



REPORT NO. PC-16-088

DATE ISSUED: November 10, 2016

ATTENTION: Planning Commission, Agenda of November 17, 2016

SUBJECT: Park & Market – Centre City Development Permit/Site Development Permit/Neighborhood Development Permit No. 2016-15 and Map Waiver No. 1773926 – Process Four

**OWNER/
APPLICANT:** City of San Diego
Holland Partners Group

SUMMARY

Issue(s): Should the Planning Commission (“Commission”) approve Centre City Development Permit/Site Development Permit/Neighborhood Development Permit (CCDP/SDP/NDP) No. 2016-15 and Map Waiver No. 1773926 for the Park & Market (“Project”)?

Staff Recommendation(s): Approve CCDP/SDP/NDP No. 2016-15 and Map Waiver No. 1773926 for the Project.

Historical Resources Board Recommendation: On September 20, 2016 the City of San Diego (“City”) Historical Resources Board (HRB) voted 6-0-1 on consent to approve the Project per staff’s recommendation.

Civic San Diego Board Recommendation: On October 26, 2016 the Civic San Diego Board voted 9-0 to grant Design Review approval and recommend that the Commission grant CCDP/SDP/NDP No. 2016-15 and Map Waiver No. 1773926.

Community Planning Group Recommendation: On October 19, 2016 the Downtown Community Planning Council voted 16-0-1 in support of staff’s recommendation.

Other Recommendations: None.

Environmental Review: Development within the Downtown Community Planning area is covered under the following documents, all referred to as the “Downtown FEIR”: Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency (“Former Agency”) and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265,

respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). The Downtown FEIR was adopted prior to the requirement for documents prepared under the California Environmental Quality Act (CEQA) to consider a project's impacts related to greenhouse gas emissions. The effect of greenhouse gas emissions on climate change, and the subsequent adoption of guidelines for analyzing and evaluating the significance of data, is not considered "new information" under State CEQA Guidelines Section 15162 triggering further environmental review because such information was available and known before approval of the Downtown FEIR. Nonetheless, development within the Downtown Community Planning area is also covered under the following documents, all referred to as the "CAP FEIR": FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310596). The Downtown FEIR and CAP FEIR are both "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. Consistent with best practices suggested by Section 15168, a Downtown 15168 Consistency Evaluation ("Evaluation") has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR; that the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR and is adequately described within both documents for the purposes of CEQA; and, that none of the conditions listed in Section 15162 exist. Therefore, no further environmental documentation is required under CEQA.

The Downtown FEIR is available at this link:

www.civicsd.com/planning/environmental-documents.html

The CAP FEIR is available at this link:

www.sandiego.gov/sites/default/files/legacy//planning/programs/ceqa/2015/151123capfinalpeir.pdf

Fiscal Impact Statement: None.

Code Enforcement Impact: None.

Housing Impact Statement: The Project includes 85 affordable units restricted at or below 50 percent Area Median Income (AMI) in order to comply with the City Inclusionary Housing Ordinance ("Inclusionary Ordinance").

BACKGROUND

On December 5, 2013, CivicSD issued a Request for Qualifications and Proposals (RFQ/P) for the Project site. The RFQ/P sought well-qualified development teams for the opportunity to enter into a public/private partnership with the City for the development of the Park and Market site, an asset of the Successor Housing Entity. The RFP included the following requirements for each proposal:

- Minimum of 200 DU;
- Minimum 15% of the total residential units restricted as affordable and available for low- and moderate-income households provided on-site;
- Minimum of 5% of DU three bedroom;
- Minimum of 50,000 SF of office area;
- Minimum of 10% Urban Open Space based on site area;
- Minimum of 300-foot high tower;
- Minimum of CalGreen Tier II or LEED Silver; and,
- Retain and maintain the existing Portland Loo public restroom or construct one male and one female restroom to be operational 24 hours a day, 365 days a year.

A selection committee selected the Applicant/Project as a result of the RFQ/P process in May 2015. Subsequently, the City Council approved the Exclusive Negotiation Agreement in October 2015 between the City as Housing Successor Agency and the Applicant that allows negotiations towards a Development and Disposition Agreement (DDA). The proposed permit requests are a separate decision process from the DDA process. The DDA containing the Project's final details will be reviewed by the CivicSD Board and will ultimately require City Council approval.

Neighborhood Context

The East Village neighborhood will build out into an eclectic residential and mixed-use community with a diverse spectrum of users. Currently it consists of commercial, warehouse, light industrial, educational, and residential uses. The residential population is projected to be 46,000 people. East Village Green, a four-acre park, will be located two blocks to the east of the proposed project, on the blocks bound by 13th, F, 15th and G streets.

DEVELOPMENT TEAM

ROLE	FIRM / CONTACT	OWNERSHIP
Applicant	Holland Partner Group / Brent Schertzer	See Attachment A (Privately Owned)
Property Owner	City of San Diego David Graham	City of San Diego
Architect	Carrier Johnson / Duane Hagewood	Michael Johnson, Gordon Carrier Carrier Johnson Employees (Minor Interest)

DISCUSSION

This Project proposes the construction of a 34-story residential tower, a four-story office building, and a one-story retail building (approximately 360 feet, 65 feet and 20 feet tall, respectively). The project contains 426 DUs (341 market-rate apartments and 85 affordable units); approximately 52,096 SF of office space; approximately 22,641 SF retail space and 418 code compliant automobile parking spaces in four subterranean levels. There is a total of 5,645 SF of public Urban Open Space. Other common spaces that provide limited public access are an approximately 3,200 SF amphitheater and a 5,300 SF upper terrace overlooking the public plaza. For residents there is approximately 6,700 SF of private, common space.

Project Description:

The following is a summary of the Project (based on drawings dated September 30, 2016):

Site Area	51,600 SF		
Base Minimum FAR	3.5		
Base Maximum FAR	6.0		
Maximum FAR with Amenity Bonuses	10.0		
Maximum FAR with Affordable Housing Bonus	13.0		
Proposed FAR	10.9		
FAR Bonuses Proposed	Affordable Housing	2.1	
	Urban Open Space	0.5	
	Three-Bedroom Units	1.0	
	Green Building/LEED	1.0	
	Eco-Roof	0.38	
Above Grade Gross Floor Area	562,256 SF		
Density	360 DU per acre		
Stories / Height	1-4-34 stories / 20-65-360 feet		
Amount of Commercial Space	22,641 SF		
Amount of Office Space	52,096 SF		
Housing Unit and Bedroom Count /Average Size	<u>#</u>	<u>Range</u>	<u>Average</u>
Total Number of Housing Units	426		
Studios	101	541 - 601 SF	566 SF
1 Bedroom	152	662 - 1014 SF	798 SF
2 Bedroom	127	1168 - 3100 SF	1274 SF
3 Bedroom	46	1239 - 2100 SF	1425 SF
Number of Units to be Demolished	N/A		
Number of Buildings over 45 Years Old	1 (Remmen Building to be relocated on site)		
Inclusionary Affordable Housing Compliance	85 DU on-site (20% of total DU restricted to ≤50% AMI)		

Automobile Parking	
Market Residential (Required / Proposed)	259 (0.5 per BR ¹) / 275
Affordable Residential (Required / Proposed)	65 (0.5 per BR ¹) / 65
Retail (Required / Proposed)	0 (exempt < 30,000 net SF) / 0
Office (Required / Proposed)	78 / 78
Total	402 / 418 ²
Motorcycle Parking (Required / Proposed)	21 (1 per 20 DU) / 21
Bicycle Parking (Required / Proposed)	85 (1 per 5 DU) / 87
Common Indoor Space	
Required	500 SF
Proposed	2,226 SF
Common Outdoor Open Space	
Required	5,160 SF
Proposed	5,645 SF
Private Open Space (Balconies and Decks)	
Required	50% of DU (with 40 SF minimum)
Proposed	59% of DU
Pet Open Space	
Required	200 SF
Proposed	215 SF
Residential Storage	240 cubic feet per DU
Assessor's Parcel Nos.	535-134-07
Sustainability	LEED Silver

1. Required minimum parking ratio for projects utilizing the Affordable Housing Bonus Law.
2. There are a total of 418 code compliant parking spaces with 142 tandem spaces for a total of 560 spaces.

Permits Required

- CCDP with Design Review approval by the CivicSD Board for construction of more than 50 DU; 100,000 SF of gross floor area; and, 85 feet in height.
- SDP for the relocation of a designated historical resource;
- NDP for the 10 foot encroachment of the Remmen Building into the public right of way (ROW); and,
- Map Waiver for the subdivision of the full-block site into six parcels.

Per SDMC Section 112.0103, when an Applicant applies for more than one permit for a single development, the applications shall be consolidated for processing and shall be reviewed by a single decision-maker. The decision-maker shall act on the consolidated application at the highest level of authority for that development, and the findings required for approval of each permit shall be considered individually. The decision-maker for this Project will be the Planning Commission under a Process 4 review. This decision is appealable to the City Council.

Downtown Community Plan Analysis

The DCP envisions downtown as a multi-use regional center, with strong employment and residential components; targeting a residential buildout population of approximately 90,000 people with a market for a broad array of supporting stores and services with opportunities to live close to jobs and transit. The DCP implements the City of Villages strategies of the City's General Plan by directing growth in limited areas served by transit as an efficient use of urban land that reduces the need to develop outlying areas while creating opportunities for realistic alternatives to automobile travel.

The preservation, rehabilitation, restoration, reconstruction, and retention of designated historical resources, and their incorporation into new development projects, whether in whole or in part, is strongly encouraged in the DCP. If full retention is not feasible, the CCPDO strongly encourages the retention and reuse of notable architectural fragments or features especially when particular elements are identified as significant in respective neighborhood guidelines. However, the DCP recognizes that some loss of properties listed on the San Diego Register may inevitably occur to accommodate growth and population goals.

The character of East Village will be transformed under the DCP. The East Village is slated to have the highest residential intensities with accompanying retail, commercial and open space amenities.

Applicable DCP Goals and Policies

- 3.1-G-2 Provide for an overall balance of uses – employment, residential, cultural, government, and destination – as well as a full compendium of amenities and services.
- 3.5-G-2 Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them.
- 3.3-G-1 Provide a range of housing opportunities suitable for urban environments and accommodating a diverse population.
- 3.4-G-1 Continue to promote the production of affordable housing in all of downtown's neighborhoods and districts.
- 3.4-G-3 Increase the supply of rental housing affordable to low income persons.
- 6.5-G-2 Reinforce the evolving high-intensity Market Street corridor.

DESIGN REVIEW

The full-block project is comprised of four basic components of varying masses that are configured around a public open space (plaza): a 34-story residential tower along Eleventh Avenue; a four-story office building along Market Street; a one-story retail building along Park Boulevard; and, the historic Remmen Building at the corner of Park Boulevard and G Street. The Remmen Building is to be retained on site (temporarily relocated off-site to allow for the construction of the underground parking garage), but would be rotated to front onto Park Boulevard and moved slightly to the east in order to increase its separation from the residential

tower. The overall building massing and orientation is focused on the central public plaza. Additionally, the siting and narrow east/west dimension of the tower along Eleventh Avenue accommodates the Park Sun Access height limit. Four levels of below-grade parking are accessed from a mid-block driveway along Eleventh Avenue. Two loading bays are located at the grade level, which are enclosed within the garage.

The following design analysis is based on each of the four buildings and the public open space.

Residential Tower

The Applicant has stated that the concept for the design of the tower is to present two simple, adjoined planes, one facing east over the East Village past Park Boulevard and one facing west towards the Downtown core. The concept behind each plane's exterior is to respond to the different neighborhoods they overlook. As such, they utilize different materials and fenestration patterns. The main design challenges for the tower are its overall massing/shape, the architectural fenestration, and the relationship of the tower mass to the ground level.

The 360-foot tall tower is approximately 182 feet long (north/south dimension) by 90-feet wide (east/west dimension), forming an almost perfect rectangle. The Downtown Design Guidelines (DDG) state that all tower facades should include a variety of fenestration and material patterns to create visual interest and avoid the appearance of a repeated single floor extrusion. Building facades more than 100 feet in width should consider the use of plane offsets and material changes to create shadows and relief.

The east tower facade is composed of dark gray metal panels and a light-gray/green tinted glass while the west tower facade is composed of a silver metal panel with light-blue tinted glass. Both facades utilize a sophisticated window wall system that will be very attractive.

On the east elevation, the repetitive grid system is interrupted by four columns of stacked projecting balconies off-set to the southern side of the facade. An incision, utilizing the light-blue tinted glass found on the west elevation, runs from the top to bottom of the building wrapping along the base. The asymmetrical balcony arrangement and incision help to break up the facade by creating the plane and fenestration changes that are encouraged by the DDG.

On the west elevation, a series of extended balconies form an element along the southern half of the tower that represents a significant design element to break up its facade. In addition, the upper three floors change the fenestration through the use of recessed balconies and there is a notch at the southern end of the tower top that accommodates the roof deck. A line of silver/gray metal panels demarcates a four foot plane change for the south portion of the tower that is also defined by the notches on the top and bottom. This recessed, notched portion of the tower helps to further break up the facade. It should be noted that on the lower floors of both elevations there is a multi-story recessed glass facade element that contains common areas for the residents at the southern end of the tower.

The CCPDO requires that the upper 20% of a tower shall achieve an articulated form and composition using architectural techniques as described in the DDG, which provide specific design criteria for towers (Attachment C). Generally, towers are encouraged to create a graceful transition to the sky and avoid a cut-off, flat-top appearance through the means of architectural techniques such as layering, material changes, fenestration pattern variation and/or physical setbacks. Actual reductions of floor areas and/or recessed balconies can assist this composition goal, but are not required.

During the past year the Committee has repeatedly commented on the “flat roofs” or “cut-off” tops of proposed towers. The roofline of the primary tower mass is essentially flat, with the outdoor roof deck, indoor amenity space, and mechanical equipment enclosure situated on top. These roof-top features are mostly viewed at a distance (westbound traffic on SR 94 entering Downtown) due to the tower’s 34-story height. However, given the length of the east and west tower elevations, Staff directed the Applicant to refine the roofline to the extent possible. As shown in the revised perspective drawings (Sheets 45-49) the top of the tower now exhibits a variety of building masses and fenestration, successfully creating a more nuanced roofline.

The ground floor uses for the tower are an expansive lobby area primarily oriented onto G Street and three residential townhouses along Eleventh Avenue. The lobby has a substantial portion that faces the interior public plaza as well as a smaller portion that wraps onto Eleventh Avenue. South of the Eleventh Avenue townhouses is a metal-paneled area that contains utility rooms. The utility rooms are adjacent to an approximately 45-foot wide garage entry that leads to the underground parking garage and the two at-grade loading areas. Overall, given that the Limited Vehicle Access Overlay applies to all the other streets, this consolidated utility and driveway area along Eleventh Avenue is the default alternative. To the extent possible, the visual impact has been reduced by articulating the entrance and minimizing the height and width of the garage openings.

Office Building

The office building presents a completely uniform streetwall along Market Street with a well-proportioned and dramatic stretch of storefront glazing at street level that wraps both corners onto Eleventh Avenue and Park Boulevard. Market Street is a designated Commercial Street requiring 60% active use and the proposed design exceeds this standard. An off-set pattern of vertical rail columns soften the upper floors as well as the inherently horizontal proportions of this 172-foot wide by 65-foot high building. The lobby entrance is seamlessly tucked around the corner on 11th Avenue adjacent to the garage entrance. It should be noted that the DDG recommend that lobbies be demarcated as standout architectural features of buildings. In this case Staff is supportive of the side location for the lobby in order to preserve the continuous, unbroken storefront glazing along Market Street.

Retail Building

The 20-foot tall, single-story retail building along Park Boulevard appears as a seamless extension of the office building’s ground floor and uses the same storefront glazing. This

streetwall has been kept intentionally lower than the minimum 45-foot height typically required in order to better integrate the roof-top open space with the amphitheater and urban plaza.

Urban Open Space

Adjacent to the Remmen Building, the project proposes a 5,645 SF at-grade Urban Open Space oriented along Park Boulevard, but which is also connected to G Street between the Remmen Building and the residential tower. This public plaza will include enhanced paving, fixed and moveable seating, and landscaping. The at-grade plaza engages with a stepped amphitheater in the middle of the site that leads up to an open space area atop the retail building (as well as the private residential open space including the pool area). While the amphitheater and upper plaza are envisioned to be open to the public during specific time periods, they are not required public open space. The terraced amphitheater faces a patio/stage that abuts the interior elevation of the Remmen Building. Also included are native landscaped areas, terraces, a movie screen, and seating areas. Overall, Staff feels that the plaza's design concept is successfully achieved through distinct but inter-connected sub-spaces that create a visually interesting and multi-level outdoor space.

Park Boulevard

Under the Downtown San Diego Mobility Plan (DSDMP), Park Boulevard between E and K streets will be closed to vehicular traffic and the single southbound lane will be converted into a two-way cycle track (with a minor design deviation between Market Street and Island Avenue to the south of the Project). This will eliminate access to the existing angled parking spaces along this site. The Applicant has therefore designed a wider public sidewalk with a double row of trees that interconnects with the public plaza to create an attractive, unique public environment along this important street. In order to accommodate the proposed relocation of the Remmen Building, the Applicant is requesting a NDP for a 10-foot encroachment into the right-of-way along this Park Boulevard frontage. Staff supports the encroachment as it accommodates the historic building, provides a logical transition of building frontages along this street between the blocks to the north and south, and maintains a widened sidewalk area along the frontage. Twenty-eight feet of ROW were dedicated along this street frontage when the Trolley and street improvements were constructed over 15 years ago, resulting in a substandard width block.

Historical Building Relocation - Remmen Building

The Remmen Building is located at 1127-1137 G Street. The building was originally constructed in 1907 in the Craftsman style with neoclassical influences. On June 6, 2000, the property was designated by the HRB (Site No. 426) under Criterion C as a good example of a Craftsman two story apartment building with Neoclassical influences.

During construction of the Project, the Remmen Building will be temporarily relocated two blocks southeast of its existing location for approximately one year. Once the subterranean parking structure is completed, the Remmen Building will be relocated back to the original site on a new foundation at the northeast corner of the parcel. The proposed rotation of the Remmen

Building will change its orientation from G Street, a busy auto thoroughfare, onto the pedestrian-friendly Park Boulevard. The Remmen Building is currently slated to be utilized as a restaurant with outdoor seating that will further activate this area and the public plaza.

Affordable Housing Density Bonus Law

Pursuant to implementing the State of California Density Bonus Law provisions, the San Diego Municipal Code (SDMC) provides for the following when a project includes affordable housing:

1. Floor Area Ratio (FAR) Bonus;
2. Reduced Parking Requirements; and,
3. Development Incentives.

The Applicant is proposing to restrict 20% of the residential units to persons qualifying as very-low income residents, or those earning less than or equal to 50% of the Average Median Income (AMI). Based on the provision of affordable housing, the Project is entitled to the following:

1. A 50% FAR Bonus for the residential portion of the Project.
2. A reduction in parking requirements from the 1.0 parking space/unit plus guest parking to a rate of 0.5 parking spaces/bedroom (maximum of 1.0 space/unit).
3. Five incentives from development standards.

The purpose of the Affordable Housing Density Bonus regulations is to incentivize developers to provide affordable housing and reduce the burden of providing costly parking in areas served by transit.

Per SDMC Section 143.0740, the applicant is requesting that three incentives be used for the three deviations requested by the Project. The section states that an incentive can mean a deviation to a development regulation. The Section further states that:

“Upon an applicant’s request, development that meets the applicable requirements of Sections 143.0720 and 143.0725 shall be entitled to incentives pursuant to Section 143.0740 unless the City makes the a written finding of denial based on substantial evidence, of any of the following:

- (A) The incentive is not required in order to provide for affordable housing costs, as defined in California Health and Safety Code Sections 50052.5 and 50053;*
- (B) The incentive would have a specific adverse impact upon public health and safety as defined in Government Code section 65589.5, the physical environment, including environmentally sensitive lands, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low income and moderate income households;*
- (C) The incentive would be contrary to state or federal law. Requested incentives shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no incentive shall be granted without such compliance.”*

Thus, if the findings for applicable sections A-C above cannot be made, the incentives must be granted. Staff did not find any substantial evidence that the incentives would (1) not be required to provide for affordable costs; (2) adversely affect public health or safety; and (3) would be contrary to State or Federal law. The three incentives are requested for the following three deviations:

1. CCPDO 156.0310(d)(1)(D) Minimum Streetwall Height of 45 feet. The Applicant is requesting a height of approximately 20 feet for a length of 103 feet along Park Boulevard for the retail building which accommodates additional open space closer to grade.
2. CCPDO 156.0313(l)(2) Vehicular Access curb cuts may not exceed 30 feet in width. The applicant is proposing a 45-foot curb cut in order to accommodate the turning radius of large trucks that will be delivering products to the mix of uses within the full-block project.
3. CCPDO 156.0310(e) Ground-Floor Height of 12 feet for residential uses. The height of the ground floor residential units along Eleventh Avenue is 10 feet.

Generally, Staff supports these incentives as they are relatively minor and do not raise any design issues for the Project.

CCDP

The purpose and intent of a CCDP is to administer and ensure compliance with the CCPDO, DCP, Centre City Streetscape Manual, and any policies or guidelines adopted by the City of San Diego to implement the DCP.

Findings

In order to grant approval of a CCDP, the following finding must be made:

1. *The proposed development is consistent with the DCP, CCPDO, Land Development Code (LDC), and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed development is consistent with the DCP, CCPDO, LDC, and all other adopted plans and policies of the City of San Diego pertaining to the CCDP as the development advances the goals and objectives of the DCP and CCPDO by:

- Increasing the Downtown residential population;
- Adding to the range of Downtown housing opportunities suitable for urban environments and accommodating a diverse population through the inclusion of on-site affordable housing; and,
- Reinforcing the evolving high-intensity Market Street corridor.

The proposed Project provides a well-designed, mixed-use development with urban open space that is consistent with the orderly growth and scale of the neighborhood. The residential development will help to infill, as well as activate, the East Village neighborhood. The project will not have a negative impact on the surrounding neighborhood.

SDP

The proposed relocation of the designated historical resource, the Remmen Building, is by definition a substantial alteration per SDMC Section 143.0251 - Development Regulations for Designated Historical Resources. Under SDMC, substantial alterations to a designated historical resource require an SDP. Approval of an SDP is a Process 4 decision made by the Planning Commission after a recommendation by the HRB. The Project was presented to the HRB for a recommendation to the Planning Commission on September 20, 2016. The HRB recommended that the Planning Commission adopt the mitigation measures and findings associated with the SDP for the relocation of the designated historic resource.

SDP Findings – in order to approve a SDP, the Planning Commission must make specific general findings in addition to supplemental findings for substantial alterations to a historical resource. The applicant's consultant submitted findings in support of this request (Attachment D). Below are a summary of the responses for the findings.

General Findings – Site Development Permit – SDMC § 126.0504 (a):

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

The Project is located along Park Boulevard in the East Village neighborhood of the DCP and the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. This Project, including the rehabilitation and reuse of the historic Remmen Building, includes a mix of these permitted uses (residential, office and retail) and will therefore not adversely affect the DCP.

Park Boulevard is a ceremonial street that links Balboa Park to the San Diego bay. The rotation of the Remmen Building onto Park Boulevard is consistent with the East Village's focus on Park Boulevard as a main feature and pedestrian thoroughfare. Additionally, its re-orientation will complement the DMP by further activating Park Boulevard and adding an aesthetically pleasing element to the pedestrian-focused thoroughfare while also allowing the open space behind it to better function.

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

The proposed Project, including the relocation of the Remmen Building, from its orientation on G Street, a busy auto thoroughfare, onto the pedestrian-friendly Park Boulevard will not be detrimental to public health, safety and welfare. The proposed Project will be consistent with the DCP and CCPDO with approval of a CCDP/SDP/NDP and the Map Waiver. The Project will be compatible with the nearby residential and commercial buildings as well as other new developments in the East Village neighborhood without harming the public health, safety and welfare.

The Remmen Building has been vacant and inaccessible to the public for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows. The rehabilitation of the historic resource will provide for the public health, safety, and welfare through meeting all applicable building codes in accordance with current construction standards and codes as they apply to historic structures.

3. The proposed development will comply with the applicable provisions of the LDC.

The proposed development will meet the development standards of the CCPDO with approval of a CCDP/SDP/NDP and the Map Waiver. The proposed rehabilitation work on the building will be consistent with the Treatment Plan and will not create any adverse impacts to the historical resource. Implementation of the mitigation measures outlined in the Downtown Final Environmental Impact Report (Downtown FEIR) Mitigation, Monitoring and Reporting Program (MMRP) will further reduce potential impacts to the resource.

Supplemental Findings – Historical Resources Deviations for Relocation of Designated Historical Resource – SDMC§126.0504(h):

Findings for relocation of a designated historical resource are required for approval of the permit, consistent with the Municipal Code Section 126.0504(h) as follows:

1. There are no feasible measures, including maintaining the resource on site, that can further minimize the potential adverse effects on historical resources.

The project proposes to temporarily relocate the resource to a vacant parcel at southeast corner of 13th and Market streets for approximately one year. This would allow for the excavation of the subterranean garage and reduce potential damage to the resource and provide for a more efficient underground garage. Once the garage is complete, the resource will be returned to the parcel, rehabilitated, and rotated to front Park Boulevard. The new location and siting will be adjacent to its original location. The rotation allows the space to the south and west of the building to be more efficiently utilized for public open space and gives the resource greater pedestrian visibility and access off of Park Boulevard.

The alternative of maintaining the Remmen Building in its current location is not practical since maintaining the resource “as is” would limit development of the site and require an additional level of below ground parking in order to avoid excavation below the Remmen Building. The proposed relocation and rehabilitation will result in reduced impacts to the overall integrity of the resource while keeping it in close proximity to its original location with increased public visibility.

2. The proposed relocation will not destroy the historical, cultural, or architectural values of the historical resource and the relocation is part of a definitive series of actions that will assure the preservation of the designated historical resource.

The Applicant is required to implement the mitigation measures identified in the Downtown FEIR. The Applicant has identified a temporary relocation site that meets the requirements of the National Park Service's Criterion Consideration B for Moved Properties and the City's Historical Resources Regulations. After relocation and stabilization of the resource, it will be rehabilitated in accordance with the Secretary of the Interior's Standards for Rehabilitation and then returned to a site directly adjacent to its original site. A qualified historical architect will act as a monitor and supervise the relocation and rehabilitation. The property's status as a designated historical resource will remain under the jurisdiction of the San Diego HRB. These measures ensure that the proposed relocation, rehabilitation and reuse of the resource will not destroy the values of the resource and that the relocation is part of a definitive series of actions to assure its preservation.

3. *There are special circumstances or conditions apart from the existence of the historical resource, applying to the land that are peculiar to the land and are not of the applicant's making, whereby the strict application of the provisions of the historical resources regulations would deprive the property owner of reasonable use of the land.*

The DCP's goals for the East Village call for greater development, especially on underdeveloped sites. Consistent with these goals, the area surrounding the site has seen an increase in density and larger-scale developments. The existing site constraints which include the City's dedication of 28 feet of the block for ROW in order to facilitate the Park to Bay Link (Balboa Park to the San Diego bay); the location of the historical resource on a lot zoned for higher density; and the overall setting and context of the neighborhood constitute special circumstances and conditions which exist apart from the presence of the historical resource. These circumstances are "peculiar to the land" and are not the caused by the Applicant.

Overall, the proposed relocation, rehabilitation, and reuse of the historic resource on the Project site will meet the intent and provisions of the historical resource regulations.

NDP

Per Section 126.0402 of the Land Development Code (LDC), a NDP is required for construction of a privately owned structure within a public right of way (ROW) dedicated for a street or an alley where the applicant is the record owner of the underlying fee title.

The purpose of the NDP regulations is to establish a review process for proposed development that may be desirable but may have some limited physical impacts on the surrounding properties. The intent of these procedures is to determine if the proposed development complies with the development regulations of the applicable zone, as well as supplemental regulations for the type of development proposed, and to apply limited conditions if necessary to achieve conformance with these regulations.

For this project, the Applicant is requesting to place a portion (i.e. the porch/stairs, 10 feet deep by 24 feet wide) of the Remmen Building in the public ROW. The applicant's consultant submitted findings in support of this request (Attachment E).

Findings

In order to grant approval of a NDP, the following findings must be made:

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

The Project is located along Park Boulevard in the East Village neighborhood of the DCP and the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. The Project, including the 10 foot by 24 foot encroachment of the historic Remmen Building, includes a mix of these permitted uses (residential, office and retail) and will therefore not adversely affect the DCP.

Park Boulevard is a ceremonial street that links Balboa Park to the San Diego bay. The encroachment of the Remmen Building into the ROW adjacent to Park Boulevard allows for better, and less awkward, access to the open space behind it. Moreover, the encroachment serves to better activate the historic resource and integrate it with the Project's urban open space area. The resulting layout is consistent with DCP Goal 3.1-G-2 to maintain a pedestrian-oriented and active street frontage. The Mobility Chapter of the DCP also calls for Park Boulevard to be closed to vehicular traffic and the single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site and allow for an approximately 28 foot wide sidewalk.

Therefore, from a physical design standpoint, the widened sidewalk can adequately accommodate the proposed encroachment. From a policy standpoint, the proposed Project including the encroachment is consistent with and will not adversely affect the applicable land use plans, including but not limited to the DCP, the DMP and the CCPDO.

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

The proposed Project will consist of a mixed-use development, including the encroachment of a designated historical resource into the public ROW. The Project will be compatible with the nearby residential and commercial buildings and consistent with the future planned development of the area. Due to Park Boulevard's widened sidewalks, the proposed encroachment is readily accommodated and will not be detrimental to public health, safety, and welfare.

3. *The proposed development will comply with the applicable regulations of the LDC including any allowable deviations pursuant to the LDC.*

The proposed Project will comply with the applicable regulations of the LDC for an encroachment into the ROW with approval of the NDP. Specific conditions of approval require the continued compliance with all LDC regulations including the approval of encroachment permits from the City.

Map Waiver No. 1773926


The Project also requires approval of a map waiver, which has been processed through the City's Development Services Department. The map waiver will establish one condominium ownership for all of the market rate housing units, one condominium ownership for all of the affordable housing units, and four separate condominium ownerships for the commercial spaces to facilitate the financing of the project and will allow segments of the Project, such as the office or retail space, to be sold to different entities. A draft resolution and conditions of approval for Map Waiver No. 1773926 are included in Attachment H.


Conclusion:


Staff recommends that the Commission grants CCDP/SDP/NDP No. 2016-15 and Map Waiver No. 1773926.

