

# Final Environmental Impact Report

## Cedar and Kettner Development Project (SCH# 2011031092)

Lead Agency



County of San Diego  
Department of General Services

Prepared By:



BRG Consulting, Inc.

June 2012

# FINAL ENVIRONMENTAL IMPACT REPORT

## Cedar and Kettner Development Project

State Clearinghouse (SCH) Number 2011031092

Lead Agency:

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Department of General Services  
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June 2012

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List of Technical Appendices

*(The following are contained on the CD, which is attached to the back of this EIR.)*

- A. Notice of Preparation and Responses
- B. Historical Resources Technical Report for 726-734 Beech Street  
Prepared by Office of Marie Burke Lia  
August 2011
- C. Air Quality Study  
Prepared by Rincon Consultants, Inc.  
August 26, 2011
- D. Greenhouse Gas Study  
Prepared by Rincon Consultants, Inc.  
August 26, 2011
- E1 Cedar-Kettner Mixed-Use Development Trip Generation Assessment  
Prepared by Fehr & Peers  
August 24, 2011
- E2 Cedar-Kettner Mixed-Use Development Traffic Analysis  
Prepared by Fehr & Peers  
November 8, 2011
- E3 County of San Diego Administrative Center Parking Demand  
Prepared by Fehr & Peers  
July 25, 2011

- F CAC Waterfront Park Development and Master Plan EIR  
Prepared by BRG Consulting, Inc.  
April 2003
  
- G Geotechnical Investigation and Geologic Fault Investigation  
Prepared by Geocon Incorporated  
October 14, 2003
  
- H Limited Environmental Site Investigation  
Prepared by Geocon Incorporated  
March 22, 2004

# CEDAR AND KETTNER DEVELOPMENT PROJECT

## RESPONSE TO PUBLIC COMMENTS

### Introduction

A Draft Environmental Impact Report (EIR) for the Cedar and Kettner Development Project was prepared and circulated for a 45-day public review beginning December 30, 2011 and ending on February 13, 2012 (SCH# 2011031092). The Draft EIR public review distribution list, which identifies the agencies, individuals and special interest groups that were provided a copy of the Draft EIR, is available for review at the County of San Diego Department of General Services during regular business hours. During the course of the Draft EIR public review period, 24 written comment letters were received on the Draft EIR. All written comments received on the Draft EIR during the public review period, responses to the comments, and any revisions to the Draft EIR have been incorporated into this Final EIR.

This Final EIR has been prepared in accordance with the requirements of the California Environmental Quality Act (California Public Resources Code Division 13, Section 21000, et seq., [as amended in 2011] herein, CEQA) and the State of California CEQA guidelines, as amended March 18, 2012 (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 - 15387). The purpose of the Final EIR is to provide the decision-making body, in this case the County of San Diego Board of Supervisors, responsible agencies, and the public with environmental impact information relative to the proposed Cedar and Kettner Development Project. The County Board of Supervisors must consider the information contained in this Final EIR prior to approving the proposed project.

### Summary of Revisions Incorporated into the Final EIR

The Final EIR includes the revised Draft EIR, Technical Appendices, copies of each public letter commenting on the Draft EIR and the County's responses thereto. Each public comment is assigned a comment alphanumeric designation that corresponds to the response alphanumeric designation.

As a result of some public comments to the Draft EIR, the Final EIR includes minor revisions that are marked in ~~strikeout~~/underline format. No new information has been added to the Draft EIR in the Final EIR that would require recirculation of this Draft EIR pursuant to CEQA Guidelines §15088.5(a). Specifically, no new significant environmental impacts would result from the project or no new mitigation measures are proposed for implementation different from those discussed in the Draft EIR. No feasible project alternatives different from those analyzed in the Draft EIR have been identified that would clearly lessen any significant impacts of the project. Finally, the EIR includes adequate information for a meaningful public review.

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# LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT COMMENTED ON THE DRAFT EIR

A Draft EIR was circulated for public review from December 30, 2011 to February 13, 2012. The following is a listing of the names and addresses of persons, organizations, and public agencies that commented during the Draft EIR public review period.

## Federal Agencies                      Address

**None**

## State Agencies                      Address

Governor's Office of Planning and Research State Clearinghouse and Planning Unit	1400 10 <sup>th</sup> Street P.O. Box 3044 Sacramento, CA 95812-3044
Native American Heritage Commission	915 Capitol Mall, Room 364 Sacramento, CA 95814
Department of Toxic Substance Control	5796 Corporate Avenue Cypress, CA 90630

## County, City, And Other                      Address Local Agencies

San Diego County Department of Planning and Land Use	5201 Ruffin Road, Suite B San Diego, CA 92123
San Diego County Archaeological Society, Inc. Environmental Review Committee	P.O. Box 81106 San Diego, CA 92138-1106
San Diego County Regional Airport Authority Airport Land Use Commission	P.O. Box 82776 San Diego, CA 92138-2776
City of San Diego Development Services	1222 First Avenue, MS 501 San Diego, CA 92101-4155
City of San Diego Historical Resources Board	1222 First Avenue, MS 512 San Diego, CA 92101-3865
Metropolitan Transit System	1255 Imperial Avenue, Suite 1000 San Diego, CA 92101-7490
Lucy Contreras	Centre City Development Corporation 401 B Street, Suite 400 San Diego, CA 92101

## Organizations and                      Address Individuals

Susan Brandt-Hawley	Brandt-Hawley Law Group on behalf of Save Our Heritage Organization (SOHO) Chauvet House P.O. Box 1659 Glen Ellen, CA 95442
Manny Cepeda	riveracepeda@msn.com
Dan Hays	danbhays@yahoo.com
María Carrera	1431 Pacific Highway, Unit 206 San Diego, CA 92101
Tracey Taylor	tracey-taylor@cox.net
Brian Luscomb	1138 Elfin Forest Road, West San Marcos, CA 92078
Laura Burnett	1545 Kettner Boulevard San Diego, CA 92101
Laura Garrett	1585 Kettner Boulevard San Diego, CA 92101
Veronica M. D'Annibale	1970 Columbia Street, Unit 402 San Diego, CA 92101
Martin Poirier	1545 Kettner Boulevard San Diego, CA 92101
Susan Hermann	1580 Union Street, #102 San Diego, CA 92101
Paul Pensabene	1575 Kettner Boulevard San Diego, CA 92101
Clive Peters	1583 Kettner Boulevard San Diego, CA 92101
Patricia D. Baetz	1519 Kettner Boulevard San Diego, CA 92101

Comment Letter A



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KENALEX  
DIRECTOR

February 14, 2012

Dahvia Lynch  
San Diego County, Department of General Services  
5560 Overland Avenue, Suite 410  
San Diego, CA 92123

Subject: Cedar and Kettner Property Development Project  
SCH#: 2011031092

Dear Dahvia Lynch:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 13, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

RESPONSE TO COMMENT LETTER FROM GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE AND PLANNING UNIT, SIGNED BY SCOTT MORGAN, DIRECTOR, DATED FEBRUARY 14, 2012 (COMMENT LETTER A)

Response to Comment A-1:

This letter acknowledges that the County of San Diego has complied with the State Clearinghouse public review requirements for the Cedar and Kettner Development Project Draft Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA).

Also, this letter transmits comment letters received from state agencies during the Draft EIR public review period. State agency comment letters transmitted by the State Clearinghouse consist of the Native American Heritage Commission and the Department of Toxic Substances Control. Responses to these State agency comments are provided in responses to comments B-1 through B-8 and C-Intro through C-10.

The statutorily required Draft EIR Public Review period is 45 days. The 45-day public review period for the Cedar and Kettner Development Project Draft EIR was extended from December 30, 2011 to February 13, 2012.

A-1

Comment Letter A  
Attachment

Document Details Report  
State Clearinghouse Data Base

**SCH#** 2011031092  
**Project Title** Cedar and Kettner Property Development Project  
**Lead Agency** San Diego County

**Type** EIR Draft EIR  
**Description** The proposed Cedar and Kettner Development Project involves the relocation of existing surface parking from the County Administration Center (CAC) at 1600 Pacific Coast Highway to a proposed new parking structure at an alternate location in downtown San Diego, allowing for the development of the proposed County Waterfront Park at CAC as set forth in the Waterfront Park Master Plan (2008; amended 2011). In addition, the construction and operation of a mid- to high-rise tower for office, commercial, or residential use, or a mixed-use development.

**Lead Agency Contact**  
**Name** Dahvia Lynch  
**Agency** San Diego County, Department of General Services  
**Phone** (858) 694-2047 **Fax**  
**email**  
**Address** 5560 Overland Avenue, Suite 410  
**City** San Diego **State** CA **Zip** 92123

**Project Location**  
**County** San Diego  
**City** San Diego  
**Region**  
**Lat / Long** 32° 43' 16" N / 117° 10' 10" W  
**Cross Streets** Beech Street (south); Kettner St. (east); Cedar St. (north); Railroad ROW (west)  
**Parcel No.** 533-322-04, -05, -06, -07, -09, -10  
**Township** **Range** **Section** **Base**

**Proximity to:**  
**Highways** I-5  
**Airports** Lindbergh Field (San Diego)  
**Railways** NCTD/BNSF  
**Waterways** San Diego Bay  
**Schools** Monarch  
**Land Use** Existing surface parking lot and onoccupied building/CCPD-R/Mixed Use and Residential emphasis

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 11; Regional Water Quality Control Board. Region 9; Department of Toxic Substances Control; Native American Heritage Commission

**Date Received** 12/30/2011 **Start of Review** 12/30/2011 **End of Review** 02/13/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

Comment Letter B

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION  
915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 853-8251  
Fax (916) 857-5399  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
na\_hnch@pacbell.net

clear  
2/13/2012  
e



January 4, 2012

Ms. Dahvia Lynch, Environmental Planner

County of San Diego Department of General Services

5560 Overland Avenue, Suite 410  
San Diego, CA 92123

Re: SCH#2011031092 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Cedar and Kettner Development Project," located near Lindbergh Field in the City of San Diego; San Diego County, California

Dear Ms. Lynch:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: Native American cultural resources were identified within the project area identified. Also, the absence of archaeological resources does not preclude their existence. California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC

B-1

B-2

RESPONSE TO COMMENT LETTER FROM NATIVE AMERICAN HERITAGE COMMISSION, SIGNED BY DAVE SINGLETON, PROGRAM ANALYST, DATED JANUARY 4, 2012 (COMMENT LETTER B)

Response to Comment B-1:

The comment recognizes that the Native American Heritage Commission (NAHC) is the state "trustee agency" pursuant to CEQA as it relates to Native American cultural resources and understands CEQA and CEQA Guidelines guidance as it relates to cultural resources potentially impacted by any project.

EIR Section 2.1 – Cultural and Historical Resources addresses the potential impacts of the proposed project on cultural resources. The construction of the proposed project would result in impacts to historical resources (Star Building). The implementation of Mitigation Measure M-CR-1, as identified in the EIR, would provide some degree of mitigation for the project impacts to this resource; however, impacts would not be fully mitigated to a less than significant level. In addition, grading and excavation required for the proposed project could result in a significant impact to archaeological and paleontological resources. However, implementation of Mitigation Measures M-CR-2 and M-CR-3, as identified in the EIR, would mitigate the impacts to archeological and paleontological resources to a level less than significant.

Response to Comment B-2:

Comment noted. The County of San Diego concurs with the finding by the NAHC that "Native American cultural resources were identified within the project area identified." As stated in EIR Section 2.1 there is a potential for archaeological resources to be present on the project site. However, with the implementation of Mitigation Measure M-CR-2, this impact would be reduced to a level less than significant.

**Comment Letter B**  
(cont'd.)

Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

B-2  
(cont'd.)

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

B-3

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

B-4

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

B-5

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

B-6

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

B-7

2

**RESPONSE TO COMMENT LETTER FROM NATIVE AMERICAN HERITAGE COMMISSION, SIGNED BY DAVE SINGLETON, PROGRAM ANALYST, DATED JANUARY 4, 2012 (COMMENT LETTER B) (continued)**

**Response to Comment B-3:**

The County of San Diego conducted a consultation with the Native American tribes in the area. On January 4, 2012, the County of San Diego received a Native American Contact List from the NAHC, which identified a total of 21 tribes. On January 20, 2012, the County of San Diego sent out consultation letters to all of 21 tribes and parties provided on the NAHC consultation list. To date no responses from any of the tribes have been received.

**Response to Comment B-4:**

Comment noted. Please refer to responses to comments B-2 and B-3. As documented in the CEQA Findings, it would not be possible to avoid the archaeological resources that could occur on-site.

**Response to Comment B-5:**

Comment noted. Please refer to response to comment B-3. The project is not under federal jurisdiction

**Response to Comment B-6:**

Comment noted.

**Response to Comment B-7:**

Comment noted. As discussed in the EIR Section 2.1 on page 2.1-10 "According to the FEIR for the Downtown Community Plan, Centre City Planned District Ordinance and 10th Amendment to the Centre City Redevelopment Plan (CCDC, 2006), there are no historic cemeteries in the downtown planning area. In addition, no historic burials have been previously recorded in the downtown planning area. The potential for encountering human remains during construction of the proposed project is low. Therefore, a less than significant impact is identified..." However, if human remains are uncovered during construction of the proposed project, the County would comply with all State and local laws for the proper removal of any human remains from the project site.

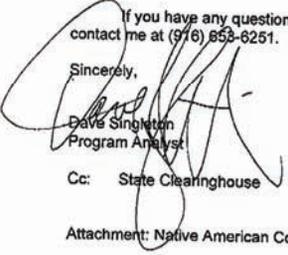
**Comment Letter B**  
(cont'd.)

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

} B-8

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 853-6251.

Sincerely,

  
Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**RESPONSE TO COMMENT LETTER FROM NATIVE AMERICAN HERITAGE COMMISSION, SIGNED BY DAVE SINGLETON, PROGRAM ANALYST, DATED JANUARY 4, 2012 (COMMENT LETTER B) (continued)**

**Response to Comment B-8:**

Comment noted. Please refer to response to comment B-1.

Comment Letter C



Matthew Rodriguez  
Secretary for  
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director  
5796 Corporate Avenue  
Cypress, California 90630



Edmund G. Brown Jr.  
Governor

February 8, 2012

Mr. Dave Timber  
County of San Diego  
Department of General Services  
5560 Overland Avenue, Suite 410 (MS 0-368)  
San Diego, CA 92123

PUBLIC NOTICE OF AVAILABILITY OF A DRAFT PROGRAM ENVIRONMENTAL  
IMPACT REPORT FOR CEDAR AND KETTNER DEVELOPMENT PROJECT  
(SCH# 2011031092)

Dear Mr. Timber:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The proposed Cedar and Kettner Development Project involves the relocation of existing surface parking from the County Administration Center (CAC) at 1600 Pacific Coast Highway to a proposed new parking structure at an alternate location in downtown San Diego, allowing for the development of the proposed County Waterfront Park at CAC as set forth in the Waterfront Park Master Plan (2008; amended 2011). While a subsurface parking garage is proposed under part of the Waterfront Park to accommodate visitors to both the CAC and the park, as well as VIPs and County executives, employee parking needs would no longer be able to be met onsite. The County is also proposing two other project phases to allow for potential public/private development partnerships. Phase 2a involves an office and commercial component east of the parking structure along Kettner Boulevard. Phase 2b involves a residential/commercial component in the southern one-third (1/3) portion of the project site, along Beech Street, between Kettner Boulevard and the railroad ROW".

C-Intro

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

C-1

RESPONSE TO COMMENT LETTER FROM DEPARTMENT OF TOXIC CONTROL,  
SIGNED BY AL SHAMI, PROJECT MANAGER, DATED FEBRUARY 8, 2012  
(COMMENT LETTER C)

Response to Comment C-Intro:

This is an introductory comment that acknowledges the Department of Toxic Control's (DTSC) receipt of the Draft EIR and summarizes the project. No further response is necessary.

Response to Comment C-1:

EIR Section 2.5, Hazards/Hazardous Materials, addresses whether conditions in the project area may pose a threat on human health or the environment. As discussed in EIR Section 2.5, based on an environmental database search and site investigation, significant hazardous materials impacts that could affect human health or the environment include contaminated soils and the potential presence of hazardous materials (ACMs and LBP) in the existing structures on the project site. However, these impacts would be mitigated to below a level of significance with the implementation of Mitigation Measures M-HZ-1 through M-HZ-3, as identified in EIR Section 2.5.

**Comment Letter C**  
(cont'd.)

Mr. Dave Timber  
February 8, 2012  
Page 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
  - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
  - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
  - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
  - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
  - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
  - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
  - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

C-1  
(cont'd.)

C-2

C-3

**RESPONSE TO COMMENT LETTER FROM DEPARTMENT OF TOXIC CONTROL, SIGNED BY AL SHAMI, PROJECT MANAGER, DATED FEBRUARY 8, 2012 (COMMENT LETTER C) (continued)**

**Response to Comment C-2:**

Comment noted. As discussed in EIR Section 2.5, a Limited Environmental Site Investigation was prepared by Geocon Consultants, Inc. on March 22, 2004. Based on this investigation, six USTs were previously removed from the project site and approximately 10,344 tons of contaminated soil and groundwater were removed for remediation by the County. However, in September 1999, the County of San Diego, Department of Environmental Health (DEH) indicated that residual petroleum hydrocarbons remain in the soil after excavation and treatment. Therefore, the proposed project could result in a significant hazard to the public or the environment if the onsite soils containing residual petroleum hydrocarbons are excavated during construction. In addition, as discussed in EIR Section 2.5, the soil on the project site may also be contaminated with concentrations of gasoline and/or diesel. However, the implementation of Mitigation Measure M-HZ-1, as identified in Section 2.5, requires any contaminated or hazardous soils and/or water on site to be removed and/or otherwise remediated as required by law and implementing rules and regulations. It is anticipated that oversight would be provided by the County DEH.

**Response to Comment C-3:**

A Phase I or II Environmental Site Assessment has not been prepared for the proposed project. However, a Limited Environmental Site Investigation was prepared by Geocon Consultants, Inc. in March 22, 2004. It is included as Appendix H to the EIR. The findings and recommendations of this investigation are summarized in the EIR (see Section 2.5 – Hazards/Hazardous Materials). Appendix H includes tables that presented the results of soil and groundwater sample analytical results for TPHg, TPHd, VOCs, SVOCs, and Title 22 metals. The EIR and Appendix H also summarize the 1999 County of San Diego DEH letter that stated no further action related to the underground storage tank release was required at that time. The letter also indicated that residual petroleum hydrocarbons remain in the soil and corrective actions should be reviewed if site use changed from a parking lot and soil excavated during future construction must be managed in accordance with applicable legal requirements. All work would be conducted under any work plan that may be required by the DEH, who would oversee cleanup activities.

**Comment Letter C**  
(cont'd.)

Mr. Dave Timber  
February 8, 2012  
Page 3

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies. C-4
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. C-5
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. C-6
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA. C-7
- 8) Hazardous substances would be present on the Project site during construction (e.g., fuels and lubricants, wastes from demolition and remediation, paints and solvents). If released, these substances could pose risks to human health and the environment. For example, demolition wastes containing volatile or fluid hazardous wastes, such as PCB-containing oils or residual fuels from abandoned storage tanks, should be contained and packaged in accordance with regulatory requirements and regularly transported to appropriate disposal facilities. C-8
- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional C-9

**RESPONSE TO COMMENT LETTER FROM DEPARTMENT OF TOXIC CONTROL, SIGNED BY AL SHAMI, PROJECT MANAGER, DATED FEBRUARY 8, 2012 (COMMENT LETTER C) (continued)**

**Response to Comment C-4:**

As identified in EIR Section 2.5, the proposed project would require the demolition of two existing structures on the project (Star Building and one-story warehouse). It is possible that hazardous building materials (e.g., ACMs, LBP, etc.) are present within these structures, which may result in a significant impact to the public and the environment during demolition. However, with the implementation of Mitigation Measures M-HZ-2 and M-HZ-3, as identified in EIR Section 2.5, this impact would be reduced to below a level of significance.

**Response to Comment C-5:**

Please refer to response to comment C-2.

**Response to Comment C-6:**

With the implementation of Mitigation Measures M-HZ-1 through M-HZ-3, the proposed project's risk to human health or the environment in relation to hazardous materials would be reduced to below a level of significance. Therefore, human health and the environment of any sensitive receptors would be protected during construction and demolition activities of the proposed project.

**Response to Comment C-7:**

As discussed in EIR Section 2.5.2.1, the proposed project would involve the transport, use, and disposal of hazardous materials associated with routine commercial cleaning and maintenance of office and retail buildings and parking structure. However, all storage, handling, transport, emission and disposal of hazardous substances will be in full compliance with local, State, and Federal regulations including California Health and Safety Code, Division 20, Chapter 6.5 and California Code of Regulations, Title 22, Division 4.5, as referenced in this comment.

**RESPONSE TO COMMENT LETTER FROM DEPARTMENT OF TOXIC CONTROL,  
SIGNED BY AL SHAMI, PROJECT MANAGER, DATED FEBRUARY 8, 2012  
(COMMENT LETTER C) (continued)**

**Response to Comment C-8:**

Comment noted. With the implementation of Mitigation Measures M-HZ-1 through M-HZ-3 as identified in EIR Section 2.5, potential hazardous materials impacts would be reduced to below a level of significance. In addition, any handling of hazardous substances would be conducted in accordance with local, State, and Federal regulations.

**Response to Comment C-9:**

Comment noted.

**Comment Letter C**  
(cont'd.)

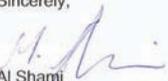
**RESPONSE TO COMMENT LETTER FROM DEPARTMENT OF TOXIC CONTROL,  
SIGNED BY AL SHAMI, PROJECT MANAGER, DATED FEBRUARY 8, 2012  
(COMMENT LETTER C) (continued)**

Mr. Dave Timber  
February 8, 2012  
Page 4

information on the EOA or VCA, please see  
[www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Maryam Tasnif-  
Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at  
[ashami@dtsc.ca.gov](mailto:ashami@dtsc.ca.gov), or by phone at (714) 484-5472.

Sincerely,



Al Shami  
Project Manager  
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
[nritter@dtsc.ca.gov](mailto:nritter@dtsc.ca.gov)

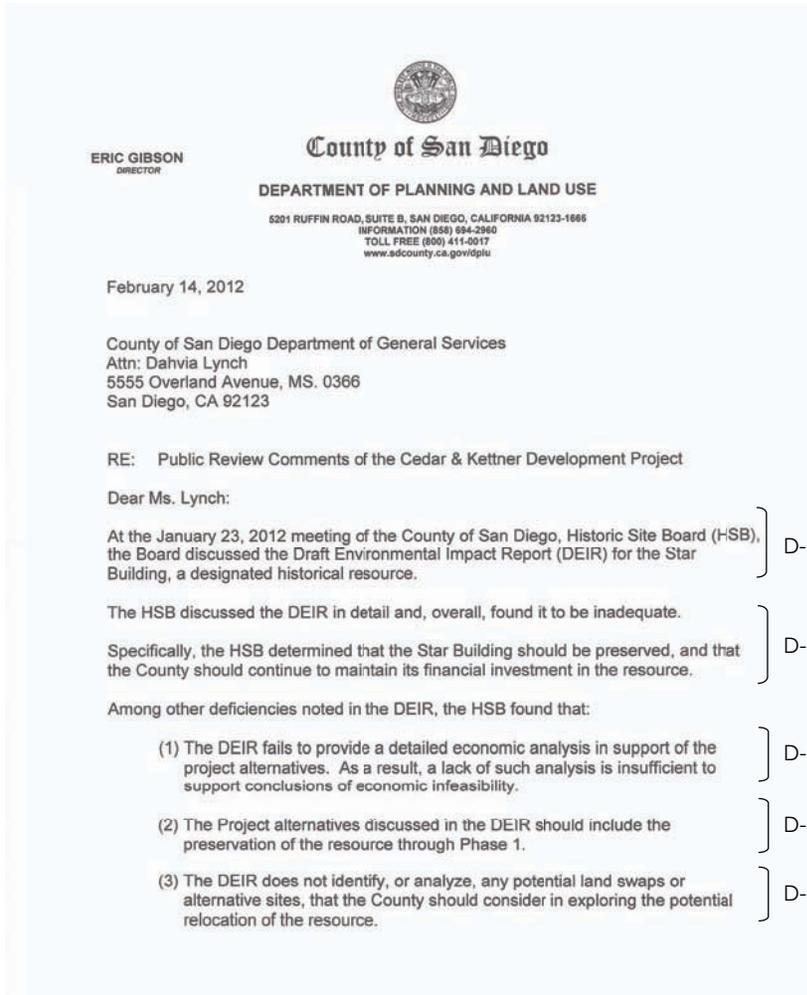
CEQA # 3446

C-9  
(cont'd.)

C-10

**Response to Comment C-10:**  
Comment noted.

**Comment Letter D**



**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A. MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**

**Response to Comment D-1:**

Comment noted.

**Response to Comment D-2:**

Comment noted. The County is proposing to demolish the Star Building as part of the proposed project. The County has spent millions of dollars over the past five to 10 years on historical property preservation and renovation and continues to spend thousands annually for this purpose. Examples include the preservation and/or renovation of the County Administration Center, Golden Hill House, House of Metamorphosis, Correctional Alternatives, Rancho Los Peñasquitos County Park, Valley Center History Museum, Bancroft Rock House, Campo Stone Store, Vallecitos Stage Station, Wilderness Gardens, Witch Creek School, Rancho Guajome Adobe House, all structures at Heritage Park, Whaley House and properties (Verna House and Pharmacy), and several historical ranch houses in County parks. The County will continue its efforts to preserve and maintain these and other historical resources for the benefit of all communities.

As discussed in Section 2.1, the Star Building is a historic resource at the local and state levels. The proposed project would demolish the Star Building as part of Phase 1 of the project, which would result in a substantial adverse change in the significance of a historical resource. Therefore, the proposed project would result in a significant impact to a historical resource. As identified in the EIR, the implementation of Mitigation Measure M-CR-1, which requires the County to prepare full building archival photo documentation pursuant to the Historic American Buildings Survey (HABS) Level II guidelines, would provide some degree of mitigation. However, only retaining the building at this site would fully mitigate this impact to a level less than significant. As such, implementation of the proposed project would result in significant and unmitigable impacts to historical resources due to the loss of the Star Building. Per the requirements of CEQA, other mitigation options and project alternatives were considered in the EIR, including adaptive reuse and relocation of the Star Building. Staff believes that these mitigation measures and alternatives would be infeasible. Ultimately, however, the

**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A.  
MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**  
(continued)

**Response to Comment D-2: (cont'd.)**

decision on whether these mitigation options and alternatives are feasible will be made by the County Board of Supervisors.

In addition, the County initially considered other alternatives that would avoid or substantially lessen the significant impacts to the Star Building. These alternatives included an alternative location for the project and relocation of the Star Building. However, these alternatives were rejected from further consideration primarily because they would significantly increase the cost of the project.

**Response to Comment D-3:**

The economic information provided in the Draft EIR was based on a preliminary economic analysis. A Pro Forma Analysis for the Cedar and Kettner Development Options was prepared for the proposed project by Keyser Marston Associates, Inc.; however, this analysis wasn't finalized until after the Draft EIR was released for public review. The Pro Forma Analysis confirmed the preliminary results reported in the Draft EIR. The County Department of General Services posted the analysis on its website for public review during the week of January 24, 2012. Furthermore, on May 23, 2012, Keyser Marston Associates, Inc. prepared a memorandum that further describes the methodology and assumptions used in the Pro Forma Analysis.

With regard to the statement in this comment that the "lack of such analysis is insufficient to support conclusions of economic infeasibility," an EIR is not required to include information on the economic feasibility of project alternatives. *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco*, 102 Cal.App.4<sup>th</sup> 656, 689-692 (2002).

The Pro Forma Analysis will be included in the record for the project's CEQA Findings and Statement of Overriding Conditions that will be presented to the Board of Supervisors for consideration at a public hearing. The Pro Forma Analysis provides the economic analysis for the conclusion that the project alternatives are infeasible.

**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A.  
MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**  
(continued)

**Response to Comment D-3: (cont'd.)**

Therefore, staff believes that the alternatives would be economically infeasible. Ultimately, however, the decision on whether the alternatives are feasible will be made by the County Board of Supervisors.

**Response to Comment D-4:**

Section 4.0 – Alternatives of the Draft EIR addresses Build Alternatives #1 and #2. Both of these alternatives would preserve the Star Building. Please see response to comment D-2.

The Pro Forma Analysis prepared by Keyser Marston Associates, Inc., assumes that the southern part of the project site is clean, i.e., that the Star Building has been demolished. Consequently, the demolition is a necessary step toward providing the maximum economic return to the County from the development of the southern part of the project site. In addition, the Star Building is proposed for demolition during Phase 1 of the project versus Phase 2 for the following reasons:

- It is more cost effective for the County to remediate the contaminated soils on the entire site at one time rather than remediating a portion of the site in Phase 1; Geotechnical/environmental reports indicate that the highest level of contamination is in the southwest portion of the project site, where the Star Building is located. The 1993 Geocon report noted that although the site was partially cleaned up in 1996, residual petroleum hydrocarbons remain. An estimated 3,000 cubic yards remain inaccessible beneath the Star Building. Remediating or disposing of all remaining contaminated soil during Phase 1 is more efficient than doing the remediation over two phases because the environmental contractor would already be mobilized (no need to re-mobilize in Phase 2), only one site management plan would be needed, greater consistency can be achieved with cleanup standards and methodologies; and greater volume of soil would result in some unit price savings.

**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A.  
MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**  
(continued)

**Response to Comment D-4: (cont'd.)**

- If the Star Building is left in place during Phase 1 and a private developer proposes to demolish the building, the developer would need to obtain approval from the City of San Diego to demolish this building. This requirement would increase the cost of the project for the private developer because the developer would need to get a recommendation from the City's Historical resources Board and then get approval from the City Planning Commission. Also, since there is no guarantee that the approval would be granted by the City, a developer's bid to buy the Star Building site would be reduced to account for the uncertainty in obtaining City approval. These factors may affect the County's ability to sell that portion of the property.
- The project site is much more marketable once it has been completely cleared of all structures, has been graded, contaminated soils have been remediated, and the site has otherwise been made suitable for development by a future private developer.
- Retaining the Star Building would cause design and construction challenges associated with developing the parking structure. For example, the construction could be more costly because movement on the site during construction could be more complicated and restricted, and there could be additional challenges with stabilization and temporary shoring of the soil under the building slab.

**Response to Comment D-5:**

Pursuant to the requirements of Section 15126.6(a) of the CEQA Guidelines, a range of reasonable alternatives was analyzed in the EIR, and no further analysis is required. Also, if the comment is suggesting an alternative that involves just moving the Star Building, the County notes that CEQA does not require an EIR to include an alternative for a component of the project.

**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A.  
MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**  
(continued)

**Response to Comment D-5: (cont'd.)**

California Native Plant Society v. City of Santa Cruz, 177 Cal.App.4th 957, 993 (2009). Nonetheless, a basic analysis of the cost to relocate the resource (Star Building) indicates that this alternative would be economically infeasible. The estimated cost to relocate the building is approximately \$9 million. This amount is based on the combined cost to move the building and to purchase a site in the same general area on which the building could be relocated.

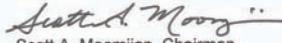
The cost to move the building is estimated at a minimum of \$6.3 million. This figure is based on moving the building to an alternate location on the existing site (Whillock Contracting, Inc., 2012). According to the 2012 Whillock estimate, the cost to move the building to an alternate site would be "extremely expensive" and would require an "extensive study of logistics including but not limited to the following: sizing the building to fit the route chosen, temporary removal of traffic intersection signals, temporary removal of the various over head utility systems, removal and reinstallation of over head centenary wires at the trolley crossings. In addition to the above grade route investigation an extensive subsurface investigation will be required including but not limited to... a complete geotechnical survey and an assessment of all underground utility systems."

In addition, the cost to purchase a site for the building is estimated at roughly \$2.75 million. This figure is based on the purchase of a 5,000 square foot lot in Little Italy at the current market rate of approximately \$550 per square foot. Even if the cost to purchase the land was reduced or eliminated (i.e., through a donation of land, use of public land or a land swap), the cost of transporting the building alone would make this alternative prohibitively expensive.

**Comment Letter D**  
(cont'd.)

Based upon the foregoing, the County of San Diego should not certify the environmental document unless, at a minimum, the above referenced deficiencies are adequately addressed. } D-6

Sincerely,

  
Scott A. Moomjian, Chairman  
County of San Diego Historic Site Board  
Historic Site Board

**RESPONSE TO COMMENT LETTER FROM COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE, SIGNED BY SCOTT A.  
MOOMJIAN, CHAIRMAN, DATED FEBRUARY 14, 2012 (COMMENT LETTER D)**

(continued)

**Response to Comment D-6:**

Comment noted. The alleged deficiencies described in this letter are adequately addressed in the Final EIR and in responses to comments D-1 through D-5 above. This comment letter will be forwarded to the County Board Supervisors for consideration as a component of the Final EIR. Based on a consideration of the entire record for the project, the Board of Supervisors, at a future public hearing, will make a decision on whether or not to certify the Final EIR and approve the project.

Comment Letter E

RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR., CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E)

Response to Comment E-Intro:

This is an introductory comment to the letter, no further response is necessary. Please refer to responses to comments E-1 through E-7 for responses to the specific comments provided in this letter.

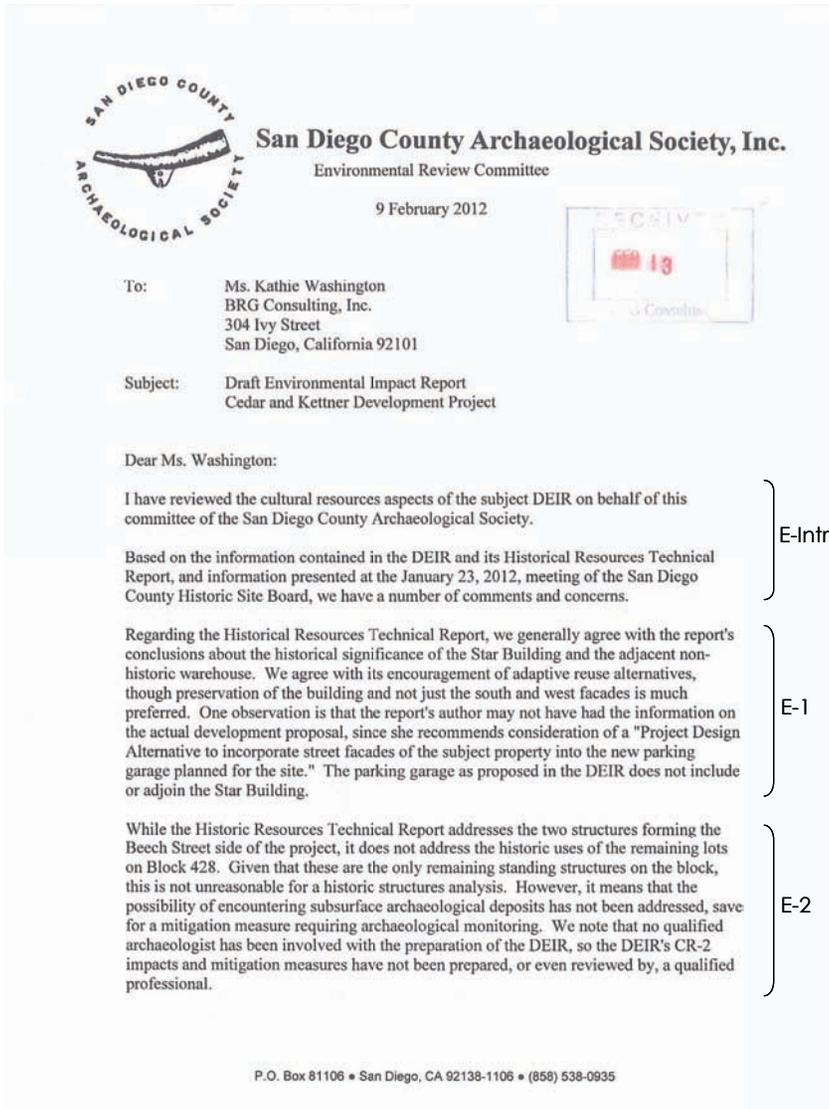
Response to Comment E-1:

The Historical Resources Technical Report was completed on August 23, 2011 based on a preliminary project description. Subsequently, the project description was revised to reflect minor changes to the project. The revised project description was included in the December 2011 Draft EIR. However, the analyses in the Historical Resources Technical Report and the EIR are still valid.

The County investigated incorporating the Star Building's street façade into the parking structure. However, there are several technical and financial barriers to this approach. In addition, the final result would likely not be consistent with the standards of preservation typically applied for incorporation of this type of façade. Challenges to incorporating the façade in the parking structure are as follows:

1. *Technical and Logistical Challenges:* The existing south and west façades are cast-in-place concrete bearing wall/frames. They are at least 12 inches thick and are monolithic. These characteristics make it very expensive to take the walls down and reinstall them. They would have to be cut up into pieces, stored and then reassembled. There are large openings in the frame that were filled with concrete masonry unit (CMU) block and relatively small punched windows. These elements also would need to be taken apart, stored and reassembled. The decorative sheet metal cornice also would have to be cut up, stored and reassembled.

There is also an issue regarding where to store these elements while the soil on the entire site is remediated. Hauling large, heavy materials to an industrial storage area remote from



E-Intro

E-1

E-2

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

**Response to Comment E-1: (cont'd.)**

downtown and then bringing them all back would be very expensive and result in increased mobile source and greenhouse gas emissions.

Logistically, this operation would be very involved and expensive. Also, the structural saw cuts could be made along the sides of frame column elements, but they would be evident once the elements were reinstalled. These visible signs of reassembly of the building would typically be unacceptable from a preservation standpoint.

2. *Visual and Historical Issues:* The new parking structure is designed to be naturally ventilated. This design requires some of the exterior walls to be open so that the building does not trap automobile fumes. The north and west sides of the parking structure that are visible from the streets will be open with decorative cladding to ensure natural ventilation of the parking structure. The south and east sides of the parking structure will have solid walls; however, these walls would be entirely obscured by the future development of Phase 2 of the Project. The Star Building façade is solid, so it cannot be attached to the parking structure façade on the sides of the structure that are open and visible from the street (north and west sides). Also, the scale is entirely different. The new parking structure would be six stories high, while the Star Building is three stories high. The design of the new parking structure and the traditional style of the Star building would also clash visibly.
3. *Structural Issues:* As explained above, to reuse the street façade, it would have to be cut, moved, stored and reinstalled. However, the structural elements of the building may not be able to handle the stresses of movement and repositioning due to inadequate reinforcing or possible corrosion over time. Once the façade elements are removed, they would need to be analyzed

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

**Response to Comment E-1: (cont'd.)**

structurally to determine whether they are seismically strong enough to be reattached and meet earthquake safety standards. This analysis would be quite expensive, and the results could indicate that the materials are not strong enough to be reinstalled.

Therefore, this alternative is not feasible.

**Response to Comment E-2:**

The project site is not located on a block identified as having a high potential for archaeological resources, according to the following environmental documents prepared by the Centre City Development Corporation and referenced in this Draft EIR Section 2.1.2.2:

1. Final Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project and addressing the Centre City Community Plan and Related Documents. Certified by the Redevelopment Agency and the City Council on April 28, 1992 by Resolutions #2081 and #279875 respectively; and
2. Final Subsequent Environmental Impact Report (SEIR) to the Final Master Environmental Impact Report (MEIR) Addressing the Centre City Community Plan and Related Documents for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments. Certified by the Redevelopment Agency (Resolutions # 03058, #03063, and #03066) and the City Council (Resolutions #292363, #292366, and #292371) on October 26, 1999.

