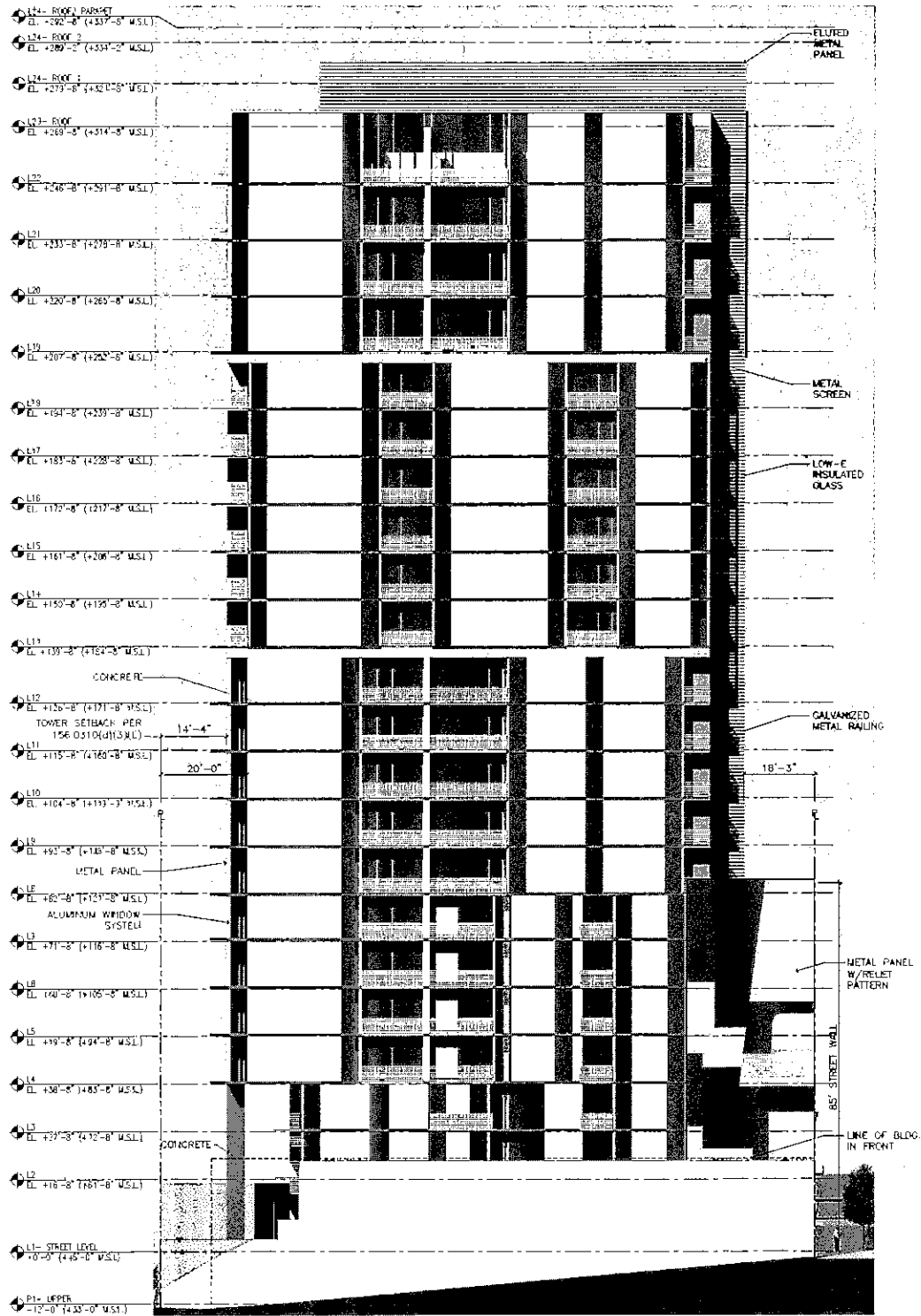


Figure 13  
East Elevation  
March 2008

NO SCALE

The Bahia View Project  
CCDC Secondary Study



SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
<b>AIR QUALITY (AQ)</b>				
Impact AQ-B.1: Dust and construction equipment engine emissions generated during grading and demolition would impact local and regional air quality. (Direct and Cumulative)	<p><i>Mitigation Measure AQ-B.1-1:</i> Prior to approval of a Grading or Demolition Permit, the City shall confirm that the following conditions have been applied, as appropriate:</p> <ol style="list-style-type: none"> <li>Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds that are forecast to abate below this threshold.</li> <li>Dust suppression techniques shall be implemented including, but not limited to, the following: <ol style="list-style-type: none"> <li>Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the CCDC.</li> <li>On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.</li> <li>Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</li> <li>The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.</li> </ol> </li> <li>Vehicles on the construction site shall travel at speeds less than 15 miles per hour.</li> <li>Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.</li> <li>Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface. Any visible</li> </ol>	Prior to Demolition or Grading Permit (Design)	Developer	City