Respectfully submitted,

Concurred by:



Christian Svensk
Senior Planner


Reese A. Jarrett
President


Brad Richter
Assistant Vice President, Planning

Attachments:

- A – Ownership Disclosure Statements
- B – Architectural Narrative (provided by Applicant)
- C – Downtown Design Guidelines
- D – Site Development Permit findings (provided by Applicant)
- E – Neighborhood Development Permit findings (provided by Applicant)
- F – Public Correspondence
- G – DCP/CAP FEIR Consistency Evaluation & MMRP
- H – Historical Resources Board Staff Report
- I – Draft Permit CCDP/ SDP/NDP No. 2016-15 & Resolution
- J –Draft Map Waiver Conditions, Draft Map Waiver Resolution, and Map Waiver Exhibit Basic Concept/Schematic Drawings dated September 30, 2016

	<h2 style="margin: 0;">Ownership Disclosure Statement</h2>
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Approval Type: Check appropriate boxes for type of approval(s) requested:

- | | | |
|--|--|--|
| <input type="checkbox"/> Limited Use Approval | <input type="checkbox"/> Neighborhood Development Permit | <input checked="" type="checkbox"/> Centre City Development Permit |
| <input type="checkbox"/> Temporary Use Permit | <input checked="" type="checkbox"/> Planned Development Permit | <input type="checkbox"/> Gaslamp Quarter Development Permit |
| <input type="checkbox"/> Neighborhood Use Permit | <input checked="" type="checkbox"/> Site Development Permit | <input type="checkbox"/> Marina Development Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Coastal Development Permit | <input type="checkbox"/> Other: _____ |

Project Title: Park & Market

Project Address: Market Street, Park Boulevard, G Street, 11th Avenue - entire block

Assessor Parcel Number(s): 535-134-14

Part 1 – To be completed by property owner when property is held by individual(s)

By signing this Ownership Disclosure Statement, the property owner(s) acknowledges that an application for a permit, map, or other matter, as identified above, will be filed with Civic San Diego on the premises that is the subject of the application, with the intent to record an encumbrance against the property or properties. List below the owner(s) and tenant(s) (if applicable) of the above referenced property or properties; all subject properties must be included. The list must include the names and addresses of all persons who have an interest in the property or properties, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property or properties). Original signatures are required from at least one property owner for each subject property. Attach additional pages if needed. Note: The Applicant is responsible for notifying the Project Planner of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Planner at least thirty days prior to any public hearing on the subject property or properties. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: ☐ Yes ☐ No

Name of Individual (type or print):

Assessor Parcel Number(s): _____

Street Address: _____

City/State/Zip Code: _____

Phone Number: _____

E-mail: _____

Signature: _____

Date: _____

Name of Individual (type or print):

Assessor Parcel Number(s): _____

Street Address: _____

City/State/Zip Code: _____

Phone Number: _____

E-mail: _____

Signature: _____

Date: _____

Project Title: Park & Market

Part 3 – To be completed by all other financially interested parties

List below the names, titles, and addresses of all financially interested parties and state the type of financial interest (e.g., applicant, architect, lead design/engineering professional). Original signatures are required from at least one individual, corporate officer, and/or partner with a financial interest in the application for a permit, map, or other matter, as identified above. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Planner of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Planner at least thirty days prior to any public hearing on the subject property or properties. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: ☒ Yes ☐ No

Name of Individual (type or print):

☐ Applicant ☐ Architect ☐ Other _____

Street Address: _____

City/State/Zip Code: _____

Phone Number: _____

E-mail: _____

Signature: _____

Date: _____

Corporation/Partnership Name (type or print):

HPG Park & Market, LLC

☐ Corporation ☒ LLC ☐ Partnership
☒ Applicant ☐ Architect ☐ Other _____

Street Address: _____

1111 Main Street, Suite 700

City/State/Zip Code: Vancouver, WA 98660

Thomas D. Warren

Name of Corporate Officer/Partner (type or print):

Authorized Signatory

Title: _____

206-465-4569

Phone Number: _____

twarren@hollandpartnersgroup.com

E-mail: _____

[Signature] JUNE 9, 2016

Signature: _____

Date: _____

Name of Individual (type or print):

☐ Applicant ☐ Architect ☐ Other _____

Street Address: _____

City/State/Zip Code: _____

Phone Number: _____

E-mail: _____

Signature: _____

Date: _____

Corporation/Partnership Name (type or print):

CARRIER JOHNSON, INC.

☐ Corporation ☐ LLC ☐ Partnership
☐ Applicant ☒ Architect ☐ Other _____

Street Address: _____

1301 THIRD AVE.

City/State/Zip Code: _____

SAN DIEGO, CA. 92101

Name of Corporate Officer/Partner (type or print):

VINCENT MUDD

Title: _____

MANAGING PRINCIPAL

Phone Number: _____

619-239-2353

E-mail: _____

vem@carrierjohnson.com

Signature: _____

Date: _____

[Signature] 6/14/2016

Park & Market

Holland Partner Group (Clyde Holland Partners, LLC)

Clyde P. Holland, Jr.

HPG Park & Market, LLC

Holland Partner Group Management, Inc.

Clyde P. Holland, Jr.

Rena Holland

Dennis Allen

Mark Bates

Robert Coppess

Tony D'Alto

Jeffery J. Dickerson

Sam Giannini

Mike Grippi

Joel S. Kaplan

Tom Parsons

Reed Ruck

Judy Schneider

Thomas D. Warren

John Wayland

CARRIER JOHNSON
EMPLOYEE CENSUS
AS OF DECEMBER 31, 2014

Name
Aftahi, Niknaz
Aiken, James
Al Bezer, Nasri
Ameen, Farooq
Amott, Alena
Andrade, Aaron H
Angel-McDonald, Jackie
Asad, Lina
Avila, Nicole M.
Bartelt, Jennifer L.
Barry, Allison
Baum, Elizabeth A.
Baumberger, Elisabeth A.
Beck, John
Belsey, Kathryn
Berg, Marianne
Bertolizio-Redhead, Valentina
Bianco-McKay, Brigit
Bissonnette, Viveca
Blackerby, Karen L.
Blair, Cindy
Blankenship, Din
Brem, Ryan
Bretana, Anne
Brown, Dennis M.
Brown-Spiddell, Yolanda
Buckley, Stacy A.
Burke, Megan M.
Burton, Toren
Butler, Elizabeth
Byers, Kristine M.
Calderon, Veronica
Cardosa, Jose
Carrier, Gordon R.
Carroll, Eric A.
Carroll, Holly
Chard, Katee
Cassidy Sabo, Jill
Causey, Jeffrey B.
Cheek, Sarah M.
Combrink, Matthew M.
Comianos, Maha B.
Cramer, Randall P.
Cordelle, Patrick
Cross, Tamela
Davis, Jennifer
Davis, Jerrud O.
DiPalo, Greg
Ditomasso, Deborah I.
Doman, Julie E.
Echols, Leatrice
Edell, Matthew
Engles, Melissa
Escala, Claudia
Farahpovr, Behnam
Ferretti, Danette M.
Fox, Michelle
Frewin, Indre
Fromson, Stuart
Gaines, Jeffrey T.
Gatley, Lauren
Gause, Gregory J.
George, Daphne
Georgescu, Daniela
Georgeson, Scott
Ginn, Dennis
Gomes, Ana
Gonzalez, David C.
Gooden, Dennise K.
Goodwill, Thomas
Goodwin, Ryan

Grant, Gavin
Gray, Katherine E.
Gresseth, John L.
Grove, Mathew L.
Grundy, Meghan P.
Gutierrez, Alejandro
Gutierrez, Abe
Haack, Jr. Jeffrey L.
Haines, Morgan S.
Hagewood, Duane
Hamilton, Matthew S
Hipolite, Gary T.
Hoffman, Michael J.
Holakiewicz, Edward M.
Holakiewicz, Brandon M.
Hultgren, Carey E.
Jetzer, Barbara L.
Johnson, Michael C.
Johnson, Toni M.
Jones, LeRoy
Jones, Stephen L.
Jones, Sabrina L.
Jurgensen, Scott D.
Kabiljo Hawley, Rina
Kalla, Kenneth A.
Kataoka, David
Ke, David
Kearney, Paul H.
Kelly, Trent
Khouri, Sami
Kim, Sandee S
Kress, Kerrie
Krumdelek, Kevin L.
Kubikova, Magdalena
Kung-Kellerer, Allison M.
LaBarre, Michael
Landau, Jennifer C.
Landry, Frank A.
Lantz, Charlotte L.
Latimer, Bryon
Lawrence, Debra L.
Li, Ran
Lloyd, Corinne D.
Lopez, Alberto N.
Lopez, Maria
Loxson, Mark D.
Lyons, Christena M.
Mahon, Patrick
Mannion, Christina
Marr, Kristin R.
Mariscal, Alejandro
Martinez, John
Marzolf, Jacob F.
McCollum, Thomas R.
McCormick, Tamara
McCulley, John R.
Melencelli, Massimo
Mendez, Carlos
Michajlenko, Andrew A.
Mikusky, Patrick
Mitome, Kathleen
Mudd, Vincent
Nagabayashi, Kiyomi
Navarro, Victor
Nay, Mark R.
Noll, Kelly K.
Nova-Acosta, Ana
Ojacastro, William D.
Ogorzalek, David
Osgood, Gwen
Oyakawa, Daniel N.
Parrott, Lyndi M.
Pathare, Atul
Partida, Sergio E.
Peterson, Kyle
Phan, Man V.
Phipps, Kellie A.

Piazza, Vicky J.
Pipal, Phillip G.
Pletkovic, Michelle M.
Polk, Edward G.
Prinzivalli, Onofrio
Pulido, Gabrielan A.
Randlett, Brian W.
Rawlings, Jeanne P.
Reynolds, Lori A.
Rich, Jeremy L.
Richards, Austin
Riggin, Michael
Robinson, Daniel
Rocha, Anemarie H.
Rodak, Alexander R.
Roe, Christopher J.
Rooney, John C.
Rosania, Rebecca
Rowley, Shella
Santo, Noelle W.
Santos, Ernesto M.
Schrader, Steven T.
Schwartz, Zohar
Scott, Tracey
Seelenbacher, Robert P.
Seto, Kristopher S.
Shonkwiler, Gerald W.
Silve, Josefin
Smith, Daniel F.
Smith, Robert
Stanovich-Reed, Charlene B.
Stonehouse, Michael
Swengel, Jennifer A.
Touhey, Christopher
Treadwell, Barbara E.
Tullis, R. Brett
Van, Vinh T.
Varela, Ray
Vazquez, Viviana
Vines, Jessica
Von Kronburg, Joachim Paul
Walker, Monica V.
Ward, Michael A.
Wang, Jun
Whitman, Ann
Wolden, Frank A.
Yamamoto, Akiko H.
Yang, Julie
Yeung, Vinnie
Yohannes, Feben
Yuan, Benjamin C.
Zecchin, Suzanne
Zimmer, Dawn L.
Zirkle, Robert T.
Zubiate, Hermelinda
Bacon, Kristine
Beck, David
Brion, Lena
Cheng, Renee
Crandall, Paula
Driscoll, Robert
Gonzalez, Dina
Kenney, Sarah
Lipsey, Edward
Lyman, Lori
Nastopka, Katherine
Sandoval, Carlos
Seyler, Laura
Vargas Cruz, Francisco
Williams, Rhys
Woolsey Ericson, Kristine

Park and Market

Architectural Narrative

The Park and Market site is located within the center of the East Village community, along Park Boulevard, one of the most evolved streets in Downtown San Diego. Park Boulevard is treated as a ceremonial street, visually and physically linking the Balboa Park to the bay, and was used as the starting point for the architect's urban design approach. The program of this site plays an important role in neighborhood integration, proposing a mixed-use development with distinct high-quality assemblies of buildings and amenities that reflect the unique characters within the area. These characters are important in holding together the design of the buildings and the relationships with open spaces. Park Boulevard has been lined with pedestrian serving uses to activate the street, including the historic Remmen house at the 'G' street intersection. The storefront design is a composition of metal siding and aluminum storefront glazing, with large scale doors, allowing the tenants to open up to the existing widened sidewalk. The Remmen house is envisioned to be retrofitted for restaurant use with open seating areas within the plaza. The seating areas will be raised above the sidewalk, similar the raised foundation of the house. This accomplishes a distinct area for the guests with an overview of the pedestrian activities. The open storefront design, retrofit of the historic house, and public plaza help highlight Park Blvd. and create a significant mid-point on the Park to Bay link.

The open spaces on the site have been designed to not only have distinct individual roles, but are also interlaced together at multiply layers. Influenced by and encircling the existing Remmen house, the plaza has been placed on the corner of Park Blvd. and 'G' Street to celebrate the neighborhood and its moment in time of San Diego history. The corner plaza will serve as a gathering place for the public to use. The space will be activated by the surrounding residential and retail spaces and have enhanced hardscape, landscaping, seating areas, and lively lighting for evening events. The plaza transitions into a stepping amphitheater with the historic house as a backdrop to a framed screen, to be used for cultural and entertainment. This stepping area connects all the uses on site, including the residential pool deck, amenities, and the office space. The amphitheater will be poured in place concrete, forming a mix of steps and ramps for seating and circulation.

The 50,000 square foot office building has been placed on the south side of the site, aligning Market Street. The buildings facades are detailed to create a lower tower element with articulated curtainwall mullions. The patterning and varying depth of vertical fins provide visual interest and a dynamic façade element. The simple form of the building is composed of aluminum and glass, with a refined flush design. Above the office building is another layer of landscaped area, designed as an aesthetic element to surrounding buildings and a sustainable design feature.

The tower, located at corner of 11th Avenue and 'G' Street, takes on the responsibility of being a new icon within East Village. The buildings mass is made of two bars that gesture movement and separation at the top. The Bars are separated by offsetting plans that for balconies for the units. Above the bars break free of each other, one extends another 40 feet. This movement breaks down the massing of the building and a distinct skyline. This stepping allows the tower to fit within the sun access envelope requirement of the site. The East and West façade have been designed with extended balconies that add form to the buildings mass and address the sun exposure. The West façade is wrapped with continuous balconies that highlight the corner facing south. As the tower connects to the podium, the base is carved to form open space for the pool deck and outdoor amenities. This provides a portal connecting the open space to the street, and activating the street front. All the facades will be made of a floor to ceiling glazing system with metal trim that work together to create a multi-layered grid pattern with depth and fine detail. These forms and patterns craft a tower with elegance that adds to the city's skyline

Park & Market

Project Description:

The Park and Market site is located within the center of the East Village community, along Park Boulevard, one of the most evolved streets in Downtown San Diego. Park Boulevard is treated as a ceremonial street, visually and physically linking the Balboa Park to the bay, and was used as the starting point for the architect's urban design approach. The program of this site plays an important role in neighborhood integration, proposing a mixed-use development with distinct high-quality assemblies of buildings and amenities that reflect the unique characters within the area. These characters are important in holding together the design of the buildings and the relationships with open spaces. Park Boulevard has been lined with pedestrian serving uses to activate the street, including the historic Remmen house at the 'G' street intersection. The storefront design is a composition of metal siding and aluminum storefront glazing, with large scale doors, allowing the tenants to open up to the existing widened sidewalk. The Remmen house is envisioned to be retrofitted for restaurant use with open seating areas within the plaza. The seating areas will be raised above the sidewalk, similar the raised foundation of the house. This accomplishes a distinct area for the guests with an overview of the pedestrian activities. The open storefront design, retrofit of the historic house, and public plaza help highlight Park Blvd. and create a significant mid-point on the Park to Bay link.

Our Project includes the following components that total 1,166,300 square feet of development including the exterior rehabilitation of the historically designated Remmen House:

- Large size retail space located along Market Street between Park Blvd. and 11th, approximately 14,600 s.f.
- Commercial/Retail shops along Park Blvd. Approximately 3,000 s.f.
- Remmen House converted to retail use located along Park Blvd. and 'G' Street, 5,000 s.f.
- 4 story Office tower, 50,000 s.f.
- 34 story Residential tower, 480,000 s.f.
- 338 market rate apartments
- 85 affordable housing units
- 5,160 s.f. of Public Plaza (at the corner of 'G' Street & Park Blvd.)
- 3,000 s.f. amphitheater overlooking the Public Plaza
- 614 below-grade parking spaces

SAN DIEGO DOWNTOWN DESIGN GUIDELINES

4.4 Block Modulation and Building Massing

The modulation of a block and the massing of buildings significantly impact how the size of the building is perceived by a person at street level. By breaking up a large building into smaller masses, the building's apparent mass can be reduced, forming a more interesting block. Special attention should be paid to buildings that front onto the public realm, and to relationships between buildings.

4.4.1 Block Modulation

Guidelines

- **4.4.1.A** Full-block building developments should be broken up into distinct volumes that are in proportion to one another, while preserving the integrity of the building's design, and create transitions in bulk and scale. Repetitive elements or monolithic treatments that create a half- or full-block massing or appearance should be avoided.
- **4.4.1.B** In general, downtown blocks should be developed as multiple projects and/or buildings to enhance building variety and fine-grain character (special zones for large-footprint buildings are an exception). In the case of a full-block development, multiple architects could be involved to ensure variety of architectural expression.
- **4.4.1.C** To express variety, avoid monotony and distinguish different building volumes, building design should use a variety of color, material and texture.
- **4.4.1.D** Full-block, commercial high-rise development should not be held to the same above-stated policies but should consider the provision of at-grade public open spaces.
- **4.4.1.E** Tower form should be elegant and slender to allow for sunlight access and visibility of the sky from the street level.



Downtown blocks should be developed as multiple projects to enhance building variety and "fine grain" character. Above, San Diego, CA



To express variety, avoid monotony, and distinguish different building volumes, building design should employ a variety of color, material and texture. Above, Berkeley, CA.



Buildings should be elegant and slender in form to allow for sunlight access and visibility of the sky from the street level. Above, Vancouver, BC.

SAN DIEGO DOWNTOWN DESIGN GUIDELINES

4.5.3

Ground-Floor Residential Use

Guidelines

- **4.5.3.A** The ground floor of residential building facades should be articulated at regular increments to differentiate individual residential units from each other and from the overall massing of the building, to express a rhythm of individual units along the street.
- **4.5.3.B** Street walls containing ground floor residential units should be set back between 3 and 10 feet from any property line fronting a public street. Stoops and landscaping should be provided in this setback to provide a buffer between the sidewalk and the unit's living areas. At least 75 percent of ground floor units should have direct access from the street, and a maximum of two units may share a single stoop.
- **4.5.3.C** Ground-floor residential units should be raised between 18 to 42 inches above the adjacent sidewalk grade to provide an additional buffer.
- **4.5.3.D** A minimum of 25 percent of each street-facing ground-level residential unit between 3 and 12 feet above the sidewalk should possess clear, nonreflective windows. Windowsills should be no higher than 5 feet above the sidewalk level.
- **4.5.3.E** Fences and gates should be utilized within the setback area only if they demarcate private open space attached to a residential unit. Solid walls or fences should not exceed a height of 42 inches above grade. At-grade glass or railings (at least 80 percent open) may reach a height of 60 inches. Gates and railings located on stoops or raised patios should be transparent (clear glass or railings at least 80 percent open) and should not exceed 48 inches in height.
- **4.5.3.F** Each street-facing unit should be identified either on the door or the adjacent wall.



Ground-floor residential building facades should be articulated at regular intervals to differentiate individual residential units. Above, San Diego, CA



Front setback areas in residential projects should be landscaped. Above, San Diego, CA



Ground-level residential entrances should be visible and accessible from the sidewalk. Above, San Diego, CA



Buildings towers should employ a variation in massing and fenestration and material patterns to create visual interest. Above, San Francisco, CA



Multiple towers in one project should display variation in either form or elevation in order to prevent close similarity. Above, Philadelphia, PA



Building design should incorporate appropriate shading devices, balconies, projections and louvers.

4.5.4

Building Tower Design

Guidelines

- **4.5.4.A** All building façades of towers should include a variety of fenestration and material patterns to create visual interest and avoid the appearance of a repeated single floor extrusion. Building façades more than 100 feet in width should consider the use of plane offsets and material changes to create shadows and relief. Some elements of towers should integrate with, and extend into the building base façades to avoid the appearance of towers isolated both from the street and their own bases.
- **4.5.4.B** Designers should carefully study their tower orientation to maximize energy conservation. Although orienting the tower's longer edge along the east-west axis to maximize northern/southern exposure and minimize western exposure is typically preferred, the use of sun-shading devices should be studied on the western and southern facades where appropriate to reduce heat gain.
- **4.5.4.C** Regardless of height or plan variation, no two towers within a project should exhibit identical, or closely similar, form and/or elevations. No tower should be designed to be identical, or closely similar, to another tower located elsewhere in Centre City.
- **4.5.4.D** To create a graceful transition to the sky and avoid a cut off, flat-top appearance, the upper 20 percent of any tower (measured above the base or midzone) should achieve an articulated form and composition by means of architectural techniques such as layering, material changes, fenestration pattern variation and/or physical step-backs. Actual reductions of floor areas and/or recessed balconies can assist this composition goal, but are not required. Tower top designs should resolve mechanical penthouses and other technical requirements in an integrated, coherent manner consistent with the composition below them.



Larger building mass should be broken down into distinct architectural elements to promote visual interest. Above, Seattle, WA



Building facades should include a repeating pattern. Above, Chicago, IL.

4.5.7

Large Floor-Plate Buildings

Large-floor-plate, bulkier buildings are allowed in certain portions of downtown to encourage a greater range of tenants and create employment opportunities. These buildings may encompass a “midzone” between 85 and 185 feet to accommodate office uses which typically require larger single-floor footprints than allowed in tower floor plates. Many opportunities exist to improve their physical design and function, to enhance their architectural design, and enliven the pedestrian environment at street level.

Guidelines

- **4.5.7.A** Larger building mass should be broken down into distinct architectural elements to promote visual interest.
- **4.5.7.B** Façades should be articulated to reduce massive scale and uniform physical appearances.
- **4.5.7.C** Buildings should have variations in rooflines to enhance the variety of massing.
- **4.5.7.D** Where façades face smaller-scale buildings or narrow public streets, setbacks on upper floors are encouraged.
- **4.5.7.E** Windows, wall panels, pilasters and building bays should be based on a module derived from the building's structural bay spacing. Expression of the structural elements and bays of the building on the façade is encouraged.
- **4.5.7.F** Active programs should be placed along public streets and thoroughfares.
- **4.5.7.G** Upper-level courtyards and built-in balconies are encouraged to break up massing and enliven building façades.
- **4.5.7.H** Penthouses are encouraged to reduce the overall façade area of the building and articulate the roofline.
- **4.5.7.I** Street-level frontages adjacent to public streets or open spaces should be articulated with entrances, lobbies, storefront windows and displays to avoid blank ground-floor façades.
- **4.5.7.J** Building façades over 100 feet in length should include a repeating pattern of at least three of the following building elements: color change, texture change, material module change and expression of a structural bay.

4.5 Building Design

These urban design guidelines are established to create a distinct urban character for the downtown area, to ensure that new development is designed with a pedestrian orientation which will foster a vital and active street life while creating an overall positive architectural image for downtown. The design of different elements of a building is critical: tower designs create the skyline image of a city; the mid-portions of buildings provide visual interest to pedestrians and serve as attractive backgrounds for public open spaces; and the ground floor designs activate the street and enrich the pedestrian environment.



Consistent canopies add human scale to the streetscape. Above, Denver, CO.



The building lobby should be designed as a clearly demarcated architectural feature. Above, San Francisco, CA.



Stores should have direct access from the sidewalk and use piers or changes in plan for distinctiveness.. Above, Vancouver, BC.

4.5.1

Ground-Floor Retail/ Commercial Use

Guidelines

- **4.5.1.A** The building lobby in an office, hotel or other commercial building should be designed as a clearly defined and demarcated standout architectural feature of the building.
- **4.5.1.B** Entries to stores and ground-floor commercial uses should be visually distinct from the rest of the store façade, with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color and/or awnings. These entries should have direct at-grade access from the sidewalk.
- **4.5.1.C** All commercial uses located at the street level should provide a direct at-grade entrance from the public right-of-way, with door thresholds flush with the sidewalk level. An entrance should be provided for each tenant street frontage exceeding 50 feet. Where such frontages exceed 100 feet, one entrance should be provided for each 100 feet of frontage or portion thereof. Separate pedestrian entrances for individual tenants should be at least 25 feet apart. Pedestrian ramps within the public right-of-way should be prohibited, except where necessary for required disabled access to existing buildings when no alternative is available.

Site Development Permit – FINDINGS

SDMC Section 126.0504(a)

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

The proposed Park+Market project (Project) is located at the south portion of G Street between 11th Avenue to the west, Park Boulevard to the east, and Market Street to the south. The developer, Holland Partner Group (HPG), is proposing to construct a mixed-use development with distinct, high-quality buildings and amenities that reflect the unique character of the area. The Project is comprised of a thirty-four (34) story tower containing approximately 427 residential units, eighty-six (86) of which will be restricted as affordable housing units; 51,260 square feet (SF) of office space; 22,641 SF of retail space; rehabilitation of the existing local historical resource, the Remmen House; 5,465 SF of public urban open space; a 3,198 SF amphitheater; and a 5,000 SF upper terrace overlooking the public plaza. The Project will also include a four-story subterranean parking garage with 613 parking spaces.

During construction of the Project, the Remmen House will temporarily be relocated two blocks southeast of its existing location. The Remmen House will be offsite for a period of approximately one year. The building will be mothballed per the National Parks Service Preservation Briefs 31: Mothballing Historic Buildings. Once the subterranean parking structure is completed, the Remmen House will be relocated back to the original site on a new foundation at the northeast corner of the parcel. This temporary relocation maximizes the development potential of the site and takes advantage of the opportunity to rotate the structure to create a more engaging thoroughfare and outdoor seating area for the converted historic structure that will be used as a restaurant.

The Project is located within the center of the East Village neighborhood, along Park Boulevard, one of the most important streets in downtown San Diego, as identified by the City. Park Boulevard is treated as a ceremonial street, visually and physically linking Balboa Park to the San Diego bay (Park-to-Bay Link). Trolley lines and southbound vehicular traffic traverses Park Boulevard. Park Boulevard has been lined with pedestrian-serving uses to activate the street. The East Village neighborhood has evolved dramatically within the past decade from a mixture of light industrial and warehouse buildings, artist and design studios, small residential California bungalows and social service providers, to a vibrant residential, employment and entertainment district.

Under the Downtown Community Plan (DCP), the East Village is slated to have the highest residential intensities with accompanying retail, commercial and open space amenities. This Project will meet the following DCP goals and policies:

- Provide for an overall balance of uses – employment, residential, cultural, government and destination –as well as a full compendium of amenities and services. (3.1-G-2.)
- Allow a diverse range of retail establishments that are integrated with the neighborhood centers, and maintain a pedestrian orientation and active street frontage. (3.1-P-4.)
- Maintain a range of development intensities to encourage development of public amenities, retail and other active uses, and that promote affordable housing and conservation of historical resources. (3.2-G-3.)

- Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them. (3.5-G-2.)
- Provide a range of housing opportunities suitable for urban environments and accommodating a diverse population. (3.3-G-1.)
- Continue to promote the production of affordable housing in all of downtown's neighborhoods and districts. (3.4-G-1.)
- Increase the supply of rental housing affordable to low income persons. (3.4-G-3.)
- Promote adaptive reuse of historic resources as an effective means to reduce construction materials, energy and waste. (5.8-P-9.)
- Reinforce the evolving high-intensity Market Street corridor. (6.5-G-2.)
- Protect historic resources to communicate downtown's heritage. (9.1-G-1.)
- Encourage the rehabilitation and reuse of historical resources. (9.1-G-2.)
- Encourage the retention of historical resources on-site with new development. (9.1-P-4.)
- Integrate historic resources into the downtown fabric while achieving significant development and population intensification. (9.2-G-1.)
- Promote the adaptive reuse of intact buildings as a cultural and sustainability goal. (9.2-P-4.)

As shown on the Land Use Map, Figure 3-4 in the DCP, the Project site is in the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. (DCP, pg. 3-7.) A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. This Project includes a number of the permitted uses (residential, office and retail), as encouraged by the DCP. Therefore the Project, including the rotation, rehabilitation and reuse of the historic Remmen House is consistent with the DCP.

Historic Preservation is addressed in Chapter 9 of the DCP. As indicated in Table 9-1 in the DCP, locally designated resources, like the Remmen House, are to be retained on site whenever possible. "Partial retention, relocation or demolition of a resource shall only be permitted through applicable City procedures." The applicable City procedures are established in San Diego Municipal Code (Municipal Code) Chapter 14, Article 3, Division 2, entitled "Historical Regulations." Municipal Code section 143.0210(2)(C) requires a Site Development Permit in accordance with Process Four for any development that proposes to deviate from the development regulations for historical resources described in this division. Substantial alteration of a designated resource by relocation or other means is a deviation from the historical resource regulations and therefore a Site Development Permit, as authorized by Chapter 12, Article 6, Division 5, entitled "Site Development Permit Procedures," is required. The decisionmaker, in this instance the Planning Commission, must make all of the Findings in Section 126.0504(a) and Section 126.0504(h) before the relocation of a locally designated historical resource can occur. Therefore, the processing of this Site Development Permit application is in compliance with the DCP and will not adversely affect this aspect of the applicable land use plan.

The Mitigation Monitoring and Reporting Program (MMRP) for the DCP requires the implementation of Mitigation Measure HIST 1.1-3 if a designated historical resource would be relocated. This Mitigation Measure requires the submission of a Documentation Program that

must include Photo Documentation and Measured Drawings of the resource to the Historical Resources Board Staff for review and approval. Implementation of this Mitigation Measure will be required as a Condition of this Permit.

Under the recently adopted Downtown Mobility Plan, Park Boulevard between E Street and K Street will be closed to vehicular traffic and single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site. To accommodate this, HPG has designed a wider public sidewalk with a double row of trees that interconnects with the public plaza to create an attractive, unique public environment on this important street. Also, in keeping with the East Village's focus on Park Boulevard as a main feature and pedestrian thoroughfare, the City has indicated the desire to rotate the Remmen House as part of the site development to further complement the Downtown Mobility Plan. The City properly believes by rotating the Remmen House to face Park Boulevard, it will further activate Park Boulevard and add an aesthetically pleasing element to the pedestrian-focused thoroughfare.

The Remmen House will be rehabilitated following the completion of its rotation in accordance with the Secretary of the Interior standards and the Centre City Planned District Ordinance (CCPDO).

As such, the proposed Project, including the rotation, rehabilitation of the Remmen House, is consistent with and will not adversely affect the applicable land use plans, including but not limited to the DCP, the Downtown Mobility Plan and the CCPDO.

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

The proposed Project includes the rotation of a local historic resource, the Remmen House, from its orientation towards G Street, a busy auto thoroughfare, onto pedestrian-friendly Park Boulevard for rehabilitation and reuse as a restaurant with outdoor dining and seating that would further activate this area.

Once the four-story subterranean parking structure is completed, the Remmen House will be relocated back to the original site on a new foundation at the northeast corner of the parcel. The Remmen House will be rotated 90 degrees east so that the primary entry will face the Park Boulevard pedestrian thoroughfare facilitating greater public awareness and enjoyment of the Remmen House. The new location and siting will be adjacent to its original location and is compatible with the original character and use of this historical resource.

The rotation, rehabilitation and reuse of the local historic resource will also provide for the health, safety, and welfare of the residents by rotating and rehabilitating the structure in a manner that will meet all building codes in accordance with current construction standards and codes as they apply to historic structures. The proposed Project will also comply with the National Park Service Standards for Relocation – Criterion Consideration B, as required by the City's Historical Resource Guidelines and the Secretary of the Interior's Standards for Rehabilitation of

Historic Structures. The Remmen House has been vacant and inaccessible to the public for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows.

Once returned to the Project site, the Remmen House will be repaired and rehabilitated in accordance with The Secretary of the Interior's Standards for Rehabilitation, which will enable the building to continue to convey its architectural significance while retaining a high degree of its integrity of design, workmanship, materials, feeling and association, for which the Remmen House received its local designation. The primary entry steps will be replicated in-kind using new concrete and salvaged elements where feasible. The square-cut ashlar masonry wall flanking the entry steps, as well as all foundational walls, will be replicated using salvaged square-cut ashlar masonry units where feasible. An elevated outdoor dining/entertainment patio will be built at the south side of the Remmen House that is level with the finished floor inside the structure. The historic foundation walls will retain their original look. Landscape adjacent to the Remmen House along G Street will consist of foundation planting so as to not obscure the north façade of the building.

Other exterior repairs include replacing the existing roofing material with composite shingles, seismically retrofitting or reconstructing original chimneys, stabilizing and/or reconstructing historic rear porches, restoring existing historic windows to working condition, restoring existing front entry doors and replacing damaged doors.

Interior rehabilitation will include the removal of some walls and finishes in order to accommodate new food and beverage use that will enhance overall public access and appreciation for this historic resource. Where feasible, character-defining interior features and finishes shall be preserved and protected in the rehabilitated building.

As the repair and rehabilitation of the Remmen House after its final relocation will be conducted in accordance with The Secretary of the Interior's Standards, and Building Code standards, the Remmen House portion of this Project will not be detrimental to the public health, safety and welfare. The other improvements to the Project site include, but are not limited to, site grading, drainage, walls, fences, lighting, an irrigation system, landscaping and ongoing maintenance of the property by HPG and its subsequent owner. As such, the proposed Project will not be detrimental to the public health, safety and welfare.

With regards to other portions of the Project, there will not be detriment to the public health, safety and welfare because mitigation measures have been included in the MMRP to mitigate Project impacts on the environment. In addition, the Site Development Permit and other permits prepared for the Project contain numerous conditions of approval that require the Project comply with applicable regulations of the San Diego Municipal Code adopted to avoid adverse impacts to the health, safety and general welfare of persons residing in and working in the surrounding area. The standard conditions of approval require Project compliance with applicable building, fire, mechanical and plumbing codes. The affordable housing units provided by the Project are consistent with the City's Affordable Housing Ordinance and contributes to promoting the general welfare of low-income residents.