In addition, the 2006 Final EIR for the Downtown Community Plan recognized that previously excavated areas generally have a low potential for archaeological resources, since the soil containing the archaeological resources has been removed. Much of the project site has been previously excavated, and the 2006 EIR would suggest that the project site has a low potential for archeological resources.

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

**Response to Comment E-2: (cont'd.)**

This conclusion is consistent with the prior analysis that the project site is not located on a block identified as having a high potential for archaeological resources. The potential for impacts to archaeological resources to occur at the site was not considered high in previous environmental documents that included reviews by professional archaeologists dating back to at least 1992. Furthermore, the site presently is covered with buildings or pavement, and much of the site was substantially disturbed by the construction, removal of six USTs, and remediation of contaminated soil on a majority of the project site. Therefore, it was not necessary to include a professional archaeologist in the preparation of the current EIR. Lastly, the mitigation measure for potential impacts to buried archaeological resources requires construction monitoring and recovery of any archaeological resources that may be discovered during construction. This measure is generally consistent with the mitigation measure for buried archaeological resources from the prior Downtown Community Plan EIR and mitigates any potential impacts to archaeological resources to below a level of significance.

**Comment Letter E**  
(cont'd.)

The necessary historical research, to support determination of potential for archaeological deposits, must include (but not necessarily be limited to) a review of the Sanborn maps, aerial photos, assessor's records, city directories, San Diego History Center archives, and records of when sewer service and garbage collection were provided to the property. We note the 1906 Sanborn map for Block 428 includes the Hercules Oil Company along the railroad track adjacent to the Star Building and a house at 1532 Arctic Street (now Kettner Boulevard). Another house existed where the non-historic warehouse east of the Star Building is located. The 1920 Sanborn map appears to show the Hercules Oil Company extending all the way to Cedar Street, and additional house at 1548 Arctic Street and various other small structures on the block. Each of the houses, as well as the commercial enterprises, would have had privies. Identification of locations would provide guidance for grading operations, indicating areas that would have to have close attention. The current mitigation for CR-2 is wholly dependent upon finding resources after they've been impacted by demolition and grading. That lends a higher degree of uncertainty to the construction schedule for the parking garage when archaeological deposits are encountered, as they are certain to be.

E-3

The development plan in the DEIR for the preferred alternative shows, in Figure 1-5, the Conceptual Perimeter Design Plan. It has the entrance to the parking garage from Beech Street in the location currently occupied by the Star Building, thus necessitating demolition of it as part of Phase 1. Reversal of the up and down stacks of the parking garage would relocate the Beech Street entrance eastward, missing the Star Building and thus allowing it to remain at least until Phase 2. That would allow the Phase 2 developer to evaluate alternatives for adaptive reuse, rather than having the possibility of adaptive reuse precluded by the County's action. In the interim, the Star Building would remain available for use by the County, or for leasing for additional County income.

E-4

The Environmentally Superior Alternative for the project would preserve the historic Star Building. It should be the adopted project, though with increases in the number of dwelling units above the garage, to improve the return to the County. This could be done, with floor-by-floor steps, consistent with the Little Italy Sun Angle Setback line. It could even offer outdoor patios for some units.

E-5

It appears that the County's choice of the preferred alternative is built in very large part upon the economics of the project. However, the original posting of the justifying economic analysis was withheld by the County and not posted on the County's website and made available to the public until more than three weeks after the start of the public review period. At that point it was about halfway through the 45-day review period. In fact, the Pro Forma Analysis posted is dated January 11, 2012, two weeks after the public review period began on December 30, 2011. While "better late than never", it is legally questionable. Individuals or organizations accessing the website before January 24th would have had no reason to go back to find the economic analysis, and are likely not even aware of its existence. SDCAS, for example, is only aware of the economic Pro Forma Analysis by virtue of the undersigned's serving on the Historic Site Board. This indicates the necessity for the DEIR to be re-noticed and a new public review period to be started or the existing one extended, for the benefit of those reviewers whose evaluation of the project would include economic evaluation.

E-6

P.O. Box 81106 • San Diego, CA 92138-1106 • (658) 538-0935

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR., CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

**Response to Comment E-3:**

Please refer to response to comment E-2.

**Response to Comment E-4:**

Locating the parking access towards the west end of the project site along Beech Street allows for a longer distance to accommodate any potential queuing of vehicles accessing the parking structure before spilling back into the Kettner Boulevard/Beech Street intersection. Also, having vehicles enter here as opposed to the middle of the block also allows for efficient traffic circulation patterns inside the parking structure. Please also refer to response to comment D-4, with regards to the need to demolish the Star Building during Phase 1 of the project.

**Response to Comment E-5:**

Comment noted. Draft EIR Section 4.4.2 identified Build Alternative #2 as the environmentally superior alternative. There are varying design options for adaptively reusing the Star Building. The alternative identified in this comment provides another potential alternative for the project. Two build alternatives were analyzed in the EIR that avoid and reduce the environmental impacts of the project. Pursuant to the requirements of Section 15126.6(a) of the CEQA Guidelines, a range of reasonable alternatives was analyzed in the EIR, and analysis of additional alternatives is not required.

The comment apparently suggests revising a build alternative to construct residential units above the parking structure. This proposal would not be feasible due to timing and financial factors.

*Timing:* Major structural elements would need to be incorporated into the parking structure during Phase 1 to support future residential units to be constructed above the parking structure in Phase 2. Consequently, the entire building (parking structure and residential units) would need to be designed and analyzed comprehensively to ensure compliance with applicable codes, particularly those related to seismic issues.

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)****Response to Comment E-5: (cont'd.)**

Specifically, foundations and other structural elements of the parking structure would need to be designed based on the detailed plans for the Phase 2 residential units. However, plans and specifications for Phase 2 construction would most likely not be available when needed during Phase 1. The County is prepared to begin Phase 1 as soon as possible, but has not started the process to select a developer for Phase 2, and that developer would be responsible for preparing detailed plans for Phase 2.

*Cost:* Even if plans for the residential units (Phase 2) were available in time to design the foundation for the parking structure in Phase 1, the cost for the parking structure would increase significantly due to the need to accommodate the added weight of the residential units to be built above the parking structure. The structural support system of the parking structure would need to shift to more closely spaced columns, which would reduce the functionality, safety, and efficiency of the parking structure.

*Financial Return:* In addition, developing residential units above the parking structure would have a high cost and would provide a relatively low return, making this design undesirable from a market standpoint. Only a limited number of units could be developed above the parking structure due to the limited horizontal area and design requirements associated with the Little Italy Sunlight Access Overlay of the Centre City Planned District Ordinance. These regulations limit building height along Cedar Street but allow progressively greater height south toward Beech Street, which would produce a terraced structure. This design is cost-intensive due to the progressively fewer units allowed and the higher cost per unit with each additional story (costs associated with elevators and other vertical construction requirements). In addition, access to the units would be difficult and limited due to the parking structure occupying the development footprint at ground level.

Therefore, this alternative was not analyzed in the Draft EIR and is infeasible.

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

**Response to Comment E-6:**

Please refer to response to comment D-3. The Pro Forma Analysis prepared by Keyser Marston Associates, Inc., confirmed the preliminary economic analysis that was used to prepare the Draft EIR. Keyser Marston's analysis does not constitute significant new information as defined by CEQA; therefore, recirculation of the Draft EIR is not required.

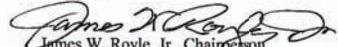
**Comment Letter E**  
(cont'd.)

**RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY  
ARCHAEOLOGICAL SOCIETY, INC., SIGNED BY JAMES W. ROYLE, JR.,  
CHAIRPERSON, DATED FEBRUARY 9, 2012 (COMMENT LETTER E) (continued)**

Thank you for continuing to include SDCAS in the public review of this project.

} E-7

Sincerely,

  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

**Response to Comment E-7:**  
Comment noted.

cc: Office of Marie Burke Lia  
SDCAS President  
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

Comment Letter F

RESPONSE TO COMMENT LETTER FROM SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, SIGNED BY ED GOWENS, DATED FEBRUARY 10, 2012 (COMMENT LETTER F)

**From:** Gowens Ed <egowens@san.org>  
**Date:** Fri, 10 Feb 2012 16:42:18 -0800  
**To:** "kathie@brginc.net" <kathie@brginc.net>  
**Subject:** Cedar & Kettner Development Plan DEIR Comments

Dear Ms Washington:

Thank you for the opportunity to offer comments on the draft Environmental Impact Report for the County of San Diego Cedar and Kettner Development Project.

Our agency concurs with the substance of project analysis in the draft EIR with respect to airport impacts and the conclusions of less than significant impacts as evaluated therein. We appreciate the acknowledgement that as the project is located within an airport influence area (AIA), the project must be submitted for consistency determination review by our agency acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego county.

Please note that our agency name is the San Diego County Regional Airport Authority, which can be cited by the acronym SDCRAA for ease of reference. There are numerous inconsistencies in how our agency is referenced (e.g., San Diego Airport Authority, San Diego Regional Airport Authority). Additionally, my own surname was misspelled as a point of contact; the proper spelling is Gowens.

Thank you again for the opportunity to provide feedback on the draft EIR.

*Ed Gowens*  
Airport Land Use Commission  
San Diego County Regional Airport Authority →  
Post Office Box 82776  
San Diego, California 92138-2776  
voice (619) 400-2244  
fax (619) 400-2459

All correspondence with this email address is a matter of public record subject to third party review.

F-1  
F-2  
F-3

**Response to Comment F-1:**

Comment noted.

**Response to Comment F-2:**

The EIR has been revised to incorporate the correct agency name, the San Diego County Regional Airport Authority (SDCRAA) and point of contact name, Ed Gowens, as referenced by the commenter.

**Response to Comment F-3:**

Comment noted.

Comment Letter G

RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, DEVELOPMENT SERVICES, SIGNED BY CECILIA GALLARDO, ASSISTANT DEPUTY DIRECTOR, DATED FEBRUARY 13, 2012 (COMMENT LETTER G)



THE CITY OF SAN DIEGO

February 13, 2012

BRG Consulting Inc  
Mrs. Kathie Washington  
304 Ivy Street, San Diego, CA 92101

Submitted via email to: Kathie@brginc.net  
Hard copy to follow email

Subject: CITY OF SAN DIEGO COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE CEDAR AND KETTNER DEVELOPMENT PROJECT

The City of San Diego ("City") has received and reviewed the Notice of Availability for the above project and appreciates this opportunity to provide comments to the Administrative Office of the Courts. In response to the NOP on this project, the City identified potential environmental issues that may result in a significant impact to the environment. Continued coordinated planning between the City, the County, and other local, regional, state, and federal agencies will be essential in order to implement this project.

G-1

Staff from the following City departments have reviewed the DEIR and can provide the following comments regarding the content of the DEIR:

**DEVELOPMENT SERVICES DEPARTMENT:**  
ENVIRONMENTAL ANALYSIS SECTION:  
JEFFREY SZYMANSKI, ASSOCIATED PLANNER (619) 446-5324, [jszymanski@sanidiego.gov](mailto:jszymanski@sanidiego.gov)

**Miscellaneous comments:**

Please clarify what or whose significance thresholds under CEQA were used for the impact analysis.

G-2

Please note that any work proposed within the City's Public Right-of-Way (PROW) will require permitting in accordance with the Municipal Code. Please refer to the Development Services Department (DSD) website at <http://www.sandiego.gov/development-services/> for guidance on submittal requirements. Staff within DSD will be able to assist the AOC with any future permitting and/or discretionary actions associated with the work.

G-3

**Response to Comment G-1:**

Comment noted. The County of San Diego concurs with this comment and is the Lead Agency on this project (not the Administrative Office of the Courts, as suggested in the comment letter).

**Response to Comment G-2:**

The significance thresholds used in the EIR were derived from a review of CEQA Appendix G thresholds, the thresholds in the County of San Diego Guidelines for Determining Significance, and the City of San Diego Guidelines for Determination of Significance. For each environmental issue area discussed in the EIR, the County San Diego used the most stringent of these three thresholds to ensure that any potential environmental impacts of the proposed project were adequately identified in the EIR. As such, the thresholds used vary among the environmental issue areas analyzed in the EIR. Each section of the EIR identifies which threshold was used and the rationale for using the threshold.

**Response to Comment G-3:**

Comment noted.



**Development Services**  
1222 First Avenue, MS 501 • San Diego, CA 92101-4155  
Tel (619) 446-5460

**Comment Letter G**  
(cont'd.)

Page 2 of 3  
BRG Consulting Inc.  
Mrs. Kathie Washington  
February 13, 2012

**Chapter 2.0:**

Mitigation measure M-N-1 is deferring a noise study to the issuance of a Design Review Development Permit. In order to make a determination of less than significant the noise study should be prepared in the environmental analysis phase of the project and the appropriate mitigation should be disclosed.

G-4

TRANSPORTATION DEVELOPMENT SECTION:  
ANN GONSALVES, SENIOR ENGINEER – TRAFFIC, (619) 446-5294 [agonslaves@sandiego.gov](mailto:agonslaves@sandiego.gov)  
KAMRAN KHALIGH, ASSOCIATE ENGINEER – TRAFFIC, (619) 446-5355, [kkhaligh@sandiego.gov](mailto:kkhaligh@sandiego.gov)

Horizon Year”, and “Horizon Year + Project” analysis and discussion should also be included in the report. It is possible this analysis will show project impact at the intersection of Kettner Boulevard/Cedar Street, as the Near Term + Project scenarios show LOS E with 48.7 seconds of delay.

G-5

Although the relocation of employee’s parking spaces from the existing County Administration Center to the new proposed location is not expected to add additional regional trips to the general area, it will result in redistribution of trips. In effect additional trips will be observed at the new project’s driveways, and its fronting intersections and road segments. The report should clearly discuss this and analyze the impact of these trips. As a result, study area needs to be revised to include additional intersections.

G-6

A detailed trip distribution figure should be included to clearly show directional distribution percentages on all the street segments, intersections, and project access points. This or a separate trip distribution figure should also show how the additional trips will be observed at the new project’s driveways, and its fronting intersections and road segments due to relocation of employee parking spaces from the existing CAC to the new location.

G-7

A queue analysis should also be included in the report to analyze the expected queue lengths at the proposed project’s access points to the parking structure (due to heavy ingress and egress peak hour volumes) and its fronting and near-by intersections. Location of any proposed gates at such access points should also be identified, and they should be located and operated in a manner not to cause any queuing or stacking of vehicles into the City streets and intersections. The DEIR must disclose and mitigate (or show avoidance of) any such impact to the City street system.

G-8

All traffic operations tables within the report should clearly show each analyzed scenario in comparison to each phase of the project and the entire project. The increase in intersection delays and their significance should be also shown in all tables.

G-9

**RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, DEVELOPMENT SERVICES, SIGNED BY CECILIA GALLARDO, ASSISTANT DEPUTY DIRECTOR, DATED FEBRUARY 13, 2012 (COMMENT LETTER G) (continued)**

**Response to Comment G-4:**

Mitigation Measure M-N-1 imposes a performance standard of 65 dBA CNEL for exterior noise at any outdoor open space (common or private) (e.g., private balconies) for the residential portion of the proposed project. Meeting this performance standard will be assured through the preparation of a noise study and implementing the noise study recommendations as a condition of a City of San Diego Design Review/Development Permit for Phase 2b of the proposed project. Therefore, this mitigation measure is not a deferral of mitigation.

**Response to Comment G-5:**

The traffic study was undertaken consistent with the CCDC traffic study requirements for downtown development projects, which only require longer-term “horizon” year analysis for those projects both exceeding a daily vehicle trip generation threshold of 2,400 and lacking consistency with the Downtown Community Plan. Since the project will not generate daily vehicle trips in excess of 2,400 and is consistent with the Downtown Community Plan, additional more detailed traffic analyses were not required nor undertaken.

**Response to Comment G-6:**

As detailed in the traffic study, with construction of the Cedar and Kettner Development, CAC employee parking will be relocated from the two existing CAC parking lots to the new above grade parking structure at Cedar and Kettner. Peak-hour driveway counts were conducted in April 2011 at the six existing CAC driveways to determine the number of peak hour trips accessing the existing CAC lots. The traffic was then redistributed from the CAC parking lot driveways to the proposed Cedar and Kettner Development Project. The traffic operational analysis then focused on the intersections in the surrounding area through which the redistributed trips would likely travel, including the new project’s driveways. The study area analyzed adequately represents the area subject to potential project related impacts.

**RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, DEVELOPMENT SERVICES, SIGNED BY CECILIA GALLARDO, ASSISTANT DEPUTY DIRECTOR, DATED FEBRUARY 13, 2012 (COMMENT LETTER G) (continued)****Response to Comment G-7:**

Please refer to response to comment G-6. Based upon the configuration of the adjacent roadway network and the spatial relationship of the CAC lot and the proposed project site, assumptions regarding the key travel paths associated with the respective sites (existing and proposed) provided the basis for the redistribution of the project trips, as opposed to distribution percentages. In general, the existing CAC trips were redistributed to the adjacent network based upon the CAC driveway counts and review of key turning movements at the intersection facilities serving the CAC and the proposed project site. Volumes were then redistributed based upon an assumed revised traffic path through the following intersections: Harbor/Ash, Pacific Highway/Ash, and Pacific Highway/Grape.

**Response to Comment G-8:**

The Cedar and Kettner project driveways along Cedar Street, Beech Street, and Kettner Boulevard were analyzed under Existing +Project and Near-Term + Project conditions. All project driveways would operate as LOS C or better under each of the respective project conditions. All project driveways would be accessed via one-way multiple-lane roadways, with no opposing movements or turning conflicts. As such, minimal to no queuing on or along the approaching roadways would be anticipated.

**Response to Comment G-9:**

Tables 3.1.3-5 through 3.1.3-7 of the EIR clearly indicate the anticipated LOS and delay at each of the study intersections for the respective project conditions. The analysis did not indicate the potential for significant project related impacts at any of the study intersections, hence the lack of specific details regarding impact significance.

**Comment Letter G**  
(cont'd.)

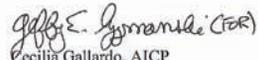
**RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, DEVELOPMENT SERVICES, SIGNED BY CECILIA GALLARDO, ASSISTANT DEPUTY DIRECTOR, DATED FEBRUARY 13, 2012 (COMMENT LETTER G) (continued)**

Page 3 of 3  
BRG Consulting Inc.  
Mrs. Kathie Washington  
February 13, 2012

Please contact the appropriate above-named individual(s) if you have any questions on the submitted comments. The City respectfully requests that you please address the above comments in the FEIR and provide CD copies of the document for distribution to the commenting department(s). If you have any additional questions regarding the City's review of the DEIR, please contact Jeffrey Szymanski, Associate Planner at 619-446-5324 or via email at [jszymanski@sanidiego.gov](mailto:jszymanski@sanidiego.gov).

G-10

Sincerely,

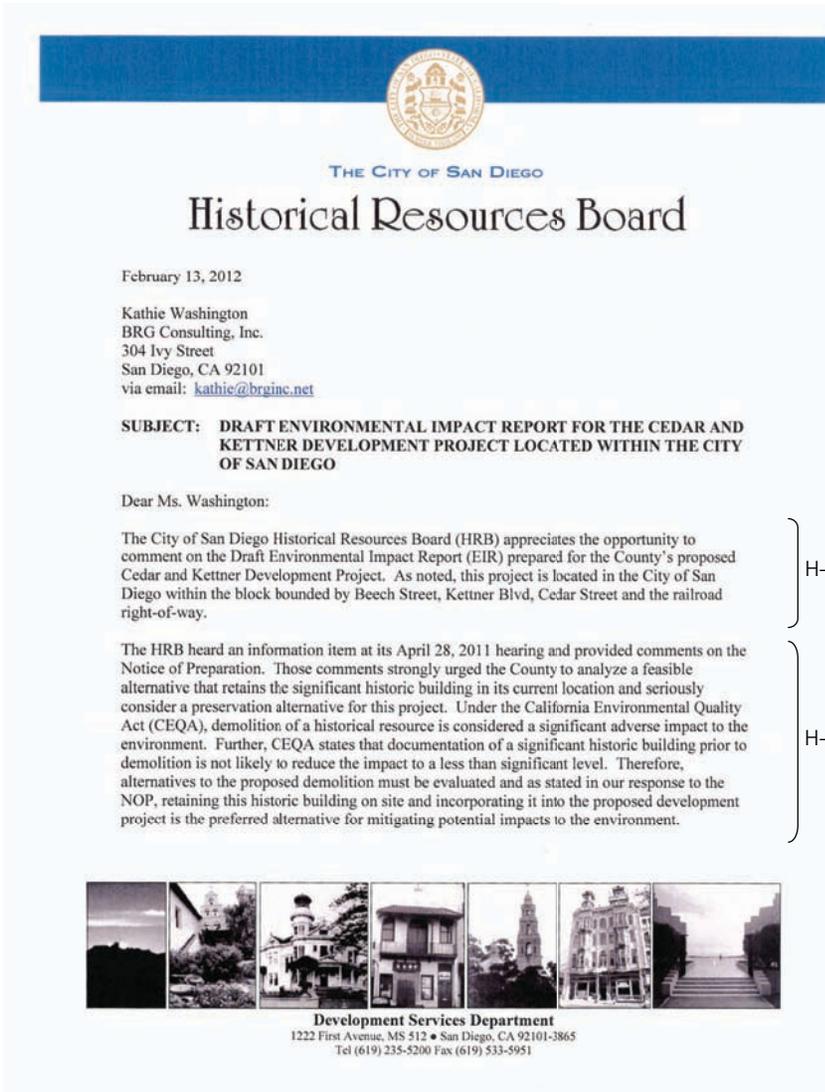
  
Cecilia Gallardo, AICP  
Assistant Deputy Director  
Development Services Department

cc: Myra Herrmann, Senior Planner, Development Services  
Brad Richter, CCDC (via email)  
Reviewing Departments (via email)  
Review and Comment online file

**Response to Comment G-10:**  
Comment noted.

Comment Letter H

RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, HISTORICAL RESOURCES BOARD, SIGNED BY JOHN LEMMO, CHAIR, DATED FEBRUARY 13, 2012 (COMMENT LETTER H)



Response to Comment H-Intro:

This comment is an introduction to the comment letter, no further response is necessary. Please refer to responses to comments H-1 through H-4 for responses to the specific comments provided in this letter.

Response to Comment H-1:

The comments received as part of the Notice of Preparation for this EIR were reviewed and are addressed in the EIR. More specifically, EIR Section 2.1 analyzed the proposed project's impact on historical resources, such as the Star Building. The proposed project would result in a significant historical resources impact. The implementation of the Mitigation Measure M-CR-1 would require the County to prepare a HABS Level II photo documentation, which would reduce this impact to some degree. However, impacts to this resource would not be reduced to a level less than significant unless the building was to remain in place without modification of those elements that are identified as historically significant.

Pursuant to CEQA Guidelines Section 15126.6, an EIR shall describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. As identified in EIR Section 4.0 Project Alternatives, three alternatives were analyzed, the No Project (No Development Alternative), Adaptive Reuse Alternative (Build Alternative #1), and Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2). As summarized in Table 4-1 of the EIR, Build Alternative #1 and Build Alternative #2 would not require the demolition of the Star Building and would avoid the significant historical resource impact identified for the proposed project. Therefore, based on the analysis provided in the EIR for historical resources and alternatives, the issues identified in this comment have been adequately addressed in the EIR, and no revisions to the EIR are required in response to this comment.

**Comment Letter H**  
(cont'd.)

The project is proposed to occur in two phases, with the first phase to include demolition of the City-designated historical building known as the Star Builders Supply Company. The HRB appreciates the straight forward analysis of impacts to the built environment and agrees with the conclusions in the Draft EIR that, as proposed, the project would result in a significant environmental effect to the environment due to direct and cumulative loss of an important historical resource. We further agree that documentation similar to HABS II would reduce the significant effect but not to a level less than significant.

The environmentally preferred alternative, Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2), would result in a reduction of impacts and emissions, and the retention and continued use of the historic Star Building for office use with minor remediation necessary. Since this alternative would eliminate significant and unmitigated environmental impacts and would meet most of the project objectives, the HRB urges the County of San Diego to approve this environmentally superior alternative rather than the proposed project.

If you have any questions about the comments raised in this letter, you may contact Cathy Winterrowd, the Historical Resources Board Liaison at 619-235-5217 or via email at [cwinterrowd@sandiego.gov](mailto:cwinterrowd@sandiego.gov).

Sincerely,



John Lemmo, Chair  
Historical Resources Board

cc: Historical Resources Board Members  
Myra Herrmann, Senior Planner, Development Services/Environmental Analysis Section

H-2

H-3

H-4

**RESPONSE TO COMMENT LETTER FROM CITY OF SAN DIEGO, HISTORICAL RESOURCES BOARD, SIGNED BY JOHN LEMMO, CHAIR, DATED FEBRUARY 13, 2012 (COMMENT LETTER H) (continued)**

**Response to Comment H-2:**

Comment noted.

**Response to Comment H-3:**

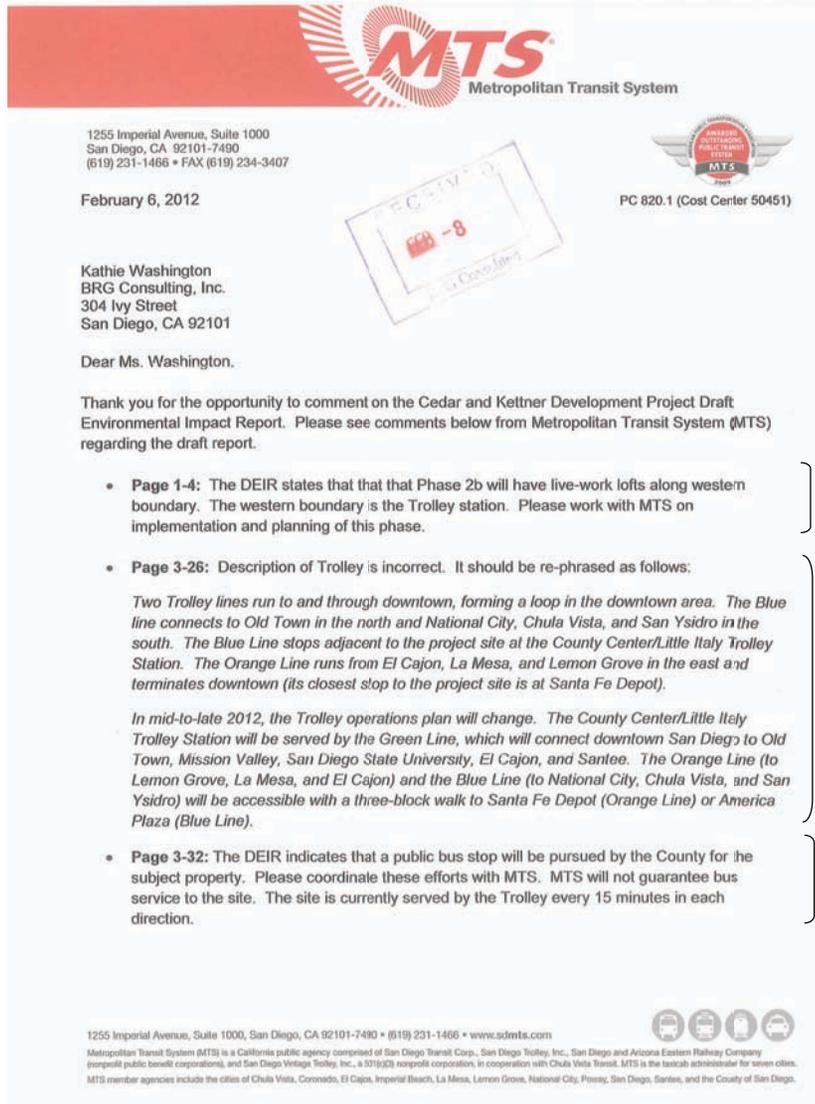
Comment noted. Staff believes that Build Alternatives #1 and #2 would be infeasible. Ultimately, however, the decision on whether these alternatives are feasible will be made by the County Board of Supervisors.

**Response to Comment H-4:**

Comment noted.

Comment Letter I

RESPONSE TO COMMENT LETTER FROM METROPOLITAN TRANSIT SYSTEM, SIGNED BY BRENT BOYD, SENIOR TRANSPORTATION PLANNER, DATED FEBRUARY 6, 2012 (COMMENT LETTER I)



Response to Comment I-1:  
Comment noted.

Response to Comment I-2:  
The EIR Section 3.1.3 (pages 3-26 and 3-27) has been revised to incorporate the suggested revisions to the description of the San Diego Trolley in this comment as follows:

Two Trolley lines run to and through downtown, forming a loop in the downtown area. The Blue Line connects to Old Town in the north and National City, Chula Vista, and San Ysidro in the south. The Blue Line stops adjacent to the project site at the County Center/Little Italy Trolley Station. The Orange Line runs from El Cajon, La Mesa, and Lemon Grove in the east and terminates downtown (its closest stop to the project site is at Santa Fe Depot).

The Trolley operations plan is scheduled to change in mid-to-late 2012. The County Center/Little Italy Trolley Station will be served by the Green Line, which will connect Downtown San Diego to Old Town, Mission Valley, San Diego State University, El Cajon and Santee. The Orange Line (to National City, Chula Vista, and San Ysidro) will be accessible with a three-block walk to the Santa Fe Depot (Orange Line) or America Plaza (Blue Line).

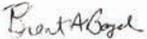
There is an existing trolley station on the west side of the project site that will not be altered by the proposed project.

Response to Comment I-3:  
The proposed project is not designed or in need of a new bus stop on-site. As such, the description of the Transportation Demand Management measures in EIR Section 3.1.3 has been revised to remove the pursuit of a public bus stop measure.

**Comment Letter I  
(cont'd.)**

If you have any questions on our comments, please don't hesitate to contact me.

Sincerely,



Brent Boyd  
Senior Transportation Planner

MSPPELLER-L  
L-COMMENTS CEDAR KETTNER REPORT BBOYD

Cc: Mark Thomsen

} I-4

**RESPONSE TO COMMENT LETTER FROM METROPOLITAN TRANSIT SYSTEM,  
SIGNED BY BRENT BOYD, SENIOR TRANSPORTATION PLANNER, DATED  
FEBRUARY 6, 2012 (COMMENT LETTER I) (continued)**

**Response to Comment I-4:**

Comment noted.

Comment Letter J



February 14, 2012

BRG Consulting, Inc.  
Mrs. Kathie Washington  
304 W. Ivy Street  
San Diego, CA 92101

Submitted via e-mail to: Kathie@brginc.net  
Hard Copy to follow e-mail

Subject: Centre City Development Corporation Comments on the Draft Environmental Impact Report (DEIR) for the Cedar and Kettner Development Project.

The Centre City Development Corporation (CCDC) has received and reviewed the Notice of Availability for the above project and appreciates this opportunity to provide comments. In response to the Notice of Preparation on this project, CCDC identified potential environmental issues that may result in a significant impact to the environment. Continued coordinated planning between the County and CCDC will be essential in order to implement this project. Below is a list of comments regarding the content of the DEIR:

J-Intro

**Clarification/Corrections**

- Per the 2011 amendments to the Centre City Planned District Ordinance (CCPDO), the project is located within the Residential Emphasis (RE) district. Please revise all references from R to RE.
- Phase 1 Orientation - The Star Builders Supply Company Office Building and the one-story warehouse face southerly not westerly along Beech Street (page 1-4)
- Surrounding and Existing land uses should be revised to include the Ariel Suites project (under construction) located directly across the street to the south of the project on Beech Street between Kettner Boulevard and the railroad tracks (Figure 1-7 and 3-2).
- Historical Resources M-CR-1 - This mitigation measure should be drafted to be consistent with the 2006 DCP FEIR Mitigation Monitoring Reporting Program (MMRP) Mitigation Measure Hist. A.1-3 should the Star Building be demolished.
- Noise M-N-1 - It should be clarified that the requirement for an acoustical analysis for outdoor open space is a requirement of the 2006 DCP FEIR MMRP.
- Page S-7, Impact No. N-1 - Exterior Traffic Noise Increase was identified as an overriding consideration. Mitigation is not required by the 2006 DCP FEIR.
- A Centre City Development Permit (CCDP) is required for the privately initiated development associated with Phases 2a and 2b (Matrix of Project Approvals 1.5.1, page 1-7)
- Please reference the Downtown Design Guidelines adopted in 2011 as an applicable document (page 1-3, 1-8)
- Phase 2 is subject to City of San Diego and CCDC review.

J-1  
J-2  
J-3  
J-4  
J-5  
J-6  
J-7  
J-8  
J-9

401 B Street, Suite 400 | San Diego, CA 92101 | Phone 619-235-2200 | Fax 619-236-9148 | www.ccdc.com

**RESPONSE TO COMMENT LETTER FROM CENTRE CITY DEVELOPMENT CORPORATION (CCDC), SIGNED BY LUCY CONTRERAS, SENIOR PLANNER, DATED FEBRUARY 14, 2012 (COMMENT LETTER J) (continued)**

**Response to Comment J-Intro:**

Comment noted. This comment is an introduction to the comment letter and further response is necessary. Please refer to responses to comments J-1 through J-13 for responses to the specific comments provided in this letter.

**Response to Comment J-1:**

A global revision throughout the EIR has been made to change "R" to "RE" pursuant to the information provided in this comment. However, this revision has no effect on the project as analyzed in the EIR.

**Response to Comment J-2:**

The error identified in this comment was found on page 1-2 of the EIR and not 1-4. However, a global word search throughout the EIR was completed to ensure any reference to the Star Building and warehouse facing "westerly" along Beech Street has been corrected to "southerly."

**Response to Comment J-3:**

The surrounding and existing land uses described in the EIR were based upon existing data available at the time the Notice of Preparation was released for public review. However, the Ariel Suites project was included and analyzed in the EIR as a cumulative project. Figure 1-8, Cumulative Projects Location Map, shows the location of the Ariel Suites Project. Ariel Suites is also included in Table 1-1, Cumulative Projects list. Therefore, no revisions to the Draft EIR are required.

**Response to Comment J-4:**

The major difference between Mitigation Measure M-CR-1 identified in the EIR and Mitigation Measure Hist. A.1-3 in the 2006 Downtown Community Plan Final EIR, is that the Mitigation Measure A.1-3 provides a detailed description of the City of San Diego's process required for implementing the HABS Level II photo documentation process. Whereas, Mitigation Measure M-CR-1 identified in the EIR identifies a general description of the HABS Level II mitigation. The County is responsible for the demolition of the Star Building and would implement the Mitigation Measure M-CR-1 in

**RESPONSE TO COMMENT LETTER FROM CENTRE CITY DEVELOPMENT CORPORATION (CCDC), SIGNED BY LUCY CONTRERAS, SENIOR PLANNER, DATED FEBRUARY 14, 2012 (COMMENT LETTER J) (continued)****Response to Comment J-4: (cont'd.)**

accordance with the HABS Level II guidelines set forth by the State because the County is not subject to City of San Diego regulations. Both measures result in HABS Level II photo documentation and there is no difference in the results that will be achieved after completion of the photo documentation. Therefore, no revisions to Mitigation Measure M-CR-1 have been made in the EIR in response to this comment.

**Response to Comment J-5:**

Mitigation Measure M-N-1 has been revised throughout the EIR pursuant to the clarification provided in this comment. The revised Mitigation Measure M-N-1 is as follows:

~~“Per the requirements of the Centre City Development Corporation's Design Review/ Development Permit Approvals, Consistent with 2006 Downtown Community Plan Final EIR prepared by Centre City Development Corporation, prior to the issuance of a Design Review/Development Permit, all residential projects (Phase 2b of the proposed project) with required outdoor open space (common or private) (e.g., private balconies) are required to prepare a noise study to ensure exterior noise would not exceed 65 dB CNEL. Any additional mitigation measures identified by the noise study that are necessary to achieve an exterior noise standard of 65 dB CNEL shall be incorporated into the building/architectural plans.”~~

**Response to Comment J-6:**

The 2006 Downtown Community Plan Final EIR concluded that exterior traffic noise impacts would be significant and not mitigable and identified an overriding consideration for Impact N-1 – Exterior Traffic Noise.

**Response to Comment J-7:**

Section 1.5.1 Matrix of Project Approvals/Permits on page 1-7 of the EIR has been revised to include a Centre City Development Permit required for privately initiated development associated with Phases 2a and 2b.

**RESPONSE TO COMMENT LETTER FROM CENTRE CITY DEVELOPMENT CORPORATION (CCDC), SIGNED BY LUCY CONTRERAS, SENIOR PLANNER, DATED FEBRUARY 14, 2012 (COMMENT LETTER J) (continued)**

**Response to Comment J-8:**

Pages 1-3 and 1-8 of the EIR have been revised to include a reference to the Downtown Design Guidelines adopted in 2011. However, this revision has no effect on the project as analyzed in the EIR.

**Response to Comment J-9:**

Comment noted.

Comment Letter J  
(cont'd.)

County DEIR  
February 14, 2012  
Cedar and Kettner  
Page 2

**Visual Impacts and Neighborhood Context**

Upon review, CCDC does not believe the DEIR adequately analyzes potential visual impacts created by the proposed structures and does not adequately address the project's compatibility with the surrounding neighborhood. The following is a list of items which should be analyzed:

- 1. Screening - All parking levels above grade should be shielded from view by a solid wall or headlight-obscuring screen a minimum height of 42 inches, measured from the finished floor of the adjoining parking space.
- 2. Interior Lighting - All interior lighting fixtures should be designed so that the light source is not directly visible from the exterior of the garage. Roof-top lighting should be designed to be shielded from view from any property line.
- 3. Glare - Impacts from lighting and vehicle headlights to the surrounding neighborhood need to be evaluated.
- 4. Interim Phase - The project's east and south elevations will be highly visible from the public right-of-way and surrounding residential uses have the potential to create aesthetic and visual impacts to the surrounding neighborhood. These elevations should be reconsidered and fully designed to provide screening as listed in #'s 1 and 2 above and include architectural detailing, material texture, ornamentation, landscape treatment and/or artwork.

J-10

J-11

J-12

J-13

Please feel free to contact me at 619-533-7132 or via email at [contreras@ccdc.com](mailto:contreras@ccdc.com).

Sincerely,



Lucy Contreras  
Senior Planner  
Centre City Development Corp.

cc: Jeff Graham, Vice President, Redevelopment  
Brad Richter, Asst. Vice President, Planning

**RESPONSE TO COMMENT LETTER FROM CENTRE CITY DEVELOPMENT CORPORATION (CCDC), SIGNED BY LUCY CONTRERAS, SENIOR PLANNER, DATED FEBRUARY 14, 2012 (COMMENT LETTER J) (continued)**

**Response to Comment J-10:**

Comment noted. The south and east sides of the parking structure will have solid walls, and the north and west sides will have decorative cladding. The cladding will effectively block light trespass from vehicle headlights and parking structure internal lighting. One cladding possibility is to install vertical, opaque phenolic panels at 45-degree angles and place light-diffusing perforated steel panels in between. Another may be to install a combination of perforated steel and mesh panels over both walls. Either scenario will prevent headlights and internal lighting from being seen from outside the parking structure.