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>track-out extending for more than fifty (50) feet from the access point shall be swept or washed within thirty (30) minutes of deposition.</p> <ol style="list-style-type: none"> <li>6. All diesel-powered vehicles and equipment shall be properly operated and maintained.</li> <li>7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.</li> <li>8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.</li> <li>9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.</li> <li>10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</li> <li>11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume-low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.</li> <li>12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.</li> <li>13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost-competitive for use on this development.</li> <li>14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.</li> <li>15. Rubble piles shall be maintained in a damp state to minimize dust generation.</li> <li>16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.</li> </ol>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	17. If alternative-fueled and/or particulate filter-equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.			
<b>HISTORICAL RESOURCES (HIST)</b>				
Impact HIST-A.1: Future development in downtown could impact architectural resources. (Direct and Cumulative)	<p><b>Mitigation Measure HIST-A.1-1:</b> For historic resources which are 45 years of age or older and which have not been evaluated for local, state and federal historic significance, CCDC shall consult with HRB to determine whether the resources is significant pursuant to CEQA.</p> <p>For resources that have been formally determined to be significant under federal, state or local criteria, the following actions shall be carried out under direction of CCDC in consultation with HRB, as appropriate.</p> <ul style="list-style-type: none"> <li><b>National Register-Listed/Eligible, California Register-Listed/Eligible Resources:</b> Resources listed on or formally determined eligible for the National Register or California Register and structures identified as contributing structures within a National or California Register District, shall be retained onsite and any improvements, renovation, rehabilitation and/or adaptive reuse of the property shall ensure its preservation according to the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings and Guidelines for Rehabilitation of Historic Buildings.</li> <li><b>San Diego Register-Listed Resources:</b> Any development that proposes to remove or significantly alter one of these historical resources shall comply with Chapter 14, Article 3, Division 2 of the San Diego Municipal Code which regulates Historical Resources.</li> </ul>	<p>Prior to Development Permit (Design)</p> <p>Prior to Demolition, Grading, and/or Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	CCDC/City
	<p><b>Mitigation Measure HIST-A.1-2:</b> If the potential exists for direct and/or indirect impacts to retained or relocated designated historical resources, the following measures shall be implemented.</p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Construction Plan Check</p> <p>1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Centre City</p>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>Development Corporation (CCDC) shall verify that the requirements for historical monitoring during demolition and/or stabilization have been noted on the appropriate construction documents.</p> <p>(a) Stabilization work can not begin until a Precon Meeting has been held at least one week prior to issuance of appropriate permits</p> <p>(b) Physical description, including the year and type of structure, and extent of stabilization shall be noted on the plans</p> <p>B. Submittal of Treatment Plan for Retained Historical Resources</p> <ol style="list-style-type: none"> <li>1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Applicant shall submit a Treatment Plan to CCDC for review and approval that includes measures for protecting any historic buildings and/or building components during construction related activities (e.g. removal of non-historic features, demolition of adjacent structures, subsurface support, etc.) The Treatment Plan shall be shown as notes on all construction documents (i.e. Grading and/or Building Plans).