With the inherent risks for potential accidental destruction of the historic resource that adjacent construction would have, maintaining the Remmen House at its current location would create unbuildable land area on this site, increase the necessary deviation from the CCPDO provision regarding the required street wall along the public right of way significantly and fail to contribute to Mobility Plan's goal for activating Park Boulevard. Moreover, maintaining the Remmen House in its current location will require HPG to create an additional subterranean level, at a substantial cost, in order to provide adequate parking. At a cost of approximately sixty thousand dollars (\$60,000) per parking stall and approximately 150 stalls in a new level of underground parking, the cost of avoiding underground parking under the Remmen House would be nearly nine million dollars (\$9,000,000). Additionally, without the relocation and rotation, the resource would create problematic adjacencies in terms of the massing and scale of the new development. The proposed temporary relocation and rotation of the Remmen House will result in a vastly improved project in terms of urban and project design.

The proposed Project complies with the Urban Design Regulations of the CCPDO (SDMC § 156.0311), the Performance Standards of the CCPDO (SDMC § 156.0312) and the Residential Off-Street Parking Space Requirements of the CCPDO (SDMC § 156.0313). The proposed Project will revitalize this East Village block and the relocated, rotated and restored Remmen House will welcome the public to an indoor-outdoor dining experience occupying the northeast corner of the block and integrate the Park Boulevard pedestrian thoroughfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Project proposes to temporarily relocate the Remmen House two blocks southeast of its existing location while construction of a subterranean garage is being completed at the Project site. The Remmen House will be offsite for a period of approximately one year. Prior to the relocation, the ashlar stone foundation walls, concrete entry steps and remaining extant brick chimney will be documented, catalogued, salvaged and stored. The non-original exterior stairs and non-original deck at the rear of the building will be removed. The main structure will be transported in one piece to a vacant lot at 1301 Market Street. The building will be mothballed per the National Parks Service Preservation Briefs 31: Mothballing Historic Buildings.

Once the four-story subterranean parking structure is completed, the Remmen House will be relocated back to the original site on a new foundation at the northeast corner of the parcel. The Remmen House will be rotated 90 degrees east so that the primary entry will face the Park Boulevard pedestrian thoroughfare facilitating greater public awareness and enjoyment of the Remmen House. The new location and siting will be adjacent to its original location and is compatible with the original character and use of this historical resource. Accordingly, the temporary relocation of the house is part of a definitive series of action that will assure its preservation once returned to the property.

This is particularly true compared to the current condition of the home. The Remmen House has been vacant and inaccessible to the public for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows. Inspection of the building

disclosed a dirty interior and a few broken windows and a broken interior door. However, the exterior and interior of the building remain in good overall condition. Once returned to the Project site, the Remmen House will be repaired and rehabilitated in accordance with The Secretary of the Interior's Standards for Rehabilitation, which will enable the building to continue to convey its architectural significance while retaining a high degree of its integrity of design, workmanship, materials, feeling and association, for which the Remmen House received its local designation.

The Project will comply with CCPDO in the following ways:

- The Project is located within the ER land use district that is intended incorporate a mix of residential, office and commercial uses.
- The Project will comply with the established minimum floor area ratio of 10.0 for this land use district, as required by the Request for Proposals (RFP) solicited by the City of San Diego for the property.
- The Project will comply with CCPDO's Development Regulations pertaining to lot size, minimum building setbacks, building heights, building bulk, building base, ground floor heights and residential development regulations, with the deviations properly authorized through a Centre City Planned Development Permit.
- The Project will comply with the CCPDO's Urban Design Regulations pertaining to building orientation, façade articulation, street level design, glass and glazing, exterior projection balconies, rooftops, building identification, regulations pertaining to historical resources requiring a Site Development Permit, additional standards for residential development, additional standards for main streets, and urban open space design guidelines.
- The Project will comply with the CCPDO's Off Street Parking and Loading Standards

The proposed Project complies with all relevant regulations of the Land Development Code for the rotation, rehabilitation and reuse of historic resources. With regard to non-Remmen House portions of the Project, specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into this Site Development Permit and the Project's Centre City Development Permit. The relevant Land Development Code's Planning and Development Regulations for topics not addressed in the CCPDO are contained in Chapter 14 of the Land Development Code, and include: grading, draining, landscape, parking, refuse and recyclable materials storage, mechanical and utility equipment storage, loading, building, electrical and plumbing. Development of the Project will comply with all requirements of these regulations. The Project's allowable deviations are permitted with the adoption of the Project's Centre City Planned Development Permit findings, which are incorporated by reference herein. Concept plans for the Project identify all other development criteria in effect for the site. Finally, the Staff Report for the Design Review Committee meeting on July 13, 2016 for the Project, incorporated by reference herein, includes a chart that identifies the Project's compliance with applicable density regulations, affordable housing regulations, parking regulations and parking regulations. In these ways the proposed Project will comply with the applicable and relevant regulations of the Land Development Code, as allowed through the approval of a Site Development Permit.

Supplemental Findings – Historical Resource Deviation for Relocation of a Designated Historical Resource
SDMC Section 126.0504(h)

- 1. There are no feasible measures, including maintaining the resource on site, that can further minimize the potential adverse effects on historical resources;**

The proposed Project is located at the south portion of G Street between 11th Avenue to the west, Park Boulevard to the east, and Market Street to the south. The developer, HPG, is proposing to construct a mixed-use development with distinct, high-quality buildings and amenities that reflect the unique character of the area. The Project includes the rehabilitation of the existing local historical resource, the Remmen House. A subterranean parking garage as well as new buildings will be introduced on site for residential, office and retail spaces, in conjunction with public open space. The alternative of maintaining the Remmen House in its current location is not feasible and would be more environmentally damaging than temporarily relocating it offsite. With the subterranean garage and related construction, it is not feasible to maintain the Remmen House on site during construction because the risk of a construction-related accident and loss of subterranean support damaging this historic resource is too high. Even if it were economically feasible to spend at least an additional nine million dollars (\$9,000,000) to construct an additional subterranean parking level to avoid any subterranean construction under the Remmen House, while the risk of damage to the Remmen Housing during construction of the Project is a potential factor as well. For example, while the site around the Remmen House is under construction, there is a possibility the structure could be damaged due to the significant activity with heavy equipment traffic and materials being installed directly adjacent and overhead of the house. Accordingly, it is not technically feasible, economically feasible, or desirable to leave the Remmen House on-site during Project construction. Maintaining the resource “as is” would preclude new above ground construction in the surrounding areas as well subterranean development. This alteration would impact the overall development potential of the Project site, making development consistent with the DCP and the City’s RFP infeasible. However, as discussed below, the relocation is only temporary and will be accomplished in a manner that minimizes the potential adverse effects on this historic resource.

The Project proposes to temporarily relocate the Remmen House two blocks southeast of its existing location while construction of a subterranean garage is being completed at the Project site. The Remmen House will be offsite for a period of approximately one year. Prior to the relocation, the ashlar stone foundation walls, concrete entry steps and remaining extant brick chimney will be documented, catalogued, salvaged and stored. The non-original exterior stairs and non-original deck at the rear of the building will be removed. The main structure will be transported in one piece to a vacant lot at 1301 Market Street. The building will be mothballed per the National Parks Service Preservation Briefs 31: Mothballing Historic Buildings.

Once the four-story subterranean parking structure is completed, the Remmen House will be relocated back to the original site on a new foundation at the northeast corner of the parcel. The Remmen House will be rotated 90 degrees east so that the primary entry will face the Park Boulevard pedestrian thoroughfare facilitating greater public awareness and enjoyment of the

Remmen House. The new location and siting will be adjacent to its original location and is compatible with the original character and use of this historical resource.

Implementation of a Site Development Permit for relocation requires the development of detailed, step-by-step Treatment Plan that will govern what happens to the resource from start to finish. A Treatment Plan will need to be approved by the Historical Resources staff, City Development Services Department and Civic San Diego staff. The Treatment Plan must describe in detail how the resource will be prepared for its removal from the current site, how it will be transported to the temporary site, how the ultimate receiving site will be prepared to receive and incorporate the rehabilitated resource into the new development on that site, and how the relocated resource will be ultimately finished on the interior and exterior to serve as a component of the proposed new development or not. The proposed Treatment Plan for the Remmen House is on file with the Development Services Department.

The Remmen House has been vacant for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows. Inspection of the building disclosed a dirty interior and a few broken windows and a broken interior door. However, the exterior and interior of the building remain in good overall condition. Once returned to the Project site, the Remmen House will be repaired and rehabilitated in accordance with The Secretary of the Interior's Standards for Rehabilitation, which will enable the building to continue to convey its architectural significance while retaining a high degree of its integrity of design, workmanship, materials, feeling and association, for which the Remmen House received its local designation. The primary entry steps will be replicated in-kind using new concrete and salvaged elements where feasible. The square-cut ashlar masonry wall flanking the entry steps, as well as all foundational walls, will be replicated using salvaged square-cut ashlar masonry units where feasible. An elevated outdoor dining/entertainment patio will be built at the south side of the Remmen House that is level with the finished floor inside the structure. The south historic foundation walls will retain their historic look. Landscape adjacent to the Remmen House along G Street will consist of foundation planting so as to not obscure the north façade of the building.

Other exterior repairs include replacing the existing roofing material with composite shingles, seismically retrofitting or reconstructing original chimneys, stabilizing and/or reconstructing historic rear porches, replacing any broken glass windows, restoring existing historic windows to working condition, restoring existing front entry doors and replicating damaged and missing rear porch doors.

Interior rehabilitation will include the removal of some walls and finishes in order to accommodate new food and beverage use that will enhance overall public access and appreciation for this historic resource. Where feasible, character-defining interior features and finishes shall be preserved and protected in the rehabilitated building.

As the repair and rehabilitation of the Remmen House after its final relocation will be conducted in accordance with The Secretary of the Interior's Standards, the Project would not eliminate the resource from its architectural association as an important example of this period of San Diego history (early 1900s). With the mitigation measures identified herein and in the Historical Resources Technical Report prepared by Heritage Architecture & Planning, the temporary

relocation and rotating will result in impacts to the historical resource below a level of significance. Accordingly, there are not feasible measures that can further minimize the potential adverse effects on the local historic resource.

The Remmen House is envisioned to be rehabilitated for retail food and beverage use with open seating areas within the Project's plaza. The seating area will be raised above the sidewalk, similar to the raised foundation of the historic house. This will create a distinct area for the guests with an overview of the pedestrian activities. The open storefront design, rehabilitation of the Remmen House and public plaza will highlight Park Boulevard and create a significant mid-point on the Park Boulevard.

Section 143.0201 of the Land Development Code states the purpose of the Historical Resources Regulations "is to protect, preserve and, where damaged, restore the *historical resources* of San Diego, which include *historical buildings, historical structures or historical objects, important archaeological sites, historical districts, historical landscapes, and traditional cultural properties*. These regulations are intended to assure that *development* occurs in a manner that protects the overall quality of *historical resources*. It is further the intent of these regulations to protect the educational, cultural, economic, and general welfare of the public, while employing regulations that are consistent with sound historical preservation principles and the rights of private property owners." The educational needs of the public and also therefore the cultural, economic and general welfare of the public will be served by the rotation of the local historic resource, as part of the proposed Project, for rehabilitation and reuse of the Remmen House as required by the Historical Resources Regulations as stated in the Land Development Code section 143.0201 and a Site Development Permit to permit this work is warranted.

Leaving the Remmen House in its current position and "building around it" would fail to meet the objectives of Section 143.0201 as described above. With the subterranean garage and related construction, it is not feasible to maintain the Remmen House on site during construction because the risk of a construction-related accident and loss of subterranean support damaging this historic resource is too high. Additionally, maintaining the resource "as is" would preclude new above ground construction in the surrounding areas as well subterranean development. This alternative would impact the overall development potential of the Project site, making development with the DCP and the City's RFP infeasible. Moreover, maintaining the Remmen House in its current location would cause HPG to add an additional subterranean floor in order to provide adequate parking. This additional parking level would include 150 parking stalls, which cost approximately sixty thousand dollars (\$60,000) each. The total cost for this additional subterranean floor would be at least nine million dollars (\$9,000,000), making it an economically infeasible alternative. Moreover, even if it were feasible or desirable to spend nine million dollars (\$9,000,000) to avoid any subterranean construction under the Remmen House, the risk of a construction accident damaging the Remmen House is another factor. For example, while the site around the Remmen House is under construction, there is a possibility the structure could be damaged due to the significant activity with heavy equipment traffic and materials being installed directly adjacent and overhead of the house. Accordingly, it is also technically infeasible to leave the Remmen House on the Project site during construction.

2. The proposed relocation will not destroy the historical, cultural, or architectural values of the historical resource, and the relocation is part of a definitive series of actions that will assure the preservation of the designated historical resource;

The proposed Project is located at the south portion of G Street between 11th Avenue to the west, Park Boulevard to the east, and Market Street to the south. The developer, HPG, is proposing to construct a mixed-use development with distinct, high-quality buildings and amenities that reflect the unique character of the area. The Project includes the rehabilitation of the existing local historical resource, the Remmen House. A subterranean parking garage as well as new buildings will be introduced on site for residential, office and retail spaces.

As such, this deviation from the standard protective historical resource regulations is the minimum necessary to afford relief and accommodate the development of the Project site in accordance with the density and other provisions of the CCPDO. Feasible mitigation measures to mitigate for the Project's proposed short distance, temporary relocation of the Remmen House will be implemented pursuant to the MMRP, which requires the preparation of a Documentation Program consisting of a Historic American Buildings Survey (HABS) for the property prior to the start of construction. The HABS is no file with the Development Services Department.

The relocation of a designated historical resource is permitted in the pursuant to Municipal Code section 126.0504(h), which requires a discretionary Site Development Permit for that exact purpose. Such permit also requires that the relocated resource be subsequently rehabilitated in accordance with the Secretary of the Interior's Standards for Rehabilitation as part of an approved Treatment plan under the supervision of appropriate City staff. Since 1972, at least fifteen (15) designated San Diego historical resources have been relocated pursuant to this Municipal Code section or its predecessors and three other resources have recently been approved for relocation within Centre City.

The Project proposes to temporarily relocate the Remmen House two blocks southeast of its existing location while construction of a subterranean garage is being completed at the Project site. The Remmen House will be offsite for a period of approximately one year. Prior to the relocation, the ashlar stone foundation walls, concrete entry steps and remaining extant brick chimney will be documented, catalogued, salvaged and stored. The non-original exterior stairs and non-original deck at the rear of the building will be removed. The main structure will be transported in one piece to a vacant lot at 1301 Market Street. The building will be mothballed per the National Parks Service Preservation Briefs 31: Mothballing Historic Buildings.

Once the subterranean parking structure is completed, the Remmen House will be relocated back to the original site on a new foundation at the northeast corner of the parcel. The Remmen House will be rotated 90 degrees east so that the primary entry will face the Park Boulevard pedestrian thoroughfare facilitating greater public awareness and enjoyment of the Remmen House. The new location and siting will be adjacent to its original location and is compatible with the original character and use of this historical resource. Accordingly, the temporary relocation of the house is part of a definitive series of action that will assure its preservation once returned to the property.

This is particularly true compared to the current condition of the home. The Remmen House has been vacant for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows. However, the exterior and interior of the building remain in good overall condition. Once returned to the Project site, the Remmen House will be repaired and rehabilitated in accordance with The Secretary of the Interior's Standards for Rehabilitation, which will enable the building to continue to convey its architectural significance while retaining a high degree of its integrity of design, workmanship, materials, feeling and association, for which the Remmen House received its local designation. The primary entry steps will be replicated in-kind using new concrete and salvaged elements where feasible. The square-cut ashlar masonry wall flanking the entry steps, as well as all foundational walls, will be replicated using salvaged square-cut ashlar masonry units where feasible. An elevated outdoor dining/entertainment patio will be built at the south side of the Remmen House that is level with the finished floor inside the structure. The south historic foundation walls will retain their historic look. Landscape adjacent to the Remmen House along G Street will consist of foundation planting so as to not obscure the north façade of the building. Accordingly, the proposed relocation will not destroy the historical, cultural, or architectural values of the historical resource.

Other exterior repairs include replacing the existing roofing material with composite shingles, seismically retrofitting or reconstructing original chimneys, stabilizing and/or reconstructing historic rear porches, replacing any broken glass, restoring existing historic windows to working condition, and restoring existing front entry doors.

Interior rehabilitation will include the removal of some walls and finishes in order to accommodate new food and beverage use that will enhance overall public access and appreciation for this historic resource. Where feasible, character-defining interior features and finishes shall be preserved and protected in the rehabilitated building.

As the repair and rehabilitation of the Remmen House after its final relocation will be conducted in accordance with The Secretary of the Interior's Standards, the Project would not eliminate the resource from its architectural association as an important example of this period of San Diego history (early 1900s). With the mitigation measures identified herein and in the Historical Resources Technical Report prepared by Heritage Architecture & Planning, the temporary relocation and rotating will result in impacts to the historical resource below a level of significance. Accordingly, the proposed relocation will not destroy the historical, cultural, or architectural values of the historical resource, and the relocation is part of a definitive series of actions that will assure the preservation of the designated historical resource.

The Remmen House is envisioned to be rehabilitated for retail food and beverage use with open seating areas within the Project's plaza. The seating area will be raised above the sidewalk, similar to the raised foundation of the historic house. This will create a distinct area for the guests with an overview of the pedestrian activities. The open storefront design, rehabilitation of the Remmen House and public plaza will highlight Park Boulevard and create a significant mid-point on the Park Boulevard.

Consequently, the Proposed relocation of the Remmen House will not destroy the historical, cultural or architectural values of the historical resource and the relocation is a part of a definitive series of actions that will assure the preservation of the resource.

3. There are special circumstances or conditions apart from the existence of historical resources, applying to the land that are peculiar to the land and are not of the applicant's making, whereby the strict application of the provisions of the historical resources regulations would deprive the property owner of reasonable use of the land.

Municipal Code section 156.0311(j) of the CCPDO provides that historical resources should be retained and integrated into large development projects, with adaptive reuse, where feasible. If a proposed development may have a significant impact on a historical resource and the City determines that no feasible alternative exists that would preserve the historical resource on its existing site, the City will determine if the relocation of the historical resource to a site within the CCPDO is feasible. In this instance, it is feasible to temporarily relocate the Remmen House two blocks southeast of its existing location and then return it to the original site on a new foundation at the northeast corner of the Project site once construction of the required subterranean parking and site development is completed.

The MMRP for the DCP acknowledges that local historical resources should be retained on-site whenever possible and that partial retention, relocation or demolition of a resource shall only be permitted according to Chapter 14, Article 3, Division 2 of the Historical Resources Regulations of the Land Development Code. The instant proceedings are in accordance with those Land Development Code Regulations.

The Project is located within the center of the East Village neighborhood, along Park Boulevard, one of the most important streets in downtown San Diego, as identified by the City. Park Boulevard is treated as a ceremonial street, visually and physically linking Balboa Park to the San Diego bay (Park-to-Bay Link). Trolley lines and southbound vehicular traffic traverses Park Boulevard. Park Boulevard has been lined with pedestrian-serving uses to activate the street. The area has evolved dramatically within the past decade from a mixture of light industrial and warehouse buildings, artist and design studios, small residential California bungalows and social service providers, to a vibrant residential, employment and entertainment district.

In keeping with the East Village's focus on Park Boulevard as a main feature and pedestrian thoroughfare, the City has indicated the desire to rotate the Remmen House as part of the site development to further complement the Downtown Mobility Plan. The City properly believes by rotating the Remmen House to face Park Boulevard, it will further activate Park Boulevard and add an aesthetically pleasing element to the pedestrian-focused thoroughfare.

The Remmen House is envisioned to be rehabilitated for retail food and beverage use with open seating areas within the Project's plaza. The seating area will be raised above the sidewalk, similar to the raised foundation of the historic house. This will create a distinct area for the guests with an overview of the pedestrian activities. The open storefront design, rehabilitation of

the Remmen House and public plaza will highlight Park Boulevard and create a significant mid-point on the Park-to-Bay Link.

The City's RFP required the provision of below-grade parking spaces to provide parking spaces. In order to accommodate the total 613 parking spaces proposed, of which only 478 spaces are required by the San Diego Municipal Code, HPG was required to include a four-story subterranean parking structure in the Project design. In order to avoid potential harm or destruction to the historical resource, the Remmen House will need to be relocated during the construction period of the subterranean structure. HPG cannot proceed with development without committing to providing the parking spaces underground, which, in turn, requires the temporary relocation of the Remmen House or the inclusion of a fifth subterranean level at a cost of at least nine million dollars (\$9,000,000). Without relocating the Remmen House, it is vulnerable to accidental damage during construction of the rest of the Project, including the thirty-four (34) story tower overhead.

Finally, particular to the land and apart from the existence of the historic resource, prior to the HPG's involvement in the property, the City dedicated the easternmost 28 feet of the City block for right-of-way purposes in order to facilitate its vision for an activated Park-to-Bay Link. The Project site is one of only two City blocks along Park Boulevard to dedicate this wider strip of land to right-of-way uses. Accordingly, the development requirements of the RFP must be satisfied on a smaller developable City block than would normally be the case making it infeasible for the applicant to construct the project within that smaller area and completely avoid impacts to the Remmen House if it were left on site during construction.

Neighborhood Development Permit – Findings

SDMC Section 126.0404(a)

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

The proposed Park+Market project (Project) is located at the south portion of G Street between 11th Avenue to the west, Park Boulevard to the east, and Market Street to the south. The developer, Holland Partner Group (HPG), is proposing to construct a mixed-use development with distinct, high-quality buildings and amenities that reflect the unique character of the area. The Project is comprised of a thirty-four (34) story tower containing approximately 427 residential units, eighty-six (86) of which will be restricted as affordable housing units; 51,260 square feet (SF) of office space; 22,641 SF of retail space; rehabilitation of the existing local historical resource, the Remmen House; 5,465 SF of public urban open space; a 3,198 SF amphitheater; and a 5,000 SF upper terrace overlooking the public plaza. The Project will also include a four-story subterranean parking garage with 613 parking spaces.

The Project is located within the center of the East Village neighborhood, along Park Boulevard, one of the most important streets in downtown San Diego, as identified by the City. Park Boulevard is treated as a ceremonial street, visually and physically linking Balboa Park to the San Diego bay (Park-to-Bay Link). Trolley lines and southbound vehicular traffic traverses Park Boulevard. Park Boulevard has been lined with pedestrian-serving uses to activate the street. The East Village neighborhood has evolved dramatically within the past decade from a mixture of light industrial and warehouse buildings, artist and design studios, small residential California bungalows and social service providers, to a vibrant residential, employment and entertainment district.

Under the Downtown Community Plan (DCP), the East Village is slated to have the highest residential intensities with accompanying retail, commercial and open space amenities. This Project will meet the following DCP goals and policies:

- Provide for an overall balance of uses – employment, residential, cultural, government and destination – as well as a full compendium of amenities and services. (3.1-G-2.)
- Allow a diverse range of retail establishments that are integrated with the neighborhood centers, and maintain a pedestrian orientation and active street frontage. (3.1-P-4.)
- Maintain a range of development intensities to encourage development of public amenities, retail and other active uses, and that promote affordable housing and conservation of historical resources. (3.2-G-3.)
- Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them. (3.5-G-2.)
- Provide a range of housing opportunities suitable for urban environments and accommodating a diverse population. (3.3-G-1.)
- Continue to promote the production of affordable housing in all of downtown's neighborhoods and districts. (3.4-G-1.)
- Increase the supply of rental housing affordable to low income persons. (3.4-G-3.)
- Promote adaptive reuse of historic resources as an effective means to reduce construction materials, energy and waste. (5.8-P-9.)
- Reinforce the evolving high-intensity Market Street corridor. (6.5-G-2.)

- Site and design new parking structures to accommodate parking needs for multiple land uses to the extent possible. (7.4-G-2.)
- Locate public parking resource(s) near each Neighborhood Center to provide short-term parking for merchants and businesses. (7.4-G-4.)
- Ensure that all public parking structures maximize the potential for subterranean parking and incorporate other uses at higher floors when feasible. (7.4-P-6.)
- Public parking facilities shall be located near transit corridors and pedestrian priority zones to maintain and enhance public access. (7.4-p-8.)
- Protect historic resources to communicate downtown's heritage. (9.1-G-1.)
- Encourage the rehabilitation and reuse of historical resources. (9.1-G-2.)
- Encourage the retention of historical resources on-site with new development. (9.1-P-4.)
- Integrate historic resources into the downtown fabric while achieving significant development and population intensification. (9.2-G-1.)
- Promote the adaptive reuse of intact buildings as a cultural and sustainability goal. (9.2-P-4.)

As shown on the Land Use Map, Figure 3-4 in the DCP, the Project site is in the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. (DCP, pg. 3-7.) A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. This Project includes a number of the permitted uses (residential, office and retail), as encouraged by the DCP.

Park Boulevard will be closed to vehicular traffic and single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site. To accommodate this, HPG has designed a wider public sidewalk with a double row of trees that interconnects with the public plaza to create an attractive, unique public environment on this important street. Based on the Title Report, the Project site is located on APN 535-134-14 with encroachments proposed on APN 535-134-09, which is owned by the City. The Project proposes to accommodate the historic Remmen House porch (part of the proposed restaurant use of the Remmen House) within the encroachment area on the public sidewalk in order to activate the Park Boulevard walkway and integrate it with the Project's open space area. This is consistent with the DCP policy to maintain a pedestrian-oriented and active street frontage. (DCP Goal 3.1-G-2.)

In addition, subterranean encroachments into the City's right-of-way are anticipated in the DCP and Centre City Planned District Ordinance (CCPDO) to support private development to achieve the goals of the DCP. (SDMC § 156.0311(h)(4).) The proposed subterranean garage encroachment would not prohibit installation of required street trees or otherwise impact the Project's ability to comply with other development standards. Without any at- or above-grade impacts, the subterranean garage encroachment will not adversely affect the DCP. It will help achieve its goals identified under the DCP and Mobility Plan by providing adequate parking, while maintaining the neighborhood's existing character and maintaining the emphasis on Park Boulevard as a pedestrian thoroughfare.

As such, the proposed Project, including the subterranean parking and Remmen House encroachments, is consistent with and will not adversely affect the applicable land use plans, including but not limited to the DCP, the Downtown Mobility Plan and the CCPDO.

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

The proposed development will not be detrimental to the public health, safety, and welfare. Compliance with California Building Code regulations and City Council Policy 700-18 for subterranean encroachments into the City right-of-way will be required to ensure such encroachments are not detrimental to the health, safety, and welfare of the public. Review of compliance with these regulations shall occur during the construction permit review. Therefore, the proposed Project will not be detrimental to the public health, safety, and welfare.

The Remmen House will be repaired and rehabilitated in accordance with The Secretary of the Interior's Standards for Rehabilitation, which will enable the building to continue to convey its architectural significance while retaining a high degree of its integrity of design, workmanship, materials, feeling and association, for which the Remmen House received its local designation. The elevated outdoor dining/entertainment patio will be built at the south side of the Remmen House in order to integrate the Remmen House with the Project's open space plaza.

With regards to other portions of the Project, it will not be detriment to the public health, safety and welfare because mitigation measures have been included in the Mitigation Monitoring and Reporting Program (MMRP) to mitigate Project impacts on the environment. In addition, the Neighborhood Development Permit and other permits prepared for the Project contain numerous conditions of approval that require the Project comply with applicable regulations of the San Diego Municipal Code (Municipal Code) adopted to avoid adverse impacts to the health, safety and general welfare of persons residing in and working in the surrounding area. The standard conditions of approval require Project compliance with applicable building, fire, mechanical and plumbing codes. The affordable housing units provided by the Project are consistent with the City's Affordable Housing Ordinance and contributes to promoting the general welfare of low-income residents.

The proposed Project complies with the Urban Design Regulations of the CCPDO (SDMC § 156.0311), the Performance Standards of the CCPDO (SDMC § 156.0312) and the Residential Off-Street Parking Space Requirements of the CCPDO (SDMC § 156.0313). The proposed Project will revitalize this East Village block and the relocated, rotated and restored Remmen House will welcome the public to an indoor-outdoor dining experience occupying the northeast corner of the block and integrate the Park Boulevard pedestrian thoroughfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Project will comply with the applicable regulations of the Municipal Code, including any allowable deviations pursuant thereto. The Section 129.0710(b)(4) of the Municipal Code stipulates that a Neighborhood Development Permit is required for construction of a privately owned structure in the right-of-way dedicated for a street or an alley, where the applicant is the has permission from the record owner of the underlying fee title. HPG is not the record owner of the underlying fee title; however, with the approval of the Neighborhood Development Permit, the City can properly grant permission for the subterranean and porch encroachment so long as the findings of a Neighborhood Development Permit can be made as described herein.

The Project will comply with CCPDO in the following ways:

- The Project is located within the ER land use district that is intended incorporate a mix of residential, office and commercial uses.
- The Project will comply with the established maximum floor area ratio of 13.5 for this land use district.
- The Project will comply with CCPDO's Development Regulations pertaining to lot size, minimum building setbacks, building heights, building bulk, building base, ground floor heights and residential development regulations, with the deviations properly authorized through a Centre City Planned Development Permit.
- The Project will comply with the CCPDO's Urban Design Regulations pertaining to building orientation, façade articulation, street level design, glass and glazing, exterior projection balconies, rooftops, building identification, regulations pertaining to encroachments requiring a Neighborhood Development Permit, additional standards for residential development, additional standards for main streets, and urban open space design guidelines.
- The Project will comply with the CCPDO's Off Street Parking and Loading Standards

The proposed Project complies with all relevant regulations of the Land Development Code for the subterranean parking and outdoor seating areas. With regard to other portions of the Project, specific conditions of approval require the continued compliance with all relevant regulations of the City effective for this site and have been written as such into this Neighborhood Development Permit and the Project's Centre City Development Permit. The relevant Land Development Code's Planning and Development Regulations for topics not addressed in the CCPDO are contained in Chapter 14 of the Land Development Code, and include: grading, draining, landscape, parking, refuse and recyclable materials storage, mechanical and utility equipment storage, loading, building, electrical and plumbing. Development of the Project will comply with all requirements of these regulations. The Project's allowable deviations are permitted with the adoption of the Project's Centre City Planned Development Permit findings, which are incorporated by reference herein. Concept plans for the Project identify all other development criteria in effect for the site. Finally, the Staff Report for the Design Review Committee meeting on July 13, 2016 for the Project, incorporated by reference herein, includes a chart that identifies the Project's compliance with applicable density regulations, affordable housing regulations, parking regulations and parking regulations. In these ways the proposed

Project will comply with the applicable and relevant regulations of the Land Development Code, as allowed through the approval of a Neighborhood Development Permit.



East Village Business Improvement District

September 26, 2016

Reese Jarrett, President
Civic San Diego
401 B St. 4th Floor – sent electronically
San Diego, CA 92101

Re: East Village Association, Inc. (EVA) comments regarding the Park and Market project

Dear Reese:

The East Village Association, Inc. (EVA) is the nonprofit organization that manages the East Village Business Improvement District, representing more than 700 members and more than 13,000 residents. The EVA Pre-Design committee received a presentation from Duane Hagewood on the Park and Market project. The committee requested an updated presentation in a few months and asked if the development could incorporate Quartyard in their plans.

If you have questions, please contact Lisa Lem, EVA Executive Director via email at board@eastvillagesandiego.com or call 619.546.5636.

Sincerely,

A handwritten signature in blue ink that reads 'David Hazan'.

David Hazan, President
East Village Association, Inc.

cc: Brad Richter, Assistant Vice President, Planning, Civic San Diego

**DOWNTOWN
FINAL ENVIRONMENTAL IMPACT REPORT (Downtown FEIR)
CONSISTENCY EVALUATION
FOR THE
PARK & MARKET PROJECT**

September 7, 2016

Prepared for: HPG Park & Market, LLC
1111 Main Street, Suite 700
Vancouver, WA 98660

Prepared by: Civic San Diego
401 B Street, Suite 400
San Diego, CA 92101

Downtown FEIR Consistency Evaluation

1. PROJECT TITLE: Park & Market ("Project")

2. DEVELOPER: HPG Park & Market, LLC

3. PROJECT LOCATION: The Project site is an approximately 51,600 square-foot (SF) site on the block bounded by Park Boulevard, Eleventh Avenue, Market and G streets in the East Village neighborhood of the Downtown Community Plan (DCP) area ("Downtown").