Screening of parking structures is addressed directly in the City's PDO at Municipal Code section 156.0313, Parking, Loading, Traffic and Transportation Demand Management Standards. These regulations address general screening of the parking level through encapsulating (section 156.0313(h)(2)(B)), screening of vehicle headlights (section 156.0313(h)(2)(D)), and requirements that interior lighting fixtures be designed so that the light source is not directly visible from the exterior of the parking structure (section 156.0313(h)(5)). As discussed in Section 3.1.2 – Aesthetics of the EIR, the proposed project is conceptually designed to be consistent with City's PDO requirements and Performance Standards (Municipal Code section 156.0312 et seq.). Therefore, the proposed project would not result in a significant impacts associated with light or glare.

**Response to Comment J-11:**

Comment noted. Please refer to response to comment J-10. If any roof top lighting is installed on the project buildings, the lighting would be shielded per the requirements of the City's PDO.

**RESPONSE TO COMMENT LETTER FROM CENTRE CITY DEVELOPMENT CORPORATION (CCDC), SIGNED BY LUCY CONTRERAS, SENIOR PLANNER, DATED FEBRUARY 14, 2012 (COMMENT LETTER J) (continued)**

**Response to Comment J-12:**

Please refer to response to comment J-10. As discussed in Section 3.1.2 – Aesthetics of the EIR, the proposed project would be consistent with the City's PDO for light and glare, including the following PDO requirements: lighting and vehicle headlights would be reduced by encapsulation (section 156.0313(h)(2)(B), headlight obscuring screen (section 156.0313(h)(2)(D), interior lighting fixture design requirements (section 156.0313(h)(5) and performance standard to shield or direct light or glare away from adjacent land uses or the public right-of-way (section 156.0312(3)). Therefore, there should be no significant impacts on the surrounding neighborhood from lighting and vehicle headlights in the parking structure.

**Response to Comment J-13:**

Comment noted. The exterior walls on the south and east sides will be designed to include some form of art or aesthetic enhancement during the interim phase. The improvements on both walls would be temporary because Phase 2 structures will permanently cover them. The southern and eastern side of the parking structure will also include precast planters with oversized potted shrubs and trees that will help to screen the parking structure at the street level.

In addition, during the interim phase, the proposed project would be consistent with the City's PDO requirements regarding screening as discussed above in response to comment J-10 and J-12.

Comment Letter K

Brandt-Hawley Law Group  
Chauvet House • PO Box 1659  
Glen Ellen, California 95442  
707.938.3900 • fax 707.938.3200  
preservationlawyers.com

February 13, 2012

Kathie Washington  
Project Manager  
BRG Consulting, Inc.  
via email: [kathie@brginc.net](mailto:kathie@brginc.net)

Subject: Comments on Draft EIR  
Cedar and Kettner Development Project

Dear Ms. Washington:

Please accept these comments on behalf Save Our Heritage Organisation (SOHO) regarding the Cedar and Kettner Development Project. SOHO is a California nonprofit corporation formed in 1969 to lead the San Diego community as a catalyst for historic preservation by raising awareness and appreciation of the region's rich architectural and cultural heritage. My law practice is focused on the application of CEQA to historic resources statewide in such cases as *Friends of Sierra Madre v. City of Sierra Madre*, *Lincoln Place Tenants Association v. City of Los Angeles*, *League for Protection v. City of Oakland*, *Architectural Heritage Association v. County of Monterey*, and *Preservation Action Council v. City of San Jose*, among many others.

K-Intro

SOHO appreciates the Draft EIR's acknowledgment of the historic importance of the Star Building. SOHO's sole concern about this project, shared by the County's Historic Site Board, is with its proposal to needlessly and wastefully demolish the Star Building that the County recently spent millions to fully rehabilitate.

K-1

The rationale provided in the EIR for demolition of the Star Building is to meet the County's pronounced objective to "maximize" prospective profits on a potential public/private development on a portion of the site. (EIR at 1-1.) This is an improperly narrow objective. Under case law from the California Supreme Court and the Courts of Appeal interpreting the mandates of CEQA, a project alternative's

K-2

RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K)

Response to Comment K-Intro:

This is an introductory comment that identifies the commenter, Brandt-Hawley Law Group, as submitting comments on behalf of Save our Heritage Organisation (SOHO). No further response is necessary.

Response to Comment K-1:

This comment does not raise a significant environmental issue for which a response is required.

Response to Comment K-2:

The County disagrees with this comment.

The project objectives comply with CEQA. The Cedar and Kettner Development Project includes four objectives, which the County used to develop the potential project and alternatives. One of the purposes of project objectives is to assist in developing project alternatives (CEQA Guidelines, section 15124(b)). Unlike the Preservation Action Council case cited by the commenter, the EIR for the proposed project includes a reduced-size alternative. In fact, the EIR analyzed a range of reasonable alternatives, including two alternatives (Build Alternative #1 and Build Alternative #2) that would retain the Star Building.

The objective to "maximize the County's potential return from development of a portion of the site through public-private partnership," is acceptable under CEQA. As a local governmental agency, the County is concerned about protecting the taxpayers. One way the County can do this is to maximize the return on the use of this property. Several cases, such as *Sequoiah Hills Homeowners Association v. City of Oakland*, 23 Cal. App. 4th 704 (1993), support the validity of this project objective. In the *Sequoiah Hills Homeowners Association* case, a key project objective was to provide the least expensive single-family housing in the vicinity of the project, and the court held that the city properly rejected less dense project alternatives as infeasible because they would not meet this project objective.

**RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K) (continued)****Response to Comment K2: (cont'd.)**

In addition to not meeting the project objective of maximizing the return to the County, staff believes that the alternatives that would retain the Star Building are economically infeasible under the pertinent feasibility standards enunciated by the courts. The Pro Forma Analysis prepared for the project concluded that the residual land value (what a developer would pay the County for the site) is estimated to be \$4,817,000 for the proposed project compared to a negative \$288,000 for Build Alternative #1 and \$654,000 for Build Alternative #2. The disparity between the return even for Build Alternative #2 and the proposed project is sufficiently large to make approval of Build Alternative #2 "impractical" (Preservation Action Council v. City of San Jose, 141 Cal.App.4th 1336, 1352 (2006)). Likewise, the disparity in the return to the County is so great that a reasonably prudent property owner would not proceed with even Build Alternative #2 (Flanders Foundation v. City of Carmel-by-the-Sea, 202 Cal.App.4th 603, 622 (2012)).

Furthermore, the project alternatives that would retain the Star Building are infeasible for other reasons, including the following:

- It is more cost effective for the County to remediate the contaminated soils on the entire site at one time rather than remediating a portion of the site in Phase 1; Geotechnical/environmental reports indicate that the highest level of contamination is in the southwest portion of the project site, where the Star Building is located. The 1993 Geocon report noted that although the site was partially cleaned up in 1996, residual petroleum hydrocarbons remain. An estimated 3,000 cubic yards remain inaccessible beneath the Star Building. Remediating or disposing of all remaining contaminated soil during Phase 1 is more efficient than doing the remediation over two phases because the environmental contractor would already be mobilized (no need to re-mobilize in Phase 2), only one site management plan would be needed, greater consistency can be achieved with cleanup standards and methodologies; and greater volume of soil would result in some unit price savings.

**RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K) (continued)**

**Response to Comment K2: (cont'd.)**

- If the Star Building is left in place during Phase 1 and a private developer proposes to demolish the building, the developer would need to obtain approval from the City of San Diego to demolish this building. This requirement would increase the cost of the project for the private developer because the developer would need to get a recommendation from the City's Historical resources Board and then get approval from the City Planning Commission. Also, since there is no guarantee that the approval would be granted by the City, a developer's bid to buy the Star Building site would be reduced to account for the uncertainty in obtaining City approval. These factors may affect the County's ability to sell that portion of the property.
- The project site is much more marketable once it has been completely cleared of all structures, has been graded, contaminated soils have been remediated, and the site has otherwise been made suitable for development by a future private developer.
- Retaining the Star Building would cause design and construction challenges associated with developing the parking structure. For example, the construction could be more costly because movement on the site during construction could be more complicated and restricted, and there could be additional challenges with stabilization and temporary shoring of the soil under the building slab.

Ultimately, however, the decision on whether the project alternatives are feasible will be made by the Board of Supervisors.

**Comment Letter K**  
(cont'd.)

SOHO EIR Comment Letter  
February 13, 2012  
Page 2 of 2

increased costs or reduced size — and, therefore, smaller profits — are not dispositive. The CEQA test for project feasibility is whether a project will be economically and programmatically practical, not whether it achieves maximum profits or meets a developer's (here the County's) preferences. Thus, in *Preservation Action Council v. City of San Jose*, cited above, a city's approval of a Lowe's big box store was rejected when the EIR failed to consider a reduced-size alternative. If maximizing profit was a proper EIR objective, it would always trump alternatives and defeat the salutary purposes of CEQA. That is not how CEQA is structured.

} K-2  
(cont'd.)

Please confirm agreement with the paragraph above.

Further:

1. How much did the County spend to rehabilitate the Star Building?
2. What are the projected costs of demolition and disposal?
3. Have those two costs been included in the Pro Forma?
4. SOHO believes that a hotel may potentially generate more income for the County than would the currently-proposed buildings in the EIR's two non-demolition alternatives. In order to provide a range of reasonable alternatives, please identify and analyze a non-demolition project alternative that includes a hotel along with the necessary parking to meet the County's needs.
5. Please also revise the EIR's third bullet point objective at page 1-1 from "Maximize the County's potential return..." to read "Provide a reasonable return ...," and then revise analysis of environmental impacts and alternatives accordingly. If not, why not?

} K-3

} K-4

} K-5

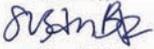
} K-6

} K-7

Please amend the EIR as requested and recirculate it for comment.

} K-8

Thank you very much.

Sincerely,  
  
Susan Brandt-Hawley

**RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K) (continued)**

**Response to Comment K-3:**

Based on records from the 1990's, the County estimates that approximately one million dollars was spent to rehabilitate the Star Building.

**Response to Comment K-4:**

The estimated cost to demolish and dispose of the Star Building is between \$230,000 and \$300,000 (Whillock Contracting, 2012).

**Response to Comment K-5:**

The cost of rehabilitating the Star Building in the early 1990's was not directly considered in the Pro Forma Analysis because this investment occurred nearly two decades ago and is a sunk cost.

The analysis does consider the current market value of the Star Building, which is higher than it would have been had the County not rehabilitated the building.

The Pro Forma Analysis assumed three development options, consistent with the proposed project and Build Alternatives analyzed in the EIR. For the first option (proposed project), the Pro Forma Analysis assumed a clean site (no buildings) at the southern end of the block. For the development options (Build Alternatives #1 and #2), the Pro Forma Analysis assumed retention of the Star Building (but not the adjoining warehouse). The Pro Forma Analysis assumed a County parking structure on the northern two-thirds of the project site and private development on the southern and eastern one-third of the project site for all three development options.

To account for the demolition cost, that cost should be deducted from the residual land value shown at the end of the Pro Forma Analysis. The demolition cost is estimated to be between \$230,000 and \$300,000 (Whillock Contracting, 2012). If the maximum estimated cost of \$300,000 is factored into the Pro Forma Analysis, the residual land values are estimated to be \$4,517,000 for the proposed project, negative \$588,000 for Build Alternative #1 and \$354,000 for Build Alternative #2.

**RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K) (continued)****Response to Comment K5: (cont'd.)**

The disparity in the returns to the County would remain substantial. Therefore, staff's conclusion as to the infeasibility of the alternatives would not change. Ultimately, however, the decision on whether these alternatives are feasible will be made by the County Board of Supervisors.

**Response to Comment K-6:**

As required by Section 15126.6(a) of the CEQA Guidelines, an EIR shall "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 4.0 – Alternatives of the Draft EIR, analyzed alternatives that would avoid or lessen all or some of the significant, unmitigable impacts of the proposed project. Alternatives that would avoid the significant and unmitigable historic resource impact and meet some, but not all, of the project objectives are included in the EIR. Both Build Alternatives #1 and #2 analyzed in the EIR avoid the need to remove the Star Building. Consequently, the EIR adequately analyzed a range of reasonable alternatives that avoid or lessen the impacts of the proposed project. The analysis of other alternatives is not required, and no revisions were made to the EIR in response to this comment.

The County does not plan, develop and/or operate hotels. Thus, any hotel development would need to be implemented by a private developer. A private developer would be subject to City zoning regulations, and the zoning of the project site does not allow hotels. The current zoning for the site is Residential Emphasis, which based on Table 156-0308-A of the City's Municipal Code. A hotel is not an allowed use in the Residential Emphasis land use zone.

Furthermore, the County did not perform a market analysis to determine the demand for boutique hotels in the vicinity of the proposed project. The market analysis performed was based on the market demand for uses allowed by the zoning at this site, such as residential uses and limited commercial and office uses.

**RESPONSE TO COMMENT LETTER FROM BRANDT-HAWLEY LAW GROUP ON BEHALF OF SAVE OUR HERITAGE ORGANISATION (SOHO), SIGNED BY SUSAN BRANDT-HAWLEY, DATED FEBRUARY 13, 2012 (COMMENT LETTER K) (continued)**

**Response to Comment K6: (cont'd.)**

The comment provides no evidence to support the notion that there is a market demand for a hotel at this site, that a hotel use would be permitted as an exception to the existing zoning, or that a hotel at this site would generate more income for the private developer, and, thus provide more return to the County from the sale or lease of the property than would either of the no-demolition alternatives.

**Response to Comment K-7:**

Comment noted. Please refer to responses to comments K-2 and K-6.

**Response to Comment K-8:**

No changes to the EIR were made as a result of the comments made in this letter. Furthermore, no significant new information as defined by CEQA has been included into the EIR; therefore, recirculation of the Draft EIR is not required.

Comment Letter L

RESPONSE TO COMMENT LETTER FROM MANNY CEPEDA, DATED JANUARY 5, 2012 (COMMENT LETTER L)

From: Manny Cepeda <riveracepeda@msn.com>  
Date: Thu, 5 Jan 2012 18:17:11 -0800  
To: <kathie@brginc.net>  
Subject: Draft Environmental Impact Report for the Cedar and Kettner Development Project (SCH2011031092)

Dear Ms. Washington,

I am an owner of a Condo at Bella Via at 1608 India Street downtown. I am officially placing a complaint for this action to take place. One of the criteria for me purchasing my condo was the view. More and more I see the lack of the city maintaining its word with construction and violating the same rules they impose in the tenants/owners of the dwelling in downtown.

L-1

It seems to be ok to change building codes to suit the city's need and disregard the safety and comfort of the residents. The emissions of the cars in the parking lot would affect the health of others and the aesthetics of the area will be diminished by the blocking of the view in our community.

L-2

I can see a 3 or 4 story structure that won't interfere with the view but not a 7 story tall building that obstructs everything let alone the environmental impact to the neighborhood. I hope you receive emails like mine and that you re-consider the size of the building and its environmental impact in the area.

L-3

Best Regards,  
Manny Cepeda

Response to Comment L-1:

Comment noted. The County is generally exempt from the City's General Plan and not subject to the City's land use regulations. However, as discussed in detail in Section 3.1.1 Land Use of this EIR, as conceptually designed, the project is consistent with the City's General Plan and land use regulations for this project site. This comment does not raise a significant environmental issue for which a response is required; therefore, no further response is necessary. This comment will be forwarded to the decision makers as a component of the Final EIR.

Response to Comment L-2:

An air quality analysis of the potential impacts of the proposed project was conducted, and a discussion of that analysis is provided in EIR Section 2.3. Vehicles operating in the proposed parking structure (entering and exiting) are not expected to cause pollutant emissions that would affect surrounding residents and businesses. The new parking structure is designed to be naturally ventilated. The south and east exterior walls would be open for the six levels of above-ground parking so that the building does not trap automobile fumes. This design will facilitate diffusion of auto emissions from within the parking structure into the surrounding environment (as opposed to a concentrated point source of emissions from a closed structure that would have a greater potential to adversely affect any individual off-site receptor). The heaviest congestion in a parking structure is at the end of the workday when numerous cars are started in a short time span. However, winds typically blow strongly from the west in the project area during this time of day, and this wind will help diffuse and disperse any emissions in the parking structure. For these reasons, there would be no substantial adverse emission impacts to local residents from vehicles operating in the parking structure.

Project-related emissions are generally associated with vehicle trips to and from the site. These operational emissions associated with the project would not exceed the City of San Diego thresholds of significance. In addition, due to the close proximity of the project site to the CAC site, the operational emissions for Phase 1 of the proposed project would not differ from emissions generated by the existing trips to and from the CAC site.

**RESPONSE TO COMMENT LETTER FROM MANNY CEPEDA, DATED JANUARY 5, 2012 (COMMENT LETTER L) (continued)****Response to Comment L-2: (cont'd.)**

However, on a cumulative level, the project would contribute to regional air quality emissions through the increase in mobile (car and truck) emissions. Such regional air quality issues are typically addressed through transit or other mobility planning and programs. At this time, no specific plans or programs have been identified that would be available to mitigate the regional air quality impacts, and these impacts were disclosed as cumulatively significant and unmitigable in the Draft EIR.

The comment also discusses the potential for the project to impact existing views. As identified in the EIR, the proposed parking structure is an allowable use consistent with the land use designation, zoning, and the Downtown Community Plan and Centre City Planned District Ordinance for the project site. Refer to response to comment L-3 below.

**Response to Comment L-3:**

With respect to aesthetics, the County has reviewed the project's potential for impacts to visual quality and aesthetics as required under CEQA. EIR Section 3.1.2 addresses the proposed project's potential impact to aesthetics, including impacts to scenic vistas and visual character. The development of the Phase 1 parking structure would meet the requirements for the Little Italy Sun Access Criteria and associated stepbacks, as well as the Cedar and Beech Streets View Corridor regulations and height regulations of the Centre City Planned District Ordinance (PDO). The project as conceptually designed, would be consistent not only with the existing development regulations of the PDO, but also the built environment. Specifically, Phase 1 would be approximately the same height as the existing residential building to the north; higher than the three-story townhomes to the east; and lower than both the existing 28-story building to the southeast and the proposed 22-story building (Ariel Suites) under construction across the street to the south.

Similarly, Phases 2a (retail/commercial/office) and 2b (high-rise residential) would be developed to be consistent with the development regulations, including the Little Italy Sun Access Criteria, stepbacks, height regulations,

**RESPONSE TO COMMENT LETTER FROM MANNY CEPEDA, DATED JANUARY 5, 2012 (COMMENT LETTER L) (continued)**

**Response to Comment L-3: (cont'd.)**

and the Cedar and Beech Streets View Corridors, as well as surrounding development. The comment does not identify a new significant impact to visual character. The commenter's concerns will be forwarded to the decision makers as a component of the Final EIR.

**Comment Letter M**

**RESPONSE TO COMMENT LETTER FROM DAN HAYS, DATED JANUARY 5, 2012  
(COMMENT LETTER M)**

**From:** Dan Hays <danbhays@yahoo.com>  
**Reply-To:** Dan Hays <danbhays@yahoo.com>  
**Date:** Fri, 6 Jan 2012 12:32:03 -0800 (PST)  
**To:** "kathie@brginc.net" <kathie@brginc.net>  
**Cc:** Kari Girdick <kgirdick@actionlife.com>  
**Subject:** Project at Beech and Kettner

Hello,

How do I protest this potential construction? I live at Breeza. My father worked as a warehouseman for Grand Rapids at the Star Builders in the 1920's. That historic building needs to be incorporated into any new condo construction on that block just like Breeza incorporated the Globe Mills building!

M-1

Thank you for your help.

Thanks,

Dan

**Response to Comment M-1:**

The EIR includes two alternatives, Build Alternative #1 and Build Alternative #2, which would incorporate the Star Building into the condominium development on the south portion of the project site. However, as explained in responses to comments D-3 and K-2, those two alternatives are infeasible because they would not meet the project objective to "maximize the return for the County." The Pro Forma Analysis shows that Build Alternatives #1 and #2 would substantially reduce the financial return to the County from development of the south portion of the project site. Nonetheless, this comment will be forwarded to the Board of Supervisors as part of the Final EIR.

Comment Letter N

From: <mcarrera@cox.net>  
Date: Sat, 7 Jan 2012 15:53:39 -0800  
To: <kathie@brginc.net>  
Subject: Star Building

Hello Kathie,

I have lived in San Diego for over 30 years and watched it grow. I want to see the Embarcadero Visionary Plan come to fruition, so I am all in favor of the parking garage at the Cedar/Kettner location.

N-1

I do not understand why that beautiful old Star Building has to go. I live in the Breeza condos on Pacific Highway, where the Globe Mills historic structure was preserved as the centerpiece of the courtyard units. Many new building projects are required to preserve the old structures as part of the permit. Why is the city not required to do the same for the Star Building?????

N-2

The Star Building has a gorgeous facade, and I enjoy walking past it every single day. It makes me smile. I see people wait for the trolley under its porch. It is one of the buildings that gives Little Italy its unique character.

N-3

Please, please, please, save the Star Building!!!

Maria Carrera  
1431 Pacific Highway  
Unit 206  
San Diego 92101

RESPONSE TO COMMENT LETTER FROM MARIA CARRERA, DATED JANUARY 7, 2012 (COMMENT LETTER N)

Response to Comment N-1:

Comment noted.

Response to Comment N-2:

Please refer to responses to comments D-2 and D-3 above. In addition, the County is generally exempt from the City's General Plan and not subject to the City's land use regulations. However, as discussed in detail in Section 3.1.1 Land Use of this EIR, as conceptually designed, the project is consistent with the City's General Plan and land use regulations for this project site.

Response to Comment N-3:

Comment noted. This comment describes some of the characteristics of the Star Building and will be forwarded to the decision makers as a component of the Final EIR. However, it does not significant environmental issue for which a response is required. Therefore, no further response is necessary.

**Comment Letter O**

**RESPONSE TO COMMENT LETTER FROM TRACEY TAYLOR, DATED JANUARY 9, 2012 (COMMENT LETTER O)**

From: <tracey-taylor@cox.net>  
Date: Mon, 9 Jan 2012 14:09:06 -0800  
To: <kathie@brginc.net>  
Subject: DEI Report for the Cedar and Kettner Development Project

Dear Kathie:

Re: DEI Report for the Cedar and Kettner Development Project

I am a condo owner of three plus years in Little Italy on Kettner Street in close proximity to this proposed project. I think the project is a terrible idea and will bring a lot of undesirable elements to Little Italy including traffic, noise and crime. I do not support this proposed project.

Thank you for your consideration.

Sincerely,  
Tracey Taylor

O-1

**Response to Comment O-1:**

Comment noted. Section 3.1.3 of the EIR analyzes the project's potential traffic impacts, and section 2.2.1 analyzes noise impacts. The comment provides no evidence to support the notion that the project would increase crime in the area. Furthermore, crime would be a social impact, not an impact to the environment that must be analyzed under CEQA. See CEQA Guidelines, sections 15064 and 15131.

This comment will be forwarded to the decision makers as a component of the Final EIR.

Comment Letter P

January 29, 2012

Kathie Washington  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101

Re: Cedar & Kettner Development Plan

Dear Ms. Washington –

I am writing to express my opposition to the scope of the project planned for Cedar and Kettner in downtown San Diego. As an owner of two properties in the vicinity of this project (1200 Kettner Blvd. and 1608 India St., #509), I respectfully ask that you scale back the scope of the proposed redevelopment.

P-1

The plan to “wall off” the waterfront with such mid- and high-rise developments is (and has been) misguided. Years ago our city planners opposed such development along the waterfront and instead approved scaling back mid- and high-rise projects from the bay. Such planning accommodated needs for urban residential and commercial/retail space on higher elevations away from the waterfront (i.e., Banker’s Hill) while ensuring that the views of the bay were minimally impacted. At some point in recent history, city planners began deviating from this approach and began approving the construction of high-rise developments that, if unchecked, could eventually seal off the bay. Please view this project as an opportunity to stop this practice and to do the right thing for future generations of San Diegans.

P-2

Yes, parking is at a premium in Little Italy, but to erect a mid- or high-rise parking structure just a couple of blocks from the pristine waterfront is misguided. I realize the cost to construct a below-ground parking structure is excessive by comparison to one built above ground, but if the city is committed to providing parking for employees at the County Administration Center, I urge you to do that below ground. Please approve a more modest, low-rise building that enables downtown residents, business owners and visitors an opportunity to enjoy all of our beautiful bay’s amenities, including views.

P-3

I appreciate you sharing my comments with those in authority who can amend the scope of this project. I can be reached during the day at 858-571-2291 if you have any questions.

P-4

Sincerely,

Brian Luscomb

RESPONSE TO COMMENT LETTER FROM TRACEY TAYLOR, DATED JANUARY 9, 2012 (COMMENT LETTER P)

Response to Comment P-1:

Comment noted. This comment does not raise a significant environmental issue for which a response is required. Therefore, no further response is necessary

Response to Comment P-2:

Comment noted. This comment will be forwarded to the decision makers as a component of the Final EIR.

Response to Comment P-3:

The parking structure proposed is sized to accommodate existing and projected staff that work at the County Administration Center (CAC). Existing CAC parking will be eliminated with the construction of the County Waterfront Park at the CAC, and provision of an off-site parking facility close to the CAC is a mitigation measure for the Waterfront Park project. The proposed project includes three levels of subterranean parking and five floors, with rooftop parking, above grade. As mentioned above in response to comment P-2, the proposed project would be consistent with existing development regulations and the built environment, and would not result in an impact to visual quality and aesthetics.

The comment notes, “...if the city is committed to providing parking for employees at the County Administration Center,...do that below ground.”

The project is proposed by the County of San Diego, not by the City of San Diego. The proposed project will provide three levels of parking below ground. The proposed project does utilize underground space to the degree reasonable considering soil conditions. Construction of underground parking is challenging in this area due to the water table being approximately 25 feet below grade, which means the bottom parking level (B-3) will be approximately 15 feet below the water table. Adding a level below that (B-4) would significantly increase project costs.

Response to Comment P-4:

Comment noted.

**Comment Letter Q**

February 6, 2012

Kathie Washington  
 Project Manager  
 BRG Consulting, INC.  
 304 Ivy Street  
 San Diego, CA 92101  
 E-mail: [kathie@brginc.net](mailto:kathie@brginc.net)

Re: Comments on the Draft Environmental Impact Report for the Cedar and Kettner Development Project. (SCH 2011031092)  
[http://www.sdcounty.ca.gov/general\\_services/CEQA/CEQA.html](http://www.sdcounty.ca.gov/general_services/CEQA/CEQA.html).

Dear Ms. Washington;

The historic Star Building Supplies Building (Star Building) should not be demolished for the development of the Cedar and Kettner Development Project (Project). As defined under CEQA the removal of the Star Building will cause the "the project will have a significant effect on the environment" in the loss of a culturally irreplaceable structure and the additional exposure of hazardous materials.

Q-1

The Star Building is an important gateway at our neighborhood's trolley station. It was built on the train tracks for business in 1911. It is older than the Santa Fe Depot to the south. The historic rehabilitation of the building and site was designed by M. Wayne Donaldson, FAIA, who is, since 2004 the California State Historic Preservation Officer. The Historical Resources Technical Report states the Star Building's significance and that it retains its integrity.

Q-2

The two Building Alternatives provided are stated to meet the objectives of the county to provide the recommended quantity of parking spaces (487-635). But, I find that neither alternative considers keeping the existing curb cut in the middle of the block on Beech to provide access to the parking area. The Star Building should not be removed. The existing vehicular access on Beech should be considered for all new proposals.

Q-3

In my opinion, the loss of potential public/private development opportunity for residential units is unsubstantiated.

Q-4

Inconsistencies in the EIR:

- Appendix B, Historical Resources Technical Report for 726-734 Beech Street, 8/2011 defines the Project to contain 640 parking spaces.
- Appendix E1 defines the Project to contain approximately 800 parking spaces
- Appendix E3 concludes that "the 250 space subterranean lot, as proposed under the CAC Waterfront Master Plan, would be sufficient for CAC visitors, park visitors and VIPs/County executive parking. The Cedar-Kettner parking structure should be designed to provide 487-635 spaces for CAC employees"

Q-5

Q-6

Q-7

**RESPONSE TO COMMENT LETTER FROM LAURA BURNETT, DATED FEBRUARY 6, 2012 (COMMENT LETTER Q)**

**Response to Comment Q-1:**

Comment noted. This comment states the commenter's opposition to the demolition of the Star Building, restating conclusions of historical significance from the Draft EIR and identifying a general concern with respect to exposure of hazardous materials. Section 2.5 of the EIR identifies impacts of the project associated with Hazards/Hazardous Materials. This comment will be forwarded to the decision makers as a component of the Final EIR. The comment does not raise a significant environmental issue; therefore, no further response is necessary.

**Response to Comment Q-2:**

This comment includes historical information concerning the Star Building and the rehabilitation of the building by the County in the 1990s, but does not raise a significant environmental issue; therefore, no further response is necessary.

**Response to Comment Q-3:**

Comment noted. Locating the parking structure entrance towards the west end of the project site allows for a longer distance to accommodate any potential queuing of vehicles accessing the parking structure before spilling back into the Kettner Boulevard/Beech Street intersection. Also, having vehicles enter here as opposed to the middle of the block also allows for efficient traffic circulation patterns inside the parking structure. Please also refer to responses to comments D-4.

**Response to Comment Q-4:**

The commenter's opinion that the loss of potential public/private development opportunity for residential units is unsubstantiated has been noted. The potential loss is substantiated in the Pro Forma Analysis as described in more detail in responses to comments D-3 above.

**Response to Comment Q-5:**

The number of parking spaces is described consistently in the EIR and appendices (including Appendix B), with the exception of Appendix E1, which mistakenly provides the total number of parking spaces for Phase 1, Phase 2a, and Phase 2b (800 spaces) as the number for Phase 1 (640 spaces).

**RESPONSE TO COMMENT LETTER FROM LAURA BURNETT, DATED FEBRUARY 6, 2012 (COMMENT LETTER Q) (continued)**

**Response to Comment Q-6:**

Comment noted. Please refer to response to comment Q-5.

**Response to Comment Q-7:**

The quote in this comment is not an error. The reference to 487-635 spaces is the estimated parking demand for existing and projected staff at CAC, and is reflected in the total parking provided in Phase 1 of the proposed project.

**Comment Letter Q**  
(cont'd.)

- The Project property is zoned CCPD-R, the blocks east and north are zoned CCPD-NC. Figure 1-7, Surrounding Land Uses, Page 1-13, defines the block east of the Project to be Arterial Commercial, and Multi-Family Residential. This term is not defined and seems to be used inconsistently. The parcels east of the proposed Project, on Kettner are of the same design character, and use as those a block north on Kettner, shown as Multi-Family Residential.
- The property southwest of the Star Building is Multi-Family Residential not as shown Other Retail Trade and Strip.

} Q-8  
 } Q-9

Additional questions:

1. What amount did the County pay to purchase the Star Building in March 1985?
2. What were the pro forma financial statements counting on for the successful use of the building?
3. What amount of public funds were spent on the rehabilitation of the historic structure?
4. What are the proceeds in the rental use of the property since?
5. What are the precedent commercial rates in Little Italy in the period since rehabilitation?
6. Are there other County owned properties located at a trolley station – providing this high level of public access?

} Q-10  
 } Q-11  
 } Q-12  
 } Q-13  
 } Q-14  
 } Q-15

The Project, as proposed fails to meet the standards of the law and expectations of the community.

Sincerely,



Laura Burnett  
 1545 Kettner Boulevard  
 San Diego, CA 92101

**RESPONSE TO COMMENT LETTER FROM LAURA BURNETT, DATED FEBRUARY 6, 2012 (COMMENT LETTER Q) (continued)**

**Response to Comment Q-8:**

Figure 3-3 of the EIR depicts the zoning for the project site, which is consistent with the zoning stated in this comment.

The Surrounding Land Use map (Figure 1-7 and Figure 3-2 of the EIR) is from the SANGIS database, as referenced. Definitions of the land use categories used to prepare the map can be obtained from SANDAG's website:

[http://www.sandag.org/resources/maps\\_and\\_gis/gis\\_downloads/downloads/codes/Land Use Definitions.html](http://www.sandag.org/resources/maps_and_gis/gis_downloads/downloads/codes/Land_Use_Definitions.html)

The definition of Arterial Commercial is as follows: *Includes commercial activities found along major streets (not in planned centers), with limited on-site parking. May include mixed office uses that are not large enough to be identified as a separate area. Also may include mixed residential uses, i.e. residential on top of commercial or residential units adjacent to commercial establishments.*

The commenter's statement that they believe Arterial Commercial to be an inappropriate description is noted.

**Response to Comment Q-9:**

The Surrounding Land Use map (Figure 1-7 and Figure 3-2 of the EIR) is from the SANGIS database, as referenced. Definitions of the land use categories used to prepare the map can be obtained from SANDAG's website:

[http://www.sandag.org/resources/maps\\_and\\_gis/gis\\_downloads/downloads/codes/Land Use Definitions.html](http://www.sandag.org/resources/maps_and_gis/gis_downloads/downloads/codes/Land_Use_Definitions.html)

The definition of Other Retail Trade and Strip is as follows: *Includes other retail not classified above. Multi-Family Residential is an allowed use under the land use category SANDAG uses.*

The commenter's statement that they believe Other Retail Trade and Strip to be an inappropriate description is noted.

**RESPONSE TO COMMENT LETTER FROM LAURA BURNETT, DATED FEBRUARY 6, 2012 (COMMENT LETTER Q) (continued)****Response to Comment Q-10:**

The Star Building was acquired through a land exchange with the Santa Fe Land Improvement Company. The Santa Fe Land Company owned a city block bounded by Beech Street, Cedar Street, Kettner Boulevard, and the trolley tracks (Block 322, Lots 1-12). Santa Fe Land Company exchanged everything except for Lot 7 (current location of the warehouse) for County-owned property on the southeast corner of Pacific Highway and Ash Street, also known as Pacific Square. The Star Builders Supply Building on Lot 6 was included in the exchange. The exchange was entered into on Nov 6, 1984 and recorded March 27, 1985. The estimated value for Lot 6 including the Star Building was \$290,132.

**Response to Comment Q-11:**

It is unclear on what the comment means; however, if the comment is asking what the Pro Forma Analysis assumed for the proposed alternatives identified in EIR to be successful, the following response is provided: The Pro Forma Analysis was based on standard real estate valuation methodology. The Pro Forma Analysis considered construction type, use, location, income and operating costs, and other standard data. For Build Alternative #1, the Pro Forma Analysis assumed that the Star Building would be adaptively reused as the entry, lobby, and amenity space for the residential development. The cost of renovating the Star Building for this purpose is accounted for in the assumed residential redevelopment cost (\$175 per square foot). For Build Alternative #2, the Pro Forma Analysis assumed that the Star Building would be renovated into market rate office space at a cost of \$200 per square foot and rented out at \$2.75 per square foot per month, which is at the higher end of the potential market rate for this small space (11,250 gross square feet, 6,930 net square feet rentable).

**Response to Comment Q-12:**

In 1991 the Board of Supervisors spent \$90,000 for architectural services to design an adaptive re-use of the Star Building. In 1993 \$1,210,000 was spent for renovations.

**RESPONSE TO COMMENT LETTER FROM LAURA BURNETT, DATED FEBRUARY 6, 2012 (COMMENT LETTER Q) (continued)**

**Response to Comment Q-13:**

Revenues earned since the renovation have been from leasing the first floor to Art Walk. In 1998 the lease revenue was approximately \$1,200 per month, and by 2011 it had escalated to \$3,000 per month. The lease also included use of some spaces in the parking lot to the north. Total estimated lease revenue for 1998 – 2011 is \$375,000.

**Response to Comment Q-14:**

The County does not have any information regarding commercial rates in Little Italy.

**Response to Comment Q-15:**

See response to comment D-5.

## Comment Letter Q Attachment

<http://www.sandiego.gov/development-services/zoning/pdf/maps/grid15.pdf>  
<http://sohosandiego.org/angered/mel2011/starbuilders.htm>

City- designated historic structure #312, designated 12/11/1991

"Demolition of existing structures, including the three-story Star Builders Supply Company building (commonly known as the "Standard Sanitary Manufacturing Company" or "Star Building"), a City- designated historic structure, is necessary as part of Phase 1 to ensure that the parking structure is sited and constructed in a manner that supports both existing and projected needs for County operations and activities."

Build Alternative #1 (for 665 spaces) retains the Star Building but eliminates the existing curb cut and potential access to the parking structure from Beech Street. "This alternative would result in approximately 100 fewer residential units."

Build Alternative #2 (for 680 spaces) retains the Star Building but eliminates the existing curb cut and potential access to the parking structure from Beech Street. "The Build Alternative #2 would meet the County's objective for the proposed project of "providing adequate parking close to the CAC", which as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). The Build Alternative #2 will also provide the County with the opportunity to develop part of the site through a public-private partnership, though at a lesser scale of return estimated for the proposed project. The Build Alternative #2 will result in reduced impacts, both significant and mitigable, to air quality, GHG, and hazardous materials, and significant and unmitigable impacts to historic resources. As such, the Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) would be the environmentally superior alternative due to its reduction of impacts related to reduced emissions, retention of the Star Building for office use with minor remediation necessary, as well as the general ability of this alternative to meet most of the project objectives."

The existing curb cut is east of the existing Star Building. The existing curb cut is east of the proposed parking entry. The existing curb cut is in the middle of the block, which is generally, desired for efficient traffic flow to and from the street.

**Comment Letter R**

Kathie Washington  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101  
Via email: [kathie@brginc.net](mailto:kathie@brginc.net)

February 10, 2012

Re: Draft EIR for Cedar and Kettner Development Plan

Dear Kathy,

While I am enthusiastic about the plans for the County Waterfront Park and understand the subsequent need for County employee parking, I'd like to express several concerns about the Cedar and Kettner Development Project as depicted in the Draft Environment Impact Report (EIR).

R-1

**EIR Correction**

The block of Kettner Blvd between Beech and Cedar Streets is currently noted as "arterial commercial" in Figure 1-7. Though I was unable to find a definition of this term, I think it is an inappropriate description.

R-2

That block of Kettner is actually one of the original components of the LIND project, the neighborhood's pioneer redevelopment effort, and consists of 3-story rowhomes, all technically considered single-family detached dwellings. I ask that this be carefully and correctly noted in future documents — it will be highly relevant if and when the design of the structure commences, in terms of properly planning light and glare-reducing features, designing suitable landscaping, and ensuring consistency of the current neighborhood character.

R-3

To emphasize the current neighborhood character, or "look and feel", of this block, I'm attaching two photos that convey a very different community than one might envision if only given descriptions such as "highly urbanized" and "commercial" to understand the existing visual character. These photos were taken across the street, less than forty feet away from the future parking garage.

R-4

**RESPONSE TO COMMENT LETTER FROM LAURA GARRETT, DATED FEBRUARY 10, 2012 (COMMENT LETTER R)**

**Response to Comment R-1:**

Comment noted.

**Response to Comment R-2:**

Please refer to response to comment Q-8.

**Response to Comment R-3:**

Comment noted. As discussed in the EIR, the proposed project will be consistent with the Centre City PDO and Urban Design Guidelines for the project area.

**Response to Comment R-4:**

This comment is noted. This comment and photos will be forwarded to the decision makers as a component of the Final EIR.

**Comment Letter R  
(conf'd.)**

**Traffic Impact**

The EIR's traffic studies suggest acceptable impact levels, however it seems that no projections were made that factor in other area projects either planned or under construction. Within a 3 block radius, multiple new projects are on the near-term horizon: Broadstone (200 units), Ariel Suites (224 units), Bayside Fire Station, and the Monarch School redevelopment, which is slated by CCDC to be replaced with an affordable housing project when the educational facilities relocate. Finally, the hotly-contested bus layover lot being considered by SANDAG/MTS for the parcel at Kettner and Ash would be contributing 35 buses/hour to the traffic flow along Kettner in front of the proposed County project.