</li> <li>2. CCDC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the historical monitoring of the project.</li> <li>3. Prior to the start of work, the applicant must obtain approval from CCDC for any personnel changes associated with the monitoring program.</li> </ol> <p>II. Prior to Start of Construction</p> <p>A. Document Program (DP)</p> <ol style="list-style-type: none"> <li>1. Prior to the first Precon Meeting and/or issuance of any construction permit, the DP shall be submitted to CCDC for review and approval and shall include the following:               <ol style="list-style-type: none"> <li>(a) Photo Documentation                   <ol style="list-style-type: none"> <li>(1) Documentation shall include professional quality photo documentation of the structure prior to demolition with 35mm black and white photographs, 4x6 standard format, taken of all four elevations and close-ups of select architectural elements, such as,</li> </ol> </li> </ol> </li> </ol>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>but not limited to, roof/wall junctions, window treatments, decorative hardware. Photographs shall be of archival quality and easily reproducible.</p> <p>(2) Xerox copies or CD of the photographs shall be submitted for archival storage with the City of San Diego Historical Resources Board and the CCDC Project file. One set of original photographs and negatives shall be submitted for archival storage with the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other relative historical society or group(s).</p> <p>(b) Required Drawings</p> <p>(1) Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement, or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings produced in ink on translucent material or archivally stable material (blue-line drawings are acceptable). Standard drawing sizes or 19" x 24" or 24" x 36", standard scale is 1/4" = 1 foot.</p> <p>(2) One set of measured drawings shall be submitted for archival storage with the City of San Diego Historical Resources Board, the CCDC Project file, the South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other historical society or group(s).</p> <p>2. Prior to the first Precon Meeting, CCDC shall verify that the DP has been approved.</p> <p>B. PI Shall Attend Precon Meetings</p> <p>1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and CCDC. The qualified Historian and/or Architectural Historian shall attend any grading/excavation related Precon Meeting to make comments and/or suggestions</p>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>concerning the Historical Monitoring program with the Construction Manager and/or Grading Contractor.</p> <p>(a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with CCDC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Historical Monitoring Plan (HMP)</p> <p>(a) Prior to the start of any work that requires monitoring, the PI shall submit a Historical Monitoring Plan which describes how the monitoring would be accomplished for approval by CCDC. The HMP shall include an Historical Monitoring Exhibit (HME) based on the appropriate construction documents (reduced to 11x17) to CCDC identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>(b) Prior to the start of any work, the PI shall also submit a construction schedule to CCDC through the RE indicating when and where monitoring will occur.</p> <p>(c) The PI may submit a detailed letter to CCDC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as underpinning, shoring and/or extensive excavation which could result in impacts to, and/or reduce impacts to the on-site or adjacent historic resource.</p> <p>C. Implementation of Approved Treatment Plan for Historic Resources</p> <p>1. Implementation of Approved Treatment Plan for Historic Resources protection of Historic Resources within the project site may not begin prior to the completion of the Documentation Program as defined above.</p> <p>2. The Historian and/or Architectural Historian shall attend weekly jobsite meetings and be on-site daily during the stabilization phase for any retained or adjacent historic resource to photo document the Treatment Plan process.</p> <p>3. The Historian and/or Architectural Historian shall document activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day and</p>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>last day (notification of Monitoring Completion) of the Treatment Plan process and in the case of ANY unanticipated incidents. The RE shall forward copies to CCDC.