

THE CITY OF SAN DIEGO

## **Report to the Planning Commission**

DATE ISSUED:	October 18, 2018	REPORT NO. PC-18-063
HEARING DATE:	October 25, 2018	
SUBJECT:	WOLF IN THE WOODS NUP, Appeal of a Proce	ess Two Decision
PROJECT NUMBER:	574622	
OWNER/APPLICANT:	Sandra Porras, Trustee, Porras Revocable Fan	nily Trust/William Adams

## <u>SUMMARY</u>

<u>Issue</u>: Should the Planning Commission approve or deny an appeal of the Development Services Department's decision to allow the resumption of a previously conforming use within an existing commercial building located at 1920 Fort Stockton Drive, in the Uptown Community Plan?

<u>Staff Recommendation</u>: **Deny** the appeal and **Approve** Neighborhood Use Permit No. 2037882.

<u>Community Planning Group Recommendation</u>: On November 7, 2017, the Uptown Community Planning Group voted 11-0-1 to recommend approval of the project with no conditions (Attachment 7).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 26, 2018, and the opportunity to appeal that determination ended August 9, 2018.

<u>Fiscal Impact Statement</u>: None with this action. Project costs are paid through a deposit account funded by the applicant.

<u>Code Enforcement Impact</u>: None with this action.

<u>Housing Impact Statement</u>: The site is currently developed with one commercial structure and one single-family residential unit, both of which would remain with approval of the requested Neighborhood Use Permit (NUP).

## BACKGROUND

The 0.35-acre project site is located at 1920 Fort Stockton Drive, at the northeast corner of Fort Stockton Drive and Allen Road in an established residential neighborhood consisting of primarily single-family residences. The site is located in the Mission Hills neighborhood of the Uptown Community Plan, which designates the site for low-density residential development at a rate of 5-9 units per acre, or 1-3 dwelling units allowed onsite. The site is zoned RS-1-7, which allows one single-family unit per lot.

The site is located in the Fort Stockton Line Historic District, which is significant as a historical district for its development and layout as an early twentieth-century "streetcar suburb" using Progressive-Era planning philosophies, and for its high-quality Craftsman, Prairie, and Spanish and Mission Revival architecture designed by a number of Master Architects and Builders.

The site slopes down from the Fort Stockton Drive frontage to the north, with onsite elevations ranging from approximately 265 feet above mean sea level (AMSL) at Fort Stockton Drive to approximately 235 feet AMSL in the canyon area at the northeast corner of the property. Surrounding development includes single-family development to the west, east and south and a vacant single-family lot to the north.

The site is developed with two structures fronting on Fort Stockton Drive built in 1922. A 3,640square-foot, single-story, commercial structure built in the Mission Revival style is located on the western two-thirds of the site. This structure is a designated contributing resource to the Fort Stockton Line Historic District and is identified as Historic Resource Board (HRB) Site <u>No. 822-22</u>. The second structure is a 970-square-foot, single-family residence located on the eastern third of the project site. No onsite parking is provided however there are 12 angled street parking spaces fronting the site on Fort Stockton Drive.

When the site was developed in 1922, the City did not utilize zoning designations. In 1923, the site was placed in the A zone, which allowed for agricultural uses. In 1930, the site was rezoned R-1, which allowed for single-family development. The current RS-1-7 single-family zone was applied in 2000.

## PROJECT DESCRIPTION

The project proposes the resumption of a previously conforming commercial use in the form of an eating and drinking establishment within 2,187 square feet of the existing historic commercial building. There would be no enlargement or changes to the Fort Stockton frontage of the existing structure. An exterior door would be added to the Allen Road frontage to provide the required accessible entrance. Tenant improvements would be required to reconfigure the interior space, including removal of partition walls, a kitchen remodel and the installation of a one-hour fire corridor between the two commercial suites. Exterior seating is proposed for the rear canyon deck but not for the side deck which will provide an accessible entrance along Allen Road. Project implementation would result in the following breakdown of uses:

Proposed Use:	Square Feet
Dining Room	1,240
Kitchen	450
One-Hour Corridor	140
Bathrooms	112
Hallway	101
Storage	85
Office	59
Rear Canyon Deck (outdoor seating)	133*
Side Deck on Allen Rd (no seating)	231*
Total Interior	2,187
Total Exterior	364*

\* Not included in total square feet, exterior space

Since 1922 the site has been utilized for a mix of commercial and retail service uses, including grocery, bakery, butcher shop, meat market, café and gallery uses. The commercial structure is currently configured as two suites, with the subject 2,187-square-foot suite vacant and the adjacent 1,453-square-foot suite utilized as a multi-purpose space for art gallery, studio and other professional uses. The vacant suite most recently operated from 1997 to 1999 as the Mission Hills Café and from 2000 to 2016, as the Espresso Mio a coffee shop/café, both of which operated under tenant improvement plans approved by the City in 1997.

The previous commercial uses have been verified by staff through review of County and City permit records, historic business and phone directories, historic photographs and business license information, all of which support commercial use of the site from 1922 to present. The requested resumption of use is specifically for the vacant 2,187-square foot suite located in the western half of the structure. The onsite commercial uses have included alcohol sales for either off premise or on premise consumption from 1935 to 1997. The proposed eating and drinking establishment use would include a Type 41 Alcohol Beverage Control (ABC) license to allow beer and wine consumption. If the resumption of the previously conforming use is approved for the site, a separate City-issued use permit is not required for the sale of beer and wine, however the applicant is required to obtain license approval directly from ABC.

## NEIGHBORHOOD USE PERMIT

On August 13, 2018, Development Services Department (DSD) staff issued a Notice of Decision (NOD) approving a Neighborhood Use Permit (NUP) to allow the resumption a previously conforming commercial use in the form of an eating and drinking establishment at the project site. In accordance with Municipal Code Section <u>126.0203(b)</u>, a Process Two NUP is required to allow the resumption of a previously conforming use that has been discontinued for more than two years. The permit and resolution approved by DSD staff are included as Attachment 5. Because the project site is a designated historic resource, City Historical staff reviewed the NUP application and determined it is consistent with the Secretary of the Interior Standards for such resources.

## PROJECT APPEAL DISCUSSION

On August 20, 2018, a project appeal of DSD's decision to approve the NUP was filed by Mr. Mark Majette, property owner of a single-family home at 4268 Sierra Vista Drive, located immediately northeast of the project site, with approximately 80 feet between the appellant's property and the subject structure (Attachments 2 & 3). The issues raised in the appeal application concern the Noise Impact Analysis (NIA) that was prepared for the project as part of the required CEQA review process. The majority of the points raised are appropriate for an Environmental Determination Appeal, however no appeal of the CEQA exemption was received during the public notice period, which began July 26, 2018, and ended August 9, 2018. Therefore, the preparation, methodology and staff's acceptance of the NIA, including any potential CEQA impacts are not part of this action. Because noise effects were generally considered as a part of staff's overall determination to approve the NUP, the appeal was considered in light of the Land Development Code requirements and the Uptown Community Plan and General Plan recommendations, goals and policies.

## **Noise Study:**

The NIA dated May 25, 2018, was prepared for this project by Eliar Associates, Inc., Acoustical and Environmental Consulting. This report was reviewed and accepted by DSD Environmental Analysis Section (EAS) staff in accordance with the City of San Diego <u>Significance Determination Thresholds</u>, San Diego Municipal Code (SDMC) Section <u>59.5.0401</u> Sound Level Limits and the Acoustical Report Guidelines dates January 2005.

The NIA utilized the proposed restaurant seating chart, included patron occupation of the deck at the rear of the building, existing and proposed mechanical equipment noise, the hours of operation proposed by the applicant and assumed all doors and windows as open. The NIA concluded that anticipated noise levels from project operation would not result in significant impacts under CEQA and would not exceed the City's noise level limits at any surrounding noise-sensitive receiver.

This NIA was provided to the appellant during project review. Although the NIA was prepared in accordance with City standards and accepted by City staff, the applicant voluntarily agreed to revise the report in response to the appellant's request that maximum building occupancy of the vacant suite and adjacent multi-use commercial space be included to create a "worst case scenario" analysis. The revised noise analysis dated June 28, 2018 (Attachment 10), also considered use of the exterior deck between 7:30 AM to 9:00 PM Sunday through Thursday and 7:30 AM to 10:00 PM Friday and Saturday, which exceeds the conditioned hours of operation. The inclusion of these additional "worst case scenario" factors still did not result in significant noise impacts under CEQA and did not exceed the City of San Diego noise level limits for the adjacent single-family development.

In response to the points raised in the project appeal application, the noise consultant revisited the NIA and determined there was a small discrepancy in the modelling which resulted in improper interior noise contour lines at the interior of the space only. The applicant provided an Response Letter from the consultant with updated noise figures using the correct modelling, which is included with Attachment 12. As shown on the chart below, this correction results in a 0.4 dBA increase in the noise range from 7:00 AM to 10:00 PM, with projected project noise levels still falling well below the SDMC maximum requirement.

## **Municipal Code Noise Regulations:**

In reviewing the NUP application, staff considered the Commercial Neighborhood (CN) zone regulations as they provide regulations to address concerns regarding commercial uses within residential areas. The CN zones are intended to provide residential areas with access to a limited number of commercial uses that are consistent with the character of the surrounding residential development.

The CN zone regulations require eating and drinking establishments abutting residential development located in a residential zone to limit operations to 6:00 AM to 12:00 midnight. The applicant has agreed to more restrictive operating hours of 8:00 AM to 9:00 PM Sunday through Thursday and 8:00 AM to 10:00 PM Friday and Saturday. The applicant has also proposed to cease occupation of the outdoor deck at the rear of the building at 8:00 PM Sunday through Thursday and Saturday. The project is also includes a condition that no live entertainment is allowed.

As described in SDMC Section 59.5.0401, the maximum one-hour average sound level limit at a location on a boundary between two land uses is the arithmetic mean of the respective limits for the two districts. Below is a table summarizing the SDMC noise limits and the results of the NIAs.

Land Use:	7:00 AM – 7:00 PM Noise dBA	7:00 PM – 10:00 PM Noise dBA	10:00 PM – 7:00 AM Noise dBA
Single-Family Residential Maximum per SDMC	50	45	40
Commercial Maximum per SDMC	65	60	60
Arithmetic Mean Maximum	57.5	52.5	50
Existing Ambient Noise Levels	55.5-62.5	51.2-54.1	41.7-54.8
May 2018 NIA Calculated Noise Level Range	34.1-43.6	34.1-43.6	33.4-40.5
June 2018 NIA Calculated Project Noise Level Range	36-45.6	36-45.6	35.4-41.3
August 2018 NIA Update based on Appeal Points	36.4-45.6	36.4-45.6	35.9-41.3

As depicted in the table above, the calculated project-generated one-hour average noise levels at the surrounding property lines would not exceed the mean of the single-family and commercial noise maximum levels for both NIAs. With the exception of the upper range of the 7:00 PM – 7:00 AM period, the calculated noise levels would also not exceed the single-family maximum sound level. The NIAs also calculated the existing ambient noise levels and determined that the proposed use would not exceed the current ambient noise levels, further reducing potential noise impacts to adjacent residential uses.

## General Plan & Community Plan Noise Analysis:

The following General Plan noise goals and policies were considered as a part of the project approval:

- Noise and Land Use Compatibility Goal Consider existing and future noise levels when making land use planning decisions to minimize people's exposure to excessive noise.
- Noise Element Policy NE-A.2 Assure the appropriateness of proposed developments relative to existing and future noise levels by consulting the guidelines for noise-compatible land use (shown on Table NE-3) to minimize the effects on noise-sensitive land uses.
- Noise Element Policy NE-A.4 Require an acoustical study consistent with Acoustical Study Guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the "compatible" noise level thresholds as indicated on the Land Use - Noise Compatibility Guidelines (Table NE-3), so that noise mitigation measures can be included in the project design to meet the noise guidelines.

The following Uptown Community Plan noise element policies were considered as a part of the project approval:

- Noise Element Policy NE-1.1 Implement operational measures in areas where eating and drinking establishments are adjacent to residential.
- Noise Element Policy NE-1.1a Institute appropriate open/close window hours for eating and drinking establishments
- Noise Element Policy NE-1.2 Evaluate and consider potential noise impacts as a condition
  of a change of use for eating and drinking establishments that incorporate "open air" or
  large outdoor eating and drinking venues, based on acoustical studies and/or industry best
  practices.

General Plan Table NE-3 identifies the need to prepare an NIA where single-unit residential development may be exposed to exterior noise that exceeds 45 dBA Community Noise Equivalent Level (CNEL). Under the June 2018, "worst-case" NIA, the calculated project noise level range would be 36-45.6 dBA from 7:00 AM to 10:00 PM, however under the originally accepted May 2018 NIA the 45 dBA threshold would not be exceeded.

The project meets the General Plan and Community Plan noise goals and policies through the provision of an NIA which determined that projected noise level averages would not exceed the arithmetic mean of the commercial and single-family noise limits, as discussed previously in this report. Additionally, the project conditions include hours of operation limitations for the use and outdoor patio and the prohibition of live entertainment to further protect adjacent single-family uses from noise impacts.

## Conclusion:

The NIA for this project was prepared in compliance with the applicable City of San Diego requirements as part of the CEQA review process. The NIA concluded that anticipated noise levels from project operation would not result in significant impacts under CEQA and would not exceed the City of San Diego noise level limits at any surrounding noise-sensitive receiver. Hours of operation and use limitations have been included in the permit to ensure noise impacts to adjacent single-family residential uses are limited. Therefore, staff recommends that the Planning Commission deny the appeal and uphold the Development Services Department's decision to approve the Neighborhood Use Permit.

## **ALTERNATIVES**

- 1. Deny the appeal and approve Neighborhood Use Permit No. 2037882, with modifications.
- 2. Approve the appeal and deny Neighborhood Use Permit No. 2037882.

Respectfully submitted,

PJ FitzGerald Assistant Deputy Director Development Services Department

Paul Godwin Development Project Manager Development Services Department

## LOWE/PBG

Attachments:

- 1. Project Location Map
- 2. Aerial Map 1
- 3. Aerial Map 2
- 4. Community Plan Land Use Map
- 5. Neighborhood Use Permit No. 2037882 and Findings
- 6. Environmental Exemption
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure Statement
- 9. Project Appeal Application and October 10, 2018, Letter from Appellant
- 10. Project Plans
- 11. Historical Site Information
- 12. Noise Impact Analysis and August 30, 2018, Response to Appeal
- 13. Site and Surrounding Area Photos





## **Project Location Map**

Wolf in the Woods NUP Appeal/1920 Fort Stockton Drive PROJECT NO. 574622







Aerial Photo 1 Wolf in the Woods NUP Appeal/1920 Fort Stockton Drive PROJECT NO. 574622







Aerial Photo 2 <u>Wolf in the Woods NUP Appeal/1920 Fort Stockton Drive</u> PROJECT NO. 574622







# **Uptown Land Use Map**

North

Wolf in the Woods NUP Appeal/1920 Fort Stockton Drive PROJECT NO. 574622

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

#### WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24007475

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## NEIGHBORHOOD USE PERMIT NO. 2037882 WOLF IN THE WOODS - PROJECT NO. 574622 DEVELOPMENT SERVICES DEPARTMENT

This Neighborhood Use Permit No. 2037882 is granted by the Development Services Department of the City of San Diego to Porras Revocable Family Bypass Trust, Owner/Permittee pursuant to San Diego Municipal Code [SDMC] section 126.0203. The 0.35-acre site is located at 1920 Fort Stockton Drive in the RS-1-7 zone of the Uptown Community Plan. The project site is legally described as: All that portion of Villa Lots 14, 15 & 16 of Mission Hills, filed January 20, 1908, lying within Lots 1 & 2 of the Resubdivision of the Northwest 32 acres of Pueblo Lot A, according to Map thereof No. 870, file April 12, 1901.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to resume use of the site for an eating and drinking establishment, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 13, 2018, on file in the Development Services Department.

The project shall include:

- a. The resumption of a previously conforming use to allow an eating and drinking establishment to operate in approximately 2,187 square feet of an existing 3,640-square foot commercial structure built in 1922, on a site that is now zoned for single-family residential development;
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

## **STANDARD REQUIREMENTS**:

1. 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 Chapter 12, Article 6, Division 1

of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 27, 2021.

2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

3. 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/Permittee and any successor(s) in interest.

4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

9. If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless 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 City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City 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, Owner/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 the City and Owner/Permittee regarding litigation issues, the City 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/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

## **CLIMATE ACTION PLAN REQUIREMENTS:**

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

## **ENGINEERING REQUIREMENTS:**

12. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the non-standard improvements in the Fort Stockton Drive Right-of-Way, including planters, trees/ landscape, pavers and additional concrete pavement in parkway, fence and steps.

13. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the non-standard improvements in the Allen Road Right-of-Way, including fence and dumpsters.

14. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the removal of the existing benches and low masonry wall in Fort Stockton Drive right of way.

15. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing curb with current city standard curb and gutter, adjacent to the site on Fort Stockton Drive, satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of all damaged/unaligned portions of the existing sidewalk per current city standards, adjacent to the site on Fort Stockton Drive, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

18. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

## PLANNING/DESIGN REQUIREMENTS:

19. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

20. Hours of operation shall be limited to 8:00 am – 9:00 pm Sunday through Thursday and 8:00 am – 10:00 pm Friday and Saturday.

21. The outdoor deck shall not be occupied after 8:00 pm Sunday through Thursday and after 9:00 pm Friday and Saturday.

22. The facility shall not include live entertainment.

23. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

24. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

## **INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Development Services Department of the City of San Diego on August 13, 2018, and Resolution No. CM-6795.