R-5

Finally, the casual mention of an added bus stop on the property (page 3-32) is concerning. The potential impact that a new bus route could have within the neighborhood must not be taken lightly.

R-6

*It is important that these projects be considered collectively to truly evaluate the cumulative impact such development will have on traffic in such a concentrated area.*

R-7

**Parking Impact**

The existing surface lot provides supplemental parking to residents and guests during daytime hours, specifically visitors to the Mexican consulate on India. Has any analysis been conducted to determine if this current demand can be absorbed into the new parking structure? Do the developers expect the current demand for parking to be absorbed elsewhere in the community?

R-8

Further, it is not clear what impact the new project will have on existing street parking. I would like more information about the impact to the existing parking spots on the Beech, Cedar and Kettner blocks surrounding the proposed project site.

R-9

In the absence of a residential parking permit program, area residents rely on street parking, metered and unmetered, for free evening parking. In the past 2 months, they have already lost street parking on the west side of Kettner between Ash and Beech and on portions of the east side of Kettner at Cedar.

R-10

While the new structure may bring more parking availability to the neighborhood for evening and weekend use, such parking will only be available on a fee basis, adding to the high cost of downtown living for neighborhood homeowners and tenants, many of whom are already accustomed to circling the block in search of an opening parking space for the night.

R-11

**RESPONSE TO COMMENT LETTER FROM LAURA GARRETT, DATED FEBRUARY 10, 2012 (COMMENT LETTER R) (continued)**

**Response to Comment R-5:**

The cumulative projects listed in this comment were included and analyzed in the EIR as cumulative projects (see Table 1-1 of the EIR), with the exception of the SANDAG/MTS bus layover because this project was not considered a probable future project until recently when SANDAG issued a Notice of Preparation for the project on April 20, 2012. No change to the EIR is required.

Section 3.1.3.3 of the EIR provides the Transportation/Circulation Section's Cumulative Impact Analysis consistent with the Downtown Community Plan EIR. Based on Figures 5.2-5, 5.2-6 and 5.2-7 of that EIR, no intersections or road segments nearer than four blocks would operate at an unacceptable traffic LOS following full buildout of all portions of the Downtown Community Plan. Consistent with those findings, all intersections surrounding the project site were calculated to operate at acceptable LOS E or better under all phases of the project. Average daily trips generated by the proposed project would disperse from their origin onto the other roadways in the downtown area. Therefore, the traffic volumes generated from the proposed project combined with the increases in traffic with other cumulative projects would not result in a cumulatively considerable impact to grid or surrounding streets.

**Response to Comment R-6:**

Please refer to response to comment I-3.

**Response to Comment R-7:**

Please refer to response to comment I-3.

**Response to Comment R-8:**

Public surface parking lots are generally temporary uses for land that is being considered for other uses. Public surface parking lots are typically not used to meet the parking requirements for specific uses. The demand for parking in a neighborhood is usually met by compliance with zoning regulations for each use on each property.

**RESPONSE TO COMMENT LETTER FROM LAURA GARRETT, DATED FEBRUARY 10, 2012 (COMMENT LETTER R) (continued)**

**Response to Comment R-8: (cont'd.)**

There are currently three separate surface parking facilities located on the project site:

- Star building and warehouse private lot – accessible only from Kettner Boulevard, has 27 spaces for use by Star Building tenants and visitors.
- Western public lot (L-shaped) - accessible from both Beech Street and Kettner Boulevard, has 63 paid spaces available to the public.
- The northeastern rectangular public lot – accessible from both Beech Street and Kettner Boulevard, has 54 paid spaces available to the public.

Therefore, the existing parking lots on the project site provide 117 paid public parking spaces. However, these spaces are not designated, assigned or required for any particular use.

The Transportation/Circulation section of the Draft EIR (Section 3.1.3) uses the City's thresholds of significance. There is no threshold of significance that would relate to the elimination of paid public parking. The relevant threshold is whether the project would create an average demand for parking that would exceed the available supply. As explained in Section 3.1.3 and Table 3.1.3-8 of the EIR, at buildout of the project (Phases 1 and 2), the parking structure will provide approximately 800 parking spaces (518 spaces for CAC employees, 52 spaces for commercial/retail, and 230 spaces for residential), which will meet the parking demand for the CAC and the Phase 2 commercial/retail and residential uses. In addition, the parking structure will also provide after-hours and weekend public parking. Furthermore, there are a minimum of four existing paid surface parking lots within three blocks of the project site (at Date and Columbia Streets, Kettner Boulevard and Ash Street, India and A Streets and off of India Street between Date and Fir Streets).

**RESPONSE TO COMMENT LETTER FROM LAURA GARRETT, DATED FEBRUARY 10, 2012 (COMMENT LETTER R) (continued)****Response to Comment R-9:**

The project should not reduce the number of on-street parking spaces. The parking structure will accommodate the employees working at CAC. The structure would also provide parking for the Phase 2 uses of the project. The proposed site plan for Phase 2 has not been reviewed by the City's Development Services Department. The City will determine the number and appropriate configuration of on-street parking spaces to be provided when a site plan is submitted with a permit application(s). If on-street parking on Kettner Boulevard remains in a parallel configuration, there may be 20 spaces depending on requirements for corner setbacks and fire lane curb designations. Curb cut reductions could add four more spaces. If the configuration of the on-street parking is changed to diagonal, eight more spaces could be provided (increase from 11 parallel to 19 diagonal). Curb cut reductions could add 13 more spaces. In both cases, the final number depends on corner setbacks and fire lane curb designations.

Currently there are three on-street parallel parking spaces on Beech Street and five on-street parallel parking spaces on Cedar Street. Based on the current conceptual site plan for the project, assuming on-street parking would remain in a parallel configuration, there may be three spaces on Beech Street and four spaces on Cedar Street depending on requirements for corner setbacks and fire lane designations. Curb cut reductions could add one more space.

In addition, there is remaining on-street parking capacity in the area. According to the Centre City Development Corporation Comprehensive Downtown Parking Plan (2009, see Table 3.3), the weekday occupancy rate for on-street parking in Little Italy is 79% during business hours (11am-4pm). This percentage indicates that some on-street parking capacity is available in this area.

**Response to Comment R-10:**

Please refer to response to comment R-9.

**Response to Comment R-11:**

Please refer to response to comment R-9.

**Comment Letter R  
(cont'd.)**

**RESPONSE TO COMMENT LETTER FROM LAURA GARRETT, DATED FEBRUARY  
10, 2012 (COMMENT LETTER R) (continued)**

If it is not possible to retain the street spots surrounding the project, the County should consider a weekend/evening residential parking program for a designated subset of the spaces in the new facility.

R-12

**Uncertainty of Phase 2**

Your documents state that the parking structure development will reference the Centre City Planned District Ordinance, which, as you must know, states that "garages should be set back behind multi-story residential or commercial uses where appropriate and feasible to buffer the garages from facing residential or commercial uses." One overriding theme of the Downtown Community Plan and its related PDO is to ensure ground level activation of new projects. While this may be accomplished with Phase 2 of the Cedar and Kettner Project, it is clearly not accomplished with Phase 1.

R-13

There is too much uncertainty surrounding the plans, and even the likelihood, of Phase 2. It is imperative that more certain plans for Phase 2 be solidified before the development of Phase 1 begins.

R-14

**Demolition of the Historic Star Building**

Many have already expressed concern about the demolition of the historic Star building on Beech and I echo their sentiments. The EIR states that its "removal would not create an impact associated with the character of the neighborhood, as most of the existing development is new or renovated structures". The fact that most of the existing development is new or renovated is *exactly why* the retention of a historic structure is important to the neighborhood. It is the diversity of architecture, in style and age, that brings character to a neighborhood. I strongly encourage the consideration of build alternatives that would allow the Star building to remain a part of the community.

R-15

As residents of the downtown community, we welcome growth and mixed-use development. As it is defined today, the Cedar and Kettner project is not a welcome addition to the neighborhood. The outlined concerns must be addressed to maintain a thriving, well-designed and livable neighborhood.

R-16

Sincerely,

Laura Garrett  
1585 Kettner Blvd.  
San Diego, CA 92101

**Response to Comment R-12:**

Comment noted. This comment will be forwarded to the decision makers as a component of the Final EIR.

**Response to Comment R-13:**

The quote in the comment regarding parking structures applies to the J Street Corridor of the Ballpark Mixed-Use District (East Village). The quote does not apply to the proposed project. As discussed in Section 3.1.1 (Land Use) of the EIR, Phase 1 of the proposed project has been designed to be consistent with the Structured Parking Facility Standards of the Parking Loading Traffic and Transportation Demand Management Standards of the PDO (SDMC §156.0313(h)), as well as the Development and Design Regulation for Parking Facilities, San Diego Municipal Code §142.0560. The visible nature of the parking structure will be temporary. Upon completion of Phase 2, the parking structure will be hidden behind multi-story residential, office and commercial uses along Kettner Boulevard and Beech Street, so the parking structure would not face residential uses to the east and south. Please also refer to response to comment L-3.

**Response to Comment R-14:**

Comment noted. The comment does not explain why more certainty regarding the plans for Phase 2 is needed. As previously explained, Phase 2 development could not proceed without permits from the city even if detailed plans for Phase 2 were currently available.

**Response to Comment R-15:**

Comment noted. Please refer to response to comment D-2 above.

**Response to Comment R-16:**

Comment noted. This comment will be forwarded to the decision makers as a component of the Final EIR.

**Comment Letter R  
Attachment**



Comment Letter S

RESPONSE TO COMMENT LETTER FROM VERONICA D'ANNIBALE, DATED FEBRUARY 11, 2012 (COMMENT LETTER S) (continued)

February 11, 2012

Kathie Washington, Project Manager  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101  
Email: [kathie@brginc.net](mailto:kathie@brginc.net)

Re: Comments on the Draft Environmental Impact Report  
for the Cedar and Kettner Development Project (SCH 2011031092)  
[http://www.sdcounty.ca.gov/general\\_services/CEQA/CEQA.html](http://www.sdcounty.ca.gov/general_services/CEQA/CEQA.html)

Dear Ms. Washington:

As defined under CEQA, the removal of the Star Building causes a significant effect on the environment. We would lose an irreplaceable structure and be subjected to added exposure of hazardous materials.

} S-1

I believed a building with the historic designation could not be subject to an override, such as the planned demolition of the Star Building site. Historic designation is not decided on a whim. As shown below, specific criteria must be met and approved.

} S-2

**What makes a property historically significant?**

In order to be designated as a historically significant site, the historical study must show that sites meet at least one of the following City of San Diego historical designation criteria:

- Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development.
- Is identified with persons or events significant in local, state or national history.
- Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship.
- Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman.
- Is listed or has been determined eligible by the [National Park Service](#) for listing on the [National Register of Historic Places](#) or is listed or has been determined eligible by the [California State Office of Historic Preservation](#) for listing on the [California Register of Historical Resources](#).
- Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

} S-3

**Response to Comment S-1:**

Comment noted. Please refer to response to comment D-2, regarding the loss of the historic Star Building. EIR Sections 2.5.2.2 through 2.5.5 discussed potential Hazardous Waste impacts, and mitigation is discussed in Section 2.5.5.

**Response to Comment S-2:**

Comment noted. Please refer to response to comment D-2 above.

**Response to Comment S-3:**

Comment noted.

**Comment Letter S  
(cont'd.)**

The Star Building, which is older than the Santa Fe Depot, is a gateway to the neighborhood's trolley station. It currently provides proceeds from rental use of the property. Removal of this building will devalue the property and livability in Little Italy.

} S-4

The current project does not meet the standards of our laws, nor does it meet the expectations of the Little Italy community. It must be reconsidered.

} S-5

Sincerely,

/s/ Veronica M. D'Annibale

Veronica M. D'Annibale  
1970 Columbia Street, Unit 402  
San Diego, CA 92101

**RESPONSE TO COMMENT LETTER FROM VERONICA D'ANNIBALE, DATED  
FEBRUARY 11, 2012 (COMMENT LETTER S) (continued)**

**Response to Comment S-4:**

Comment noted. A proposed project's effects on property values and "livability" are not significant effects on the environment under CEQA and need not be addressed in an EIR. See CEQA Guidelines sections 15064(e) and 15131. Nonetheless, this comment will be forwarded to the decision maker.

**Response to Comment S-5:**

Comment noted; however, the project does not violate any law. This comment will be forwarded to the decision makers as a component of the Final EIR. However, this comment does raise a significant environmental issue; therefore, no further response is necessary.

Comment Letter T

RESPONSE TO COMMENT LETTER FROM MARTIN POIRIER, DATED FEBRUARY 11, 2012 (COMMENT LETTER T)

MARTIN POIRIER  
1545 Kettner Boulevard  
San Diego, CA 92101  
mpoirier@sp-land.com

February 11, 2012

Kathie Washington  
Project Manager  
BRG Consulting, INC.  
304 Ivy Street  
San Diego, CA 92101  
E-mail: [kathie@brginc.net](mailto:kathie@brginc.net)

RE: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CEDAR AND KETTNER DEVELOPMENT Project. (SCH 2011031092)  
[http://www.sdcounty.ca.gov/general\\_services/CEQA/CEQA.html](http://www.sdcounty.ca.gov/general_services/CEQA/CEQA.html)

Dear Ms. Washington,

I am the owner of property located at 1545 Kettner Boulevard, directly across from the proposed project. Having reviewed the Draft EIR, I offer the following comments:

- 1. Figure 3-2 inaccurately labels the land use on the east side of Kettner as Arterial Commercial. It is Multi-family Live/Work residential.
- 2. Demolition of the Star Building would result in a significant cultural resource loss to the community as defined by CEQA. Additionally, the demolition creates hazardous waste, not to mention the 'waste' of a fine building that was recently seismically and otherwise updated. In a time when we need to preserve resources this is an unacceptable historic, financial, and environmental resource loss.
- 3. Explain why Build Alternative #1 cannot provide residential use above retail along Kettner instead of an exposed parking structure. The Proposed Project Alternative and Build Alternative #2 both are able to place either residential or office above retail on Kettner.
- 4. The two Building Alternatives provided meet the objectives of the County to provide the recommended quantity of parking spaces (487-635). But, neither alternative considers keeping the existing curb cut in the middle of the block on Beech to provide access to the parking area. Figure 1-5 illustrates that vehicular access can be provided from both Cedar and Beech in terms of gradient, with adjustment in alignment required to avoid the Star Building. Explain why parking access is not taken from Beech Street in Building Alternatives 1 and 2 (Figures 4-1 and 4-3).

T-1  
T-2  
T-3  
T-4

Response to Comment T-1:

Comment noted, please see response to comment Q-8. Note that residential uses are included in SANDAG's Arterial Commercial land use designation.

Response to Comment T-2:

Comment noted. Please refer to response to comment D-2, regarding the loss of the historic Star Building. EIR Sections 2.5.2.2 through 2.5.5 discussed potential Hazardous Waste impacts, and mitigation is discussed in Section 2.5.5.

Response to Comment T-3:

See response to comment E-5.

Response to Comment T-4:

Locating the parking access towards the west end of the project site along Beech Street allows for a longer distance to accommodate any potential queuing of vehicles accessing the parking structure before spilling back into the Kettner Boulevard/Beech Street intersection. Also, having vehicles enter here as opposed to the middle of the block also allows for efficient traffic circulation patterns inside the parking structure. In addition, locating the parking access towards the east, as proposed under the proposed project, would require the removal of the Star Building or the construction of a driveway entrance under the retail.

**Comment Letter T**  
(cont'd.)

**RESPONSE TO COMMENT LETTER FROM MARTIN POIRIER, DATED FEBRUARY 11, 2012 (COMMENT LETTER T) (continued)**

MARTIN POIRIER  
1545 Kettner Boulevard  
San Diego, CA 92101  
mpoirier@sp-land.com

- 5. Address how congestion that typically occurs as vehicles access/egress a secured parking structure will effect bus and automobile circulation on Kettner Boulevard if Kettner is used for parking access.
- 6. The Proposed Project uses maximized development opportunity as a justification for removal of an historic resource. As a project proposed by a governmental agency, this project should be concerned with meeting Mitigation Measure 2.5 of the Waterfront Park EIR, conserving cultural resources, and meeting existing ordinances. Explain why 'enough or break even' in cost is not enough profit. Please analyze the complete externality cost of the demolition of the Star Building if financial benefit is the criteria.
- 7. The Project does not provide a timeline for Phases, only a potential for "all at once, or in phases". Phase 1, if built as a stand alone project would leave six (6) stories of the parking structure facing east exposed, subjecting the adjacent properties to high levels of illumination emanating from the structure (assuming standard illumination levels for security found in parking structures), additionally the light coming from moving vehicles will shine directly east into the residential neighborhood. Please explain the interim mitigation measures for this light pollution.

} T-5  
 } T-6  
 } T-7  
 } T-8

In summary, the Proposed Project is unacceptable due to the loss of the Star Building. Building Alternative #1 should provide residential uses over retail/office along Kettner Blvd. Building Alternatives #1 and #2 should provide vehicular access from Beech.

Sincerely,



Martin Poirier FASLA

**Response to Comment T-5:**

The potential traffic impacts of the project driveway on Kettner Boulevard was analyzed under Existing + Project and Near-Term + Project conditions. The analysis showed that Kettner Boulevard would operate as level of service (LOS) B or better under these conditions. This particular driveway would only serve the residential component of the project. When the project is build-out, the residential component would generate a maximum of 45 inbound trips during the AM peak hour. Kettner Blvd is a one-way multiple-lane roadway, and access to the driveway would occur with no opposing movements or turning conflicts. As such, no queuing associated with the driveway on or along Kettner Boulevard would be anticipated.

**Response to Comment T-6:**

Please refer to responses to comments D-3 and K-2.

**Response to Comment T-7:**

Please refer to responses to comments J-10 and J-11 regarding light pollution.

**Response to Comment T-8:**

Comment noted. Please refer to responses to comments D-2 and T-4.

Comment Letter U

RESPONSE TO COMMENT LETTER FROM SUSAN HERMANN, DATED FEBRUARY 13, 2012 (COMMENT LETTER U)

Response to Comment U-1:

Comment noted. Please refer to response to comment D-2.

**From:** Susan Hermann <shhermann@aol.com>  
**Date:** Mon, 13 Feb 2012 14:23:29 -0500 (EST)  
**To:** <kathie@brginc.net>  
**Subject:** Star Building

Dear Ms. Washinton,

I have read all of the documents and proposals regarding the planned Cedar/Kettner Project.

I am opposed to the demolition of the Star Building. This is a Unique Historic Building that merits archeitectoral recognition.

I am a Tour Director.....people spend thousands of dollars a year to visit beautiful cities with unique buildings. Don't take away one of the remaining "Star's" of old San Diego.

U-1

Sincerely,  
Susan Hermann  
1580 Union Street #102  
San Diego, CA 92101

----- End of Forwarded Message

Page 1 of 1

Comment Letter V

----- Forwarded Message
From: Paul Pensabene <ppensabene@mac.com>
Date: Tue, 14 Feb 2012 23:38:02 -0800
To: <kathie@brginc.net>
Cc: Laura Garrett <laura\_garrett@yahoo.com>, Clive Peters <twoskeptics@hotmail.com>
Subject: CEDAR/KETTNER DRAFT EIR

To whom it may concern,

I know this was due yesterday but I hope due to the importance of this matter that this e-mail be considered. My name is Paul Pensabene I am the owner and resident of 1575 Kettner Blvd in the Kettner Row Townhome project. It should be noted that this award winning, nationally recognized project is located directly across the street from the proposed project on a block defined by Cedar, Kettner, India, and Beech. It should also be noted that this block and the housing/mixed use projects located on it are part of the award winning LIND project which has been attributed with greatly contributing to the revival of Little Italy. Additionally, it should be noted that CCDC receive 1% of the sales price on sales of any unit located within the LIND project for the next 18 years and thus housing values are of concern not only for the owners of those units but for all of downtown.

Having outlined some of the attributes that define the properties directly across the street from the proposed project I will not outline some concerns with the EIR:

- 1. The EIR does not properly define the properties directly across the street. The Kettner Townhomes are defined as zoned as arterial commercial and are in fact zoned mix/use. Furthermore, though they may be defined mixed/use they are in reality residential. Of all 16 units only one has an actual commercial office in it. Did anyone producing the EIR interview any of the residents of these units? Were air quality and traffic concerns and how they could affect residents/homeowners/property owners taken into account in producing this EIR? Please also note that the owners of Kettner Row units are among the very few persons that are actually land owners in the

RESPONSE TO COMMENT LETTER FROM PAUL PENSABENE, DATED FEBRUARY 14, 2012 (COMMENT LETTER V)

Response to Comment V-1:

Comment noted. However, this comment does not raise a significant environmental issue for which a response is required; therefore, no specific response is necessary.

Response to Comment V-2:

Arterial Commercial is a land use designation applied by SANDAG to the residential uses fronting the east side of Kettner Boulevard across from the proposed project site. Please see response to comment Q-8 and T-1.

Response to Comment V-3:

Opportunities for public input were provided as required by CEQA. Interviews with local property owners are not required by CEQA nor typically part of EIR preparation.

Response to Comment V-4:

EIR Section 2.3 addresses Air Quality, and Section 3.1.3 addresses Transportation/Circulation. The Air Quality chapter discusses potential air quality issues related to construction activities, and finds that they would not be significant following implementation of Mitigation Measure M-AQ-1. However anticipated cumulative air quality impacts of the project, as with those of the Downtown Community Plan, would be significant and unmitigable.

The Transportation/Circulation section addresses projected post-project congestion and potential impacts to the level of service (LOS); the freeway system; public transit; non-motorized transportation; parking supply and demand; adopted transportation policies, plans and programs; emergency access; and potential cumulative transportation impacts. Based on that analysis, no significant direct or cumulative traffic impacts were identified related to the project, and, thus, no mitigation is required.

Response to Comment V-5:

Comment noted. This comment does not raise a significant environmental issue for which a response is required; therefore, no further response is necessary.

**Comment Letter V**  
(cont'd.)

Little Italy Area (not owners of condo in a multi-unit development.

2. The EIR states minimum impact to traffic flows. Are they serious? With parking at the county building's current parking lots the most logical access to Highway 5 is via the traditional heavy traffic use routes of Grape and Hawthorne. With parking moved to Cedar/Kettner the logical traffic patterns for the estimated 400+ cars will be via traditionally low traffic streets Cedar and Beech(or Ash) . This will adversely impact residents and stores along these streets.

3. The proposal states a need to add parking for Little Italy. As a person living here for 7 years I have not seen parking with the current available spots to be a major issue, this is to include periods such as Art Walk and Festa. I cannot understand what would be the advantage of an additional 900 spots. I also cannot see how putting a huge parking garage in what is generally a low-mid density residential area as fitting with the general flavor of the neighborhood and how it could be good for already depressed housing values.

4. The Star building is over 100 years old and an architecturally unique landmark, Additionally the county had in last 10 years invested millions of dollars to make improvements to the structure to meet earthquake standards. Now the county wants to spend more money to knock it down and take away a city Historic Landmark, that does not seem like being a good steward of the county's funds nor a protector of it valued assets/legacy. The are at least two historic buildings within 4 blocks of the star building that CCDC required developers to incorporate into their new developments (Globe Building at Brezza and the house at the Q) at significant cost to the builders. Why should the county not have to meet the same requirements, especially with a building that is already a registered landmark,

Recommendation: Consider swapping properties with the Fat City location and allow the FAT City Loft project to be built at Cedar/Kettner with some modification that include keeping the Star Building and adding a reduced amount of additional parking to be used by visitors to little italy. Build the proposed parking garage and offices at the Fat City location. This a win-win proposition. The owners of the Fat City can profit from the sale and development of their property which for now has lost value due to the probable restrictions on redevelopment imposed by the Solar Turbines plant. Solar Turbines are relieved because a project that it can co-exist with is built. County employees get parking with in a block and a half from work. Additional parking for No-lita and the North Embarcadero is developed. Traditional traffic patterns are preserved. Though the Fat City building (not a registered landmark) would be lost the Star Building would be

**RESPONSE TO COMMENT LETTER FROM PAUL PENSABENE, DATED FEBRUARY 14, 2012 (COMMENT LETTER V) (continued)**

**Response to Comment V-6:**

As shown in Table 3 of the Cedar-Kettner Mixed-Use Development Traffic Analysis (Appendix E2 of the EIR), most of the intersections in the area will not be affected or will go from operating at a Level of Service (LOS) A to a LOS B under Phase 1 and Phase 2 conditions. LOS A and LOS B are described as free-flowing or free to stable flowing, light to moderate traffic volumes, respectively (CCDC, 2006). The LOS at the intersection at Cedar and Kettner is projected to decrease from LOS B to LOS E, but only during the evening (PM) peak hours. LOS E is described as extremely unstable flow, maneuverability and psychological comfort extremely poor (CCDC, 2006). Consistent with the City of San Diego and CCDC guidelines, LOS E is identified as the minimum acceptable LOS for peak hour intersection operations for intersections located in the downtown area. As noted in the Section 3.1.3 of the EIR and the Cedar-Kettner Mixed-Use Development Traffic Analysis (Appendix E2 of the EIR), since all of the intersections surrounding the Cedar and Kettner Development are projected to operate at acceptable LOS E or better under Phase 1 and Phase 2 conditions of the Cedar and Kettner Development Project, traffic generated by the proposed Cedar and Kettner Development Project is not anticipated to have any significant impacts on the surrounding roadway network.

All three project driveways are projected to operate at good LOS C or better under Phase 1 and Phase 2 conditions. Vehicles entering the project driveways are projected to cause none to minimal queuing along the roadways surrounding the project site.

**Response to Comment V-7:**

Providing parking for Little Italy is not an objective of the proposed project, but space in the parking structure would be available to visitors to Little Italy at nights and on weekends. This additional parking would be a benefit to the Little Italy community.

**RESPONSE TO COMMENT LETTER FROM PAUL PENSABENE, DATED FEBRUARY 14, 2012 (COMMENT LETTER V) (continued)**

**Response to Comment V-8:**

Comment noted. As identified in the EIR, the proposed parking structure is an allowable use consistent with the land use designation, zoning, and the Downtown Community Plan and Centre City Planned District Ordinance for the project site.

**Response to Comment V-9:**

Comment noted. Please refer to responses to comments D-2, D-3 and K-2.

**Response to Comment V-10:**

Comment noted. The County has not considered the use of the Fat City property because the County does not own that property; an application was filed at the City of San Diego in April 2012 for a hotel development project on the Fat City site, which was approved by the CCDC Board on May 30, 2012; and, the property is not for sale at this time. This comment will be forwarded to the decision makers as a component of the Final EIR.

**Comment Letter V**  
(cont'd.)

**RESPONSE TO COMMENT LETTER FROM PAUL PENSABENE, DATED FEBRUARY 14, 2012 (COMMENT LETTER V) (continued)**

**Response to Comment V-11:**

Comment noted.

saved.  
Mid-density housing is developed at Cedar/Kettner and it is keeping with the flavor of the neighborhood and additional parking is provided for Little Italy.

} V-10  
(cont'd.)

Thank you for your consideration of these issues.

} V-11

Paul Pensabene  
1575 Kettner Blvd  
San Diego, Ca 92101  
858-243-0573

----- End of Forwarded Message

Comment Letter W

RESPONSE TO COMMENT LETTER FROM CLIVE PETERS, DATED FEBRUARY 15, 2012 (COMMENT LETTER W) (continued)

----- Forwarded Message

**From:** Clive Peters <twoskeptics@hotmail.com>  
**Date:** Wed, 15 Feb 2012 13:08:02 -0500  
**To:** <kathie@brginc.net>  
**Subject:** FW: CEDAR/KETTNER DRAFT EIR

Kathie,

I am forwarding Paul Pensabene's email to you because I agree with his assessment of the proposed parking garage at Kettner and Cedar. Basically wrong building in the wrong place. This is a residential area. Placing a commercial structure is antithetical to the harmonics of of Kettner Row and the surrounding area. I also agree with Paul's assessment that the Fat City project switch places with the Cedar/ Kettner parking structure.

W-1

Thank you for your time,  
Clive Peters  
1583 Kettner Blvd.

> From: ppensabene@mac.com  
> Subject: CEDAR/KETTNER DRAFT EIR  
> Date: Tue, 14 Feb 2012 23:38:02 -0800  
> CC: laura\_garrett@yahoo.com; twoskeptics@hotmail.com  
> To: kathie@brginc.net

>  
> To whom it may concern,

>  
> I know this was due yesterday but I hope due to the importance of this matter that this e-mail be considered.

> My name is Paul Pensabene I am the owner and resident of 1575 Kettner Blvd in the Kettner Row Townhome project. It should be noted that this award winning, nationally recognized project is located directly across the street from the proposed project on a block defined by Cedar, Kettner, India, and Beech. It should also be noted that this block and the housing/mixed use projects located on it are part of the award winning LIND project which

W-2

Page 1 of 3

**Response to Comment W-1:**

Please refer to responses to comments V-1 through V-11.

**Response to Comment W-2:**

Please refer to responses to comments V-1 through V-11.

**Comment Letter W**  
(cont'd.)

**RESPONSE TO COMMENT LETTER FROM CLIVE PETERS, DATED FEBRUARY 15, 2012 (COMMENT LETTER W) (continued)**

has been attributed with greatly contributing to the revival of Little Italy. Additionally, it should be noted that CCDC receive 1% of the sales price on sales of any unit located within the LIND project for the next 18 years and thus housing values are of concern not only for the owners of those units but for all of downtown.

>  
>  
> Having outlined some of the attributes that define the properties directly across the street from the proposed project I will not outline some concerns with the EIR:

>  
> 1. The EIR does not properly define the properties directly across the street. The Kettner Townhomes are defined as arterial commercial and are in fact zoned mix/use. Furthermore, though they may be defined mixed/use they are in reality residential. Of all 16 units only one has an actual commercial office in it. Did anyone producing the EIR interview any of the residents of these units? Were air quality and traffic concerns and how they could affect residents/homeowners/property owners taken into account in producing this EIR? Please also note that the owners of Kettner Row units are among the very few persons that are actually land owners in the Little Italy Area (not owners of condo in a multi-unit development.

>  
> 2. The EIR states minimum impact to traffic flows. Are they serious? With parking at the county building's current parking lots the most logical access to Highway 5 is via the traditional heavy traffic use routes of Grape and Hawthorne. With parking moved to Cedar/Kettner the logical traffic patterns for the estimated 400+ cars will be via traditionally low traffic streets Cedar and Beech(or Ash) . This will adversely impact residents and stores along these streets.

>  
> 3. The proposal states a need to add parking for Little Italy. As a person living here for 7 years I have not seen parking with the current available spots to be a major issue, this is to include periods such as Art Walk and Festa. I cannot understand what would be the advantage of an additional 900 spots. I also cannot see how putting a huge parking garage in what is generally a low-mid density residential area as fitting with the general flavor of the neighborhood and how it could be good for already depressed housing values.

>  
> 4. The Star building is over 100 years old and an architecturally unique landmark, Additionally the county had in last 10 years invested millions of dollars to make improvements to the structure to meet earthquake standards. Now the county wants to spend more money to knock it down and take away a city Historic Landmark, that does not seem like being a good steward of the county's funds nor a protector of its valued assets/legacy. There are at least two historic buildings within 4 blocks of the star building that CCDC required developers to incorporate into their new developments (Globe Building at Brezza and the house at the Q) at significant cost to the builders. Why should the county not have to meet the same requirements, especially with a building that is already a registered landmark,

W-2  
(cont'd.)

**Comment Letter W**  
(cont'd.)

**RESPONSE TO COMMENT LETTER FROM CLIVE PETERS, DATED FEBRUARY 15, 2012 (COMMENT LETTER W) (continued)**

>  
> Recommendation: Consider swapping properties with the Fat City location and allow the FAT City Loft project to be built at Cedar/Kettner with some modification that include keeping the Star Building and adding a reduced amount of additional parking to be used by visitors to little italy. Build the proposed parking garage and offices at the Fat City location. This a win-win proposition. The owners of the Fat City can profit from the sale and development of their property which for now has lost value due to the probable restrictions on redevelopment imposed by the Solar Turbines plant. Solar Turbines are relieved because a project that it can co-exist with is built. County employees get parking with in a block and a half from work. Additional parking for No-lita and the North Embarcadero is developed. Traditional traffic patterns are preserved. Though the Fat City building (not a registered landmark) would be lost the Star Building would be saved. Mid-density housing is developed at Cedar/Kettner and it is keeping with the flavor of the neighborhood and additional parking is provided for Little Italy.

W-2  
(cont'd.)

>  
>  
> Thank you for your consideration of these issues.  
>  
> Paul Pensabene  
> 1575 Kettner Blvd  
> San Diego, Ca 92101  
> 858-243-0573  
>  
>  
>  
>

----- End of Forwarded Message

Comment Letter X

RESPONSE TO COMMENT LETTER FROM PATRICIA D. BAETZ, DATED FEBRUARY 18, 2012 (COMMENT LETTER X)

From: <patriciabaetz@gmail.com>  
Reply-To: <patriciabaetz@gmail.com>  
Date: Sat, 18 Feb 2012 01:53:02 +0000  
To: <kathie@brginc.net>  
Cc: Annie Eichman <aeichman1@cox.net>  
Subject: Re: Comments on the Draft Environmental Impact Report for the Cedar and Kettner Development Project. (SCH 2011031092)

Kathie Washington  
Project Manager  
BRG Consulting, INC.  
304 Ivy Street  
San Diego, CA 92101  
E-mail: kathie@brginc.net

Dear Ms. Washington -

Today is the last day to respond to the subject proposed Development.

My home is at 1519 KETTNER BLVD., just across the street from the site. I am OPPOSED to the Development for of the following reasons (have more concerns as well):

1. Firmly OPPOSED to the demolition of the Historic Star Building on W. Beech.

2. The Little Italy Neighborhood has changed drastically in character since the original approval for this site. This site is no longer an acceptable use for the Parking of County employees.

3. Jonathan Siegal did not receive permission to develop the "Fat City" site as a residential development so close to Solar Turbine was inappropriate. Has that site been considered for the Parking Structure? If not, it certainly should be.

4. A "Higher & Better" use should be the goal of the development of this site. A use that services the Neighborhood Residents and Visitors is what is needed on that block.

Assemblyman Kevin Faulkoner has earnestly heard the many concerns of the residents in Little Italy. Keeping the Star Building and developing a residential-mixed use structure would benefit the majority of us.

Please feel free to contact me.

Best, Patricia D. Baetz  
760 650-5011  
patriciabaetz@gmail.com

Response to Comment X-1:

Comment noted.

Response to Comment X-2:

Comment noted.

Response to Comment X-3:

Comment noted. This comment will be forwarded to the decision makers as a component of the Final EIR. As identified in the EIR, the proposed parking structure is an allowable use consistent with the land use designation, zoning, and the Downtown Community Plan and Centre City Planned District Ordinance for the project site

Response to Comment X-4:

See Response to Comment V-10.

Response to Comment X-5:

Comment noted. This comment will be forwarded to the decision makers as a component of the Final EIR. However, this comment does not raise a significant environmental issue for which a response is required; therefore, no further response is necessary.

Response to Comment X-6:

Comment noted. Please refer to response to comment D-2.

X-1  
X-2  
X-3  
X-4  
X-5  
X-6

**LIST OF ABBREVIATIONS AND ACRONYMS****Abbreviations**

AP Act	Alquist-Priolo Earthquake Fault Zoning Act
Community Plan	Downtown Community Plan
County	County of San Diego
City	City of San Diego
General Plan	City of San Diego General Plan
Geocon	Geocon, Inc.
Resources Agency	California Resources Agency
Rincon	Rincon Consultants
SANDAG	San Diego Association of Governments

**Acronyms**

AAOZ	Airport Approach Overlay Zone
AB	Assembly Bill
AP	Alquist-Priolo
ACMs	Asbestos containing materials
ALUC	Airport Land Use Commission
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ADT	Average Daily Trips
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
APCD	Air Pollution Control District
APN	Assessor Parcel Number
AQIA	Air Quality Impact Analysis
ARB	Air Resources Board
AST	Aboveground fuel storage tank
ASTM	American Society for Testing and Materials
BAAQMD	Bay Area Air Quality Management District
BMPs	Best Management Practices
CAC	County Administration Center
CAO	Cleanup Abatement Orders
CAP	Climate Action Plan
CAT	Climate Action Team
CCC	California Coastal Commission
CCCP	Centre City Community Plan
CCDC	Centre City Development Corporation
CCPD-R	Centre City Planned District – Residential
CCR	California Code of Regulations

CCTP	Climate Change Technology Program
CDE	Carbon Dioxide Equivalent
CDFG	California Department of Fish & Game
CDO	Cease and Desist Orders
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CFC	Chlorofluorocarbons
CH <sub>4</sub>	Methane
CNEL	Community Noise Equivalent Level
CLUP	Comprehensive Land Use Plan
CO	Carbon monoxide
CO <sub>2</sub>	Carbon dioxide
CO <sub>2</sub> E	Carbon dioxide equivalent
COC	County Operations Center
CUP	Conditional Use Permit
CY	Cubic yard
dB	Decibel
dBA	A-weighted decibel
DG	Decomposed Granite
DEH	Department of Environmental Health
DTSC	Department of Toxic Substances Control
EI	Expansion Index
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
EO	Executive Order
FAR	Floor-to-Area Ratio
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FEIR	Final Environmental Impact Report
FMMP	Farmland Mapping and Monitoring Program
GIS	Geographic Information Systems
GHG	Greenhouse Gas
GWP	Global Warming Potential
H&SC	Health and Safety Code
HABS	Historic American Buildings Survey
HCFC	Hydrochlorofluorocarbons
HCM	Highway Capacity Manual
HFC	Hydrofluorocarbons
HHS	Health and Human Services Administration
H <sub>2</sub> S	Hydrogen Sulfide
IPCC	United Nations Intergovernmental Panel on Climate Change
LBP	Lead based paint

LCFS	Low Carbon Fuel Standard
LCP	Local Coastal Program
Ldn	Day-Night Average Level
Leq	Equivalent Noise Level
LISA	Little Italy Sun Access
LOS	Level of Service
LUST	Leaking underground storage tank
MBAPCD	Monterey Bay Air Pollution Control District
MHTL	Mean High Tide Line
MIWP	City of San Diego Metropolitan Wastewater Division, Industrial User Discharge Program
MMT	Million Metric Tons
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organizations
MSCP	Multiple Species Conservation Program
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plans
NO	Nitric oxide
N <sub>2</sub> O	Nitrous oxide
NO <sub>x</sub>	Nitrogen oxides
NO <sub>2</sub>	Nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
O <sub>3</sub>	Ozone
PDO	Centre City Planned District Ordinance
PFC	Perfluorocarbons
PI	Principal Investigator
PM <sub>10</sub> and PM <sub>2.5</sub>	Fine Particulate Matter (10- and 2.5-micron)
PPM	Parts per million
RAQS	Regional Air Quality Strategy
RCP	Regional Comprehensive Plan
RDP	Redevelopment Plan for the Centre City Redevelopment Project
ROG	Reactive organic gases
ROW	Right-of-Way
RPO	Resource Protection Ordinance
RTP	Regional Transportation Plan
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SCS	Sustainable Community Strategy
SDAB	San Diego Air Basin

SDIA	San Diego International Airport
SDMC	San Diego Municipal Code
SF	Square Foot
SF <sub>6</sub>	Sulfur hexafluoride
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO <sub>2</sub>	Sulfur dioxide
SPT	Standard Penetration Test
STLC	Soluble Threshold Limit Concentration
SVOC	Semivolatile organic compounds
SWMP	Stormwater Management Plan
TDM	Transportation Demand Measures
TPHd	Total petroleum hydrocarbons as diesel
TPHg	Total petroleum hydrocarbons as gasoline
TTL	Total Threshold Limit Concentration
UBC	Uniform Building Code
UCL	Upper confidence level
UNFCCC	United Nations Framework Convention on Climate Change
UST	Underground storage tank
VOC	Volatile Organic Compound
VMT	Vehicle miles traveled

## **CHAPTER S.0 SUMMARY**

### **S.1 Project Synopsis**

The proposed Cedar and Kettner Development Project is a three phase development that involves the relocation of existing surface parking from the County Administration Center (CAC) at 1600 Pacific Coast Highway to a proposed new parking structure at an alternate location in downtown San Diego, and subsequent development of the site with a combination of ground-floor retail/commercial, with office and residential above. The project site, which is owned by the County of San Diego, is located in downtown San Diego and is bounded by Cedar Street to the north; Kettner Boulevard to the east; Beech Street to the south; and the railroad and light-rail (trolley) rights-of-way (ROW) to the west (APNs 533-322-04 through 533-322-07, 533-322-09, and 533-322-10).