</p> <p>4. Prior to the start of any construction related activities, the applicant shall provide verification to CCDC that all historic resources on-site have been adequately stabilized in accordance with the approved Treatment Plan. This may include a site visit with CCDC, the CM, RE, or BI, but may also be accomplished through submittal of the draft Treatment Plan photo documentation report.</p> <p>5. CCDC will provide written verification to the RE or BI after the site visit or upon approval of draft Treatment Plan report indicating that construction related activities can proceed.</p> <p>D. Verification of approval of a Historical Commemorative Program (HCP), if applicable.</p> <p>1. The applicant shall submit documentation to CCDC for concurrent review and approval by HRB for a site-specific HCP, if mitigation for impacts to a designated resource is based on an association with an important person, event or community history and the building would not be retained on-site.</p> <p>2. CCDC shall provide a letter to the applicant approving or denying the proposal prior to the first preconstruction meeting and/or issuance of any construction permit. However, should CCDC grant conditional approval of the proposal, construction may be allowed to proceed, but the Certificate of Occupancy may not be issued until the historical commemorative program is approved.</p> <p>3. Prior to the issuance of any Certificate of Occupancy, the applicant shall provide verification to CCDC that the HCP has been implemented in accordance with the approved program. This may include a site visit with CCDC, the CM, RE or BI, but may also be accomplished through submittal of photo documentation or appropriate reporting program.</p> <p>4. CCDC will provide written verification to the RE or BI after the site visit indicating that the Certificate of Occupancy can be issued.</p> <p><b>III. During Construction</b></p> <p>A. Monitor Shall be present During Grading/Excavation/Trenching</p> <p>1. The monitor shall be present full-time during</p>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>grading/excavation/trenching activities which could result in impacts to historical resources as identified on the HME. The Construction Manager is responsible for notifying the RE, PI, and CCDC of changes to any construction activities. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in any case of ANY incidents involving the historical resource. The RE shall forward copies to CCDC.</p> <ol style="list-style-type: none"> <li>3. The PI may submit a detailed letter to CCDC during construction requesting a modification to the monitoring program when a field condition arises which could effect the historical resource being retained on-site or adjacent to the construction site.</li> </ol> <p>B. Notification Process</p> <ol style="list-style-type: none"> <li>1. In the event of damage to a historical resource retained on-site or adjacent to the project site, the Historical Monitor shall direct the contractor to temporarily divert construction activities in the area of historical resource and immediately notify the RE or BI, as appropriate, and the PI (unless Monitor is the PI).</li> <li>2. The PI shall immediately notify CCDC by phone of the incident, and shall also submit written documentation to CCDC within 24 hours by fax or email with photos of the resource in context, if possible.</li> </ol> <p>C. Determination/Evaluation of Impacts to a Historical Resource</p> <ol style="list-style-type: none"> <li>1. The PI shall evaluate the incident relative to the historical resource. <ol style="list-style-type: none"> <li>(a) The PI immediately notify CCDC by phone to discuss the incident and shall also submit a letter to CCDC indicating whether additional migration is required.</li> <li>(b) If impacts to the historical resource are significant, the PI shall submit a proposal for mitigation and obtain written approval from CCDC. Direct and /or indirect impacts to historical resources from construction activities must be mitigated before work will be allowed to resume.</li> <li>(c) If impacts to the historical resource are not considered significant, the PI shall submit a letter to CCDC indicating that the incident will be documented in the</li> </ol> </li> </ol>			



SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>Final Monitoring Report. The letter shall also indicated that no further work is required.</p> <p><b>IV. During Construction</b></p> <p>A. If night work is included in the contract</p> <ol style="list-style-type: none"> <li>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting.</li> <li>2. The following procedures shall be followed:               <ol style="list-style-type: none"> <li>(a) No Impacts/Incidents In the event that no historical resources were impacted during night work, the PI shall record the information on the CSV and submit to CCDC via fax by 9 am the following morning, if possible.</li> <li>(b) Potentially Significant Impacts If the PI determines that a significant impact has occurred to a historical resource, the procedures detailed under Section III – During Construction shall be followed.</li> <li>(c) The PI shall immediately contact CCDC, or by 8 am the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</li> </ol> </li> </ol> <p>B. If night work becomes necessary during the course of construction</p> <ol style="list-style-type: none"> <li>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</li> <li>2. The RE, or BI, as appropriate, shall notify CCDC immediately.</li> <li>C. All other procedures described above shall apply, as appropriate.</li> </ol> <p><b>V. During Construction</b></p> <p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> <li>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Historical Monitoring Program (with appropriate graphics) to CCDC for review and approval within 90 days following the completion of monitoring.</li> </ol>			

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	<p>(a) The preconstruction Treatment Plan and Documentation Plan (photos and measured drawings) and Historical Commemorative Program, if applicable, shall be included and/or incorporated into the Draft Monitoring Report.</p> <p>(b) The PI shall be responsible for updating (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any existing site forms to document the partial and/or complete demolition of the resources. Updated forms shall be submitted to the South Coastal Information Center with the Final Monitoring Report.</p> <ol style="list-style-type: none"> <li>CCDC shall return the Draft Monitoring Report to the PI of the approved report.</li> <li>The PI shall provide revised Draft Monitoring Report to CCDC for approval.</li> <li>CCDC shall provide written verification to the PI of the approved report.</li> <li>CCDC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</li> </ol> <p>B. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> <li>The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to CCDC (even if negative), within 90 days after notification from CCDC that the draft report has been approved.</li> <li>The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approval Final Monitoring Report from CCDC.</li> </ol>			
<p><b>Impact HIST-B.1:</b> Development in downtown could impact significant buried archaeological resources. (Direct and Cumulative)</p>	<p><b>Mitigation Measure HIST-B.1-I:</b> If the potential exists for archaeological resources, the following measures shall be implemented.</p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> <li>Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Centre City Development Corporation (CCDC) shall verify that the requirements for Archaeological Monitoring and Native</li> </ol>	<p>Prior to Demolition or Grading Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	CCDC

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>American monitoring, if applicable, have been noted on the appropriate construction documents.</p> <p>B. Letters of Qualification have been submitted to CCDC</p> <ol style="list-style-type: none"> <li>I. The applicant shall submit a letter of verification to CCDC identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.</li> <li>2. CCDC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.</li> <li>3. Prior to the start of work, the applicant must obtain approval from CCDC for any personnel changes associated with the monitoring program.</li> </ol> <p><b>II. Prior to Start of Construction</b></p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> <li>1. The PI shall provide verification to CCDC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.</li> <li>2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.</li> <li>3. The PI may submit a detailed letter to CCDC requesting a reduction to the 1/4 mile radius.</li> </ol> <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> <li>I. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and CCDC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction</li> </ol>			

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>Manager and/or Grading Contractor.</p> <p>(a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with CCDC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Archaeological Monitoring Plan (AMP)</p> <p>(a) Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Plan which describes how the monitoring would be accomplished for approval by CCDC. The AMP shall include an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to CCDC identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>(b) The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).</p> <p>(c) Prior to the start of any work, the PI shall also submit a construction schedule to CCDC through the RE indicating when and where monitoring will occur.</p> <p>(d) The PI may submit a detailed letter to CCDC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.</p> <p><b>III. During Construction</b></p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <p>1. The monitor shall be present full-time during soil remediation and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and CCDC of changes to any construction activities.</p> <p>2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the</p>			

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	<p>CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to CCDC.</p> <p>3. The PI may submit a detailed letter to CCDC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.</p> <p>B. Discovery Notification Process</p> <p>1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.</p> <p>2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</p> <p>3. The PI shall immediately notify CCDC by phone of the discovery, and shall also submit written documentation to CCDC within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>C. Determination of Significance</p> <p>1. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.</p> <p>(a) The PI shall immediately notify CCDC by phone to discuss significance determination and shall also submit a letter to CCDC indicating whether additional mitigation is required.</p> <p>(b) If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from CCDC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</p> <p>(c) If resource is not significant, the PI shall submit a letter to CCDC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is</p>			

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	<p>required.</p> <p><b>IV. Discovery of Human Remains</b> If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:</p> <p>A. Notification</p> <ol style="list-style-type: none"> <li>1. Archaeological Monitor shall notify the RE or BI as appropriate, CCDC, and the PI, if the Monitor is not qualified as a PI.</li> <li>2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.</li> </ol> <p>B. Isolate discovery site</p> <ol style="list-style-type: none"> <li>1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.</li> <li>2. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.</li> <li>3. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.</li> </ol> <p>C. If Human Remains are determined to be Native American</p> <ol style="list-style-type: none"> <li>1. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, only the Medical Examiner can make this call.</li> <li>2. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.</li> <li>3. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..</li> <li>4. The PI shall coordinate with the MLD for additional consultation.</li> <li>5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, if: <ol style="list-style-type: none"> <li>(a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after</li> </ol> </li> </ol>			