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

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

The site slopes down approximately four feet in either direction from the corner of Park Boulevard and G Street. The site is currently used as a surface parking lot, and "Quartyard," a public space consisting of temporarily installed shipping containers housing food and beverage uses, a stage for live performances and an off-leash dog area. Additionally, the vacant Remmen Building, a designated local historic resource (circa 1907, HRB SR 426), is located on the northeast corner of the site.

The project site is in the Employment/Residential Mixed-Use (ER) land use district as designated in the Centre City Planned District Ordinance (CCPDO). This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational, and medical facilities.

The Project site is subject to multiple overlay zones. The Public Park Sun Access Overlay for the aforementioned East Village Green Park restricts the maximum height limit of the tower on the site to between 300 and 400 feet per Figure M of the CCPDO. As proposed, the tower at its maximum height of 361'-8" feet will not violate this height limit.

The Commercial Street (CS) Overlay applies to Market Street and Park Boulevard. The CS Overlay requires active commercial uses along 60% of the Market Street frontage and 40% of the Park Boulevard frontage. The Limited Vehicle Access (LVA) Overlay applies to Market and G streets as well as Park Boulevard. The LVA Overlay prohibits curb cuts on these frontages unless driveway access is not feasible on adjacent streets due to lot size, lot configuration, or other significant factors.

5. PROJECT DESCRIPTION: This Project proposes the construction of a 34-story residential tower, a four-story office building, and a one-story retail building (approximately 360 feet, 65 feet and 20 feet tall, respectively). The project contains 426 DUs (341 market-rate apartments and 85 affordable units); approximately 52,000 SF of office space; approximately 22,000 SF retail space and 418 code compliant automobile parking spaces in four subterranean levels. There is a total of 5,500 SF of public Urban Open Space. Other common spaces that provide limited public access are a 3,198 SF amphitheater and a 5,000 SF upper terrace overlooking the public plaza. For residents there is a total of 6,000 SF of private, common space.

The Base Maximum Floor Area Ratio (FAR) is 6.0, with a maximum allowable FAR with Bonuses of 10.0. With affordable housing the maximum allowable is 12.1. The project has an FAR of 10.9.

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

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

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

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

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

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

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

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

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

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

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

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

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

If the Evaluation identifies new impacts or a substantial change in circumstances, additional environmental documentation is required. The form of this documentation depends upon the nature of the impacts of the subsequent proposed action being proposed. Should a proposed action result in: a) new or substantially more severe significant impacts that are not adequately addressed in the Downtown FEIR or CAP FEIR, or b) there is a substantial change in circumstances that would require major revision to the Downtown FEIR or the CAP FEIR, or c) that any mitigation measures or alternatives previously found not to be feasible or not previously

considered would substantially reduce or lessen any significant effects of the Project on the environment, a Subsequent or Supplemental Environmental Impact Report (EIR) would be prepared in accordance with Sections 15162 or 15163 of the State CEQA Guidelines (CEQA Statutes Section 21166).

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

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

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

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

9. DETERMINATION: In accordance with Sections 15168 and 15180 of the CEQA Guidelines, the potential impacts associated with future development within the DCP area are addressed in the Downtown FEIR prepared for the DCP, CCPDO, and the six subsequent addenda to the Downtown FEIR listed in Section 6 above, as well as the Final Supplemental EIR for the Downtown San Diego Mobility Plan and the CAP FEIR. These documents address the potential environmental effects of future development within the Centre City Redevelopment Project based on build out forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the Downtown FEIR and its subsequent addenda and the CAP FEIR, as listed in Section 6 above, concluded that development would result in significant impacts related to the following issues (mitigation and type of impact shown in parentheses):

Significant but Mitigated Impacts

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

Significant and Not Mitigated Impacts

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

- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D/C)
- Traffic: Impact on Surrounding Streets (TRF-A.1) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2) (C)

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

Overriding Considerations

- Develop downtown as the primary urban center for the region
- Maximize employment opportunities within the downtown area
- Develop full-service, walkable neighborhoods linked to the assets downtown offers
- Increase and improve parks and public spaces
- Relieve growth pressure on outlying communities
- Maximize the advantages of downtown's climate and waterfront setting
- Implement a coordinated, efficient system of vehicular, transit, bicycle, and pedestrian traffic
- Integrate historical resources into the new downtown plan
- Facilitate and improve the development of business and economic opportunities located in the downtown area
- Integrate health and human services into neighborhoods within downtown
- Encourage a regular process of review to ensure that the Plan and related activities are best meeting the vision and goals of the Plan.

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

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

1. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Centre City Redevelopment Project is to be undertaken as a result of the development of the proposed Project, which will require important or major revisions in the Downtown FEIR and the six subsequent addenda to the FEIR or with the CAP FEIR;

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

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



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

09/07/2016

Date

ENVIRONMENTAL CHECKLIST

10. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

The following Overriding Considerations apply directly to the proposed Project:

- Develop downtown as the primary urban center for the region
- Maximize employment opportunities within the downtown area
- Develop full-service, walkable neighborhoods linked to the assets downtown offers.

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
1. AESTHETICS/VISUAL QUALITY:						
<p>(a) <i>Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the DCP?</i></p> <p>Views of scenic resources including San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park, and the downtown skyline are afforded by the public viewing areas within and around the downtown and along view corridor streets within the planning area.</p> <p>The CCPDO includes several requirements that reduce a project's impact on scenic vistas. These include view corridor setbacks on specific streets to maintain views and controls building bulk by setting limits on minimum tower spacing, street wall design, maximum lot coverage, and building dimensions.</p> <p>The project site is not located within a view corridor per Figure 5.6-2 of the DCP FEIR. The project would involve construction of a mixed use development in the East Village neighborhood. The full-block project proposes a development consisting of a 34-story residential tower along 11th Avenue, a one-story retail space along Park Boulevard and a four-story office along Market Street with additional open space uses throughout the project.</p> <p>At the project site, the maximum lot coverage for the building base is 100 percent and the maximum lot coverage for the tower of a building is 50 percent of the lot area. The project would comply with all CCPDO requirements related to maximum lot coverage as well as other all other tower regulations.</p> <p>The CCPDO requires a street wall that is a minimum of 45 feet and a maximum of 85 feet (except at</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)
Issues and Supporting Information						
<p>towers) along all street frontages. The four-story office along Market Street creates a street wall that is consistent with the CCPDO requirements. The one-story retail space along Park Boulevard does not comply with the CCPDO requirement for street wall design but this deviation is allowed as an incentive under California State Density Bonus Law.</p> <p>The project would also deviate from the CCPDO's requirements for maximum curb cut width and minimum ground-floor height for residential uses. However, these deviations are permitted as incentives under California State Density Bonus Law and do not impact scenic resources.</p> <p>Lastly, the site itself does not possess any significant scenic resources that could be impacted by the proposed Project therefore impacts to on-site scenic resources are not significant. Impacts associated with scenic vistas would be similar to the DCP FEIR and would not be significant.</p>						
<p>(b) <i>Substantially incompatible with the bulk, scale, color and/or design of surrounding development?</i></p> <p>The bulk, scale, and design of the Project would be compatible with existing and planned developments in the East Village neighborhood. Development of the site would improve the area by providing a new, modern building on a currently underutilized site. The Project would utilize high quality materials and contemporary design sensitive to the character of the surrounding neighborhood. Additionally, a variety of mid, low and high-rise buildings are located within the vicinity of the Project site and the scale of the proposed Project would be consistent with that of surrounding buildings. Therefore, project-level and cumulative impacts associated with this issue would not occur.</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)
Issues and Supporting Information						
<p>(c) <i>Substantially affect daytime or nighttime views in the area due to lighting?</i></p> <p>The proposed project would not involve a substantial amount of exterior lighting or include materials that would generate substantial glare. Furthermore, outdoor lighting that would be incorporated into the proposed project would be shielded or directed away so that direct light or glare does not adversely impact adjacent land uses. The City's Light Pollution Law (Municipal Code Section 101.1300 et seq.) also protects nighttime views (e.g., astronomical activities) and light-sensitive land uses from excessive light generated by development in the downtown area. The proposed project's conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.</p>					X	X
2. AGRICULTURAL RESOURCES:						
<p>(a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?</i></p> <p>The DCP Area is an urban downtown environment that does not contain land designated as prime agricultural soil by the Soils Conservation Service. In addition, it does not contain prime farmland designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.</p>					X	X
<p>(b) <i>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</i></p> <p>The DCP Area does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 512101 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act Contract</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)
Issues and Supporting Information						
would not occur.						
3. AIR QUALITY:						
<p>(a) <i>Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategies (RFS) or the State Implementation Plan?</i></p> <p>The proposed Project site is located within the San Diego Air Basin, which is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). The San Diego Air Basin is designated by state and federal air quality standards as nonattainment for ozone and particulate matter (PM) less than 10 microns (PM10) and less than 2.5 microns (PM 2.5) in equivalent diameter. The SDAPCD has developed a Regional Air Quality Strategy (RAQS) to attain the state air quality standards for ozone.</p> <p>The Project is consistent with the land use and transit-supportive policies and regulations of the DCP and CCPDO; which are in accordance with those of the RAQS. Therefore, the proposed Project would not conflict with, but would help implement, the RAQS with its' compact, high intensity land use and transit-supportive design. Therefore, no impact to the applicable air quality plan would occur.</p>					X	X
<p>(b) <i>Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</i></p> <p>The Project could involve the exposure of sensitive receptors to substantial air contaminants during short-term construction activities and over the long-term operation of the Project. Construction activities associated with the Project could result in potentially significant impacts related to the exposure of sensitive</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)
Issues and Supporting Information						
<p>receptors to substantial emissions of particulate matter. The potential for impacts to sensitive receptors during construction activities would be mitigated to below a level of significance through compliance with the City's mandatory standard dust control measures and the dust control and construction equipment emission reduction measures required by FEIR Mitigation Measure AQ-B.1-1 (Attachment A).</p> <p>The Project could also involve the exposure of sensitive receptors to air contaminants over the long-term operation of the Project, such as carbon monoxide exposure (commonly referred to as CO "hot spots") due to traffic congestion near the Project site. However, the FEIR concludes that development within the DCP Area would not expose sensitive receptors to significant levels of any of the substantial air contaminants. Since the land use designation of the proposed development does not differ from the land use designation assumed in the FEIR analysis, the Project would not expose sensitive receptors to substantial air contaminants beyond the levels assumed in the FEIR. Additionally, the Project is not located close enough to any industrial activities to be impacted by any emissions potentially associated with such activities. Therefore, impacts associated with this issue would not be significant. Project impacts associated with the generation of substantial air contaminants are discussed below in Section 3.c.</p>						
<p>(c) <i>Generate substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</i></p> <p>Implementation of the Project could result in potentially adverse air quality impacts related to the following air emission generators: construction and mobile-sources. Site preparation activities and construction of the Project</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)
Issues and Supporting Information						
<p>would involve short-term, potentially adverse impacts associated with the creation of dust and the generation of construction equipment emissions. The clearing, grading, excavation, and other construction activities associated with the Project would result in dust and equipment emissions that, when considered together, could endanger human health. Implementation of FEIR Mitigation Measure AQ-B.1-1 (Attachment A) would reduce dust and construction equipment emissions generated during construction of the Project to a level below significance.</p> <p>The air emissions generated by automobile trips associated with the Project would not exceed air quality significance standards established by the San Diego Air Pollution Control District. However, the Project's mobile source emissions, in combination with dust generated during the construction of the Project, would contribute to the significant and unmitigated cumulative impact to air quality identified in the FEIR. No uses are proposed that would significantly increase stationary-source emissions in the DCP Area; therefore, impacts from stationary sources would be not significant.</p>						
4. BIOLOGICAL RESOURCES:						
<p>(a) <i>Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies?</i></p> <p>Due to the highly urbanized nature of the DCP Area, there are no sensitive plants or animal species, habitats, or wildlife migration corridors. In addition, the ornamental trees and landscaping included in the Project are considered of no significant value to the native wildlife in their proposed location. Therefore, no impact associated with this issue could occur.</p>					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)
Issues and Supporting Information						
<p>(b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies?</i></p> <p>As identified in the FEIR, the DCP Area is not within a sub-region of the San Diego County Multiple Species Conservation Program (MSCP). Therefore, impacts associated with substantial adverse effects on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations by local, state or federal agencies would not occur.</p>					X	X
5. GEOLOGY AND SOILS:						
<p>(a) <i>Substantial health and safety risk associated with seismic or geologic hazards?</i></p> <p>The proposed Project site is in a seismically active region. There are no known active or potentially active faults located on the Project site. However, the Project site is located within the Rose Canyon Fault Zone, which is designated as an Earthquake Fault Zone by the California Department of Mines and Geology. Within this fault zone is the Downtown Graben and San Diego Fault and a seismic event on this fault could cause significant ground shaking on the proposed Project site. Therefore, the potential exists for substantial health and safety risks on the Project site associated with a seismic hazard.</p> <p>Leighton and Associates, Inc. prepared a Geotechnical Investigation for the project in 2016 which states “it is our professional opinion that the subject site is not transected by either active or potentially active faults.”</p> <p>Additionally, the site is not located within an Alquist-Priolo Earthquake Fault Zone, as defined by the California Geological Survey (CGS) 2003, and no known active or potentially active faults project</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)
Issues and Supporting Information						
<p>toward the site. Leighton and Associates, Inc. did not observe any active faulting within the exploratory trenches completed at the site. Therefore, the potential for surface rupture from displacement or fault movement beneath the proposed improvements is considered to be low.</p> <p>Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the site's moderate to non-expansive geologic structure, such hazards could nevertheless occur. Conformance with, and implementation of, all seismic-safety development requirements, including all applicable requirements of the Alquist-Priolo Zone Act, the seismic design requirements of the International Building Code (IBC), the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards are not significant.</p>						
6. GREENHOUSE GAS EMISSIONS:						
<p><i>(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i></p> <p>The Downtown Community Plan provides for the growth and buildout of Downtown Community Plan area ("Downtown"). The City's Climate Action Plan ("CAP") EIR analyzed greenhouse gas ("GHG") emissions on a citywide basis – inclusive of the anticipated assumptions for the growth and buildout of Downtown. The City's CAP outlines measures that would support substantial progress towards the City's 2035 GHG emissions reduction targets, which are intended to keep the City in-line to achieve its share of 2050 GHG reductions.</p> <p>The CAP Consistency Checklist was adopted on July</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)
Issues and Supporting Information						
<p>12, 2016 to uniformly implement the CAP for project-specific analyses of GHG emission impacts. The Project has been analyzed against the CAP Consistency Checklist and based this analysis, it has been determined that the Project would be consistent with the CAP and would not contribute to cumulative GHG emissions that would be inconsistent with the CAP. As such, the Project would be consistent with the anticipated growth and buildout assumptions of both the Downtown Community Plan and the CAP.</p> <p>Therefore, this impact is considered not significant.</p>						
<p>(b) <i>Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas?</i></p> <p>As stated above in Section 6.a., construction and operation of the proposed Project would not result in a significant impact related to GHG emissions on the environment. The Project is consistent with the City's CAP and growth assumptions under the Downtown Community Plan as stated in Section 6.a. Additionally, the Project would be consistent with the recommendations within Policy CE-A.2 of the City of San Diego's General Plan Conservation Element. Therefore, the Project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p> <p>This impact is considered not significant.</p>					X	X
7. HAZARDS AND HAZARDOUS MATERIALS:						
<p>(a) <i>Substantial health and safety risk related to onsite hazardous materials?</i></p> <p>The FEIR states that contact with, or exposure to, hazardous building materials, soil and ground water contaminated with hazardous materials, or</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)
Issues and Supporting Information						
<p>other hazardous materials could adversely affect human health and safety during short-term construction or long term operation of a development. The Project is subject to federal, state, and local agency regulations for the handling of hazardous building materials and waste. Compliance with all applicable requirements of the County of San Diego Department of Environmental Health and federal, state, and local regulations for the handling of hazardous building materials and waste would ensure that potential health and safety impacts caused by exposure to on-site hazardous materials are not significant during short term, construction activities. In addition, herbicides and fertilizers associated with the landscaping of the Project could pose a significant health risk over the long term operation of the Project. However, the Project's adherence to existing mandatory federal, state, and local regulations controlling these materials would ensure that long-term health and safety impacts associated with on-site hazardous materials over the long term operation of the Project are not significant.</p>						
<p>(b) <i>Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i></p> <p>The Project is not located on or within 2,000 feet of a site on the State of California Hazardous Waste and Substances Sites List; however, there are sites within 2,000 feet of the Project site that are listed on the County of San Diego's Site Assessment Mitigation (SAM) Case Listing. The FEIR states that significant impacts to human health and the environment regarding hazardous waste sites would be avoided through compliance</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)
Issues and Supporting Information						
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.						
(c) <i>Substantial safety risk to operations at San Diego International Airport?</i> According to the Airport Land Use Compatibility Plan for San Diego International Airport (SDIA), the entire downtown planning area is located within the SDIA Airport Influence Area. The FEIR identifies policies that regulate development within areas affected by Lindbergh Field including building heights, use and intensity limitations, and noise sensitive uses. The Project does not exceed the intensity of development assumed under the FEIR, nor does it include components that would in any way violate or impede adherence to these policies, impacts related to the creation of substantial safety risks at San Diego International Airport would not be significant, consistent with the analysis in the FEIR. Therefore, there are no potential direct or cumulative impacts related to this issue.					X	X
(d) <i>Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan?</i> The Project does not propose any features that would affect an emergency response or evacuation plan. Therefore, no impact associated with this issue is anticipated.					X	X
8. HISTORICAL RESOURCES:						
(a) <i>Substantially impact a significant historical resource, as defined in § 15064.5?</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)
Issues and Supporting Information						
<p>The project site contains the historic Remmen Building, which is a locally designated historic resource in the San Diego Register (DCP FEIR, p. 5.3-8). The Remmen Building is currently vacant. The project includes the temporary relocation of the building that will then be returned to nearby its original location and rotated to face onto Park Boulevard. The building will undergo a complete restoration per the approved Treatment Plan.</p> <p>This is consistent with DCP Goals 9.1-G-1, “Protect historic resources to communicate downtown’s heritage,” and 9.1-G-2, “Encourage the rehabilitation and reuse of designated historic properties.”</p> <p>DCP FEIR Mitigation Measure Hist-A.1-1 requires compliance with Chapter 14, Article 3, Division 2 of the San Diego Municipal Code (SDMC), which regulates historic resources. Mitigation Measure Hist-A.1-2 requires the applicant to submit a Treatment Plan for retained historic resources for review and approval. Implementation of SDMC §143.0201 et seq., as required by Mitigation Measures HIST-A.1-1 and HIST-A.1-2 (Attachment A), will further ensure that the restoration of the Remmen Building will not significantly impact the historic resource.</p> <p>The project would not result in a substantial adverse change in the significance of the Remmen Building. Therefore, no significant impacts associated with this issue would occur.</p>						
<p>(b) <i>Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries?</i></p> <p>According to the FEIR, the likelihood of</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)
Issues and Supporting Information						
<p>encountering archaeological resources is greatest for Projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in the DCP Area, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. Thus, the excavation and surface clearance activities associated with development of the Project and the two levels of subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains.</p> <p>Implementation of FEIR Mitigation Measure HIST-B.1-1, (Attachment A) would minimize, but not fully mitigate, these potential impacts. Since the potential for archaeological resources and human remains on the Project site cannot be confirmed until grading is conducted, the exact nature and extent of impacts associated with the proposed Project cannot be predicted. Consequently, the required mitigation may or may not be sufficient to reduce these direct project-level impacts to below a level of significance. Therefore, project-level impacts associated with this issue remain potentially significant and not fully mitigated, and consistent with the analysis of the FEIR. Furthermore, project-level significant impacts to important archaeological resources would contribute to the potentially significant and unmitigated cumulative impacts identified in the FEIR.</p>						
(c) <i>Substantially impact a unique paleontological resource or site or unique geologic feature?</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)
Issues and Supporting Information						
<p>The Project site is underlain by the San Diego Formation and Bay Point Formation, which has high paleontological resource potential. The FEIR concludes that development would have potentially adverse impacts to paleontological resources if grading and/or excavation activities are conducted beyond a depth of 1-3 feet. The Project's proposal for two levels of subterranean parking would involve excavation beyond the FEIR standard, resulting in potentially significant impacts to paleontological resources. Implementation of FEIR Mitigation Measure PAL-A.1-1 (Attachment A) would ensure that the Project's potentially direct impacts to paleontological resources are not significant. Furthermore, the Project would not impact any resources outside of the Project site. The mitigation measures for direct impacts fully mitigate for paleontological impacts, therefore, the Project's contribution to cumulative impacts to paleontological resources would be significant but mitigated because the same measures that mitigate direct impacts would also mitigate for any cumulative impacts.</p>						
9. HYDROLOGY AND WATER QUALITY:						
<p>(a) <i>Substantially degrade groundwater or surface water quality?</i></p> <p>The Project's construction and grading activities may involve soil excavation at a depth that could surpass known groundwater levels, which would indicate that groundwater dewatering might be required. Compliance with the requirements of either (1) the San Diego Regional Water Quality Control Board under a National Pollution Discharge Elimination system general permit for construction dewatering (if dewatering is discharged to surface waters), or (2) the City of San Diego Metropolitan Wastewater Department</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)
Issues and Supporting Information						
<p>(if dewatering is discharged into the City's sanitary sewer system under the Industrial Waste Pretreatment Program), and (3) the mandatory requirements controlling the treatment and disposal of contaminated dewatered groundwater would ensure that potential impacts associated with construction dewatering and the handling of contaminated groundwater are not significant. In addition, Best Management Practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP) would ensure that short-term water quality impacts during construction are not significant. The proposed Project would result in hard structure areas and other impervious surfaces that would generate urban runoff with the potential to degrade groundwater or surface water quality. However, implementation of BMPs required by the local Standard Urban Storm water Mitigation Program (SUSMP) and Storm water Standards would reduce the Project's long-term impacts.</p> <p>Thus, adherence to the state and local water quality controls would ensure that direct impacts to groundwater and surface water quality would not be significant.</p> <p>Despite not resulting in direct impacts to water quality, the FEIR found that the urban runoff generated by the cumulative development in the downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the FEIR to feasibly reduce this cumulative impact to below a level of significance.</p> <p>Consistent with the FEIR, the Project's contribution to the cumulative water quality</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)
Issues and Supporting Information						
impact would remain significant and unmitigated.						
<p>(b) <i>Substantially increase impervious surfaces and associated runoff flow rates or volumes?</i></p> <p>The project site is currently developed and covered with impervious surfaces. Implementation of the Project would not substantially increase the runoff volume entering the storm drain system. The FEIR found that implementation of the Downtown Community Plan would not result in a substantial increase in impervious surfaces within the downtown planning area because the area is a highly urbanized area paved with pervious surfaces and very little vacant land (approximately 3 percent of the planning area). Redevelopment of downtown is therefore anticipated to replace impervious surfaces that already exist and development of the small number of undeveloped sites would not result in a substantial increase in impermeable surface area or a significant impact on the existing storm drain system.</p> <p>The Project is also required to comply with the City of San Diego Best Management Practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP). Therefore, impacts associated within this issue are not significant. (Impacts associated with the quality of urban runoff are analyzed in Section 9a.)</p>					X	X
<p>(c) <i>Substantially impede or redirect flows within a 100-year flood hazard area?</i></p> <p>The Project site is not located within a 100-year floodplain. Similarly, the Project would not affect off-site flood hazard areas, as no 100-year floodplains are located downstream. Therefore, impacts associated with these issues are not</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)
Issues and Supporting Information						
significant.						
<p>(d) <i>Substantially increase erosion and sedimentation?</i></p> <p>The potential for erosion and sedimentation could increase during the short-term during site preparation and other construction activities. As discussed in the FEIR, the proposed Project's compliance with regulations mandating the preparation and implementation of a SWPPP would ensure that impacts associated with erosion and sedimentation are not significant.</p>					X	X
10. LAND USE AND PLANNING:						
<p>(a) <i>Physically divide an established community?</i></p> <p>The Project does not propose any features or structures that would physically divide an established community. Impacts associated with this issue would not occur.</p>					X	X
<p>(b) <i>Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation?</i></p> <p>The Land Use District for the site is Residential Emphasis (RE), which accommodates primarily residential development. Small-scale businesses, offices, services, and ground-floor active commercial uses are allowed, subject to size and area limitations.</p> <p>The Project would not conflict with other applicable land use plans, policies, or regulations. The Project complies with the goals and policies of the DCP and the approval of the requested PDP the Project will meet all applicable development standards of the CCPDO and San Diego Municipal Code. Therefore, no significant direct</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)
Issues and Supporting Information						
or cumulative impacts associated with an adopted land use plan would occur.						
<p>(b) <i>Substantial incompatibility with surrounding land uses?</i></p> <p>Sources of land use incompatibility include lighting, industrial activities, shading, and noise. The Project would not result in or be subject to, adverse impacts due to substantially incompatible land uses. Compliance with the City's Light Pollution Ordinance would ensure that land use incompatibility impacts related to the Project's emission of, and exposure to, lighting are not significant. In addition, the FEIR concludes that existing mandatory regulations addressing land use compatibility with industrial activities would ensure that residents of, and visitors to, the Project are not subject to potential land use incompatibilities (potential land use incompatibilities resulting from hazardous materials and air emissions are evaluated elsewhere in this evaluation).</p> <p>Potentially significant impacts associated with the Project's incompatibility with traffic noise on adjacent grid streets are discussed in Sections 12.b and 12.c. No impacts associated with incompatibility with surrounding land use would occur.</p>					X	X
<p>(c) <i>Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development?</i></p> <p>Although not expected to be a substantial direct impact of the Project because substantial numbers of transients are not known to congregate on-site, the Project, in tandem with other downtown development activities, would have a significant</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)
Issues and Supporting Information						
cumulative impact on surrounding communities resulting from sanitation problems and litter generation by transients who are displaced from downtown into surrounding canyons and vacant land as discussed in the FEIR. Continued support of Homeless Outreach Teams (HOTS) and similar transient outreach efforts would reduce, but not fully mitigate, the adverse impacts to surrounding neighborhoods caused by the transient relocation. Therefore, the proposed Project would result in cumulatively significant and not fully mitigated impacts to surrounding neighborhoods.						
11. MINERAL RESOURCES:						
<p>(a) <i>Substantially reduce the availability of important mineral resources?</i></p> <p>The FEIR states that the viable extraction of mineral resources is limited in the DCP Area due to its urban nature and the fact that the area is not recognized for having high mineral resource potential. Therefore, no impact associated with this issue would occur.</p>					X	X
12. NOISE:						
<p>(a) <i>Substantial noise generation?</i></p> <p>The Project would not result in substantial noise generation from any stationary sources over the long-term. Short-term construction noise impacts would be avoided by adherence to construction noise limitations imposed by the City's Noise Abatement and Control Ordinance. The FEIR defines a significant long-term traffic noise increase as an increase of at least 3.0 dB (A) CNEL for street. The FEIR identified nine street segments in the downtown area that would be significantly impacted as a result of traffic generation; however, none of these identified</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)
Issues and Supporting Information						
<p>segments are in the direct vicinity of the Project site. Nevertheless, automobile trips generated by the project, would, in combination with other development in downtown significantly increase noise on several street segments resulting in cumulatively significant noise impacts.</p> <p>The FEIR concludes that there are no feasible mitigation measures available to reduce the significant noise increase in noise on affected roadways and this impact remains significant and unavoidable.</p>						
<p>(b) <i>Substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)?</i></p> <p>The Project is a residential development with approximately 426 DU. Under the CCPDO, developments of this size are required to contain a common outdoor open space area.</p> <p>Per FEIR Mitigation Measure NOI-C.1-1, (Attachment A) an Exterior Acoustical Analysis Report was prepared by Eilar Associates, Inc., since the required outdoor open space area(s) could be exposed to noise levels in excess of 65 dB(A) CNEL (the City of San Diego's General Plan Noise Element requirement for outdoor use areas of multi-family land uses).</p> <p>This Project has a common outdoor use area consisting of a public plaza, upper-level terrace and amphitheater. Additionally, "noise levels at common outdoor spaces are not expected to exceed the 65 CNEL noise limit set by the City of San Diego as currently designed. No mitigation is therefore deemed necessary to control exterior noise levels at common outdoor use areas." This</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)
Issues and Supporting Information						
is due in part to the acoustical shielding provided by the walls surrounding the open space areas.						
<p>(c) <i>Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)?</i></p> <p>As traffic noise levels would exceed 65 dB (A) CNEL in the Project area, interior noise levels within habitable rooms facing all adjacent streets could experience interior noise levels in excess of 45 dB (A) CNEL (the standard set forth in the DCP FEIR). However, adherence to Title 24 of the California Building Code and implementation of Mitigation Measure NOI-B.1-1 would reduce interior noise levels to below 45 dB (A). Moreover, per the Acoustical Analysis Report, the “required interior noise levels are feasible and can be achieved with readily available building materials and construction methods.”</p> <p>Therefore, direct project-level impacts associated with this issue would be mitigated to a level less than significant.</p>			X			X
13. POPULATION AND HOUSING:						
<p>(a) <i>Substantially induce population growth in an area?</i></p> <p>The FEIR concludes that build-out of the DCP would not induce substantial population growth that results in adverse physical changes. The Project is consistent with the DCP and CCPDO and does not exceed those analyzed throughout the FEIR.</p> <p>Therefore, project-level and cumulative impacts associated with this issue are not significant.</p>					X	X
<p>(b) <i>Substantial displacement of existing housing units or people?</i></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)
Issues and Supporting Information						
<p>The Project site is currently occupied by a parking lot, the vacant Remmen Building and the “Quartyard” a temporary public plaza. No existing housing units are on-site or would be affected by the development or operation of the proposed project. Overall displacement of existing housing units or persons would not occur as a result of the proposed project, and the construction of replacement housing would not be required.</p> <p>Therefore, no direct or cumulative impacts associated with this issue would occur.</p>						
14. PUBLIC SERVICES AND UTILITIES:						
<p>(a) <i>Substantial adverse physical impacts associated with the provision of new schools?</i></p> <p>The population of school-aged children attending public schools is dependent on current and future residential development. In and of itself, the Project would not generate a sufficient number of students to warrant construction of a new school facility. However, the FEIR concludes that the additional student population anticipated at build out of the DCP Area would require the construction of at least one additional school, and that additional capacity could potentially be accommodated in existing facilities. The specific future location of new facilities is unknown at the present time.</p> <p>Pursuant to Section 15145 of CEQA, analysis of the physical changes in the DCP Area, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. Construction of any additional schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant</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)
Issues and Supporting Information						
<p>impacts and project specific mitigation measures.</p> <p>Therefore, implementation of the Project would not result in direct or cumulative impacts associated with this issue.</p>						
<p>(b) <i>Substantial adverse physical impacts associated with the provision of new libraries?</i></p> <p>The DCP FEIR concludes that, cumulatively, development in downtown would generate the need for a new Main Library and possibly several smaller libraries in downtown. In and of itself, the proposed Project would not generate additional demand necessitating the construction of new library facilities. However, according to the analysis in the FEIR, future development projects are considered to contribute to the cumulative need for new library facilities downtown identified in the FEIR. Nevertheless, the specific future location of these facilities (except for the Main Library) is unknown at present. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required. (The environmental impacts of the Main Library were analyzed in a Secondary Study prepared by Civic SD (formerly CCDC) in 2001.) Construction of any additional library facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p> <p>Therefore, approval of the Project would not result in direct or cumulative impacts associated with this issue.</p>					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)
Issues and Supporting Information						
<p>(c) <i>Substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities?</i></p> <p>The Project would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the FEIR. However, the FEIR reports that the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area that may occur from future construction of this fire station facility would be speculative and no further analysis of the impact is required. However, construction of the second new fire protection facility would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify significant impacts and appropriate mitigation measures.</p>					X	X
<p>(d) <i>Substantial adverse physical impacts associated with the provision of new law enforcement facilities?</i></p> <p>The DCP FEIR analyzes impacts to law enforcement service resulting from the cumulative development of the downtown and concludes the construction of new law enforcement facilities would not be required. Since the land use designation of the proposed development is consistent with the land use designation assumed in the FEIR analysis, the Project would not generate a level of demand for law enforcement facilities beyond the level assumed by the FEIR. However, the need for a new facility could be identified in the future. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the</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)
Issues and Supporting Information						
downtown planning area that may occur from the future construction of law enforcement facilities would be speculative and no future analysis of their impacts would be required. However, construction of new law enforcement facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.						
<p>(e) <i>Substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities?</i></p> <p>The Public Utilities Department provides water service to the downtown and delivers more than 200,000 million acre-feet annually to over 1.3 million residents. During an average year the Department's water supply is made up of 10 to 20 percent of local rainfall, with the remaining amount imported from regional water suppliers including the San Diego County Water Authority (SDWA) and the Metropolitan Water District (MWD). Potable water pipelines are located underneath the majority of downtown's streets mimicking the above-ground street grid pattern.</p> <p>According to the DCP FEIR, in the short term, planned water supplies and transmission or treatment facilities are adequate for development of the DCP. Water transmission infrastructure necessary to transport water supply to the downtown area is already in place. Build out of the 2006 DCP, however, would generate more water demand than planned for in the adopted 2010 UWMP. This additional demand was not considered in SDCWA's Urban Water Management Plan (UWMP). To supplement this and meet the additional need, SDCWA indicates in the DCP FEIR that it will increase local water supply (from surface water, water recycling,</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)
Issues and Supporting Information						
<p>groundwater, and seawater desalination) to meet the additional demand resulting from build out of the DCP.</p> <p>California Water Code Section 10910 requires projects analyzed under CEQA to assess water demand and compare that finding to the jurisdiction's projected water supply.</p> <p>Since the proposed project does not trigger the requirements of SB 610 and is consistent with the DCP, direct and cumulative impacts related to water supply would be considered not significant.</p>						
<p>(f) <i>Substantial adverse physical impacts associated with the provision of new storm water facilities?</i></p> <p>The FEIR concludes that the cumulative development of the downtown would not impact the existing downtown storm drain system. Since implementation of the Project would not result in a significant increase of impervious surfaces, the amount of runoff volume entering the storm drain system would not create demand for new storm water facilities.</p> <p>Direct and cumulative impacts associated with this issue are considered not significant.</p>					X	X
<p>(g) <i>Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities?</i></p> <p>The FEIR concludes that new wastewater treatment facilities would not be required to address the cumulative development of the downtown. In addition, sewer improvements that may be needed to serve the Project are categorically exempt from environmental review under CEQA as stated in the FEIR.</p> <p>Therefore, impacts associated with this issue</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)
Issues and Supporting Information						
would not be significant.						
<p>(h) <i>Substantial adverse physical impacts associated with the provision of new landfill facilities?</i></p> <p>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.</p> <p>However, the Project would contribute, in combination with other development activities in downtown, to the cumulative increase in the generation of solid waste sent to Miramar Landfill and the eventual need for a new landfill as identified in the FEIR. The location and size of a new landfill is unknown at this time. Pursuant to Section 15145 of CEQA, analysis from the physical changes that may occur from future construction of landfills would be speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts of the proposed Project and appropriate mitigation measures.</p> <p>Therefore, cumulative impacts of the proposed Project are also considered not significant.</p>					X	X
15. PARKS AND RECREATIONAL FACILITIES:						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>(a) <i>Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</i></p> <p>The FEIR discusses impacts to parks and other recreational facilities and the maintenance thereof and concludes that build out of the DCP would not result in significant impacts associated with this issue. Since the land use designation of the proposed development does not differ from the land use designation assumed in the FEIR analysis, the Project would not generate a level of demand for parks and recreational facilities beyond the level assumed by the FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the Project.</p> <p>No significant impacts with this issue would occur.</p>					X	X
16. TRANSPORTATION/TRAFFIC:						
<p>(a) <i>Cause the LOS on a roadway segment or intersection to drop below LOS E?</i></p> <p>The DCP FEIR states that projects generating greater than 2,400 ADT would result in potentially significant impacts to the level of service (LOS) of roadway segment or intersection and requires implementation of mitigation measures at the Project level to mitigate the impact.</p> <p>Chen Ryan prepared a Traffic Impact Study for the project in 2016. The Traffic Impact Study found that the project would generate 6,022 ADT. The study examined the project's impact to 27 intersections in the project area under existing and</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)
Issues and Supporting Information						
<p>near-term traffic conditions. As shown therein, all study area intersections would continue to operate at acceptable level of service (LOS) C or better under Existing Plus Project conditions during both the AM and PM peak hours. The project driveway (exit) on 11th Avenue would operate at LOS B or better during the peak hours.</p> <p>Furthermore, the Traffic Impact Study found that the key study area intersections are projected to operate at acceptable LOS E or better under Near-Term Base Plus Project conditions, with the exception of the intersections at 16th Street/F Street and 13th Street/G Street. However, although the intersections at 16th Street/F Street and 13th Street/G Street would operate at LOS F, the project would not result in a change in delay greater than the allowable two-second threshold.</p> <p>The project driveway at 11th Avenue would operate at LOS B or better during peak hours under Near-Term Base Plus Project conditions.</p> <p>Traffic generated by the proposed project in combination with traffic generated by other downtown development would contribute to the significant cumulative impacts projected in the DCP FEIR to occur on a number of downtown roadway segments and intersections, and street within neighborhoods surrounding the DCP area at buildout of the downtown. However, the project's direct impacts on downtown roadway segments or intersections would not be significant.</p> <p>The DCP FEIR includes mitigation measures to address impacts associated with buildout of the DCP, but the DCP FEIR acknowledges that the identified measures may or may not be able to fully mitigate these cumulative impacts due to constraints imposed by bicycle and pedestrian</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)
Issues and Supporting Information						
<p>activities and the land uses adjacent to affected roadways.</p> <p>Pursuant to Mitigation Measure TRAF-A.1.1-2, the applicant will also be required to pay development impact fees to fund a fair share fee towards transportation improvements for the DCP Area. As required by Mitigation Measure TRAF-A.1.1-3, the City adopted the Downtown Community Public Facilities Financing Plan 2015 that established a transportation fee. The transportation fee is intended to fund street, transit, bicycle, pedestrian improvements, promenades, and below grade parking structures, as further set forth in the Downtown Community Public Facilities Financing Plan (DC-PFFP).</p>						
<p>(b) <i>Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes?</i></p> <p>The FEIR concludes that development within downtown will result in significant cumulative impacts to freeway segments and ramps serving the downtown planning area. Since the land use designation of the Project is consistent with the land use designation assumed in the FEIR analysis, the Project would contribute on a cumulative-level to the substandard LOS F identified in the FEIR on all freeway segments in the downtown area and several ramps serving the downtown.</p> <p>FEIR Mitigation Measure TRF-A.2.1-1 would reduce these impacts to the extent feasible, but not to below the level of significance. The FEIR concludes that the uncertainty of implementing freeway improvements as well as increasing ramp capacities limits the ability to fully mitigate</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)
Issues and Supporting Information						
impacts. Thus, the Project's cumulative-level impacts to freeways would remain significant and unavoidable, consistent with the analysis of the FEIR. The Project would not have a direct impact on freeway segments and ramps.						
(c) <i>Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</i> The proposed Project, in and of itself, does not include any features that would discourage the use of alternative modes of transportation. The Project's proximity to several other community serving uses, including nearby shopping and recreational activities also encourage walking. Additionally, visitors of the proposed Project would be encouraged to use alternative transportation means as there are several bus lines within a five-minute walk. Therefore, the Project will cause no significant impacts related to alternative modes of transportation or cause transit service capacity to be exceeded.					X	X
17. MANDATORY FINDINGS OF SIGNIFICANCE:						
(a) <i>Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> As indicated in the FEIR, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or					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)
Issues and Supporting Information						
<p>wildlife migration corridors are located in the DCP area. Additionally, the Project does not have the potential to eliminate important examples of major periods of California history or pre-history at the Project level.</p> <p>No other aspects of the Project would substantially degrade the environment. Cumulative impacts are described in Section 17(b) below.</p>						
<p>(b) <i>Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?</i></p> <p>As acknowledged in the FEIR, implementation of the DCP, CCPDO, and Redevelopment Plan would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. Implementation of the mitigation measures identified in the FEIR would reduce some significant impacts; however, the impacts would remain significant and immitigable as identified in the FEIR and the Statement of Overriding Considerations adopted by the City. This Project’s contribution would not be greater than anticipated by the FEIR and therefore no further analysis is required.</p>		X				
<p>(c) <i>Does the Project have environmental effects that would cause substantial adverse effects on human</i></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)
Issues and Supporting Information						
<p><i>beings, either directly or indirectly?</i></p> <p>As acknowledged in the FEIR, implementation of the DCP, CCPDO, and Redevelopment Plan would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This Project would contribute to those impacts. However, the impacts associated with this Project would be no greater than those assumed in the FEIR and therefore no further environmental review is required under CEQA.</p>						