The project site is currently developed with a surface parking lot over the northern two-thirds of the project site; on the southern third is the Star Builders office building fronting westerly toward the railroad right-of-way (ROW) and warehouse fronting easterly toward Beech Street. The first phase of the proposed project, which would include the preparation of the entire site and the construction of the parking structure, is intended to fulfill the mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003) that requires the provision of offsite employee parking within 2-3 blocks of the County Administration Center (CAC). The existing surface parking and all structures onsite, including the three-story Star Builders Supply Company building (also known as the "Standard Sanitary Manufacturing Company"), and referred to herein as the "Star Building", a City-designated historic structure and adjacent warehouse (not designated as historic), are proposed to be removed to allow for development proposed under Phase 1, as well as to prepare the site for the future phases of development.

Phases 2a and 2b would allow for potential public/private development partnerships on the project site. Phase 2a involves an office and commercial component east of the parking structure along Kettner Boulevard. Phase 2b involves a residential/commercial component in the southern portion of the project site, along Beech Street, between Kettner Boulevard and the railroad ROW.

A complete project description and associated figures are included in Chapter 1 of this Draft EIR.

### **S.2 Summary of Significant Effects and Mitigation Measures that Reduce or Avoid the Significant Effects**

The proposed project would result in significant direct impacts to Cultural Resources, Noise, Air Quality, Geology/Soils, and Hazards/Hazardous Materials. Table S-1 describes each of the significant environmental effects, proposed mitigation measures, and impact significance with mitigation (if feasible). Direct impacts associated with historical resources (Cultural Resources) and traffic noise increase (Noise), as well as cumulative impacts associated with historical resources (Cultural Resources), traffic noise increase (Noise), and operational emissions from mobile sources (Air Quality) are significant and unmitigable. All other identified impacts would be mitigated to a level below significance.

### **S.3 Areas of Controversy**

The CEQA Guidelines Section 15123(b)(2) requires that areas of controversy known to the Lead Agency, including issues raised by agencies and the public, be identified in the Summary chapter of the EIR. Issues raised in response to the Notice of Preparation prepared and circulated for this Draft EIR focus around compliance with the City of San Diego regulations, processes, and permitting; the demolition of the Star Building, a City-designated historic resource, and project alternatives analyzed within the EIR; airport land use compatibility; and transit adjacency issues, including pedestrian access and vehicular flow in close proximity to the existing rail lines. These issues were raised through written comments by the City of San Diego Development Services Division, City of San Diego Historical Resources Board, San Diego County Regional Airport Authority, and James Royle, Jr. (individual). In addition to written comments received, the County of San Diego held a public scoping meeting where verbal comments were provided by Bruce Coons of Save our Heritage Organisation (SOHO) and Dan Soderberg of the Neighborhood Historic Preservation Coalition, related to the preservation of the Star Building on the project site through maintenance or adaptive reuse, as well as the need for an adequate alternatives analysis within the Draft EIR.

### **S.4 Issues to be Resolved by the Decision-Making Body**

As discussed in detail in Chapter 2.1, both direct and cumulative impacts to historical resources related to the removal of the Star Building would be significant and unmitigable. The County Board of Supervisors must review the project and determine if the proposed project, or one of the alternatives presented in Chapter 4, or some combination of the project components, should be adopted and implemented. If the proposed project is selected for adoption, the Board will be required to certify the Final EIR, determine whether and how to mitigate significant impacts and adopt associated Findings (CEQA Guidelines Section 15091) for all significant impacts within the EIR. Furthermore, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 will be required for those impacts found to be significant and unmitigable, including the direct impacts associated with historical resources (Cultural Resources) and traffic noise increase (Noise), as well as cumulative impacts associated with historical resources (Cultural Resources), traffic noise increase (Noise), and operational emissions from mobile sources (Air Quality).

### **S.5 Project Alternatives**

Chapter 4 of the Draft EIR addresses ~~four~~ three project alternatives, including the CEQA-required No Project (No Development) Alternative, the Adaptive Reuse Alternative (Build Alternative #1), and the Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2). Although the No Project Alternative would reduce impacts, both significant and mitigable, and significant and unmitigable, as identified for the proposed project, the No Project Alternative would not meet the project objectives and would affect the ability of the County to mitigate impacts from construction of the County's Waterfront Park at the CAC. The provision of replacement employee parking is not only an objective of the proposed project, but as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). In summary, the No Project (No Development) Alternative will not meet the basic objectives of the project and is, therefore, not recommended for selection and implementation.

The Adaptive Reuse Alternative (Build Alternative #1) would reduce overall impacts identified by the proposed project. By retaining the footprint of the Star Building, the Adaptive Reuse Alternative (Build Alternative #1) would reduce significant direct and cumulative impacts associated with historic resources that were determined to be significant and unmitigable and would reduce cumulative air quality impacts associated with mobile source emissions. The Build Alternative #1 would result in similar significant and unmitigable exterior noise impacts associated with the direct and cumulative operational (mobile) noise impacts from Kettner Boulevard and would result in similar significant and mitigable impacts as the proposed project associated with hazardous materials and hazards, and geology and soils. This alternative would meet the County's objective of providing adequate employee parking close to the CAC. While the Build Alternative #1 would allow the County to develop part of the site through a public-private partnership, which is an objective proposed for this project, this alternative would result in approximately 100 fewer residential units and these units would be located in a less desirable location (adjacent to the railroad tracks), which would preclude the County from meeting the project objective of maximizing "the County's potential return from development of a portion of the site through a public-private partnership." In summary, the Build Alternative #1 will meet the majority of the objectives of the project, with the exception of maximizing the County's potential return.

The Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) would reduce significant direct and cumulative impacts that were found to be unmitigable associated with the removal of a historic resource, as well as lessen the significant and mitigable impacts associated with hazardous materials and hazards within the footprint of the Star Building, by retaining the building in its place. This alternative would result in similar significant and unmitigable exterior noise impacts associated with the direct and cumulative operational (mobile) noise impacts from Kettner Boulevard on the proposed residential component. The Build Alternative #2 would also result in reduced cumulative air quality impacts associated with mobile source emissions, as this alternative would result in less traffic, air emissions, and GHG emissions. This alternative would result in similar significant and mitigable impacts associated with geology and soils due to construction of the parking garage and residential units.

The Build Alternative #2 would meet the County's objective for the proposed project of "providing adequate parking close to the CAC", which as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003), and would also provide the County with the opportunity to develop part of the site through a public-private partnership, though not at the scale of return estimated for the proposed project. This alternative would be the environmentally superior alternative due to its reduction of impacts and emissions, retention of the Star Building for office use with minor remediation necessary, as well as the general ability of this alternative to meet most of the project objectives.

Table 4.1 of this EIR provides a comparison of project alternative impacts to the proposed project. A complete discussion and analysis of project alternatives is included in Chapter 4 of this Draft EIR.

TABLE S-1  
Summary of Significant Impacts and Mitigation Measures

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
<b>SIGNIFICANT AND UNAVOIDABLE IMPACTS</b>			
<b>PROJECT-LEVEL IMPACTS</b>			
<b>2.1 Cultural Resources</b>			
<b>CR-1</b>	<p><b>Historical Resources</b> – The proposed project would demolish the Star Building in conjunction with the construction of a parking structure on the site to provide parking for both existing County operations and preparation of the entire site for the future public/private development. The demolition of the Star Building will result in a substantial adverse change in the significance of a historical resource. Therefore, the proposed project would result in a significant impact to a historical resource prior to mitigation.</p>	<p><b>M-CR-1</b> Prior to demolition of the City-designated Star Building, the County shall prepare full building archival photo documentation <del>similar</del> pursuant to Historic American Buildings Survey (HABS) Level II guidelines with minimum 2-1/4" negative and 8 x 10" archivally processed black and white prints. The photography should be extensive including overall views, exterior façade, and details. Field measurements and detailed drawings of openings and decorative elements shall be included in the existing building documentation. The documentation will also include outline narrative information about the building and copies of original drawings. Two original hardcopies and electronic versions on media such as CD shall be prepared. One hardcopy and electronic file shall be deposited with the City of San Diego, and the County of San Diego, Department of Planning and Land Use should retain the other copy.</p>	<p>Mitigation will lessen effects somewhat, but impact remains Significant and Unmitigable</p>
<b>CUMULATIVE-LEVEL IMPACTS</b>			
<b>2.1 Cultural Resources</b>			
<b>CR-4</b>	<p><b>Cumulative Historical Resources</b> – Implementation of the proposed project will result in the removal of the Star Building, which would be a significant impact <del>as a result of the proposed project</del>. Such impact, together with <del>similar warehouses</del> the loss of other historic buildings, would be a cumulatively <u>significant</u> impact under CEQA.</p>	<p>No feasible mitigation is identified.</p>	<p>Significant and Unmitigable</p>

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
<b>2.2 Noise</b>			
<b>N-3</b>	<b>Cumulative Traffic Noise Increase</b> – According to the Downtown Community Plan <u>Final EIR</u> (Section 6.2.5), traffic noise would significantly increase with the addition of traffic from development allowed by the Downtown Community Plan in combination with existing sources of traffic. The increase in automobile trips related to new development within the downtown planning area, including the proposed project, combined with existing automobile trips on grid streets, would result in nine segments, including the Kettner Boulevard segment between Cedar Street and Beech Street, experiencing an increase in traffic noise of more than 3 dBA and exceeding 65 dBA. This increased noise level would impact surrounding noise-sensitive land uses. Therefore, the proposed project would result in a significant cumulative traffic noise impact prior to mitigation.	No feasible mitigation. However, for noise impacts associated with the residential development portion of the proposed project (Phase 2b), Mitigation Measures M-N-1 and M-N-2 would reduce impacts below a level of significance.	Significant and Unmitigable
<b>2.3 Air Quality</b>			
<b>AQ-2</b>	<b>Cumulative Operational Emissions (Mobile Source Emissions)</b> – The proposed project in conjunction with cumulative projects would result in a cumulatively significant and unmitigable air quality impact related to operational emissions (mobile source emissions).	No feasible mitigation is identified.	Significant and Unmitigable
<b>SIGNIFICANT IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT</b>			
<b>PROJECT-LEVEL IMPACTS</b>			
<b>2.1 Cultural Resources</b>			
<b>CR-2</b>	<b>Archaeological Resources</b> – Implementation of the proposed project would require grading and excavation of the project site. Construction activities associated with the proposed project could result in a significant impact to archaeological resources prior to mitigation.	<b>M-CR-2</b> Prior to approval of a Demolition Permit for Phase 1, or any grading and/or improvement plans and issuance of any Grading or Construction Permits for both Phases 2a and 2b, the County shall hire an Approved Principal Investigator (PI), known as the "Project Archaeologist," to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities within areas	Mitigated to a level below significance

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>not previously disturbed or where undocumented fills occur. The following shall be completed to mitigate potential effects:</p> <ul style="list-style-type: none"> <li>a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The contract with the Project Archaeologist shall include a condition requiring the Project Archaeologist to complete the grading monitoring.</li> <li>b. The Project Archeologist shall provide evidence that he/she subcontracted with a Native American of the appropriate tribal affiliation to perform Native American Grading Monitoring for the project.</li> </ul>	
<p><b>CR-3</b></p>	<p><b>Paleontological Resources</b> – Implementation of the proposed project will require earthwork that will occur within geological formations that have high paleontological resource sensitivities. As such, the proposed project may directly or indirectly destroy a unique paleontological resource or site. The potential impact to paleontological resources is significant prior to mitigation.</p>	<p><b>M-CR-3</b> Prior to approval of a Demolition Permit for Phase 1, or any grading and or improvement plans and issuance of any Grading or Construction Permits for both Phase 2a and 2b, a County approved Paleontologist, known as the "Project Paleontologist," shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The following shall be completed to mitigate potential effects:</p> <p>A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. The contract with the Project Paleontologist shall include a condition that</p>	<p>Mitigated to a level below significance</p>

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		the Paleontologist completes the grading/trenching/excavation monitoring.	
<b>2.2 Noise</b>			
<b>N-1</b>	<b>Exterior Traffic Noise Increase</b> – According to the Downtown Community Plan EIR (Section 5.7), traffic on Kettner Boulevard (Cedar Street to Beech Street) would generate a noise level of 66.5 dBA CNEL by Year 2030. This noise increase exceeds the 65 dBA CNEL threshold and would result in a significant noise increase impact prior to mitigation.	<del><b>M-N-1</b> Per the requirements of the Centre City Development Corporation's Design Review/Development Permit Approvals</del> <u>Consistent with the 2006 Downtown Community Plan Final EIR prepared by Centre City Development Corporation</u> , prior to the issuance of a Design Review/Development Permit, all residential projects (Phase 2b of the proposed project) with required outdoor open space (common or private) (e.g., private balconies) are required to prepare a noise study to ensure exterior noise would not exceed 65 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an exterior noise standard of 65 dB CNEL shall be incorporated into the building/architectural plans.	Mitigated to a level below significance
<b>N-2</b>	<b>Interior Traffic Noise Increase</b> – The proposed residential structure proposed under Phase 2b of the proposed project would be exposed to interior noise levels in excess of 45 dBA CNEL and would result in a significant noise impact prior to mitigation.	<b>M-N-2</b> Prior to issuance of building permits for the development of Phase 2b, the developer shall be required to prepare a noise study to ensure that interior CNEL would not exceed 45 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an interior standard of 45 dB CNEL shall be incorporated into the building/architectural plans.	Mitigated to a level below significance
<b>2.3 Air Quality</b>			
<b>AQ-1</b>	<b>Short-term Construction Emissions</b> – The development of each phase of the proposed project would result in short-term pollutant emissions related to the proposed construction activities. The temporary increases in emissions would result in a significant air quality impact prior to mitigation.	<b>M-AQ-1</b> All phases of the proposed project shall comply with City of San Diego's Construction site BMPs to ensure that impacts related to short-term construction emissions would be mitigated to less than significant. The following are the construction BMPs that would mitigate short-term construction emissions:  1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site,	Mitigated to a level below significance

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds are forecast to abate below this threshold.</p> <ol style="list-style-type: none"> <li>2. Dust suppression techniques shall be implemented including, but not limited to, the following:               <ol style="list-style-type: none"> <li>a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.</li> <li>b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.</li> <li>c. Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</li> <li>d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.</li> </ol> </li> <li>3. Vehicles on the construction site shall travel at speeds less than 15 miles per hour.</li> <li>4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.</li> <li>5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the workday to remove soil tracked onto the paved</li> </ol>	

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>surface. Any visible track-out extending for more than 50 feet from the access point shall be swept or washed within 30 minutes of deposition.</p> <ol style="list-style-type: none"> <li>6. All diesel-powered vehicles and equipment shall be properly operated and maintained.</li> <li>7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.</li> <li>8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.</li> <li>9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.</li> <li>10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</li> <li>11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume- low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.</li> <li>12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify</li> </ol>	

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>that such equipment be used during all construction activities on the development site.</p> <p>13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost-competitive for use on this development.</p> <p>14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.</p> <p>15. Rubble piles shall be maintained in a damp state to minimize dust generation.</p> <p>16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent feasible.</p> <p>17. If alternative fueled and/or particulate filter equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.</p>	
<b>2.4 Geology/Soils</b>			
<b>GE-1</b>	<p><b>Geology</b> – The project site is generally suitable for the type of development proposed. However, any existing fill soils encountered beyond the planned excavation limits will not be suitable in their present condition to support settlement-sensitive structures. This possibility is a potentially significant impact prior to mitigation.</p>	<p><b>M-GE-1</b> Prior to approval of final engineering and grading plans for each phase of the Project, the County shall verify that all recommendations contained in the Geotechnical Investigation and Geologic Fault Investigation for the Cedar/Kettner Parking/Residential Structure prepared by Geocon Inc. (October 14, 2003) have been incorporated into final engineering and grading plans. This report identifies specific measures for mitigating geotechnical conditions on the project site to below a level of significance. The report addresses excavation and soil characteristics, corrosive potential, seismic design criteria, grading, construction dewatering, excavation slopes, shoring and tiebacks, soil nail wall, foundations, mat foundation recommendations, concrete slabs, lateral loading, retaining walls, site drainage and</p>	<p>Mitigated to a level below significance</p>

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		moisture protection, and foundation plan review. The County's soil engineer and engineering geologist shall review grading plans prior to finalization, to verify plan compliance with the recommendations of the report. All development on the project site shall be in accordance with Title 24, California Code of Regulations (State Building Code).	
<b>GE-2</b>	<b>Groundwater</b> – Groundwater was encountered on the project site between approximately 27–½ and 34 feet below the existing ground surface. The proposed project may result in a buildup of hydrostatic forces due to the presence of groundwater at the project site. This possibility is a significant impact prior to mitigation.	See mitigation measure for Impact GE-1 (M-GE-1) above.	Mitigated to a level below significance
<b>2.5 Hazards/Hazardous Materials</b>			
<b>HZ-1</b>	<b>Residual Petroleum Hydrocarbons in Soil</b> – The proposed project could result in a significant hazard to the public or the environment if the onsite soils containing residual petroleum hydrocarbons are excavated during future construction of Phase 2 (commercial, office, and residential) on the project site.	<b>M-HZ-1</b> Prior to issuance of a demolition permit for Phase 1, or prior to the issuance of a grading or building permit for both Phase 2a and 2b, any contaminated or hazardous soil and/or water conditions on the site shall be removed and/or otherwise remedied by the developer if, and as, encountered during construction as provided by law and implementing rules and regulations. Such mitigation may include without limitation the following:  a) Remove (and dispose of) and/or treat any contaminated soil and/or water and/or building conditions on the project site as necessary to comply with applicable governmental standards and requirements.  b) Design and construct all improvements on the project site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor, particulate, or other form, and/or from the direct and indirect effects thereof.	Mitigated to a level below significance

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>c) Prepare a site-safety plan, if required by any governmental entity, and submit it to such authorities for approval in connection with obtaining a demolition permit for Phase 1 or a building permit for both Phase 2a and 2b, for the construction or improvements on the project site. Such site safety plan shall assure workers and other visitors to the project site of protection from any health and safety hazards during development and construction of the Project. Such site safety plan shall include monitoring and appropriate protective action against vapors and particulates and/or the effect thereof.</p> <p>d) Obtain appropriate permits from the County of San Diego DEH and/or California Regional Water Quality Control Board and/or any other authorities, which would be required in connection with the removal and/or remediation of soil and/or water and/or building contamination.</p>	
<b>HZ-2</b>	<b>Burn Ash Material</b> – The proposed project could result in a significant hazard to the public or the environment with regard to onsite soils containing burn ash material. This is a significant impact prior to mitigation.	See mitigation measure for Impact HZ-1 (M-HZ-1) above.	Mitigated to a level below significance
<b>HZ-3</b>	<b>Contaminated Soils</b> – If the approximately 17,367 cy of soil exhibiting concentrations of gasoline and/or diesel is not analyzed for reactivity, corrosivity, ignitability and bioassay prior to disposal, there is a potential that humans or the environment could be exposed to contaminated soils. Therefore, the contaminated soils located within the southwest portion of the project site and beneath the existing structures may have the potential to create a significant hazard to the public or environment. This is a significant impact prior to mitigation.	See mitigation measure for Impact HZ-1 (M-HZ-1) above.	Mitigated to a level below significance

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
<p><b>HZ-4</b></p>	<p><b>Lead and/or Mercury</b> – Approximately 16 cubic yards of soil exhibiting concentrations of lead and/or mercury are present within an apparent pocket of debris and burn ash fill and a thin-walled concrete cylinder. If left untreated, there is a potential that humans or the environment could be exposed to soils contaminated with lead and mercury. Soil containing lead and/or mercury on the project site is a significant impact prior to mitigation.</p>	<p>See mitigation measure for Impact HZ-1 (M-HZ-1) above.</p>	<p>Mitigated to a level below significance</p>
<p><b>HZ-5</b></p>	<p><b>Asbestos and Lead Based Paint</b> – It is possible that hazardous building materials (e.g., ACMs, LBP, etc.) are present within the Star Building and warehouse located on the southern portion of the project site. The potential presence of hazardous building materials on the project site is a significant impact prior to mitigation.</p>	<p><b>M-HZ-2</b> Prior to issuance of a demolition permit for onsite structures related to Phase 1, a facility survey shall be performed to determine the presence or absence of ACMs located in the Star Building and adjacent one-story warehouse. Suspect materials shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, who shall have taken and passed an EPA-approved Building Inspector Course. Should regulated ACMs be found, they shall be handled and disposed of in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation. Evidence of completion of the facility survey shall be submitted to the County of San Diego, Department of General Services Project Manager, and shall consist of a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.</p> <p><b>M-HZ-3</b> Prior to issuance of a demolition permit for onsite structures related to Phase 1, a survey shall be performed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to</p>	<p>Mitigated to a level below significance</p>

Impact No.	Impact	Mitigation	Conclusion and Mitigation Effectiveness
		<p>determine the presence or absence of <u>lead-based paint</u> [LBP] located in the two buildings on the southern portion of the project site. Demolition of all materials containing LBP must comply with applicable regulations for demolition methods and dust suppression consistent with the 1994 Federal Occupational Safety and Health Administration (OSHA) <u>standards for lead hazards</u>, 29 CFR 1910.1001, 1926.1101, and 1915.1001. All LBP removed from the onsite structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste.</p>	
<b>CUMULATIVE-LEVEL IMPACTS</b>			
<b>None.</b>			

Source: BRG Consulting, Inc., 2012.

## **CHAPTER 1.0 PROJECT DESCRIPTION, LOCATION AND ENVIRONMENTAL SETTING**

This Draft Environmental Impact Report (EIR) has been prepared for the County of San Diego (County) to evaluate the potential effects associated with the construction and implementation of the proposed County Cedar and Kettner Development Project as described in Section 1.2 of this EIR. The EIR is intended to provide information to the County Board of Supervisors, public agencies, stakeholders and organizations, and the general public, regarding the potential environmental impacts, mitigation measures, and alternatives to the proposed project.

With respect to the analysis of certain impacts, this EIR incorporates by reference, as authorized by CEQA Guideline §15150, portions of the *City of San Diego's Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan* (SCH No. 2003041001) (CCDC, 2006). That EIR will be referred to as the "Downtown Community Plan EIR." Relevant parts of the Downtown Community Plan EIR are incorporated by reference in this EIR because: (a) the Downtown Community Plan EIR analyzed the impacts of developing the downtown area in accordance with the Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan; (b) the site for the proposed project is in the downtown area; (c) the proposed project is consistent with the Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan. Therefore, the County reviewed the Downtown Community Plan EIR and used some data and analysis from that EIR to prepare portions of this EIR. In particular, the noise section (2.2), air quality section (2.3), transportation/circulation section (3.1.3), and the effects found not to be significant section (3.2) sections of this EIR incorporate data and analysis from the Downtown Community Plan EIR as explained in each of those sections. However, because this is a project specific EIR, the County also prepared updated and project specific analysis for this EIR. A digital version of the Downtown Community Plan EIR is included on one of the two CDs found on the back cover of this EIR.

### **1.1 Project Objectives**

The following objectives for the proposed County Cedar and Kettner Development Project describe the underlying purpose of the project and provide a basis for identification of a reasonable range of alternatives evaluated in this EIR.

- Provide adequate parking close to the County Administration Center (CAC) for existing and projected staff who work at the CAC to replace the existing on-site parking that will be eliminated with the construction of the County Waterfront Park at the CAC, as required by mitigation measure 2.5 of the certified Waterfront Park EIR (County, 2003);
- Provide an opportunity to develop part of the site through a public-private partnership;
- Maximize the County's potential return from development of a portion of the site through a public-private partnership; and,
- Obtain LEED Certification or equivalent for Phases 2a and 2b of the project, which would require the proposed project to incorporate design features that comply with LEED Silver Certification at a minimum.

## **1.2 Project Description**

The proposed Cedar and Kettner Development Project involves the relocation of existing surface parking from the County Administration Center (CAC) at 1600 Pacific Coast Highway to a proposed new parking structure at an alternate location in downtown San Diego (See Regional Vicinity Map, Figure 1-1), allowing for the development of the proposed County Waterfront Park at CAC as set forth in the Waterfront Park Master Plan (2008; amended 2011). While a subsurface parking garage is proposed under part of the Waterfront Park to accommodate visitors to both the CAC and the park, as well as VIPs and County executives, employee parking needs would no longer be able to be met onsite.

The County has owned the 1.22-acre city block located two blocks east of the CAC where the project is proposed since March 1985. As shown in Figure 1-2, Project Location, this property is bounded by Cedar Street to the north; Kettner Boulevard to the east; Beech Street to the south; and the railroad and North County Transit District (NCTD) heavy rail and San Diego Metropolitan Transit System (MTS) light-rail (trolley) rights-of-way (ROW) to the west. This parcel is within walking distance of the CAC, allowing for reasonable pedestrian access for County employees assigned to the CAC. The proposal to construct a parking structure on a portion of the project site is referred to as Phase 1.

The County is also proposing two other project phases to allow for potential public/private development partnerships. Phase 2a involves an office and commercial component east of the parking structure along Kettner Boulevard. Phase 2b involves a residential/commercial component in the southern one-third (1/3) portion of the project site, along Beech Street, between Kettner Boulevard and the railroad ROW.

Further details concerning each phase, including parking, square footage, number of dwelling units, access, and infrastructure associated with the proposed project is provided below.

### **1.2.1 Project's Component Parts**

As mentioned above, the proposed project is separated into two phases which are discussed below. This phasing allows for flexibility of implementation and project mitigation and conditioning. However, if market conditions are positive for all components of this project, all phases may be implemented concurrently. Both phases are currently at the conceptual design stage; however, the design-build team will complete final design prior to construction.

#### **Phase 1**

Phase 1 of the proposed County Cedar and Kettner Development Project would include the preparation of the entire site and the construction of the parking structure. The parking structure is primarily intended to replace the CAC employee parking which would be displaced with the development of the CAC Waterfront Park. This requirement to provide offsite employee parking within two to three blocks of the CAC is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). The project site is currently developed with a surface parking lot over the northern two-thirds of the project site; on the southern third is the Star Builders Supply Company office building fronting westerly toward the railroad ROW and warehouse fronting ~~easterly-southerly~~ toward Beech Street. Figure 1-3, Aerial of Existing Uses, shows the existing uses located on the project property. The existing surface parking and all structures onsite, including

the three-story Star Builders Supply Company office building (also known as the "Standard Sanitary Manufacturing Company") and referred to herein as the "Star Building", a City-designated historic structure and adjacent warehouse (not designated as historic), are proposed to be removed to allow for development proposed under Phase 1, as well as to prepare the site for the future phases of development.

The parking structure would have three levels of below-grade parking (B1-B3) and six levels of above-grade parking (P1-P6). Approximately 640 standard and ADA parking spaces would be provided. This number of parking spaces will meet the demand for CAC employees. The parking structure would also be available for public use after County business hours during the week and on the weekends, providing additional parking spaces within the Little Italy community. Vehicles would enter via two lanes on Beech Street and exit via two lanes on Cedar Street. Cladding is proposed along the west and north sides of the parking structure to lessen the appearance of cars within the parking structure, while maintaining natural light and ventilation inside. Architectural coating and temporary accent lighting is proposed for the east and south sides to lessen the appearance of concrete surfaces until Phase 2 is implemented. The parking structure would include a rooftop photovoltaic system generating approximately 365 kW annually for the proposed project. Figure 1-4 provides a conceptual design for the proposed structure; the design-build team will complete final design prior to construction.

During Phase 1, should neither Phase 2a nor Phase 2b be initiated prior to completion of the parking structure, the areas along the southern and eastern side of the parking structure would be improved with temporary enhancements. As shown on Figure 1-5, Conceptual Perimeter Design Plan, the eastern side of the site (Phase 2a area) would be paved and include precast planters with oversized potted shrubs and trees. The southern portion of the site (Phase 2b area) would be left semi-pervious and covered with a decomposed granite (DG) overlay. Urban street furniture, including benches and tables, would be installed, and the area would be landscaped with precast planters and oversized potted shrubs and trees. Landscaping and furniture in both areas would be relocated when the subsequent phases are developed. Concrete scoring or pavers would be used on the western side of the Beech Street driveway to define the public spaces. Existing transit stop facilities would remain along the western project boundary, and permanent street landscaping and an entry plaza for the parking structure along Cedar Street would be completed in a manner consistent with City of San Diego design standards for the Little Italy Community Plan area, Downtown Design Guidelines (CCDC, 2011) and would be maintained by the County until the subsequent phases are developed.

## **Phase 2**

To allow for distinct conditioning and mitigation, Phase 2 is separated into two subcomponents: 2a and 2b (described below). At this time, the County has only developed conceptual design plans for both Phases 2a and 2b that meet the City's zoning, Floor-to-Area Ratios (FARs), and view corridor requirements. These plans are being used to analyze this phase of the project, but will likely be modified when the County enters into a contract with a private developer. Both Phase 2a and 2b are intended to be an opportunity for development through a public/private partnership that would provide a revenue source for the County.

### Phase 2a

Phase 2a involves the construction and development of a five-story building with retail/commercial on the first floor and offices on the upper four floors. The building would be constructed along the eastern side of the parking structure. This phase may be completed prior to, concurrent with, or following, the completion of Phase 1 and/or 2b.

The approximately 6,400 square feet of retail/commercial would be oriented toward Kettner Boulevard for access by pedestrians along Kettner Boulevard. Above the retail/commercial would be four floors of approximately 7,390 gross square feet per floor of office space, totaling 30,590 gross square feet. The office space may be for either County services or leased out to non-profit or private entities.

Permanent street landscaping along Kettner Boulevard would be completed with this Phase in a manner consistent with City design standards for the Centre City Planned District Ordinance area. The temporary improvements in the Phase 2b area along Beech Street would not be affected with the implementation of Phase 2a. Access to the onsite parking would remain the same as described for Phase 1, with two entry lanes on Beech Street and two exist lanes on Cedar Street. Due to the fluctuations in CAC employee parking needs, the parking for Phase 2a can be accommodated onsite within the Phase I parking structure.

### Phase 2b

Phase 2b is located in the southern third of the project site and would involve the construction of a high-rise residential structure, with retail along Kettner Boulevard and live-work lofts on the first floor along the western project boundary. As mentioned above, this phase may be completed after, concurrently with, or before Phase 1 and/or 2a, but has been separated from Phase 2a to allow for distinct conditioning and mitigation, as necessary.

As illustrated in the conceptual design plans for the project (See Figure 1-6, Project Buildout Site Plan Elevations), three below grade levels of parking, an additional approximately 160 standard and ADA spaces, for the Phase 2b residential and retail development would be constructed in Phase 2b and would connect with the Phase 1 parking structure. With the implementation of Phase 2b, all parking on the sub-grade floors, including the additional 160 parking spaces, would be dedicated and only accessible to the residents within Phase 2b. This will be achieved using dedicated ingress and egress for residential parking off a single inbound/outbound driveway on Kettner Boulevard to allow for private access for residents. This access point would be separate from the CAC and office/commercial access, which would be from Beech Street (Inbound) and Cedar Street (Outbound). Ground (first) floor plans show live-work lofts along the western project boundary facing the railroad ROW, and retail, residential lobby and services along Beech Street with a mezzanine on the 2<sup>nd</sup> floor. Floors 2 through 6 include one-, two- and three-bedroom units; while floors 7 through 16, which are horizontally setback to meet the City's Little Italy view corridor requirements, include one- and two-bedroom units. A total of 163 residential units are proposed in Phase 2b.

## 1.2.2 Technical, Economic, Environmental Characteristics

### Technical Characteristics

As discussed above, the proposed project has been analyzed as two phases (1 and 2, with 2 being separated into sub-phases 2a and 2b) to allow for conditioning and mitigation to be specific to each phase as necessary. However, the project phases may all be constructed concurrently, or upon completion of Phase 1 (which includes the parking for Phase 2a); and furthermore, Phase 2a and 2b may be completed in reverse order. However, the entire site would be graded and all structures would be removed in Phase 1.

The site is served by the City of San Diego sewer and water, and the City provides police and fire protection to this property.

### Environmental Characteristics

The environmental constraints and characteristics for this project are discussed in the following chapters of this EIR. Where applicable, identification of impacts and feasible mitigation measures are included in this analysis. The proposed project is located in a completely developed area and does not contain any sensitive biological resources, agricultural resources, mineral resources, or existing population and housing on the project site.

With respect to energy conservation, or “green” building measures, the following list of design considerations and measures is part of the project design, and will be a requirement at project implementation for each phase:

### **Phase I – Parking Structure**

LEED Certification is not required for parking structures; however, the proposed parking structure would be designed to include the following “green” building measures:

- 365.1 kW Roof-top Photovoltaic System;
- Natural Ventilation (Along Cedar and Railroad ROW);
- Lighting Control;
- Transportation Demand Management (TDM) Measures:
  - A bulletin board, displaying transportation information for employees, which will include maps, routes and schedules for public transit routes serving the site; telephone numbers for regional ridesharing agency and local transit operators; ridesharing promotional material supplied by commuter-oriented organizations; and bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
  - A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site;
  - Shuttle bus to other County offices;
  - Bicycle racks;

- A safe and convenient zone in which vanpool and carpool vehicles may deliver or board passengers;
- Sidewalks/pathways for external pedestrian circulation; and,
- Established start and end shift times for employees outside the peak commute hours.

#### **Phase 2a - Commercial/Office**

- Meet LEED Silver Certification requirements;
- Low-flow toilets;
- Recycled content for flooring; and,
- Onsite buildings will be developed with an energy efficiency that goes beyond Title 24 requirements.

#### **Phase 2b - Residential/Commercial**

- Meet LEED Silver Certification requirements;
- Low-flow toilets;
- EnergyStar Appliances (Residential);
- Onsite buildings will be developed with an energy efficiency that goes beyond Title 24 requirements;
- Irrigation control devices for landscaped areas; and,
- Drought tolerant landscaping.

These measures were also incorporated into the assumptions used to analyze the project's potential contribution to, and impacts associated with, Greenhouse Gas (GHG) emissions, as discussed in detail in Chapter 2-6.

### **1.3 Project Location**

As shown in Figure 1-2, and stated above, the project site is located in downtown San Diego and is bounded by Cedar Street to the north; Kettner Boulevard to the east; Beech Street to the south; and the NCTD heavy rail and MTS light rail (trolley) ROWs to the west. The Assessor Parcel Numbers (APNs) for the site are: 533-322-04 through 533-322-07, 533-322-09, and 533-322-10. The project site has been owned by the County of San Diego since March 1985.

### **1.4 Environmental Setting**

The project site is located in an urbanized area of the City of San Diego, in the downtown core. The project site is located in the Centre City Planned District Ordinance area of the City of San Diego. The property is designated as the Downtown Community Plan area, with a Residential Emphasis, and is zoned Centre City Planned District – Residential Emphasis (CCPD-RE). When constructing a project in the City of San Diego, the County of San Diego is generally exempt from the City's regulations, including the City's zoning and building codes, General Plan, and other ordinances. See Government Code section 53090 and following,

California Attorney General Opinions, volume 40, page 243 and *Lawler v. City of Redding*, 7 Cal.App.4<sup>th</sup> 778 (1992). However, the proposed project as conceptually designed will comply with City regulations. Existing land uses on the project site include paid surface parking and the “Star Building”, which is currently vacant and houses the non-profits arts organization ArtWalk.

Land uses surrounding the site include low- to medium-scale commercial uses, such as hotel and motels, retail and civic uses to the west; multi-family residential uses to the north; multi-family residential uses and commercial uses to the east; and office, multi-family residential uses, parking and retail to the south. The railroad and light-rail (trolley) right-of-way (ROW) is immediately adjacent on the west side of the project area. The County Administration Center (CAC) and the approved Waterfront Park are two blocks west of the project area. Figure 1-7, Surrounding Land Uses, provides an aerial of the project vicinity with general reference of the surrounding land uses.

Please refer to Chapters 2.0 and 3.0 of this EIR for a detailed discussion on the baseline environmental setting (Existing Conditions) of the project site relative to each of the subject environmental issue areas.

## **1.5 Intended Uses of the EIR**

This project-level EIR is intended to provide information to public agencies, the general public and decision makers regarding the anticipated environmental impacts of the proposed project. Under the provisions of CEQA, the purpose of an environmental impact report is to “identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided” (Public Resources Code 21002.1[a]). The information in this EIR will be considered by the Board of Supervisors in conjunction with the Board’s consideration of the proposed project. [In addition, the City of San Diego is a Responsible Agency under CEQA for purposes of Phase 2 and will act in accordance with CEQA Guidelines section 15096.](#)

### **1.5.1 Matrix of Project Approvals/Permits**

In order to certify this EIR, the County Board of Supervisors must find that it has been completed in compliance with CEQA (Public Resources Code 21000, et. seq.) and the Guidelines for the Implementation of CEQA (California Code of Regulations, Title 14 §15000, et. seq.), and that all information in this EIR was considered prior to approval of this project. Project implementation will require the following approvals:

<b>Agency</b>	<b>Approval</b>
County of San Diego – Lead Agency	<ul style="list-style-type: none"> <li>• Approval of project</li> </ul>
San Diego Air Pollution Control District	<ul style="list-style-type: none"> <li>• Grading, Demolition &amp; Building Permits (Phase 1)</li> <li>• Asbestos Notification of Demolition and Renovation Permit</li> </ul>
City of San Diego- <a href="#">Responsible Agency</a>	<ul style="list-style-type: none"> <li>• Building Permit (Privately-initiated development associated with Phases 2a and 2b)</li> </ul>
Centre City Development Corporation	<ul style="list-style-type: none"> <li>• Development Permit (Privately-initiated development associated with Phases 2a and 2b)</li> </ul>
Airport Land Use Commission and San Diego County Regional Airport Authority	<ul style="list-style-type: none"> <li>• Consistency Determination</li> </ul>
North County Transit District and Metropolitan Transit Service	<ul style="list-style-type: none"> <li>• Right-of-Entry Permit</li> </ul>

### **1.5.2 Related Environmental Review and Consultation Requirements**

The County issued a Notice of Preparation in March 2011 for a 30-day review and comment period. Due to the proposed removal of the Star Building from the project site, the County initiated discussions with both the County Historic Sites Board and the City Historical Resources Board. During these meetings, County staff presented the general objectives of the project and solicited input from interested persons concerning the project development and phasing, as well as proposals for maintaining the Star Building on the site through possible integration into the project. The County used information obtained at these meetings to develop the proposed project and alternative project designs and phasing in an effort to respond to the comments that were received.