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	<p>being notified by the Commission; OR;</p> <p>(b) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.</p> <p>D. If Human Remains are not Native American</p> <ol style="list-style-type: none"> <li>1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.</li> <li>2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).</li> <li>3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for interment of the human remains shall be made in consultation with CCDC, the applicant/landowner and the Museum of Man.</li> </ol> <p>V. Night Work</p> <p>A. If night work is included in the contract</p> <ol style="list-style-type: none"> <li>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the pre-con meeting.</li> <li>2. The following procedures shall be followed. <ol style="list-style-type: none"> <li>(a) No Discoveries In the event that no discoveries were encountered during night work, the PI shall record the information on the CSV and submit to CCDC via fax by 9am the following morning, if possible.</li> <li>(b) Discoveries All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.</li> <li>(c) Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed. The PI shall immediately contact CCDC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</li> </ol> </li> </ol> <p>B. If night work becomes necessary during the course of construction</p>			

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	<ol style="list-style-type: none"> <li>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</li> <li>2. The RE, or BI, as appropriate, shall notify CCDC immediately.</li> <li>C. All other procedures described above shall apply, as appropriate.</li> </ol> <p><b>VI. Post Construction</b></p> <ol style="list-style-type: none"> <li>A. Submittal of Draft Monitoring Report               <ol style="list-style-type: none"> <li>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to CCDC for review and approval within 90 days following the completion of monitoring.                   <ol style="list-style-type: none"> <li>(a) For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.</li> <li>(b) Recording sites with State of California Department of Parks and Recreation</li> </ol> </li> <li>The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.</li> </ol> </li> <li>2. CCDC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</li> <li>3. The PI shall submit revised Draft Monitoring Report to CCDC for approval.</li> <li>4. CCDC shall provide written verification to the PI of the approved report.</li> <li>5. CCDC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</li> </ol> <p>B. Handling of Artifacts and Submittal of Collections Management Plan, if applicable</p>			



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	<ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.</li> <li>2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.</li> <li>3. The PI shall submit a Collections Management Plan to CCDC for review and approval for any project which results in a substantial collection of historical artifacts.</li> </ol> <p>C. Curation of artifacts: Accession Agreement and Acceptance Verification</p> <ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with CCDC and the Native American representative, as applicable.</li> <li>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and CCDC.</li> </ol> <p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> <li>1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to CCDC (even if negative), within 90 days after notification from CCDC that the draft report has been approved.</li> <li>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from CCDC which includes the Acceptance Verification from the curation institution.</li> </ol>			

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<b>NOISE (NOI)</b>				
<b>Impact NOI-B.1:</b> Noise generated by I-5 and highly traveled grid streets could cause interior noise levels in noise-sensitive uses (exclusive of residential and hotel uses) to exceed 45 dB(A). (Direct)	<i>Mitigation Measure NOI-B.1-1:</i> Prior to approval of a Building Permit for any residential, hospital, or hotel within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to confirm that architectural or other design features are included which would assure that noise levels within habitable rooms would not exceed 45 dB(A) CNEL.	Prior to Building Permit (Design)  Prior to Certificate of Occupancy (Implementation)	Developer	CCDC/City
<b>Impact NOI-C.1:</b> Noise generated by I-5 and highly traveled grid streets could cause exterior noise levels in required outdoor open space to exceed 65 dB(A). (Direct and Cumulative)	<i>Mitigation Measure NOI-C.1-1:</i> Prior to approval of a Building Permit for any residential, hospital, or hotel within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to confirm that architectural or other design features are included which would assure that noise levels within required open space would not exceed 65 dB(A) CNEL.	Prior to Building Permit (Design)  Prior to Certificate of Occupancy (Implementation)	Developer	CCDC/City
<b>PALEONTOLOGICAL RESOURCES (PAL)</b>				
<b>Impact PAL-A.1:</b> Excavation in geologic formations with a moderate to high potential for paleontological resources could have an significant impact on these resources, if present. (Direct)	<p><i>Mitigation Measure PAL-A.1-1:</i> In the event the Secondary Study indicates the potential for significant paleontological resources, the following measures shall be implemented as determined appropriate by CCDC.</p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> <li>1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, Centre City Development Corporation (CCDC) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.</li> <li>B. Letters of Qualification have been submitted to CCDC</li> <li>1. The applicant shall submit a letter of verification to CCDC identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.</li> <li>2. CCDC will provide a letter to the applicant confirming the</li> </ol>	Prior to Demolition, Grading or Building Permit (Design)  Prior to Certificate of Occupancy (Implementation)	Developer	CCDC/City