## **ATTACHMENT 5**

Permit Type/PTS Approval No.: NUP No. 2037882 Date of Approval: August 13, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Paul Godwin Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Porras Revocable Family Bypass Trust Owner/Permittee

Ву \_\_\_\_\_

Sandra Porras Trustee

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

## **ATTACHMENT 5**

## DEVELOPMENT SERVICES DEPARTMENT RESOLUTION NO. CM-6795 NEIGHBORHOOD USE PERMIT NO. 2037882 WOLF IN THE WOODS - PROJECT NO. 574622

WHEREAS, PORRAS REVOCABLE FAMILY BYPASS TRUST, Owner/Permittee, filed an application with the City of San Diego for a permit to resume use of the site for an eating and drinking establishment (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Neighborhood Use Permit No. 2037882, on portions of a 0.35-acre site;

WHEREAS, the project site is located at 1920 Fort Stockton Drive in the RS-1-7 zone of the Uptown Community Plan;

WHEREAS, the project site is legally described as All that portion of Villa Lots 14, 15 & 16 of Mission Hills, filed January 20, 1908, lying within Lots 1 & 2 of the Resubdivision of the Northwest 32 acres of Pueblo Lot A, according to Map thereof No. 870, file April 12, 1901;

WHEREAS, on July 26, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on August 13, 2018, the Development Services Department of the City of San Diego considered associated Neighborhood Use Permit No. 2037882, pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Development Services Department of the City of San Diego, that it adopts the following findings with respect to associated Neighborhood Use Permit No. 2037882:

#### NEIGHBORHOOD USE PERMIT [SDMC Section 126.0205]

#### a. The proposed development will not adversely affect the applicable land use plan.

The project would allow the resumption of a previously conforming use in form of a 2,187square-foot eating and drinking establishment in an existing 3,640-square-foot commercial structure located at 1920 For Stockton Drive, within the RS-1-7 single-family zone. The site is located in the Mission Hills neighborhood of the Uptown Community Plan, which designates the site for low-density residential development at a rate of 5-9 units per acre, or 1-3 dwelling units allowed onsite. Although the Uptown Community Plan does not contain specific goals or policies related to previously conforming uses, the plan does provide recommendations related to mixed use and commercial uses in residential areas, as discussed below.

 Land Use Element Goals – A distribution of land uses that provides for a range of goods and services, facilities and activities that meet the needs of the community and Compatibility of uses with established neighborhoods:

The project assists with these goals by providing a greater range of goods and services in the established residential neighborhood through the provision of an eating and drinking establishment in an existing historic structure that has been utilized for commercial uses since 1920.

 Noise Element Policy NE-1.1 - Implement operational measures in areas where eating and drinking establishments are adjacent to residential; NE-1.1a – Institute appropriate open/close window hours for eating and drinking establishments; NE-1.2 – Evaluate and consider potential noise impacts as a condition of a change of use for eating and drinking establishments that incorporate "open air" or large outdoor eating and drinking venues, based on acoustical studies and/or industry best practices:

The project complies with these noise policies through the provision of a Noise Impact Analysis (NIA) that was reviewed and accepted by City staff as a part of the California Environmental Quality Act (CEQA) review process. This study took into account the existing outdoor deck area at the rear of the building and the Neighborhood Use Permit includes conditions limiting hours of operation of the commercial use and outdoor deck utilization. The report concluded that anticipated noise levels from project operation would not result in significant impacts under CEQA and would not exceed the City of San Diego noise level limits at any surrounding noise-sensitive receiver.

• Historic Preservation Element Goal - Identification and preservation of significant historical resources in Uptown:

The project assists with this goal by maintaining the existing onsite commercial structure, which is identified as Historic Resource Board (HRB) Site <u>No. 822-22</u>. No additions or modifications are proposed to the exterior of the historic structure and the project has been determined to be consistent with the Secretary of the Interior requirements for historic resources.

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

The project would allow the resumption of a previously conforming use in form of a 2,187square-foot eating and drinking establishment in an existing 3,640-square-foot commercial structure located at 1920 For Stockton Drive, within the RS-1-7 single-family zone. The site is within a developed, urban neighborhood that is served by all existing utilities and developed rights-of-way.

The NIA prepared for the project site determined that there would be no significant impact to adjacent single-family development and the maximum noise levels comply with the San Diego Municipal Code requirements listed in Section 59.5.0401.

The project has been conditioned to restrict operating hours to 8:00 AM to 9:00 PM Sunday through Thursday and 8:00 AM to 10:00 PM Friday and Saturday and to cease occupation of the outdoor deck at the rear of the building at 8:00 PM Sunday through Thursday and 9:00 PM Friday and Saturday. The project also includes a condition that no live entertainment is allowed.

Any tenant improvements needed to reconfigure the interior space for commercial use would require the approval of ministerial construction permits to ensure compliance with all building, mechanical, electrical, fire, health and safety codes applicable to the project. The project has been conditioned to reconstruct damaged and misaligned portions of the existing curb, gutter and sidewalk adjacent to the site. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

## c. 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 would allow the resumption of a previously conforming use in form of a 2,187square-foot eating and drinking establishment in an existing 3,640-square-foot commercial structure located at 1920 For Stockton Drive. The Land Development Code allows the resumption of a previously conforming use with the approval of a Process Two, Neighborhood Use Permit. The site is currently zoned RS-1-7, which allows for single-family residential development.

There are two commercial suites within the existing commercial structure. When the building was constructed in 1920, the City did not utilize zoning designations. From 1922 to present, the project site has been utilized for grocery, bakery, butcher shop, meat market, café and gallery uses, providing a mix of commercial and retail service uses. The commercial structure is currently configured as two suites, with the subject 2,187-square-foot suite vacant and the adjacent 1,453-square-foot suite utilized as a multi-purpose space for art gallery, studio and other professional uses. Most recently from 2000 to 2016, a portion of the vacant suite was utilized as a coffee shop/café called Espresso Mio, which operated under tenant improvement plans approved by the City in 1997.

The NIA prepared for the project site determined that there would be no significant impact to adjacent single-family development and the maximum noise levels comply with the San Diego Municipal Code requirements listed in Section 59.5.0401.

In reviewing the request, staff considered the Commercial Neighborhood (CN) zone regulations as they provide regulations to address concerns regarding commercial uses within residential areas. The CN zones are intended to provide residential areas with access to a limited number of commercial uses that are consistent with the character of the surrounding residential development. The CN zone regulations require eating and drinking establishments abutting residential development located in a residential zone to limit operations to 6:00 AM to 12:00 midnight. The applicant has agreed to more restrictive operating hours of 8:00 AM to 9:00 PM Sunday through Thursday and 8:00 AM to 10:00 PM Friday and Saturday. The applicant has also proposed to cease occupation of the outdoor deck at the rear of the building at 8:00 PM Sunday through Thursday and 9:00 PM Friday and Saturday. The project also includes a condition that no live entertainment is allowed.

The project site is a designated historic resource and City Historical staff have reviewed the project and determined it complies with the Secretary of the Interior standards for historic resources. No additional development is proposed with this project and no deviations or variances are requested. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The above findings are supported by the minutes, maps and exhibits, all of which are

incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the

Development Services Department, associated Neighborhood Use Permit No. 2037882 is hereby

GRANTED by the Development Services Department to the referenced Owner/Permittee, in the

form, exhibits, terms and conditions as set forth in associated Neighborhood Use Permit No.

2037882, a copy of which is attached hereto and made a part hereof.

Paul Godwin Development Project Manager Development Services

Adopted on: August 13, 2018

IO#: 24007475

FROM:

(Check one or both)

TO:

X Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400

> Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814

> > SCH No.: N/A

1222 First Avenue, MS 501

**Development Services Department** 

City of San Diego

San Diego, CA 92101

Project Name/Number: Wolf in the Woods NUP / 574622

Project Location-Specific: 1920 Fort Stockton Drive, San Diego CA, 92103

Project Location-City/County: San Diego/San Diego

**Description of nature and purpose of the Project:** The project is a request for a Neighborhood Use Permit (NUP) for resumption of a previously conforming use establishment to operate a commercial service use within Suites A-B within an existing commercial building. The operational area of the establishment includes 2,187 square feet of interior area, within an existing 3,640 square foot building, located at 1920 Fort Stockton Drive. The 0.35 acre site is designated in the RS 1-7 zone within the Uptown Community Plan area and contains the commercial building and a separate 970 square foot residential structure. The project does not propose an expansion of the existing building footprint and does not propose any development within areas that contain Environmentally Sensitive Lands (ESL). As such, the project was determined to be exempt from ESL. The project is also subject to Airport FAA Part 77 Noticing Area – Lindbergh Field 80-85', North Island NAS 201-206' (Elevation at approx. 265' ASML), Airport Influence Area – San Diego International Review Area 2, Fire Brush Management (100' Setback), Fire Brush Management Zone (300' Buffer Zone), Very High Fire Severity Zone, Transit Priority Area, and Council District 3.

## Name of Public Agency Approving Project: City of San Diego

## Name of Person or Agency Carrying Out Project: Moore & Adams Norton, LLP

525 B Street # 1500 San Diego CA, 92101 (619) 233-8200

## Exempt Status: (CHECK ONE)

- () Ministerial (Sec. 21080(b)(1); 15268);
- () Declared Emergency (Sec. 21080(b)(3); 15269(a));
- () Emergency Project (Sec. 21080(b)( 4); 15269 (b)(c))
- (X) Categorical Exemption: CEQA Section 15301, Existing Facilities
- () Statutory Exemptions:

**Reasons why project is exempt:** The City conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. The existing building, as included in the Project Description of this notice, continues to serve as a commercial use, and therefore does not result in an expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

Revised May 2018

#### Lead Agency Contact Person: Rachael Lindquist

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a notice of exemption been filed by the public agency approving the project? ( ) Yes ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

CHRIS TRACY, AICP SENIOR PLANNER Signature/Title

8 13/18

Date

Check One: (X) Signed By Lead Agency ( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:



THE CITY OF SAN DIEGO

# Date of Notice: July 26, 2018 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

**DEVELOPMENT SERVICES DEPARTMENT** 

SAP No. 24007475

PROJECT NAME / NUMBER: Wolf in the Woods NUP / 574622 COMMUNITY PLAN AREA: Uptown COUNCIL DISTRICT: 3 LOCATION: 1920 Fort Stockton Drive, San Diego, CA 92103

**PROJECT DESCRIPTION:** The project is a request for a Neighborhood Use Permit (NUP) for resumption of a previously conforming use establishment to operate a commercial service use within Suites A-B within an existing commercial building. The operational area of the establishment includes 2,187 square feet of interior area, within an existing 3,640 square foot building, located at 1920 Fort Stockton Drive. The 0.35 acre site is designated in the RS 1-7 zone within the Uptown Community Plan area and contains the commercial building and a separate 970 square foot residential structure. The project does not propose an expansion of the existing building footprint and does not propose any development within areas that contain Environmentally Sensitive Lands (ESL). As such, the project was determined to be exempt from ESL. The project is also subject to Airport FAA Part 77 Noticing Area – Lindbergh Field 80-85', North Island NAS 201-206' (Elevation at approx. 265' ASML), Airport Influence Area – San Diego International Review Area 2, Fire Brush Management (100' Setback), Fire Brush Management Zone (300' Buffer Zone), Very High Fire Severity Zone, Transit Priority Area, and Council District 3.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego, Development Services Department

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301, Existing Facilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. The existing building, as included in the Project Description of this notice, continues to serve as a commercial use, and therefore does not result in an expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

DEVELOPMENT PROJECT MANAGER: MAILING ADDRESS: PHONE NUMBER / EMAIL: Paul Godwin 1222 First Avenue, MS 501, San Diego, CA 92101-4153 (619) 446-5190 / PGodwin@sandiego.gov

On July 26, 2018 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (August 9, 2018). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

POSTED IN	THE OFFICE OF DSD
Posted	JUL 2 4 2018 mV
Removed_	AUG 1 0 2018
Posted by_	myralel



## Motion Approved By Uptown Planners on November 7, 2017:

Uptown Planners heard the 1820 Fort Stockton NDP application at its November 7, 2017 meeting; which was described on the agenda for the meeting as follows:

**1920 FORT STOCKTON NEIGHBORHOOD DEVELOPMENT PERMIT ("WOLF IN THE WOODS" NUP) -- Process Two – Mission Hills –** Application for resumption of a previously abandoned use as a commercial eating and drinking establishment, the requirement for a onsite license for the consumption of wine and beer requires the applicant to obtain a neighborhood use permit.

The applicant and her representative made a presentation at the meeting. There were approximately 130 members of the public in attendance; mostly in support of the NUP application. There were about 25 speakers who made public comment in favor of the proposed NDP. Several speakers who reside in the neighborhood in which the business is located spoke against it. After public comment, board members discussed the NDP application; after which a motion was made by Dahl, seconded by Tablang, to support the NDP project. The motion passed by 11-0-1.

Voting YES <u>11</u> Voting NO <u>0</u> Abstain <u>1</u> (non-voting chair)

**Respectfully Submitted** 

Leo Wilson

Leo Wilson Chair, Uptown Planners

Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement
pproval Type: Check appropriate box for type of approval (s) request Neighborhood Development Permit Site Development Permit Variance Tentative Map Washing Tentative Map Map W	ted: Neighborhood Use Permit Coastal Development Permit Planned Development Permit Conditional Use Permit aiver Land Use Plan Amendment • <b>Other</b>
roject Title WOLF in The Woods	NUP S74622
1920 FORT STOCKTON DRIVE, SAN DIEGO CA 92103	
rt I - To be completed when property is held by Individual	(s)
by the owner(s) and tenant(s) (if applicable) of the above reference o have an interest in the property, recorded or otherwise, and state th ividuals who own the property). A signature is required of at least or in the Assistant Executive Director of the San Diego Redevelopment velopment Agreement (DDA) has been approved / executed by the nager of any changes in ownership during the time the application is Project Manager at least thirty days prior to any public hearing on ormation could result in a delay in the hearing process.	ad property. The list must include the names and addresses of <b>all</b> persons the type of property interest (e.g., tenants who will benefit from the permit, all <u>ne of the property owners</u> . Attach additional pages if needed. A signature Agency shall be required for all project parcels for which a Disposition and a City Council. Note: The applicant is responsible for notifying the Project s being processed or considered. Changes in ownership are to be given to in the subject property. Failure to provide accurate and current ownership
ame of Individual (type or print):	Name of Individual (type or print):
ANDRAPORRAS	())+())+
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ANDRA PORRAS Owner Tenant/Lessee Redevelopment Agency treet Address: 320 VALLE VIS ity/State/Zip: AN DIEGO, CA 92103	Owner     Tenant/Lessee     Redevelopment Agency       Street Address:     City/State/Zip:
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ANDRA PORRAS         Owner       Tenant/Lessee       Redevelopment Agency         treet Address:       320 VALLE VIS         ity/State/Zip:       AN DIEGO , CA 92103         hong No:       Sax No:         Grature :       Date:         ame of Individual (type or print):         Owner       Tenant/Lessee       Redevelopment Agency         treet Address:	Owner       Tenant/Lessee       Redevelopment Agency         Street Address:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Name of Individual (type or print):       Owner         Owner       Tenant/Lessee       Redevelopment Agency         Street Address:       Street Address:
ANDRA PORRAS         Owner       Tenant/Lessee       Redevelopment Agency         treet Address:       320 VALLE VIS         ity/State/Zip:       AN DIEGO , CA 92103         hong No:       Sax No:         Jate:       Date:         ame of Individual (type or print):       Owner         Owner       Tenant/Lessee       Redevelopment Agency         treet Address:       ity/State/Zip:	Owner       Tenant/Lessee       Redevelopment Agency         Street Address:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Name of Individual (type or print):       Owner         Tenant/Lessee       Redevelopment Agency         Street Address:       City/State/Zip:
ANDRA PORRAS         Owner       Tenant/Lessee       Redevelopment Agency         treet Address:       320 VALLE VIS         ity/State/Zip:       AN DIEGO , CA 92103         hong/No:       Image: Comparison of the second	Owner       Tenant/Lessee       Redevelopment Agency         Street Address:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Name of Individual (type or print):       Owner         Tenant/Lessee       Redevelopment Agency         Street Address:       City/State/Zip:         Phone No:       Fax No:

**ATTACHMENT 8** 

Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.

## **ATTACHMENT 8**

Project Title:	Project No. (For City Use Only)
Part II - To be completed when property is held	by a corporation or partnership
Legal Status (please check):	
Corporation Limited Liability -or- Gene	eral) What State? Corporate Identification No
By signing the Ownership Disclosure Statement, the as identified above, will be filed with the City of Sau the property. Please list below the names, titles and otherwise, and state the type of property interest (of in a partnership who own the property). A signatu property. Attach additional pages if needed. Note: ownership during the time the application is being Manager at least thirty days prior to any public hear information could result in a delay in the hearing property.	he owner(s) acknowledge that an application for a permit, map or other matter. In Diego on the subject property with the intent to record an encumbrance against addresses of all persons who have an interest in the property, recorded or e.g., tenants who will benefit from the permit, all corporate officers, and all partners are is required of at least one of the corporate officers or partners who own the The applicant is responsible for notifying the Project Manager of any changes in processed or considered. Changes in ownership are to be given to the Project aring on the subject property. Failure to provide accurate and current ownership rocess. Additional pages attached Yes No
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

Mark Majette 4268 Sierra Vista, San Diego, CA 92103 | 619-417-5105 | mark.fbinc@gmail.com

October 10, 2018

Chairman Stephen Haase and Members of the Planning Commission City of San Diego 202 C. Street, Fifth Floor San Diego, CA 92101

#### Re: Public Hearing – October 25, 2018, Appeal of NUP for Project 574622 (Wolf in the Woods)

Dear Chairman Haase and Members of the Planning Commission,

This letter is to offer context and details pertaining to the upcoming NUP appeal. It describes the residential location and considerable increase in intensity of use. In addition, specific requests for operational limits are made if the NUP is allowed. Hopefully you find this information helpful in your deliberations and thank you for the opportunity of appeal.

As stated in the NUP, the project is located at 1920 Ft. Stockton Dr. Figure 1 shows a cropped area from the DSD zoning map surrounding the location. The small red triangle on the left side of the image is the proposed restaurant location. It is entirely within an RS 1-7 zone (yellow), bordered on all sides by family homes. This location should constrain the usage parameters if resumption of commercial use is allowed. Additionally, the area has several CN zones (pink) nearby, as well as the CC zone (orange) around Goldfinch and Washington streets. Numerous restaurants are available in the commercial areas.



Figure 1 – DSD Zoning Map of the Area

The appeal was made based on errors in the noise study submitted by the applicant. The DSD project manager was aware of neighbor's concern around noise. Yet he failed to advise us that it was a part of the CEQA permit, and only volunteered this information after the appeal window had closed. He knew we were novices at this process, and this omission is unfortunate. That said, the noise concern is part of a larger issue, which is an

increase in intensity of usage. It extends beyond the CEQA concerns into the essence of zoning intent and is relevant to the hearing.

For approximately the last twenty years, the building at 1920 Ft. Stockton has consisted of three units. One unit has been the building owner's professional office, the next a coffee shop, and the third an art gallery. The coffee shop was open daily from 7 a.m. to 4 p.m. and had at most 25 customers present at any given time on the weekends, fewer during the week. Hours of the office and gallery were sporadic, and they were occupied by only a handful of people. There were some issues with dumpster management, trash, and occasional noise on the rear deck.