### **1.6 Project Inconsistencies with Applicable Regional and General Plans**

The City of San Diego General Plan is the applicable long-range planning document for development within the downtown San Diego neighborhoods. There are no adopted regional plans that provide for development standards or policies; however, the 2007 Regional Transportation Plan (RTP) and the 2004 Regional Comprehensive Plan (RCP) adopted by the San Diego Association of Governments (SANDAG) provide general guidance for land use planning within the San Diego region. These plans apply to development within the San Diego region. As discussed in Section 3.1.1 Land Use of this EIR, the proposed project (all phases) is consistent with these plans.

As mentioned above, Phase I of the project is a County facility. When constructing a project in the City of San Diego, the County of San Diego is generally exempt from the City's General Plan. Nonetheless, as discussed in detail in Section 3.1.1 Land Use of this EIR, as conceptually designed, Phase 1 is consistent with the City's General Plan. As noted above, the private development occurring on the project site (Phases 2a and 2b) has been conceptually designed to be consistent with the City's General Plan and will have to be consistent with the General Plan.

As discussed in detail in this EIR (Sections 2.3 and 3.1.1), the proposed project (all phases) would be consistent with all of the following:

- City of San Diego General Plan;
- Redevelopment Plan for the Centre City Redevelopment Project;
- City of San Diego Downtown Community Plan (Formerly the Centre City Community Plan);
- Centre City Planned District Ordinance;
- Downtown Design Guidelines (adopted in 2011);
- Regional Air Quality Standards; and,
- Lindbergh Field Airport Land Use Compatibility Plan (ALUCP).

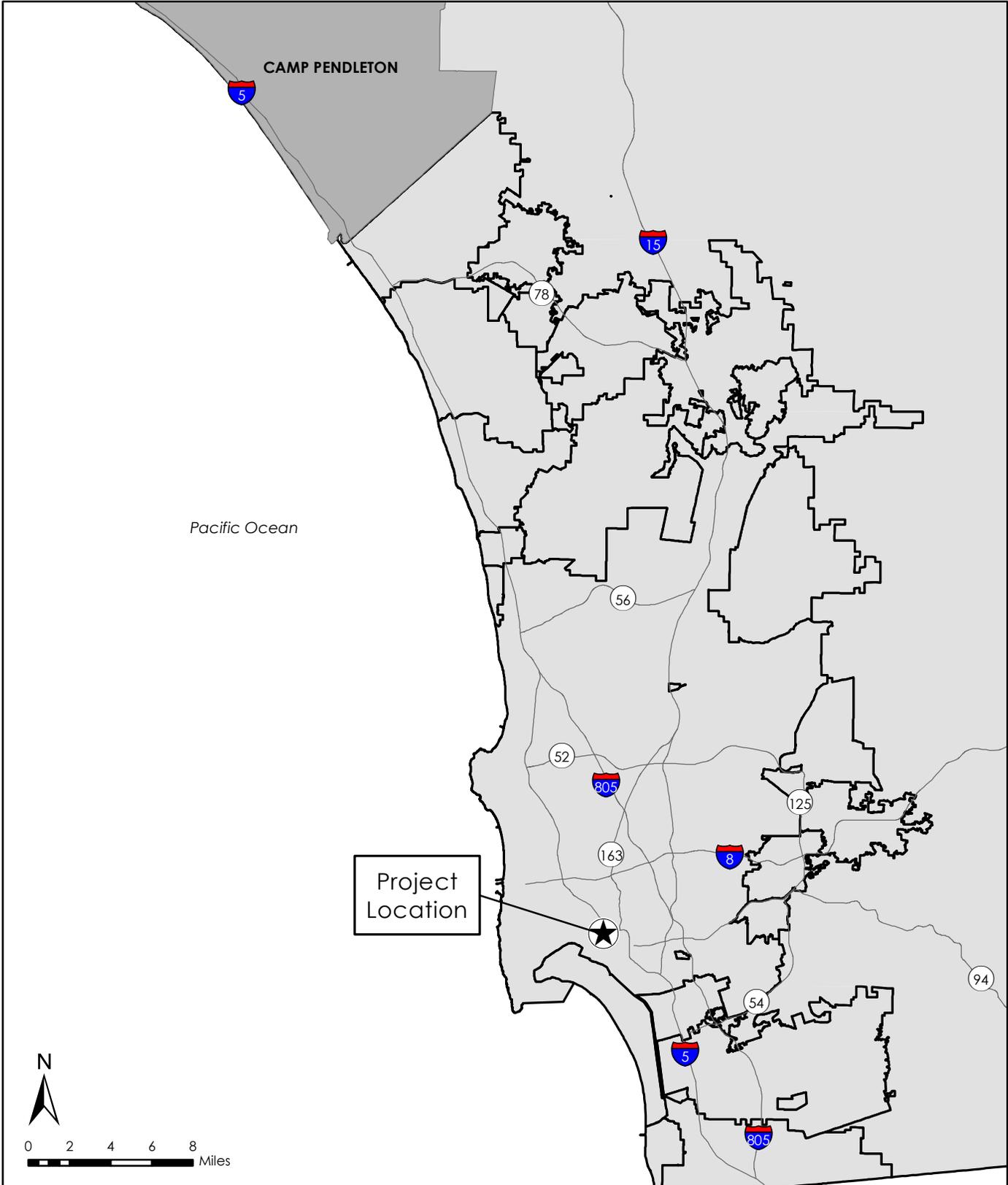
### **1.7 List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area**

CEQA Guideline §15130(a) requires that “cumulative impacts shall be discussed when they are significant”. Cumulative impacts involve effects that may not be significant individually, but which may increase in scope or intensity when considered together. Such impacts typically involve a number of local projects, and can result from individually incremental effects when these collectively increase in magnitude over time.

An inventory of past (under construction or approved), present (application and environmental review in process), and reasonably foreseeable future projects (known proposed projects) within the downtown San Diego area was completed for this project and included as Table 1-1. Generally, the area of downtown from the Convention Center, north and west, to the San Diego International Airport, and east to I-5, are included in the cumulative project area. A review of CCDC and City of San Diego, San Diego County Regional Airport Authority, and Port of San Diego project inventories was conducted in July and August of 2011 to develop the cumulative list of projects for this project. Figure 1-8, Cumulative Project List, has been included to illustrate the location of the above referenced projects relative to the project site.

### **1.8 Growth Inducing Effects**

While the proposed project would introduce new housing into the Little Italy community, it would not result in an inducement of growth beyond what is currently anticipated for this site or the surrounding area. Specifically, the project would not involve the construction of new infrastructure, such as roadways or utilities; nor would it involve any changes to existing land use and zoning designations. Furthermore, the project site is located in a fully developed urban area. Consequently, the proposed project is very unlikely to induce additional growth.



SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

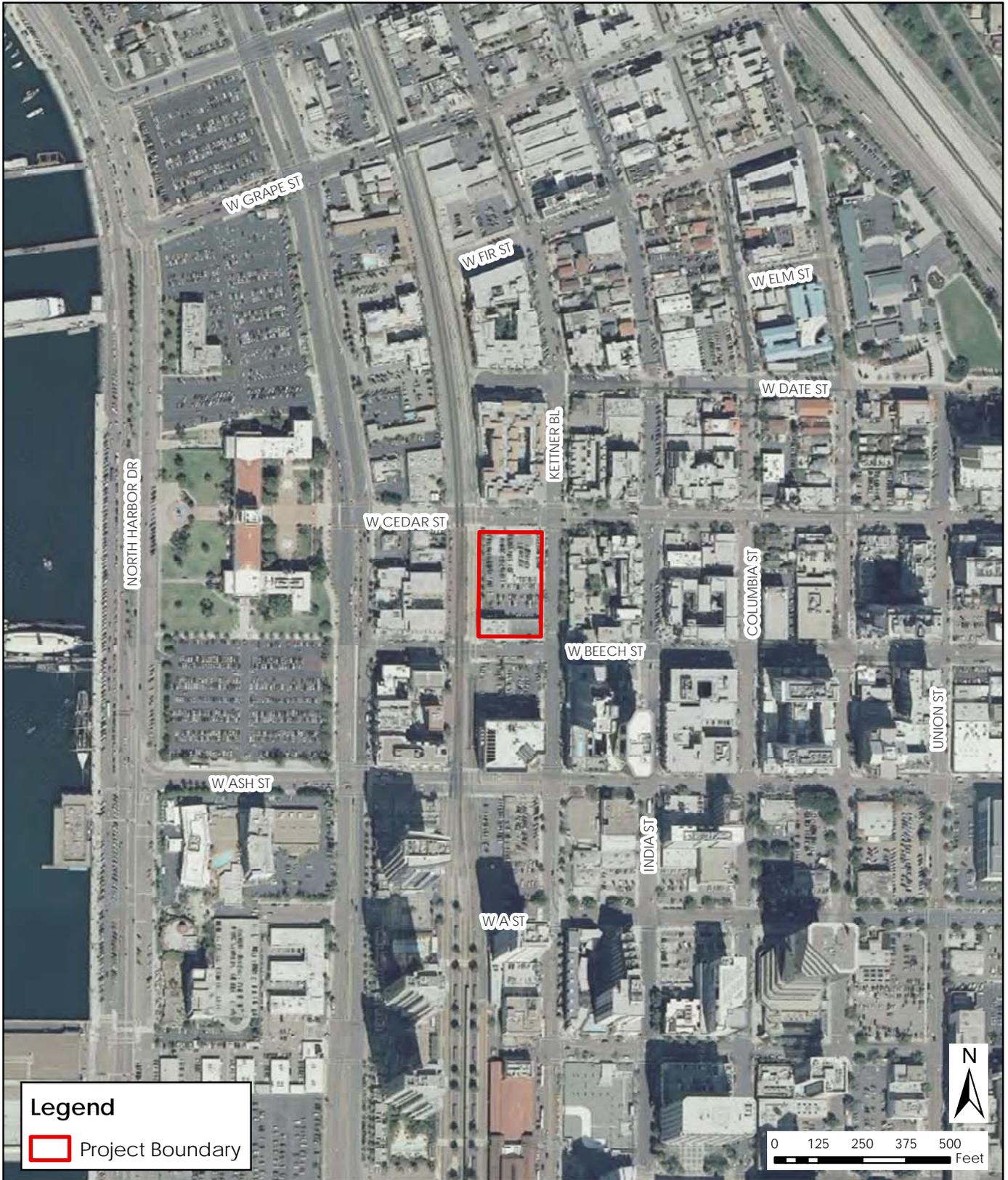
8/9/11



Cedar and Kettner Development Project

Regional Location Map

FIGURE  
1-1



SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

8/9/11



Cedar and Kettner Development Project

Project Location Map

FIGURE

1-2



SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

8/29/11

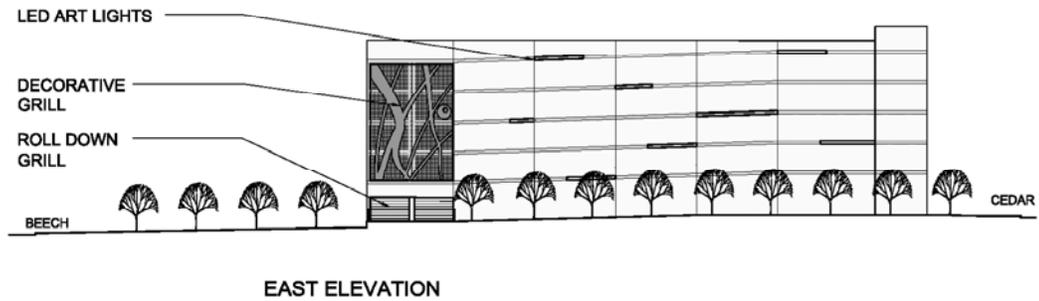
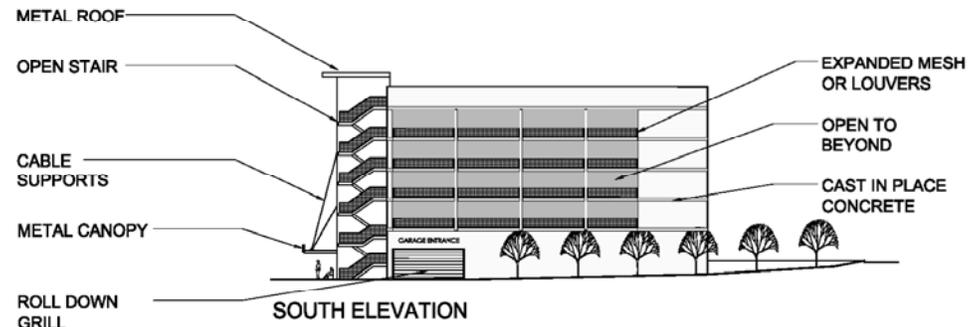
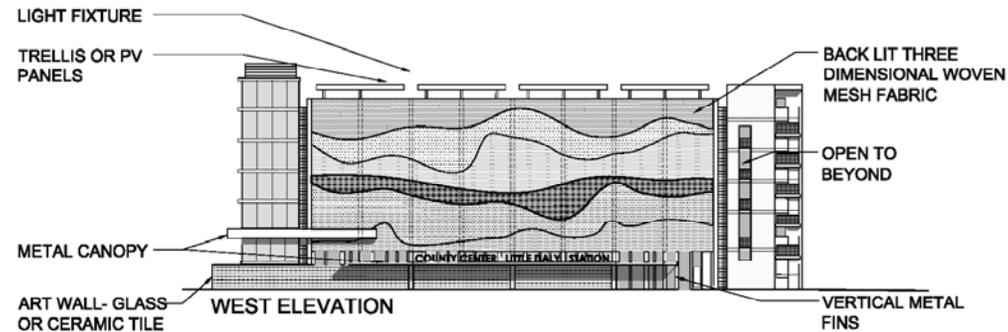
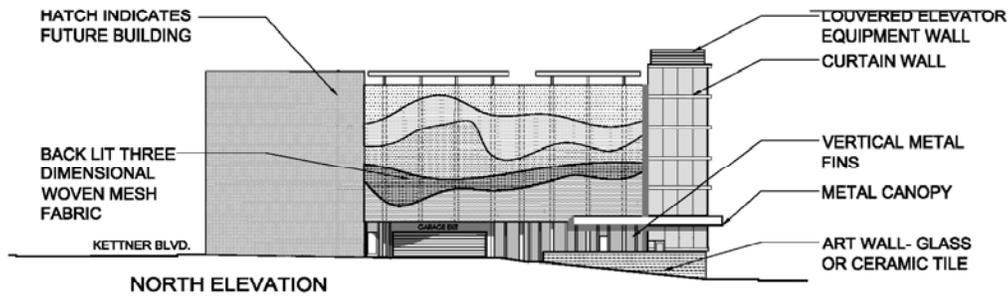


Cedar and Kettner Development Project

Aerial of Existing Uses

FIGURE

1-3



PHASE 1 GARAGE  
 EXTERIOR ELEVATIONS SCHEME 2  
 CEDAR AND KETTNER DEVELOPMENT  
 PROPOSED PROJECT (OPTION A)



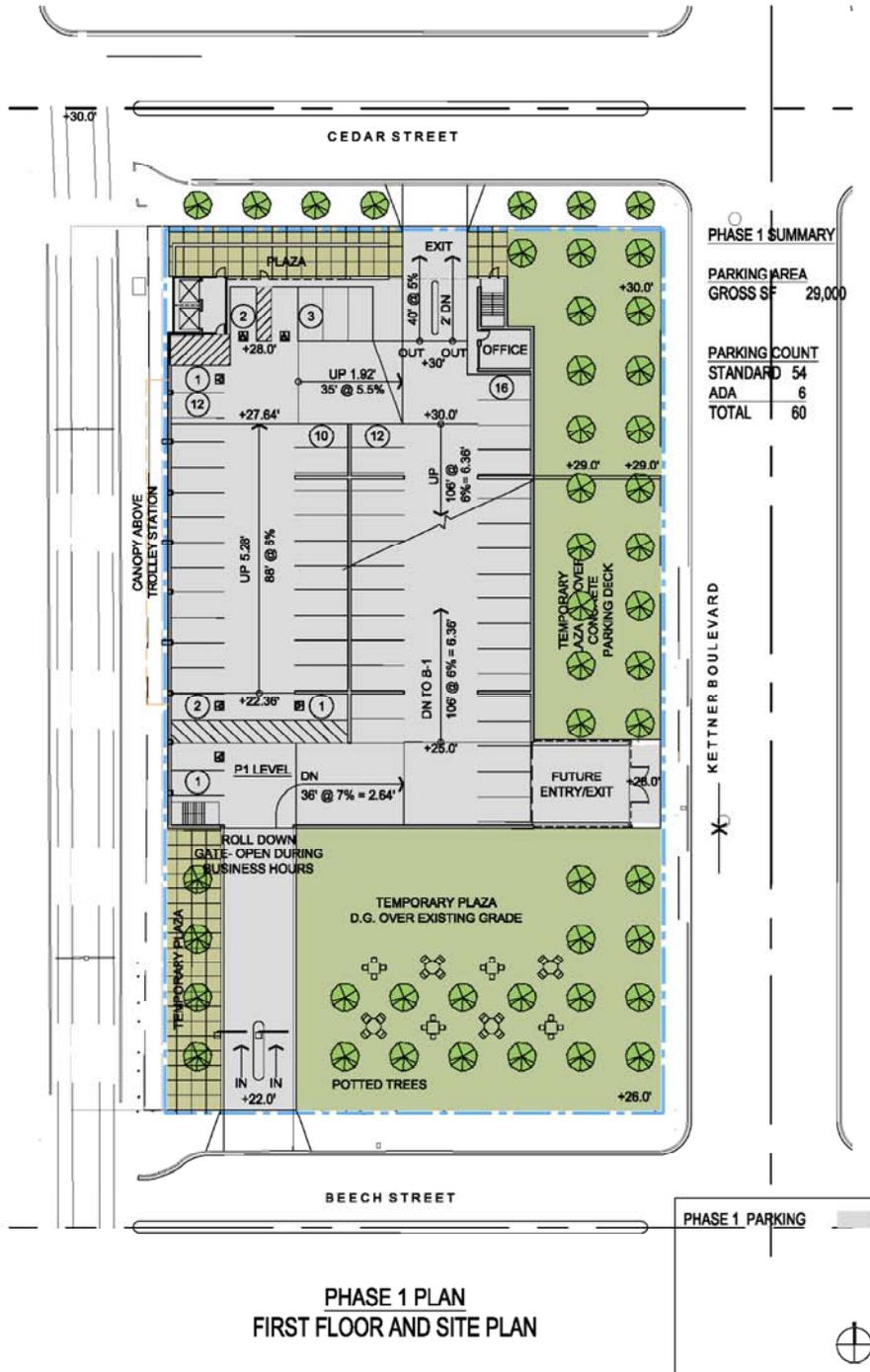
SOURCE: Carrier Johnson, July 2011; BRG Consulting, Inc., 2011

8/31/11



Cedar and Kettner Development Project  
 Phase 1  
 Conceptual Parking Structure Design

FIGURE  
 1-4



CEDAR & KETTNER PROJECT  
SITE DEVELOPMENT- OPTION A

SOURCE: Carrier Johnson, July 2011; BRG Consulting, Inc., 2011

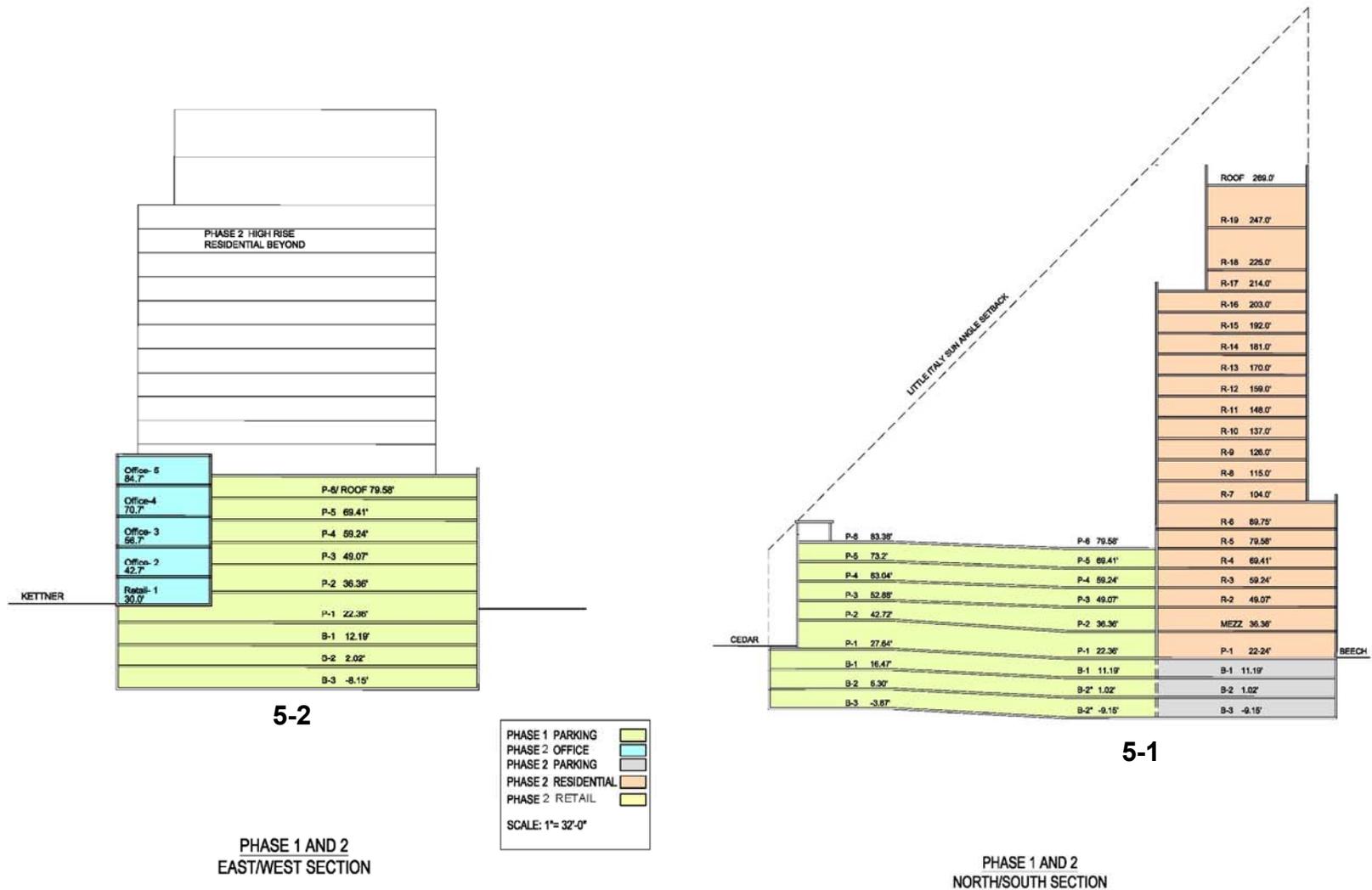
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Cedar and Kettner Development Project  
Phase 1  
Conceptual Perimeter Design Plan

FIGURE  
1-5

1-15



SOURCE: Carrier Johnson, July 2011; BRG Consulting, Inc., 2011

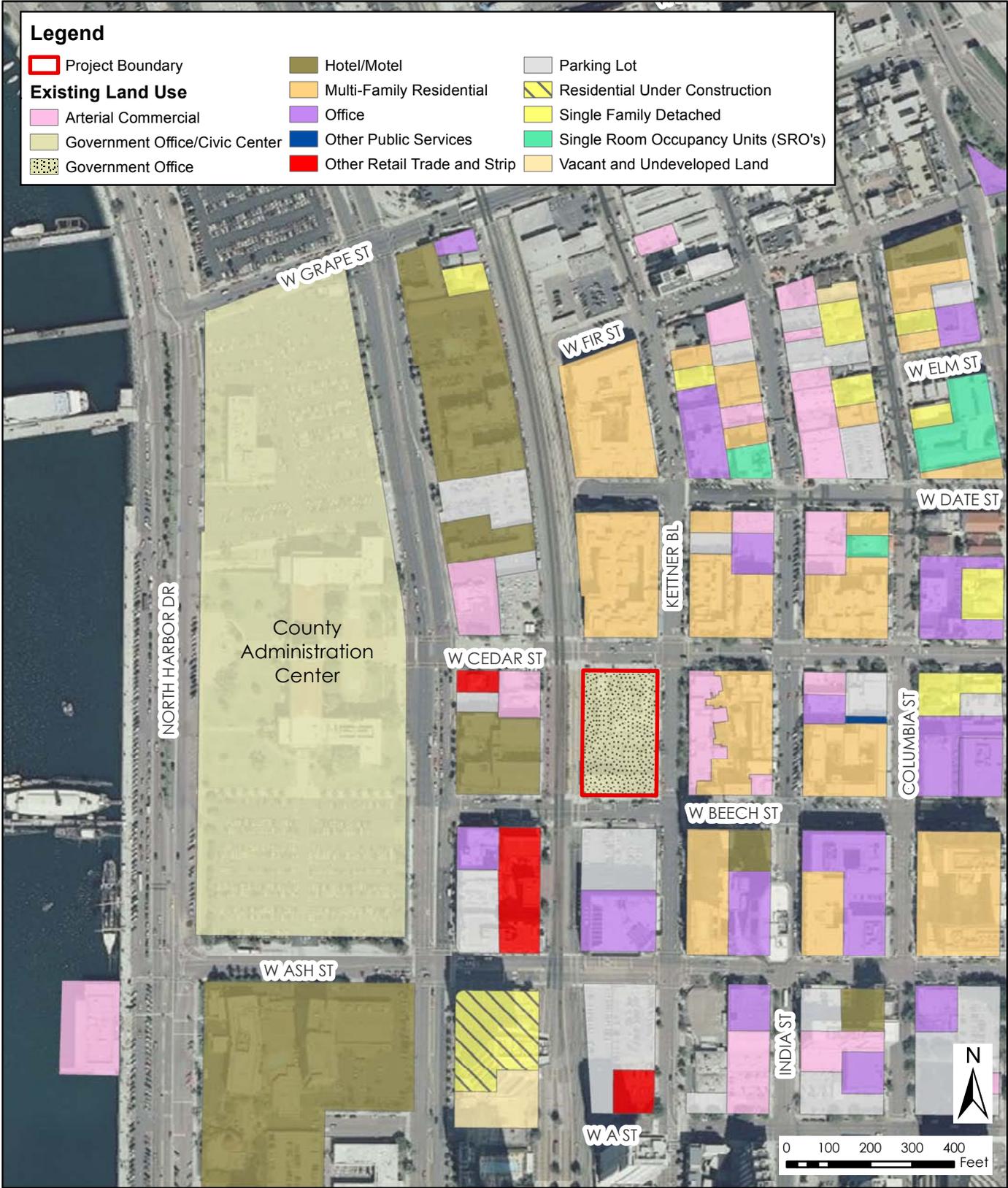
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Cedar and Kettner Development Project

# Project Buildout Site Plan Elevations

FIGURE  
1-6





SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

8/31/11



Cedar and Kettner Development Project

## Surrounding Land Uses

FIGURE  
1-7

Path: D:\Projects\1101 Cedar Kettner\1st Screencheck EIR\Chapter 1\Figure 1-7 Surrounding LU.mxd



**Legend**

- Project Boundary
- ✱ Cumulative Projects

N  
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0 500 1 000 1 500 2 000  
Feet

SOURCE: BRG Consulting Inc., 2011

9/12/11



Cedar and Kettner Development Project

Cumulative Project List

FIGURE  
1-8

TABLE 1-1  
Cumulative Project List

No.	Project Development	Location	Project Description	Jurisdiction/Lead Agency
<b>Projects Under Construction</b>				
1	Columbia/Fir	NE Corner Columbia/Fir	Residential Mixed Use: 40 apartments, 6,000 SF retail	CCDC
2	United States Federal Courthouse	Broadway (South side) between Union/State	Public Facility: 426,000 SF Courthouse/office	CCDC
3	San Diego Central Courthouse	Broadway (South side) between Union/State	Public Facility: 704,000 SF Courthouse/office	CCDC
4	San Diego International Airport Implementation Plan Terminal Two Improvements	3225 North Harbor Drive	Expand existing Terminal Two West with 10 new jet gates; new aircraft parking; new apron and aircraft taxiway; construct new parking structure and vehicle circulation serving Terminal Two	San Diego <u>County</u> Regional Airport Authority
<b>Projects Approved/Pending Construction</b>				
5	1909 State Street	1909 State Street	Residential Mixed Use: 3 apartments; 1000 SF office	CCDC
6	1880 West Broadway	NE Corner Pacific Hwy/ W. Broadway	Commercial Use: 680,000 SF office; 5,000 SF retail	CCDC
7	Ariel Suites	SW Corner Kettner/Beech	Residential Mixed Use: 224 Apartments; 17,000 SF retail (may be expanded on to adj. site)	CCDC
8	Broadstone Little Italy	Kettner Street between Fir/Grape	Residential Mixed Use: 201 apartments; 9,000 SF retail	CCDC
9	Columbia Tower	"A" Street between India/Columbia	Hotel/Condominiums: 387-room hotel; 6 condominiums	CCDC
10	Fire Station No. 2	SE Corner Pac. Hwy/Cedar	3-Bay City of San Diego Fire Station	CCDC
11	India and Beech	SW Corner India/Beech	Residential Mixed Use: 49 condominiums; 8,000 SF retail	CCDC
12	Lumina	NW Corner of Columbia/Ash	Hotel/Condominiums/Retail: 140-room hotel; 40 condominiums, 9,000 SF retail	CCDC
13	Monarch School	808 West Cedar	Educational Facility:	CCDC
14	Navy Broadway Complex	Broadway/Harbor/Pac. Hwy	1,265,000 SF office space; 350,000 Navy office space; 1,500 hotels rooms; 160,000 SF retail; 40,000 SF museum	CCDC
15	Riva Trigoso	Date Street (south) between India/Columbia	Residential Mixed Use: 40 condominiums; 11,000 SF retail	CCDC

No.	Project Development	Location	Project Description	Jurisdiction/Lead Agency
16	CAC Waterfront Park	1600 Pacific Hwy.	Conversion of 8 acres of surface parking to open space, with underground parking	County of San Diego
17	Lane Field	Harbor Drive/ Broadway/ Pacific Highway	Commercial Hotel/Retail: 525-room hotel; 275-room hotel; 80,000 SF retail	Unified Port District
<b>Projects Proposed/Projects Under Review</b>				
18	Fat City Lofts	NE corner Pacific Hwy./Hawthorn	Residential Mixed Use: 196 apartments; 5,000 SF retail	CCDC
19	Juniper Street	Juniper Street (south) between Kettner/India	Residential Mixed Use: 31 apartments; 3,000 SF retail	CCDC
20	Kettner & Ash	SW corner of Kettner/Ash	Residential Mixed Use: 287 condominiums; 25,000 SF retail	CCDC
21	Convention Center Expansion (Phase III)		Expanding the hotel from 250 to 500 rooms and an expansion of the San Diego Convention Center	Unified Port District
22	North Embarcadero Visionary Plan	Market Street (south), Laurel Street (north), RR ROW (east); and bayward edge of land (west).	Redevelopment of an approximately 7-acre site along San Diego Bay, including the improvement of West Broadway from North Harbor Drive east to the railroad tracks located between Pacific Highway and Kettner Blvd., the realignment of North Harbor Drive eastward from its present location between Ash Street and F Street, and the construction of a linear waterfront park/plaza.	Unified Port District
23	Palm Street Garage	Palm Street & Pacific Hwy.	Commercial: 2000-space parking garage; 10,000 SF retail; cruise ship baggage facility	Unified Port District
24	Ruocco Park	San Diego Bay waterfront, Pac. Hwy. (west) Harbor Drive (south)	3.3 acre park	Unified Port District
25	Seaport Village Redevelopment	849 West Harbor Drive	Public meetings being held for revisioning process	Unified Port District
26	Airport Implementation Plan Northside Improvements	West side of Pacific Highway between W. Washington/Palm Sassafras St.	Aviation related development: 1.9 million SF car rental facility; 225,000 SF warehouse space; on-airport roadway (from Sassafras/Pac Hwy along eastern perimeter – connecting proposed north side facilities to south side of airport	San Diego Regional Airport Authority

Source: BRG Consulting, Inc., 2012

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## CHAPTER 2.0 SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

### **2.1 Cultural and Historical Resources**

The cultural and historical resources analysis provided in this section is summarized from the *Historical Resources Technical Report for 726-734 West Beech Street* prepared by the Office of Marie Burke Lia (Lia, 2011). This document is provided as Appendix B on the attached CD of Technical Appendices found on the back cover of this EIR.

#### **2.1.1 Existing Conditions**

The property is located within a city block bounded by Beech Street (south), Kettner Boulevard (east), Cedar Street (north) and the railroad right-of-way (west), in the City of San Diego. It is located within the Centre City Redevelopment Project Area, the Little Italy Neighborhood of that Project Area, and the Residential Emphasis Land Use District, according to the Land Use Map from the Centre City Planned District Ordinance. It is surrounded by mid- and high-rise residential and office development, parking lots and the County Administration Center. In the early 1900s, this area was developed for commercial and industrial uses because of the proximity to the waterfront and the rail line. In the 1930s, the County Administration Center introduced governmental uses and in the 1980s, the Centre City Redevelopment Project introduced office and residential uses.

##### **2.1.1.1 Historical Resources**

###### A. Cultural Setting/Historical Background

The City of San Diego was incorporated as a City by the state legislature in 1849. One of the first acts of the new City Council was to approve earlier maps of the City and its tidelands. At the same time, pueblo lands were being divided up among buyers, mostly for speculation.

West of Balboa Park, between Old Town and the future downtown, laid a strip of low hills and tidal flats originally referred to as Middletown. In 1850, a group of ten investors bought the 687 acres and laid out the streets and lots and waited for boom times to arrive. After the boom did arrive, in 1880, development began. Workers for local government, construction and downtown businesses settled west of Front Street, larger and more impressive homes were built on the ridges. Census records identify these early settlers as Central European and Irish.

In 1875 there were only 75 Italians in the county, but by 1900 there were 116. The first Italians who arrived had tried other U.S. locations first. The forerunner of the Italian fishing community was Marco Bruschi who came to San Diego in 1869. Other Italians who came had been wine growers, sheepherders and ranchers. The fishermen and founders of fish markets and restaurants arrived by 1900. All of these transplanted members of the Italian community founded social organizations with large memberships. At the same time, the Portuguese community was heavily involved with the tuna industry. The 1906 San Francisco earthquake drove more Italian fishermen to San Diego where the immigrants prospered for the next few decades.

By 1937, a different pattern had emerged for what was then known as Middletown. The main business district was located at the Five Points intersection on Washington Street, at the north end. Fish canneries were established at the south end and residences of the Italian fishermen and employees of the growing aircraft industry were along the waterfront.

San Diego's fishing industry contributed a large share to the City's growing economy. By 1939, the tuna catch was for the first time over 100 million pounds. The bulk of the fishing was divided between the Portuguese residents of Point Loma and the Italians of Middletown. The Italians came mainly from Sicily or northern Italy. Our Lady of the Rosary Church, built in 1925, with its beautiful stained-glass windows and magnificent murals by Venetian painter Fausto Tasca, formed the nucleus of their community. Prominent Italians of the early decades included the DeFalcos in the grocery business and the Ghios of Anthony's restaurant fame.

The establishment of Lindbergh Field in the 1920s and 1930s caused early height limits to be imposed that also affected the development of this region, Point Loma and Loma Portal.

During World War II, the San Diego Italian fishermen were ordered to move from homes close to the harbor as suspicious authorities considered them as having ties to Italy. Non-citizen Italians also had to move east. Many families moved back after the war was over.

After the War, the tuna industry gradually declined on the west coast and the 1960s construction of the Interstate 5 freeway destroyed 35% of the buildings in Middletown, all of which led to the disintegration of the community. But in the early 1990s, the established property owners and family-run business owners decided to take their fate in their own hands, and today's thriving Little Italy business and residential community is the result.

With reference to the subject property, its construction and use were tied to the main rail line that served San Diego and points south and north, the Atchison, Topeka & Santa Fe (formerly the California Southern) Railway. This rail line was the conduit for all goods moving in and out of San Diego since the late 1880s, and the Star Building, which does not include the adjoining warehouse, was built to be served by that rail line. The ground floor's west façade, on the rail line, and south façade, on the street, both originally contained large freight warehouse doorways to move goods in and out. Concrete ramps for loading and unloading goods directly from railroad cars along the west façade existed as part of a 5' wide loading platform that ran the length of the building. As depicted on Figure 2.1-1, the Star Building is located on the southwestern portion of the project site, bound by Beech Street to the south and the railroad right-of-way to west. Figures 2.1-2 and 2.1-3 include photographs of the Star Building taken of the west and south facades, respectively, which are where the significant design elements of the building can be observed.

Within this area, only one other warehouse structure of a similar vintage on this rail line remains and that is the former San Diego Grain and Milling Company, one block south at West Ash Street. This brick warehouse, San Diego Historical Landmark #257, has been incorporated into a condominium complex and, although its original facades have been retained, it is no longer accessible from the rail line.

## B. Records Search

The subject property is located within a long developed area of the City of San Diego near the waterfront, now known as Little Italy. The 1989 Historic Site Inventory of Harborview was prepared by the Lia/Brandes Team for the Centre City Development Corporation (CCDC). The Inventory documented 79 sites, which were ranked 1 for those thought eligible for the National Register, 2 for those thought eligible for the Local Register and 3 for those thought not eligible for either register. The subject property was ranked 2.

This Harborview Inventory was reviewed by the City's Historical Resources Board at meetings that occurred between April and October of 1990. Of these 79 properties, the Historical Resources Board designated 26 properties located within a ¼ mile radius of the subject property as City Historic Landmarks in 1990. In 1978, 1980, 1986 and 2006, four other properties within a ¼ mile radius of the subject property were designated as local historical resources. The property designated in 1978 was later demolished pursuant to a City issued discretionary permit.

Therefore, there are 28 previously recorded, locally designated historical sites in the Little Italy area and, of these, 4 have been incorporated into new development. This information has been compiled in a Table of Designated Historical Resources within a quarter mile of 726-734 West Beech Street.

The three-story Star Building was built by Wayne G. Simmons in 1911, and may have been built specifically for the Star Builders Supply Company. It was designed to serve as a warehouse whereby goods could be delivered by the existing freight rail line at the west edge of the property and stored until they could be distributed to their customers through the street side warehouse door on Beech Street. The building is distinctive in its architectural integrity and quality. The Star Building was found to be eligible for the City's Register of Historical Resources and was evaluated as an example of the Edwardian Commercial style of architecture and as a good example of the application of late Victorian stylistic elements to an industrial use. The adjoining warehouse to the east is not historically significant, as this portion of the building was added on later and does not meet the same requirements as the three-story Star Building. The County previously approved the demolition and removal of the warehouse with concurrence from the City.

In October of 1990, the architectural firm of Milford Wayne Donaldson did an Architectural Feasibility Study of the building for the County of San Diego. That study quoted the findings of the above-cited 1989 Inventory and also noted that the Star Building was designed with some unique details that represent the Renaissance Revival Style, which is rare in San Diego. The above facts make it apparent that the Star Building is one of San Diego's historically significant structures, and the results of the study provided the basis for a recommendation that the Star Building be approved for local landmark status.