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Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
AIR QUALITY (AQ)				
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>Mitigation Measure AQ-B.1-1: Prior to approval of a Grading or Demolition Permit, the City shall confirm that the following conditions have been applied, as appropriate:</p> <p>1. 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 mph, all ground disturbing activities shall be halted until winds that are forecast to abate below this threshold.</p> <p>2. Dust suppression techniques shall be implemented including, but not limited to, the following:</p> <p>a. 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 Civic San Diego.</p> <p>b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.</p> <p>c. Material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</p> <p>d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.</p> <p>3. Vehicles on the construction site shall travel at speeds less than 15 mph.</p> <p>4. 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.</p> <p>5. 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 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>	Prior to Demolition or Grading Permit (Design)	Developer	City

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>6. All diesel-powered vehicles and equipment shall be properly operated and maintained.</p> <p>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.</p> <p>8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.</p> <p>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.</p> <p>10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</p> <p>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 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.</p> <p>12. If construction equipment powered by alternative fuel sources (liquefied natural gas/compressed natural gas) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.</p> <p>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.</p> <p>14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.</p> <p>15. Rubble piles shall be maintained in a damp state to minimize dust generation.</p> <p>16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.</p> <p>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. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.</p>			

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
HISTORICAL RESOURCES (HIST)				
Impact HIST-A.1	Future development in Downtown could impact significant architectural structures. (Direct and Cumulative)			
	<p>Mitigation Measure HIST-A.1-1: For construction or development permits that may impact potentially historical resources which are 45 years of age or older and which have not been evaluated for local, state and federal historic significance, a site specific survey shall be required in accordance with the Historical Resources Regulations in the LDC. Based on the survey and the best information available, City Staff to the Historical Resources Board (HRB) shall determine whether historical resources exist, whether potential historical resource(s) is/are eligible for designation as designated historical resource(s) by the HRB, and the precise location of the resource(s). The identified historical resource(s) may be nominated for HRB designation as a result of the survey pursuant to Chapter 12, Article 3, Division 2, Designation of Historical Resource procedures, of the LDC.</p> <p>All applications for construction and development permits where historical resources are present on the site shall be evaluated by City Staff to the HRB pursuant to Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p> <p>1. National Register-Listed/Eligible, California Register-Listed/Eligible Resources: Resources listed in or formally determined eligible for the National Register or California Register and resources identified as contributing 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 and be consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (1995) and the associated Guidelines.</p> <p>2. San Diego Register-Listed Resources: Resources listed in the San Diego Register of Historical Resources, or determined to be a contributor to a San Diego Register District, shall, whenever possible, be retained on-site. Partial retention, relocation, or demolition of a resource shall only be permitted according to Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p>	Prior to Development Permit (Design) Prior to Demolition, Grading, and/or Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	Civic San Diego / City

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Mitigation Measure HIST-A.1-2: If the potential exists for direct and/or indirect impacts to retained or relocated designated and/or potential historical resources (“historical resources”), the following measures shall be implemented in coordination with a Development Services Department designee and/or City Staff to the HRB (“City Staff”) in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit Building Permits, but prior to the first Preconstruction (Precon) Meeting, whichever is applicable, City Staff shall verify that the requirements for historical monitoring during demolition and/or stabilization have been noted on the appropriate construction documents. <ol style="list-style-type: none"> Stabilization work cannot begin until a Precon Meeting has been held at least one week prior to issuance of appropriate permits. Physical description, including the year and type of historical resource, and extent of stabilization shall be noted on the plans. <p>B. Submittal of Treatment Plan for Retained Historical Resources</p> <ol style="list-style-type: none"> Prior to NTP for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first Precon Meeting, whichever is applicable, the Applicant shall submit a Treatment Plan to City Staff for review and approval in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (1995) and the associated Guidelines. The Treatment Plan shall include measures for protecting any historical resources, as defined in the LDC, during construction related activities (e.g., removal of non-historic features, demolition of adjacent structures, subsurface structural support, etc.). The Treatment Plan shall be shown as notes on all construction documents (i.e., Grading and/or Building Plans). <p>C. Letters of Qualification have been submitted to City Staff</p> <ol style="list-style-type: none"> The applicant shall submit a letter of verification to City Staff identifying the 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Principal Investigator (PI) for the project and the names of all persons involved in this MMRP (i.e., Architectural Historian, Historic Architect and/or Historian), as defined in the City of San Diego HRG.</p> <p>2. City Staff will provide a letter to the applicant confirming that the qualifications of the PI and all persons involved in the historical monitoring of the project meet the qualification standards established by the HRG.</p> <p>3. Prior to the start of work, the applicant must obtain approval from City Staff for any personnel changes associated with the monitoring program.</p> <p>II. Prior to Start of Construction</p> <p>A. Documentation Program (DP)</p> <p>1. Prior to the first Precon Meeting and/or issuance of any construction permit, the DP shall be submitted to City Staff for review and approval and shall include the following:</p> <p>(a) Photo Documentation</p> <p>(1) Documentation shall include professional quality photo documentation of the historical resource(s) prior to any construction that may cause direct and/or indirect impacts to the resource(s) with 35mm black and white photographs, 4x6 standard format, taken of all four elevations and close-ups of select architectural elements, such as, but not limited to, roof/wall junctions, window treatments, and 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 HRB and the Civic San Diego 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</p>			

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	<p>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 are 19 by 24 inches or 24 by 36 inches, standard scale is 1/4 inch = 1 foot.</p> <p>(2) One set of measured drawings shall be submitted for archival storage with the City of San Diego HRB, the Civic San Diego 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, City Staff 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 may impact any historical resource(s) which is/are subject to this MMRP, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Historical Monitor(s), Building Inspector (BI), if appropriate, and City Staff. The qualified Historian and/or Architectural Historian shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions 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 City Staff, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Historical Monitoring Plan</p> <p>(a) Prior to the start of any work that is subject to an Historical Monitoring Plan, the PI shall submit an Historical Monitoring Plan which describes how the monitoring would be accomplished for approval by City Staff. The Historical Monitoring Plan shall include an Historical Monitoring Exhibit (HME) based on the appropriate construction documents (reduced to 11x17 inches) to City Staff identifying the areas to be monitored including the delineation of</p>			

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	<p>grading/excavation limits.</p> <p>(b) Prior to the start of any work, the PI shall also submit a construction schedule to City Staff through the RE indicating when and where monitoring will occur.</p> <p>(c) The PI may submit a detailed letter to City Staff 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 historical resource.</p> <p>C. Implementation of Approved Treatment Plan for Historical Resources</p> <ol style="list-style-type: none"> 1. Implementation of the approved Treatment Plan for the protection of historical resources within the project site may not begin prior to the completion of the Documentation Program as defined above. 2. The qualified Historical Monitor(s) shall attend weekly jobsite meetings and be on-site daily during the stabilization phase for any retained or adjacent historical resource to photo document the Treatment Plan process. 3. The qualified Historical Monitor(s) 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 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 City Staff. 4. Prior to the start of any construction related activities, the applicant shall provide verification to City Staff that all historical resources on-site have been adequately stabilized in accordance with the approved Treatment Plan. This may include a site visit with City Staff, the CM, RE or BI, but may also be accomplished through submittal of the draft Treatment Plan photo documentation report. 5. City Staff 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>III. During Construction</p>			

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	<p>A. Qualified Historical Monitor(s) Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 1. The Qualified Historical Monitor(s) shall be present full-time during 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 City Staff of changes to any construction activities. 2. The Qualified Historical Monitor(s) shall document field activity via the 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 the case of ANY incidents involving the historical resource. The RE shall forward copies to City Staff. 3. The PI may submit a detailed letter to City Staff during construction requesting a modification to the monitoring program when a field condition arises which could affect the historical resource being retained on-site or adjacent to the construction site. <p>B. Notification Process</p> <ol style="list-style-type: none"> 1. In the event of damage to a historical resource retained on-site or adjacent to the project site, the Qualified Historical Monitor(s) 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). 2. The PI shall immediately notify City Staff by phone of the incident, and shall also submit written documentation to City Staff within 24 hours by fax or email with photos of the resource in context, if possible. <p>C. Determination/Evaluation of Impacts to a Historical Resource</p> <ol style="list-style-type: none"> 1. The PI shall evaluate the incident relative to the historical resource. <ol style="list-style-type: none"> (a) The PI shall immediately notify City Staff by phone to discuss the incident and shall also submit a letter to City Staff indicating whether additional mitigation is required. 			

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	<p>(b) If impacts to the historical resource are significant, the PI shall submit a proposal for City Staff review and written approval in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC and the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) and the associated Guidelines. Direct and/or indirect impacts to historical resources from construction activities must be mitigated before work will be allowed to resume.</p> <p>(c) If impacts to the historical resource are not considered significant, the PI shall submit a letter to City Staff indicating that the incident will be documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.</p> <p>IV. Night Work</p> <p>A. If night and/or weekend work is included in the contract</p> <ol style="list-style-type: none"> When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting. The following procedures shall be followed. <ol style="list-style-type: none"> No Impacts/Incidents In the event that no historical resources were impacted during night and/or weekend work, the PI shall record the information on the CSVr and submit to City Staff via fax by 8 a.m. of the next business day. Potentially Significant Impacts If the PI determines that a potentially significant impact has occurred to a historical resource, the procedures detailed under Section III - During Construction shall be followed. The PI shall immediately contact City Staff, or by 8 a.m. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made. <p>B. If night and/or weekend work becomes necessary during the course of construction:</p> <ol style="list-style-type: none"> The Construction Manager shall notify the RE, or BI, as appropriate, a 			

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	<p>minimum of 24 hours before the work is to begin.</p> <p>2. The RE, or BI, as appropriate, shall notify City Staff immediately.</p> <p>C. All other procedures described above shall apply, as appropriate.</p> <p>V. Post Construction</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), prepared in accordance with the Historical Resources Guidelines (HRG) and Appendices which describes the results, analysis, and conclusions of all phases of the Historical Monitoring Plan (with appropriate graphics) to City Staff for review and approval within 90 days following the completion of monitoring.</p> <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 resource. Updated forms shall be submitted to the South Coastal Information Center with the Final Monitoring Report.</p> <p>2. City Staff 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 City Staff for approval.</p> <p>4. City Staff shall provide written verification to the PI of the approved report.</p> <p>5. City Staff shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</p> <p>B. Final Monitoring Report(s)</p> <p>1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to City Staff (even if negative), within 90</p>			

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	<p>days after notification from City Staff that the draft report has been approved.</p> <p>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from City Staff.</p>			
Impact HIST-B.1	Development in Downtown could impact significant buried archaeological resources. (Direct and Cumulative)			
	<p>Mitigation Measure HIST-B.1-1: If the potential exists for direct and/or indirect impacts to significant buried archaeological resources, the following measures shall be implemented in coordination with a Development Services Department designee and/or City Staff to the HRB ("City Staff") in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC. Prior to issuance of any permit that could directly affect an archaeological resource, City Staff shall assure that all elements of the MMRP are performed in accordance with all applicable City regulations and guidelines by an Archaeologist meeting the qualifications specified in Appendix B of the San Diego LDC, Historical Resources Guidelines. City Staff shall also require that the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with pre-historic Native American activities. Archeological resources which also meet the definition of historical resources or unique archaeological resources under CEQA or the SDMC shall be treated in accordance with the following evaluation procedures and applicable mitigation program:</p> <p>Step 1–Initial Evaluation</p> <p>An initial evaluation for the potential of significant subsurface archaeological resources shall be prepared to the satisfaction of City Staff as part of an Environmental Secondary Study for any activity which involves excavation or building demolition. The initial evaluation shall be guided by an appropriate level research design in accordance with the City's LDC, Historical Resources Guidelines. The person completing the initial review shall meet the qualification requirements as set forth in the Historical Resources Guidelines and shall be approved by City Staff. The initial evaluation shall consist, at a minimum, of a review of the following historical sources: The 1876 Bird's Eye View of San Diego, all Sanborn Fire Insurance Company maps, appropriate City directories and maps that identify historical properties or archaeological sites, and a records search at the South Coastal Information Center for archaeological resources</p>	<p>Prior to Demolition or Grading Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	City Staff

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	<p>located within the property boundaries. Historical and existing land uses shall also be reviewed to assess the potential presence of significant prehistoric and historic archaeological resources. The person completing the initial review shall also consult with and consider input from local individuals and groups with expertise in the historical resources of the San Diego area. These experts may include the University of California, San Diego State University, San Diego Museum of Man, Save Our Heritage Organization, local historical and archaeological groups, the Native American Heritage Commission (NAHC), designated community planning groups, and other individuals or groups that may have specific knowledge of the area. Consultation with these or other individuals and groups shall occur as early as possible in the evaluation process.</p> <p>When the initial evaluation indicates that important archaeological sites may be present on a project site but their presence cannot be confirmed prior to construction or demolition due to obstructions or spatially limited testing and data recovery, the applicant shall prepare and implement an archaeological monitoring program as a condition of development approval to the satisfaction of City Staff. If the NAHC Sacred Lands File search is positive for Native American resources within the project site, then additional evaluation must include participation of a local Native American consultant in accordance with CEQA Sections 15064.5(d), 15126.4(b)(3) and Public Resources Code Section 21083.2.</p> <p>No further action is required if the initial evaluation demonstrates there is no potential for subsurface resources. The results of this research shall be summarized in the Secondary Study.</p> <p>Step 2–Testing</p> <p>A testing program is required if the initial evaluation demonstrates that there is a potential for subsurface resources. The testing program shall be conducted during the hazardous materials remediation or following the removal of any structure or surface covering which may be underlain by potential resources. The removal of these structures shall be conducted in a manner which minimizes disturbance of underlying soil. This shall entail a separate phase of investigations from any mitigation monitoring during construction.</p> <p>The testing program shall be performed by a qualified Historical Archaeologist meeting the qualifications specified in Appendix B of the San Diego LDC, HRG. The Historical Archaeologist must be approved by City Staff prior to commencement. Before commencing the testing, a treatment plan shall be submitted for City Staff approval that reviews the initial evaluation results and includes a research design. The research design shall be prepared in accordance with the City's HRG and include a discussion of field methods, research questions</p>			

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	<p>against which discoveries shall be evaluated for significance, collection strategy, laboratory and analytical approaches, and curation arrangements. All tasks shall be in conformity with best practices in the field of historic urban archaeology.</p> <p>A recommended approach for historic urban sites is at a minimum fills and debris along interior lot lines or other areas indicated on Sanborn maps.</p> <p>Security measures such as a locked fence or surveillance shall be taken to prevent looting or vandalism of archaeological resources as soon as demolition is complete or paved surfaces are removed. These measures shall be maintained during archaeological field investigations. It is recommended that exposed features be covered with steel plates or fill dirt when not being investigated.</p> <p>The results of the testing phase shall be submitted in writing to City Staff and shall include the research design, testing results, significance evaluation, and recommendations for further treatment. Final determination of significance shall be made in consultation with City Staff , and with the Native American community, if the finds are prehistoric. If no significant resources are found and site conditions are such that there is no potential for further discoveries, then no further action is required. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required and shall be conducted in accordance with the provisions set forth in Step 4 - Monitoring. If significant resources are discovered during the testing program, then data recovery in accordance with Step 3 shall be undertaken prior to construction. If the existence or probable likelihood of Native American human remains or associated grave goods area discovered through the testing program, the Qualified Archaeologist shall stop work in the area, notify the City Building Inspector, City staff, and immediately implement the procedures set forth in CEQA Guidelines Section 15064.5 and the California PRC Section 5097.98 for discovery of human remains. This procedure is further detailed in the Mitigation, Monitoring and Reporting Program (Step 4). City Staff must concur with evaluation results before the next steps can proceed.</p> <p>Step 3–Data Recovery</p> <p>For any site determined to be significant, a Research Design and Data Recovery Program shall be prepared in accordance with the City’s Historical Resources Guidelines, approved by City Staff, and carried out to mitigate impacts before any activity is conducted which could potentially disturb significant resources. The archaeologist shall notify City Staff of the date</p>			

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	<p>upon which data recovery will commence ten (10) working days in advance.</p> <p>All cultural materials collected shall be cleaned, catalogued and permanently curated with an appropriate institution. Native American burial resources shall be treated in the manner agreed to by the Native American representative or be reinterred on the site in an area not subject to further disturbance in accordance with CEQA section 15164.5 and the Public Resources Code section 5097.98. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate. All newly discovered archaeological sites shall be recorded with the South Coastal Information Center at San Diego State University. Any human bones and associated grave goods of Native American origin encountered during Step 2-Testing, shall, upon consultation, be turned over to the appropriate Native American representative(s) for treatment in accordance with state regulations as further outlined under Step 4-Monitoring (Section IV. Discovery of Human Remains).</p> <p>A draft Data Recovery Report shall be submitted to City Staff within twelve months of the commencement of the data recovery. Data Recovery Reports shall describe the research design or questions, historic context of the finds, field results, analysis of artifacts, and conclusions. Appropriate figures, maps and tables shall accompany the text. The report shall also include a catalogue of all finds and a description of curation arrangements at an approved facility, and a general statement indicating the disposition of any human remains encountered during the data recovery effort (please note that the location of reinternment and/or repatriation is confidential and not subject to public disclosure in accordance with state law). Finalization of draft reports shall be subject to City Staff review.</p> <p>Step 4 – Monitoring</p> <p>If no significant resources are encountered, but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required and shall be conducted in accordance with the following provisions and components:</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> 1. Prior to NTP for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first Precon Meeting, whichever is applicable, City Staff shall verify that the 			

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	<p>requirements for Archaeological Monitoring and Native American monitoring, where the project may impact Native American resources, have been noted on the appropriate construction documents.</p> <p>B. Letters of Qualification have been submitted to City Staff</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to City Staff identifying the PI for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego HRG. If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour Hazardous Waste Operations and Emergency Response training with certification documentation. 2. City Staff will provide a letter to the applicant confirming that the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG. 3. Prior to the start of work, the applicant must obtain written approval from City Staff for any personnel changes associated with the monitoring program. <p>II. Prior to Start of Construction</p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> 1. The PI shall provide verification to City Staff 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 Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed. 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. 3. The PI may submit a detailed letter to City Staff requesting a reduction to the 1/4 mile radius. <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor 			

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	<p>(where Native American resources may be impacted), CM and/or Grading Contractor, RE, the Native American representative(s) (where Native American resources may be impacted), BI, if appropriate, and City Staff. The qualified Archaeologist and the Native American consultant/monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological 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 City Staff, 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 (with verification that the AMP has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) which describes how the monitoring would be accomplished for approval by City Staff and the Native American monitor. The AMP shall include an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11 by 17 inches) to City Staff 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 City Staff through the RE indicating when and where monitoring will occur.</p> <p>(d) The PI may submit a detailed letter to City Staff 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>III. During Construction</p>			

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	<p>A. Monitor(s) Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 1. The Archaeological monitor shall be present full-time during all soil disturbing 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 City Staff of changes to any construction activities. 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME, and provide that information to the PI and City Staff. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Processes detailed in Sections III.B-C, and IVA-D shall commence. 3. The archeological and Native American consultant/monitor shall document field activity via the 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 the case of ANY discoveries. The RE shall forward copies to City Staff. 4. The PI may submit a detailed letter to City Staff 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 that may reduce or increase the potential for resources to be present. <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate. 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery. 3. The PI shall immediately notify City Staff by phone of the discovery, and shall also 			

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	<p>submit written documentation to City Staff within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.</p> <p>C. Determination of Significance</p> <p>1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource.</p> <p>If Human Remains are involved, follow protocol in Section IV below.</p> <p>(a) The PI shall immediately notify City Staff by phone to discuss significance determination and shall also submit a letter to City Staff indicating whether additional mitigation is required.</p> <p>(b) If the resource is significant, the PI shall submit an Archaeological Data Recovery Program which has been reviewed by the Native American consultant/monitor when applicable, and obtain written approval from City Staff and the Native American representative(s), if applicable. 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 the resource is not significant, the PI shall submit a letter to City Staff indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.</p> <p>IV. Discovery of Human Remains</p> <p>If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures set forth in CEQA Section 15064.5(e), 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>			

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	<ol style="list-style-type: none"> 1. Archaeological Monitor shall notify the RE or BI as appropriate, City Staff, and the PI, if the Monitor is not qualified as a PI. City Staff will notify the appropriate Senior Planner in the Environmental Analysis Section of the Development Services Department to assist with the discovery process. 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone. <p>B. Isolate discovery site</p> <ol style="list-style-type: none"> 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 provenance of the remains. 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance. 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin. <p>C. If Human Remains are determined to be Native American</p> <ol style="list-style-type: none"> 1. The Medical Examiner will notify the NAHC within 24 hours. By law, ONLY the Medical Examiner can make this call. 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information. 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e) and the California Public Resources and Health & Safety Codes. 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods. 5. Disposition of Native American Human Remains will be determined between the 			

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Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>MLD and the PI, and if:</p> <ul style="list-style-type: none"> (a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR; (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, THEN, (c) In order to protect these sites, the Landowner shall do one or more of the following: <ul style="list-style-type: none"> (1) Record the site with the NAHC; (2) Record an open space or conservation easement on the site; (3) Record a document with the County. <p>6. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.</p> <p>D. If Human Remains are not Native American</p> <ul style="list-style-type: none"> 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial. 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98). 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with City Staff, the applicant/landowner and the San Diego Museum of Man. 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>V. Night and/or Weekend Work</p> <p>A. If night and/or work is included in the contract</p> <ol style="list-style-type: none"> When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting. The following procedures shall be followed. <ol style="list-style-type: none"> No Discoveries In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to City Staff via fax by 8 am of the next business day. Discoveries All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery. Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed. The PI shall immediately contact City Staff, or by 8 am of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made. <p>B. If night and/or weekend work becomes necessary during the course of construction</p> <ol style="list-style-type: none"> The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin. The RE, or BI, as appropriate, shall notify City Staff immediately. <p>C. All other procedures described above shall apply, as appropriate.</p> <p>VI. Post Construction</p>			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) prepared in accordance with the HRG and Appendices which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to City Staff, for review and approval within 90 days following the completion of monitoring, <ol style="list-style-type: none"> (a) For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report. (b) Recording sites with State of California Department of Parks and Recreation 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. 2. City Staff shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report. 3. The PI shall submit revised Draft Monitoring Report to City Staff for approval. 4. City Staff shall provide written verification to the PI of the approved report. 5. City Staff shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals. <p>B. Handling of Artifacts and Submittal of Collections Management Plan, if applicable</p> <ol style="list-style-type: none"> 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued. 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. 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>3. The PI shall submit a Collections Management Plan to City Staff for review and approval for any project which results in a substantial collection of historical artifacts.</p> <p>C. Curation of artifacts: Accession Agreement and Acceptance Verification</p> <p>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 City Staff and the Native American representative, as applicable.</p> <p>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and City Staff.</p> <p>3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance in accordance with section IV – Discovery of Human Remains, subsection 5.(d).</p> <p>D. Final Monitoring Report(s)</p> <p>1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to City Staff (even if negative), within 90 days after notification from City Staff that the draft report has been approved.</p> <p>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from—City Staff which includes the Acceptance Verification from the curation institution.</p>			
LAND USE (LND)				
Impact LU-B.2	Noise generated by I-5 and highly traveled grid streets could cause noise levels in noise sensitive uses not governed by Title 24 to exceed 45 dB(A). (Direct)			
	Mitigation Measures NOI-B.1-1 and NOI-C.1.1, as described below.	<p>Prior to Building Permit (Design)</p> <p>Prior to Certificate of</p>	Developer	Civic San Diego/City