The proposed restaurant will combine the space occupied by the coffee shop and gallery into a larger restaurant. The office area is to be converted to an additional "multi-use" space. Hours are stated in [1] to be 7:30 a.m. to 10:00 p.m. Sunday through Thursday and 7:30 a.m. to 11:00 p.m. Friday and Saturday. That adds up to 103.5 hours per week. Additionally, the multi-use space is described as for "meditation and general functions". This must be better defined. A general use as a wedding reception is very different from one as a mediation class. Imagine your reaction to a neighbor who entertained people 14 or 15 hours per day, every day of the week. Up to 97 people. For money. How can this be compatible with the location embedded in RS 1-7 zoning?

City municipal code requires that a resumed use not expand area by more than 25%. The intent is clearly to limit increases in usage intensity. The project circumvents this intent by combining two pre-existing, light-use spaces into a single larger high-use one. Even without including the multi-use space, the intensity of usage could be as large as 4.5 times the previous one. In Table 1, usage is estimated as the product of hours of operation and people present.

	Hrs/wk	People	PeopleHrs/wk
Old use	63	35	2205
New use	103.5	97	10,040
	Table 1 –	Usage Inter	nsity

This is an extreme increase in usage intensity, and it is incompatible with the location embedded in RS 1-7 zoning. This type of business belongs in a commercial zone such as the ones nearby. Yet even there, its hours of operation would be exceptional. Table 2 lists weekly hours for restaurants in the CC zone near

	hrs/wk
Proposed Restaurant	103.5
Brooklyn Girl	70
Farmer's Bottega	91
The Patio	84
Harley Gray	91

Table 2 - Hours of Nearby Restaurants

Goldfinch and Washington streets. None are open as many hours as the proposed one. For the surrounding homes, virtually every waking hour of every day will be affected by this business. How is this allowed in an RS 1-7 zone?

Returning to noise, the City's own philosophy offers guidance. When a commercial use borders a residential zone, the regulation is the arithmetic mean of residential and commercial limits at the property line. If this same rationale is applied to hours of operation, then an average of commercial hours in a residential zone (0) and those in a commercial one (103.5) yields 52 hours per week. This is about the same as the normal work week if counted as five 10-hour days from 7:30 a.m. to 5:30 p.m. A business operating on this schedule in a residential

area will have minimal impact on neighbors since it aligns with hours most are at work and school, while not degrading their environment when at home. Most businesses operate successfully on this schedule and can do so here. If the business type precludes this, requiring it be open at night and on weekends, then the answer is simple. It belongs in a commercial zone, not a residential one. There are several of these nearby. Isn't that the point of zoning?

There is significant support for the project in the neighborhood. But virtually all are far enough away from the location to avoid degradation of their own residential environments. This burden is unfairly left on those who live nearby. Hopefully the Commission will agree and reject the current NUP. If it is allowed, please consider the following requests.

- Require that in addition to City noise regulations that the business comply with their own noise study as listed in Table 4 of [1] and Figures 5 and 6 of [1]. Levels are below city limits but are claimed by the applicant to be worst-case levels. As such they should not be exceeded on a one-hour dbA average basis. Levels are reproduced in Table 3 and Figure 2 below for your reference. This requirement will also greatly simplify measurement of compliance, since levels are mapped throughout the space. In contrast, some property boundaries are in the bottom of a steep canyon, making measurement there challenging.
- Restrict hours of operation to 7:30 a.m. to 5:30 p.m. Monday-Friday, closed weekends. These are hours
  when business use will have minimal impact on the residential location. Most businesses operate
  successfully on this schedule and can do so at this location. If the business type requires operation
  outside these hours, it should be located in a commercial zone.
- 3. Prohibit business use of outdoor spaces. This includes the two decks on the back of the building and the front sidewalk. They represent small additions to the size of the business but would have significant noise and privacy impacts to the surrounding residential area.
- 4. Prohibit using the multi-use space for unspecified general uses incompatible with the RS 1-7 zoning. For example, wedding receptions or other parties with alcohol and music. Require that its hours of operation are the same as the restaurant.

Again, thank you for the opportunity to communicate with the Commission. You have the power to add judgement and reason to a process that to date has been unable to stop this violation of zoning intent.

Sincerely,

Mer More

Mark Majette

CC: Vice Chairperson Susan Peerson Commisioner Douglas Austin Commisioner William Hofman Commisioner Vicki Granowitz Commisioner Dennis Otsuji Commisioner James Whalen

Table 4. Calculated Project-Generated Noise Levels at Surrounding Property Lines					
Receiver Number	Receiver Location	Time	Noise Limit (dBA)	Noise Level (dBA)	In Compliance?
		7 a.m. – 7 p.m.	57.5	44.3	Yes
R1	West (Allen Rd.)	7 p.m. – 10 p.m.	52.5	44.3	Yes
		10 p.m. – 7 a.m.	50.0	41.1	Yes
		7 a.m. – 7 p.m.	57.5	39.1	Yes
R2	(Fort Stockton Dr.)	7 p.m. – 10 p.m.	52.5	39.1	Yes
		10 p.m. – 7 a.m.	50.0	39.0	Yes
		7 a.m. – 7 p.m.	57.5	41.4	Yes
R3	South (Fort Stockton Dr.)	7 p.m. – 10 p.m.	52.5	41.4	Yes
		10 p.m. – 7 a.m.	50.0	41.3	Yes
		7 a.m. – 7 p.m.	57.5	41.2	Yes
R4	South (Fort Stockton Dr.)	7 p.m. – 10 p.m.	52.5	41.2	Yes
	(*,	10 p.m. – 7 a.m.	50.0	41.2	Yes
		7 a.m. – 7 p.m.	57.5	36.0	Yes
R5	East	7 p.m. – 10 p.m.	52.5	36.0	Yes
		10 p.m. – 7 a.m.	50.0	35.4	Yes
R6		7 a.m. – 7 p.m.	57.5	44.2	Yes
	East	7 p.m. – 10 p.m.	52.5	44.2	Yes
		10 p.m. – 7 a.m.	50.0	37.5	Yes
		7 a.m. – 7 p.m.	57.5	45.4	Yes
R7	East	7 p.m. – 10 p.m.	52.5	45.4	Yes
		10 p.m. – 7 a.m.	50.0	38.5	Yes
		7 a.m. – 7 p.m.	57.5	45.6	Yes
R8	Northeast	7 p.m. – 10 p.m.	52.5	45.6	Yes
		10 p.m. – 7 a.m.	50.0	36.0	Yes
		7 a.m. – 7 p.m.	57.5	46.0	Yes
R9	North	7 p.m. – 10 p.m.	52.5	46.0	Yes
		10 p.m. – 7 a.m.	50.0	36.7	Yes

[1] Eilar Associates, Inc. Updated Noise Impact Analysis, 574622.Noise Study 6.28.2018.pdf

Table 3 – Worst Case Noise Levels from [1]



Figure 2 – Worst Case Noise Contours from [1] for Daytime and Nighttime

## **ATTACHMENT 9**

SD	<b>City of San Diego Development Services</b> 1222 First Ave., MS-302 San Diego, CA 92101	De Environme	evelopment ntal Determ Appeal App	Permit/ ination lication	FORM DS-3031
In order to a	ssure your appeal application is	successfully accente	and processed you m	ust read and u	nderstand
In order to assure your appear application is successfully accepted and processed, you must read and understand Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure."					
1. Type of Appeal:	Appeal of the Project Appeal of the Environmental I	Determination			
2. Appellant: Please ch	heck one 🗖 Applicant 🗖 Offici	ally recognized Plannir	g Committee 🛛 "Inter (Per M.	ested Person" .C. Sec. 113.0103	3)
Name: Mark Majette			E-mail: mark.fbinc@gn	nail.com	
Address: 4268 Sierra Vista	City: Sar	State: Diego CA	Zip Code: 92103	Telephone: 619-417-5	105
3. Project Name:					
WOLF IN THE WOO	DS NUP				
<ol> <li>Project Information Permit/Environmental D</li> </ol>	etermination & Permit/Document	No.: Date of D	ecision/Determination	City Project Ma	anager:
PROJECT NO: 574	622	08/13/20	8	Paul Godwin	
Decision(Describe the po	ermit/approval decision):				
On August 13, 2018	, Development Services De	partment approve	d an application for	a Neighborh	ood Use Permit
to allow the resump	otion of a previously confor	ming eating and d	rinking establishme	nt use within	2,187 square
feet of an existing o	ommercial structure. The 0	.35-acre site is loca	ated at 1920 Fort Sto	ockton Drive	in the RS-1-7 zone
5. Ground for Appeal(P	lease check all that apply):				
<ul> <li>Factual Error</li> <li>Conflict with other</li> <li>Findings Not Supp</li> </ul>	r matters orted		New Information City-wide Significance (Pr	ocess Four decis	sions only)
Description of Grounds Chapter 11, Article 2, Divi	<b>s for Appeal</b> (Please relate your des sion 5 of the San Diego Municipal Co	scription to the allowable o <u>de</u> . Attach additional si	e reasons for appeal as mo neets if necessary.)	ore fully described	d in
The location is surrounded by family residences. The planned businesses will significantly increase previous customer numbers, making noise a concern to neighbors. A "Noise Impact Analysis"(NIA) was relied upon by the DSD to judge conformance with city noise regulations. The NIA omits two major noise sources and misrepresents a third for the restaurant. It fails to do a worst-case analysis for the multi-use space. The result is an underestimation of noise levels which constitutes a factual error in the information relied upon by the decision maker in approving the permit. See the attached sheets for details.					
			AUG 2020	18	
			DEVELOPMENT S	ERVICES	
6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.					
Signature:	VIIIE		Date:		
Note: Faxed appeals are not accepted.					

· · · · ·

## **Factual Errors in the Noise Impact Analysis for Project 574622**

## Mark Majette

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The NIA addressed both the Wolf in the Woods restaurant and an adjacent multi-use space. These are discussed separately.

## Wolf in the Woods Restaurant

Restaurants present a complex acoustical environment. A combination of unique baseline noise and a multitude of simultaneous independent conversations tends to make them noisy places. Known as the "Café Effect," it is described by Whitlock in [1] as "occupants who subconsciously compete with one another for signal-to-noise ratio so they can be heard and understood by their peers." This is intuitively understood by all diners who have experienced loud restaurants.

This noise problem has been well studied, often in the context of damage to workers' hearing. Restaurant design establishes a baseline noise level. Choices of open kitchens, background music, and sound reflective or absorptive surfaces all have large effects. The baseline sets a floor for speech levels. Interaction of the Café Effect with the reverberant properties of the space lead to a final noise level.

Studies typically measure sound with 1-hour averages using the A-weighted decibel scale, or dBA. This is a logarithmic scale in which each increase of 10 dBA represents a doubling of perceived loudness. In [2], Lebo surveyed 27 San Francisco restaurants and found a dining area range of 59 to 80 dBA with an average of 71 dBA. In [3], Rusnick points out that in a 71 dBA environment, a speaker would need to shout to be understood at a distance of 6ft. She also lists contributors to ambient noise as the "kitchen, other customers, music, environmental systems, outside traffic" and notes that "noise from open kitchens flows into the dining area." In [4], Chung reports that the kitchen is the noisiest area in restaurants with an average level of 87dB, followed by the dish washing area at 82.5 dBA. His survey of 50 restaurants found dining areas ranged from 66.7 dBA to 82.6 dBA with an average of 74 dBA.

Generalizing these study findings, a typical restaurant noise level is around 72 dBA. A quiet one is half as loud at 62 dBA, and a noisy one twice as loud at 82dBA. The differences are driven by baseline noise level and the degree to which the Café Effect drives louder speech. It's clear that these drivers must be carefully represented in noise modeling of restaurants. The Noise Impact Analysis in question fails in both regards.

The NIA methodology used is described in section 4.1 of [6] as "input of project information such as noise source data, barriers, structures, and topography to create a detailed model and uses the most up-to-date calculation standards to predict outdoor noise impacts." In other words, noise sources and environment information are input to a software package and this software computes

the resulting noise field. Section 3.2.1 indicates that the main noise sources for the software are voice levels: "The primary potential source of noise associated with the project will be from patrons."

· . . · .

No mention is made of kitchen noise. As mentioned above, kitchens are the noisiest places in restaurants. Figure 1 shows a section of the restaurant floorplan. The kitchen occupies most of one side of the restaurant. It is open to the dining area through a window labeled "ORDER/ POS" and even more directly by one labeled "PICKUP WINDOW." Its omission as a noise source is clear in figure 2, where the word "Kitchen" is superimposed on the noise contours generated by the analysis. An average kitchen from [4] was 87 dBA, much louder than other sounds in the NIA. Loud kitchen noises would radiate into the dining room and affect speech levels accordingly. This would contribute both directly and indirectly to the total noise results. But in figure 2, the results show very low sound levels near the pickup window.



Figure 1. Floorplan with Kitchen



Figure 2. Absence of Kitchen in Noise Contours

Additionally, no mention is made of music. Many restaurants play background music, often at significant levels. Rusnick mentions it in [3] as one of the main noise sources and drivers of final noise level. Like kitchen noise, this will affect speech levels as well as directly contribute to total noise. Live music is prohibited, but the restaurant plan for recorded music should be disclosed. The noise analysis should incorporate background music, account for its effect on speech levels, and inform limits on its amplitude.

Instead of realistically modeling a non-speech noise baseline and using this to drive speech levels, the report arbitrarily applies speech levels from Pearsons [5]. Half of the indoor patrons speak in "raised" voices, half in "loud" voices. All of the outdoor patrons speak in "raised" voices. No rationale is provided for this mix of speech levels other that they are "considered to be appropriate." While sounding reasonable, given the noise levels in the studies referenced here, they are too low to be valid.

The speech levels used are from table I in Pearsons, which is reproduced in figure 3. These were measured in an anechoic chamber (laboratory quiet room) with a background sound level of 16 dBA, or midway between the sound of normal breathing and a whisper. Can perceptions of "raised" and "loud" have any meaning when extrapolated from here to a restaurant? In the average restaurants at 71dBA and 74dBA mentioned above, both female speech levels and the "raised" male level would be unintelligible. Only the loud males could be heard well enough to be understood, and only at a distance of 3feet or fewer.
#### TABLE I

SPEECH LEVELS (dB) AT VARIOUS VOCAL EFFORTS MEASURED IN AN ANECHOIC CHAMBER\* (BACKGROUND LEVEL  $L_{ea} = 16$  dB)

	MALE	FEMALE	CHILDREN	AVERAGE
VOICE LEVEL	L <sub>eq σ</sub>	L <sub>eq σ</sub>	L <sub>eq σ</sub>	Leq
Casual	52.0 4.0	50.0 4.0	53.0 5.0	52.0
Normal	58.0 4.0	55.0 4.0	58.0 5.0	57.0
Raised	65.0 5.0	63.0 4.0	65.0 7.0	64.0
Loud	76.0 6.0	71.0 6.0	74.0 9:0	73.0
Shout	89.0 7.0	82.0 7.0	82.0 9.0	85.0

\*Results were rounded off to the nearest decibel.

#### Figure 3. Speech Levels Taken from Pearsons [5]

Another problem comes from inspection of the analysis output. Figure 4 (figure 5 in the NIA report), shows noise contours in which each line represents a constant noise level. A legend in the lower left corner shows sound levels by color with each covering a range of 5 dBA. The thick color lines are transitions to a new band and the thin ones are in 1dBA steps above that. For example, dark blue is for the 50 to 54 dBA band. The 50 dBA contour, a thick blue line, makes an arc through the center of the dining room. When all the noise sources are entered and the solution is found, the NIA report indicates that the center of the restaurant is at 50 dBA. This is about two times quieter than the quietest restaurant in the San Francisco study in [2], and more than four times quieter than an average restaurant. Only along the very front wall of the dining room is the noise level above 65 dBA and into the range of typical restaurants.



Figure 4. Noise Contours from the Noise Impact Analysis

A final reality check is noise measurement at a comparable restaurant. Hash House A Go Go at 3628 Fifth Avenue in San Diego was chosen. Its owner is named as one of the development partners for Wolf in the Woods and it's about the same size, so some similarity can be reasonably expected. Sound level was sampled every minute for over an hour (7:27pm to 8:32pm) with a NIST certified Reed SD-4023 meter using A-weighting. The meter was near a table with two diners in the southeast corner of the dining room. At the furthest point from the entrance, the bar, and the traffic going to and from the bathroom and the kitchen, it was likely the quietest table in the restaurant. The dining room was only half full the entire time. Results are plotted in figure 5. The 1-hour average was 75.4 dBA, very close to the average measured by the Chung survey in [4], and a fairly typical noise level. It is also 5 times louder than the center of the dining room in the NIA results. This is indicative of both noise source omission and underestimation in the noise source selections in the NIA study.



Figure 5. Noise Levels in Hash House Restaurant

In summary, the noise impact analysis establishing that Wolf in the Woods will comply with noise regulations is flawed. It omits important noise sources such as kitchen noise and background music. It underestimates patron speech levels by arbitrary application of data from a reference unrelated to the restaurant environment. The effect of ambient noise levels on speech via the Café Effect is not fully accounted for. The result is a solution showing noise levels in the dining room far below what is typical. Noise levels measured in a similar restaurant are 5 times higher. If the NIA results at property boundaries are scaled by a similar factor, the restaurant compliance with city noise regulations is in doubt. This represents a factual error in information relied upon by the decision maker in approving the permit.

#### Multi-Use Space

1 . . . . . .

The NIA study also includes an adjacent multi-use space. The use is stated as "meditation and general use." A similar methodology is used, taking speech levels from the same table in Pearsons referenced in figure 3. In this case, use of only raised voices is "considered a worst-case scenario for the multiuse space, as the space may be used for meditation or general functions." How can this be considered worst-case given the vague label of general use? Would celebrations such as wedding receptions and other parties qualify as general use? What will the baseline noise environment be? Meditation is close to a best case, not a worst case. A wedding reception or any of numerous other celebratory functions with music would be vastly different.

The multi-use space also has two outdoor areas, a porch and a deck, overlooking the canyon. The deck does not appear in the drawing referenced by the NIA. This deck is shown in figure 6.



Figure 6. Undisclosed Outdoor Deck Off Multi-Use Area

The NIA modeling does not show any noise sources on the outdoor areas of the multi-use space. If access is allowed, this will have a clear noise impact.

The omission of the multi-use deck and of the status of multi-use access to outdoor areas is a factual error. The failure to identify planned general uses and to appropriately model them is another factual error. Both could adversely affect compliance.