On March 5, 1991, a Negative Declaration was adopted by the County of San Diego to restore and reuse the "Star Builders Warehouse" by integrating a portion of the ground floor as a light rail station, using the balance of that floor for public retail and using the upper 4,800 square feet for County office space. The Negative Declaration found that the restoration as proposed would meet the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. It should be noted that the

reuse of the Star Building for transit purposes as proposed in the previously adopted Negative Declaration was never realized; however, the County completed the rehabilitation and retrofitting of the structure.

On December 11, 1991, the City's Historical Resources Board approved the designation of the building as a historic site on the basis of its architecture as a "rare, well-executed San Diego example of an industrial building designed in the Renaissance Revival style popular during the Edwardian era" and its "creative use of concrete elements."

### C. Historical Significance of the Star Building

The architect, if there was one, for the original building is unknown and the use of the building as a warehouse since its construction has not been unique. It is a common commercial building of its type that was constructed during the period when goods were transported primarily by rail. However, the building has not supported any uses associated with the adjacent rail line since the property was conveyed to the County in 1985. Three other warehouses from the same era that were originally rail-oriented still exist in or near downtown. One is the San Diego Grain and Milling Company/Parron Hall Company building at 820 West Ash Street, San Diego Historical Landmark #257. This brick warehouse building has been incorporated into a condominium project and its connection with the rail line no longer exists. The second is the Mission Brewery building at 2120-2150 West Washington Street, which has been converted into an office complex. Although there is also a MTS Trolley station at this location, the trolley and railroad have no connection with the Brewery building itself, which is San Diego Historical Landmark #232. The third is the San Diego Poultry Association Building at 50 22<sup>nd</sup> Street, which is also located adjacent to the MTS Trolley line but is not physically connected with it in any manner.

### D. Existing Regulations

#### **State Law**

Although the County-initiated portion of this project (Phase 1) is exempt from the City's regulations, as explained above, Public Resources Code §21153 requires CEQA consultation by local lead agencies with other public agencies.

Under the California Environmental Quality Act (CEQA), a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Public Resources Code §21084.1). For purposes of this code section, "historical resources" includes those listed in a Local Register of Historical Resources.

A substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, such that the significance of the historical resource would be materially impaired, CEQA Guidelines §15064.5 (b)(1).

#### **San Diego Municipal Code**

Properties may be designated as local historical resources pursuant to the San Diego Municipal Code's Section 123.0201 et seq., entitled Designation of Historical Resources Procedures. The Star Building was

designated as a local historical resource on December 11, 1991. However, because the County owns the property, the portion of the project that is County-initiated (Phase 1) is generally exempt from the City's regulations. Because the County would remove the City-designated historic structure, the City's Historical Resources Regulations in the Municipal Code Section 143.0201 et seq., and City's Site Development Permit Procedures in the Section 126.0501 et seq., would not apply to the proposed demolition of the Star Building.

### **2.1.1.2 Archaeological Resources**

Based on the *Extended Initial Study for the Human Health Services Agency Office and Parking Structure* prepared by BRG Consulting, Inc. (BRG, 2004), the project site is not located on a block identified as having a high potential for archaeological resources.

Based on the *Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan* prepared by CCDC (CCDC, 2006), there are no historic cemeteries in the downtown planning area. In addition, no historic burials have been previously recorded in the downtown planning area.

### **2.1.1.3 Paleontological Resources**

Based on the *Geotechnical Investigation and Geologic Fault Investigation for the Cedar/Kettner Parking/Residential Structure* (Geocon, 2003), the project site is underlain with the Bay Point Formation and San Diego Formation. The Bay Point Formation has produced large and diverse assemblages of well-preserved marine invertebrate fossils, primarily mollusks. Remains of fossils from marine vertebrates (i.e., sharks, rays and bony fishes) have also been recovered from this rock unit.

The San Diego Formation is well known for its rich fossil beds that have yielded extremely diverse assemblages of marine clams, scallops, snails, crabs, barnacles, sand dollars, sharks, rays, bony fishes, sea birds, walrus, fur seal, sea cow, dolphins, and baleen whales. In addition, rare remains of terrestrial mammals including cat, wolf, skunk, peccary, camel, and antelope, are also known to be present. Furthermore, fossil wood and leaves including remains of pine, oak, laurel, cottonwood, and avocado have been recovered from this rock unit. Therefore, based upon the occurrence of extremely diverse and well-preserved assemblages of fossils in the Bay Point Formation and San Diego Formation, these rock units are assigned high paleontological resource sensitivities (Deméré, 1993).

## **2.1.2 Analysis of Project Effects and Determination of Significance**

### **2.1.2.1 Cultural and Historical Resources**

#### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, significant cultural and historical resources impact would occur if implementation of the proposed project would:

- 1) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;

- 2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or,
- 3) Disturb any human remains, including those interred outside of formal cemeteries.

In addition to the guidelines for determining historical significance under CEQA, for properties that are not listed in the California Register of Historical Resources or on a local register of historical resources (Public Resources Code Section 5024.1(g)) as an eligible/significant historical resource, additional significance thresholds have been established by Public Resources Code §5024.1 and CEQA Guidelines §15064.5(a)(3). This threshold states: "Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historic Resources." Those criteria are as follows:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- B. Is associated with the lives of persons important in our past;
- C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
- D. Has yielded, or may be likely to yield information important in history or prehistory.

Furthermore, pursuant to the California Office of Historic Preservation's Technical Assistance Series #5 publication and the City of San Diego's Guidelines for the Application of the Historical Resources Board Designation Criteria, all resources nominated for listing on the California Register must have integrity, which is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Resources, therefore, must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association. It must also be judged with reference to the particular criteria under which a resource is proposed for nomination.

### **Rationale**

The following provides the rationale for the use of each guideline for determining significance. Guidelines 1) and 2) have been selected to determine if the project would result in a significant impact because Sections 21083.2 of CEQA and 15064.5 of the State CEQA Guidelines recommend evaluating historical and archaeological resources to determine whether or not a proposed action would have a significant effect on unique historical or archaeological resources. Significant cultural resources are non-renewable and cannot be replaced. As such, the disturbance or alteration of a cultural resource causes an irreversible loss of significant information. Regionally, the loss of cultural resources results in the loss of identity and connection with the past.

Guideline 3) is selected because human remains must be treated with dignity and respect and CEQA requires consultation with the “Most Likely Descendant” as identified by the Native American Heritage Commission (NAHC) for any project in which human remains have been identified.

### Analysis

#### **A. Historical Resources**

There is a two-prong (local and state) approach to the determination of historical significance of a property. Pursuant to Public Resources Code §21084.1, “historical” resources includes those listed in a Local Register of Historical Resources. The Star Building was designated as a local historical resource on December 11, 1991, by the City of San Diego. Because the Star Building is listed in a local register, it is automatically established as a historical resource under CEQA. At the state level, a resource is generally considered by the lead agency to be historically significant if the resource meets the criteria for listing in the California Register of Historical Resources. The determination of the subject property as a historical resource at the state level is summarized below. The four California Register criteria and their applicability to the subject property are as follows.

##### ***Criterion A***

The property is associated with the receipt and storage of goods to serve a growing community and that pattern of activity was common for U.S. cities as long as the majority of such goods were shipped by rail as opposed to trucks. It is reasonable to assume that the establishment of the national highway system in the 1950s contributed to the transition of shipping from rail to road. The subject property was vacant between 1929 and 1943, which suggests that its proximity to rail was not valuable enough to attract tenants. The early use of this building as a rail-oriented warehouse and its later use as a standard warehouse are not events that made a significant contribution to the broad patterns of California's history and cultural heritage. Therefore, the property is not eligible for the California Register under Criterion A.

##### ***Criterion B***

The property was associated with Wayne G. Simmons, who may have been a contractor or developer, a short-lived, builders supply company, three national corporate tenants and a local transfer company. None of these persons or entities was important in our past. Therefore, the property is not eligible for the California Register under Criterion B.

##### ***Criterion C***

A resource would be considered eligible for listing under Criterion C if it meets one of the following three grounds: a) Does the property embody distinctive characteristics of a type, period, region, or method of construction; b) Does the property represent the work of an important creative individual; or, c) Does the property possess high artistic values.

The 1989 Historic Resources Inventory form prepared for CCDC described this building as an example of the Edwardian Commercial style of architecture. In 1990, it was found by Architect Donaldson to be both representative of Edwardian Commercial architecture and the Renaissance Revival Style. In 1991, the

property was found by the City of San Diego's Historical Site Board to be architecturally significant as a rare, well-executed San Diego example of an industrial building designed in the Renaissance Revival style popular during the Edwardian era and for its creative use of concrete elements.

The "creative use of concrete elements" refers to the concrete block used for the south and west facades of the building. Described by some sources as simulated quarry stone and by other sources as rustication, the result is a wall surface with rough edged blocks that provide visual distinction. Rustication of concrete blocks was common in residences and walls of this period, but examples of its use in commercial buildings in San Diego are not common.

The Star Building represents a 1911 example of the distinctive characteristics of a type, period, region or method of Edwardian construction with Renaissance Revival elements that is eligible for listing on the California Register of Historical Resources under the first ground of Criterion C. The two other grounds under Criterion C are not met because the building does not represent the work of an important creative individual and it does not possess high artistic values. As stated above, a resource would need to meet only one of the three grounds under Criterion C to be considered eligible for listing in the California Register. Because the property meets at least one of those grounds, it is considered eligible for listing under Criterion C.

#### **Criterion D**

The property was subject to an extensive rehabilitation project in 1996, during which no information important in history or prehistory was uncovered. Therefore, the property is not eligible for the California Register under Criterion D.

#### **Integrity**

All resources nominated for the California Register of Historical Resources must also have integrity. They must retain the authenticity of the resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association. The application of the standard tests for the seven elements (location, design, setting, materials, workmanship, feeling, association) of integrity to the subject property is as follows.

**Location** - The building remains in its original location and therefore retains this element of integrity.

**Design** – The building retains its original design with the exception of the changes to the ground floor on the west and south elevations. On the west elevation, large square openings were created in each of the three structural bays. These openings were created without disrupting the rhythm of the structural bays and the four structural 40' columns that form the edges of the bays. The new structural lintels that were installed to support the building above these openings utilized salvaged concrete block. The quarry simulated or rusticated façade was retained down to the original level of the sills demarcating the bottom of the wall

treatment on the four columns. On the south elevation, all of the original façade was retained and rehabilitated except for the revised former warehouse opening and the new entrance in the easternmost bay of the building. Again, the new openings and the lintels supporting them fit within the structural bays on this elevation. And, again the rusticated façade was retained down to the original level of the sills demarcating the bottom of that wall treatment. These modifications to the building do not affect the property's ability to retain the original design element.

**Setting** – The setting of this property has changed since 1911. Based on the 1921 Sanborn Fire Insurance map, the surrounding blocks had limited development; many lots were vacant; and others lots held single-family residences. Today, the property is surrounded by mid- and high-rise residential and office development, parking lots and the County Administration Center. The subject property has not retained its setting element.

**Materials** – The nature and scope of the recent rehabilitation project necessitated the removal of some original materials and the replication of others. The original wood windows and doors on all three floors, as well as the major elements of the roof, such as the metal cornices, were removed and most were replaced with replications. Few modifications were made to the north and east facades. Overall, the majority of the character-defining exterior elements were retained or replicated allowing the property overall to retain its materials element of integrity.

**Workmanship** – The element of workmanship is often related to the materials element. Physical evidence of the 1911 structural and construction workmanship are present with minor modifications on the west and south elevations and most new physical elements are replications of the original. Therefore, the workmanship element of integrity has been retained.

**Feeling** – The elevations of the building and replicated wood windows retain the property's expression of the aesthetic and historic period of time and the new metal windows are appropriate for the period. However, the building is isolated at this location as all other structures and elements from its 1911 period of significance have been removed, and it no longer has any functional relation to the adjacent rail line. Thus, the subject property no longer expresses the aesthetic or historic sense of the early 1900s.

**Association** – The building was never associated with an important historic event or person, and, therefore, this element is not present.

Based on the applicability of the four California Register criteria to the subject property, the Star Building is eligible for listing under Criterion C. In addition, the subject property must also have integrity to be nominated for the California Register of Historical Resources. Of the seven elements of integrity, the building retains four elements. However, for properties that are eligible under Criterion C for architecture, the integrity elements of design, workmanship and materials will be more important than location, setting, feeling, and association. The association element is rarely present and the setting and feeling elements are influenced by factors other than the individual resource itself. Since the property is only significant for its architectural appearance and it has retained that physical identity and enough of its historic character to

be recognizable as a historical resource, and it conveys the reasons for its significance, integrity is present. As such, at the state level, the subject property is considered historically significant because it is eligible for listing in the California Register of Historical Resources.

Based on the two-prong approach, the Star Building is considered a historic resource at the local and state level.

**CR-1** The proposed project would demolish the Star Building in order to construct a parking structure on the site intended to support both existing and projected needs for County operations and activities. Pursuant to Public Resources Code §21084.1, properties listed on a Local Register of Historical Resources are considered “historic resources” under CEQA. The physical demolition, destruction, relocation or alteration of a historic resource such that the significance of the resource would be materially impaired constitutes a substantial adverse change. A substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Consequently, because the proposed project will cause a substantial adverse change in the significance of the Star Building, a historical resource, the project will have a significant effect on the environment.

## **B. Archaeological Resources**

As stated above, the project site is not located on a block identified as having a high potential for archaeological resources. Archaeological resources may be difficult to detect prior to construction activities, as they are located underground. The likelihood of encountering archaeological resources is greatest on redevelopment sites that have been minimally excavated in the past (e.g., vacant lots and lots containing surface parking or undeveloped areas under and around historic buildings).

**CR-2** Although the project site is not located on a block identified as having a high potential for archaeological resources, grading and excavation activities may have the potential to affect archaeological resources. Therefore, construction activities, such as grading and excavation, could result in a significant impact to archaeological resources.

According to the *FEIR for the Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan (CCDC, 2006)*, there are no historic cemeteries in the downtown planning area. In addition, no historic burials have been previously recorded in the downtown planning area. The potential for encountering human remains during construction of the proposed project is low. Therefore, a less than significant impact is identified for this issue area.

### **2.1.2.2 Paleontological Resources**

#### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, significant paleontological resources impacts would result from the proposed project if any of the following would occur:

- a) Directly or indirectly destroy a unique paleontological resource or site.

## Rationale

Paleontological resources are non-renewable and, as such, cannot be replaced. The destruction, disturbance or alteration of paleontological resource causes an irreversible loss of information about prehistoric life on Earth. Appendix G of the CEQA Guidelines is used to provide direction for the determination of a significant paleontological resources impact from the proposed project.

## Analysis

Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. These impacts are in the form of physical destruction of fossil remains. Fossils are the remains of prehistoric animal and plant life, and they are considered to be non-renewable. Such impacts to vertebrate fossils or scientifically important invertebrate or plant fossils would be significant and would require mitigation to avoid or reduce adverse effects.

**CR-3** Implementation of the proposed project will require earthwork that will occur within the Bay Point Formation and San Diego Formation. These formations have high paleontological resource sensitivities. As such, the proposed project may directly or indirectly destroy a unique paleontological resource or site. The potential direct or indirect impact to paleontological resources is significant.

### 2.1.3 Cumulative Impact Analysis

Over the last quarter century, rail oriented warehouses have been removed to make way for new development, thereby wiping out examples of such uses within the downtown San Diego area. As described above, the Star Building is one of four remaining warehouses in or near downtown from the same era that were originally rail-oriented. The San Diego Grain and Milling Company/Parron Hall Company building has been incorporated into a condominium project and its connection with the rail line no longer exists; the Mission Brewery building has been converted into an office complex; and the third, the San Diego Poultry Association Building, is also located adjacent to the MTS Trolley line but is not physically connected with it in any manner. The proposed project would result in the removal of the Star Building, which, together with the past removal of rail-oriented commercial warehouse development within the downtown San Diego area, would be a significant cumulative impact to historical resources.

The proposed project will cause a substantial adverse change in the historical significance of the Star Building and the project will have a significant effect on the environment. While implementation of Mitigation Measure M-CR-1 would provide some degree of mitigation for impacts to this resource, the impacts would not be fully mitigated to a less than significant level. Therefore, implementation of the proposed project would result in a significant cumulative impact to historical resources.

**CR-4** Implementation of the proposed project would result in the loss of a City-designated historical resource that is representative of a limited number of remaining examples of such use and architecture within the downtown area. Therefore, the project's effect would be a cumulatively considerable contribution to a significant cumulative impact.

With the implementation of Mitigation Measure M-CR-2, the project impacts to archaeological resources would be mitigated to below a level of significance, and therefore, the project's contribution would not be cumulatively considerable and would be less than significant.

With the implementation of Mitigation Measure M-CR-3, the project impacts to paleontological resources would be mitigated to below a level of significance, and therefore, the project's contribution would not be cumulatively considerable and would be less than significant.

#### 2.1.4 Significance of Impacts Prior to Mitigation

**CR-1 Historical Resources** – The proposed project would demolish the Star Building in conjunction with the construction of a parking structure on the site to provide parking for both existing County operations and in preparation of the entire site for the future public/private development. The demolition of the Star Building will result in a substantial adverse change in the significance of a historical resource. Therefore, the proposed project would result in a significant impact to a historical resource prior to mitigation.

**CR-2 Archaeological Resources** – Implementation of the proposed project would require grading and excavation of the project site. Construction activities associated with the proposed project could result in a significant impact to archaeological resources prior to mitigation.

**CR-3 Paleontological Resources** – Implementation of the proposed project will require earthwork that will occur within geological formations that have high paleontological resource sensitivities. As such, the proposed project may directly or indirectly destroy a unique paleontological resource or site. The potential impact to paleontological resources is significant prior to mitigation.

**CR-4 Cumulative – Historical Resources** – Implementation of the proposed project will result in the removal of the Star Building, which would be a significant impact ~~as a result of the proposed project~~. Such impact, together with the ~~prior removal of similar warehouses downtown~~ loss of other historic buildings, would be a cumulative impact under CEQA.

#### 2.1.5 Mitigation

**M-CR-1** Prior to demolition of the City-designated Star Building, the County shall prepare full building archival photo documentation ~~similar~~ pursuant to Historic American Buildings Survey (HABS) Level II guidelines with minimum 2-1/4" negative and 8 x 10" archivally processed black and white prints. The photography should be extensive including overall views, exterior façade, and details. Field measurements and detailed drawings of openings and decorative elements shall be included in the existing building documentation. The documentation will also include outline narrative information about the building and copies of original drawings. Two original hardcopies and electronic versions on media such as CD shall be prepared. One hardcopy and electronic file shall be deposited with the City of San Diego, and the County of San Diego, Department of Planning and Land Use should retain the other copy.

Implementing this mitigation measure would provide some degree of mitigation for impacts to this resource. However, impacts would not be fully mitigated to a less than significant level unless the building was to remain in place, without modification to those elements that are identified as historically significant above.

Other mitigation that was considered included adaptive reuse or relocation of the Star Building. Because the parking structure access is designed to occur in the footprint of the Star Building, adaptive reuse of the building would not be feasible. To avoid traffic cueing along Kettner Boulevard, which would result in traffic safety impacts, the project was designed with ingress to the parking structure on Cedar Street and egress from the parking structure on Beech Street. This design requires the demolition of the Star Building during Phase 1 of the project. However, adaptive reuse of the Star Building was analyzed as an alternative to the proposed project, and further discussion of this alternative is included in Chapter 4.3 of this EIR as Build Alternative #1.

Relocation of the Star Building would require the removal of the building from its current location. One of the reasons the building is historically significant under the City's regulations is its location adjacent to the rail line. This location reflects the historic downtown commercial character and activities. Consequently, relocating the building to another site away from the rail line would reduce the building's historic downtown commercial character and activities. Relocation would also be cost prohibitive because the County would need to acquire another site on which to relocate the building or move the building to an existing County-owned property. The cost of relocation itself would make the proposed project financially infeasible.

Therefore, no feasible mitigation measures, except the HABS documentation as described above, are available to mitigate this impact. The impact will be reduced, but not mitigated to a level that is less than significant.

**M-CR-2** Prior to approval of a Demolition Permit for Phase 1, or any grading and or improvement plans and issuance of any Grading or Construction Permits for both Phase 2a and 2b, the County shall hire an Approved Principal Investigator (PI), known as the "Project Archaeologist", to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities within areas not previously disturbed or where undocumented fills occur. The following shall be completed to mitigate potential effects:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The contract with the Project Archaeologist shall include a condition requiring the Project Archaeologist to complete the grading monitoring.

- b. The Project Archeologist shall provide evidence that he/she subcontracted with a Native American of the appropriate tribal affiliation to perform Native American Grading Monitoring for the project.

**M-CR-3** Prior to approval of a Demolition Permit for Phase 1, or any grading and/or improvement plans and issuance of any Grading or Construction Permits for both Phase 2a and 2b, a County approved Paleontologist, known as the "Project Paleontologist", shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The following shall be completed to mitigate potential effects:

A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. The contract with the Project Paleontologist shall include a condition that the Paleontologist completes the grading/trenching/excavation monitoring.

Implementation of mitigation measure M-CR-1 would provide some degree of mitigation for project impacts to this resource. However, impacts would not be fully mitigated to a less than significant level. Therefore, the identified cumulative impact (CR-4) cannot be feasibly mitigated, and would be significant and unmitigable.

### 2.1.6 Conclusions

The proposed project would demolish the Star Building, which would result in a substantial adverse change in the significance of a historical resource. Therefore, the proposed project would result in a significant impact to a historical resource. Implementation of Mitigation Measure M-CR-1 would provide some degree of mitigation for direct project impacts to this resource. However, impacts would not be fully mitigated to a less than significant level on both a project and cumulative level. Mitigation Measure M-CR-1 requires the County to prepare full building archival photo documentation ~~similar pursuant to~~ HABS Level II guidelines prior to demolition. The documentation will also include outline narrative information about the building and copies of original drawings. The County will be required to deposit one hardcopy and electronic file with the City of San Diego and the County of San Diego, Department of Planning and Land Use. HABS drawings provide a simple documentary record of the building, in a standardized format, which can be placed in the local public archives where it is made available to the general public and specialized researchers alike. Also, the drawings can be used as illustrations for publications, for interpretive purposes as a historic site, for facilities management and for mitigation when demolition or substantial alteration of a building is proposed.

The grading and excavation required for the proposed project could result in a significant impact to archaeological resources. However, the impact to archaeological resources would be mitigated to below a level of significance with implementation of Mitigation Measure M-CR-2, which includes monitoring for

cultural resources during grading and a potential data recovery program during all grading, clearing, grubbing, trenching and construction activities by a County approved Project Archaeologist.

The earthwork required for the proposed project will disturb geological formations that have high paleontological resource sensitivities. The potential direct or indirect impact to paleontological resources is a significant impact. However, implementation of Mitigation Measure M-CR-3 would mitigate the impact to paleontological resources to a level less than significant through the required paleontological resource monitoring and fossil recovery program by a County approved paleontologist if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons.



SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

9/5/11



Cedar and Kettner Development Project

Historic Resource Locaton

FIGURE

2.1-1



SOURCE: Kathleen A. Crawford, 2011

9/2/11



Cedar and Kettner Development Project  
Star Builders Supply Company Building  
West Facade

FIGURE  
2.1-2



SOURCE: Kathleen A. Crawford, 2011

9/2/11



Cedar and Kettner Development Project  
Star Builders Supply Company Building  
South Facade

FIGURE  
2.1-3

## **2.2 Noise**

The noise analysis provided in this section incorporates by reference Section 5.7 Noise and Section 6.2.5 Cumulative Noise of the Downtown Community Plan EIR (CCDC, 2006).

### **2.2.1 Existing Conditions**

#### **2.2.1.1 Terminology and Methodology**

Noise is often defined as unwanted sound because it can cause hearing loss, interfere with speech communication, disturb sleep, and interfere with the performance of complex tasks. Environmental noise is usually measured in A-weighted decibels (dBA). A decibel (dB) is a logarithmic unit of sound energy intensity. Sound waves, traveling outward from a source, exert a sound pressure level (commonly called "sound level"), measured in dBs. A dBA is a dB corrected for the variation in frequent response of the typical human ear at commonly encountered noise levels. In general, people can perceive a three dBA difference in noise levels; a difference of ten dBA is perceived as a doubling of loudness.

Community noise is generally not a steady state and varies with time. Under these conditions of non-steady state noise, some type of statistical system of measurement is necessary in order to quantify human response to noise. Several rating scales have been developed for the analysis of adverse effects of community noise on people. These scales include Equivalent Noise Level (Leq), the Day-Night Average Level (Ldn), and the Community Noise Equivalent Level (CNEL).

Leq is the sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. Leq, is the "energy" average noise level. Ldn and CNEL are similar to Leq, but are for 24 hours, and apply a weighting factor which places greater significance on noise events occurring during the evening and night hours (when sleeping disturbance is a concern). Ldn is a 24-hour, time-weighted average, obtained after the addition of five dB to sound levels between the hours of 7:00 p.m. and 10:00 p.m., and ten dB to sound levels between 10:00 p.m. and 7:00 a.m.

#### **2.2.1.2 Effects of Noise**

For most people, the usual consequences of noise are associated with speech interference, distractions at home and at work, disturbance with rest and sleep, and the disruption of recreational pursuits. The long-term effects of excessive noise exposure are physical as well as psychological. Physical effects may include headaches, nausea, irritability, constriction of blood vessels, changes in the heart and respiratory rate, and increased muscle tension. Prolonged exposure to high noise levels may result in hearing damage. Psychological effects may result from the stress and irritability associated with a change in sleeping patterns due to excessive noise.

#### **2.2.1.3 Noise Regulations and Policies**

The proposed project is located within the highly-urbanized downtown area of the City of San Diego. The proposed project is separated into three phases (Phase 1, Phase 2a, and Phase 2b). Although Phase 1 is exempt from the City's ordinances as explained above, Phase 1 of the proposed project would comply with the City's ordinances. Phases 2a and 2b will be developed as privately-initiated development projects

and, as such, Phases 2a and 2b would be subject to City of San Diego noise standards. The City of San Diego noise regulations and policies are described below.

#### A. City of San Diego General Plan Noise Element

Ambient noise levels in the City of San Diego area are regulated by noise compatibility guidelines set forth in the City's General Plan and ordinances. Table 2.2-1 shows the City of San Diego Noise Level Compatibility Standards for various land uses.

#### B. City of San Diego Noise Abatement and Control Ordinance

To abate the potential nuisance from construction noise, especially in proximity to any adjacent noise-sensitive development, the City of San Diego Noise Abatement and Control Ordinance (Municipal Code, Section 59.5.0404) limits the hours of allowable construction activities and establishes performance standards for construction noise at any residentially zoned property. Construction noise sources do not always correspond to 24-hour community noise standards, because they occur only during selected times and the source strength varies with the type of equipment in use. Construction activities are also treated separately in municipal noise ordinances because they do not represent a chronic, permanent noise source. In essence, this ordinance prohibits construction from 7:00 PM to 7:00 AM, and on Sundays and selected holidays, unless a permit has been granted by the City; limits construction noise in residential areas from 7:00 AM to 7:00 PM to a maximum of 75 dB; and exempts emergency construction, provided adequate notice is given after work commences.

### **2.2.1.4 Existing Noise Levels**

The existing noise levels for the proposed project are summarized from Section 5.7.1.3 Ambient Noise Levels of the Downtown Community Plan EIR. The Downtown Community Plan EIR analyzed the noise levels for the entire community plan area. The following is a summary of that analysis, which focuses only on the project site and surrounding area.

The project site and surrounding area is developed with various types of commercial, office and residential uses. The area's anthropogenic, or human caused, sound levels are generally traffic (e.g., freeway and street grid traffic), aircraft noise from San Diego International Airport, and railroad activity. Noise levels in the project vicinity are expected to be similar to what was reported in Section 5.7 of the Downtown Community Plan EIR, given these uses and the downturn in the economy since the Downtown Community Plan EIR was certified.

#### A. Traffic Noise

As provided in the Downtown Community Plan EIR, a noise monitoring study was conducted for the Downtown Community Plan area to define current baseline noise characteristics. Seven noise-sensitive sites were selected, most of which were located close to I-5. Traffic from the I-5 freeway and the downtown street grid represents the most significant source of noise in the downtown planning area. Based on the noise study prepared for the downtown planning area, six of the seven monitored sites have estimated noise levels that exceed the City of San Diego exterior noise standards for noise-sensitive land

uses (65 dbA CNEL). As discussed in Section 5.7 (Noise) of the Downtown Community Plan EIR, all seven sites are within City standards for less noise-sensitive uses such as office, retail, and industrial (CCDC, 2006).

As identified in the Downtown Community Plan EIR, with respect to downtown street grid noise, existing street grid noise levels along the 36 selected downtown street segments analyzed in the EIR (see Table 5.7-2 of the Downtown Community Plan EIR), ranged from 55.4 dBA CNEL to 70.1 dBA CNEL (CCDC, 2006).

Three roadways border the project site. To the north is Cedar Street, to the east is Kettner Boulevard, and to the south is Beech Street. According to the noise analysis in the Downtown Community Plan EIR, the existing noise level along Kettner Boulevard from Cedar Street to Beech Street was calculated to be 63.4 dBA CNEL.

#### B. Aircraft Noise

Aircraft is another noise source within the downtown planning area. The 65 dBA CNEL contour extends into the northwest corner of the downtown planning area. The San Diego International Airport is located 0.62 miles away to the northwest of the project site. As depicted on Figure 2.2-1, the project site is located outside of the 65 dBA CNEL portion of the San Diego International Airport noise contours.

#### C. Railroad Noise

As discussed in the Downtown Community Plan EIR, freight and commuter trains and the San Diego Trolley enter the downtown planning area on railroad tracks along California Street (one block west of Kettner Boulevard), follow the planning area's western and southern boundaries and exit the planning area on the railroad ROW north of Harbor Drive. Noise associated with the railroad takes two forms: the persistent noise of wheels along the tracks and the "nuisance" noise of sounding bells and horns.

Average hourly noise levels generated by railroad activity along California Street and Harbor Drive do not exceed 65 dBA CNEL. Train and trolley movements throughout the downtown area are relatively slow. Electric trolleys produce short-term noise levels of 75 dBA during single events, but the hourly average trolley noise along any track alignment is well below 65 dBA CNEL (CCDC, 2006).

## **2.2.2 Analysis of Project Effects and Determination of Significance**

### Guidelines for Determination of Significance

As discussed above, the proposed project is separated into three phases (Phase 1, Phase 2a, and Phase 2b). Although Phase 1 is exempt from the City's ordinances, as designed, it will comply with the City's ordinances. Phases 2a and 2b will be developed as a privately-initiated development projects and as such, Phases 2a and 2b would be subject to City of San Diego noise standards.

### **City of San Diego Guidelines for Determination of Significance**

Appendix G of the CEQA Guidelines is used to provide direction for determination of a significant noise impact from the proposed project. For the purpose of this EIR, a significant impact would occur if implementation of the proposed project would:

- *Generate noise levels above the established City noise standards for the proposed uses or if proposed land uses are subjected to noise levels exceeding City standards established in the Noise Element of the City of San Diego General Plan:*
  - Residential
    - Exterior – 65 dBA or less
    - Interior – 45 dBA or less
- *Increase noise levels by 3 dBA in areas that already exceed City or State standards;*
- *Expose people to or generation of excessive groundborne vibration or groundborne noise levels;*
- *Produce a substantial permanent, temporary or periodic increase in ambient noise levels in the project vicinity above noise levels existing without the project;*
- *Expose people residing or working within an airport land use plan or within two miles of a public airport or public use airport to excessive noise levels; or,*
- *Expose people residing or working within the vicinity of a private airstrip to excessive noise levels.*

### **Rationale**

The guidelines for determining significance are based on Appendix G of the CEQA Guidelines and the thresholds from the City of San Diego General Plan Noise Element and the City of San Diego Noise Ordinance (Municipal Code, Section 59.5.0404).

### **Analysis**

#### **2.2.2.1 Construction Noise**

According to the Downtown Community Plan EIR, the development allowed by the Downtown Community Plan would result in construction noise impacts. However, the impacts would not be significant as construction noise is regulated by the City of San Diego Municipal Code (Section 59.5.0404). This ordinance limits the hours of construction activities and establishes performance standards that limit construction noise.

The proposed project is located in the Downtown Community Plan area and is consistent with the Downtown Community Plan. As such, the construction noise analysis provided in the Downtown Community Plan EIR applies to the impact analysis for the proposed project.

#### **Summary of Downtown Community Plan EIR**

As discussed in Section 5.7.3.1 of the Downtown Community Plan EIR, the development contemplated by the proposed Downtown Community Plan would result in construction noise impacts. However, the impact would not be significant as construction noise is regulated by the City of San Diego Municipal Code (Section 59.5.0404). This ordinance limits the hours of allowable construction activities and establishes performance standards for construction noise. As such, compliance with this ordinance would avoid significant noise impact related to construction activity as proposed by the Downtown Community Plan. The following analysis for the proposed project is based on this analysis. Therefore, the Downtown Community Plan EIR pursuant to CEQA Guideline Section 15150 is incorporated by reference.

### A. Phase 1 Development

Construction of the Phase 1 of the proposed project will generate short-term noise from construction equipment, such as trucks, graders, bulldozers, concrete scrapers, graders, and other miscellaneous construction vehicles. The peak noise level for most construction equipment is 75 to 90 dBA at a distance of 50 feet. These noise levels are based upon worst-case conditions, and typically, noise levels near individual development sites would be less. Although the proposed project will result in a short-term construction noise impact, the impact would not be significant as project construction will comply with the City of San Diego Municipal Code (Section 59.5.0404) for construction noise. The relevant portions of Section 59.5.0404 of the Municipal Code state as follows:

- A. It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.
- B. Except as provided in Subsection C hereof, it shall be unlawful for any person, including the City of San Diego, to conduct any construction activities so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m.

These standards were established by the City of San Diego to reduce construction related noise impacts to a level less than significant. As such, compliance with Section 59.5.0404 of the Municipal Code would reduce significant noise impacts related to construction activity for Phase 1 of the proposed project to a level less than significant.

### B. Phases 2a and 2b Development

As discussed in Chapter 1 of this EIR, Phases 2a and 2b would be developed as a privately-initiated development project and would be required to comply with the City of San Diego Municipal Code. Similar to Phase 1 of the proposed project, the development of Phases 2a and 2b would result in a short-term construction noise impact. However, the impact would not be significant because the project would be required to comply with City of San Diego Municipal Code (Section 59.5.0404) for construction noise. Compliance with Section 59.5.0404 of the City of San Diego Municipal Code would avoid significant noise impacts related to construction activity for Phases 2a and 2b of the proposed project.

#### **2.2.2.2 Exterior Traffic Noise**

##### Summary of Downtown Community Plan EIR

As stated in Section 5.7 (Noise) of the Downtown Community Plan EIR, the increased traffic volumes associated with the Downtown Community Plan would result in a significant noise increase (>3.0 dBA CNEL for noise levels already exceeding 65 dBA CNEL, or causing a noise level to exceed the 65 dBA CNEL threshold) along nine street segments in the downtown planning area. At buildout (Year 2030), traffic noise

on nine of the street segments that were analyzed would significantly increase with implementation of the Downtown Community Plan.

As identified in the Downtown Community Plan EIR, no feasible mitigation measures are available to reduce the significant increase in traffic noise on affected roadway segments. In most cases, insufficient room exists to construct a noise attenuation wall to reduce exterior noise traffic and, if feasible, the wall would only protect ground level areas. While buildings within the affected area could be retrofitted to attenuate the effects of the noise increase, implementation of such a mitigation strategy is not considered feasible given the expected cost and complexity associated with undertaking such a program. As the impact would be aggregate in nature, the obligation to carry out this program would not fall upon any single development. Lastly, existing property owners must consent to the retrofit. As some owners may chose not to allow the retrofitting, the impact could remain unmitigated.

#### A. Phases 1, 2a and 2b Development

Because the proposed project is consistent with the Downtown Community Plan, the exterior traffic noise impact identified in Section 5.7 (Noise) of the Downtown Community Plan EIR would apply to the proposed project. As discussed above, traffic noise on nine of the street segments that were analyzed in the Downtown Community Plan EIR would increase with implementation of the Downtown Community Plan. The Kettner Boulevard segment between Cedar Street and Beech Street, which is the closest segment to the project site analyzed in the Downtown Community Plan, was identified as one of those street segments that would experience an increase in traffic noise.

**N-1** The Kettner Boulevard segment, between Cedar Street and Beech Street, would experience a noise level of 66.5 dBA CNEL by the Year 2030. As such, the noise from the Kettner Boulevard street segment adjacent to the project site would significantly impact residential uses associated with Phase 2b, as a result of the traffic generated by buildout of the Downtown Community Plan.

#### **2.2.2.3 Interior Traffic Noise**

##### Summary of Downtown Community Plan EIR

As stated in Section 5.7 (Noise) of the Downtown Community Plan EIR, segments of grid streets downtown as well as I-5 are expected to carry traffic volumes, which would create traffic noise in excess of 65 dBA CNEL and, thus, could result in interior noise levels in excess of 45 dBA CNEL. Specifically, the traffic volumes on the roadway segment of Kettner Boulevard from Cedar Street to Beech Street would result in a noise level of 66.5 dBA CNEL by the Year 2030. Any habitable areas associated with future residential or other noise-sensitive land use facing this street segment could experience interior noise levels in excess of 45 dBA CNEL if adequate insulation is not provided. As identified in Section 5.7.3.2 (Interior Noise) of the Downtown Community Plan EIR, adherence to Title 24 of the California Code and the Building Code, would assure that interior noise levels in habitable rooms of residential development and hotels would not exceed 45 dB(A) CNEL. Therefore, no significant interior noise impacts related to traffic noise would occur with the implementation of the Downtown Community Plan.

### A. Phases 1, 2a and 2b Development

Based on the analysis provided in Section 5.7 (Noise) of the Downtown Community Plan EIR, the proposed parking structure under Phase 1 and the office/commercial component of Phase 2a facing Kettner Boulevard could be exposed to interior noise levels in excess of 45 dBA CNEL. However, the development proposed under these phases would not result in an interior traffic noise impact because these project components are non-residential and are not noise-sensitive uses. Thus, no significant impacts from interior traffic noise would occur under Phase 1 and Phase 2a of the proposed project.

Phase 2b of the proposed project would develop a high-rise residential structure, with retail on the first floor along Kettner Boulevard and live-work lofts along the western project boundary (along railway ROW). Section 5.7 (Noise) of the Downtown Community Plan EIR identified Beech Street from California Street to Kettner Boulevard as a roadway segment that would experience future traffic noise in excess of 65 dBA CNEL. As such, the proposed residential structure would be exposed to interior noise levels in excess of 45 dBA CNEL.

**N-2** The proposed residential structure proposed under Phase 2b of the proposed Project would be exposed to interior noise levels in excess of 45 dBA CNEL.

Based on the analysis provided in Section 5.7.3.2 (Interior Noise) of the Downtown Community Plan EIR, as summarized above, the proposed project would be required to adhere to Title 24 of the California Code and the City's Building Code, through implementation of design measures such as double-paned windows with properly installed weather stripping, insulated exterior doors facing the street segment, and venting that is oriented away from the street segment or baffled would assure that interior noise levels in habitable rooms of residential development would not exceed 45 dBA CNEL.

#### **2.2.2.4 Aircraft Noise**

As depicted on Figure 2.2-1, the project site is located outside of the 65 dBA CNEL portion of the San Diego International Airport noise contours. The 65 dBA CNEL noise contour is defined as the boundary within which the noise environment is not suitable for residential land use. Because the project site is located outside of the 65 dBA CNEL noise contour boundary, the proposed project, specifically the proposed residential development of Phase 2b, would not experience noise levels that would exceed 65 dBA CNEL. Therefore, no significant noise impacts related to aircraft noise are anticipated to occur.

