



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 10, 2018 REPORT NO. HO-18-088

HEARING DATE: October 17, 2018

SUBJECT: COSOY TM - Process Three Decision

PROJECT NUMBER: [529221](#)

OWNER/APPLICANT: Konstantin Dubinin

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map for the subdivision of a 0.63-acre site into three parcels, a site currently developed with two existing single-family residences and garages?

Staff Recommendation:

1. Approve Tentative Map No. 1867767.

Community Planning Group Recommendation: On February 6, 2018, the Uptown Planners voted 13-0-1 to recommend approval of the proposed project with one recommendation:

The preservation of the existing cobble stone gutter at the Cosoy Way project site.

Environmental Review: Addendum to Program Environmental Impact Report (PEIR) No. 380611, SCH No. 2016061023 has been prepared for the project in accordance with the California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented for this project. The Addendum determined that there are no new significant environmental impacts not considered in the Uptown PEIR; no substantial changes have occurred with respect to the circumstances under which the project was undertaken; and there is no new information of substantial importance for the project.

BACKGROUND

The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the Uptown Community Plan and is consistent with that land use.

The property is not an individually historical designated resource and is not located within a designated historical district. However, San Diego Municipal Code Section [143.0212](#) requires City staff to review all projects impacting a parcel that contains a structure 45 years old or older to determine whether a potentially significant historical resource exists on site prior to issuance of a permit. Staff reviewed the project site and determined the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria. Therefore, no historical research report was required. In addition, the project complies with all required State Map Act Requirements and all San Diego Municipal Code regulations.

DISCUSSION

The applicant is requesting the approval of a Tentative Map, per San Diego Municipal Code (SDMC) Section [125.0410](#) to allow for the subdivision of two lots into three lots. The project requires a Process Three, Hearing Officer decision.

The site is currently developed with two single dwelling units and garages. No additional development is proposed with this action. In the future, if a new single-family dwelling unit were to be proposed, any applicant would be required to comply with Land Development Code Regulations and Building Permit requirements. The project is surrounded by single-family residential developments and the project site has a community plan designation of single-family residential development. The site is neither within nor adjacent to Multi-Habitat Planning Area (MHPA) lands and does not contain any other type of Environmentally Sensitive Lands (ESL) as defined in the SDMC section [113.0103](#).

The neighborhood has already had the overhead utility lines undergrounded, with exception of the high voltage power lines. San Diego Municipal Code (SDMC) Section [144.0240](#) allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested waiver of the requirements to underground privately owned utility systems and services facilities qualifies under the guidelines of SDMC Section [144.0242\(c\)](#) (1) (B) as follows: The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. Notwithstanding the requested waiver, the project is required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 9 of the Tentative Map Waiver. The City's Undergrounding Master Plan shows that the undergrounding for this area has been completed.

Community Planning Group Recommendation: On February 6, 2018, the Uptown Planners voted 13-0-1 to recommend approval of the proposed project with one recommendation: **The preservation of the existing cobble stone gutter at the Cosoy Way project site.**

Staff agrees and the existing cobble stone gutter along the frontage of Cosoy Way will remain.

Conclusion

Staff has determined that the project complies with applicable sections of the San Diego Municipal Code, including the RS-1-7 Zone development regulations and all State subdivision requirements, and that the required findings can be made. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 1867767, with modifications.
2. Deny Tentative Map No. 1867767, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

D.J.

Derrick Johnson (D.J.) Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Addendum to EIR
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Map Exhibit – Tentative Map



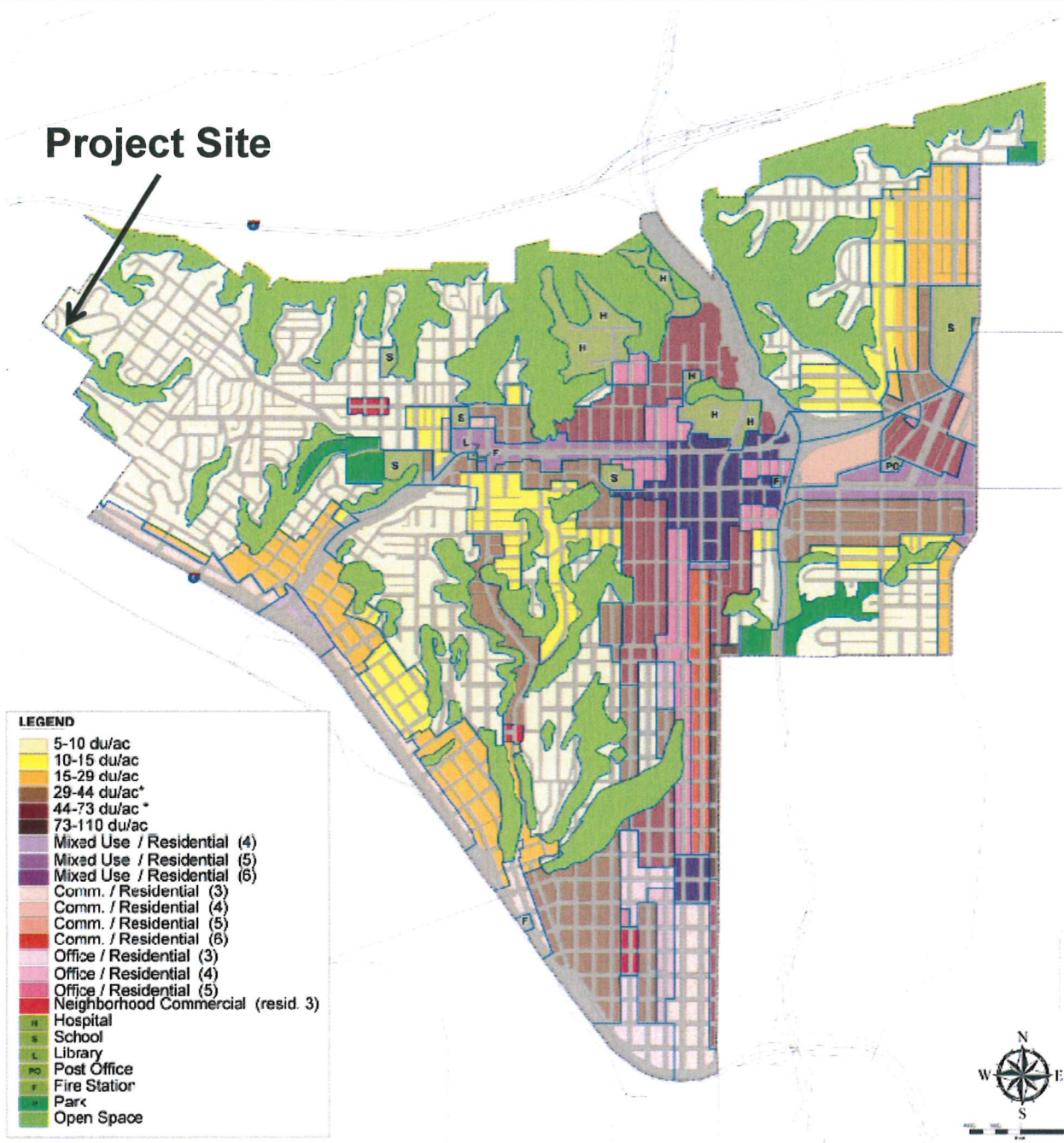
Project Location Map

Cosoy - TM/2521 Presidio Drive and 4211 Cosoy Way
PROJECT NO. 529221



City of San Diego Planning Department
Uptown Community Plan Land Use

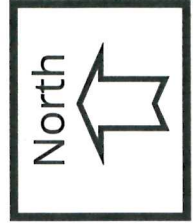
Project Site



Land Use Map

Cosoy - TM/2521 Presidio Drive and 4211 Cosoy Way
PROJECT NO. 529221





Aerial Photo
Cosoy - TM/2521 Presidio Drive and 4211 Cosoy Way
PROJECT NO. 529221



ATTACHMENT 4

PROJECT DATA SHEET		
PROJECT NAME:	Cosoy Way TM	
PROJECT DESCRIPTION:	Tentative Map for the subdivision of one lot into two lots, the 0.63-acre site is located at 4211 Cosoy Way in RS-1-7 Zone.	
COMMUNITY PLAN AREA:	Uptown	
DISCRETIONARY ACTIONS:	Tentative Map – Process 3	
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential.	
<u>ZONING INFORMATION:</u>		
<p align="center">ZONE: RS-1-7: (Single-Family)</p> <p align="center">HEIGHT LIMIT: 30-Foot maximum height limit</p> <p align="center">LOT SIZE: 5,000 square-foot minimum lot size</p> <p align="center">FLOOR AREA RATIO: 0.49 maximum</p> <p align="center">FRONT SETBACK: 15 feet</p> <p align="center">SIDE SETBACK: 5 ft minimum</p> <p align="center">STREETSIDE SETBACK: N/A</p> <p align="center">REAR SETBACK: 13 feet</p> <p align="center">PARKING: 2 spaces required</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single-Family Residential; RS-1-7	Single-Family Residential
SOUTH:	Single-Family Residential; RS-1-7	Single -Family Residential
EAST:	Single-Family Residential; RS-1-7	Single -Family Residential
WEST:	Single-Family Residential; RS-1-7	Single -Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	<p>On February 6, 2018 the Uptown Planners voted 13-0-1 to recommend approval of the proposed project with one recommendation:</p> <p>The preservation of the existing cobble stone gutter at the Cosoy Way project site</p>	

RESOLUTION NUMBER

HEARING OFFICER
RESOLUTION NO.
TENTATIVE MAP NO. 1867767
COSOY WAY TM - PROJECT NO. 529221

WHEREAS, Konstantin Dubinin, Subdivider, and Landmark Consulting, Land Surveyors, submitted an application to the City of San Diego for a Tentative Map No.1867767 for the subdivision of a 0.63-acre site into three lots, Cosoy Way Tentative Map, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The property is legally described as Parcel 2 of parcel Map No 6108, County of San Diego, recorded on June 29, 1997, and a portion of Lots 3 and 4 in Block 465 and the NW half of Harney street, as vacated and closed in Old San Diego, Map No 40, County of San Diego; and

WHEREAS, the Map proposes the Subdivision of a 0.63-acre-site into three lots; and

WHEREAS, on June 29, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is within the scope of Addendum to Program Environmental Impact Report No. 380611, SCH No. 2016061023, and that the Program Environmental Impact Report adequately describes the activity for the purposes of CEQA; and

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

WHEREAS, the request to waive the underground of existing overhead utilities has been determined to be appropriate pursuant to the San Diego Municipal Code Section 144.0242(c)(1)(B)

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based on a short span of overhead facility (less than a full block in length), and that the span does not represent a logical extension to an underground facility and;

WHEREAS, on October 17, 2018, the Hearing Officer of the City of San Diego considered Tentative Map No. 1867767, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section 125.0440, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 1867767:

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivision of two lots into three lots. The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The proposed project is in an area identified as low density (5-10 Dwelling Units per acre) residential in the Uptown Community Plan and is consistent with that land use. The project is surrounded by single-family residential development and the project site has a community plan designation for single-family residential development.