#### References

[1] Whitlock J, Dodd G. *Classroom Acoustics – Controlling the Café Effect*, Proceedings of Acoustics 2006, 20-22 Nov 2006.

[2] Lebo CP, Smith MF, et al. *Restaurant Noise, Hearing Loss, and Hearing Aids*. West J Med 1994; 161:45-9.

[3] Rusnock CF, McCauley Bush P. *(2012) Case Study*, Journal of Occupational and Environmental Hygiene, 9:6, D108-D113.

[4] To WM, Chung A. *Noise in Restaurants: Levels and Mathematical Models*, Noise Health 2014; 16(73):368-73.

[5] Pearsons, K.S., Bennett, R.L., & Fidell, S., *Speech Levels in Various Noise Environments* (Report No. EPA-600/1-77-025), U.S. Environmental Protection Agency, 1977.

[6] Eilar Associates, Inc. Updated Noise Impact Analysis, 574622. Noise Study 6.28.2018.pdf







### FLOOR PLAN

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RESTAURANT FLOOR A	REA TABULATION
TOTAL GROSS AREA OF RE	ESTAURANT: 2,187 SQ.FT *
(INCLUDES EXISTING I HR. CORRII	JOR)
ASSOCIATED ACCESSORY USES:	
DINING ROOM	1,240 SQ.FT.
KIICHEN Evicting Menig and Momenig	450 50.FT. 112 SQ FT
HALL WAY	IOI SQ.FT.
OFFICE	59 SQ.FT.
STORAGE	85 SQ.FT.
EXISTING I HR. CORRIDOR	140 SQ.FT.
TOTAL RESTAURANT AREA:	2,187 SQ.FT.
EXISTING CANYON DECK	133 SQ.FT.
EXISTING OBSERVATION DECK	231 SQ.FT.
THE BROSS ALL TABLETION IS TALK FROM THE RESTAURANT SPACE. INDIVIDUAL ACCESSORY INTERIOR WALLS.	SPACE AREAS ARE TAKEN TO THE CENTERLINE OF TH
REFER TO SHEET A-2 FOR OCCUPANT LOAD FLOOF FOR HUMAN OCCUPANCY.	R AREA - CALCULATED FOR THE ENCLOSED SPACES



PROPOSED FLOOR PLAN

date: 05/31/18 PROJECT NO:16-848 drawn: DCR S C A L E : 1/4" = 1'-0"







1/4"=1'-0" \NORTH

EXISTING CONC. BENCHES

TO BE REMOVED.

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FILE #: 16-848/A-1.0 DATE: 05/31/18

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Wall Legend

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RADE EXISTING | HR WALL TO 2 HR.

OCCUPANCY PLAN

TOTAL: 97 OCCUPANTS



### KITCHEN REMODEL 1920 FORT STOCKTON DRIVE SAN DIEGO, CALIFORNIA



DATE: 03/06/18 PROJECT NO:16-848 drawn: DCR SCALE: 1/4" = 1'-0"

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2 OCCUPANTS - CORRIDOR/TOILET

I OCCUPANT - STORAGE

2 OCCUPANTS - KITCHEN

1/4"=1'-0" NORTH

FILE #: 16–848/A–1.0 DATE: 03/06/18







A-4.0/

#### **KITCHEN REMODEL** 1920 FORT STOCKTON DRIVE SAN DIEGO, CALIFORNIA

WALL TYPES

DATE: 11/02/17 PROJECT NO: 16-848 DRAWN: DCR SCALE: 1/4" = 1'-0"

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**KITCHEN REMODEL** 1920 FORT STOCKTON DRIVE SAN DIEGO, CALIFORNIA



DATE: 03/06/18 PROJECT NO: 16-848 drawn: DCR SCALE: 1/4" = 1'-0"

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Project Site - 1922

#### Phone Directory – 1922-1930

Bailey N L with C S Hardy Bailey Orville B (Nora) gro and meats 1920 Ft Stockton dr h1918 same Bailey Orville B jr clk O B Bailey r1918 Ft Stockton dr 1914 Jonas May 1918 Bailey O B 1919 Flatland Martin 1920 Bailey O B gro and meats 1924 Stutzke J R locksmth 1926 Fleming R E confy Canyon rd

#### Phone Directory – 1931-1939





#### Phone Directory – 1940-1948

1914∆Kirkwood C M Mrs ⊚ 1918 Buss W M 1919∆Kammeyer E M 1920∆Buss W M gro ÂVan Harten Henry meats 1924∆Ernst Rose Mrs beauty shop 1926∆Moxon L M drugs



Espresso Mio and Gallery Uses, 2016

#### UPDATED NOISE IMPACT ANALYSIS

1920 Fort Stockton Commercial Building 1920 Fort Stockton Drive San Diego, California 92103

#### Prepared For

Sandra Porras 1920 Fort Stockton Drive San Diego, California 92103 Phone: 619-980-1599

#### Prepared By

Eilar Associates, Inc. Acoustical & Environmental Consulting 210 South Juniper Street, Suite 100 Escondido, California 92025 www.eilarassociates.com Phone: 760-738-5570 Fax: 760-738-5227

Job #B80509N2

June 28, 2018

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#### APPENDICES

- A. Project Plans
- B. Pertinent Sections of the City of San Diego Municipal Code and Uptown Community Plan
- C. Manufacturer Information
- D. Cadna Analysis Data and Results

#### **1.0 EXECUTIVE SUMMARY**

The proposed project, 1920 Fort Stockton Commercial Building, consists of the remodel of an existing commercial dining establishment, which includes the renovation of a kitchen, interior and exterior dining area, and the installation of new rooftop mechanical equipment. An existing multiuse space is located adjacent to the dining area on the same property. The project site is located at 1920 Fort Stockton Drive in the City of San Diego, California.

Permanent noise impacts on surrounding properties related to the operation of mechanical equipment and patron use is the focus of this analysis. Due to minimal current and future traffic counts on surrounding roads, no analysis of traffic noise is required at this time. As temporary construction will be minimal in nature and will be limited to interior renovations, no analysis of temporary construction is required at this time. The project site is located outside of the San Diego International Airport 60 CNEL contour, and will not be significantly impacted by aircraft noise.

An analysis of noise impacts from existing and proposed mechanical equipment and patron use was performed to determine whether or not these operations will exceed the applicable noise limits contained within Section 59.5.0401 of the City of San Diego Municipal Code at surrounding properties. As designed, with the currently proposed maximum occupancy and hours of operation, noise levels from anticipated project operations (mechanical and patron use) during the daytime, evening, and nighttime hours are not expected to exceed the City of San Diego noise level limits at any surrounding noise-sensitive receivers. No mitigation is required. Optional noise reduction measures are not required to comply with the City of San Diego noise regulations, but may be implemented to further reduce potential noise impacts to the community.

The proposed project is not expected to result in any significant impacts by the standards of the City of San Diego's California Environmental Quality Act (CEQA) Significance Determination Thresholds. Noise impacts from the project site are summarized in Section 5.1.

#### 2.0 INTRODUCTION

This updated acoustical analysis report is submitted to satisfy the noise requirements of the City of San Diego. Its purpose is to assess noise impacts from the proposed project uses, and to determine if mitigation is necessary to reduce the noise impacts to comply with applicable noise limits. This report is an update to noise impact analysis B80509N1 (originally dated May 29, 2018), and revises anticipated noise impacts based on the maximum occupancy of the interior and exterior dining areas, as well the attached multiuse space.

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A-weighting, abbreviated "dBA," to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol " $L_{EQ}$ " unless a different time period is specified, " $L_{EQ}$ " is implied to mean a period of one hour. Some of the data may also be presented as octave-band-filtered and/or A-octave-band-filtered data, which are a series of sound spectra centered about each stated frequency, with half of the bandwidth above and half of the bandwidth below each stated frequency. This data is typically used for machinery noise analysis and barrier calculations.

Sound pressure is the actual noise experienced by a human or registered by a sound level instrument. When sound pressure is used to describe a noise source, the distance from the noise source must be specified in order to provide complete information. Sound power, on the other

hand, is a specialized analytical metric to provide information without the distance requirement, but it may be used to calculate the sound pressure at any desired distance.

#### 2.1 **Project Description**

The proposed project, 1920 Fort Stockton Commercial Building, consists of the remodel of an existing commercial dining establishment, which includes a renovated kitchen, interior and exterior dining area, an existing multiuse space, and new mechanical equipment. The proposed patron use (interior dining area, exterior dining area, and multiuse space) and rooftop mechanical equipment are the focus of this analysis. For additional details, please refer to the project plans provided in Appendix A.

#### 2.2 **Project Location**

The subject property is located at 1920 Fort Stockton Drive in the City of San Diego, California. The Assessor's Parcel Number (APN) for this site is 443-270-23-00. For a graphical representation of the site, please refer to the Vicinity Map, Assessor's Parcel Map, Satellite Aerial Photograph, and Topographical Map, provided as Figures 1 through 4, respectively.

#### 2.3 Applicable Noise Standards

The noise regulations applicable to this project are contained within the City of San Diego Municipal Code, which is also referenced in the Uptown Community Plan Environmental Impact Report. Although the project site is zoned residential, the City of San Diego bases noise limits on the land use of the subject property. The current land use of the subject property is commercial. Properties to the north, east, south, and west are single-family residential land use.

Section 59.5.0401 of The City of San Diego Municipal Code specifies noise limits based on the land use of the receiving property in question. Properties with single-family residential use have noise limits of 50 dBA  $L_{EQ}$  between the hours of 7 a.m. and 7 p.m., 45 dBA  $L_{EQ}$  between 7 p.m. and 10 p.m. and 40 dBA  $L_{EQ}$  between the hours of 10 p.m. and 7 a.m. Properties with commercial land use have noise limits of 65 dBA  $L_{EQ}$  between the hours of 7 a.m. and 7 p.m., and 60 dBA  $L_{EQ}$  between 7 p.m. and 7 a.m. Additionally, there is a provision that the sound level limit at a property line location that is on a boundary between two land uses shall be the arithmetic mean of the respective limits for the two land uses. Therefore, the noise limits used for this analysis shall be 57.5 dBA  $L_{EQ}$  between the hours of 7 a.m. and 7 p.m. and 10 p.m. and 50 dBA  $L_{EQ}$  between the hours of 7 a.m.

Additionally, the City of San Diego Uptown Community Plan presents general mitigation measures to reduce noise impacts in the community, and will be addressed in the analysis, as appropriate.

For pertinent sections of the City of San Diego Municipal Code and Uptown Community Plan, please refer to Appendix B.

#### 3.0 ENVIRONMENTAL SETTING

#### 3.1 Existing Noise Environment

#### 3.1.1 Ambient Noise

The ambient noise in the vicinity of the project site and neighboring residences is primarily composed of traffic noise from Fort Stockton Drive. A long-term noise measurement was made beginning the afternoon of Thursday, May 17, 2018 and running through the afternoon of Friday, May 18, 2018. The purpose of this measurement was to determine existing ambient noise levels impacting the surrounding area. The noise measurement was performed near the project site, along the north sidewalk of Fort Stockton Drive. The meter was placed in a bush, at a height of approximately 3 feet above the existing grade, to ensure the security of the meter and to prevent tampering. Results of this measurement are shown in Table 1, and a graphical representation of the ambient noise measurement location can be seen in Figure 3.

Table 1. Long-Term Measured Noise Levels on Site							
Date	Time	Hourly Average Noise Level (dBA $L_{EQ}$ )					
	3 p.m. – 4 p.m.	59.1					
	4 p.m. – 5 p.m.	62.3					
	5 p.m. – 6 p.m.	56.9					
	6 p.m. – 7 p.m.	55.5					
May 17, 2018	7 p.m. – 8 p.m.	54.1					
	8 p.m. – 9 p.m.	53.9					
	9 p.m. – 10 p.m.	51.2					
	10 p.m. – 11 p.m.	51.0					
	11 p.m. – 12 a.m.	45.5					
	12 a.m. – 1 a.m.	42.4					
	1 a.m. – 2 a.m.	41.7					
	2 a.m. – 3 a.m.	41.8					
	3 a.m. – 4 a.m.	42.5					
	4 a.m. – 5 a.m.	44.3					
	5 a.m. – 6 a.m.	50.0					
	6 a.m. – 7 a.m.	54.8					
May 18, 2018	7 a.m. – 8 a.m.	60.8					
	8 a.m. – 9 a.m.	62.5					
	9 a.m. – 10 a.m.	56.0					
	10 a.m. – 11 a.m.	57.1					
	11 a.m. – 12 p.m.	56.8					
	12 p.m. – 1 p.m.	57.1					
	1 p.m. – 2 p.m.	58.3					
	2 p.m. – 3 p.m.	56.6					

As shown in Table 1, measured ambient noise levels were observed to range from 41.7 dBA between the hours of 1 a.m. and 2 a.m. on May 18, to 62.5 dBA between 8 a.m. and 9 a.m. on May 18.

#### 3.1.2 Existing Mechanical Noise

The existing mechanical equipment on site consists of one (1) 5-ton air conditioner unit, and one (1) 4-ton air conditioner unit, both manufactured by Rheem. Sound pressure level measurements of the 5-ton air conditioner in operation were taken while on site. Measurements were taken at a distance of 22-inches away from the front of the loudest side of the equipment, and at a height of 26-inches. The 4-ton unit was not able to be turned on at the time of the site visit, so measurements of the 5-ton unit will be incorporated into the noise model for both air conditioner units, as a worst-case evaluation. Measured sound pressure levels of existing mechanical equipment are shown in Table 2.

Table 2. Measured Sound Pressure Level of Existing Mechanical Equipment – at a Distance of   22-Inches From Equipment								
Source	S	Sound Pres	sure Leve	l at Octave	Band Free	luency (dB	)	Total
oouroc	125	250	500	1K	2K	4K	8K	(dBA)
5-Ton AC Unit	81.7	73.3	72.8	70.1	66.9	65.7	60.8	75.7

These noise measurements have been incorporated into the analysis of noise impacts detailed in Section 5.

#### 3.2 Future Noise Environment

The future noise environment in the vicinity of the project site will be primarily a result of the same traffic noise sources, with the added contribution of project generated activity.

#### 3.2.1 Noise from Patrons Seated Indoors and on Exterior Deck

The primary potential source of noise associated with the project will be from patrons that are seated indoors, as well as on the exterior deck, which is located on the north side of the building. Additionally, patron noise from the multiuse space, currently proposed for meditation and general functions, will also be modelled. According to project plans the maximum occupancy is 88 persons inside the cafe, and 9 persons on the exterior deck. As a worst case scenario, the multiuse space has been modelled with a maximum occupancy of 60 persons, evenly distributed throughout the multiuse space, however it is anticipated that the maximum occupancy of the multiuse space will be less than this amount. The indoor dining area and multiuse space is proposed to be open to patrons from 7:30 a.m. to 10:00 p.m. Sunday through Thursday, and 7:30 a.m. to 9:00 pm Sunday through Thursday, and 7:30 a.m. to 9:00 pm Sunday through Thursday, and 7:30 a.m. to 9:00 pm Sunday through Thursday, and 7:30 a.m. to 9:00 pm Sunday through Thursday. For additional information on the proposed seating configurations, please refer to project plans provided as Appendix A.

In order to approximate noise levels of persons gathered in the outdoor use areas of the project, measurements shown in a study prepared by Pearsons, Bennett, and Fidell for the U.S. Environmental Protection Agency titled *Speech Levels in Various Noise Environments* (Report No. EPA-600/1-77-025) were consulted. This study shows noise levels of speech for both males and females for five different vocal efforts: casual, normal, raised, loud, and shout. For this analysis, measurements for "raised" and "loud" voices were considered to be appropriate for the interior dining area, and "raised" voices was considered to be appropriate for the exterior deck. Although a person seated inside may occasionally elevate his/her voice beyond the "loud" level, performing

calculations assuming an equal mix of "raised" and "loud" voices is expected to account for the occasional shouting individual combined with lower levels of normal conversation. Persons seated on the exterior deck are expected to maintain voices at a "raised" level on average, as the quieter outdoor environment would not typically require loud conversation. Additionally, measurements for "raised" voices was considered a worst-case scenario for the multiuse space, as the space may be used for meditation or general functions. According to this study, at a distance of one meter (3.28 feet), an average male will generate a noise level of approximately 65 dBA when speaking with a raised voice, and approximately 76 dBA when speaking with a loud voice, while an average female will generate a noise level of approximately 63 dBA when speaking with a raised voice, and approximately 71 dBA when speaking with a loud voice. These noise measurements are considered a worst-case estimate of anticipated patron noise levels, and have been incorporated into the analysis of noise impacts detailed in Section 5.

#### 3.2.2 Mechanical Noise

Proposed mechanical equipment for the project site consists of one (1) 18-inch diameter roofmounted upblast exhaust fan, and one (1) 12-inch diameter roof-mounted makeup air supply unit (MUA). Reliable sound power level information for the proposed mechanical equipment was not available from the manufacturer, and for this reason sound level data for similarly sized and powered equipment, manufactured by the Loren Cook Company were used. Due to its similar size, power, and design to the proposed exhaust fan, octave-band sound power data for the Model 180 ACRUB 18-inch upblast exhaust fan were deemed representative of those of the proposed exhaust fan. Similarly, due to its similar size, power, and design to the proposed MUA, octave-band sound power data for the Loren Cook Model 150KSP-B MUA were deemed representative of those of the proposed MUA. Octave-band sound power levels of proposed mechanical equipment can be found in Table 3, and manufacturer noise data can be found in Appendix C.

Table 3. Sound Power Level of Proposed Mechanical Equipment								
Source		Sound F	Power Leve	el at Octave	e Band Fre	quency (dE	3)	Total
Source	125	250	500	1K	2K	4K	8K	(dBA)
Exhaust Fan (Cook 180 ACRUB)	72.0	79.0	69.0	67.0	68.0	60.0	56.0	74.8
Make-Up Air Unit (Cook 150KSP-B)	76.0	73.0	71.0	68.0	67.0	63.0	55.0	74.1

These noise measurements have been incorporated into the analysis of noise impacts detailed in Section 5.

#### 4.0 METHODOLOGY AND EQUIPMENT

#### 4.1 Methodology

Modeling of the mechanical equipment and patron use noise impacts is accomplished using Cadna Version 2018, which is a model-based computer program developed by DataKustik for predicting noise impacts in a wide variety of conditions. Cadna (Computer Aided Noise Abatement) assists in the calculation, presentation, assessment, and alleviation of noise exposure. It allows for the input of project information such as noise source data, barriers, structures, and topography to create a

detailed model and uses the most up-to-date calculation standards to predict outdoor noise impacts. Noise standards used by Cadna that are particularly relevant to this analysis include ISO 9613 (Attenuation of sound during propagation outdoors). Cadna provides results that are in line with basic acoustical calculations for distance attenuation and barrier insertion loss. Further explanation may be provided upon request.