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
		Occupancy (Implementation)		
Impact LU-B.4	Noise generated by train horns, engines and wheels as well as bells at crossing gates would significantly disrupt sleep of residents along the railroad tracks. (Direct)			
	Mitigation Measure LU-B.4-1: Prior to approval of a Building Permit which would expose habitable rooms to disruptive railroad noise, an acoustical analysis shall be performed. The analysis shall determine the expected exterior and interior noise levels related to railroad activity. As feasible, noise attenuation measures shall be identified which would reduce noise levels to 45 dB(A) CNEL or less in habitable rooms. Recommended measures shall be incorporated into building plans before approval of a Building Permit.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	City
NOISE (NOI)				
Impact NOI-B.1	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)			
	Mitigation Measure NOI-B.1-1: 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	Civic San Diego/City
Impact NOI-C.1	Exterior required outdoor open space in residential could experience traffic noise levels in excess of 65 dB(A) CNEL. (Direct)			
	Mitigation Measure NOI-C.1-1: Prior to approval of a Development Permit for any residential development 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 determine if any required outdoor open space areas would be exposed to noise levels in excess of 65 dB(A) CNEL. Provided noise attenuation would not interfere with the primary purpose or design intent of the exterior use, measures shall be included in building plan, to the extent feasible.	Prior to Development Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	City

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
Impact NOI-D.1	Recreation areas within public parks and plazas may experience traffic noise levels in excess 65 dB(A) CNEL. (Direct)			
	Mitigation Measure NOI-D.1-1: Prior to approval of a Development Permit for any public park or plaza 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 determine if any recreation areas would be exposed to noise levels in excess of 65 dB(A) CNEL. Provided noise attenuation would not interfere with the intended recreational use or park design intent, measures shall be included, to the extent feasible.	Prior to Development Permit (Design) Prior to Certificate of Occupancy (Implementation)	Civic San Diego/ Developer	City
PALEONTOLOGICAL RESOURCES (PAL)				
Impact PAL-A.1	Excavation in geologic formations with a moderate to high potential for paleontological resources could have a significant impact on these resources, if present. (Direct)			
	<p>Mitigation Measure PAL-A.1-1: In the event the Secondary Study indicates the potential for significant paleontological resources, the following measures shall be implemented as determined appropriate by Civic San Diego.</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> 1. Prior to 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 Civic San Diego shall verify that the requirements for paleontological monitoring have been noted on the appropriate construction documents. <p>B. Letters of Qualification have been submitted to Civic San Diego</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to Civic San Diego identifying the 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. 2. Civic San Diego will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project. 3. Prior to the start of work, the applicant shall obtain approval from Civic San Diego for any personnel changes associated with the monitoring program. 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>II. Prior to Start of Construction</p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> 1. The PI shall provide verification to Civic San Diego that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed. 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, CM and/or Grading Contractor, RE, BI, if appropriate, and Civic San Diego. 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. <ol style="list-style-type: none"> a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with Civic San Diego, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring. 2. Identify Areas to be Monitored <ol style="list-style-type: none"> 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 11 by 17 inches) to Civic San Diego identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation). 3. When Monitoring Will Occur <ol style="list-style-type: none"> a. Prior to the start of any work, the PI shall also submit a construction schedule 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>to Civic San Diego through the RE indicating when and where monitoring will occur.</p> <p>b. The PI may submit a detailed letter to Civic San Diego 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.</p> <p>III. During Construction</p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and Civic San Diego of changes to any construction activities. 2. The monitor shall document field activity via the 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 the case of any discoveries. The RE shall forward copies to Civic San Diego. 3. The PI may submit a detailed letter to Civic San Diego during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present. <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate. 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the 			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>discovery.</p> <p>3. The PI shall immediately notify Civic San Diego by phone of the discovery, and shall also submit written documentation to Civic San Diego 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 shall evaluate the significance of the resource.</p> <p>a. The PI shall immediately notify Civic San Diego by phone to discuss significance determination and shall also submit a letter to Civic San Diego indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.</p> <p>b. If the resource is significant, the PI shall submit a Paleontological Recovery Program and obtain written approval from Civic San Diego. 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 (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 Civic San Diego unless a significant resource is encountered.</p> <p>d. The PI shall submit a letter to Civic San Diego 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.</p> <p>IV. Night Work</p> <p>A. If night work is included in the contract</p> <p>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.</p> <p>2. The following procedures shall be followed.</p>			

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>a. No Discoveries</p> <p>(1) In the event that no discoveries were encountered during night work, The PI shall record the information on the CSV and submit to Civic San Diego via fax by 9 a.m. the following morning, if possible.</p> <p>b. Discoveries</p> <p>(1) All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.</p> <p>c. Potentially Significant Discoveries</p> <p>(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 Civic San Diego, or by 8 a.m. 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 Civic San Diego immediately.</p> <p>C. All other procedures described above shall apply, as appropriate.</p> <p>V. Post Construction</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 Civic San Diego 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</p>			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>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. Civic San Diego 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 Civic San Diego for approval.</p> <p>4. Civic San Diego shall provide written verification to the PI of the approved report.</p> <p>5. Civic San Diego 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> <p>1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.</p> <p>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</p> <p>C. Curation of fossil remains: Deed of Gift and Acceptance Verification</p> <p>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.</p> <p>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and Civic San Diego.</p> <p>D. Final Monitoring Report(s)</p>			

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<ol style="list-style-type: none"> 1. The PI shall submit two copies of the Final Monitoring Report to Civic San Diego (even if negative), within 90 days after notification from Civic San Diego that the draft report has been approved. 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from Civic San Diego which includes the Acceptance Verification from the curation institution. 			
TRAFFIC AND CIRCULATION (TRF)				
Impact TRF-A.1.1	Increased traffic on grid streets from Downtown development would result in unacceptable levels of service on specific roadway intersections and/or segments within downtown. (Direct)			
	<p><i>Mitigation Measure TRF-A.1.1-1:</i> At five-year intervals, commencing upon adoption of the Downtown Community Plan, Civic San Diego shall conduct a downtown-wide evaluation of the ability of the grid street system to accommodate traffic within Downtown. In addition to identifying roadway intersections or segments which may need immediate attention, the evaluation shall identify roadways which may warrant interim observation prior to the next 5-year evaluation. The need for roadway improvements shall be based upon deterioration to LOS F, policies in the Mobility Plan, and/or other standards established by Civic San Diego, in cooperation with the City Engineer. In completing these studies, the potential improvements identified in Section 6.0 of the traffic study for the Downtown San Diego Mobility Plan and Section 4.2.3.3 of the SEIR will be reviewed to determine whether these or other actions are required to improve traffic flow along affected roadway corridors. Specific improvements from Section 4.2.3.3 include:</p> <p><u>Mitigation Measures that Fully Reduces Impact</u></p> <p>I-5 northbound off-ramp/Brant Street and Hawthorn Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>Second Avenue and Cedar Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>Fourth Avenue and Beech Street – Convert on-street parking to a travel lane on Fourth Avenue between Cedar Street and Ash Street during the AM peak hour.</p> <p>First Avenue and A Street – Remove on-street parking on the north side of A Street between First and Front avenues as necessary to provide an east bound left turn lane.</p>	Every five years	Civic San Diego/City	Civic San Diego/City

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>17th Street and B Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>16th Street and E Street – Remove on-street parking on the east side of 16th Street south of E Street as necessary to provide a northbound right-turn lane.</p> <p>Eleventh Avenue and G Street – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</p> <p>Park Boulevard and G Street – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</p> <p>16th Street and Island Avenue – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>19th Street and J Street – Restripe the northbound left-turn lane into a northbound left-turn and through shared lane.</p> <p>Logan Avenue and I-5 southbound off-ramp – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p><u>Mitigation Measures that Partially Reduces Impact</u></p> <p>Front Street and Beech Street - Convert on-street parking to a travel lane on Front Street between Cedar Street and Ash Street during the PM peak hour.</p> <p>15th Street and F Street - Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>13th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</p> <p>14th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</p> <p>16th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</p> <p>17th Street and G Street - Signalization and convert on-street parking to a travel lane on G</p>			

**Downtown FEIR/SEIR
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Street between 11th Avenue and 17th Street during the PM peak hour. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</p> <p>Following the completion of each five-year monitoring event, Civic San Diego shall incorporate needed roadway improvements into the City of San Diego CIP or identify another implementation strategy.</p> <p>In order to determine if the roadway improvements included in the current five-year CIP, or the equivalent, are sufficient to accommodate developments, a traffic study would be required for large projects. The threshold to be used for determining the need for a traffic study shall reflect the traffic volume threshold used in the Congestion Management Program. The Congestion Management Program stipulates that any activity forecasted to generate 2,400 or more daily trips (200 or more equivalent peak hour trips).</p>			
	<p>Mitigation Measure TRF-A.1.1-2: Prior to approval of any development which would generate a sufficient number of trips to qualify as a large project under the Congestion Management Program (i.e. more than 2,400 daily trips, or 200 trips during a peak hour period), a traffic study shall be completed. The traffic study shall be prepared in accordance with City’s Traffic Impact Study Manual. If the traffic study indicates that roadways substantially affected by the project would operate at LOS F with the addition of project traffic, the traffic study shall identify improvements to grid street segments and/or intersections consistent with the Downtown San Diego Mobility Plan which would be required within the next five years to achieve an acceptable LOS or reduce congestion, to the extent feasible. If the needed improvements are already included in the City of San Diego’s CIP, or the equivalent, no further action shall be required. If any of the required improvements are not included in the CIP, or not expected within five years of project completion, the City of San Diego shall amend the CIP, within one year of project approval, to include the required improvements and assure that they will be implemented within five years of project completion. At Civic San Diego’s discretion, the developer may be assessed a pro-rated share of the cost of improvements as a condition of project approval.</p>	Prior to Development Permit (Design)	Developer	Civic San Diego/City
Impact TRF-A.1.2	Increased traffic from Downtown development on certain streets surrounding Downtown would result in an unacceptable level of service. (Direct and Cumulative)			
	Implementation of Mitigation Measure TRF-A.1.1-1 would also reduce impacts on surrounding roadways but not necessarily below a level of significance.	Every five years	Civic San Diego/City	Civic San Diego/City

Downtown FEIR/SEIR Mitigation Monitoring and Reporting Program				
Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
Impact TRF-A.2.1-1	Elimination of Cedar St. off-ramp would impact other freeway ramps by redirecting traffic to other off ramps serving downtown. (Direct)			
	Mitigation Measure TRF A.2.2-1: Prior to elimination of the Cedar Street off-ramp from I-5, a traffic study shall be done by Civic San Diego in consultation with the City of San Diego and Caltrans to determine the potential effects associated with elimination of the off-ramp and the conversion of Cedar Street from one- to two-way. The report shall also identify roadway modifications that would minimize potential impacts on local surface streets and I-5.	Prior to elimination of Cedar Street off-ramp (Design/Implementation)	Civic San Diego/City	Civic San Diego/City



THE CITY OF SAN DIEGO

Report to the Historical Resources Board

DATE ISSUED: September 14, 2016 REPORT NO. HRB-16-061

ATTENTION: Historical Resources Board
Agenda of September 20, 2016

SUBJECT: **ITEM 10 – Park + Market (1127-1137 G Street) – Centre City Planned Development Permit/Site Development Permit No. 2016-15**

APPLICANT: Holland Partner Group represented by Heritage Architecture & Planning

OWNER: City of San Diego

LOCATION: 1127-1137 G Street, 92101, Downtown Community, Council District 3

DESCRIPTION: Recommend to the Planning Commission adoption of the mitigation measures and findings associated with the site development permit as presented or recommend inclusion of additional permit conditions related to a designated historical resource.

STAFF RECOMMENDATION

Recommend to the Planning Commission adoption of the permit findings and mitigation measures associated with the Site Development Permit for the relocation of the designated historical resource located at 1127-1137 G Street (HRB Site #426, the Remmen Building) as presented.

BACKGROUND

The City's Land Development Code Section 126.0503(b)(2) requires a recommendation from the Historical Resources Board prior to the Planning Commission decision on a Site Development Permit when a historical district or designated historical resource is present. The HRB has adopted the following procedure for making recommendations to decision-makers (Historical Resources Board Procedures, Section II.B):

When the Historical Resources Board is taking action on a recommendation to a decision-maker, the Board shall make a recommendation on only those aspects of the matter that relate to the historical aspects of the project. The Board's recommendation action(s) shall relate to the cultural resources section, recommendations, findings and mitigation measures of the final environmental document, the Site Development Permit findings for historical purposes, and/or the project's compliance with the Secretary of the Interior's Standards for

Treatment of Historic Properties. If the Board desires to recommend the inclusion of additional conditions, the motion should include a request for staff to incorporate permit conditions to capture the Board's recommendations when the project moves forward to the decision maker.

The Remmen Building is located at 1127-1137 G Street in the Downtown Community Planning area. The building was originally constructed in 1907 in the Craftsman style with Neoclassical influences. On June 6, 2000, the property was designated by the Historical Resources Board under HRB Criterion C as a good example of a Craftsman two story apartment building with Neoclassical influences.

The applicant proposes construction of a mixed-use project with a thirty-four story tower containing approximately 427 residential units; 51,260SF of office space; and 22,641SF of retail space. The project will also include 5,465 SF of open space, a 3,198SF amphitheater and a 5,000SF upper terrace overlooking the public plaza. Below grade, the project will feature a 613 parking space garage in four levels (Attachments 1, 2 and 6). As part of the overall project, the applicant is proposing to temporarily relocate the designated resource to a vacant parcel at southeast corner of Market and 13th Street for approximately one year. The temporary relocation allows the excavation of the subterranean garage and reduces the potential for damage to the historic resource. Once the garage is complete, the historic resource will be returned to the parcel, shifted and reoriented to the east to front on to Park Boulevard. The space to the west and south of the relocated building will be utilized as open space. Once rehabilitated, the designated resource will be utilized as commercial space.

The proposed project would require the historic building to be moved in one piece to the temporary site and back again to the new location at the northeast corner of Park Boulevard and G Street. The relocation would require removal of the exterior plumbing pipes, the exterior concrete steps, the historic chimney and the ashlar blocks at the foundation. The brick chimney and the ashlar block foundation would be documented and catalogued prior to their removal. The brick and the block will be stored along with the house at the 1301 Market Street in a locked in a weather-tight steel container. The front steps will be documented and demolished prior to the move. Portions of the steps will be maintained for reconstruction purposes. The windows and the doors on the building would be boarded with plywood in a manner that does not damage the trim or the window. The rear deck and stairs will be removed prior to relocation. The front porch, including the porch floor, balustrade, columns, roof, trim and decorative elements will be protected in place and securely shored for the move. While at the temporary site, the house will be monitored on a weekly basis to ensure that the house is secure.

Once the subterranean parking garage is complete, the house will be returned to the original parcel at Park Boulevard and G Street and rotated 90 degrees. The rotation will orient the house towards Park Boulevard rather than G Street. At the new permanent location, the house will be lowered so the finish floor is approximately 30" above the adjacent sidewalk. Once installed at its new height, the exterior of the building will be restored consistent with the U.S. Secretary of the Interior's Standards. The restoration would include reconstruction of the existing chimney and the two non extant chimneys; reconstruction of the front stairs; re-installation of the ashlar block; repair and painting of the exterior siding; window repair; and replacement of the roofing material. A tenant for the building has not been identified at this time, so the interior will not be modified until a lease is signed for the property. In an effort to ready the building for a future tenant, a wood deck will be added to the south side of the house and a pair of double hung windows on the same side will be

cut down to convert to doors to access the site. As summarized above and provided in Attachment 5, the proposed rehabilitation of the structure at the new site would be consistent with the Standards.

ANALYSIS

The proposed relocation of the designated building is by definition a substantial alteration requiring a site development permit, consistent with Municipal Code Section 143.0251. Impacts related to the proposed alteration and relocation would be reduced through implementation of the required mitigation measures found in the Downtown Final Environmental Impact Report (Downtown FEIR) Draft Consistency Evaluation for the Park + Market Project (Attachment 3). Findings for the relocation of a designated historical resource are required for approval of the permit, consistent with Municipal Code Section 126.0504(h).

The three required Supplemental Findings and supporting information are provided in Attachment 4 and are summarized below.

1. There are no feasible measures, including maintaining the resource on site, that can further minimize the potential adverse effects on historical resources.

The project proposes relocation, rehabilitation and reuse of the Remmen Building, from its current location at 1127-1137 G Street in the Centre City Planned District to 1301 Market Street temporarily and returning to the northeast corner of the site with an orientation to the east. Relocation of the building would allow development of underground parking, in addition to the above grade development discussed earlier. The developer evaluated maintaining the resource at its current site. Retention at the site would limit overall development and require an additional level of subterranean garage to provide adequate parking. Each additional parking space would cost approximately \$60,000 resulting in a cost of nine million dollars for the additional floor making this alternative infeasible. The Findings also note that the relocation of the resource would allow for the protection of the building during the construction of the parking garage and associated features. The proposed relocation and rehabilitation will result in reduced impacts to the overall integrity of the resource while keeping it in close proximity to its original location with increased public visibility.

2. The proposed relocation will not destroy the historical, cultural or architectural values of the historical resource and the relocation is part of a definitive series of actions that will assure the preservation of the designated historical resource.

The developer has agreed to implement measures identified in the FEIR Mitigation, Monitoring and Reporting Program pertaining to the relocation, rehabilitation and reuse of designated historical resource #426, the Remmen Building. Further, the developer has identified a relocation site. The relocation site meets the requirements of the National Park Service's Criterion Consideration B for Moved Properties and the City's Historical Resources Regulations on the same subject. After relocation and stabilization of the resource, it will be rehabilitated in accordance with the Secretary of the Interior's Standards for Rehabilitation. A qualified historical architect monitor will supervise the relocation and rehabilitation project. The property's status as a designated historical resource will be maintained and the property will remain a designated resource under the jurisdiction of the San Diego Historical Resources Board. These measures ensure that the proposed relocation,

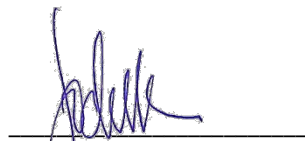
rehabilitation and reuse will not destroy the historical, cultural, or architectural values of the historical resource and the relocation will be part of a definitive series of actions to assure the preservation of the designated historical resource.

3. There are special circumstances or conditions apart from the existence of the historical resource, applying to the land that are peculiar to the land and are not of the applicant's making, whereby the strict application of the provisions of the historical resources regulations would deprive the property owner of reasonable use of the land.

The Downtown Community Plan's goals for the surrounding neighborhood call for greater development, especially on vacant land and underdeveloped sites. Consistent with these goals, the area surrounding the site has seen an increase in density and larger scale development in the last several years. Included in this growth are multi-story development projects which are located directly east, south and northwest from the Remmen Building. The existing site constraints which include the city dedication of 28' of the block to right of way purposes to facilitate the Park to Bay Link (Balboa Park to the San Diego bay); the location of the historical resource which occupies a lot zoned for higher density; and the overall setting and context of the neighborhood constitute special circumstances and conditions which exist apart from the presence of the historical resource. These special circumstances applying to the land are peculiar to the land and are not of the developer's making. Therefore the strict application of the provisions of the Historical Resources Regulations would deprive the developer, as the property owner, of reasonable use of the land.

CONCLUSION

Staff concurs that the proposed mitigation measures and permit conditions provided to the HRB are sufficient to reduce the identified impacts to the Remmen Building. Therefore, staff recommends that the Historical Resources Board recommend to the Planning Commission adoption of the findings and mitigation measures associated with Planned Development/Site Development Permit No. 2016-15 for the relocation of the designated historical resource located at 1127-1137 G Street (HRB Site #426, the Remmen Building) as presented.



Jodie Brown, AICP
Senior Planner



Kelley Stanco
Senior Planner/HRB Liaison

JB/cw

Attachments:

1. Civic San Diego's Staff Report dated July 5, 2016
2. Draft Centre City Development Permit/Neighborhood Use Permit/Site Development Permit 2016-15 (under separate cover)
3. Downtown Final Environmental Impact Report (Downtown FEIR) Draft Consistency Evaluation for the Park + Market Project dated September 7, 2016 (under separate cover)
4. Findings (under separate cover)
5. Treatment Plan (under separate cover)
6. Park + Market Project Plans (under separate cover)

RECORDING REQUESTED BY:

Civic San Diego
Planning Department
401 B Street, Suite 400
San Diego, CA 92101

AND WHEN RECORDED MAIL TO:

Civic San Diego
Planning Department
401 B Street, Suite 400
San Diego, CA 92101

THIS SPACE FOR RECORDER'S USE ONLY

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

**DRAFT CENTRE CITY DEVELOPMENT PERMIT
SITE DEVELOPMENT PERMIT
NEIGHBORHOOD DEVELOPMENT PERMIT
NO. 2016-15**

**PARK & MARKET
ASSESSOR PARCEL NUMBERS
535-134-14**

**CENTRE CITY PLANNED DISTRICT
DRAFT CENTRE CITY DEVELOPMENT PERMIT
SITE DEVELOPMENT PERMIT
NEIGHBORHOOD DEVELOPMENT PERMIT
NO. 2016-15**

**PARK & MARKET
ASSESSOR PARCEL NUMBERS
535-134-14**

This Centre City Development Permit / Site Development Permit / Neighborhood Development Permit (CCDP/SDP/NDP) Permit No. 2016-15 is granted by the City of San Diego Planning Commission to the City of San Diego, Owner, and Holland Partners Group, Permittee, to allow: 1) the Relocation of Historical Resources Board (HRB) Site No. 426, as shown in the Treatment Plan dated September 1, 2016 and, 2) the construction of a mixed-use development known as Park & Market ("Project") on the 51,600 square foot ("sq.ft.") premises located on the on the block bounded by Park Boulevard, Eleventh Avenue, Market and G streets in the East Village neighborhood of the Downtown Community Plan (DCP) area and within the Centre City Planned District (CCPD); and more particularly described as Lots A, B, C, D, E, F, G, H, I, J, K and L in Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by A. L. L. Lockling on file in the Office of the County Recorder of San Diego County. Excepting therefrom the easterly 28.00 feet of lots G, H, I, J, K and L, Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map made of L. L. Lockling filed in the Office of the County Recorder of San Diego County, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner and/or Permittee to construct and operate a development and uses as described and identified by size, dimension, quantity, type and location as follows and on the approved Basic Concept/Schematic Drawings and associated Color and Materials Boards dated September 30, 2016 on file at Civic San Diego ("CivicSD").

1. General

The Owner and/or Permittee shall construct, or cause to be constructed on the site, a development consisting of a 34-story (approximately 360-foot tall), mixed-use development located on a 51,600 sq.ft premises located on the block bounded by Park Boulevard, Eleventh Avenue, Market and G streets in the East Village neighborhood. The Project is comprised of approximately 426 residential dwelling units ("d.u."), 52,096 SF of office space, 22,641 of retail space and 560 automobile parking spaces (418 code compliant) in four levels of below grade parking. The Project involves the relocation and rotation of a Designated Historic Resource. The total Floor Area Ratio (FAR) of the development for all uses above ground shall not exceed 10.9 (including all FAR Bonuses). The development shall not exceed a height of 362 feet above grade level, measured to the top of the parapet of the uppermost

floor, with roof equipment enclosures, elevator penthouses, mechanical screening and architectural elements above this height permitted per the CCPDO.

2. Disposition and Development Agreement

The Project shall be subject to all terms and conditions of the associated Disposition and Development Agreement and are incorporated into the conditions of approval for CCDP/SDP/NDP No. 2016-15 by reference herein.

3. Site Development Permit

The City of San Diego Planning Commission hereby grants a SDP allowing the Significant Alteration of a Designated Historical Resources as follows:

- a. The City of San Diego HRB Site No. 426, the Remmen Building located at 1127-1137 G Street will be relocated, then rehabilitated according to US Secretary of the Interiors Standards for Rehabilitation of Historic Structures (“Standards”), City of San Diego Historical Resources Guidelines (“Guidelines”), and incorporated into the this Project as shown in the Treatment Plan dated September 1, 2016 and the Basic Concept Drawings dated September 30, 2016.

All alterations to, and rehabilitation of, the Remmen Building, shall be performed in accordance with the National Park Service Standards for Relocation, the Standards, the Guidelines, and the Treatment Plan required under the 2006 Final Environmental Impact Report (FEIR) Mitigation, Monitoring, and Reporting Program (MMRP) Measures HIST A.1-2 and HIST B.1. In addition, the following conditions apply:

1. Historic American Buildings Survey (HABS) Level III documentation shall be completed for the structure prior to issuance of Building Permits.
2. A qualified historical architectural monitor (approved by City of San Diego Plan-Historic Staff) will supervise the relocation, rehabilitation and reuse of the building.
3. A permanent plaque shall be provided on the exterior wall of the historic building describing the buildings original address/location. The design shall be approved by City of San Diego Plan-Historic staff prior to issuance of Building Permits and installation.
4. If any of the materials (exterior walls, window frames, roof and architectural details) are deteriorated and cannot be rehabilitated, and/or not permitted to be reinstalled by City of San Diego building officials, they may be recreated of new materials with the prior approval of the materials and execution methods of the City of San Diego Plan-Historic staff.

4. Neighborhood Development Permit

The City of San Diego Planning Commission hereby grants a NDP pursuant to San Diego Municipal Code Sections 126.0402(j) where the applicant is the record owner of the

underlying fee title, for the following encroachment into the Public Right-of-Way (PROW) surrounding the Project:

Encroachments

1. Remmen Building

5. Floor Area Ratio (FAR) Bonus

An increase in the maximum allowable Base 10.0 FAR to 10.9 FAR is hereby granted under the following provisions of the CCPDO:

- a. Affordable Housing Density Bonus Regulations (Section 143.0710) - The development is entitled to an additional 3.0 FAR (154,800 square feet). The Owner/Permittee shall provide a minimum of 85 affordable units restricted to less than or equal to 50% of the Area Median Income (AMI) for a minimum of 55 years. An agreement with the San Diego Housing Commission shall be executed to enforce and monitor the affordability restrictions prior to issuance of any Building Permit for construction of any residential unit.
- b. Urban Open Space (Section 156.0309(e)(2)) - The development is entitled to up to 0.5 FAR (25,800 square feet) under the provisions of the CCPDO for the provision of 5,645 square feet of Urban Open Space designed as approved during the Design Review process and as shown in the Basic/Concept Drawings. Specifications for the design of the Urban Open Space shall be submitted with 100% Construction Drawings and approved by CivicSD prior to issuance of a Building Permit. The Urban Open Space shall also be subject to the following:
 - i. The Urban Open Space shall be open to the general public at least between the hours of 6:00a.m. and 10:00p.m. every day. The open space area shall have signs indicating that the public is welcome and the hours of closure, if applicable.
 - ii. CC& R's shall be recorded on the property providing for the development and on-going maintenance of the open space area to City standards in perpetuity. These provisions shall be approved by CivicSD and the City Attorney's Office prior to issuance of a Building Permit.
- c. Three-Bedrooms Units (Section 156.0309(e)(3)) - The development is entitled to 1.0 FAR (51,600 square feet) for the provision of 43 three-bedroom units, equivalent to equivalent to 10 percent of the total amount of dwelling units within the development. The development shall provide a minimum of 80 percent of the gross floor area for residential uses. Eligible three-bedroom units shall not exceed 1,200 square feet and shall contain a minimum of 700 square feet, with additional area for an enclosed closet. CC&R's shall be recorded on the property to ensure the number of bedrooms in the units are not reduced. Such CC&Rs shall be in a form approved by CivicSD and the City Attorney's Office and shall be recorded prior to issuance of a Building Permit.

- d. Green Building FAR (Section 156.0309(e)(8)) - The Project is entitled to 1.0 FAR (51,600 square feet) for the provision of Centre City Green (CCG) Building Incentive Program awards development incentives for buildings that exceed the California Green Building Standards Code (CALGreen). The Applicant shall construct a LEED-Certified Silver building in accordance with the US Green Building Council (USGBC) standards for new construction. CC&Rs shall be recorded on the property to ensure the LEED-Certification level for construction of building. Such CC&Rs shall be in a form approved by CivicSD and the City Attorney's Office and shall be recorded prior to issuance of a Building Permit.
- e. Prior to the issuance of any building permits, the Permittee shall provide a financial surety, deposit, or other suitable guarantee approved by the Civic San Diego President and the City Attorney's Office to ensure that the applicant completes the LEED certification for the development as proposed to obtain a FAR Bonus under this section.
- f. LEED certification must be demonstrated through an independent report provided by the USDBC that confirms achievement of a LEED Silver (or higher) level of performance. The financial surety, deposit, or other suitable guarantee shall be in an amount equivalent to the values which would be required to purchase an equivalent amount of FAR under the FAR Payment Bonus Program, including any subsequent amendments in effect at the time of the development permit application. Within 180 days of receiving the final Certificate of Occupancy for a development, the applicant shall submit documentation that demonstrates achievement of the applicable LEED rating as proposed under this section.
- g. If the applicant fails to submit a timely report or demonstrate LEED certification, payment shall be deducted against the financial security, deposit, or other suitable guarantee and deposited in the FAR Bonus Fund established under the FAR Payment Bonus Program. The amount of payment shall be calculated according to the following formula:

$$P = \text{FAR \$} \times ((\text{LCP} - \text{CPE}) / \text{LCP})$$

P = the payment amount shall be paid to the FAR Bonus Fund

FAR\$ = the amount of money which would be required to purchase FAR under the FAR Payment Bonus Program

LCP + LEED Certification Points needed to achieve the proposed LEED certification level (Silver or Gold)

CPE = LEED Certification Points actually earned by the development as certified by the USGBC

All funds provided by the applicant for the LEED certification surety, deposit, or other suitable guarantee that are not paid to the FAR Bonus Fund shall be refunded to the applicant. In the event that the applicant submits a timely report and demonstrates the necessary level of LEED certification for the applicant's desired FAR Bonus, the entire

amount of the surety, deposit, or other suitable guarantee shall be refunded to the applicant.

6. Affordable Housing Density Bonus Development Incentive

Per SDMC Section 143.0740, three development incentives shall be utilized to allow the following three deviations:

- a. CCPDO 156.0310(d)(1)(D) Minimum Streetwall Height – Reduction from 45 feet to 20 feet for the streetwall height along a portion of Park Boulevard.
- b. CCPDO 156.0313(l)(2) Vehicular Access Curb Cut – Exceedance of 30 feet width maximum.
- c. CCPDO 156.0310(e) Ground-Floor Height (12-foot minimum for residential) – Reduction of ground floor height for residential units along Eleventh Avenue to 10 feet.

All applicable requirements of SDMC Sections 143.0720 and 143.0725 shall be met and incorporated herein.

7. Parking

- a. The development includes approximately 560 automobile parking spaces. A minimum of 259 spaces (or an equivalent number based on the exact number of DU) shall be dedicated to the development's market-rate residential component and shall be designed to meet City Standards. These automobile parking spaces shall be allocated for exclusive use by the development's residential units. Any guest parking should be located near the garage entrance. If any additional parking spaces are designed with dimensions less than the City Standards, future buyers (if converted to condominium) of the residential units shall be informed of the dimensional size of their parking spaces prior to the sale of such units. All tandem parking spaces must be for residential units within the Project. Additional parking spaces above the minimum requirements for the project may be made available to the public.
- b. A minimum of 65 spaces (or an equivalent number based on the exact number of affordable DU) shall be dedicated to the development's affordable residential component and shall be designed to meet City Standards. These automobile parking spaces shall be allocated for exclusive use by the development's affordable residential units.
- c. A minimum of 78 spaces must be dedicated to the development's office component (or an equivalent number based on the exact office area) and all shall be designed to meet City Standards. These automobile parking spaces shall be allocated for exclusive use by the development's office component.

- d. A minimum of 21 motorcycle parking spaces and secured storage space for a minimum of 85 bicycles shall be provided (or an equivalent number based on the exact number of DU and/or use areas).