The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing single family residential housing within a low -density range within an urbanized core of the City. As proposed, the subdivision would be consistent with the Uptown Community Plan and overall policies for development related to the Land Use and Urban Design, and Density elements contained in the General Plan.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivision of two lots into three lots. The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The project was reviewed by staff and determined to be in

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conformance with the RS 1-7 Zone development regulations. The site is consistent with the required minimum lots size of 5,000-square-feet. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking and public improvements.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to underground the existing overhead utilities facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242(1)(b). Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The project has been conditioned to underground any new service run to any new or proposed structures within the subdivision. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code and the State Map Act.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivision of two lots into three lots. The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the College Community Plan and is consistent with that land use. The project is surrounded by single-family residential developments and the project site has a community plan designation for single-family residential development. The project has been conditioned to construct public improvements, as shown on Exhibit A, including installation of a new non-standard driveway, adjacent to Parcel 3, on Cosoy Way. Therefore, the site is physically suitable for the type and density of development.

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

The developed project site is located in an urban infill area and does not contain nor is it adjacent to any sensitive resources, Multi Habitat Planning Area lands, Environmentally Sensitive Lands or existing fish or wildlife habitats.

Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of two lots into three lots. The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The subdivision conforms to the development regulations of Municipal Code and Subdivision Map Act.

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All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and other regulations governing construction, continued operation and health/life/safety requirements apply to this project. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. An addendum to Program Environmental Impact Report (PEIR) No. 380611, SCH No. 2016061023 has been prepared for the project in accordance with the California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented for this project. The Addendum determined that there are no new significant environmental impacts not considered in the Uptown PEIR; no substantial changes have occurred with respect to the circumstances under which the project was undertaken; and there is no new information of substantial importance for the project. The Subdivider shall construct the required Public Improvements including new curbs, gutters, sidewalks and a driveway. As such, the design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

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

There are no existing easements acquired by the public at large for access through or use of property located within the project boundaries, as shown on Tentative Map No.1867767. As such, no conflict would occur with the recording of the subdivision, and there would be no conflicts with any easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of two lots into three lots. The 0.63-acre site is located at 4211 Cosoy Way in the RS-1-7 Zone, within the Uptown Community Plan Area. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Any future units can be designed to be exposed on two sides (north and south) to ensure passive cooling through cross-ventilation of the interior spaces. With the independent design of the proposed subdivision each unit will have the opportunity through building material, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible or future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

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The project site is surrounded by existing development, consisting primarily of single-family residences. The Uptown Community Plan encourages a wide variety of housing types for all age, income and social groups.

The project would provide an additional lot for future development. All applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, will be paid at construction permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, including, water, sewer, electrical and gas lines.

The decision maker has reviewed the administrative record including the project plans, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and the subdivision is consistent with the housing needs anticipated for the Uptown Area Community Plan area.

The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map No. 1867767, including the waiver of the requirement to underground existing offsite overhead utilities, is hereby granted to Konstantin Dubinin, Subdivider, subject to the attached conditions which are made a part of this resolution by this reference.

By  _____
Derrick Johnson (D.J.)
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007138

HEARING OFFICER
TENTATIVE MAP NO. 1867767
COSOY WAY TENTATIVE MAP - PROJECT NO. 529221
ADOPTED BY RESOLUTION NUMBER ___ ON October 17, 2018

GENERAL

1. This Tentative Map will expire November 1, 2021.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the expiration of the Tentative Map, a Parcel Map to subdivide lots shall be recorded in the office of the County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

7. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install a new street light adjacent to the site on Cosoy Way.
8. The Subdivider shall install a new non-standard driveway, adjacent to Parcel 2, on Cosoy Way, Maximum Driveway width shall be 25-feet, satisfactory to the City Engineer.

9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the 25-foot non-standard driveway, adjacent to Parcel 2, in the Cosoy Way Right-of-Way.
11. The Subdivider shall install a new non-standard driveway, adjacent to Parcel 3, on Cosoy Way, Driveway width shall be 12 feet, satisfactory to the City Engineer.
12. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the non-standard 12-foot driveway in the Cosoy Way Right-of-Way and pavement, adjacent to Parcel 3, in the Sunset Street Way Right-of-Way.
13. The Subdivider shall dedicate an additional 4.5 feet on Presidio Drive adjacent to Parcel 1, to provide a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
14. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Applicant must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
15. The Subdivider shall reconstruct the existing driveway to current City Standards adjacent to Parcel 1 on Presidio Drive. Driveway width shall be 20-feet. satisfactory to the City Engineer.
16. The Subdivider shall install a new sidewalk, per current City Standards, adjacent to site on Presidio Drive, satisfactory to the City Engineer.
17. The Subdivider shall reconstruct the existing curb and gutter, per current City Standards, adjacent to site on Presidio Drive, satisfactory to the City Engineer.
18. The Subdivider shall grant to the City of San Diego a 15-foot-wide Storm Drain Easement on Parcel 3 per the approved 'Exhibit A', satisfactory to the City Engineer.
19. The Subdivider shall remove all private improvements encroaching in the Sunset Street Right-of-Way, per the approved 'Exhibit A', to the satisfaction of the Engineer.
20. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the encroaching private pipe and the private connection to the public Storm Drain inlet, adjacent to Parcel 3, in the Cosoy Way Right-of-Way.
21. The project proposes to export 1,076 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

22. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
23. The drainage system proposed for this development, is private and subject to approval by the City Engineer.
24. The Subdivider 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.
25. The Subdivider shall ensure that all proposed onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
26. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

27. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
28. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
29. The Tentative Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

PUD WATER & SEWER

30. Prior to issuance of any construction permits, the Subdivider shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, medians, landscaping, enriched paving, curb, gutter and sidewalk, and electrical conduits to be installed within the public right-of-way.
31. Prior to issuance of any construction permits, the Subdivider shall obtain Encroachment Maintenance and Removal Agreement (EMRA) for the existing private sewer lateral located in the proposed driveway.
32. Prior to the issuance of any construction permits, the Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

33. Prior to the issuance of any construction permits, the Subdivider shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

INFORMATION:

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

with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

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

Internal Order No. 24007138



THE CITY OF SAN DIEGO

ADDENDUM TO A ENVIRONMENTAL IMPACT REPORT

Project No. 529221
Addendum to EIR No. 380611
SCH No. 2016061023

SUBJECT: COSOY TENTATIVE MAP: A TENTATIVE MAP (TM) to subdivide two existing parcels and create three parcels for the future development of a two-story, 3,086 square-foot single-family residence consisting of two floors with a two-car garage below grade, a new water meter, gas meter, electrical meter, and three retaining walls. The existing residences on Parcel 1 and Parcel 3 would remain. The 0.635-acre project site is located at 4211 Cosoy Way and 2521 Presidio Drive. The project site is designated low density residential, (5-9 DU/AC) per the Uptown Community Plan and zoned RS-1-7 (Residential Single-Unit). Additionally, the project site is within the Very High Fire Hazard Severity Zone, the Airport Approach Overlay Zone, the Airport Influence Area (Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Notification area. (LEGAL DESCRIPTION: Parcel 2 of parcel Map No. 6108, in the City of San Diego, County of San Diego, State of California, According to Map Thereof filed in the Office of County Recorder of San Diego, June 29, 1977. Being a Division of a Portion of Lots 3 and 4 in Block 465 and the northwesterly half of Harney Street, as vacated and closed in Old San Diego, according to Map No. 40, filed in the Office of the County Recorder of Said County, Portion to APN 442-663-09-00 and 442-663-05-00) APPLICANT: Konstantin Dubinin

I. SUMMARY OF PROPOSED PROJECT

A TENTATIVE MAP (TM) to subdivide two parcels and create three parcels for the future development of a new single-family residence on Parcel 2 consisting of two floors with a two-car garage below grade, a new water meter, gas meter, electrical meter, and three retaining walls. The proposed residence would be located on Parcel 2. The existing residences on Parcel 1 and Parcel 3 would remain.

The main floor level of the new single-family residence would be 1,274 square-feet, and the upper floor level would be 1,812 square-feet for a total Gross Floor Area of 3,086 square-feet. One deck would be located on the upper floor of the westside of the residence, while another deck would be located on the south side. The highest point of the residence would be 24 feet. The residence would consist of wood frame and stucco finish. The roof would consist of ceramic tile cladding, fiber cement siding, glass guardrail, and asphalt roof shingles.

Project implementation would require grading of approximately 5,363 square-feet, that would include 1,131 cubic yards of cut at a maximum depth of cut of 21.4 feet, and 55 cubic yards of fill at a maximum depth of cut of 5.2 feet. The existing three-foot high concrete masonry unit (CMU) retaining wall located along the eastern property line would remain. A six-foot high CMU wall would be located along the southern property line, and a six-foot high retaining wall would also be located on the northern side of the property line and adjacent to the proposed garage. A three-foot high CMU wall would be located along the southwest corner of the property.

II. ENVIRONMENTAL SETTING

The 0.635-acre site is located at 4211 Cosoy Way and 2521 Presidio Drive within the RS-1-7 (Residential Single-Unit) zone. The project site is designated low density residential, 5-9 DU/AC, per the Uptown Community Plan and residential per the General Plan. The project site is a quadrangular-shaped property of 5,667-square-feet, situated on the east side of Cosoy Way. The site is bounded by 2521 Presidio Drive to the north, and 4211 Cosoy Way to the south. The general topography of the site is relatively level, with surface in in a general westerly direction towards Cosoy Way.

The immediate surrounding land uses consist of residential to the north, east and west, and Heritage Park Row Parking and Heritage County Park to the south. The project site is also located within the Very High Fire Hazard Severity Zone, the Airport Approach Overlay Zone, the Airport Influence Area (Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Notification area. The project site is located in a residential neighborhood setting of similar uses, and is currently served by existing public services and utilities.