#### 4.2 Measurement Equipment

Some or all of the following equipment was used at the site to measure existing ambient noise levels:

- Larson Davis Model LxT Type 1 Sound Level Meter, Serial # 4084
- Larson Davis Model CA250 Type 1 Calibrator, Serial # 2106
- Larson Davis Model 706RC Type 2 Sound Level Meter, Serial # 18677
- Larson Davis Model CA150 Type 2 Calibrator, Serial # 2056
- Distance measurement wheel, digital camera

The sound level meter was field-calibrated immediately prior to the noise measurement and checked afterwards, to ensure accuracy. All sound level measurements conducted and presented in this report, in accordance with the regulations, were made with sound level meters that conform to the American National Standards Institute specifications for sound level meters (ANSI S1.4). All instruments are maintained with National Bureau of Standards traceable calibration, per the manufacturer's standards.

#### 5.0 NOISE IMPACTS

#### 5.1 Noise Impacts

Noise levels of anticipated mechanical operation and patron activity at the dining establishment were calculated using Cadna at the nearest noise-sensitive property lines to the north, south (across Fort Stockton Drive), east, and west (across Allen Road). All surrounding noise-sensitive properties are residential use.

In order to predict anticipated maximum noise impacts, noise sources located inside the dining area were calculated as an equal mix of loud and raised voices, and noise sources located on the exterior deck were calculated as all raised voices, with half of all persons modeled as female, and the other half modeled as male. Each noise source (person) was calculated as speaking for 30 minutes out of every hour, which is considered excessive as each patron is expected to take breaks in conversation for listening, eating, drinking, et cetera. Likewise, patrons in the multiuse space are not expected to be speaking for more than 30 minutes out of the hour, as the space is intended to be used for meditation and general functions. For this reason, this analysis is considered to be a conservative estimate of noise levels generated on site, and accounts for occasional bursts of louder noise combined with times of lesser noise. Noise levels were evaluated with the maximum occupancy for the exterior and interior dining areas, as well as the multiuse space, with sound sources placed in seating arrangements according to plans, and according to the schedule of operations as listed above in Section 3.2.1. Existing and proposed mechanical equipment were modeled as operating continuously, for a worst-case scenario. For more information, please refer to the project plans provided in Appendix A.

All structures shown on the project plans were incorporated into the noise model, including the existing one-story single family residence to the east, which is part of the client's property. Surrounding topography and reflection off of buildings and the ground were also taken into account in the noise model. As a worst case scenario, all doors to the dining establishment were modeled as open. Anticipated project generated noise levels are shown below in Table 4. For a graphical representation of all receiver locations, and noise contours for daytime, evening, and nighttime configurations please refer to Figures 5 and 6. Additional information can be found in Appendix D: Cadna Analysis Data and Results.

Table 4. Calculated Project-Generated Noise Levels at Surrounding Property Lines									
Receiver Number	Receiver Location	Time	Noise Limit (dBA)	Noise Level (dBA)	In Compliance?				
		7 a.m. – 7 p.m.	57.5	44.3	Yes				
R1	West (Allen Rd.)	7 p.m. – 10 p.m.	52.5	44.3	Yes				
	(**********	10 p.m. – 7 a.m.	50.0	41.1	Yes				
		7 a.m. – 7 p.m.	57.5	39.1	Yes				
R2	Southwest (Fort Stockton Dr.)	7 p.m. – 10 p.m.	52.5	39.1	Yes				
	(**************************************	10 p.m. – 7 a.m.	50.0	39.0	Yes				
		7 a.m. – 7 p.m.	57.5	41.4	Yes				
R3	South (Fort Stockton Dr.)	7 p.m. – 10 p.m.	52.5	41.4	Yes				
		10 p.m. – 7 a.m.	50.0	41.3	Yes				
	South (Fort Stockton Dr.)	7 a.m. – 7 p.m.	57.5	41.2	Yes				
R4		7 p.m. – 10 p.m.	52.5	41.2	Yes				
		10 p.m. – 7 a.m.	50.0	41.2	Yes				
	East	7 a.m. – 7 p.m.	57.5	36.0	Yes				
R5		7 p.m. – 10 p.m.	52.5	36.0	Yes				
		10 p.m. – 7 a.m.	50.0	35.4	Yes				
	East	7 a.m. – 7 p.m.	57.5	44.2	Yes				
R6		7 p.m. – 10 p.m.	52.5	44.2	Yes				
		10 p.m. – 7 a.m.	50.0	37.5	Yes				
		7 a.m. – 7 p.m.	57.5	45.4	Yes				
R7	East	7 p.m. – 10 p.m.	52.5	45.4	Yes				
		10 p.m. – 7 a.m.	50.0	38.5	Yes				
		7 a.m. – 7 p.m.	57.5	45.6	Yes				
R8	Northeast	7 p.m. – 10 p.m.	52.5	45.6	Yes				
		10 p.m. – 7 a.m.	50.0	36.0	Yes				

Table 4. Calculated Project-Generated Noise Levels at Surrounding Property Lines						
Receiver Number	Receiver Location	Time	Noise Limit (dBA)	Noise Level (dBA)	In Compliance?	
R9	North	7 a.m. – 7 p.m.	57.5	46.0	Yes	
		7 p.m. – 10 p.m.	52.5	46.0	Yes	
		10 p.m. – 7 a.m.	50.0	36.7	Yes	

As shown above, with the currently proposed maximum occupancy seating chart and hours of operation, as well as the existing and proposed mechanical equipment, noise levels from anticipated project operation during the daytime, evening, and nighttime hours are not expected to exceed the City of San Diego noise level limits at any surrounding noise-sensitive receivers. It is expected that actual noise levels experienced at surrounding properties will be reduced further compared to that shown in Table 4, as doors are not expected to be left open during all hours of operation. Additionally, all other residential properties in the project vicinity are located at a further distance from the project site and are therefore expected to receive lesser noise impacts due to noise levels being further reduced over a greater distance.

Additionally, the following optional noise reduction measures may be implemented in order to further minimize project-generated noise impacts to surrounding residential properties, in accordance with the City of San Diego Uptown Community Plan:

- 1. Hang signs in plain view on the exterior deck area and front entrance that encourage patrons on the deck and gathering by the main entrance to be mindful of surrounding residences.
- 2. Encourage food and supplies deliveries, especially if utilizing large delivery trucks, to occur during daytime hours (7 a.m. to 7 p.m.).
- 3. Institute an appropriate policy that encourages doors to not be propped open, especially during the more sensitive evening (7 p.m. 10 p.m.) and nighttime (10 p.m. 7 a.m.) hours, unless otherwise required by law.

#### 5.2 City of San Diego CEQA Significance Determination

Noise impacts to and from the project site are summarized below and classified per the noise portion of the CEQA Significance Determination Thresholds. This list summarizes conclusions made within the report and classifies the level of significance as: Potentially Significant Impact, Less than Significant with Mitigation Incorporated, Less than Significant Impact, or No Impact.

Italics are used to denote language from the City of San Diego's Initial Study Checklist form.

- K. NOISE—Would the project result in:
- 1. A Significant increase in the existing ambient noise levels?

**Less Than Significant Impact.** According to Table 1, the lowest ambient noise level was measured to be 55.5 dBA during daytime hours, 51.2 dBA during evening hours, and 41.7 during

nighttime hours. These ambient noise levels are considered representative of the surrounding properties in the vicinity of the project site. Based on the proposed mechanical equipment, seating layout, and hours of operation, anticipated project-generated noise impacts at all surrounding properties, as shown in Table 4, are not expected to exceed these ambient noise level limits during daytime, evening, or nighttime hours, at any of the surrounding residential properties, and as such, can be considered less than significant.

2. Exposure of persons to noise levels which exceed the City's adopted noise ordinance or are incompatible with Table K-4?

**Less Than Significant Impact.** Results of project generated noise impacts are shown in Table 4 and discussed in Section 6.1. Noise levels from anticipated project use during the daytime, evening, and nighttime hours are not expected to exceed the City of San Diego noise level limits at any surrounding noise-sensitive receivers, with the currently proposed seating chart and hours of operation. These impacts can be considered less than significant.

3. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan?

**Less Than Significant Impact.** A Detailed analysis of traffic impacts to the project site is not within the required scope of this analysis. According to Table K-2 in the City of San Diego CEQA Significance Determination Thresholds, traffic noise impacting commercial uses is considered potentially significant if the building structure or outdoor use area is located less than 50 feet from a the center of a closest lane of a street with existing or future average daily traffic (ADT) greater than 40,000. Existing traffic counts on Fort Stockton Drive were measured by the City of San Diego to be 2,000 ADT in the year 2015, and future traffic counts are predicted by the SANDAG Transportation Forecast Information Center Series 12 to be 4,600 ADT in the year 2035. These traffic counts are well below the significance threshold of 40,000 ADT, and therefore, any traffic noise impacts to the project site can be considered less than significant.

d) Land uses which are not compatible with aircraft noise levels as defined by an adopted airport Comprehensive Land Use Plan (CLUP)?

**Less Than Significant Impact.** The project site is located outside of the 60 CNEL noise contour of San Diego International Airport. For this reason, this noise impact is considered less than significant.

#### 6.0 CONCLUSION

Calculations show that, with the currently proposed hours of operation, and maximum occupancy of 88 persons in the interior dining area, 9 persons in the exterior dining area, and not to exceed 60 persons in the multiuse space, noise levels from anticipated project operation during the daytime, evening, and nighttime hours are not expected to exceed the City of San Diego noise level limits at any surrounding noise-sensitive receivers.

This analysis is based upon a current worst-case scenario of anticipated, typical noise levels based on the project plans and description. Modifications to these plans may invalidate the recommendations of this study. These conclusions and recommendations are based on the best and most current project-related information available at the time this study was prepared.

#### 7.0 CERTIFICATION

This report is based on the related project information received as well as measured noise levels on site, and represents a true and factual analysis of the acoustical impact issues associated with the 1920 Fort Stockton Commercial Building, to be located at 1920 Fort Stockton Drive, in the City of San Diego, California. This report was prepared by Daniel Gershun and Jonathan Brothers.

Daniel Gershun, Acoustical Consultant II

Jonathan Brothers, Principal Acoustical Consultant

#### 8.0 REFERENCES

- 1. Beranek, Leo L., *Acoustical Measurements*, Published for the Acoustical Society of America by the American Institute of Physics, Revised Edition, 1988.
- 2. City of San Diego Municipal Code.
- 3. Pearsons, K.S., Bennett, R.L., & Fidell, S., *Speech Levels in Various Noise Environments* (Report No. EPA-600/1-77-025), U.S. Environmental Protection Agency, 1977.
- 4. DataKustik, CadnaA (Computer Aided Noise Abatement), Version 2018.

FIGURES





Eilar Associates, Inc. 210 South Juniper Street, Suite 100 Escondido, California 92025 760-738-5570

Assessor's Parcel Map Job # B80509N1

Figure 2



Eilar Associates, Inc. 210 South Juniper Street, Suite 100 Escondido, California 92025 760-738-5570

Satellite Aerial Photograph and Noise Monitoring Location Job # B80509N1

Figure 3





Job # B80509N2



Job # B80509N2

#### **APPENDIX A**

**Project Plans** 



FLOOR PLAN





RESTAURANT FLOOR (	area tabulation
TOTAL GROSS AREA OF R (INCLUDES EXISTING   HR. CORR	<u>RESTAURANT:</u> 2,187 SQ.FT * .100R)
ASSOCIATED ACCESSORY USES DINING ROOM KITCHEN EXISTING MEN'S AND WOMEN'S HALLWAY OFFICE STORAGE EXISTING LHR CORRIDOR	2 1,240 SQ.FT. 450 SQ.FT. 112 SQ.FT. 101 SQ.FT. 59 SQ.FT. 85 SQ.FT. 140 SQ.FT.
TOTAL RESTAURANT AREA:	2,187 SQ.FT.
EXISTING CANYON DECK EXISTING OBSERVATION DECK	133 SQ.FT. 231 SQ.FT.
* THIS GROSS AREA TABULATION IS TAKEN FRON THE RESTAURANT SPACE. INDIVIDUAL ACCESSOR INTERIOR WALLS.	1 THE INTERIOR SURFACE OF THE EXTERIOR WALLS OF Y SPACE AREAS ARE TAKEN TO THE CENTERLINE OF TH
REFER TO SHEET A-2 FOR OCCUPANT LOAD FLOO FOR HUMAN OCCUPANCY.	OR AREA - CALCULATED FOR THE ENCLOSED SPACES



PROPOSED FLOOR PLAN

> DATE: 03/06/18 PROJECT NO: 16-848 drawn: DCR SCALE: 1/4" = 1'-0"









1/4"=1'-0"

 $\langle \mathbf{C} \rangle$ 

EXISTING CONC. BENCHES

EXISTING CONC. SIDEWALK

TO BE REMOVED.

 $\bigcirc$ 



2 OCCUPANTS - KITCHEN

TOTAL: 97 OCCUPANTS

OCCUPANCY PLAN

UPSRADE EXISTING I HR WALL TO 2 HR.

NORTH

1/4"=1'-0"

A-2.0 3 OF 5

FRE # 16-840/A-1.8








KITCHEN REMODEL 1920 FORT STOCKTON DRIVE SAN DIEGO, CALIFORNIA



date: 03/06/18 PROJECT NO: 16-848 drawn: DCR SCALE: 1/4" = 1'-0"











FILE #: 16-848/A-4.0 DATE: 03/06/18



# **APPENDIX B**

Pertinent Sections of San Diego Municipal Code and Uptown Community Plan

### **Article 9.5: Noise Abatement and Control**

#### **Division 4: Limits**

("Noise Level Limits, Standards and Control" added 9–18–1973 by O–11122 N.S.) (Retitled to "Limits" on 9–22–1976 by O–11916 N.S.)

### §59.5.0401 Sound Level Limits

(a) It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit given in the following table, at any location in the City of San Diego on or beyond the boundaries of the property on which the noise is produced. The noise subject to these limits is that part of the total noise at the specified location that is due solely to the action of said person.

	Land Use	Time of Day	One-Hour Average Sound Level (decibels)
1.	Single Family Residential	7 a.m. to 7 p.m.	50
		7 p.m. to 10 p.m.	45
		10 p.m. to 7 a.m.	40
2.	Multi-Family Residential	7 a.m. to 7 p.m.	55
	(Up to a maximum density	7 p.m. to 10 p.m.	50
	of 1/2000)	10 p.m. to 7 a.m.	45
3.	All other Residential	7 a.m. to 7 p.m.	60
		7 p.m. to 10 p.m.	55
		10 p.m. to 7 a.m.	50
4.	Commercial	7 a.m. to 7 p.m.	65
		7 p.m. to 10 p.m.	60
		10 p.m. to 7 a.m.	60
5.	Industrial or Agricultural	any time	75

#### TABLE OF APPLICABLE LIMITS

(b) The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts.
 Permissible construction noise level limits shall be governed by Sections 59.5.0404 of this article.



- (c) Fixed-location public utility distribution or transmission facilities located on or adjacent to a property line shall be subject to the noise level limits of Part A. of this section, measured at or beyond six feet from the boundary of the easement upon which the equipment is located.
- (d) This section does not apply to firework displays authorized by permit from the Fire Department.
- (e) This section does not apply to noise generated by helicopters at heliports or helistops authorized by a conditional use permit, nor to any roller coaster operated on City–owned parkland.

(Amended 9–11–1989 by O–17337 N.S.) (Amended 11-28-2005 by O-19446 N.S.; effective 2-9-2006.)

### §59.5.0402 Motor Vehicles

- (a) Off–Highway
  - (1) Except as otherwise provided for in this article, it shall be unlawful to operate any motor vehicle of any type on any site, other than on a public street or highway as defined in the California Vehicle Code, in any manner so as to cause noise in excess of those noise levels permitted for on- highway motor vehicles as specified in the table for "45 mile- per-hour or less speed limits" contained in Section 23130 of the California Vehicle Code, and as corrected for distances set forth in subsection A.2. below.
  - (2) Corrections

The maximum noise level as the off-highway vehicle passes may be measured at a distance of other than fifty (50) feet from the center line of travel, provided the measurement is further adjusted by adding algebraically the applicable correction as follows:



Distance (Feet)	Correction (decibels)
25	-6
28	-5
32	-4
35	-3
40	-2
45	-1
50 (preferred distance)	0
56	+1
63	+2
70	+3
80	+4
90	+5
100	+6

- (3) A measured noise level thus corrected shall be deemed in violation of this section if it exceeds the applicable noise–level limit as specified above.
- (b) Nothing in this section shall apply to authorized emergency vehicles when being used in emergency situations, including the blowing of sirens and/or horns.

("Motor Vehicles" renumbered from Sec. 59.5.0403 on 9–22–1976 by O–11916 N.S.)

### §59.5.0403 Watercraft

Violations for excessive noise of watercraft operating in waters under the jurisdiction of The City of San Diego shall be prosecuted under applicable provisions of the California Harbors and Navigation Code. Permits issued by The City of San Diego for the operation of watercraft not in compliance with noise criteria of the Harbors and Navigation Code shall be reviewed and approved by the Administrator prior to issuance.

("Watercraft" renumbered from Sec. 59.5.0407 and amended 9–22–1976 by *O*–11916 N.S.)



### §59.5.0404 Construction Noise

- (a) It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator. In granting such permit, the Administrator shall consider whether the construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population densities or different neighboring activities; whether obstruction and interference with traffic particularly on streets of major importance, would be less objectionable at night than during the daytime; whether the type of work to be performed emits noises at such a low level as to not cause significant disturbances in the vicinity of the work site; the character and nature of the neighborhood of the proposed work site; whether great economic hardship would occur if the work were spread over a longer time; whether proposed night work is in the general public interest; and he shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise levels as he deems to be required in the public interest.
- (b) Except as provided in subsection C. hereof, it shall be unlawful for any person, including The City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12–hour period from 7:00 a.m. to 7:00 p.m.
- (c) The provisions of subsection B. of this section shall not apply to construction equipment used in connection with emergency work, provided the Administrator is notified within 48 hours after commencement of work.
  (Amended 1–3–1984 by O–16100 N.S.)