8. Loading

- a. A minimum of one off-street loading space shall be required for the residential component of the development with minimum dimensions of 35 feet in depth, 13 feet in width, and 13 feet in height (measured from the inside walls).

9. Historical Resources

The project includes a designated historical resources; the Remmen Building (Historical Resources Board (HRB) Site No. 426) located on the northeast corner of the site. The building shall be rehabilitated in accordance with the Secretary of the Interior Standards to the satisfaction of the City of San Diego Historic Resources staff. A Historical Treatment Plan, including a Historical Monitoring Plan, for the resource shall be provided to, and approved by, the City of San Diego Historical Resources Department prior to work commencing on the site.

10. Transportation Demand Management

The project is required to implement measures to reduce single-occupant vehicle trips for the project, per Table 0313-D of Section 156.0313(o) of the CCPDO, achieving a minimum of 25 points, for the life of the project. Such measures shall be demonstrated prior to issuance of Building Permits for the project.

11. Public Art

The Owner/Permittee shall comply with public art requirements of San Diego Municipal Code Chapter 2, Article 6, Division 7 Art in Private Development Ordinance and shall provide confirmation of compliance from the City of San Diego Commission for Arts and Culture prior to issuance of Building Permits.

PLANNING AND DESIGN REQUIREMENTS

12. Residential Amenities and Facilities

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

- a. Common Outdoor Open Space – A minimum of 5,160 SF of common outdoor space shall be provided; the project proposes approximately 5,645 SF. The dimensions of the common outdoor open space(s) must not be reduced for the life of the development. A minimum of 10% of each common outdoor open space area must be planted area and

each area must be accessible to all residents of the development through a common access way.

- b. Common Indoor Space – A minimum of 500 SF of common indoor amenity space shall be provided. The space(s) shall be maintained for use by residents of the development and must be accessible through a common corridor. The area may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space.
- c. Private Open Space - At least 50 percent of all dwelling units shall provide private open space on a balcony, patio, or roof terrace, with a minimum area of 40 square feet each and an average horizontal dimension of 6 feet. Balconies should be proportionately distributed throughout the development in relationship to floor levels and sizes of units. Living unit developments are exempt from this requirement.
- d. Pet Open Space – A minimum of 200 square feet of pet open space shall be provided and improved for use by pets and clearly marked for such exclusive use. Such areas shall include permeable surfaces, a hose bib, and be drained to the public sewer system (except for at-grade lawn areas).
- e. Off-Street Loading Bay – The development shall provide and maintain an off-street loading bay for use by the residents of the development. Loading bay dimensions shall be a minimum of 35 feet deep, 13 feet wide and 13 feet tall. The loading area shall have direct access to the internal circulation system and elevators of the development.

13. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual (CCSM). These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development 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 neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with CivicSD. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale – The development shall consist of a mixed-use development containing four buildings configured around a public open space (plaza): (1) a 34-story residential tower along Eleventh Avenue; (2) a four-story office building along Market Street; (3) a one-story retail building along Park Boulevard; and, (4) the historic Remmen Building at the corner of Park Boulevard and G Street. The 34-story tower (approximately 362 feet tall) measured to the top of the roofline and/or parapet, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDO and the Federal Aviation Administration (FAA). 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 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. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, 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 of the highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the PROW. No substitutions of materials or colors shall be permitted without the prior written consent of the CivicSD. 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 – 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 including garage/motor-court entrances 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 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 ROW and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per San Diego Municipal Code (SDMC) 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 development shall implement a recycling program to provide for the separation of recyclable materials from the non-recyclable trash materials.

- f. Mail and Delivery Locations – It is the Owner's and/or Permittee'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 Owner and/or Permittee shall locate all mailboxes and parcel lockers outside of the ROW, 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 development, 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. Access – Vehicular access to the development's parking shall be limited to one driveway on 11th Avenue with a curb cut not exceed 36 feet in width. Access to the development's off-street loading bay shall be limited to a single driveway on 11th Avenue with a curb cut not to exceed 12 feet in width. The total permitted driveway width is 36 feet.
- h. Circulation and Parking – The Owner and/or Permittee 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.

All subterranean parking shall meet the requirements of the Building Official, 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 residential units, adjoining properties and the ROW

- i. Open Space and Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of 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 (including views from above); except where exempted by this Permit.
- k. Signage – All signs shall comply with the City of San Diego Sign Regulations and the CCPDO.
- l. Lighting – A lighting plan which highlights the architectural qualities of the proposed development and also enhances the lighting of the ROW shall be submitted with 100% Construction Drawings. All lighting shall be designed to avoid illumination of adjoining properties.
- m. 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. All mechanical equipment shall be located to mitigate noise and exhaust impacts on adjoining

development, particularly residential. Owner and/or Permittee shall provide evidence of compliance at 100% Construction Drawings.

- n. 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 Owner and/or Permittee shall demonstrate consideration of such energy features during the review of the 100% Construction Drawings.
- o. Street Address – Building address numbers shall be provided that are visible and legible from the ROW.

14. 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. Any on-site landscaping shall establish a high quality of design and be sensitive to landscape materials and design planned for the adjoining ROW.

PUBLIC IMPROVEMENTS, LANDSCAPING AND UTILITY REQUIREMENTS

15. Off-Site Improvements

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

	G Street	Park Boulevard	Market Street	11th Avenue
Street Trees	Chinese Flame Tree	London Plane	Chinese Flame Tree	Jacaranda
Sidewalk Paving	Gateway Paving	Park to Bay Paving	Gateway Paving	Gateway Paving
Street Lights	Gateway	Tear Drop Lights	Gateway	Gateway

- a. Street Trees – Street tree selections shall be made according to the CCSM. All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCSM, 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 development.

The Owner and/or Permittee will be responsible for evaluating, with consultation with the CivicSD, whether any existing trees within the ROW shall be maintained and preserved. No trees shall be removed prior to obtaining a Tree Removal Permit from the City's Development Services Department (DSD) per City Council Policy 200-05.

- b. Street Lights – All existing lights shall be evaluated to determine if they meet current CivicSD and City requirements, and shall be modified or replaced if necessary. All street lights shall be painted “CCDC Blue” PLS6 1008F blue by Sherwin Williams.
- c. Sidewalk Paving – Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement (EMRA) with the City.
- d. Requested Deviation – The Owner/Permittee shall provide a minimum 4-foot length of full-height curb between driveways along 11th Avenue, where 45 feet in length is required pursuant to SDMC Section 142.0560(j)(6), to the satisfaction of the City Engineer.” Engineering Condition: Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the construction of the 20-foot wide driveway and 4 feet separation with curb, gutter and sidewalk, and 12-foot wide driveway on 11th Avenue, to the satisfaction of the City Engineer.
- e. Litter Containers – The development shall provide a minimum of two litter receptacles and shall be located as specified in the CCSM.
- f. Landscaping – All required landscaping shall be maintained in a disease, weed and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of the CivicSD within 30 days of damage or Certificate of Occupancy.
- g. Planters – Planters shall be permitted to encroach into the ROW a maximum of two feet for sidewalk areas measuring at least twelve feet and less than fourteen feet in width. For sidewalk areas fourteen feet or wider, the maximum permitted planter encroachment shall be three feet. The planter encroachment shall be measured from the property line to the face of the curb to the wall surrounding the planter. A minimum five foot clear path shall be maintained between the face of the planter and the edge of any tree grate or other obstruction in the ROW.
- h. On-Street Parking – The Owner and/or Permittee shall maximize the on-street parking wherever feasible.
- i. Public Utilities – The Owner and/or Permittee 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 ROW. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Owner and/or Permittee may use existing laterals if acceptable to the City, and if not, Owner and/or Permittee 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 EMA.

If it is determined that existing water and sewer services are not of adequate size to serve the proposed development, the Owner and/or Permittee will be required to abandon any unused water and sewer services and install new services and meters. Service abandonments require an engineering permit and must be shown on a public improvement plan. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of City's Water and Sewer Facility Design Guidelines and City regulations standards and practices pertaining thereto.

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. If and when the Owner and/or Permittee submits for a tentative map or tentative map waiver, the Water Department will require Covenants, Conditions, and Restrictions ("CC&Rs") to address the operation and maintenance of the private on-site water system serving the development. No structures or landscaping of any kind shall be installed within ten 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 Owner and/or Permittee shall comply with the City's 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 SDMC.

Prior to Final Inspection, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

- j. Franchise Public Utilities – The Owner and/or Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchise utilities located above grade serving the property and in the sidewalk ROW shall be removed and incorporated into the adjoining development where feasible. All franchise utilities shall be installed as identified in the Basic Concept Drawings. Any above grade devices shall be screened from view from the ROW.
- k. Fire Hydrants – If required, the Owner and/or Permittee shall install fire hydrants at locations satisfactory to the City's Fire Department and DSD.
- l. Water Meters and Backflow Preventers – The Owner and/or Permittee shall locate all water meters and backflow preventers in locations satisfactory to the Public Utilities Department and CivicSD. Backflow preventers shall be located outside of the ROW adjacent to the development'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 ROW. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City's Engineering, Public Utilities, and

Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24.

16. Storm Water Compliance

- a. Prior to issuance of any construction permit, the Owner and/or Permittee shall enter into a Maintenance Agreement for the on-going permanent Best Management Practices (BMP) maintenance, satisfactory to the City Engineer.
- b. Prior to the issuance of any Construction Permit, the Owner and/or Permittee shall incorporate any construction BMP necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
- c. Prior to issuance of any construction permits, the Owner and/or Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
- d. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.

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

- a. The Owner and/or Permittee 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:
 - i. 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 ROW which the Owner and/or Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
 - ii. Design 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.
 - iii. Prepare a site safety plan and submit it to the appropriate governmental agency, CivicSD, 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.

- iv. 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.
- v. 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.

STANDARD REQUIREMENTS

18. Environmental Impact Mitigation Monitoring and Reporting Program

As required by CCPDO Section 156.0304(h), the development shall comply with all applicable Mitigation Monitoring and Reporting Program (MMRP) measures from the 2006 Final Environmental Impact Report (FEIR) for the DCP.

SUSTAINABILITY

19. A combination of cool/green roofs must be utilized in the development including the following:

- a. Roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under *California Green Building Standards Code*.
- b. The project roof construction must have a thermal mass over the roof membrane including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under the California Green Building Standards Code.

Compliance with this measure must be demonstrated prior to the issuance of the building permit.

20. The development must include, at a minimum, the following fixtures:

- a. Residential Buildings
 - Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;
 - Standard dishwashers: 4.25 gallons per cycle;
 - Compact dishwashers: 3.5 gallons per cycle; and,
 - Clothes washers: water factor of 6 gallons per cubic feet of drum capacity.
- b. Non-Residential Buildings
 - Plumbing fixtures and fittings that do not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code; and

- Appliances and fixtures for commercial applications that meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code.

Compliance with this measure must be demonstrated prior to the issuance of the building permit.

21. The development must be designed to have an energy budget that meets or exceeds a 10% improvement with both indoor lighting and mechanical systems when compared to the Title 24, Part 6 Energy Budget for the proposed design building as calculated by Compliance Software certified by the California Energy Commission (percent improvement over current code). The demand reduction may be provided through on-site renewable energy generation, such as solar, or by designing the project to have an energy budget that meets the above-mentioned performance standards, when compared to the Title 24, Part 6 Energy Budget for the Proposed Design Building (percent improvement over current code). Compliance with this measure must be demonstrated prior to the issuance of the building permit.
22. A minimum of 3% of the total required parking spaces must be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces with the electrical service, in a manner approved by the building and safety official. Of the total listed cabinets, boxes or enclosures provided, at least 50% must have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
23. The development must contain more short- and long-term bicycle parking spaces than required in SDMC Chapter 14, Article 2, Division 5 at all times. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
24. Changing/shower facilities must be provided for the non-residential component of the development. With over 200 tenant occupants, the project must provide one shower stall plus one additional shower stall for each 200 additional tenant-occupants, as well as one two-tier locker plus one two-tier locker for each 50 additional tenant-occupants. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
25. The development must provide a minimum of 10% of the total number of designated parking spaces for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
26. The development must provide a transportation demand management program that would be applicable to existing tenants and future tenants that includes:
 - a. At least one of the following components:
 - Parking cash out program

- Parking management plan that includes charging employees market-rate for single-occupancy vehicle parking and providing reserved, discounted, or free spaces for registered carpools or vanpools
 - Unbundled parking whereby parking spaces would be leased or sold separately from the rental.
- b. At least three of the following components:
- Commitment to maintaining an employer network in the SANDAG iCommute program and promoting its RideMatcher service to tenants/employees
 - On-site carsharing vehicle(s) or bikesharing
 - Flexible or alternative work hours
 - Telework program
 - Transit, carpool, and vanpool subsidies
 - Pre-tax deduction for transit or vanpool fares and bicycle commute costs
 - Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, or childcare, either onsite or within 1,320 feet (1/4 mile) of the structure/use

All required transportation demand management components must be identified and submitted to CivicSD prior to issuance of a Certificate of Temporary Occupancy for each commercial tenant space in the development.

STANDARD REQUIREMENTS

27. Development Impact Fees

The development will be subject to Centre City Development Impact Fees. For developments containing commercial space(s) the Owner and/or 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 Owner and/or Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed.

28. Inclusionary Affordable Housing Ordinance

As required by SDMC Chapter 14, Article 2, Division 13, the development shall comply with all applicable regulations of the City's Inclusionary Housing Ordinance. The Owner and/or Permittee shall provide documentation of such compliance to CivicSD prior to issuance of any Building Permits.

1. Prior to the issuance of any construction permits for a residential structure, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

2. Prior to the issuance of any construction permits for a residential structure, the Owner/Permittee shall enter into an affordable housing agreement and deed of trust with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.). The City's Inclusionary Affordable Housing Regulations shall be applicable to only the residential structure of the Park & Market's mixed-use development.

29. Construction Fence

Owner and/or Permittee 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 development'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.

30. Development Identification Signs

Prior to commencement of construction on the site, the Owner and/or Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four feet by six 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 _____

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 SF per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to the CivicSD for approval prior to installation.

31. Map Waiver

The Owner and/or Permittee shall comply with the Conditions of Map Waiver No. 1773926.

32. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this Permit is not utilized in accordance with Section 126.0108 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time (EOT) has been granted pursuant to Section 126.0111 of the SDMC.
33. Issuance of this Permit by CivicSD does not authorize the Owner and/or Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies.

34. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner and/or Permittee and any successor(s) in interest.
35. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City.
36. No permit for construction, operation, or occupancy of any facility or improvement described herein 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 San Diego County Recorder.
37. The Owner and/or Permittee shall defend, indemnify, and hold harmless the CivicSD and the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The CivicSD will promptly notify the Owner and/or Permittee of any claim, action, or proceeding and, if CivicSD should fail to cooperate fully in the defense, the Owner and/or Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. CivicSD may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Owner and/or Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between CivicSD and the Owner and/or Permittee regarding litigation issues, the CivicSD shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner and/or Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner and/or Permittee.

Park & Market
CCDP/SDP/NDP No. 2016-15

This CCDP/SDP/NDP No. 2016-15 is granted by City of San Diego Planning Commission on November 17, 2016.

CIVIC SAN DIEGO:

OWNER:

Christian Svensk
Senior Planner

David Graham
City of San Diego

Date

Note: Notary acknowledgment must be attached per Civil Code Section 1189 et seq

PERMITTEE:

Brent Schertzer
Holland Partner Group

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**PLANNING COMMISSION
RESOLUTION NO. 2016-XX
CENTRE CITY DEVELOPMENT PERMIT
SITE DEVELOPMENT PERMIT
NEIGHBORHOOD DEVELOPMENT PERMIT
PARK & MARKET PROJECT NO. 2016-15**

WHEREAS, HPG PARK & MARKET, Owner/Permittee, filed an application with Civic San Diego (CivicSD) for a Centre City Development Permit/Site Development Permit/Neighborhood Development Permit No. 2016-15 to allow 1) for the construction of a 34-story (approximately 360-foot tall) mixed-use development comprised of 426 residential units (85 affordable units) including public open space and 560 parking spaces in four levels of below-grade parking 2) for the relocation of a designated historical resource; and, 3) for the encroachment into the public right-of-way (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2016-15,;

WHEREAS, the project site is located on a 51,600 square foot lot located on the block bound by Park Boulevard, Eleventh Avenue, and Market and G streets in the East Village neighborhood of the Downtown Community Plan (DCP);

WHEREAS, the project site is legally described as Lots A, B, C, D, E, F, G, H, I, J, K and L in Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by A L. L. Lockling on file in the Office of the County Recorder of San Diego County. Excepting therefrom the easterly 28.00 feet of lots G, H, I, J, K and L, Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map made of L. L. Lockling filed in the Office of the County Recorder of San Diego County, State of California;

WHEREAS, on November 17, 2016, the Planning Commission of the City of San Diego considered a Centre City Development Permit/Site Development Permit/Neighborhood Development Permit/Map Waiver No. 2016-15 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, Development within the Downtown Community Planning area is covered under the following documents, all referred to as the "Downtown FEIR": Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). The Downtown FEIR was adopted prior to the requirement for CEQA documents to consider a project's impacts related to greenhouse gas emissions. The effect of greenhouse gas emissions on climate change, and the subsequent adoption of guidelines for analyzing and evaluating the significance of data, is not considered "new information" under State CEQA Guidelines section 15162 triggering further environmental review because such information was available and known before approval of the Downtown FEIR.

Nonetheless, development within the Downtown Community Planning area is also assessed for consistency with the City of San Diego FEIR for the Climate Action Plan (“CAP FEIR”) certified by the City Council on December 15, 2015 (City Council Resolution R-310176) and Addendum to the CAP FEIR certified by the City Council on July 12, 2016. The Downtown FEIR and CAP FEIR are both “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. Consistent with best practices suggested by Section 15168, a Downtown 15168 Consistency Evaluation has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR, the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR, and therefore adequately described within both documents for the purposes of CEQA, and that none of the conditions listed in Section 15162 exist; therefore, no further environmental documentation is required under CEQA.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated November 17, 2016.

FINDINGS:

CENTRE CITY DEVELOPMENT PERMIT FINDINGS

1. *The proposed development is consistent with the DCP, CCPDO, Land Development Code (LDC), and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed development is consistent with the DCP, CCPDO, LDC, and all other adopted plans and policies of the City of San Diego pertaining to the CCDP as the development advances the goals and objectives of the DCP and CCPDO by:

- Increasing the Downtown residential population;
- Protecting historical resources to communicate downtown’s heritage;
- Promoting adaptive re-use of historic resources as an effective means to reduce construction materials, energy, and waste;
- Adding to the range of Downtown housing opportunities suitable for urban environments and accommodating a diverse population through the inclusion of on-site affordable housing; and,
- Reinforcing the evolving high-intensity Market Street corridor.

In addition, with approval of CCDP/SDP/NDP No. 2016-15, this Project will be consistent with the requirements of the LDC and CCPDO.

SITE DEVELOPMENT PERMIT FINDINGS

General Findings – SDMC § 126.0504 (a):

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

The Project is located along Park Boulevard in the East Village neighborhood of the DCP and the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies

between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. This Project, including the reuse of the historic Remmen Building, includes a mix of these permitted uses (residential, office and retail) and will therefore not adversely affect the DCP.

Park Boulevard is a ceremonial street that links Balboa Park to the San Diego bay. The rotation of the Remmen Building onto Park Boulevard is consistent with the East Village's focus on Park Boulevard as a main feature and pedestrian thoroughfare. Additionally, its re-orientation will complement the DMP by further activating Park Boulevard and adding an aesthetically pleasing element to the pedestrian-focused thoroughfare while also allowing the open space behind it to better function.

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

The proposed Project, including the relocation of the Remmen Building, from its orientation on G Street, a busy auto thoroughfare, onto the pedestrian-friendly Park Boulevard will not be detrimental to public health, safety and welfare. The proposed Project will be consistent with the DCP and CCPDO with approval of a CCDP/SDP/NDP. The Project will be compatible with the nearby residential and commercial buildings as well as other new developments in the East Village neighborhood without harming the public health, safety and welfare. The Remmen Building has been vacant and inaccessible to the public for several years, and is currently surrounded by a chain link fence with plywood covering the first floor windows. The rehabilitation of the historic resource will provide for the public health, safety, and welfare through meeting all applicable building codes in accordance with current construction standards and codes as they apply to historic structures.

3. The proposed development will comply with the applicable provisions of the LDC.

The proposed development will meet the development standards of the CCPDO with approval of a CCDP/SDP/NDP. The proposed rehabilitation work on the building will be consistent with the Treatment Plan and will not create any adverse impacts to the historical resource. Implementation of the mitigation measures outlined in the Downtown Final Environmental Impact Report (Downtown FEIR) Mitigation, Monitoring and Reporting Program (MMRP) will further reduce potential impacts to the resource.

Supplemental Findings – Historical Resources Deviations for Relocation of Designated Historical Resource -SDMC§126.0504(h):

Findings for relocation of a designated historical resource are required for approval of the permit, consistent with the Municipal Code Section 126.0504(h) as follows:

1. There are no feasible measures, including maintaining the resource on site, that can further minimize the potential adverse effects on historical resources.

The project proposes to temporarily relocate the resource to a vacant parcel at southeast corner of 13th and Market streets for approximately one year. This would allow for the excavation of the subterranean garage and reduce potential damage to the resource and provide for a more efficient underground garage. Once the garage is complete, the resource will be returned to the parcel, and rotated to front Park Boulevard. The new location and siting will be adjacent to its original location. The rotation allows the

space to the south and west of the building to be more efficiently utilized for public open space and gives the resource greater pedestrian visibility and access off of Park Boulevard.

The alternative of maintaining the Remmen Building in its current location is not practical since maintaining the resource “as is” would limit development of the site and require an additional level of below ground parking in order to avoid excavation below the Remmen Building. The proposed relocation and rehabilitation will result in reduced impacts to the overall integrity of the resource while keeping it in close proximity to its original location with increased public visibility.

2. *The proposed relocation will not destroy the historical, cultural, or architectural values of the historical resource and the relocation is part of a definitive series of actions that will assure the preservation of the designated historical resource.*

The Applicant is required to implement the mitigation measures identified in the Downtown FEIR. The Applicant has identified a temporary relocation site that meets the requirements of the National Park Service’s Criterion Consideration B for Moved Properties and the City’s Historical Resources Regulations. After relocation and stabilization of the resource, it will be rehabilitated in accordance with the Secretary of the Interior’s Standards for Rehabilitation and then returned to a site directly adjacent to its original site. A qualified historical architect will act as a monitor and supervise the relocation and rehabilitation. The property’s status as a designated historical resource will remain under the jurisdiction of the San Diego HRB. These measures ensure that the proposed relocation, rehabilitation and reuse of the resource will not destroy the values of the resource and that the relocation is part of a definitive series of actions to assure its preservation.

3. *There are special circumstances or conditions apart from the existence of the historical resource, applying to the land that are peculiar to the land and are not of the applicant’s making, whereby the strict application of the provisions of the historical resources regulations would deprive the property owner of reasonable use of the land.*

The DCP’s goals for the East Village call for greater development, especially on underdeveloped sites. Consistent with these goals, the area surrounding the site has seen an increase in density and larger-scale developments. The existing site constraints which include the City’s dedication of 28 feet of the block for ROW in order to facilitate the Park to Bay Link (Balboa Park to the San Diego bay); the location of the historical resource on a lot zoned for higher density; and the overall setting and context of the neighborhood constitute special circumstances and conditions which exist apart from the presence of the historical resource. These circumstances are “peculiar to the land” and are not the caused by the Applicant. Therefore, the strict application of the provisions of the Historical Resources Regulations would deprive the Applicant of reasonable use of the land.

Overall, the proposed relocation, rehabilitation, and reuse of the historic resource on the Project site will meet the intent and provisions of the historical resource regulations.

NEIGHBORHOOD DEVELOPMENT PERMIT FINDINGS

General Findings – SDMC § 126.0404(a):

In order to grant approval of a NDP, the following findings must be made:

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

The Project is located along Park Boulevard in the East Village neighborhood of the DCP and the Employment/Residential Mixed-Use (ER) land use district. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. The Project, including the 10 foot by 24 foot encroachment of the historic Remmen Building, includes a mix of these permitted uses (residential, office and retail) and will therefore not adversely affect the DCP.

Park Boulevard is a ceremonial street that links Balboa Park to the San Diego bay. The encroachment of the Remmen Building into the ROW adjacent to Park Boulevard allows for better, and less awkward, access to the open space behind it. Moreover, the encroachment serves to better activate the historic resource and integrate it with the Project's urban open space area. The resulting layout is consistent with DCP Goal 3.1-G-2 to maintain a pedestrian-oriented and active street frontage. The Mobility Chapter of the DCP also calls for Park Boulevard to be closed to vehicular traffic and the single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site and allow for an approximately 28 foot wide sidewalk.

Therefore, from a physical design standpoint, the widened sidewalk can adequately accommodate the proposed encroachment. From a policy standpoint, the proposed Project including the encroachment is consistent with and will not adversely affect the applicable land use plans, including but not limited to the DCP, the DMP and the CCPDO.

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

The proposed Project will consist of a mixed-use development, including the encroachment of a designated historical resource into the public ROW. The Project will be compatible with the nearby residential and commercial buildings and consistent with the future planned development of the area. Due to Park Boulevard's widened sidewalks, the proposed encroachment is readily accommodated and will not be detrimental to public health, safety, and welfare.

3. *The proposed development will comply with the applicable regulations of the LDC including any allowable deviations pursuant to the LDC.*

The proposed Project will comply with the applicable regulations of the LDC for an encroachment into the ROW with approval of the NDP. Specific conditions of approval require the continued compliance with all LDC regulations including the approval of encroachment permits from the City.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Centre City Development Permit/Site Development Permit/Neighborhood Development Permit/Map Waiver No. 2016-15 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2016-15, a copy of which is attached hereto and made a part hereof.

Christian Svensk
Civic San Diego

Adopted on: November 17, 2016

DRAFT

PLANNING COMMISSION
CONDITIONS FOR MAP WAIVER NO. 1773926
PARK+MARKET MAP WAIVER - **PROJECT NO. 505937**
ADOPTED BY RESOLUTION NO. XXXX-PC ON NOVEMBER 17, 2016

GENERAL

1. This Map Waiver will expire December 2, 2019.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. Prior to the Map Waiver expiration date, a consolidation Parcel Map shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the Map Waiver expiration date, a Parcel Map to consolidate the properties into one lot and subdivide into 6 commercial condominium units shall be recorded in the Office of the San Diego County Recorder.
5. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
6. The Parcel Map shall conform to the provisions of Centre City Development Permit / Site Development Permit / Neighborhood Development Permit (CCDP/SDP/NDP) No. 2016-15.
7. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AIRPORT

8. Prior to recordation of the Parcel Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

ENGINEERING

9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

11. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.
12. The Subdivider shall reconstruct the existing curb with City Standard curb and gutter on Park Boulevard, Market Street, 11th Avenue, and G Street, to the satisfaction of the City Engineer.
13. The Subdivider shall assure by permit and bond to reconstruct the existing sidewalk on Park Boulevard, Market Street, 11th Avenue, and G Street frontage per City of San Diego and Civic San Diego Standards, to the satisfaction of the City Engineer.
14. The Subdivider shall restore all non-utilized curb cuts on Park Boulevard, Market Street, 11th Avenue, and G Street, to the satisfaction of the City Engineer.
15. The Subdivider shall insure by permit and bond to reconstruct existing cross gutter to City standard on Market Street and 11th Avenue, to the satisfaction of the City Engineer.
16. The Subdivider shall construct a 20-foot wide driveway and a 12-foot wide driveway on 11th Avenue per City Standards, to the satisfaction of the City Engineer.
17. The Subdivider shall provide a minimum 4-foot length of full-height curb between driveways along 11th Avenue, where 45 feet in length is required pursuant to SDMC Section 142.0560(j)(6) and as allowed as a deviation in Centre City Development Permit/Site Development Permit/Neighborhood Development Permit No. 2016-15, to the satisfaction of the City Engineer.
18. The Subdivider shall reconstruct existing pedestrian curb ramp on all four corners of the subject property per City standards, to the satisfaction of the City Engineer.
19. Pursuant to the City of San Diego Street Design Manual-Street Light Standards and Council Policy 200-18, the Subdivider shall install a new street lighting adjacent to the site on Park Boulevard, Market Street, 11th Avenue, and G Street, to the satisfaction of the City Engineer.
20. The Subdivider shall construct a concrete bus pad pursuant to the City and MTS standards on Market Street, to the satisfaction of the City Engineer.

MAPPING

21. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
22. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
23. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
24. Every Parcel Map shall:

- a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground shall be shown on the map.

PUBLIC UTILITIES

25. The Subdivider shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
26. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the Public Right-of-Way.
27. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
28. The Subdivider shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION:

- The approval of this Map Waiver by the Planning Commission of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Map Waiver, may protest the imposition within

90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.

- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24006910

DRAFT

RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE PLANNING COMMISSION ADOPTING THE
FINDINGS AND APPROVING MAP WAIVER NO. 1773926 FOR
PARK+MARKET MAP WAIVER – PROJECT NO. 505937

WHEREAS, HPG Park and Market, LLC, Subdivider, and Gregory Shields, Project Design Consultants, Engineer, submitted an application with the City of San Diego for Map Waiver No. 1773926, to waive the requirement for a Parcel Map for the creation of six commercial condominium units. The project site is located north of Market Street, east of 11th Avenue, south of G Street, and west of Park Boulevard on a 1.18-acre site located at 1102 Market Street in the Centre City Planned District-Employment/Residential (CCPD-ER) Overlay Zone of the Downtown Community Plan. The property is legally described as Lots A, B, C, D, E, F, G, H, I, J, K and L in Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by A L. L. Lockling on file in the Office of the County Recorder of San Diego County. Excepting therefrom the easterly 28.00 feet of lots G, H, I, J, K and L, Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map made of L. L. Lockling filed in the Office of the County Recorder of San Diego County, State of California; and

WHEREAS, the Map proposes the subdivision of a 1.18-acre site into six commercial condominium units; and

WHEREAS, Development within the Downtown Community Plan (DCP) area ("Downtown") is covered under the following documents, all referred to as the "Downtown FEIR": Final Environmental Impact Report (FEIR) for the San Diego DCP, Centre City Planned District Ordinance (CCPDO), and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City

Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and, the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). The Downtown FEIR was adopted prior to the requirement for documents prepared under the California Environmental Quality Act (CEQA) to consider a project's impacts related to greenhouse gas emissions. The effect of greenhouse gas emissions on climate change, and the subsequent adoption of guidelines for analyzing and evaluating the significance of data, is not considered "new information" under State CEQA Guidelines Section 15162 triggering further environmental review because such information was available and known before approval of the Downtown FEIR. Nonetheless, development within Downtown is also assessed for consistency under the following documents, all referred to as the "CAP FEIR": FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310596). The Downtown FEIR and CAP FEIR are both "Program EIRs" prepared in compliance with CEQA Guidelines Section 15168. Consistent with best practices suggested by Section 15168, a Downtown 15168 Consistency Evaluation has been completed for the project. The Evaluation concluded that the environmental impacts of the project were adequately addressed in the Downtown FEIR and CAP FEIR, the project is within the scope of the development program described in the Downtown FEIR and CAP FEIR, and therefore adequately described within both documents for the purposes of CEQA, and that none of the conditions listed in Section 15162 exist; therefore, no further environmental documentation is required under CEQA; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on November 17, 2016, the Planning Commission of the City of San Diego considered Map Waiver No. 1773926, and pursuant to sections 125.0122 and 125.0444 of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. 1773926:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The proposed Park+Market project (Project) is located at the south portion of G Street between 11th Avenue to the west, Park Boulevard to the east, and Market Street to the south. The developer is proposing to combine the existing 12 lots into a single lot and create 6 commercial condominium units on the site for the construction of a mixed-use development comprised of a 34-story tower containing approximately 426 residential units, 85 of which will be restricted as affordable housing units; 52,096 square feet (SF) of office space; 22,641 SF of retail space; rehabilitation of the existing local historical resource, the Remmen House; 5,645 SF of public urban open space; a 3,000 SF amphitheater; and a 5,000 SF upper terrace overlooking the public plaza. The Project will also include a four-story subterranean parking garage with 560 parking spaces.