III. SUMMARY OF ORIGINAL PROJECT

The Uptown Community Plan Update (CPU) area consists of approximately 2,700 acres (approximately 4.2 square miles) and lies just north of downtown San Diego. The project lies within the boundaries of the CPU and it is bounded on the north by Mission Valley, on the east by Park Boulevard, and on the west and south by Old Town San Diego and Interstate 5. The Uptown CPU includes the neighborhoods of Mission Hills, Middletown, Hillcrest, the Medical Complex, University Heights and Bankers Hill/Park West.

The Uptown CPU would be consistent with and incorporate relevant policies from the 2008 City of San Diego General Plan, as well as provide a long-range, comprehensive policy framework for growth and development in the Uptown community. The proposed CPU provides detailed policy direction to implement the General Plan with respect to distribution and arrangement of land uses (public and private), the local street and transit network, the prioritization and provision of public facilities, community site specific urban design guidelines, and recommendations to preserve and enhance natural open space, historic and cultural resources within the Uptown community.

The Final Program Environmental Impact Report (PEIR) for the Uptown Community Plan Update was certified by the City on September 15, 2016 (EIR No. 380611/SCH No. 2016061023). The CPU implementation required adoption of the Uptown Community Plan, amendments to the General

Plan to incorporate the CPU as a component of the General Plan Land Use Element, adoption of the Land Development Code (LDC) ordinance that would rezone the Planned District Ordinance (PDO) areas with Citywide zones. The CPU implementation also included the repeal of the existing Mid-City Communities PDO, repeal of the West Lewis Street PDO, and rescinded the Interim Height Ordinance. The project also amended the mapped boundaries of the Uptown Community Plan. The CPU also implemented Community Plan Implementation Overlay Zone (CPIOZ) to include CPIOZ-Type A and CPIOZ B areas that would limit building heights. A comprehensive update to the existing Impact Fee Study (formerly known as the Public Facilities Financing Plan) was also proposed for adoption for the Uptown Community.

The comprehensive update to the Uptown Community Plan, is intended to guide development through 2035 build-out of the community plan, including future infill development that is transit supportive per the General Plan and is also protective of desired community character and resources. The land use plan locates the high intensity land uses within the community along transit corridors where existing and future commercial, residential and mixed-use development can support existing and planned transit investments. The land use element defines Village Districts and key corridors where future growth is targeted within the community in order to fulfill the General Plan's City of Village Strategies.

Based on the analysis conducted for the CPU, the project identified significant environmental effects on the following areas; Transportation and Circulation, Noise (Ambient and Construction), Historical Resources (Built Environment) and Historic Districts), and Paleontological Resources (Ministerial Projects).

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified the Uptown Community Plan Environmental Impact Report (EIR) No. 380611/SCH No. 2016061023. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous environmental document;
- b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the EIR relative to the project.

Impact Analysis Summary

The Uptown CPU Project Program EIR identified significant and unmitigable impacts relative to Transportation/Circulation, Historical, Noise, and Paleontological Resources.

The Uptown CPU Project Program EIR identified significant but mitigated impacts to Historical Resources, Noise and Paleontological Resources. The current project would subdivide two existing parcels and create three parcels for the future development of a two-story single-family residence in the Uptown Community Plan area. The analysis provided below indicates that there would be no new significant impacts, nor would there be an increase in the severity of impacts resulting from the project. Further, there is no information in the record or otherwise available indicating that there are substantial changes in circumstances that would require major changes to the Program EIR. A summary of project impacts in relation to the Uptown CPU Program EIR is provided in the following table:

Environmental Issues	Program EIR Finding	Project	New Mitigation?	Project Resultant Impact
Land Use	Less than significant	No new impacts	No	Less than significant
Transportation	Significant, unavoidable	No new impacts	No	Less than significant
Air Quality	Less than significant	No new impacts	No	Less than significant
Noise	Significant, unavoidable	No new impacts	No	Significant, but mitigated
Biological Resources	Less than significant	No new impacts	No	No impact
Hydrology and Water Quality	Less than significant	No new impacts	No	Less than significant
Historical Resources	Significant, unavoidable	No new impacts	No	Significant, but mitigated
Paleontological Resources	Significant, unavoidable	No new impacts	No	Significant, but mitigated
Geologic Conditions	Less than significant	No new impacts	No	Less than significant
Health and Safety	Less than significant	No new impacts	No	Less than significant
Greenhouse Gas Emissions	Less than significant	No new impacts	No	Less than significant
Public Services and Facilities	Less than significant	No new impacts	No	Less than significant
Public Utilities	Less than significant	No new impacts	No	Less than significant
Visual Effects and Neighborhood Character	Less than significant	No new impacts	No	Less than significant

LAND USE

FINAL PEIR

Potential impacts to land use were analyzed in Section 6.1 of the Uptown CPU Final PEIR.

Land Use Plan Conflicts and Land Use Compatibility

The Uptown CPU Final PEIR finds that impacts related to build out of the proposed Uptown CPU and associated discretionary actions would be less than significant. Thus, no mitigation is required.

Regulation Consistency***Land Use Consistency******General Plan/Community Plan***

The Uptown PEIR identifies less than significant impacts for Uptown CPU's consistency with local plans, regional land use plans, polices and regulations. The Uptown CPU contains nine elements, each providing community-specific goals and recommendations, along with an implementation element. The proposed Uptown CPU incorporates Citywide policies and programs developed in the City of San Diego General Plan of 2008. Overall, the Uptown CPU goals and policies are intended to support the General Plan policies.

The Uptown CPU PEIR discusses impacts associated with regulation consistency, including the Conservation Element, Noise, Environmentally Sensitive Lands (ESL), and Historical Resources. The Uptown CPU occur into ESL areas. The Uptown PEIR identifies that any future development proposed on ESL would be subject to the City's ESL regulations (Chapter 14, Article 3, Division 1), which require that future projects demonstrate that the proposed development site is physically suitable for the proposed use and that it would minimize disturbance to natural landforms, and not increase flood hazards. Adherence to these regulations would avoid significant impacts to ESL within the Uptown CPU. In addition, the Uptown CPU PEIR also includes an analysis regarding consistency with the City's Multiple Species Conservation Plan (MSCP) Subarea Plan and the Multi-Habitat Planning Area (MHPA), and includes MHPA Land Use Adjacency Guidelines that are to be evaluated and implemented at the project level. The Historic Preservation Element of the Uptown CPU provides general policies to preserve significant historical resources. This element calls for the identification and preservation of significant historical resources, as well as education opportunities and incentives relative to historical resources in Uptown. Impacts to historical resources are discussed in Section 6.7, Historical Resources. The Uptown PEIR also provides potential conflicts with adopted Airport Land Use Compatibility Plan (ALUCP), and land use impacts associated with the San Diego International Airport's, Airport Influence Area. The City's General Plan and the Land Development Code contain regulations to ensure that new development proposals are consistent with ALUCP policies. Compliance with these regulations would ensure that future development would be compatible with airport operations.

PROJECT

The project would subdivide two existing parcels and create three parcels for the future development of a single-family residence consisting of two floors with a two-car garage below grade, on Parcel 2. The land use designation is low density residential land use (5-9 DU/AC) per the Uptown community plan. The proposed development is 8 du/ac, by the creation of third lot, the development intensity is changing, but would be within the allowable density outlined in the community plan. The site is designated residential per the General Plan. The project would also comply with the development regulations of the Land Development Code in the RS-1-7 zone, building heights, setbacks, and Floor Area Ratio. The project would be consistent with the General Plan and the land use designation of the community plan, as well as with the underlying zone.

Environmental Sensitive Lands (ESL):

The project site does not contain Environmentally Sensitive Lands (ESL) areas, nor is it located within or adjacent to the Multi-Habitat Planning Area (MHPA). The site is already developed with two existing single-family residences and non-native vegetation. The site does not contain sensitive habitat nor does it support sensitive plant or wildlife species. Therefore, the project would not result in significant impacts to biological resources.

Airport:

The project is located in the Airport Influence Area (AIA) Review Area 2 for the San Diego International Airport (SDIA) as depicted in the adopted 2014 Airport Land Use Compatibility Plan (ALUCP). Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1. Only airspace protection and overflight policies and standards apply within Review Area 1, the project site is located in Review Area 2. The applicant submitted a letter by the FAA, dated January 30, 2018 stating that the project is not a hazard to air navigation. Due to the project's location, future development on site would need to comply with FAA height notification requirements. However, the project did not require a consistency determination by the San Diego County Regional Airport Authority, serving as the Airport Land Use Commission. The project would not result in incompatible lands uses and would be compatible with the adopted ALUCP.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER*FINAL PEIR*

Potential impacts to visual effects and neighborhood character were analyzed in Section 6.2 of the Uptown CPU Final PEIR. The Uptown CPU Final PEIR finds that implementation of the proposed CPU and associated discretionary actions would not result in substantial alteration or blockage of public views from view corridors, designated open space areas, public roads or public parks. Projects in the Uptown CPU consistent with the Uptown Community Plan elements, and relevant design regulations, adopted General Plan, and the Land Development Code would result in less than significant impact. Further, the Uptown CPU have policies that encourage residential and mixed-use development that would be consistent with neighborhood character, and impacts would be less than significant. Scenic vistas or views, landform alteration, and impacts relative to light and glare would also be less than significant impact. No impact would result from the loss of any distinctive or landmark trees or any stand of mature trees, therefore no impacts would result. Overall, mitigation is not required.

PROJECT

The site is located in a developed residential area mostly surrounded by existing residential development. The subdivision of the parcel is not identified within a scenic vista or public view corridors per the Uptown Community Plan, therefore the project would not affect or impact any public views or corridors. The project would subdivide the property and construct a future single family residential development, with a new water meter, gas meter, electrical meter, and several retaining walls. The future residential development would be similar in form to the existing residential development in the area. The structure would be designed in compliance with applicable development regulations of the RS-1-7 zone classification and design guidelines/policies contained in the Uptown CPU that govern the site and the surrounding area. Therefore, the proposed project would be compatible with the existing visual character and quality of the area, and the project would not substantially degrade the existing visual character or quality of the site and the surrounding land uses. The project would be consistent with the community plan, General Plan and the Land Development Code. The site is relatively flat and would not significantly change a landform. Therefore, no impacts from landform alteration and to unique physical features would occur. Similar to the Final PEIR, no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

TRANSPORTATION AND CIRCULATION*FINAL PEIR*

Transportation is discussed in Section 6.3 of the Uptown Program EIR. Cumulative Impacts to 6 intersections, 34 roadway segments, 6 freeway segments and 3 ramp meters were determined to be significant. While implementation of the mitigation measures identified in the Uptown CPU would reduce impacts to less than significant at many of the intersections and roadway segments, only mitigation measures TRANS 6.3-7D, TRANS 6.3-24A, and TRANS 6.3-27 are included within the proposed Impact Fee Study (IFS). There is no mechanism for the remaining measures not included in the IFS. The Uptown CPU further states implementation of the roadway segment and intersection measures not included within the IFS would be inconsistent with the mobility goals of the Uptown CPU. Impacts to intersections and roadway segments would remain significant and unavoidable.