### **§59.5.0406** Refuse Vehicles and Parking Lot Sweepers

No person shall operate or permit to be operated a refuse compacting, processing, or collection vehicle between the hours of 7:00 p.m. to 6:00 a.m. or a parking lot sweeper between the hours of 7:00 p.m. to 7:00 a.m. in any residential area unless a permit has been applied for and granted by the Administrator. *("Refuse Vehicles" added 9–18–1973 by O–11122 N.S.; amended 9–22–1976 by* 

*O*–11916 N.S.)

(Amended 6-9-2010 by O-19960 N.S.; effective 7-9-2010.)





## **INTRODUCTION**

The General Plan provides goals and policies to guide compatible land uses and the incorporation of noise attenuation measures for new buildings that will protect people living and working in the City from an excessive noise environment. The General Plan provides sufficient policy direction for noise-related issues. The policies in the Community Plan focus on specific noise and land use compatibility issues. Noise sensitive land uses typically include residential uses and schools for children. The Land Use Element provides policies and recommendations for future mixed-use, residential, and commercial uses. The Urban Design element addresses building and site design, which can be used to avoid and attenuate excessive noise levels. Uptown is an urban community with a mix of uses and transportation facilities. The community has a higher ambient noise level from commercial, freeways, major streets, aircraft operations, and rail operations.

Figure 9-1 illustrates the future noise contours from freeways, major roads, and rail lines. The noise contours do not reflect changes in noise levels due to topography such as the freeway elevation above ground level or other physical barriers including vegetation, walls, or buildings. The Airport Land Use Compatibility Plan contains the noise contours for the San Diego International Airport.

Community Noise Equivalent Level or CNEL is the noise rating scale used for land use compatibility. The CNEL rating represents the average of equivalent noise levels, measured in A-weighted decibels (dBA), at a location for a 24-hour period, with upward adjustments added to account for increased noise sensitivity in the evening and night periods. The A-weighted filter places a greater emphasis on frequencies within the range of the human ear. The General Plan provides compatibility guidelines for evaluating land uses based on noise levels. To maintain and enhance the existing land use character, the General Plan specifies that noise levels at or below 75 dBA are conditionally compatible for multifamily residential uses and mixed-use (commercial-residential) development. Any new residential use above 60 dBA CNEL must include sound attenuation measures that are included to reduce the interior noise levels to 45 dBA. Typical attenuation measures are addressed in the General Plan.

### NOISE ELEMENT GOAL

• Development that is planned and designed to avoid or attenuate excessive noise levels.

## 9.1 NOISE COMPATIBILITY

### COMMERCIAL ACTIVITY

Where residential and other sensitive receptor uses are present or proposed, the potential for noise impacts from commercial activities are important to evaluate, such as deliveries during late night and early morning hours, which generate noise that can affect the nearby residential uses. Reducing the effect from commercial activity noise involves site planning and integrating noise attenuation measures in new buildings that will reduce interior sound levels. Refer to General Plan Policies NE-E.1 through NE-E.6.

### POLICIES

NE-1.1 Implement operational measures in areas where eating, drinking, entertainment, and assembly establishments are adjacent to residential.



Vehicle traffic along major roadways is the primary source of noise within the community.

NOISE (

- a. Institute appropriate open/close window hours for eating and drinking establishments.
- b. Lower the volume of amplified music during the last hour of service.
- c. Encourage the use of evening security staff to control loitering after hours and crowds.
- d. Provide noise attenuation measures to reduce the noise levels generated from the establishment, to the degree possible, within their premises with special attention on "open air" concept establishments- such as beer gardens or large outdoor eating and drinking venues.
- e. Encourage bars to remain open to serve food after alcohol has stopped being served to encourage a slower flow of people leaving the establishment after hours.
- NE-1.2 Evaluate and consider potential noise impacts as a condition of permit approval, renewal, and/or a change of use, for eating and drinking establishments that incorporate "open air" or large outdoor eating and drinking venues, based on acoustical studies and/or industry best practices.
- NE-1.3 Locate the commercial portion of new mixed-use developments away from existing single-family residences and ensure that noise levels generated are at or within acceptable levels when residential uses are located nearby.
- NE-1.4 Promote "quiet-in-residential neighborhoods" signs to bring awareness to evening commercial patrons who walk through residential neighborhoods.
- NE-1.5 Encourage existing drive-thru restaurants to use visual-only confirmation order screens especially at locations adjacent to residential buildings.

- NE-1.6 Encourage truck deliveries to occur on commercial streets during day-time hours.
- NE-1.7 Incorporate sound attenuation measures such as sound absorbent wall/ceiling materials, sound walls, and dense, droughttolerant landscaping where commercial uses such as restaurants and bars are permitted, especially adjacent to residential areas.
- NE-1.8 Encourage private waste pick-up and franchise hauler agreements with the City to be organized by geographic area to reduce unnecessary frequency and instances of multiple haulers servicing areas.
- NE-1.9 Implement the standard noise controls to reduce construction noise levels emanating from new construction to minimize disruption and annoyance.
  - a. Limit construction activity hours.
  - Equip all internal combustion enginedriven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
  - c. Locate stationary noise-generating equipment (e.g. compressors) as far as possible from adjacent residential receivers.
  - d. Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
  - e. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
  - f. Encourage construction contractors to prepare a detailed construction plan identifying the schedule for major noise generating construction activities that includes coordination with adjacent residents so that construction activities can be scheduled to minimize noise disturbance.

# **APPENDIX C**

**Manufacturer Information** 

45) 46) 47) 48)	16.5 16.5 16.5 16.5	I	68 / 77 77 / 82 / 81 65 / 71	71 / 74 77 / 80 / 87 68 / 70	74 / 77 80 / 81 / 86 73 / 73	73 / 76 72 / 74 / 75 73 / 73	69 / 69 71 / 74 / 73 66 / 65	64 / 64 72 / 72 / 71 62 / 61	55 / 55 68 / 65 / 66 55 / 56	47 / 47 62 / 56 / 61 46 / 47	74/76 62/64 78/79 67/68 73 <b>A7</b> 8 <b>TA</b> (/a	, IME <mark>18</mark> 4 <sup>/</sup> 12	14% 11% 12% 14%
49) 50) 51)	16.5 16.5 16.5	I	/ 84 / 84 77 / 82	/ 89 / 89 77 / 80	/ 87 / 87 80 / 81	/ 75 / 75 72 / 74	/ 71 / 71 71 / 74	/ 69 / 69 72 / 72	/ 64 / 64 68 / 65	/ 58 / 58 62 / 56	/ 81 70 / / 81 70 / 78 / 79 67/68	19.2 / 19.2 /	12% 12% 11%
52) 53) 54) 55)	16.5 16.5 16.5 16.5	Ι	/ 84 74 / 88 / 80 / 84	/ 92 79 / 79 / 88 / 89	/ 90 83 / 84 / 90 / 87	/ 86 76 / 77 / 84 / 75	/ 85 71 / 74 / 86 / 71	/ 78 73 / 74 / 76 / 69	/ /4 71 / 69 / 74 / 64	/ 68 62 / 61 / 69 / 58	/ 89 / 84 80 / 81 69/70 / 89 78 / / 81 70	28 / 28 / 19 2 /	8% 11% 9% 12%
56) 57) 58)	16.5 16.69 16.69	1 1	75 / 85 / 95 / 95	81 / 82 / 89 / 89	82 / 85 / 86 / 86	76 / 77 / 85 / 85	73 / 75 / 83 / 83	73 / 73 / 81 / 81	70 / 67 / 77 / 77	63 / 60 / 75 / 75	80 / 81 69/70 / 88 / 77 / 88 / 77	,	11%
59) 60) 61)	16.69 16.69 16.69	1 1 1	/ 95 / 95 / 100	/ 91 / 91 / 94	/ 87 / 87 / 95	/ 84 / 84 / 93	/ 83 / 83 / 89	/ 81 / 81 / 84	77   77   77	/ 76 / 76 / 69	/ 89 / 77 / 89 / 77 / 94 / 83	, , }	
62) 63) 64)	16.69 17.94 17.94	1 1 1	/ 106 / 85 / 85	/ 96 / 84 / 84	/ 94 / 82 / 82	/ 97 / 81 / 81	/ 92 / 82 / 82	/ 85 / 78 / 78	/ 78 / 68 / 68	/ 71 / 60 / 60	/ 97 / 86 / 85 / 74 / 85 / 74		1001
65) 66) 67)	18.0 <u>18.0</u> 18.0		71/80 71/80 /67	73/79 73/79 /72	75/80 75/80 /79	/1 / /4 71 / 74 / 69	67 / 71 67 / 71 / 67	64 / 66 64 / 66 / 68	59 / 61 59 / 61 / 60	53 / 56 53 / 56 / 56	73 / 77 62/65 73 / 77 62/65 / 75 63 /	12.1 /	12% 12% 13%
68) 69)	18.0 18.0		/ 67 / 67	/ 72 / 72	/ 79 / 79	/ 69 / 69	/ 67 / 67	/ 68 / 68	/ 60 / 60	/ 56 / 56	/ 75 63 / / 75 63 /	/ 12.1 / / 12.1 /	13% 13%
70) 71)	18.0 18.0		/ 82 / 79	/ 85 / 80	/ 82 / 81	/ 74 / 75	/ 71 / 72	/ 69 / 74	/ 64 / 69	/ 58 / 61	/ <b>78</b> 67 / / <b>80</b> 68 /	16.2 / 16.8 /	12% 11%
72) 73)	18.0 18.0		/ 79 / 79	/ 80 / 80	/ 81 / 81	/ 75 / 75	/ 72 / 72	/ 74 / 74	/ 69 / 69	/ 61 / 61	/ <b>80</b> 68 / / <b>80</b> 68 /	/ 16.8 / / 16.8 /	11% 11%
74) 75)	18.0 18.0		/ 71 / 80	/ 77 / 82	/ 81 / 82	/ 80 / 79	/ 81 / 78	/ 70 / 73	/ 63 / 67	/ 55 / 62	/ 83 / 72 / 82 71	17.6 / 18.4 /	Included 10%
76) 77)	18.0		/ 80	/ 87	/ 87	/ 82	/ 79	/ 72	/ 67	/ 60	/ 85 73	21/	10%
78)	18.0		67 / 70	69 / 70	73/73	70 / 70	64 / 62	59/58	51/52	42/44	70 / 70 59/58		14%
79) 80)	18.0 18.0	I	66 / 77 66 / 77	71 / 78 71 / 78	71 / 75 71 / 75	66 / 69 66 / 69	62 / 66 62 / 66	58 / 61 58 / 61	56 / 55 56 / 55	55 / 51 55 / 51	69/72 57/61 69/72 57/61		13% 13%
81) 82)	18.0 18.69	1	70 / 86 / 86	74 / 79 / 85	72 / 78 / 92	68 / 72 / 88	66 / 70 / 82	63 / 64 / 77	59 / 56 / 71	55 / 50 / 70	72/75 60/64 /89 /77	,	13%
83) 84)	18.69 18.69	1 1	/ 85 / 86	/ 96 / 85	/ 87 / 92	/ 85 / 88	/ 81 / 82	/ 76 / 77	/ 70 / 71	/ 69 / 70	/ 87 / 75 / 89 / 77	) ,	
85) 86)	18.69	1	95 / 85 /	97 /	98 / 87 /	94 / 85 /	87 / 81 /	82 / 76 /	75 / 70 /	67 /	95/ /83		
87)	18.81	1	99 / 94 /	103 /	97 / 76 /	89 /	86 /	82 /	74 /	65 /	93 / / 82	12.2./	120/
88) 89)	19.5		84 / 72 /	827 757	767 797	707	69 / 68 /	69 /	63 /	55 / 56 /	76 / 65	13.27	13%
90) 91)	19.5 19.5	I	61 / 70 72 /	68 / 76 75 /	65 / 69 79 /	62 / 67 72 /	59 / 61 68 /	54 / 55 69 /	48 / 51 63 /	43 / 48 56 /	64 / 68 53/57 <b>76</b> / 65 /	13.1 /	14% 12%
92) 93)	19.5 19.5	I	63 / 71 71 /	70 / 77 76 /	67 / 69 75 /	62 / 67 66 /	59 / 62 61 /	54 / 56 59 /	53 / 52 54 /	53 / 49 51 /	65 / 69 54/57 <b>70</b> / 58 /	, 9.5/	14% 13%
94) 95)	19.5 19.5		69 / 76 71 /	72 / 79 79 /	69 / 76 80 /	65 / 70 78 /	63 / 67 74 /	60 / 63 68 /	56 / 55 61 /	52 / 44	69 / 73 57/62 79 / 68	14.8/	14% 11%
96) 97)	19.5		71/	76 / 76 /	75 /	66 /	61 /	59 /	54 /	51 /	70 / 58	9.5/	13%
97) 98)	19.5	Į.	61 / 70	68 / 76	65/69	62 / 67	59/61	597 54/55	54 / 48 / 51	43/48	64 / 68 53/57	9.57	13%
99) 00)	19.5 19.5	I	63 / 71 72 /	70777 757	67 / 69 79 /	62/67 72/	59 / 62 68 /	54 / 56 69 /	53 / 52 63 /	53 / 49 56 /	65 / 69 54/57 76 / 65	13.1 /	14% 12%
01) 02)	19.5 20.0		75 / 79 /	84 / 75 /	83 / 75 /	80 / 78 /	75 / 80 /	70 / 73 /	64 / 68 /	57 / 61 /	81 / 70 / 82 / 71 /	/ 17.1 / / 17.5 /	10% 12%
03) 04)	20.25 20.69	1	72 / 73 86 /	71 / 70 85 /	72 / 73 93 /	66 / 66 88 /	61 / 60 82 /	54 / 54 76 /	46 / 47 71 /	38 / 39 70 /	68 / 68 56/56 89 / / 77		14%
05)	20.69	1	86 / 87 /	85 / 95 /	93 / 87 /	88 / 84 /	82 / 80 /	76 / 74 /	71/ 60/	70 /	89/ /77	,	
07)	20.69	1	87 /	95 / 74 /	87 /	84 /	80 / 87 /	74 /	69 /	68 /	86 / / 75		
08)	20.81	1	84 /	74 /	71/	69 /	67 /	61/	57 / 57 /	53 / 53 /	72/ /60		
10) 11)	21.0 21.0		70 / 70 /	74 / 74 /	767 767	717 717	65 / 65 /	65 / 65 /	60 / 60 /	56 / 56 /	73/ 62 73/ 62	11.2 / 11.2 /	13% 13%
12) 13)	21.0 21.0		70 / 72 /	74 / 79 /	76 / 77 /	71 / 75 /	65 / 71 /	65 / 66 /	60 / 59 /	56 / 53 /	73 / 62 / 76 / 65 /	/ 11.2 / / 12.7 /	13% 11%
14) 15)	21.0 21.0		73 / 79 /	81 / 83 /	78 / 86 /	75 / 82 /	71 / 78 /	66 / 77 /	58 / 78 /	52 / 72 /	77 / 65 / 85 / 74 /	/ 13.1 / / 24 /	11% 8%
16)	21.0		79 / 70 /	83 / 83 /	86 / 86 /	82 / 82 /	78 / 78 /	77 / 77 /	78 / 78 /	72 / 72 /	85/ 74	24/	8%
18)	21.0	ļ	61 / 70	68 / 74	63 / 68	62/65	60 / 63	54 / 56	47 / 48	40 / 40	64 / 67 53/56	247	14%
19) 20)	21.0 21.0	I	61 / 70 65 / 77	68 / 74 70 / 81	63 / 68 66 / 69	62 / 65 63 / 66	60 / 63 61 / 64	54 / 56 55 / 57	47 / 48 48 / 48	40 / 40 42 / 40	65 / 70 53/56		14% 14%
21) 22)	21.0 21.0	I	65 / 77 68 / 78	70 / 81 70 / 74	66 / 69 68 / 69	63 / 66 64 / 66	61 / 64 62 / 66	55 / 57 57 / 61	48 / 48 51 / 54	42 / 40 45 / 47	65 / 70 54/58 67 / 70 55/58		14% 14%
23) 24)	21.0 21.0		67 / 67 /	75 / 75 /	68 / 68 /	62 / 62 /	60 / 60 /	56 / 56 /	51 / 51 /	45 / 45 /	66 / 55 66 / 55	7.5/	14% 14%
25)	21.0		67 / 75 /	75 /	68 /	62 /	60 / 63 /	56 / 60 /	51 /	45 /	66 / 55 60 / 59	7.5/	14%
20)	22.5		68/76	68/72	65/67	62 / 65	60 / 64	55 / 58	49 / 51	43/44	65 / 68 53/56	9.1 /	14%
28) 29)	22.5		75/ 75/74	87/ 74/71	/1/ 70/73	64 / 64	65 / 58 / 58	63 / 51 / 52	58/ 43/44	52 / 36 / 36	66 / 67 55/55	13.5 /	13% 14%
30) 31)	22.5 22.5		75 / 74 /	87 / 78 /	71 / 66 /	67 / 63 /	65 / 61 /	63 / 57 /	58 / 52 /	52 / 49 /	74 / 62 67 / 56	13.5 / 8.8 /	13% 14%
32)	22.5		75 /	87 /	71/	67 /	65 /	63 /	58 /	52 /	74 / 62	135/	13%



# Compute-A-Fan v9.8 - Fan Selections - KSP

Model	#	Volume (CFM)	SP (inwc	Pov ) (HP	ver M ') (ł	1otor HP)	Fan RPM	OVEI (fpm)	TSPD (fpm)	Static Effic	Wt (Ibs)	Relative Cost	Budget Price	Operate Cost/Yr	Payback (Years)
1) HM 2) HM 3) HM 4) 100 5) 120 6) 150 7) 180	1D-2400 1D-3400 1D-4100 DKSP-B DKSP-B DKSP-B DKSP-B	3000 3000 3000 3000 3000 3000 3000	.5 .5 .5 .5 .5 .5 .5	2.5 2.0 1.9 1.4 1.0 .7 .6	4 9 3 6 9 41 59	3.0 3.0 2.0 1.5 1.5 .75 .75	1522 1325 1273 1103 868 601 520	286 286 286 301 213 150 107	2 3984 2 3468 2 3332 5 2887 0 2726 4 2360 2 2450	4 10% 3 12% 2 13% 7 18% 6 24% 0 35% 0 40%	704 704 679 266 301 352 417	4.86 4.86 4.77 1.00 1.13 1.14 1.52	\$7,200 \$7,200 \$7,100 \$1,480 \$1,680 \$1,690 \$2,300	\$468 \$385 \$356 \$269 \$201 \$145 \$129	Never Never 2.94 1.69 5.86
ALT(ft)	) = 50	TEMPERA	TURE( °	F) = 7(	D										
	Nom IMPL	R(in) OB1	OE	2	OB3	OB4	OE	35	OB6	OB7	OB8	LwA	dBA	SONES	Drive Loss (Medium)
1)	10.0	76 / 9	94 78	88 7	71/85	62 / 82	60	/ 81	61 / 79	61 / 77	59 / 73	69 / 8	7 58/75	10.3/27	7%
2)	10.0	74 / 9	94 76	87 7	70/83	59 / 80	57	/ 79	58 / 77	59 / 76	58 / 72	68 / 8	5 56/73	9.1/25	8%
3)	10.0	/3/9	93 757	85 /	0/82	57 / 79	56	/ /8	5////	58/75	57/71	67/8	4 55/73	8.6/24	8%
4) 5)	10.0		95	/ 94	/ 85	//	8	/ 14	/ 14	/ /3	/ 68	5 / 1 /	84 / 72 82 / 71	25/	8%
6)	15.0		80	/ 76	/ 73	/7	1	/ 68	/ 67	/ 63	/ 55	5 /	74 / 63	11.9/	11%
7)	18.0		85	/ 76	/ 70	/ 6		/ 66	/ 6/	/ 50	/ 54	· /	72 / 60	11.0 /	12%

Notes:

dBA AND SONES AT 5 ft FROM FAN WITH FAN SPEED CONTROL

Relative Cost, Weight and Budget Price (US \$) includes Fan, motor and drives ,estimated speed controls if present and does not include accessories. (3/4 hp and

Operating cost (US \$) based on 12 hours/day, 250 days/year and \$ .07 per kw/h.