The Downtown Community Plan (DCP) identifies the Project site in the Employment/Residential Mixed-Use (ER) Base District. This designation aims to create synergies between educational institutions and residential neighborhoods, and provide a transition between the Core district and residential neighborhoods. A variety of uses are permitted in this district, including office, residential, hotel, research and development, educational and medical facilities. This Project includes a number of the permitted uses (residential, office and retail), as encouraged by the DCP.

The Project is located within the center of the East Village neighborhood, along Park Boulevard. Park Boulevard is treated as a ceremonial street, visually and physically linking Balboa Park to the San Diego Bay (Park-to-Bay Link). Trolley lines and southbound vehicular traffic traverses Park Boulevard. Park Boulevard has been lined with pedestrian-serving uses to activate the street. The East Village neighborhood has evolved dramatically within the past decade from a mixture of light industrial and warehouse buildings, artist and design studios, small residential California bungalows and social service providers, to a vibrant residential, employment and entertainment district.

Under the DCP, the East Village is slated to have the highest residential intensities with accompanying retail, commercial and open space amenities. This Project will meet the following DCP goals and policies:

- Provide for an overall balance of uses – employment, residential, cultural, government and destination – as well as a full compendium of amenities and services. (3.1-G-2.)

- Allow a diverse range of retail establishments that are integrated with the neighborhood centers, and maintain a pedestrian orientation and active street frontage. (3.1-P-4.)
- Maintain a range of development intensities to encourage development of public amenities, retail and other active uses, and that promote affordable housing and conservation of historical resources. (3.2-G-3.)
- Foster a rich mix of uses in all neighborhoods, while allowing differences in emphasis on uses to distinguish between them. (3.5-G-2.)
- Provide a range of housing opportunities suitable for urban environments and accommodating a diverse population. (3.3-G-1.)
- Continue to promote the production of affordable housing in all of downtown's neighborhoods and districts. (3.4-G-1.)
- Increase the supply of rental housing affordable to low income persons. (3.4-G-3.)
- Promote adaptive reuse of historic resources as an effective means to reduce construction materials, energy and waste. (5.8-P-9.)
- Reinforce the evolving high-intensity Market Street corridor. (6.5-G-2.)
- Site and design new parking structures to accommodate parking needs for multiple land uses to the extent possible. (7.4-G-2.)
- Locate public parking resource(s) near each Neighborhood Center to provide short-term parking for merchants and businesses. (7.4-G-4.)
- Ensure that all public parking structures maximize the potential for subterranean parking and incorporate other uses at higher floors when feasible. (7.4-P-6.)
- Locate public parking facilities near transit corridors and pedestrian priority zones to maintain and enhance public access. (7.4-p-8.)
- Protect historic resources to communicate downtown's heritage. (9.1-G-1.)
- Encourage the rehabilitation and reuse of historical resources. (9.1-G-2.)
- Encourage the retention of historical resources on-site with new development. (9.1-P-4.)
- Integrate historic resources into the downtown fabric while achieving significant development and population intensification. (9.2-G-1.)
- Promote the adaptive reuse of intact buildings as a cultural and sustainability goal. (9.2-P-4.)

Park Boulevard will be closed to vehicular traffic and the single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site. To accommodate this, the developer designed a wider public sidewalk with a double row of trees that interconnects with the public plaza to create an attractive, unique public environment on this important street. The Project proposes to accommodate the historic Remmen House porch (part of the proposed restaurant use of the Remmen House) within the encroachment area on the public sidewalk in

order to activate the Park Boulevard walkway and integrate it with the Project's open space area. This is consistent with the DCP policy to maintain a pedestrian-oriented and active street frontage. (DCP Goal 3.1-G-2.)

As such, the proposed Project is consistent with and will not adversely affect the applicable land use plans, including but not limited to the DCP, the Downtown Mobility Plan and the Centre City Planned District Ordinance (CCPDO). Therefore, the proposed subdivision and its design and development would be consistent with the policies, goals and objectives of the applicable land use plans.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The developer is proposing to combine the existing 12 lots into a single lot and create 6 commercial condominium units on the site for the construction of a mixed-use development comprised of a 34-story tower containing approximately 426 residential units, 85 of which will be restricted as affordable housing units; 52,096 square feet (SF) of office space; 22,641 SF of retail space; rehabilitation of the existing local historical resource, the Remmen House; 5,645 SF of public urban open space; a 3,000 SF amphitheater; and a 5,000 SF upper terrace overlooking the public plaza. The Project will also include a four-story subterranean parking garage with 560 parking spaces.

The Project will comply with the applicable regulations of the Municipal Code, including any allowable deviations pursuant thereto. The Project will comply with CCPDO in the following ways:

- The Project is located within the ER Base District that is intended incorporate a mix of residential, office and commercial uses.
- With allowable Floor Area Ratio (FAR) bonus' for Affordable Housing Density Bonus Regulations (Section 143.0710), Urban Open Space (Section 156.0309(e)(2)), Three-Bedrooms Units (Section 156.0309(e)(3)), and Green Building FAR (Section 156.0309(e)(8)), an increase in the maximum allowable Base 10.0 FAR to 10.9 FAR would be granted under the following provisions of the CCPDO for the ER Base District.
- The Project will comply with CCPDO's Development Regulations pertaining to lot size, minimum building setbacks, building heights, building bulk, building base, ground floor heights and residential development regulations, with the deviations properly authorized through a Centre City Planned Development Permit.
- The Project will comply with the CCPDO's Urban Design Regulations pertaining to building orientation, façade articulation, street level design, glass and glazing, exterior projection balconies, rooftops, building identification, regulations pertaining to encroachments requiring a Neighborhood Development Permit, additional standards for residential development, additional standards for main streets, and urban open space design guidelines.
- The Project will comply with the CCPDO's Off-Street Parking and Loading Standards.

The proposed Project complies with all relevant regulations of the Land Development Code. Specific conditions of approval require the continued compliance with all relevant regulations of the City effective for this site and have been written as such into this Map Waiver and the Project's Centre City Development Permit. The relevant Land Development Code's Planning and Development Regulations for topics not addressed in the CCPDO are contained in Chapter 14 of the Land Development Code, and include: grading, draining, landscape, parking, refuse and recyclable materials storage, mechanical and

utility equipment storage, loading, building, electrical and plumbing. Development of the Project will comply with all requirements of these regulations.

The Project's allowable deviations are permitted with the adoption of the Project's Centre City Planned Development Permit findings, which are incorporated by reference herein. Concept plans for the Project identify all other development criteria in effect for the site. In these ways the proposed Project will comply with the applicable and relevant regulations of the Land Development Code. Thus, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development.

The Project proposes to develop a mixed-use urban in-fill complex. The Project site is approximately 51,600 square feet located at the block of Park Boulevard, Market Street, G Street and 11th Avenue, and is in the CCPDO-ER Overlay Zone, which allows for a variety of uses, including office, residential, hotel, research and development, educational and medical facilities. This block site is located in an urban, development mixed-use neighborhood and is surrounded on all sides by similar development. The developer is not seeking permits to increase the density or intensification of the Project site beyond what is permitted under the CCPDO.

The base Floor Area Ratio (FAR) for the Project site is 6.0 (minimum of 3.5). (Municipal Code, Chapter 15, Figure H.) With the inclusion of several amenities, FAR bonus payments, and affordable housing set-asides, the site could support 12.1 FAR of development. The specific amenities and affordable housing set-asides proposed for this Project would utilize approximately 10.9 FAR. The City's Request for Proposal (RFP) for the sale and development of the Project site set a minimum of 10.0 FAR. Therefore, the Project conforms to the FAR regulations because it is within the 10.0 minimum and 12.1 maximum FAR.

The graded development site is relatively level and is served by existing overhead and underground utilities. The project is not developed in a prohibited flood hazard zone. The project is located in an urban area with appropriate improved public roads, sanitary disposal facilities, and adequate water supply availability (although the project is not a "subdivision" for purposes of a water supply verification). Therefore, the site is physically suitable for the type and density of the development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed Project is the development of an urban in-fill complex. The Project site has already been graded and is currently home to a number of uses, including a pop-up marketplace, a surface parking lot and a dog "park" with artificial turf. The Project site is currently developed within a fully urbanized area of Downtown San Diego, and does not contain any form of Environmentally Sensitive Lands, habitat, or bodies of water on-site or adjacent to the site. Therefore, the Project's design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare.

The Project subdivision complies with the development regulations of the underlying CCPDO-ER Overlay Zone, the CCPDO, the DCP, and all of the other applicable development regulations in the Land Development Code. The Project will not be detrimental to the public health, safety and welfare because mitigation measures have been included in the DCP FEIR's Mitigation Monitoring and Reporting

Program ("MMRP") to mitigate Project impacts on the environment. In addition, the permits prepared for the Project contain numerous conditions of approval that require the Project comply with applicable regulations of the San Diego Municipal Code adopted to avoid adverse impacts to the health, safety and general welfare of persons residing in and working in the surrounding area. The standard conditions of approval require Project compliance with applicable building, fire, mechanical and plumbing codes. The affordable housing units provided by the Project are consistent with the City's Affordable Housing Ordinance and contributes to promoting the general welfare of low-income residents and the City.

The proposed subdivision and development, including public improvements to install street lighting, new driveway, curbs and gutters, pedestrian sidewalks, and street trees along the Project's development perimeter have been designed to comply with all applicable Federal, State and local land use policies, including, but not limited to, the City of San Diego Land Development Code. Therefore, the design of the subdivision for the Project would not be detrimental to public health, safety and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Park Boulevard will be closed to vehicular traffic and its single southbound lane will be converted into a two-way cycle track. This will eliminate access to the existing angled parking spaces along the Project site. To accommodate the closure, the developer has designed a wider public sidewalk with a double row of trees that interconnects with the public plaza to create an attractive, unique public environment for access through the property.

Because the sidewalk has been widened, the Project proposes to accommodate the historic Remmen House porch (part of the proposed restaurant use of the Remmen House) within the encroachment area on the public sidewalk in order to activate the Park Boulevard walkway and integrate it with the Project's open space area. This is consistent with the DCP policy to maintain a pedestrian-oriented and active street frontage. (DCP Goal 3.1-G-2.)

In addition, subterranean encroachments into the City's right-of-way are anticipated in the DCP and CCPDO to support private development to achieve the goals of the DCP. (SDMC § 156.0311(h)(4).) The proposed subterranean garage encroachment would not prohibit installation of required street trees or otherwise impact the Project's ability to comply with other development standards. Without any at- or above-grade impacts, the subterranean garage encroachment will not adversely affect the DCP. It will help achieve its goals identified under the DCP and Mobility Plan by providing adequate parking, while maintaining the neighborhood's existing character and emphasis on Park Boulevard as a pedestrian thoroughfare.

The Project's encroachments are permitted with the adoption of encroachment permits in accordance with the City's encroachment procedures and policies to which the Project complies. Therefore, the design of the subdivision and associated development would not conflict with the easements acquired by the public at large for access through or use of the property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The proposed subdivision will not impede or inhibit any future or natural heating and cooling opportunities. The Project's residential component is oriented in a manner and includes placement of windows and doors in locations that will allow air flow for natural cooling of the units. Additionally, the Project will include eco-roofs, which are defined as open space areas on the top of a

building roof that are landscaped and maintained. The open space areas will comply with the City's landscaping requirements, and will include trees intended to provide natural shade. The Project will include building materials, architectural treatments, placement and selection of plant materials to provide, to the extent feasible, for future or natural heating and cooling opportunities.

Therefore, the proposed subdivision's design provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The primary use of the Project site will be residential encapsulated in a 34 story tower on the corner of G Street and 11th Avenue. To assist in achieving the DCP's goal of 90,000 Downtown residents, the Project includes a 426-unit residential tower that will include 85 affordable housing units (or 20 percent of the residential unit mix). At least 10 percent of the units will be three-bedroom units. The purchase price of the Project will generate funds for the City's Affordable Housing Trust Fund to further provide for the region's low income housing needs. The Project will also pay the City's Development Impact Fees in order to provide for the need for public services and provide fiscal resources. Finally, a Consistency Evaluation was prepared that found the Project's impacts to be within the scope of the DCP FEIR, which was adopted with a Statement of Overriding Considerations that balanced environmental impacts from the build-out of the Downtown Community Plan with the overriding benefits from build-out of the Downtown Community Plan.

Therefore, the decision maker has reviewed the administrative record including the Project plans, environmental documentation and public testimony in order to consider and balance the effects of the proposed subdivision on the housing needs of the region, the needs for public services and the available fiscal and environmental resources.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

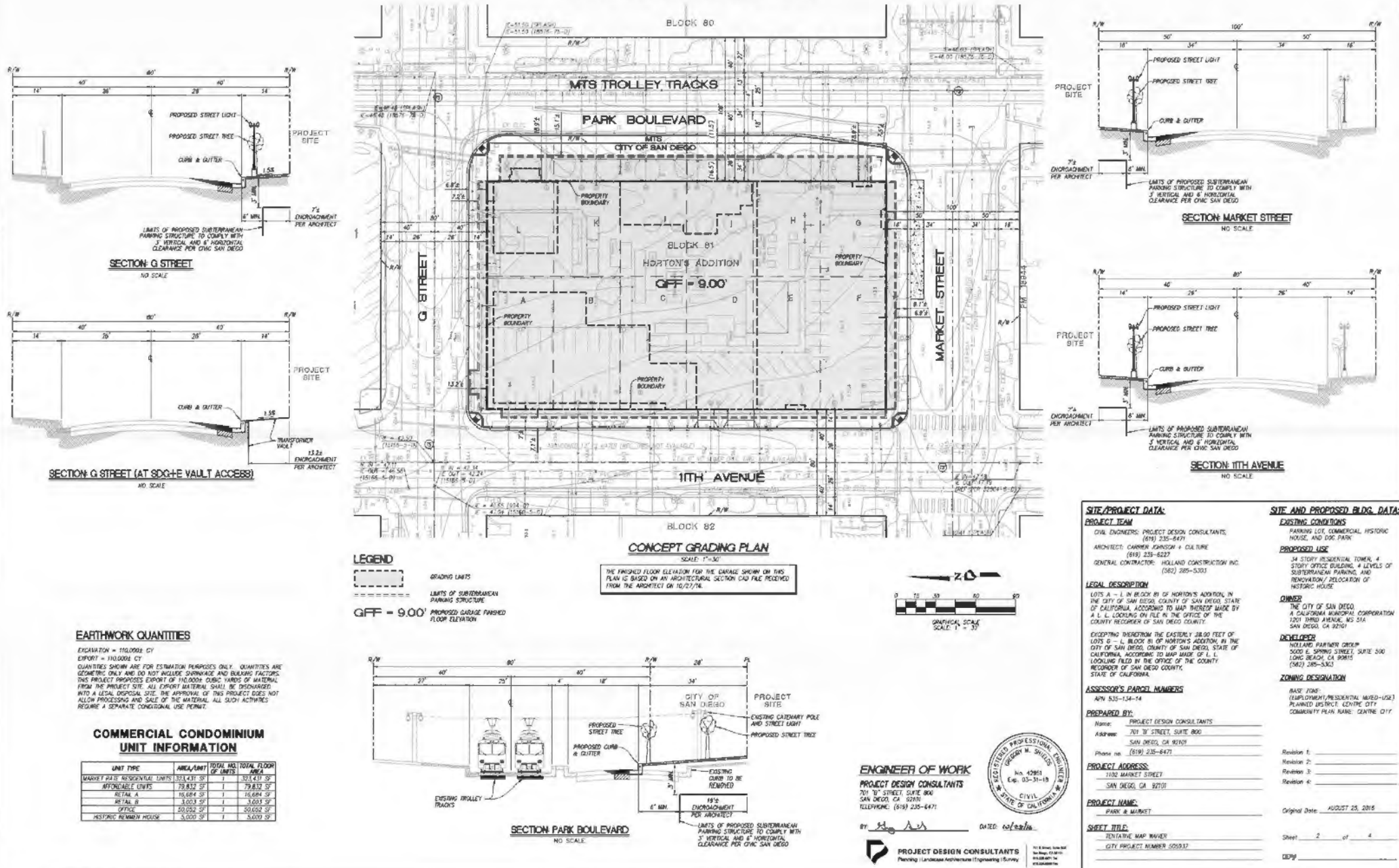
BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Map Waiver No. 1773926 is hereby granted to HPG Park and Market, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Tim Daly
Development Project Manager
Development Services Department

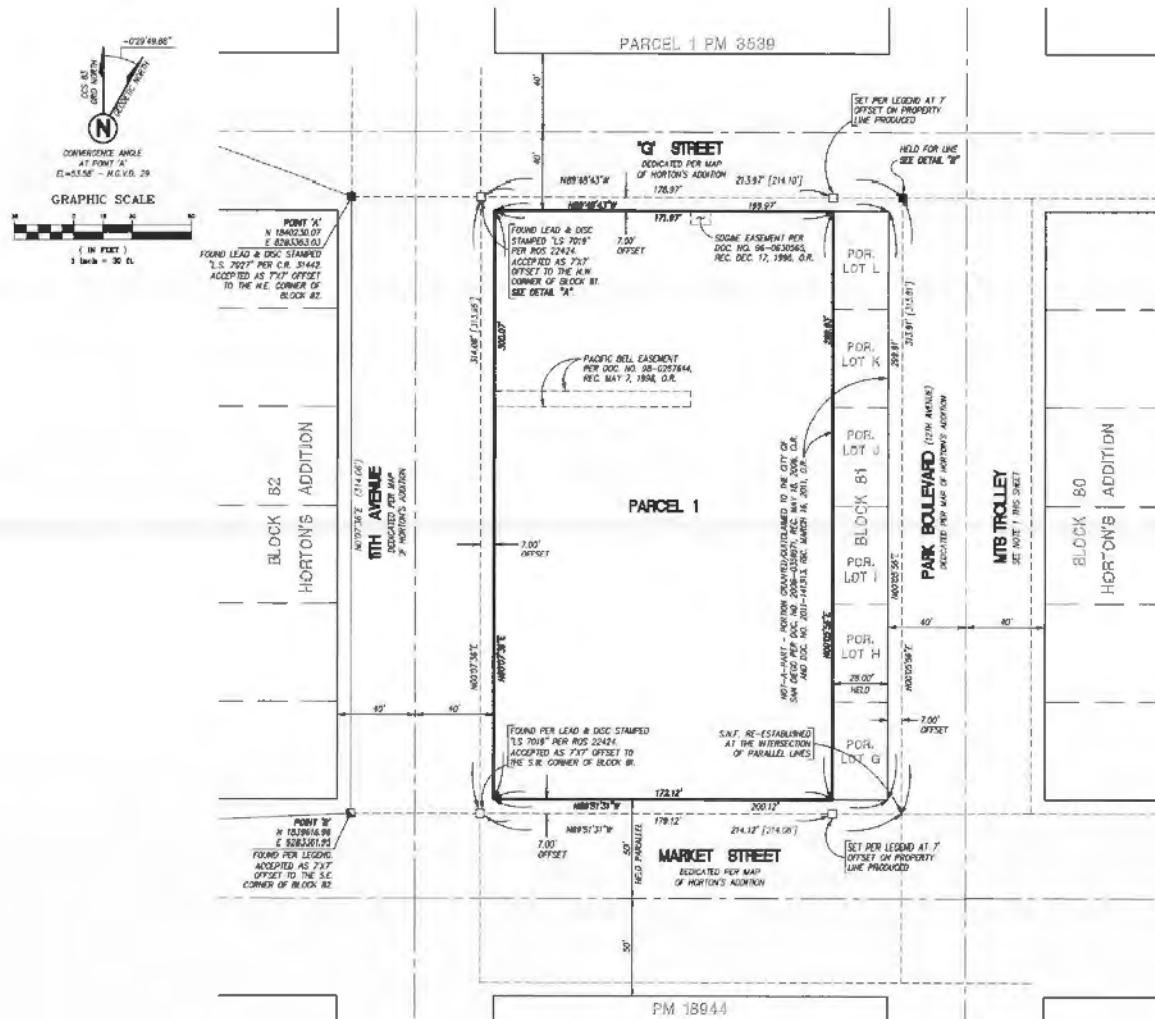
ATTACHMENT: Map Waiver Conditions

Internal Order No. 24006910

PARK + MARKET TENTATIVE MAP WAIVER NO. 1773926 PROJECT NO. 505937



PARK + MARKET TENTATIVE MAP WAIVER NO. 1773926 PROJECT NO. 505937



NOTE 1 - PARK BOULEVARD

(12TH AVENUE) IS A PUBLIC RIGHT-OF-WAY, 80 FEET WIDE, DEDICATED PER HORTON'S ADDITION, ACCORDING TO MAP THEREON MADE BY L.L. LOOKING RECORDED IN DEED BOOK 13, PAGE 522. THE PORTION OF 12TH AVENUE AND A SMALL PORTION OF MARKET AVENUE AS SHOWN HEREON IS OCCUPIED BY THE METROPOLITAN TRANSIT SYSTEM (M.T.S.) TROLLEY LIGHT-RAIL SYSTEM. THIS USAGE IS PER AN UNRECORDED MEMORANDUM OF UNDERSTANDING (M.O.U.) BETWEEN MTS AND THE CITY OF SAN DIEGO FILED AS CITY CLERK DOCUMENT NO. 00-15081, DATED JANUARY 3, 1987.

LEGEND

- INDICATES PARCEL MAP BOUNDARY
- INDICATES FOUND MONUMENT AS NOTED
- INDICATES FOUND LEAD & DISC STAMPED "LS 7019" PER RDS 22424
- (NOTE: MONUMENTS FOUND ALONG THE PARCEL MAP BOUNDARY ARE ANTICIPATED TO BE DESTROYED BY CONSTRUCTION AND REPLACED AS SHOWN HEREON)
- INDICATES WILL SET LEAD & DISC STAMPED "LS 7019" AS REPLACEMENT FOR MONUMENT FOUND PER RDS 22424
- [] INDICATES RECORD VALUE PER CITY RECORD NO. 79
- () INDICATES RECORD VALUE AS NOTED

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP IS THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 10, FROM 1981.95 AND IS DETERMINED BY C.P.S. MEASUREMENTS TAKEN IN JANUARY 2015 AT POINT "A" AND "B" SHOWN HEREON. SAID POINTS WERE ESTABLISHED FROM FIRST ORDER T.S.S. STATION NO. 185 AND FIRST ORDER C.P.S. STATION NO. 174 PER RECORD OF SURVEY NO. 14492.

BEARING FROM POINT "A" TO "B": SOUTH 90°36' WEST

DISTANCES SHOWN HEREON ARE GROUND DISTANCES TO OBTAIN GROUND LEVEL DISTANCES, MULTIPLY DISTANCES BY 1.0004584. QUOTED BEARINGS FROM HEREON (DEED MARKS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

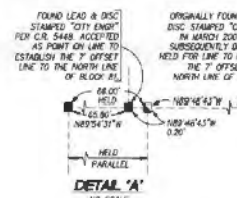
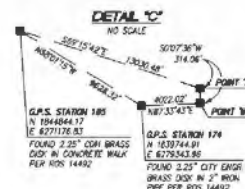
SEE DETAIL "C" BELOW.

NOTES

TOTAL AREA WITHIN PARCEL MAP: 1.185 ACRES
TOTAL NUMBER OF PARCELS: 1

IT IS NOT THE INTENT OF THIS MAP TO SEVER THE REVERENDARY RIGHTS, IF ANY, TO PORTIONS OF 10TH STREET AND DETCH STREET, AS SHOWN ON THIS MAP.

THIS SHEET WAS CREATED ONLY FOR THE TENTATIVE MAP PROCESS TO SHOW MONUMENT TIES AND CORNER DATA. A SEPARATE PARCEL MAP DOCUMENT WILL BE SUBMITTED, PROCESSED, AND APPROVED THROUGH THE CITY OF SAN DIEGO MAPPING DEPARTMENT.



SITE/PROJECT DATA:

PROJECT TEAM
CIVIL ENGINEERS: PROJECT DESIGN CONSULTANTS, (619) 235-6471
ARCHITECT: CARPENTER JOHNSON + CULTURE, (619) 235-6527
GENERAL CONTRACTOR: HOLLAND CONSTRUCTION INC., (602) 285-5303

LEGAL DESCRIPTION

LOTS A - L IN BLOCK 81 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREON MADE BY A.L.L. LOOKING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

EXCEPTING THEREFROM THE EXISTING 20.00 FEET OF LOTS C - L IN BLOCK 81 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP MADE BY A.L.L. LOOKING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ASSESSOR'S PARCEL NUMBERS

APN 535-124-14

PREPARED BY:

Name: PROJECT DESIGN CONSULTANTS
Address: 701 "B" STREET, SUITE 800
SAN DIEGO, CA 92101
Phone No: (619) 235-6471

PROJECT ADDRESS:

1152 MARKET STREET
SAN DIEGO, CA 92101

PROJECT NAME:

PARK + MARKET

SHEET TITLE:

TENTATIVE MAP WAIVER
CITY PROJECT NUMBER 505937

SITE AND PROPOSED BLDG. DATA:

EXISTING CONDITIONS
PARKING LOT, COMMERCIAL, HISTORIC HOUSE, AND DOG PARK

PROPOSED USE
34 STORY RESIDENTIAL TOWER, 4 STORY OFFICE BUILDING, 4 LEVELS OF SUBTERRANEAN PARKING, AND PERMANENTLY RELOCATION OF HISTORIC HOUSE.

CITY:

THE CITY OF SAN DIEGO, A CALIFORNIA MUNICIPAL CORPORATION
1201 BARD AVENUE, MS 814
SAN DIEGO, CA 92101

DEVELOPER:

HOLLAND PARTNER GROUP
5500 E. SPRING STREET, SUITE 500
LONG BEACH, CA 90805
(562) 285-5303

ZONING DESIGNATION

BASE ZONE: EMPLOYMENT/RESIDENTIAL MIXED-USE
PLANNED DISTRICT: CENTRE CITY
COMMUNITY PLAN NAME: CENTRE CITY

Revision 1: _____
Revision 2: _____
Revision 3: _____
Revision 4: _____

Original Date: AUGUST 25, 2016

Sheet 3 of 8

APP: _____

ENGINEER OF WORK

PROJECT DESIGN CONSULTANTS
701 "B" STREET, SUITE 800
SAN DIEGO, CA 92101
TELEPHONE: (619) 235-6471

BY: [Signature]

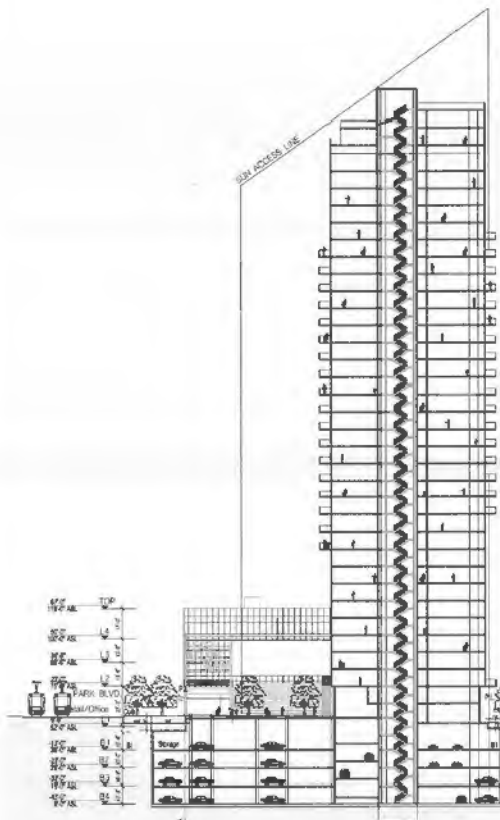
DATED: 08/25/16



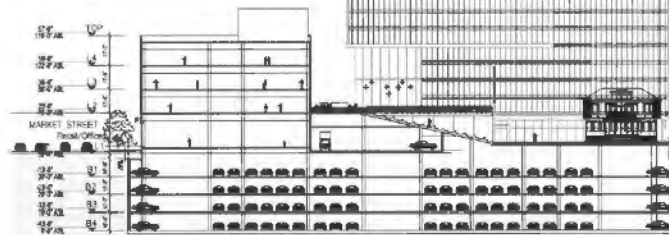
PROJECT DESIGN CONSULTANTS
Planning | Landscape Architecture | Engineering | Surveying

1152 Market Street
San Diego, CA 92101
www.pdcinc.com

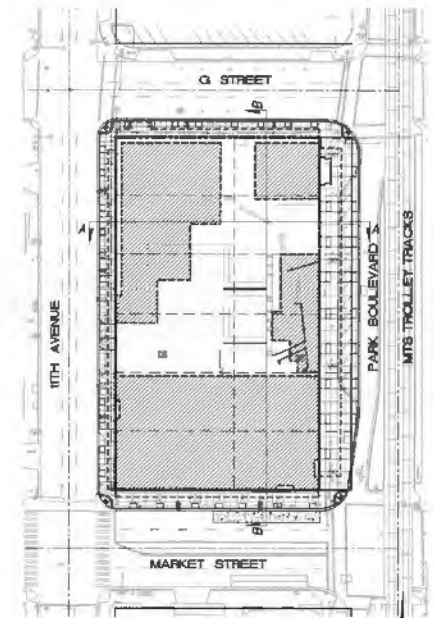
PARK + MARKET TENTATIVE MAP WAIVER NO. 1773926 PROJECT NO. 505937



SECTION A-A
NO SCALE



SECTION B-B
NO SCALE



SECTION KEY MAP
SCALE: 1"=50'

NOTE:
BUILDING SECTIONS SHOWN WERE RECEIVED
FROM THE ARCHITECT VIA EMAIL ON 10/27/14

ENGINEER OF WORK
PROJECT DESIGN CONSULTANTS
701 "B" STREET, SUITE 800
SAN DIEGO, CA 92101
TELEPHONE: (619) 235-6471



BY: *Greg A. H.* DATED: *September*

PROJECT DESIGN CONSULTANTS
Planning / Landscape Architecture / Engineering / Survey

SITE/PROJECT DATA:

PROJECT TEAM
CIVIL ENGINEERS: PROJECT DESIGN CONSULTANTS
(619) 235-6471
ARCHITECT: CARMER JOHNSON + CULTURE
(619) 235-6227
GENERAL CONTRACTOR: HOLLAND CONSTRUCTION INC.
(602) 285-5353

LEGAL DESCRIPTION

LOTS A - L IN BLOCK 81 OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY A L. L. LOOKING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

EXCEPTING THEREFROM THE EASTERLY 28.00 FEET OF LOTS C - L, BLOCK 81 OF HORTON'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY A L. L. LOOKING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ASSESSOR'S PARCEL NUMBERS

APN 535-134-14

PREPARED BY:

Name: 701 "B" STREET, SUITE 800
Address: SAN DIEGO, CA 92101
Phone no. (619) 235-6471

PROJECT ADDRESS:

1102 MARKET STREET
SAN DIEGO, CA 92101

PROJECT NAME:

PARK + MARKET

SHEET TITLE:

TENTATIVE MAP WAIVER
CITY PROJECT NUMBER: 505937

SITE AND PROPOSED BLDG. DATA:

EXISTING CONDITIONS
PARKING LOT, COMMERCIAL, HISTORIC HOUSE, AND DING PARK

PROPOSED USE
34 STORY RESIDENTIAL TOWER, 4 STORY OFFICE BUILDING, 4 LEVELS OF SUBTERRANEAN PARKING, AND RENOVATION / RELOCATION OF HISTORIC HOUSE

OWNER
THE CITY OF SAN DIEGO
A CALIFORNIA INDUSTRIAL CORPORATION
1201 THIRD AVENUE, MS 51A
SAN DIEGO, CA 92101

DEVELOPER
HOLLAND PARTNERS GROUP
5000 E. SPRING STREET, SUITE 500
LONG BEACH, CA 90805
(562) 285-5353

ZONING DESIGNATION

BASE ZONE: (EMPLOYMENT/RESIDENTIAL MIXED-USE)
PLANNED DISTRICT: CENTRE CITY
COMMODITY PLAN NAME: CENTRE CITY

Revision 1: _____

Revision 2: _____

Revision 3: _____

Revision 4: _____

Original Date: AUGUST 20, 2015

Sheet 6 of 4

DDP