PROJECT

The project is located within an urbanized area with residential uses. The proposed subdivision from 2 to 3 parcels and the future development to construct a single family residential unit on parcel 2 is estimated to generate an additional 9 average weekday trips - ADT, with 1 AM peak hour trips and 1 PM peak hour trip. A transportation impact analysis was not required. Further, the project is consistent with the general plan and community plan land use and zoning designations. The project would not change existing circulation patterns on area roadways. The project would not affect emergency access to the project site or adjacent properties. Access would be provided to the

project site via Cosoy Way. Thus, impacts are considered less than significant, and mitigation measures are not required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

AIR QUALITY

FINAL PEIR

Impacts to air quality were analyzed in Section 6.4 of the Uptown PEIR. The Uptown PEIR found that future operational emissions would be less than significant. Further, emissions associated with the Uptown CPU and associated discretionary actions have already been accounted for in the Regional Air Quality Strategy (RAQS), and would not conflict with the RAQS. Regarding construction emissions, a hypothetical worst-case construction emissions analysis was discussed, and construction emissions for the build-out of individual projects under the Uptown CPU and associated discretionary actions would be less than significant. Regarding impacts to sensitive receptors, implementation of projects would not result in any CO hotspots. Further, there would not be any carcinogenic risks associated with diesel-fueled vehicles operating on local freeways, nor non-carcinogenic risks from diesel particulate matter in the CPU area. In the Uptown area there would not be any proposed land uses that would be associated with the generation of adverse odors. Therefore, air quality impacts to sensitive receptors would be less than significant, and mitigation would not be required.

PROJECT

The project did not meet the City' CEQA Significance Determination for air quality impacts; therefore, an air quality analysis was not prepared for this project. The project is located within the San Diego Air Basin, which is currently classified as a non-attainment area under the California Ambient Air Quality Standards (CAAQS) for particulate matter (PM₁₀ and PM_{2.5}) and ozone (O₃), as identified in the California State Implementation Plan (SIP). The proposed project is consistent with the Uptown CPU and would not conflict with the goals of the RAQS. Project construction activities would generate exhaust emissions from construction vehicles and equipment, as well as materials deliveries, however these impacts would be less than significant. The project also would result in temporary dust generation due to excavation and backfill activities and movement of vehicles and equipment. The project would incorporate standard dust-control Best Management Practices (BMPs). Project operation would potentially include residential uses similar to surrounding land uses and would not be expected to create objectionable odors that would affect a substantial number of people, and cumulative odor impacts would be less than significant. As such, the project would not conflict with an applicable air quality or obstruct their implementation, and cumulative odor impacts would be less than significant. Mitigation would not be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

GREENHOUSE GAS EMISSIONS*FINAL PEIR*

Greenhouse Gas Emissions are discussed in Section 6.5 of the Uptown PEIR. A Greenhouse Gas Analysis was prepared for the Uptown, North Park and Golden Hill Community Plan Updates by Recon, September 18, 2015, and a supplemental analysis, dated May 16, 2016. The CPU would be consistent with the Climate Action Plan (CAP) and General Plan's City of Villages Strategy, including policies for the promotion of walkability and bicycle use, and policies regarding transit-supportive development. The Uptown CPU and associated discretionary actions to the existing cumulative impact would be less than cumulatively considerable. Specific mitigation framework measures were not identified. Overall, all impacts related to greenhouse gas emissions would be less than significant, and mitigation will not be required.

PROJECT

CAP Consistency Checklist:

A City of San Diego CAP Consistency Checklist was completed for the proposed project. The CAP Consistency Checklist is the City's significance threshold utilized to ensure project-by-project consistency with the underlying assumptions in the CAP and to ensure that the City would achieve its emission reduction targets identified in the CAP. The CAP Consistency Checklist includes a three-step process to determine if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

Under Step 1 of the CAP Checklist, the project is consistent with the existing General Plan, Community Plan designations as well as zoning for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions. This includes project features consistent with the energy and water efficient buildings, and plumbing fixtures or fittings will be consistent with these strategies. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone.

Based on the project's consistency with the adopted CAP Checklist, the project would not conflict with an applicable plan, policy or regulation adopted for reducing the emissions for greenhouse gas. Further, based on the project's consistency with the City's CAP Checklist, the project's contribution of GHG emissions to cumulative statewide emissions would be less than cumulatively considerable, impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

NOISE

FINAL PEIR

Potential impacts from noise are analyzed in Section 6.6 of the Uptown CPU PEIR. Noise impacts were analyzed for traffic, railway, aircraft noise, construction, stationary noise, exterior, and interior noise.

The General Plan Noise Element has a compatibility level of 60 dB(A) CNEL or less for residential uses, noise levels up to 65 d(B)A CNEL for single-family residential and up to 70 dBA CNEL for multi-family residential are considered conditionally compatible, since interior noise can be reduced to 45d(B)A per implementation of noise attenuation measures.

In the Uptown CPU area, noise levels for all land uses would be incompatible (greater than 75 dB(A) CNEL) closest to the freeways and specific segments of Sixth Avenue and Grape Street. These areas are currently developed and the proposed Uptown CPU and associated discretionary actions would not change the land use in these areas. While land uses in these areas would be exposed to significant noise levels that exceed the General Plan standards, this noise exposure would not be a significant noise impact resulting from implementation of the Uptown CPU and associated discretionary actions. No mitigation is required at the program-level.

The Uptown CPU provides existing vehicle traffic noise contours for the Uptown area. As shown in Figure 6.6-2, the existing noise levels in the community exceed 60 dB(A) community noise equivalent level (CNEL). The freeways are dominant noise sources affecting the Uptown CPU. Further, an existing regulatory framework and review process exist for new discretionary development in areas exposed to high levels of vehicle traffic noise.

Railway noise would result from trolley traffic, horns, emergency signaling devices, and stationary bells. The CPU PEIR states rail traffic noise is less than 60 dB CNEL and is less than significant. Mitigation is not required.

Stationary sources of noise with the Uptown CPU are due to normal activities associated with a given land use. For example, within residential areas noise sources include dogs, landscaping activities, and parties. Projects would be required to comply with the established Noise Abatement and Control Ordinance of the Municipal Code. With implementation of these policies and enforcement of the Noise Abatement and Control Ordinance of the Municipal Code, impacts would be less than significant and no mitigation would be required at the program level.

For construction noise, future development associated with implementing the Uptown CPU has the potential to exceed applicable construction thresholds. The Uptown CPU Final PEIR identifies mitigation framework 6.6-1 to reduce impacts from construction noise levels. The Uptown CPU Final PEIR identifies mitigation framework 6.6-2 to reduce impacts from vibration impacts (i.e. pile driving) from construction activities. This section of the Uptown CPU states even with implementation of this measure, vibration impacts would be significant and unavoidable at the program-level.

Based on the projected airport noise contours for the San Diego International Airport (SDIA), there are sensitive receptors in the Uptown CPU area that are located where noise levels due to aircraft operations exceed 60 dB(A) CNEL. At the project level, future development must include noise attenuation consistent with the Noise Element of the General Plan and the Airport Land Use Compatibility for the SDIA; therefore, impacts related to airport noise would be less than significant.

PROJECT

Land Use/Noise:

The project would comply with the land use compatibility standards listed in Table NE-3 (Land Use-Noise Compatibility Guidelines) of the General Plan for residential land uses. Single family residences are conditionally compatible to the 65 dBA Community Noise Equivalent Level (CNEL). The residence or building must attenuate exterior noise to the indoor noise level of 45 dBA. The project is consistent with the land use designation of the community plan and General Plan, and RS-7 zone.

ALUCP:

The project is located outside the Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) for the San Diego International Airport and the Naval Air Station North Island, therefore the project is not subject to ALUCP noise policies.

Temporary Construction Noise:

The project would be required to incorporate Mitigation Measure NOISE 6.6-1 to mitigate impacts related to construction noise. Construction activities would comply with the construction noise limits and hours established by the City Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. With implementation of these controls as outlined in the mitigation measure NOISE 6.6-1 and compliance with the City's Noise Ordinance, a substantial temporary construction noise levels would be less than significant.

Vibration-Generating Activities:

Mitigation measure NOISE 6.6-2 for discretionary projects concerns construction that would include vibration-generating activities. However, the project would not involve vibration-generating activities, such as pile driving, within 95 feet of existing structures, therefore this mitigation measure would not apply.

Transportation:

The project site is located in an existing residential neighborhood. The project is not located in close proximity to any freeways and specific segments of Sixth Avenue and Grape Street as identified in the Uptown CPU where incompatible noise levels for all land uses would occur. Thus, impacts from vehicular noise would not be significant.

Rail Noise:

The project site is located in an existing residential neighborhood. The project is not located in close proximity to rail noise, such as a trolley or train, including the operation of horns, emergency signaling devices, and stationary bells. Thus, impacts from rail traffic noise would be less than 60 dBA CNEL within the Uptown CPU area.

A Mitigation, Monitoring and Reporting Program (MMRP), as detailed within Section VI of the Addendum, would be implemented to reduce impacts related to noise to below a level of significance

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

HISTORICAL RESOURCES*FINAL PEIR*

Historical Resources were analyzed in the Uptown CPU Final PEIR in Section 6.7. Historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and registration programs such as the California Register of Historical Resources or the City Historical Resources Register. Historical resources include buildings, structures, objects, archaeological sites, districts, and landscapes possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used. Historical Resources also include traditional cultural properties.