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
	<p>qualifications of the PI and all persons involved in the paleontological monitoring of the project.</p> <p>3. Prior to the start of work, the applicant shall obtain approval from CCDC for any personnel changes associated with the monitoring program.</p> <p><b>II. Prior to Start of Construction</b></p> <p><b>A. Verification of Records Search</b></p> <p>1. The PI shall provide verification to CCDC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.</p> <p>2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.</p> <p><b>B. PI Shall Attend Precon Meetings</b></p> <p>1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and CCDC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.</p> <p>a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with CCDC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Identify Areas to be Monitored</p> <p>a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to CCDC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil</p>			

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	<p>conditions (native or formation).</p> <p>3. When Monitoring Will Occur</p> <ol style="list-style-type: none"> <li>Prior to the start of any work, the PI shall also submit a construction schedule to CCDC through the RE indicating when and where monitoring will occur.</li> <li>The PI may submit a detailed letter to CCDC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.</li> </ol> <p><b>III. During Construction</b></p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> <li>The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and CCDC of changes to any construction activities.</li> <li>The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of any discoveries. The RE shall forward copies to CCDC.</li> <li>The PI may submit a detailed letter to CCDC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formation soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.</li> </ol> <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> <li>In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or PI, as appropriate.</li> <li>The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</li> </ol>			

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	<p>3. The PI shall immediately notify CCDC by phone of the discovery, and shall also submit written documentation to CCDC within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>C. Determination of Significance</p> <ol style="list-style-type: none"> <li>1. The PI shall evaluate the significance of the resource. <ol style="list-style-type: none"> <li>a. The PI shall immediately notify CCDC by phone to discuss significance determination and shall also submit a letter to CCDC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.</li> <li>b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from CCDC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</li> <li>c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to CCDC unless a significant resource is encountered.</li> <li>d. The PI shall submit a letter to CCDC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.</li> </ol> </li> </ol> <p>IV. Night Work</p> <ol style="list-style-type: none"> <li>A. If night work is included in the contract <ol style="list-style-type: none"> <li>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the pre-con meeting.</li> </ol> </li> <li>2. The following procedures shall be followed. <ol style="list-style-type: none"> <li>a. No Discoveries <ol style="list-style-type: none"> <li>(1) In the event that no discoveries were encountered during night work, The PI shall record the information on the CSV and submit to CCDC via fax by 9am the following morning, if possible.</li> </ol> </li> <li>b. Discoveries <ol style="list-style-type: none"> <li>(1) All discoveries shall be processed and documented using</li> </ol> </li> </ol> </li> </ol>			

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	<p>the existing procedures detailed in Sections III - During Construction.</p> <p>c. Potentially Significant Discoveries            (1) If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.</p> <p>d. The PI shall immediately contact CCDC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</p> <p>B. If night work becomes necessary during the course of construction</p> <p>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</p> <p>2. The RE, or BI, as appropriate, shall notify CCDC immediately.</p> <p>C. All other procedures described above shall apply, as appropriate.</p> <p><b>VI. Post Construction</b></p> <p>A. Submittal of Draft Monitoring Report</p> <p>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to CCDC for review and approval within 90 days following the completion of monitoring,</p> <p>a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.</p> <p>b. Recording Sites with the San Diego Natural History Museum</p> <p>(1) The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.</p> <p>2. CCDC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</p> <p>3. The PI shall submit revised Draft Monitoring Report to CCDC for approval.</p> <p>4. CCDC shall provide written verification to the PI of the approved</p>			

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	<p>report.</p> <p>5. CCDC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</p> <p>B. Handling of Fossil Remains</p> <ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.</li> <li>2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate</li> </ol> <p>C. Curation of fossil remains: Deed of Gift and Acceptance Verification</p> <ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.</li> <li>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and CCDC.</li> </ol> <p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> <li>1. The PI shall submit two copies of the Final Monitoring Report to CCDC (even if negative), within 90 days after notification from CCDC that the draft report has been approved.</li> <li>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from CCDC which includes the Acceptance Verification from the curation institution.</li> </ol>			