# APPENDIX D

Cadna Analysis Data and Results

	Cadna Noise Model - Sound Levels														
Namo	п	Туре	Weight				Okta	ve Specti	rum (dB)					Source	
Name ID		Type	meight	63	125	250	500	1000	2000	4000	8000	Α	lin	Source	
Males-Raised Voices	m	Lw (c)		110	64.1	70.2	74.5	69.5	64.5	59.7	53.8	74.6	77.3	Pearson et al	
Males-Loud Voices	S	Lw (c)		105.5	67.2	75.9	83.4	81.8	77.1	70.5	61.1	85.4	86.8	Pearson et al	
Females-Raised Voices		Lw (c)		105.3	46.8	66.3	71.1	68.8	64.8	60	53.5	72.9	74.6	Pearson et al	
Females-Loud Voices	х	Lw (c)		104.8	45.3	69.2	75.3	77.5	74.7	67.8	65.8	80.9	81.4	Pearson et al	
Air Conditioner	L1	Lw (c)		119	85.9	77.5	77	74.3	71.1	69.9	65	80	87.4	Measurement	
Exhaust Vent	L2	Lw		114.5	72	79	69	67	68	60	56	74.8	80.6	Cook	
Makeup Air	L3	Lw		114.3	76	73	71	68	67	63	55	74.1	79.3	Cook	

	Cadna Noise Model - Point Sources											
	1		Lw	/Li		Operating Time	9				Coordinates	
Name	ID	Result. PWL		/ <u></u>	Dav	Snecial	Night	Height		X	Y	7
Humo	12	(dBA)	Туре	Value	(min)	(min)	(min)	(m)		(m)	(m)	(m)
Patron	S1	72.9	Lw	1	30	30	30	83.38	а	227.70	318.67	83.38
Patron	S2	74.6	Lw	m	30	30	30	83.38	а	227.43	318.24	83.38
Patron	S3	85.4	Lw	S	30	30	30	83.38	а	227.12	317.8	83.38
Patron	S4	80.9	Lw	х	30	30	30	83.38	а	226.81	317.4	83.38
Patron	S5	72.9	Lw	I	30	30	30	83.38	а	226.51	316.97	83.38
Patron	S6	74.6	Lw	m	30	30	30	83.38	а	226.14	316.55	83.38
Patron	S7	85.4	Lw	S	30	30	30	83.38	а	232.35	314.01	83.38
Patron	S8	80.9	Lw	х	30	30	30	83.38	а	231.91	314.3	83.38
Patron	S9	72.9	Lw	I	30	30	30	83.38	а	231.64	313.19	83.38
Patron	S10	74.6	Lw	m	30	30	30	83.38	а	231.26	313.57	83.38
Patron	S11	85.4	Lw	S	30	30	30	83.38	а	230.16	314.47	83.38
Patron	S12	80.9	Lw	х	30	30	30	83.38	а	229.54	315.13	83.38
Patron	S13	72.9	Lw	I	30	30	30	83.38	а	228.91	314.47	83.38
Patron	S14	74.6	Lw	m	30	30	30	83.38	а	229.54	313.78	83.38
Patron	S15	85.4	Lw	S	30	30	30	83.38	а	229.16	312.47	83.38
Patron	S16	80.9	Lw	х	30	30	30	83.38	а	228.43	311.49	83.38
Patron	S17	72.9	Lw	I	30	30	30	83.38	а	228.1	311.03	83.38
Patron	S18	74.6	Lw	m	30	30	30	83.38	а	227.62	311.4	83.38
Patron	S19	85.4	Lw	S	30	30	30	83.38	а	226.85	310.4	83.38
Patron	S20	80.9	Lw	х	30	30	30	83.38	а	227.43	310.09	83.38
Patron	S21	72.9	Lw		30	30	30	83.38	а	226.08	307.99	83.38
Patron	S22	74.6	Lw	m	30	30	30	83.38	а	225.12	306.76	83.38
Patron	S23	85.4	Lw	S	30	30	30	83.38	а	227.95	301.42	83.38
Patron	S24	80.9	Lw	х	30	30	30	83.38	а	226.95	302.27	83.38
Patron	S25	72.9	Lw	I	30	30	30	83.38	а	225.6	303.54	83.38
Patron	S26	74.6	Lw	m	30	30	30	83.38	а	224.62	304.42	83.38
Patron	S27	85.4	Lw	S	30	30	30	83.38	а	219.39	309.54	83.38
Patron	S28	80.9	Lw	х	30	30	30	83.38	а	218.89	309.98	83.38
Patron	S29	72.9	Lw	I	30	30	30	83.38	а	218.53	310.38	83.38
Patron	S30	74.6	Lw	m	30	30	30	83.38	а	218.12	311.19	83.38
Patron	S31	85.4	Lw	S	30	30	30	83.38	а	218.46	311.61	83.38
Patron	S32	80.9	Lw	х	30	30	30	83.38	а	218.8	311.96	83.38
Patron	S33	72.9	Lw	I	30	30	30	83.38	а	221.73	308.93	83.38
Patron	S34	74.6	Lw	m	30	30	30	83.38	а	222.41	309.84	83.38
Patron	S35	85.4	Lw	S	30	30	30	83.38	а	221.91	310.25	83.38
Patron	S36	80.9	Lw	х	30	30	30	83.38	а	221.26	309.46	83.38
Patron	S37	72.9	Lw	I	30	30	30	83.38	а	221.02	308.16	83.38
Patron	S38	74.6	Lw	m	30	30	30	83.38	а	219.45	310.73	83.38
Patron	S39	85.4	Lw	S	30	30	30	83.38	а	219.26	311.54	83.38
Patron	S40	80.9	Lw	х	30	30	30	83.38	а	220.51	308.69	83.38
Patron	S41	72.9	Lw		30	30	30	83.38	а	220.66	313.15	83.38
Patron	S42	74.6	Lw	m	30	30	30	83.38	а	220.05	312.59	83.38
Patron	S43	85.4	Lw	s	30	30	30	83.38	а	219.35	312.98	83.38
Patron	S44	80.9	Lw	X	30	30	30	83.38	а	219.93	313.69	83.38
Patron	S45	72.9	Lw		30	30	30	83.38	а	221.41	314.71	83.38
Patron	S46	74.6	Lw	m	30	30	30	83.38	а	220.98	315.06	83.38
Patron	S47	85.4	Lw	s	30	30	30	83.38	а	222.05	315.53	83.38
Patron	S48	80.9	Lw	х	30	30	30	83.38	а	221.33	316	83.38

Cadna Noise Model - Point Sources												
		D // D///	Lw	/ Li		Operating Tim	1e				Coordinates	
Name	ID	Result. PWL			Day	Special	Night	Height		Х	Y	Z
		(dBA)	туре	value	(min)	(min)	(min)	(m)		(m)	(m)	(m)
Patron	S49	72.9	Lw		30	30	30	83.38	а	222.83	311.32	83.38
Patron	S50	74.6	Lw	m	30	30	30	83.38	а	222.3	312.27	83.38
Patron	S51	85.4	Lw	S	30	30	30	83.38	а	223.45	312.65	83.38
Patron	S52	80.9	Lw	х	30	30	30	83.38	а	223.91	311.77	83.38
Patron	S53	72.9	Lw		30	30	30	83.38	а	224.41	311.27	83.38
Patron	S54	74.6	Lw	m	30	30	30	83.38	а	224.89	310.5	83.38
Patron	S55	85.4	Lw	S	30	30	30	83.38	а	225.81	310.94	83.38
Patron	S56	80.9	Lw	х	30	30	30	83.38	а	225.47	311.86	83.38
Patron	S57	72.9	Lw	I	30	30	30	83.38	а	226.56	312	83.38
Patron	S58	74.6	Lw	m	30	30	30	83.38	а	227.62	312.71	83.38
Patron	S59	85.4	Lw	S	30	30	30	83.38	а	227.03	313.67	83.38
Patron	S60	80.9	Lw	x	30	30	30	83.38	а	226.18	313.13	83.38
Patron	S61	72.9	Lw	l.	30	30	30	83.38	а	225.28	313.52	83.38
Patron	S62	74.6	Lw	m	30	30	30	83.38	а	224.51	313.21	83.38
Patron	S63	85.4	Lw	S	30	30	30	83.38	а	223.68	314.23	83.38
Patron	S64	80.9	Lw	X	30	30	30	83.38	а	224.87	314.61	83.38
Patron	565	80.9	LW	X	30	30	30	83.38	a	227.95	316.65	83.38
Patron	565	85.4	LW	S	30	30	30	83.38	a	228.6	315.99	83.38
Patron	567	74.6	LW	m	30	30	30	83.38	a	228.01	315.28	83.38
Palion Detrop (storage)	500	72.9	LW	1	30	30	30	03.30	a	227.20	315.94	03.30
Patron (storage)	509 870	72.9			30	30	30	00.00	a	223.23	217.66	03.30
Patron (kitchon)	\$70 \$71	72.9 95.4	LW	1	30	30	30	03.30	a	223.90	317.00	03.30
Patron (kitchen)	\$72	80.9	Lw	3 V	30	30	30	83.38	a	229.10	309.31	83.38
Patron (hall/toilet)	S73	74.6	Lw	m	30	30	30	83 38	a	231.12	311.85	83 38
Patron (hall/toilet)		74.6	Lw	m	30	30	30	83.38	a	234.06	308.91	83.38
Patron	S75	85.4	L w	s	30	30	30	83.38	a	225.7	315.68	83.38
Patron	\$76	80.9	Lw	x	30	30	30	83.38	a	225.2	315.59	83.38
Patron	S77	72.9	Lw	I	30	30	30	83.38	а	225.34	315.18	83.38
Patron	S78	74.6	Lw	m	30	30	30	83.38	а	225.74	315.26	83.38
Patron	S79	85.4	Lw	s	30	30	30	83.38	а	227.35	314.59	83.38
Patron	S80	80.9	Lw	х	30	30	30	83.38	а	226.95	314.51	83.38
Patron	S81	72.9	Lw		30	30	30	83.38	а	227.01	314.22	83.38
Patron	S82	74.6	Lw	m	30	30	30	83.38	а	227.35	314.26	83.38
Patron	S83	85.4	Lw	S	30	30	30	83.38	а	225.91	310.22	83.38
Patron	S84	80.9	Lw	х	30	30	30	83.38	а	225.74	310.07	83.38
Patron	S85	72.9	Lw	I	30	30	30	83.38	а	225.91	309.92	83.38
Patron	S86	74.6	Lw	m	30	30	30	83.38	а	226.11	310.15	83.38
Patron	S87	80.9	Lw	х	30	30	30	83.38	а	222.62	313.61	83.38
Patron	S88	74.6	Lw	m	30	30	30	83.38	а	224.78	307.26	83.38
patio	P1	72.9	Lw	I	30	30	0	83.38	а	233.64	315.57	83.38
patio	P2	74.6	Lw	m	30	30	0	83.38	а	232.68	316.39	83.38
patio	P3	72.9	Lw		30	30	0	83.38	а	232.29	316.87	83.38
patio	P4	74.6	Lw	m	30	30	0	83.38	а	231.47	317.68	83.38
patio	P5	72.9	Lw		30	30	0	83.38	а	231.12	317.99	83.38
patio	P6	74.6	Lw	m	30	30	0	83.38	а	230.06	319.03	83.38
patio	P7	72.9	Lw	I	30	30	0	83.38	а	229.7	319.37	83.38
patio	P8	/4.6	LW	m	30	30	0	83.38	a	228.74	320.28	83.38
patio (server)	P9	80.9	LW	X	30	30	0	83.38	a	230.87	317.43	83.38
ROOT AC1	M0	08	LW					88.31	a	224.66	309.89	88.31
KOOT ACZ	M2	80	LW	LÎ				88.31	a	230.69	298.5	88.31
Iviakeup Air	IVI3	74.8	LW	L3				88.31	a	229.6	306.37	88.31
ROOT EXHAUST VENT	IVI4	74.8	LW	L2	I	1	I	88.31	а	229.91	300.13	88.31

Cadna Noise Model - Point Sources													
			Lw	/ Li	(	Operating Tim	e	Haight			Coordinates		
Name	ID	Result. PWL	Type	Value	Day	Special	Night	Height		Х	Y	Z	
		(dBA)	1960	Value	(min)	(min)	(min)	(m)		(m)	(m)	(m)	
Multiuse	U1	74.6	Lw	m	30	30	30	83.38	а	236.54	307.68	83.38	
Multiuse	U2	72.9	Lw		30	30	30	83.38	а	237.42	307.01	83.38	
Multiuse	03	74.6	LW	m	30	30	30	83.38	a	238.46	306.51	83.38	
Multiuse	04	72.9	LW	m	30	30	30	03.30	a	239.4	305.74	03.30	
Multiuse	05	74.0		1	30	30	30	83.38	a	240.23	304.26	83.38	
Multiuse	117	72.5	Lw	m	30	30	30	83.38	a	236.02	306.9	83.38	
Multiuse	U8	72.9	Lw		30	30	30	83.38	a	237.02	306.13	83.38	
Multiuse	U9	74.6	Lw	m	30	30	30	83.38	a	237.92	305.38	83.38	
Multiuse	U10	72.9	Lw		30	30	30	83.38	а	238.96	304.51	83.38	
Multiuse	U11	74.6	Lw	m	30	30	30	83.38	а	239.87	303.8	83.38	
Multiuse	U12	72.9	Lw	I	30	30	30	83.38	а	240.83	302.92	83.38	
Multiuse	U13	74.6	Lw	m	30	30	30	83.38	а	235.31	305.82	83.38	
Multiuse	U14	72.9	Lw	-	30	30	30	83.38	а	236.46	304.95	83.38	
Multiuse	U15	74.6	Lw	m	30	30	30	83.38	а	237.31	304.09	83.38	
Multiuse	U16	72.9	Lw	1	30	30	30	83.38	а	238.37	303.36	83.38	
Multiuse	U17	74.6	Lw	m	30	30	30	83.38	а	239.4	302.55	83.38	
Multiuse	U18	72.9	Lw		30	30	30	83.38	а	240.15	301.78	83.38	
Multiuse	U19	74.6	Lw	m	30	30	30	83.38	а	233.92	305.11	83.38	
Multiuse	U20	72.9	Lw		30	30	30	83.38	а	235.23	304.24	83.38	
Multiuse	U21	74.6	Lw	m	30	30	30	83.38	а	236.58	308.73	83.38	
Multiuse	U22	72.9	Lw	I	30	30	30	83.38	а	236.94	302.36	83.38	
Multiuse	U23	74.6	Lw	m	30	30	30	83.38	а	237.75	301.74	83.38	
Multiuse	024	72.9	LW		30	30	30	83.38	a	238.48	301.09	83.38	
Multiuse	025	74.6	LW	m	30	30	30	83.38	a	233.46	304.11	83.38	
Multiuse	020	72.9	LW		30	30	30	03.30	a	234.09	303.11	03.30	
Multiuse	1128	74.0		1	30	30	30	83.38	a o	235.05	302.20	83.38	
Multiuse	1129	72.5	Lw	m	30	30	30	83 38	a	237.92	300.34	83.38	
Multiuse	U30	72.9	Lw		30	30	30	83.38	a	238.62	299.63	83.38	
Multiuse	U31	74.6	Lw	m	30	30	30	83.38	a	232.37	303.11	83.38	
Multiuse	U32	72.9	Lw		30	30	30	83.38	a	233.46	302.24	83.38	
Multiuse	U33	74.6	Lw	m	30	30	30	83.38	а	234.42	301.38	83.38	
Multiuse	U34	72.9	Lw	Ι	30	30	30	83.38	а	235.27	300.78	83.38	
Multiuse	U35	74.6	Lw	m	30	30	30	83.38	а	236.23	299.88	83.38	
Multiuse	U36	72.9	Lw	-	30	30	30	83.38	а	237.27	298.92	83.38	
Multiuse	U37	74.6	Lw	m	30	30	30	83.38	а	231.69	302.03	83.38	
Multiuse	U38	72.9	Lw	I	30	30	30	83.38	а	232.85	301.28	83.38	
Multiuse	U39	74.6	Lw	m	30	30	30	83.38	а	233.79	300.36	83.38	
Multiuse	U40	72.9	Lw		30	30	30	83.38	а	234.73	299.57	83.38	
Multiuse	U41	74.6	Lw	m	30	30	30	83.38	а	236	298.49	83.38	
Multiuse	U42	72.9	Lw	I	30	30	30	83.38	а	238.27	296.53	83.38	
Multiuse	U43	74.6	Lw	m	30	30	30	83.38	а	230.64	301.01	83.38	
Multiuse	044	72.9	Lw	I	30	30	30	83.38	а	231.87	300.03	83.38	
Multiuse	045	74.6	LW	m	30	30	30	83.38	a	232.96	299.38	83.38	
Multiuse	046	72.9	LW		30	30	30	83.38	a	234.42	298.22	83.38	
Multiuse	047	74.0	LW		30	30	30	03.30	a	235.79	290.97	03.30	
Multiuse	1149	74.6		m	30	30	30	83.38	a o	230.35	295.30	83.38	
Multiuse	U50	74.0	Lw		30	30	30	83.38	a	230.33	299.72	83.38	
Multiuse	U51	74.6	l w	m	30	30	30	83.38	a	233.25	297.22	83.38	
Multiuse	U52	72.9	l w		30	30	30	83.38	a	234.75	295.88	83.38	
Multiuse	U53	74.6	Lw	m	30	30	30	83.38	a	236.17	294.78	83.38	
Multiuse	U54	72.9	Lw		30	30	30	83.38	â	237.79	293.69	83.38	
Multiuse	U55	74.6	Lw	m	30	30	30	83.38	а	236.63	296.18	83.38	
Multiuse	U56	74.6	Lw	m	30	30	30	83.38	а	231.79	300.88	83.38	
Multiuse	U57	72.9	Lw		30	30	30	83.38	а	239.06	295.14	83.38	
Multiuse	U58	72.9	Lw		30	30	30	83.38	а	236.69	303.11	83.38	
Multiuse	U59	74.6	Lw	m	30	30	30	83.38	а	237.67	303.21	83.38	
Multiuse	U60	72.9	Lw	I	30	30	30	83.38	а	233.77	298.74	83.38	