The Uptown PEIR found there is a potential for impacts to prehistoric and historical resources in the Uptown CPU area. The loss of these resources would be considered a significant impact at the program level. The Uptown Final PEIR provides a regulatory framework for project-level historical resources evaluation/analysis criteria and, when applicable mitigation measure for future discretionary projects. If there are potential impacts to significant historical resources then implementation of mitigation framework HIST 6.7-1 and HIST 6.7-2 would be required. Mitigation framework HIST 6.7-1 requires the City to determine the historical significance of a building or structure older than 45 years old. Mitigation framework HIST 6.7-2 would, prior to issuance of any permit for future development, require a project to determine the presence of archaeological resources and Tribal Cultural Resources, and implement the appropriate mitigation for any significant resources which may be impacted by a development activity. The Uptown CPU PEIR identifies that implementation of mitigation framework HIST 6.7-2 would address minimizing impacts to archaeological resources and tribal cultural resources. In addition, this mitigation, combined with policies from the General Plan, the community plan, the City's Historical Resources Regulations (San Diego Municipal Code Section 143.0212), and compliance with CEQA and Public Resource Code Section 21080.3.1 would reduce the program level impacts related to prehistoric or historical archaeological resources and tribal cultural resources. The Uptown CPU concludes that even with the regulatory and mitigation framework, the feasibility and effectiveness of these

measures can be determined at the program level analysis. Therefore, impacts to prehistoric resources, sacred sites, and humans would be minimized but not to below a level of significance.

PROJECT

Archaeological Resources:

The project proposes ground disturbance and could result in potential impacts to archaeological and Tribal Cultural Resources. Therefore, the project was reviewed in accordance with the Mitigation Framework HIST 6.7-2. The project is located in a high sensitivity area for archaeological resources. It was determined a site-specific study was required for this project. An Archaeological Resources Report was prepared by HELIX Environmental Planning, Inc., dated January 2018 to analyze the project's potential impacts to historical and cultural resources. The Area of Potential Effect (APE) included the two existing parcels, APN 442-663-05 and 442-663-09, with a total acreage of 0.63. Although both parcels are in the study area, the analysis focused on the proposed grading and future development of a residential structure on Parcel 2. No cultural resources were identified in the APE during the January 5, 2018 survey, which was conducted by Helix archaeologist Stacie Wilson and Native American monitor, Rachel Smith of Red Tail Monitoring and Research. The analysis further concludes that no historical resources would be affected by the proposed project and archaeological monitoring is not recommended.

No cemeteries, formal or informal, have been identified on site or within the project vicinity. While it is not anticipated that human remains would be encountered on the project site during construction-related activities, it would be possible for remains to be encountered. Impacts to human remains are considered potentially significant. Mitigation Framework HIST 6.7-2 and the Mitigation Monitoring and Reporting Program as detailed within Section VI of the Addendum would reduce potential impacts to below a level of significance.

Built Environment:

In accordance with the Mitigation Framework Measure HIST 6.7-1, City staff determined whether the existing structures on Parcel 1 and Parcel 3 are significant. The existing building on Parcel 1 was constructed in 1974 and the building on Parcel 3 was constructed in 1991. Neither of these buildings are over 45 years or older, therefore these structures were not subject to historical review; and therefore, Mitigation Framework 6.7-1 would not apply and no impacts would occur.

Tribal Cultural Resources:

PROJECT

In accordance with the requirements of Public Resource Code 21080.3.1, the City of San Diego engaged the Lipay Nation of Santa Isabel and Jamal Indian Village, both traditionally and culturally affiliated with the project area. These tribes were notified of the project via certified letter and email on October 9, 2017. Both Native American tribes responded within the 30-day formal notification period requesting consultation on this project. On October 13, 2017, City staff met with Tribal Representatives for consultation on this project. On March 7, 2018, the City's Environmental Analysis Section (EAS) sent a follow up correspondence via email to the above Tribes including the recommendations of the site-specific archaeological analysis that was submitted for the project.

Based on the consultation, it was determined that Native American monitoring would be required for this project. Mitigation Monitoring and Reporting Program as detailed within Section VI of this Addendum, would be implemented to reduce impacts to below a level of significance.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

BIOLOGICAL RESOURCES

FINAL PEIR

Biological Resources are discussed in Section 6.8 of the Uptown PEIR. The Uptown CPU states implementation of the CPU and associated discretionary actions would result in land use changes that would affect primarily developed areas. However, if development is adjacent the MHPA then projects would be required to comply with the MHPA Land Use Adjacency Guidelines, and adherence to the policies in the Conservation Element of the Uptown CPU. There is a low or no potential to impact sensitive habitat, and wildlife species in the developed areas. Further, no impacts to wildlife corridors and nursery sites, or riparian scrub or wetlands are expected. It is concluded that regulatory framework in place would reduce potential impacts to less than significant and mitigation would not be required. Therefore, all biological resource impacts would be less than significant, and mitigation is not required.

PROJECT

The project site is located in an urbanized area and developed with two single-family residences. The project would subdivide two existing parcels and create three parcels for the future development of a new single-family residence. Review of aerial and street level photography shows that the project site does not contain any sensitive biological resources. The project site does not contain any sensitive riparian habitat or other identified habitat community. Further, the project site does not contain, nor is it adjacent to the Multi-Habitat Planning Area designated lands. The project does not contain any wildlife corridors, the project would not impact any sensitive wildlife species, wildlife corridors and nursery sites. No impacts would occur, and no mitigation measures are required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

GEOLOGY/SOILS

FINAL PEIR

Impacts to geology and soils are analyzed in Section 6.9 of the Uptown CPU Final PEIR. Regarding geologic hazards, the Uptown CPU Final PEIR determined that the Uptown area contains geologic conditions that would pose significant risks for future development if not properly addressed at the project-level. Unstable conditions relating to compressible soils, landslides, seismicity (faults), and expansive soils represent a potentially significant impact for future development. The Uptown CPU

area consists of developed and previously graded land and undeveloped land predominantly in the form of canyons and other open space areas. Implementation of the Uptown CPU and associated discretionary actions would allow the intensification of some land uses that could lead to construction and grading activities that could temporarily expose topsoil and increase soil erosion from water and wind.

The Uptown CPU PEIR identifies impacts of build out of the Uptown CPU and associated discretionary actions related to geologic conditions would be less than significant with implementation of existing San Diego Municipal Code requirements. The preparation of geotechnical investigations prior to grading and construction, and implementation of applicable measures identified in project specific geotechnical investigations would reduce impacts to less than significant. Thus, mitigation would not be required.

PROJECT

A site-specific geologic investigation (January 28, 2017) was prepared by Allied Earth Technology, and reconnaissance reports (February 3, 2017) was prepared by Michael W. Hart, Engineering Geologist. The site is classified by the City Seismic Safety Study as Geologic Hazard Category (GHC) 53, which is characterized as level or sloping terrain, unfavorable geologic structure, low to moderate risk. The west corner of Parcel 3 touches GHC 12. GHC 12 is a fault buffer zone characterized by potentially active, inactive, or activity unknown faults with a low to moderate risk. There are no known active earthquake faults that underlie the project site, and the site is not located within an Alquist-Priolo earthquake fault zone. According to the geotechnical report, the site lies near the central portion of the Mission Bay Segment of the Rose Canyon fault zone that extends from San Diego Bay on the south to La Jolla on the north. Other regional active faults, the Coronado Bank, Elsinore, San Jacinto and San Andreas faults lie approximately 12, 42, 65 and 82 miles, respectively from the site. Ground shaking resulting from major earthquakes on these faults would occur more frequently than shaking produced from the Rose Canyon fault zone but since these faults are located at greater distances, the intensity of shaking would be lower.

The geologic reconnaissance report determined the site is underlain by the San Diego Formation that consists of dense to medium dense, fine to medium-grained, silty to clayey sands that are not susceptible to seismically induced liquefaction or settlement. There is no geomorphic evidence to suggest the presence of ancient deep-seated land sliding on or immediately adjacent to the site. Further, the site is underlain by San Diego Formation that is generally not prone to land sliding. The soils encountered on the site possess low expansion index (Expansion Index=23).

Project construction would temporarily disturb on-site soils during grading activities. No significant long-term erosion impacts are anticipated, because the areas proposed for development or disturbance would be covered by structures, pavement, and landscaping. The geotechnical investigation concludes there appears to be no significant geotechnical hazards constraints on the site that preclude the proposed development. Additionally, the project would be required to comply with the California Building Code that would reduce impacts to people or structures to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices would ensure that the potential for impacts from regional geologic hazards would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

PALEONTOLOGICAL RESOURCES

FINAL PEIR

Paleontological resources are analyzed in Section 6.10 of the Uptown CPU Final PEIR. The Uptown CPU Final PEIR analysis presented in this section evaluates the potential for impacts to paleontological resources based on existing geologic formations that underlay the Uptown CPU area. As described in Chapter 2.0, Environmental Setting (Section 2.3.9 Geology and 2.3.10, Paleontology) of the PEIR, the Uptown area is underlain by the San Diego, Pomerado Conglomerate and Mission Valley Formations, which are a high resource sensitivity.

According to PALEO 6.10-1, projects implemented in accordance with the Uptown CPU shall determine the potential impacts to paleontological resources within a high sensitivity formation based on review of the project and recommendations of a project-level analysis.

PROJECT

In accordance with the Uptown CPU Final PEIR mitigation framework PALEO-6.10-1, a project-level analysis of potential impacts on paleontological resources was conducted. The analysis includes identifying the underlying geologic formations, and determining if construction would meet the following criteria:

- Excavation in excess of 1,000 cubic yards, extending to a depth of 10 feet or greater into high sensitivity formations.

If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required and any identified resources shall be recovered.

Based on the site-specific geotechnical report prepared by Michael W. Hart, Engineering Geologist, dated January 28, 2017, the project site is underlain by the San Diego Formation, which has a high paleontological sensitivity, and undocumented fill. Boring logs encountered the San Diego Formation at 5-6 feet in depth.

Project implementation would require grading of approximately 5,363 square-feet, that would include 1,131 cubic yards at a maximum depth of cut of 21.4 feet, and 55 cubic yards of fill at a maximum depth of 5.2 feet. Based on this information, the potential for significant impacts to paleontological resources could occur. A MMRP, as detailed within Section VI of the Addendum would be implemented to reduce impacts related to paleontological resources to below a level of significance.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

HYDROLOGY / WATER QUALITY

FINAL PEIR

The Uptown CPU Final PEIR analyzed potential impacts to Hydrology and Water Quality in Section 6.11. Future projects implemented under to Uptown CPU would be required to comply with the National Pollutant Discharge Elimination System (NPDES) and Hydromodification Management Plan (HMP) requirements as described in the City of San Diego Storm Water Standards Manual. Stormwater standards detention facilities and HMP facilities would be implemented to accommodate the potential increase in impervious areas.

To fulfill the HMP requirements, projects would need to be designed so that runoff rates and durations are controlled to maintain or reduce pre-project downstream erosion conditions and protect stream habitat. Projects would typically manage the increase in runoff by implementing a series of storm water Best Management Practices (BMPs) and detention facilities that have been specifically designed for Hydromodification Management. All development in the City is subject to drainage regulations through the San Diego Municipal Code which requires that the existing flows of property proposed for development be maintained to ensure that existing structures and systems handling the flows are sufficient. Since future development would be required to adhere to existing drainage regulations, development would not result in alterations to existing drainage patterns in a manner that would result in flooding or erosion on- or off-site.

All future development in the City is subject to the drainage regulations through the San Diego Municipal Code, City's Drainage Design Manual, Storm Water Standards Manual, and NPDES permit requirements, and the Conservation Element of the Uptown CPU. The PEIR implementation of the proposed Uptown CPU and associated discretionary actions would not result in significant impact to the environment. Impacts would be below a level of significance.

PROJECT

The project was identified as a "Standard Development Project" and is not subject to HMP requirements. The project required the preparation of a Storm Water Requirements Applicability Checklist, and a Preliminary Drainage Study.

A site-specific Preliminary Drainage Study was prepared by LandMark Consulting, April 25, 2018. Under the existing conditions, the site has a general sloping trend from northeast to southwest with areas of moderately to steeply sloping terrain, especially adjacent to Cosoy Way. The runoff from half of the northerly property will sheet flow from the rooftops and adjacent landscape areas, and onto exiting Presidio Drive. The runoff is then conveyed northwesterly along the existing curb on Presidio Drive. Runoff from the remaining northerly property and the westerly half of the southerly residence will sheet flow from the northeast to the southwest and eventually reach the cobble stone-lined gutter at the southwesterly portion of the project site. Runoff from the remaining portion of the southerly lot, along with the adjacent sloping areas, will sheet flow southerly into an existing concrete ditch.

Under the proposed conditions, the runoff from the development would be conveyed from the rooftops to the adjacent landscape areas, then southwesterly into the existing cobblestone-lined gutter, matching the pre-development runoff pattern. Overall, the post development drainage pattern will match the predevelopment conditions. Based upon the results of the project's Preliminary Drainage Study, and compliance with the drainage regulations through the San Diego Municipal Code post development drainage pattern will match the predevelopment conditions, therefore impacts would be less than significant.

Further, the drainage system for this residential development, would be subject to approval by the City Engineer. As a condition of the project, the Subdivider shall incorporate construction Best Management Practices (Source Control, Low Impact Development) in order to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

PUBLIC SERVICES AND FACILITIES

FINAL PEIR

Impacts to public services and facilities (fire protection, police protection, schools, parks and recreation facilities, and libraries) were analyzed in Section 6.12 of the Uptown CPU Final PEIR. Impacts to public services and facilities would not require mitigation. The Uptown CPU states there is an existing and projected deficit in population based parks, which is considered an adverse impact but not considered a significant impact at the program level. Impacts would be less than significant, and mitigation is not required. Cumulative impacts related to public facilities would be less than significant.

PROJECT

The project site is located in a developed area where police protection, fire protection and services are already provided. The project would not adversely affect existing levels of police protection to the area and would not require the construction of new or expanded fire protection facilities. School facilities have been planned, within the community plan designation and the zoning, for the density and growth anticipated by the future residential development on the project site. The project is consistent with the community plan designation and zoning. The project would not require the construction of new or expanded school facilities. The project would not increase the demand for park space and would not require the construction of new or expansion of existing park facilities. The subdivision of two parcels into three parcels and the future residential development would not result in impacts to other public facilities such as libraries within the City, and would not result in the construction of new public facilities or expansion of existing public facilities. The project would not result in an impact to police protection, fire protection and services, parks and recreation facilities, schools and libraries; therefore, impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

UTILITIES

FINAL PEIR

Impacts to public utilities (water, sewer, solid waste; storm water, solid waste, energy, storm water communications systems) were analyzed in Section 6.13 of the Uptown CPU Final PEIR. A Water Supply Assessment was completed for the Uptown CPU. The WSA demonstrated that there would be sufficient water supplies to meet the demands for existing and planned future developments that are projected to occur by 2035. The WSA concluded the Uptown CPU is consistent with the water demand assumptions included in the regional planning documents of the San Diego County Water Authority (SDCWA) and Metropolitan Water District (MWD). There are no significant impacts to water supply are anticipated in the Uptown CPU and associated discretionary actions.

Project specific review of the Municipal Storm Water Permit and CEQA would assure that significant adverse impacts would be avoided; impacts related to storm water facilities would be less than significant. Impacts to sewer and water utilities would be less than significant. The Uptown CPU stated there are a number of private utility providers available to serve the Uptown CPU area, and impacts associated with communication facilities from the build out of the Uptown CPU and associated discretionary actions would be less than significant. At the program level of review, the Uptown CPU and associated discretionary actions would not require increase landfill capacity, and impacts associated with solid waste would be less than significant. Overall, all public utilities impacts would be less than significant, mitigation will not be required.

PROJECT

The project did not require the preparation of a Water Supply Assessment. The project also did not meet the thresholds of 60 or more tons of solid waste for projects of 40,000 square-feet or more identified in the Uptown CPU for solid waste, therefore a Waste Management Plan was also not required. Adequate water services are available to serve the site; therefore, the project would not result in the requirement of the construction or expansion of new water or wastewater treatment facilities. Cumulative impacts related to water supply would be consistent with the water demand assumptions in the Regional Water Planning documents of the San Diego County Water Authority and Metropolitan Water District. Impacts would be less than significant. The project would require compliance with the City's Recycling Ordinance and Refuse and Recyclable Materials Storage Regulations. Impacts associated with solid waste and recycling would also be less than significant.

The project's compliance with the federal, state and local regulations would preclude incremental impacts associated with new construction of, or improvements to, public utilities infrastructure. The project would require adherence to existing storm water regulations as well as the General Plan and Uptown CPU policies. Communication systems such as cable and telephone services are available to serve the site, and impacts would be less than significant. Overall, impacts to public utilities would be less than significant and mitigation is not required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

HEALTH AND SAFETY

FINAL PEIR

Health, and safety was analyzed in Section 6.14 of the Uptown CPU Final PEIR. The Uptown CPU Final PEIR finds that wildfire hazards would be potentially significant as some Uptown CPU development areas and associated discretionary actions would maintain natural open space within undeveloped canyons, any development adjacent to this open space would be subject to a risk of fire hazards. Furthermore, regulations regarding brush management are summarized in Chapter 5.0 Regulatory Framework of the PEIR. Future development proposals would be reviewed for compliance with all City and Fire Code requirements, aimed at ensuring the protection of people or structures from potential wildland fire hazards. Brush Management regulations (San Diego Municipal Code Section 142.0412) would ensure that brush management is completed within 100 feet of a structure.

Section 6.14 of the Uptown PEIR finds that impacts relative to safety hazards for people residing in or working in a designated airport influence area would be less than significant. Additionally, there are no private airports or heliport facilities within or near the Uptown CPU area. Therefore, impacts related to exposure of people or structures to aircraft hazards would be less than significant.

According to a search of federal, state and local regulatory databases, 61 documented hazardous materials release cases were identified with the Uptown, of which three are open cases, as shown in Table 6.14-1 of the PEIR. Development of sites with existing contamination within the Uptown CPU could potentially pose a hazard to the public or environment by placing sensitive receptors on, or adjacent to known, hazardous materials sites.

Federal and state regulations require adherence to specific guidelines regarding the use, transportation, disposal and accidental release of hazard materials. Nominal amounts of pesticides and/or herbicides may be used by residents and other establishments for gardening or landscaping activities. These uses would not introduce significant risk of exposure to people in the Uptown CPU area. Therefore, impacts related to hazardous materials sites and health hazards would be less than significant.

PROJECT

The project is not within or adjacent to any known hazardous materials sites. The project site is not identified on a hazardous waste and/or substances site list, including the State Water Resources Control Board's (SWRCB's) GeoTracker database pursuant to Government Code Section 65962.5. The project would not be expected to transport, use, or dispose of hazardous materials. However, the use of chemical pesticides and fertilizers could be used to maintain proposed gardening and/or landscaping would be minimal and any storage, use, and handling of such substances would comply with the applicable regulatory standards. In addition, as a permit condition the project would be required to address Best Management Practices (BMPs) to the satisfaction of the City Engineer. Compliance with regulatory requirements along with implementation of BMPs would not create a

significant hazard to the public or environment. The project site is located in an urbanized neighborhood is surrounded by residential development. The project does not require brush management. There are no large expanses of wildlands in the immediate vicinity. The project, therefore, would not significantly expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The project site is not located within any Airport Land Use Compatibility Plan Overlay Zone, but is located in the Airport Influence Area (Review Area 2). The project did not require a consistency determination by the San Diego County Regional Airport Authority, serving as the Airport Land Use Commission. The project would not be inconsistent with the Airport Land Use Compatibility Plan (ALUCP) for the San Diego International Airport. The project site is not located within proximity of a private airstrip. The project would not result in a safety hazard for people residing or working in the project area. Adequate emergency access would be provided on site in case of fire. The project would not interfere with an adopted emergency response plan or evacuation plan. Therefore, impacts would be less than significant. Thus, mitigation is not required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in a new significant impact, nor would it result in a substantial increase in the severity of impacts from that described in the EIR.

VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

TRIBAL CULTURAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction**

activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover**

mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

- c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with

appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN,

- c. To protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of

Human Remains shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 1. The PI shall be responsible for ensuring that all artifacts associated with the survey,

testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

NOISE

In order to mitigate impacts related to construction noise, the following mitigation measure would be implemented.