Cadna Noise Model - Barriers											
			Coord	linates		Cantilever					
Name		X (m)	Y (m)	Z (m)	Ground	horz.	Absorption				
		(m)	( <b>m</b> )	(m)	(m)	(m)					
B1	B 1	227.94	319.03	07.00 07.65	75.10		0.37				
ы	D_1	223.07	317 53	87.65	75.50		0.57				
		222.03	317.55	87.65	75.03						
B2	B_2	229.66	317.33	87.65	75.00		0.37				
		230.94	316.11	87.65	75.02						
B3	В 3	243.19	304.41	87.65	79.02		0.37				
	_	242.84	303.94	87.65	79.13						
		242.29	303.25	87.65	79.28						
		238.48	297.61	87.65	80.77	1	0.37				
		239.95	296.61	87.65	81.00						
		240.61	296.15	87.65	81.21						
		240.94	295.88	87.65	81.46						
		238.15	291.78	87.65	82.27		0.37				
		235.77	293.46	87.65	82.26						
		234.55	294.62	87.65	82.24						
		233.57	295.53	87.65	82.25		0.37				
		226.64	302.11	87.65	82.26						
B4	B_4	225.88	302.83	87.65	82.26		0.37				
		223.28	305.33	87.65	82.26						
RF	R 5	221.98	306.59	87.65	82.26		0.27				
DJ	D_0	217.30	311.15	07.65	82.17		0.37				
		221.43	217.57	07.00	77.00						
B6	B_6	222.07	316.59	82.32	77.09		0.37				
		222.07	317.57	87.65	84 45						
B7	B_7	221.37	316.59	87.65	84.45		0.37				
		221.95	306.63	87.65	84.45						
B8	B_8	223.32	305.31	87.65	84.45		0.37				
50	<b>D</b> 0	225.83	302.92	87.65	84.45		0.07				
В9	В_9	226.69	302.09	87.65	84.45		0.37				
<b>B10</b>	B 10	227.89	319.04	82.32	75.19		0.27				
БТО	D_10	229.27	317.69	82.32	75.03		0.57				
B11	B_11	229.60	317.37	82.32	75.02	-	0.37				
		230.99	316.02	82.32	75.04						
B12	B_12	230.99	315.99	87.65	84.45		0.37				
<b>P12</b>	P 12	227.85	319.05	87.65	84.45		0.27				
DIS	D_13	229.27	317.67	87.65	84.45		0.37				
B14	B_14	225.12	321.88	87.65	87.00	13.3	0.37				
		244.39	303.36	87.65	87.00						
		235.40	308.87	87.65	76.96						
		235.57	308.70	87.65	77.10						
		234.55	307.38	87.65	78.08						
B15	B 15	234.71	307.26	87.65	78.09		0.37				
615	D_13	233.75	305.89	87.65	78.69		0.57				
		233.44	306.11	87.65	78.69						
		229.70	300.93	01.00 97.65	01./U 91.70	1					
		230.07	200.03	07.00 87.65	01.7U	1					
		223.17	321 75	82 32	75 50						
B16	B_16	245.83	301.93	82.32	80.32	13.3	0.37				
		227 61	319.28	82.32	75 23						
B17	B_17	232.96	314.14	82.32	75.12	1.75	0.37				
B.(-	<u> </u>	238.63	297.99	87.65	85.00						
В18	В_18	241.30	295.64	87.65	85.00	5.5	0.37				
D40	D 40	233.52	295.61	87.65	84.45		0.07				
B19	в_19	234.72	294.47	87.65	84.45	1	0.37				
<b>B</b> 20	B 20	239.83	296.68	87.65	84.45		1 07				
	6_20	240.71	296.05	87.65	84.45		1.37				
B21	B 21	242.16	303.1	87.65	84.45		2 37				
		242.97	304.15	87.65	84.45		2.01				
		Cadna Nois	se Model - Bu	ildings							
			Coord	linates							
Name	ID	X	Y	Z	Ground	Absorption					
		(m)	(m)	(m)	(m)						
		238.77	291.46	85.67	82.28	4					
		245.70	300.59	85.67	80.50	-					
Off Site Resid	Bg_1	251.92	295.52	85.67	80.67	0.37					
		251.84	200.51	05.07	01.60	-					
		249.61	284.16	85.67	82.31	-					
	1	200.00	291.30	00.07	02.JU	1					

Cac	Ina Noise	Model - Contour Lines							
Name	п	X	Coordinates	7					
Name	10	(m)	(m)	(m)					
		213.66	355.01	74.7					
		214.86 216.31	354.08 353.55	74.7 74.7					
		218.56	353.55	74.7					
		220.61	354.08 354.87	74.7 74.7					
		224.05	355.93	74.7					
		225.7	354.61	74.7					
		227.14	353.1	74.7					
		226.48	347.68	74.7					
		224.96	344.11 341.79	74.7					
		224.30	337.89	74.7					
		225.95	331.8	74.7					
		226.41	329.55 325.10	74.7					
C1	C1	228.2	323.27	74.7					
		230.25	318.44	74.7					
		231.64	316.65 315.66	74.7 74.7					
		236.2	313.35	74.7					
		239.31	315.33	74.7					
		240.39	322.56	74.7					
		248.9	323.67	74.7					
		248.77 247.65	324.19 329.95	74.7 74 7					
		248.11	333.98	74.7					
		248.18	336.7	74.7					
		248.97 250.69	338.88 344.9	(4.7 74.7					
		251.48	348.87	74.7					
		251.42	353.43	74.7					
		231.18	352.77	73.17					
		230.65	345.89	73.17					
		228.93	341.59 339.74	73.17					
		228.8	338.42	73.17					
		229.72	336.7	73.17					
		230.58	334.84 333.59	73.17					
		230.38	330.02	73.17					
		230.38	328.56	73.17					
		230.98	326.91	73.17					
		233.09	323	73.17					
C2	C2	234.35	322.61 322.87	73.17					
02	02	238.32	322.81	73.17					
		239.84	322.14	73.17					
		240.9	322.08	73.17					
		243.35	324.59	73.17					
		243.15	326.11 328.76	73.17					
		244.14	332	73.17					
		244.34	333.59	73.17					
		243.88 244.34	337.03 339.08	73.17 73.17					
		245.86	342.98	73.17					
		247.12	348.07	73.17					
		247.52	353.7	73.17					
		234.02	352.37	71.65					
		233.56	347.81 342.05	71.65 71.65					
		233.03	340.14	71.65					
		233.23	339.21	71.65					
		234.29	338.02	71.65					
		235.48	336.63	71.65					
		235.81 235.94	335.11 334.25	71.65 71.65					
		236.53	333.65	71.65					
		236.87	332.66	71.65					
02	00	237.39	330.92	71.65					
63	63	238.22	330.79	71.65					
		238.8 238.85	330.89 331.29	/1.65 71.65					
		238.96	331.73	71.65					
		239.33	332.47	71.65					
		239.59	333.91	71.65					
		239.43	334.86	71.65					
		239.27 239.27	335.91 337.12	71.65 71.65					
		239.43	337.59	71.65					
		240.95	344.68	71.65					
		242.16	349.3 352.66	/1.65 71.65					

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C	ontour Lines Coordinates							
Name	ID	x	Y	Z				
		(m)	(m)	(m)				
		213.6	346.86	76.22				
		214.6	345.13	76.22				
		216.7	344.5	76.22				
		218.22	344.61	76.22				
		219.27	345.03	76.22				
		220.9	345.76	76.22				
		221.01	345.18	76.22				
		221.53	339.88	76.22				
		222.11	338.04	76.22				
		222.74	335.05	76.22				
		223.42	331.69	76.22				
		223.42	328.91	76.22				
		223.05	326.34	76.22				
		222.42	324.55	76.22				
C4	C4	222.21	319.41	76.22				
•		222.27	318.41	76.22				
		224.47	316.68	76.22				
		231.35	311.95	76.22				
		234.87	309.64	76.22				
		236.55	309.54	76.22				
		238.23	309.72	76.22				
		76.22						
		244.26	313.08	76.22				
		246.52	315.45	76.22				
		249.09	317.0	76.22				
		251.19	320.04	76.22				
		252.14	325	76.22				
		252.56	332.04	76.22				
		253.66	337.76	76.22				
		255.34	341.02	76.22				
		211.24	336.76	77.74				
		211.61	334.72	77.74				
		218.7	332.41	77.74				
		220.32	331.83	77.74				
		220.48      330.52      77.74        220.74      329.68      77.74        220.38      327.31      77.74        219.75      325.48      77.74        219.17      323.11      77.74        219.06      320.75      77.74        219.06      320.75      77.74        219.59      319.07      77.74						
C5	C5	C5 220.06 318.23 224.16 314.76						
00	00	224.16	314.76	77.74				
		232.77      309.09      77.        238.07      307.36      77.						
		77.74						
		239.22	310.04	77.74				
		247.99	314.29	77.74				
		251.67	318.97	77.74				
		253.14	322.33	77.74				
		253.35	327.52	77.74				
		253.92	331.99	77.74				
		255.08	337.76	77.74				
	-	257.23	341.54	77.74				
		208.72	320.00	79.27				
		209.09	324.64	79.27				
		215.76	322.9	79.27				
		216.28	319.7	79.27				
		216.28	317.71	79.27				
		216.44	317.18	79.27				
00		218.91	315.08	79.27				
C6	C6	235.71	302.95	79.27				
		240.12	302.53	79.27				
		249.04	307.83	79.27				
		251.19	312.45	79.27				
		253.35	319.33	79.27				
		254.71	326.63	79.27				
		256.29	337.71	79.27				
		258.54	341.44	79.27				
		203.46	321.32	82.01				
		210.09	350.43	02.01 82.01				
C7	C7	212.46	363.26	82.01				
		209.42	339.05	82.01				
		204.26	321.59	82.01				
		50.67	363	82.32				
-	_	51.01	201.98	82.32				
C8	C8	378.71	204.98	82.32				
		377.37	363.33	82.32				
	+	49.34	320 54	02.32 82.01				
C9	C9	211.35	313.4	82.01				
	1	215.13	312.44	82.31				
C10	C10	217.3	<u>3</u> 10.9	82.31				
C10		235.66	293.33	82.31				
		238.18	291.6	82.31				

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	Cadna Noise Model - Noise Levels at Receivers												
Name	ID		Level Lr		Height			Coordinates					
		Day Evening Night					Х	Y	Z				
		(dBA)	(dBA)	(dBA)	(m)		(m)	(m)	(m)				
R-1	R_1	44.3	44.3	41.1	1.52	r	208.13	336.26	83.53				
R-2	R_2	39.1	39.1	39.0	1.52	r	183.3	311.12	83.57				
R-3	R_3	41.4	41.4	41.3	1.52	r	204.07	288.36	83.73				
R-4	R_4	41.2	41.2	41.2	1.52	r	219.53	276.12	83.83				
R-5	R_5	36.0	36.0	35.4	1.52	r	252.59	292.08	82.59				
R-6	R_6	44.2	44.2	37.5	1.52	r	252.27	300.19	81.54				
R-7	R_7	45.4	45.4	38.5	1.52	r	252.61	307.43	80.85				
R-8	R_8	45.6	45.6	36.0	1.52	r	252.5	321.56	78.87				
R-9	R_9	46.0	46.0	36.7	1.52	r	226.25	337.37	75.82				



# ATTACHMENT 12 EILAR ASSOCIATES, INC.

**Acoustical and Environmental Consulting** 

210 South Juniper Street, Suite 100, Escondido, CA 92025 Phone: 760-738-5570 or 800-439-8205 • Fax: 760-738-5227 www.eilarassociates.com • info@eilarassociates.com A Certified Woman-Owned Business – WBE1701672

August 30, 2018

Job #B80509N2

Sandra Porras 1920 Fort Stockton Drive San Diego, California 92103

### Subject: Response Letter for 1920 Fort Stockton Commercial Building

This letter is in response to comments regarding the Noise Impact Analysis prepared for the 1920 Fort Stockton Commercial Building project. Comments to the analysis have been made by Mr. Mark Majette, received by the City on August 20, 2018, for the Project 574622. This letter serves as an addendum to the Noise Impact Analysis dated June 28, 2018.

#### **Response to Mr. Majette's Comments**

The main concern of Mr. Majette relates to the noise contours presented in the June 28, 2018 acoustical analysis report prepared for this project. According to Mr. Majette, these noise contours are not representative of a typical restaurant environment. This concern, as mentioned in Mr. Majette's letter, is due to the following:

- Inappropriate choice of source sound power levels as related to this specific project.
- No mention is made of kitchen noise or background music being played in the café.
- Assumptions of the expected noise impacts of the proposed project based on measurements taken in a similarly sized restaurant.

Eilar Associates has reviewed the most recent acoustical report (dated June 28, 2018) for the project known as 1920 Fort Stockton Commercial Building (B80509N2), to determine whether Mr. Majette's comments require revisions to the analysis. Upon review of Mr. Majette's comments and the noise report in question, Eilar Associates has determined that a small discrepancy in the modeling of the topography at the cafe and multi-use space resulted in improper interior noise contour lines at the interior of the space only. This resulted in noise contours being shown at ground height underneath the building, instead of at the floor level inside the building, and therefore, the interior noise exposure as indicated by the contours appears to be less than what would actually be experienced at floor level. The model was revised to address this issue, and the topography in the noise model now includes the floor height inside the cafe and multi-use space, resulting in noise contours that are representative of the noise level on the interior of a typical cafe space. All other aspects of the chosen methodology and noise model are deemed appropriate, based on descriptions of the project use from the owner, and have not been changed. Additionally, it is the understanding of Eilar Associates that the seating chart (provided by the proponent of the project) used for noise modeling includes all proposed seating areas and potential noise source locations of both patrons and staff of the Cafe and multi-use space. For this reason, it was determined that both the number and locations of noise sources (persons) modeled were appropriate.

With these changes implemented into the model, noise level contours showing anticipated noise levels at the interior of the cafe and multi-use space are shown to be more consistent with the interior noise environment of a restaurant, as noted by Mr. Majette to be at least 65 dBA, with the projected contours showing a noise level of at least 70-75 dBA in most areas of the cafe and multi-use space. In addition to this change in predicted interior noise level, the resulting exterior noise at all adjacent property line receivers has been recalculated with the new ground conditions. This shows that no significant change in noise level can be expected due to the revised topography incorporated into the noise model, and all receiver locations at adjacent properties are anticipated to remain in compliance as proposed. For this reason, it is the opinion of the undersigned that the findings in the report (dated June 28, 2018) remain valid. For additional information, please refer to Figures 1 and 2, showing revised daytime and nighttime noise contours.

It is the opinion of Eilar Associates that the methodology, referring to the use of "loud" and "raised" voice levels both inside the cafe and multi-use spaces, as well as outside on the cafe patio is appropriate for this particular project, and is in line with several previous studies of similar commercial project types with large public gathering areas. Please contact Eilar Associates for examples of similar projects. It is standard practice for acoustical sound sources to be measured in an anechoic chamber in order to better standardize the sound power levels for use in a wide variety of environmental conditions. The appropriateness of the source sound power levels, as chosen by Eilar Associates, is validated by the updated noise contours generated inside the cafe and multi-use spaces, mentioned previously.

Furthermore, based on conversations with the owner pertaining to the intended ambience and use of the cafe, any further addition of noise sources relating to kitchen operation (other than kitchen staff voices) and music from loudspeaker operation is expected to be minimal compared to the noise generated by patron use, staff use, and operation of rooftop mechanical equipment.

Finally, according to the owners of Wolf in the Woods, this project is expected to have a noticeably different ambience as compared to Hash House A Go Go, which caters more towards a college crowd in a downtown setting and is not expected to have the same clientele or level of foot traffic. In general, similarity in restaurant size does not necessary imply similar menu, clientele, or noise production, and this should not be used as a generalization to make assumptions of anticipated noise levels of the project in question.

Therefore, considering the above points, with the minor revisions to the topography input into the noise model, noise level contours showing anticipated noise levels at the interior of the cafe and multi-use space are shown to be more consistent with the interior noise environment of a typical restaurant. As explained above, as the minor revisions to the noise model did not result in significant changes in anticipated noise impacts at off-site receivers, it is the opinion of the undersigned that findings in the report (dated June 28, 2018) are accurate and representative of the noise impacts that can reasonably be expected from the proposed operation of the Wolf in the Woods Cafe, located at 1920 Fort Stockton Avenue. For additional information, please refer to Figures 1 and 2, showing revised daytime/evening and nighttime noise contours.

Please call if you have any questions or require additional information.

Sincerely,

#### EILAR ASSOCIATES, INC.

Daniel Gershun, Acoustical Consultant II

#### FIGURES

- 1. Satellite Aerial Photograph Showing Anticipated Daytime and Evening Noise Contours and Receiver Locations
- 2. Satellite Aerial Photograph Showing Anticipated Nighttime Noise Contours and Receiver Locations

FIGURES







Front of subject commercial building at 1920 Fort Stockton Drive



Commercial building to the left, onsite single-family residence to the right



Looking southeast down Fort Stockton Drive, project site on the left



Looking northwest down Fort Stockton Drive, project site on the right, adjacent to Allen Road



Looking northwest down Fort Stockton Drive, project site on the right



Looking southwest down Fort Stockton Drive, project site on the left

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Looking north up Allen Road, project site on the left



Decks at rear of property



Canyon area behind commercial structure



# Canyon area behind commercial structure