NOISE 6.6-1

- Construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed 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. (Consistent with Section 59.5.0404 of the San Diego Municipal Code).
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.
- Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a

Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether

additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

- b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

- a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

VII. SIGNIFICANT UNMITIGATED IMPACTS

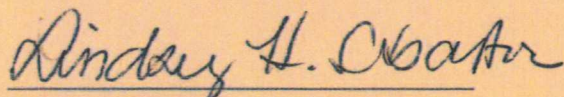
The Uptown Community Plan Update EIR No. 380611/SCH No. 2016061023 indicated that direct significant impacts to the following issues would be substantially lessened or avoided if all the proposed mitigation measures recommended in the EIR were implemented: Historical Resources, Noise and Paleontological Resources. The EIR concluded that significant impacts related to Transportation and Circulation, Noise (Ambient Noise and Construction), Historical Resources (Built

Environment and Historic Districts), and Paleontological Resources (Ministerial Projects) would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the EIR would result in significant traffic/circulation, Historical, Noise (ambient noise and construction), and paleontological resources (ministerial projects), which would remain significant and unmitigated. Because there were significant unmitigated impacts associated with the original project approval, the decision maker was required to make specific and substantiated "CEQA Findings" which stated: (a) specific economic, social, or other considerations which make infeasible the mitigation measures or project alternatives identified in the FEIR, and (b) the impacts have been found acceptable because of specific overriding considerations. Given that there are no new or more severe significant impacts that were not already addressed in the previous certified EIR, new CEQA Findings and or Statement of Overriding Considerations are not required.

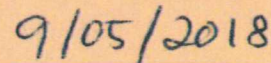
The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR.

VIII. CERTIFICATION

Copies of the addendum, the certified EIR, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be reviewed by appointment in the office of the Development Services Department, or purchased for the cost of reproduction.



Lindsey Sebastian, Senior Planner
Development Services Department



Date of Final Report

Analyst: R. Benally

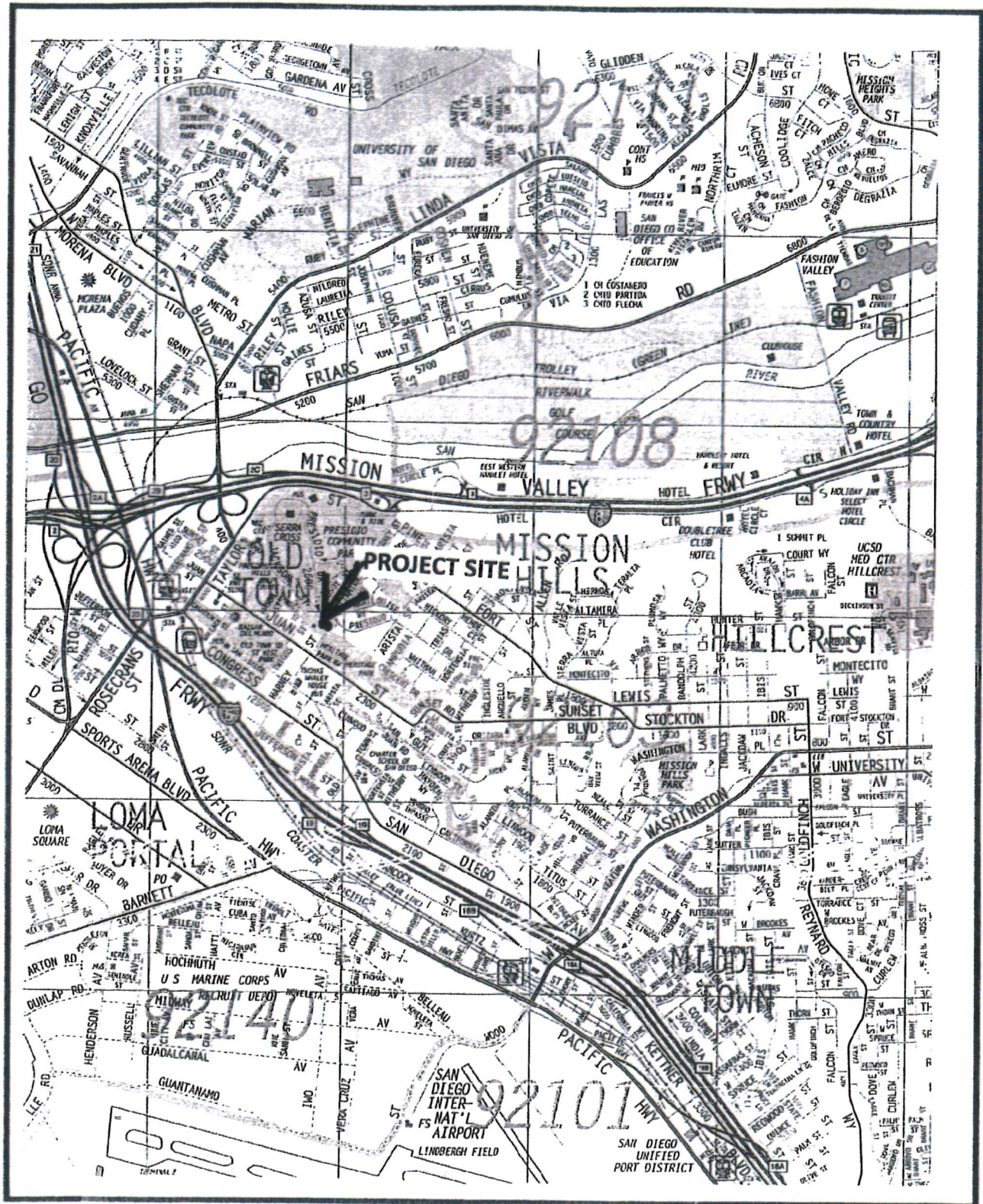
Attachments:

Figure 1: Location Map

Figure 2: Site Plan

Figure 3: Elevations

Environmental Impact Report No. 380611/ SCH No. 2016061023

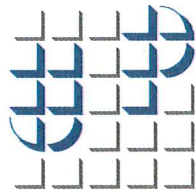


Location Map

Cosoy TM Project/Project No. 529221

City of San Diego – Development Services Department

FIGURE
1



UPTOWN PLANNERS

MEMORANDUM OF MOTION

MOTION APPROVED ON FEBRUARY 6, 2018

BY THE BOARD OF UPTOWN PLANNERS

Motion Approved By Uptown Planners on February 6, 2018:

Uptown Planners passed a motion at its February 6, 2018 meeting supporting the preservation of the existing cobble stone gutter at the Cosoy Way project site by a vote of 13-0-1; the item was noticed on the agenda as follows:

COSOY WAY COBBLE STONE GUTTER PRESERVATION Mission Hills – Konstantin Dubinin -- Property owner Dubinin has been requested by the city to install a concrete curb and gutter along Cosoy Way for a project he is building; and is seeking a recommendation from Uptown Planners whether the existing cobble stone gutter should be preserved instead;

The applicant's project was reviewed by Uptown Planners in 2017. Subsequently, the applicant requested Uptown Planners make a recommendation regarding preservation of the existing cobble stone gutter. Applicant's representative was present at the meeting to answer questions. Prior to the meeting, correspondence from city historic staff was distributed to the board stating city staff supported the preservation of the cobble stone gutter. Applicant indicated that city staff had requested him to obtain a recommendation from Uptown Planners on the issue, which made at the meeting.

Voting YES 13 Voting NO 0 Abstain 1 (non-voting chair)

Leo Wilson

Leo Wilson
Chair, Uptown Planners



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other

Project Title: Cosoy St. Lot Split
 Project No. For City Use Only: 529221

Project Address:
 1) 4211 Cosoy Way, San Diego, CA 92103 2) 2521 Presidio Dr., San Diego, CA 92103

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):
 Konstantin Dubinin
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 4211 Cosoy Way
 City/State/Zip: San Diego, CA 92103
 Phone No: (858) 900-6900 Fax No:
 Signature: *[Signature]* Date:

Name of Individual (type or print):
 Robert Giles
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 2521 Presidio Dr.
 City/State/Zip: San Diego, CA 92103
 Phone No: (619) 972-5902 Fax No:
 Signature: *[Signature]* Date: 12/7/2018

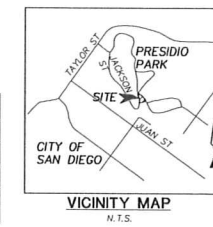
Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature: Date:

Name of Individual (type or print):
 Pat Giles
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 2521 Presidio Dr
 City/State/Zip: San Diego, CA 92103
 Phone No: (619) 972-5902 Fax No:
 Signature: *[Signature]* Date:

CITY OF SAN DIEGO

TENTATIVE MAP NO. 1867767

COSOY LOT SPLIT



ENGINEER OF WORK
 LANDMARK CONSULTING
 1555 GENESEE AVE. STE 200
 SAN DIEGO, CA 92121
 PHONE: (619)-587-8070 FAX: (619)-587-8750
 DATE: 12/8/2017
 MARK A. BRENDICK R.C.E. 48153

OWNERS
 KONSTANTIN DUBVIN
 4211 COSOY WAY
 SAN DIEGO, CA 92131
 ROBERT A. GILES
 2521 PRESIDIO DRIVE
 SAN DIEGO, CA 92131
 DATE: 12-13-17
 BY: [Signature] ROBERT A. GILES, OWNER

GRADING QUANTITIES

GRADED AREA	5,363	SO FT
CUT (1.5:1 MAX)	1,131	CY
FILL (2:1 MAX)	55	CY
EXPORT	1076	FT
MAX CUT HEIGHT	21.4	FT
MAX FILL HEIGHT	5.2	FT
RETAINING WALLS (15' MAX HT)	210	LF

GENERAL NOTES:

- PROJECT LOCATION: COSOY WAY, SAN DIEGO, CA 92103
- EXISTING LOTS: 2
- PROPOSED LOTS: 3
- ZONING: EXISTING: RS-1-7; PROPOSED: RS-1-7
- TOPOGRAPHY SOURCE: AERIAL TOPO SOURCE: INLAND AERIAL SURVEYS, INC., DATED: 6-27-2016
- NAD 27 14D 83 214-1709 1854-8289

PUBLIC UTILITIES

STORM DRAIN	CITY OF SAN DIEGO
WATER	CITY OF SAN DIEGO
SEWER	CITY OF SAN DIEGO
FIRE & POLICE	CITY OF SAN DIEGO
GAS (UNDERGROUND)	SDG&E
ELECTRICITY (OVERHEAD)	SDG&E
CABLE TV (OVERHEAD)	CDW CABLE
TELEPHONE (OVERHEAD)	AT&T
SCHOOL DISTRICTS	SAN DIEGO UNIFIED

NOTE: ALL EXISTING UTILITIES ARE UNDERGROUNDED

DEVELOPMENT SUMMARY
 A PROPOSED SUBDIVISION FROM 2 EXISTING PARCELS INTO 3 PARCELS. A SINGLE-FAMILY RESIDENCE IS PROPOSED ON PARCEL 2.

LEGAL DESCRIPTION
 THAT PORTION OF LOTS 3 AND 4, IN BLOCK 485 OF OLD SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE, IN MARCH 1870, AND ALL OF PARCEL 2 PER PARCEL MAP 6108.

BASIS OF BEARINGS
 GPS 1040 TO GPS 1038
 N50°39'00"W, HD 3381.60 FT
 CCS 43 (EPOCH 1891.35) PER ROS 14492

BENCHMARK
 CITY OF SAN DIEGO VERTICAL CONTROL: NORTH LINE MONUMENT, HARNEY STREET AND SUNSET BOULEVARD.
 ELEVATION: 127.94 M.S.L. DATUM: NGVD 29

APN
 442-663-05 - EX BUILDING CONSTRUCTED 1991
 442-663-09 - EX BUILDING CONSTRUCTED 1974

SOURCE CONTROL/SITE DESIGN NOTES

- LANDSCAPE TO BE DROUGHT & PEST TOLERANT SPECIES. (SD-6, SD-7)
- RUNOFF FROM HANDSCAPE/ROOFTOPS TO BE DIRECTED TO LANDSCAPED AREAS. (SD-5)
- MINIMIZE SOIL COMPACTION WHERE PRACTICAL. (SD-4)
- PREVENT ILLICIT DISCHARGES INTO MS4. (SD-1)

NOTES

- NO OVERHEAD ELECTRICAL UTILITIES ON SITE
- ARCHITECTURE SHOWN ON PARCEL 2 IS PRELIMINARY ONLY AND IS SUBJECT TO CHANGE
- NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24" IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB
- ALL ONSITE WATER AND SEWER FACILITIES WILL BE PRIVATE AND SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA UNIFORM PLUMBING CODE AND SHALL BE REVIEWED AS PART OF THE BUILDING PERMIT PLAN CHECK
- SEE SHEET A-1 (ARCHITECTURAL SITE PLAN) FOR PARKING SPACES DIMENSIONS/LOCATIONS ON PARCEL 2
- THE SUBDIVIDER SHALL RECORD A DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS FOR THE STORM DRAIN EASEMENT FOR THE TWO PARCELS (PARCEL 2 OF PARCEL 3) CURRENTLY HELD BY THE SAME OWNER. THE DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS SHALL STATE: SINCE THE DRAINAGE EASEMENT AGREEMENT IS A PRIVATE AND NOT A PUBLIC ISSUE, THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DISPUTE THAT MIGHT ARISE IN THE FUTURE BETWEEN THE PRIVATE PARTIES.

MAPPING NOTES

- A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP. IF APPROVED, A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.

PARCEL AREAS

PCL	GROSS AREA (SF)	GROSS AREA (AC)	NET AREA (SF)	NET AREA (AC)
PARCEL 1	9,524	0.22	9,091	0.21
PARCEL 2	5,369	0.12	5,369	0.12
PARCEL 3	12,789	0.29	12,789	0.29

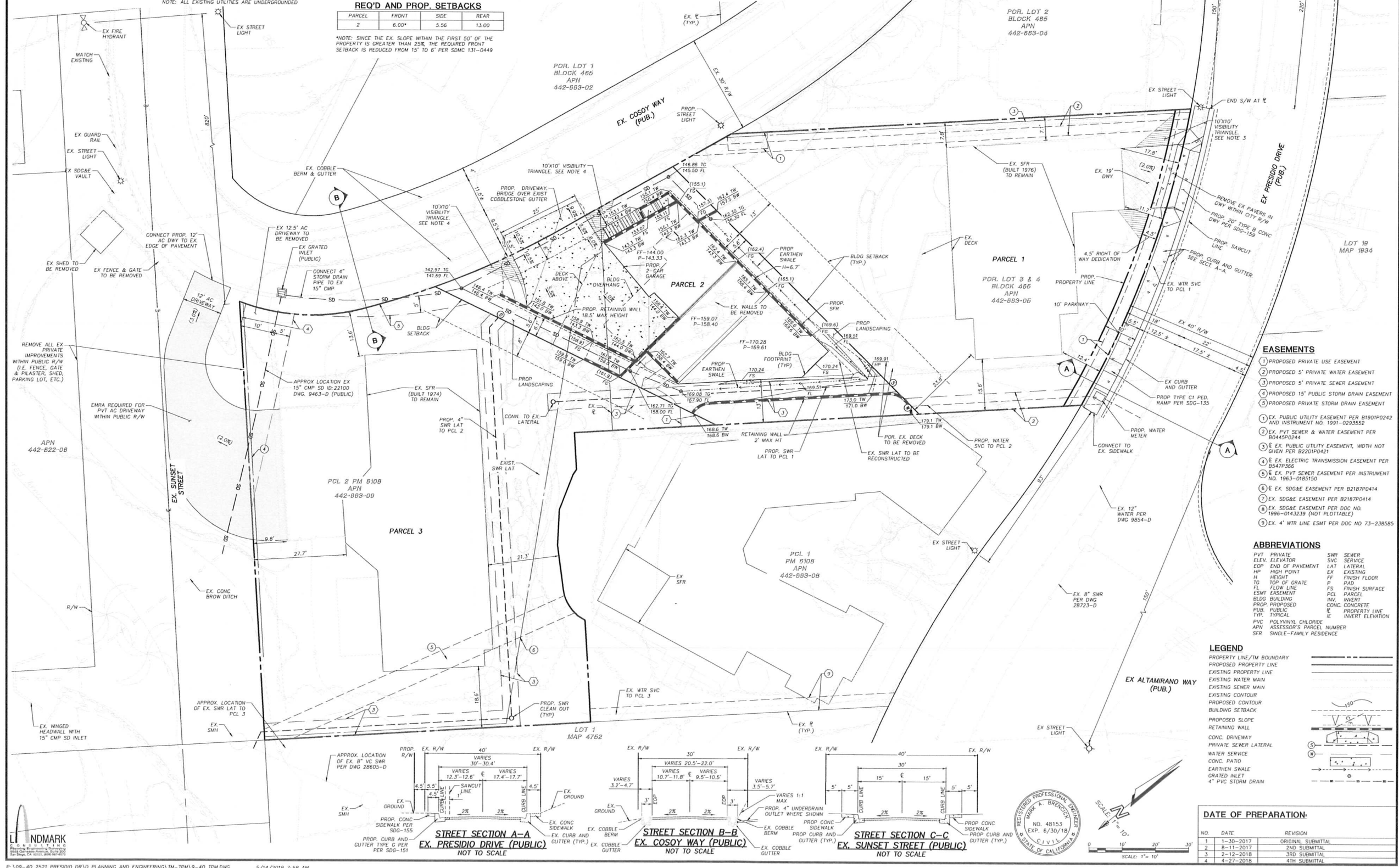
IMPERVIOUS AREA TABLE

	PARCEL 1	PARCEL 2	PARCEL 3
EX IMPERVIOUS AREA (SF)	4655	106	5,755
NEW IMPERVIOUS AREA (SF)	0	3,282	0
REPLACED IMPERVIOUS AREA (SF)	0	106	0

REQ'D AND PROP. SETBACKS

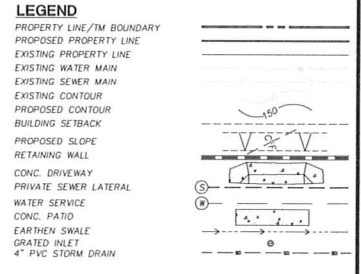
PARCEL	FRONT	SIDE	REAR
2	6.00'	5.56'	13.00'

NOTE: SINCE THE EX. SLOPE WITHIN THE FIRST 50' OF THE PROPERTY IS GREATER THAN 2%, THE REQUIRED FRONT SETBACK IS REDUCED FROM 15' TO 6' PER SDMC 131-0449



- EASEMENTS**
- PROPOSED PRIVATE USE EASEMENT
 - PROPOSED 5' PRIVATE WATER EASEMENT
 - PROPOSED 5' PRIVATE SEWER EASEMENT
 - PROPOSED 15' PUBLIC STORM DRAIN EASEMENT
 - PROPOSED PRIVATE STORM DRAIN EASEMENT
 - EX. PUBLIC UTILITY EASEMENT PER B1801P0242 AND INSTRUMENT NO. 1991-0293552
 - EX. PVT SEWER & WATER EASEMENT PER B0445P0244
 - EX. EX. PUBLIC UTILITY EASEMENT, WIDTH NOT GIVEN PER B2201P0421
 - EX. EX. ELECTRIC TRANSMISSION EASEMENT PER B547P066
 - EX. EX. PVT SEWER EASEMENT PER INSTRUMENT NO. 1963-0185150
 - EX. EX. SDG&E EASEMENT PER B2187P0414
 - EX. EX. SDG&E EASEMENT PER B2187P0414
 - EX. EX. SDG&E EASEMENT PER DOC NO. 1996-0143219 (NOT PLOTTABLE)
 - EX. EX. 4" WTR LINE ESMT PER DOC NO 73-238585

- ABBREVIATIONS**
- | | |
|------------------------------|--------------------|
| PVT PRIVATE | SWR SEWER |
| ELEV. ELEVATOR | SVG SERVICE |
| EOP END OF PAVEMENT | LAT LATERAL |
| HP HIGH POINT | EX EXISTING |
| H HEIGHT | FF FINISH FLOOR |
| TG TOP OF GRATE | P PAD |
| FL FLOW LINE | FS FINISH SURFACE |
| EMT EASEMENT | PCL PARCEL |
| BLDG BUILDING | INV INVERT |
| PROP. PROPOSED | CONC. CONCRETE |
| PUB. PUBLIC | E PROPERTY LINE |
| TYP. TYPICAL | I INVERT ELEVATION |
| PVC POLYVINYL CHLORIDE | |
| APN ASSESSOR'S PARCEL NUMBER | |
| SFR SINGLE-FAMILY RESIDENCE | |



DATE OF PREPARATION

NO.	DATE	REVISION
1	1-30-2017	ORIGINAL SUBMITTAL
2	8-11-2017	2ND SUBMITTAL
3	2-12-2018	3RD SUBMITTAL
4	4-27-2018	4TH SUBMITTAL