#### **2.2.2.5 Railroad Noise**

##### Summary of Downtown Community Plan EIR

As discussed in Section 5.7 (Noise) of the Downtown Community Plan EIR, assuming railroad activity (train and trolley) remains relatively similar to the current conditions, railroad operations would not result in a significant direct noise impact because they would not exceed the exterior noise standard of 65 dBA CNEL (CCDC, 2006).

While railroad noise would not exceed the standard, intermittent noise generated by the horns and crossing bells would be a nuisance for nearby residents. Nuisance noise from train horns and crossing bells may reach a noise level of 95 dBA at a distance of 50 feet. Consequently, where there are no noise obstructions, noise could be audibly intrusive in residential interiors as much as 1,000 feet away. Although nuisance noise is intermittent and does not significantly affect human activity, the Downtown Community Plan seeks to minimize these noise occurrences from railroad activity through the following goals and policies:

Policy 13.4-P-1: Continue working toward innovative solutions with railroad operators to balance public safety, urban design and heritage goals.

Policy 13.4-P-2: Apply for a downtown quiet zone, to include the 13 railway crossings, and enforce ban on sounding of horns, bells, and whistles.

#### A. Phases 1, 2a and 2b Development

Because the proposed project is located in the Downtown Community Plan area and is consistent with the Downtown Community Plan, the railroad noise analysis provided in Section 5.7 (Noise) of the Downtown Community Plan EIR applies to the impact analysis for the proposed project. As stated in Section 5.7 (Noise) of the Downtown Community Plan EIR, railroad noise in the Downtown Community Plan area would be intermittent and would not significantly affect human activity (CCDC, 2006). As such, railroad noise in the project area is not anticipated to significantly affect human activity and a less than significant impact is identified.

### **2.2.3 Cumulative Impact Analysis**

#### *Summary of the Downtown Community Plan EIR*

As summarized above and discussed in Section 5.7 (Noise) of the Downtown Community Plan EIR, increased automobile trips related to new development within the downtown planning area would combine with automobile trips on grid streets to cause nine segments to increase by more than 3 dB(A) or exceed 65 dB(A). As identified in Section 6.2.5 (Cumulative Impacts – Noise) of the Downtown Community Plan EIR, traffic noise increases on those nine of grid street segments analyzed in Section 5.7 (Noise) of the Downtown Community Plan EIR would significantly increase with the addition of traffic from the proposed Community Plan in combination with other new sources of traffic. Therefore, as identified in Section 6.2.5 (Cumulative Impacts – Noise) of the Downtown Community Plan EIR, a cumulative noise impact was identified with the implementation of the Community Plan. This impact is not only a cumulative impact, it is also a direct impact as discussed above under Section 2.2.2.2. As identified above, based on the analysis provided in Sections 5.7 and 6.2.5 of the Downtown Community Plan EIR, no feasible mitigation measures are available to reduce the significant increase in exterior traffic noise; therefore, a cumulatively significant unmitigable noise impact was identified in the Downtown Community Plan EIR.

Also identified in Section 6.2.5 of the Downtown Community Plan EIR, no major new stationary noise sources are anticipated to result from implementation of the proposed Downtown Community Plan. Construction

noise would create short-term noise levels, but would not additive with other construction noise within the region. Furthermore, construction noise would be regulated by controls established by the City of San Diego's Noise Abatement and Control Ordinance.

#### A. Phases 1, 2a and 2b Development

Because the proposed project is located in the Downtown Community Plan area and is consistent with the Downtown Community Plan, the cumulative noise analysis provided in Section 6.2.5 of the Downtown Community Plan EIR applies to the cumulative impact analysis for the proposed project.

As discussed in Section 5.7 (Noise) of the Downtown Community Plan EIR, increased automobile trips related to new development within the downtown planning area would combine with existing automobile trips on grid streets to cause nine segments to increase by more than 3 dBA and exceed 65 dBA. As discussed in Section 2.2.2.2 above, the Kettner Boulevard segment, between Cedar Street and Beech Street, would be one of nine grid street segments that would result in traffic noise increases from implementation of the Downtown Community Plan. The proposed project's contribution of traffic to this street segment contributes to the traffic noise increases along this street segment as predicted in the Downtown Community Plan EIR. Therefore, the proposed project in conjunction with traffic from other projects consistent with the Downtown Community Plan would result in a cumulatively significant impact related to traffic noise increase on existing surrounding noise-sensitive land uses.

**N-3** According to the Downtown Community Plan EIR (Section 6.2.5), cumulative traffic noise would significantly increase with the addition of traffic from the proposed Community Plan in combination with existing traffic and other new sources.

As identified above, based on the analysis provided in Sections 5.7 and 6.2.5 of the Downtown Community Plan EIR, no feasible mitigation measures are available to reduce the significant increase in exterior traffic noise; therefore, a cumulatively significant unmitigable noise impact was identified in the Downtown Community Plan EIR.

However, with regards to the Phase 2b development of the proposed project, Mitigation Measures M-N-1 and M-N-2 would ensure the proposed residential development component of the proposed project would not result in a significant exterior or interior traffic noise impact under the cumulative conditions of the Downtown Community Plan area.

Based on the analysis provided in Section 6.2.5 of the Downtown Community Plan EIR, no major new stationary noise sources are anticipated to result from implementation of the proposed Downtown Community Plan. Construction noise would create short-term noise levels, but would not combine with other construction noise within the region to result in a noticeable increase in construction related noise. Furthermore, construction noise would be regulated by controls established by the City of San Diego Noise Abatement and Control Ordinance. Therefore, the proposed project would not result in a cumulatively significant noise impact related to construction noise.

## 2.2.4 Significance of Impacts Prior to Mitigation

- N-1 Exterior Traffic Noise Increase** – According to the Downtown Community Plan EIR (Section 5.7), traffic on Kettner Boulevard (Cedar Street to Beech Street) would generate a noise level of 66.5 dBA CNEL by Year 2030. This noise increase exceeds the 65 dBA CNEL threshold and would result in a significant noise increase impact prior to mitigation.
- N-2 Interior Traffic Noise Increase** – The proposed residential structure proposed under Phase 2b of the proposed project would be exposed to interior noise levels in excess of 45 dBA CNEL and would result in a significant noise impact prior to mitigation.
- N-3 Cumulative Traffic Noise Increase** – According to the Downtown Community Plan Final EIR (Section 6.2.5), traffic noise would significantly increase with the addition of traffic from development allowed by the Downtown Community Plan in combination with existing sources of traffic. The increase in automobile trips related to new development within the downtown planning area, including the proposed project, combined with existing automobile trips on grid streets, would result in nine segments, including the Kettner Boulevard segment between Cedar Street and Beech Street, experiencing an increase in traffic noise of more than 3 dBA and exceeding 65 dBA. This increased noise level would impact surrounding noise-sensitive land uses. Therefore, the proposed project would result in a significant cumulative traffic noise impact prior to mitigation.

## 2.2.5 Mitigation

Based on the analysis identified in Sections 5.7 and 6.2.5 of the Downtown Community Plan EIR, no feasible mitigation measures are available to completely reduce the significant increase in traffic noise on affected roadway segments. In most cases, insufficient room exists to construct a noise attenuation wall to reduce exterior traffic noise and if feasible, the wall would only protect ground level areas. While buildings within the affected area could be retrofitted to attenuate the effects of the noise increase, implementation of such a mitigation strategy is not considered feasible given the expected cost and complexity associated with undertaking such a program. As the impact would be aggregate in nature, the obligation to carry out this program would not fall upon any single development. Lastly, existing property owners must consent to the retrofit. As some owners may chose not to allow the retrofitting, the impact could remain unmitigated.

With respect to the proposed project's direct and cumulative impact related to exterior traffic noise on existing surrounding noise-sensitive land uses, while buildings with noise-sensitive land uses in the vicinity of Kettner Boulevard (Cedar Street to Beech Street) could be retrofitted to attenuate the effects of the noise increase from the direct and cumulative conditions including the proposed project, implementation of such mitigation is not feasible given the cost or complexity of retrofitting existing units. It would be financially infeasible for the County or the future developer of Phases 2a and/or 2b to retrofit existing noise-sensitive land uses (e.g., residential units). Furthermore, existing property owners would need to consent to such work on their properties. Therefore, the project would result in significant and unmitigable impacts to exterior areas of noise-sensitive land uses in the vicinity of the Kettner Boulevard (Cedar Street to Beech Street) street segment.

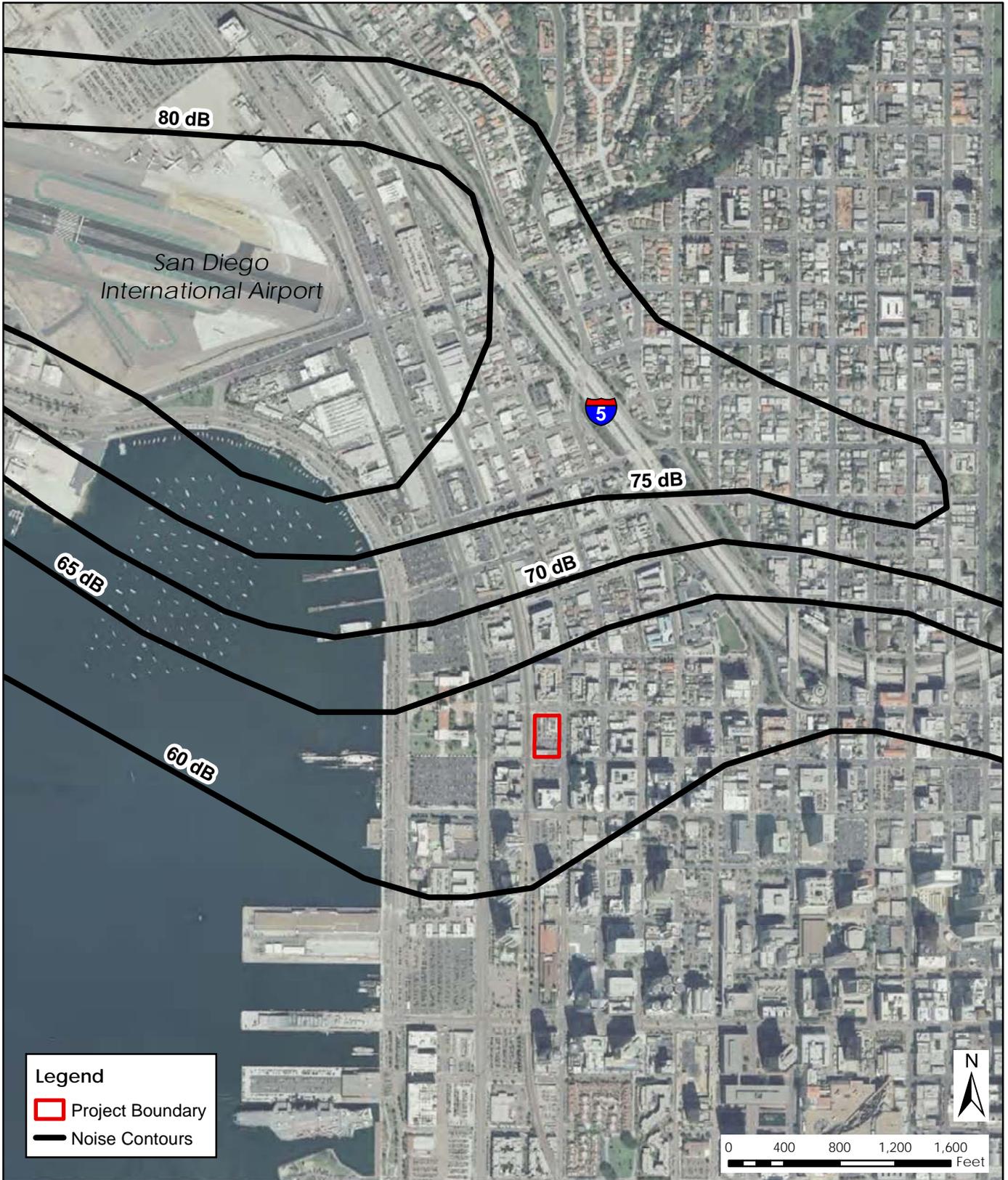
However, in order to ensure the exterior and interior traffic noise increase does not impact the proposed residential portion (Phase 2b) of the proposed project, Mitigation Measures M-N-1 and M-N-2 shall be implemented, which will require the private developer to prepare an acoustical analysis to ensure interior and exterior noise levels within the residential units do not exceed the interior and exterior noise standards.

**M-N-1** ~~Per the requirements of the Centre City Development Corporation's Design Review/Development Permit Approvals~~ Consistent with the 2006 Downtown Community Plan Final EIR prepared by Centre City Development Corporation, prior to the issuance of a Design Review/Development Permit, all residential projects (Phase 2b of the proposed project) with required outdoor open space (common or private) (e.g., private balconies) are required to prepare a noise study to ensure exterior noise would not exceed 65 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an exterior noise standard of 65 dB CNEL shall be incorporated into the building/architectural plans.

**M-N-2** Prior to issuance of building permits for the development of Phase 2b, the developer shall be required to prepare a noise study to ensure that interior CNEL would not exceed 45 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an interior standard of 45 dB CNEL shall be incorporated into the building/architectural plans.

### 2.2.6 Conclusions

The proposed project would result in a significant direct and cumulative impact associated with existing and projected exterior traffic noise that would affect nearby sensitive land uses. Mitigation for these impacts, such as a noise attenuation wall, would be infeasible given both the cost and complexity as described above. Therefore, a significant unmitigated noise impact would occur along Kettner Boulevard (between Cedar Street to Beech Street), because noise levels would remain at 66.5 dBA CNEL or above, which is above the City's threshold of 65 dBA for exterior areas of residential development. However, with regards to exterior and interior noise for the Phase 2b (residential component) of the proposed project, implementation of Mitigation Measures M-N-1 and M-N-1, would reduce the significant impacts to a level less than significant. Mitigation Measures M-N-1 and M-N-2 would require the developer of the residential portion of the project (Phase 2b) to prepare a noise analysis to ensure that exterior common or private areas within the residential structure do not exceed exterior noise levels of 65 dB and interior levels do not exceed 45 dB CNEL. In addition, the proposed project would be required to comply with Title 24 of the California Code and the Building Code to ensure that interior noise levels in habitable rooms of residential development would not exceed 45 dB CNEL.



SOURCE: ALUCP, 2004; SanGIS, 2011

8/31/11



Cedar and Kettner Development Project  
 San Diego International Airport  
 Noise Contours

FIGURE  
 2.2-1

TABLE 2.2-1  
City of San Diego Noise Land Use Compatibility Chart

Land Use Category	Exterior Noise Exposure (dBA CNEL)			
	60	65	70	75
<i>Open Space and Parks and Recreational</i>				
Community & Neighborhood Parks; Passive Recreation				
Regional Parks; Outdoor Spectator Sports, Golf Courses; Athletic Fields; Outdoor Spectator Sports, Water Recreational Facilities; Horse Stables; Park Maint. Facilities				
<i>Agricultural</i>				
Crop Raising & Farming; Aquaculture, Dairies; Horticulture Nurseries & Greenhouses; Animal Raising, Maintenance & Keeping; Commercial Stables				
<i>Residential</i>				
Single Units; Mobile Homes; Senior Housing		45		
Multiple Units; Mixed-Use Commercial/Residential; Live Work; Group Living Accommodations *For uses affected by aircraft noise, refer to Policies NE-D.2. & NE-D.3.		45	45*	
<i>Institutional</i>				
Hospitals; Nursing Facilities; Intermediate Care Facilities; Kindergarten through Grade 12 Educational Facilities; Libraries; Museums; Places of Worship; Child Care Facilities		45		
Vocational or Professional Educational Facilities; Higher Education Institution Facilities (Community or Junior Colleges, Colleges, or Universities)		45	45	
Cemeteries				
<i>Sales</i>				
Building Supplies/Equipment; Food, Beverages & Groceries; Pets & Pet Supplies; Sundries, Pharmaceutical, & Convenience Sales; Wearing Apparel & Accessories			50	50
<i>Commercial Services</i>				
Building Services; Business Support; Eating & Drinking; Financial Institutions; Assembly & Entertainment; Radio & Television Studios; Golf Course Support			50	50
Visitor Accommodations		45	45	45
<i>Offices</i>				
Business & Professional; Government; Medical, Dental & Health Practitioner; Regional & Corporate Headquarters			50	50
<i>Vehicle and Vehicular Equipment Sales and Services Use</i>				
Commercial or Personal Vehicle Repair & Maintenance; Commercial or Personal Vehicle Sales & Rentals; Vehicle Equipment & Supplies Sales & Rentals; Vehicle Parking				
<i>Wholesale, Distribution, Storage Use Category</i>				
Equipment & Materials Storage Yards; Moving & Storage Facilities; Warehouse; Wholesale Distribution				
<i>Industrial</i>				
Heavy Manufacturing; Light Manufacturing; Marine Industry; Trucking & Transportation Terminals; Mining & Extractive Industries				
Research & Development			50	
	Compatible	Indoor Uses	Standard construction methods should attenuate exterior noise to an acceptable indoor noise level. Refer to Section I.	
		Outdoor Uses	Activities associated with the land use may be carried out.	
	Conditionally Compatible	Indoor Uses	Building structure must attenuate exterior noise to the indoor noise level indicated by the number for occupied areas. Refer to Section I.	
		Outdoor Uses	Feasible noise mitigation techniques should be analyzed and incorporated to make the outdoor activities acceptable. Refer to Section I.	
	Incompatible	Indoor Uses	New construction should not be undertaken.	
		Outdoor Uses	Severe noise interference makes outdoor activities unacceptable.	

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## **2.3 Air Quality**

The air quality analysis provided in this section is summarized from the *Cedar and Kettner Property Development Project Air Quality Study* prepared by Rincon Consultants, Inc. (Rincon, 2011a) prepared for this project. This study is provided as Appendix C on the attached CD of Technical Appendices found on the back cover of this EIR.

### **2.3.1 Existing Conditions**

#### **2.3.1.1 Climate and Meteorology**

The project site is located in the San Diego Air Basin (SDAB), which is coterminous with San Diego County. The climate in the San Diego region is characterized by a repetitive pattern of frequent early morning cloudiness, hazy afternoon sunshine, clean daytime onshore breezes, and relatively consistent year-round temperatures. An average of ten inches of rain falls each year from November to early April, while the remainder of the year is typically dry. Measurable rain falls on 20 days per year, with only six days of moderate (0.5 inches in 24-hours) rainfall per year.

On a regional scale, the atmospheric conditions create desirable living conditions; however, they also facilitate poor air quality conditions at times. More specifically, the ability of the atmosphere to disperse air pollutants is limited. The onshore winds across the coastline diminish quickly when they reach the foothill communities east of San Diego. The sinking air within the onshore high-pressure system forms a massive temperature inversion that traps all air pollutants near the ground. The resulting stagnation, in addition to the ample sunshine, causes a number of reactive pollutants to undergo photochemical reactions. Through these reactions, smog is formed. Occasionally, high smog levels in coastal communities occur when polluted air from the South Coast Air Basin (the greater Los Angeles and Orange County area) drifts seaward and southward at night, and then blows onshore the next day. Regardless of local air pollution control efforts in San Diego, such interbasin transport can occasionally cause unhealthy air.

On a local scale, a second inversion type occurs when cool air at night stagnates above the ground, while the air aloft remains warm. The inversion may trap vehicular exhaust pollutants, such as carbon monoxide (CO), near their source until the inversion dissipates as a result of surface warming the next morning. Such CO “hot spots” most often occur on freeways, large parking lots, and at times, within the “street canyons” of the downtown area. CO “hot spots” are highly localized in space and time (if they occur at all), and continued improvement in vehicular emissions have led to the near disappearance of CO “hot spots” even in the downtown San Diego area.

#### **2.3.1.2 Air Pollutants of Primary Concern**

The Federal and State Clean Air Acts mandate the control and reduction of certain air pollutants. Under this legislation, the U.S. Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. These include ozone (O<sub>3</sub>), CO, nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), lead, and fine particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). The general characteristics of pollutants are described below.

**Ozone.** Ozone is produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides (NO<sub>x</sub>) and reactive organic gases (ROG). Nitrogen oxides are formed during the combustion of fuels, while reactive organic compounds are formed during combustion and evaporation of organic solvents. Because ozone requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

**Carbon Monoxide.** Carbon monoxide is a local pollutant that is found in high concentrations only near the source. The major source of carbon monoxide, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations, therefore, are usually only found near areas of high traffic volumes. Carbon monoxide interferes with the blood's ability to carry oxygen to the body's tissues and at high concentrations, carbon monoxide can cause heart difficulties in people with chronic diseases, reduced lung capacity and impaired mental abilities.

**Nitrogen Dioxide.** NO<sub>2</sub> is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO<sub>2</sub>, creating the mixture of NO and NO<sub>2</sub> commonly called NO<sub>x</sub>. Nitrogen dioxide is an acute irritant. A relationship between NO<sub>2</sub> and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM<sub>10</sub> and acid rain.

**Suspended Particulates.** PM<sub>10</sub> is particulate matter measuring no more than 10 microns in diameter, while PM<sub>2.5</sub> is fine particulate matter measuring no more than 2.5 microns in diameter. Suspended particulates are mostly dust particles, nitrates and sulfates. Both PM<sub>10</sub> and PM<sub>2.5</sub> are by-products of fuel combustion and wind erosion of soil and unpaved roads, and are directly emitted into the atmosphere through these processes. Suspended particulates are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with the small particulates (those between 2.5 and 10 microns in diameter) and fine particulates (PM<sub>2.5</sub>) can be very different. The small particulates generally come from windblown dust and dust kicked up from mobile sources. The fine particulates are generally associated with combustion processes as well as being formed in the atmosphere as a secondary pollutant through chemical reactions. Fine particulate matter is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

Table 2.3-1 summarizes the current federal and state standards for each of these pollutants. Standards have been set at levels intended to be protective of public health. California standards are more

restrictive than federal standards for each of these pollutants except lead and the eight-hour average for CO.

The San Diego Air Pollution Control District (APCD) operates a network of ambient air monitoring stations throughout San Diego County. The purpose of the monitoring stations is to measure ambient concentrations of the pollutants and determine whether the ambient air quality meets the California and federal standards. The nearest ambient monitoring station to the project site is the downtown San Diego monitoring station located at 1110 Beardsley Street. Table 2.3-2 depicts the annual air quality data for the local airshed over the past three years for the downtown San Diego monitoring station.

In April 2004, the San Diego Air Basin (SDAB), the basin in which the project site is located, was designated as a nonattainment area for the 8-hour O<sub>3</sub> NAAQS. Ozone is a secondary pollutant that is not produced directly by a source, but rather it is formed by a reaction between NO<sub>x</sub> and ROG in the presence of sunlight. Reductions in ozone concentrations are dependent on reducing the amount of these precursors. The SDAB is in attainment with all other NAAQS.

### **2.3.1.3 Regulatory Setting**

The federal and state governments have been empowered by the Federal and State Clean Air Acts to regulate emissions of airborne pollutants and have established ambient air quality standards for the protection of public health. The U.S. EPA is the federal agency designated to administer air quality regulation, while the Air Resources Board (ARB) is the state equivalent in California. Local control in air quality management is provided by the ARB through county-level or regional (multi-county) APCDs. The ARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. The ARB has established 14 air basins statewide.

The San Diego APCD is the local agency responsible for the administration and enforcement of air quality regulations in San Diego County. The San Diego APCD and the San Diego Association of Governments (SANDAG) are jointly responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The region's clean air plan, the San Diego County Regional Air Quality Strategy (RAQS), was adopted in 1991, and was updated most recently in 2009. The RAQS outlines the plans and control measures designed to attain the state air quality standards for O<sub>3</sub>. The RAQS does not address the state air quality standards for PM<sub>10</sub> or PM<sub>2.5</sub>.

### **2.3.1.4 Methodology**

As discussed in the Air Quality Study prepared for this project (Appendix C of this EIR), the modeling was performed in general accordance with the methodologies outlined in the San Diego APCD 2009 RAQS. Maximum daily emissions were quantified using the CalEEMod emissions model (refer to the Appendix for CalEEMod modeling output sheets). Total daily trips for the project were based on the Trip Generation Assessment Memorandum prepared by Fehr & Peers (August, 2011), and were originally derived using the City of San Diego Trip Generation Manual (2003), Centre City cumulative trip generation rates.

Excavation at the project site would require approximately 37,037 cubic yards of soil to be exported from the site during Phase 1 and another 37,037 cubic yards of soil to be exported from the site during Phases 2a and 2b. This analysis assumes that construction of Phase 1 would commence in 2013 and would be completed in January of 2014 (approximately 123 work days), and construction of Phases 2a and 2b would be completed during 2016 (approximately 113 work days).

To the extent possible, the emissions modeling incorporates specific amenities and design features that would be required as part of the project design, including exceedance of Title 24 requirements for green building by approximately 15%; Transportation Demand Management (TDM) measures for County employees under Phase 1; a 365.1 kW roof-top photovoltaic system on the proposed parking structure; LEED Silver Certification design and construction and the provision of Energy Star appliances and low-flow toilets for the commercial, office and residential development associated with Phases 2a and 2b; and irrigation control devices for landscaped areas associated with all phases of the project.

### **2.3.2 Analysis of Project Effects and Determination of Significance**

#### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, significant Air Quality impacts would result from the proposed project if any of the following would occur:

- *Conflict with or obstruct implementation of the applicable air quality plan;*
- *Violate any air quality standard or contribute substantially to an existing or projected air quality violation;*
- *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);*
- *Expose sensitive receptors to substantial pollutant concentrations; or,*
- *Create objectionable odors affecting a substantial number of people.*

In addition to the CEQA Guidelines Appendix G significance thresholds described above, the City of San Diego has published quantitative thresholds for air pollutant emissions in its *CEQA Significance Thresholds* (2004), shown in Table 2.3-3. These thresholds are based on Air Quality Impact Analysis (AQIA) trigger levels for new or modified stationary sources (San Diego APCD Rules 20.2 and 20.3) and ROG thresholds used by South Coast Air Quality Management District (SCAQMD) and the Monterey Bay APCD (MBAPCD) which has similar federal and state attainment status as San Diego. A project that could cause an exceedance of any ambient air quality standard, or substantially exacerbate an existing exceedance of an air quality standard would have a significant impact. "Substantial" is defined as making measurably worse an existing exceedance. A project's impact would also be significant if the project would conflict with, or obstruct implementation of, the Regional Air Quality Strategy (RAQS) Revision 2009. The City thresholds would be applicable to the implementation of Phases 2a and 2b, which will likely be privately initiated development projects.

### **Rationale**

Air quality impacts from land use projects are typically the result of emissions from additional motor vehicle trips, and the short-term construction activities associated with such projects. The above thresholds were identified to address the potential air quality impacts that may cause harm to the persons or the environment. The analysis used quantitative thresholds established under federal standards, California standards, and AQIA trigger levels for new or modified stationary sources.

### **Analysis**

#### **2.3.2.1 Regional Air Quality Strategy (RAQS) Consistency**

The RAQS outlines the San Diego APCD's plans and control measures designed to attain the state air quality standards for ozone. In addition, the APCD relies on the State Implementation Plan (SIP), which includes the APCD's plans and control measures for attaining the ozone NAAQS. These plans accommodate emissions from all sources, including even natural sources, through implementation of control measures, where feasible, on stationary sources to attain the standards. Mobile sources are regulated by the U.S. EPA and the California ARB, and the emissions and reduction strategies related to mobile sources are considered in the RAQS and the SIP.

The RAQS relies on information from ARB and SANDAG, including projected growth in the County, mobile, area and all other source emissions in order to project future emissions and determine from that the strategies necessary for the reduction of stationary source emissions through regulatory controls. The ARB mobile source emission projections and SANDAG growth projections are based on population and vehicle trends and land use plans developed by the cities and by the County during the development of general plans. Therefore, a project that proposes development that is consistent with the growth anticipated by the general plan is consistent with the RAQS. The project site is designated as Multiple Use under the City's General Plan, and is within the Downtown Community Plan Designation. The Downtown Community Plan provides building intensity standards for various parts of the downtown area. The project site has a maximum allowable base floor area ratio (FAR) of 6.0, with an available bonus of 2.0, for a total maximum FAR of 8.0 (San Diego Downtown Community Plan, Figure 3-12). The project, as proposed, would have a total FAR of 7.75.

Therefore, the level of development proposed for this project is consistent with the San Diego Downtown Community Plan and the City of San Diego General Plan and, thus, is consistent with the RAQS. Accordingly, because the proposed project would not conflict with or obstruct implementation of the applicable air quality plan, no significant impact is identified with the development of the proposed project for this issue area.

#### **2.3.2.2 Construction Emissions**

The use of construction vehicles and equipment during construction and demolition activities would generate a temporary increase in air pollutant emissions. These impacts would primarily be associated with off-site transportation of demolition debris and exported cut soil, dust generated by on-site demolition, grading, and construction, and ROG's that would be released during the drying phase upon application of

architectural coatings. The following describes the construction emissions impacts of each phase of the project.

**AQ-1** The proposed project would result in short-term air pollutant emissions related to the proposed construction activities. The temporary increases in emissions would result in a significant air quality impact. Therefore, the project's temporary construction impacts to local and regional air quality for all phases of development are significant.

#### A. Phase 1 Development

Excavation from the project site would require approximately 37,037 cubic yards of soil to be exported from the site during Phase 1 of the project. Construction activity is assumed to occur over a period of approximately 123 workdays for Phase 1 of the project. Table 2.3-4 identifies the maximum daily construction emissions for the proposed project.

Construction-related activities, including soil disturbance, dust emissions, combustion pollutants from on-site and off-site construction equipment, and transportation of demolition and soil export materials off-site, would result in the temporary addition of pollutants to the local airshed. These emissions would be variable in both time and space, and would differ considerably among the various construction-related activities.

Construction of Phase 1 of the proposed project would be conducted under the jurisdiction of the County of San Diego. Since the County of San Diego and the San Diego APCD do not provide quantitative thresholds for determining the significance of temporary construction-related impacts, the County will comply with the City's Construction Site Best Management Practices (BMPs) (City of San Diego Municipal Code Section 142.0710).

#### B. Phases 2a and 2b Development

Excavation during Phases 2a and 2b of the project would require approximately 37,037 cubic yards of soil to be removed and exported from the site. Construction activity is assumed to occur over a period of approximately 113 workdays for Phases 2a and 2b of the project. Table 2.3-4 identifies the maximum daily construction emissions for the proposed project.

As noted above, the San Diego APCD does not provide quantitative thresholds for determining the significance of temporary construction-related impacts. However, for projects under the City's jurisdiction, project construction would be required to comply with the City's Construction Site Best Management Practices (BMPs), which are enforceable per San Diego Municipal Code Section 142.0710. Phases 2a and 2b will be privately-initiated development projects and would be required to comply with the City of San Diego's Construction Site BMPs.

### **2.3.2.3 Operational Indirect and Stationary Direct Emissions**

Operational emissions include those associated with energy use, area sources (e.g., architectural coating, landscaping equipment, and consumer products), water use, waste generation, and mobile sources. The majority of project-related emissions would be due to vehicle trips to and from the site. As discussed

previously, the volume of vehicle trips to and from the project site was estimated using total daily trips based on the Trip Generation Assessment Memorandum (August, 2011), which were derived using the City of San Diego Trip Generation Manual (2003), Centre City cumulative trip generation rates, and by the total vehicle miles traveled (VMT) estimated in CalEEMod. Maximum daily emissions for the proposed project are provided in Table 2.3-5 (refer to the Appendix C of this EIR for full results).

As shown in Table 2.3-5, the operational emissions associated with the proposed project would not exceed the City of San Diego thresholds of significance shown in Table 2.3-3. Although, the Phase 1 development portion of the project is not required to meet the City of San Diego thresholds, the project is consistent with these thresholds. Therefore, the operation of the proposed project would not result in significant long-term impacts to air quality.

#### **2.3.2.4 Sensitive Receptors**

Sensitive receptors are typically defined as schools (Preschool-12th Grade), hospitals, resident care facilities, day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. However, within the San Diego APCD the definition of a sensitive receptor also includes residential development. The project site is located within a developed community and is surrounded by several residential buildings.

The two primary emissions of concern regarding health effects for land development projects are diesel-fired particulates and carbon monoxide. As the majority of the traffic generated by the proposed project would be resident and commuter traffic, the project is not expected to result in substantial operational emissions of diesel-fired particulates.

CO emissions are the result of the combustion process and therefore primarily associated with mobile source emissions (vehicles). CO "hotspots" or pockets where the CO concentration exceeded the federal and state ambient air quality standards, have been found to occur only at signalized intersections that operate at or below level of service (LOS) E with peak-hour trips for that intersection exceeding 3,000 trips (Sacramento Metropolitan Air Quality Management District Guide to Air Quality Assessment, December 2009). Based on the *Cedar-Kettner Mixed-Use Development – Traffic Analysis* (August 2011) (Appendix E2 of this EIR), the only intersection that would operate at LOS E as a result of the proposed project is Cedar Street and Kettner Boulevard; however, the peak-hour trips at this intersection would not exceed 3,000 trips. Therefore, the project would not result in CO hotspots and would not expose sensitive receptors to substantial pollutant concentrations. Therefore, no impact is identified for this issue area.

### **2.3.3 Cumulative Impact Analysis**

#### **Summary of Downtown Community Plan EIR**

Pursuant to CEQA Guidelines Section 15150 (c), where an EIR or negative declaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described.

Because the proposed project is located within the Downtown Community Plan area, the cumulative air quality analysis provided in section 6.2.1 of the Downtown Community Plan EIR is applicable and is therefore incorporated by reference. The following is a summary of the cumulative air quality impact analysis from the Downtown Community Plan EIR:

The San Diego Air Basin is currently classified by the US EPA as a non-attainment area for ozone and PM<sub>10</sub>. All new development in the San Diego Air Basin compounds these problems by creating more emissions. New development within the downtown planning area would be no exception, creating long-term air emissions related primarily to increased vehicular use and short-term dust during construction. Because the San Diego Air Basin is already impacted, any new development would have a significant cumulative impact on regional air quality. Therefore, implementation of the proposed Downtown Community Plan would result in a significant cumulative air quality impact. Although the cumulative impact would be significant, the proposed Plan would concentrate development in an area which is well served by transit and offers a variety of opportunities to work and live in the same area.

Federal, state, and local regulations mandate, as well as recommend, measures to be incorporated by development within the SDAB. These measures are anticipated to be incorporated into future development within the area, as appropriate. Although the proposed Plans and Ordinances would promote non-vehicular travel (e.g. walking and cycling) and implement smart growth principles, implementation of these measures would not be sufficient to reduce cumulative impacts to below a level of significance.

### **2.3.3.1 Construction Emissions**

As discussed above in Section 2.3.2.1, the proposed project would result in short-term air pollutant emissions related to the proposed construction activities. However, with the implementation of Mitigation Measure M-AQ-1, this impact would be reduced to a level less than significant. The development of the cumulative projects listed in Chapter 1 of this EIR would also likely result in similar short-term air emissions during construction activities at a site in close proximity to the project site. Depending on the number and proximity of the individual construction activities, the construction air emissions could constitute a significant cumulative impact. However, as with the proposed project, each of the cumulative projects would be required to provide mitigation for the project's cumulatively considerable contribution to any cumulative air quality impacts.

### **2.3.3.2 Operational Emissions (Mobile Source Emissions)**

As stated in the Downtown Community Plan EIR, all new development within the downtown area would create long-term air emissions related primarily to increase vehicular use and short-term dust during construction. Because the SDAB is already impacted, any new development, including the proposed project, would have a significant cumulative impact on regional air quality. As discussed in Section 2.3.2.3 above, the proposed project would not result in an air quality impact related to operational emissions. However, each phase of the proposed project would result in operational emissions from energy use not previously existing, and for both Phases 2a and 2b, an increase in water, waste, and mobile source emissions. These increases in emissions, in conjunction with the development of the cumulative projects

identified in Chapter 1 of this EIR, result in the proposed project having a potential to result in a cumulatively considerable contribution to a significant cumulative air quality impact.

Even with the implementation of the Downtown Community Plan and Planned District Ordinance within the project area, both of which promote non-vehicular travel (e.g., walking and cycling) and the implementation of smart growth principles, the cumulative air quality impacts would not be reduced below a level of significance (CCDC, 2006). Therefore, a cumulatively significant and unmitigable air quality impact related to operational emissions (mobile source emissions) is identified for the proposed project.

**AQ-2** The proposed project in conjunction with cumulative projects would result in a cumulatively significant and unmitigable air quality impact related to operational emissions (mobile source emissions).

### **2.3.4 Significance of Impacts Prior to Mitigation**

**AQ-1 Short-term Construction Emissions** – The development of each phase of the proposed project would result in short-term air quality emissions related to the proposed construction activities. The temporary increases in emissions would result in a significant air quality impact prior to mitigation.

**AQ-2 Cumulative Operational Emissions (Mobile Source Emissions)** – The proposed project in conjunction with cumulative projects would result in a cumulatively significant and unmitigable air quality impact related to operational emissions (mobile source emissions).

### **2.3.5 Mitigation**

**M-AQ-1** All phases of the proposed project shall comply with City of San Diego's Construction Site BMPs, to ensure that impacts related to short-term construction emissions would be mitigated to less than significant. The following are the construction BMPs that would mitigate short-term construction emissions:

1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds are forecast to abate below this threshold.
2. Dust suppression techniques shall be implemented including, but not limited to, the following:
  - a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.
  - b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.

- c. Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.
3. Vehicles on the construction site shall travel at speeds less than 15 miles per hour.
4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.
5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface. Any visible track-out extending for more than 50 feet from the access point shall be swept or washed within 30 minutes of deposition.
6. All diesel-powered vehicles and equipment shall be properly operated and maintained.
7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.
8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.
9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.
10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume- low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.
12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.
13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost- competitive for use on this development.
14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.
15. Rubble piles shall be maintained in a damp state to minimize dust generation.
16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent feasible.

17. If alternative fueled and/or particulate filter equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.

### 2.3.6 Conclusions

The proposed project would result in a significant impact associated with short-term construction emissions. However, with the implementation of Mitigation Measure M-AQ-1, this impact would be reduced to a level less than significant. The proposed project would not result in a significant air quality impact related to operational emissions.

With regard to cumulative impacts, the proposed project in conjunction with cumulative projects identified for the surrounding area would result in a cumulatively significant air quality impact related to operational emission (mobile source emissions). Cumulative impacts related to air quality are typically mitigated through region-wide or basin-wide plans to reduce operational emissions through transit or mobility planning and program funding. No plans or programs have been identified that would be available to mitigate this impact through contribution of fair-share payment by the County or future developer. Therefore, no feasible mitigation measure has been identified for this cumulative impact and this cumulative impact is determined to be significant and unmitigable.

TABLE 2.3-1  
Current Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standard
Ozone	1-Hour	---	0.09 ppm
	8-Hour	0.075 $\mu\text{g}/\text{m}^3$	0.070 $\mu\text{g}/\text{m}^3$
PM <sub>10</sub>	24-Hour	150 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
	Annual	---	20 $\mu\text{g}/\text{m}^3$
PM <sub>2.5</sub>	24-Hour	35 $\mu\text{g}/\text{m}^3$	---
	Annual	15.0 $\mu\text{g}/\text{m}^3$	12 $\mu\text{g}/\text{m}^3$
Carbon Monoxide	8-Hour	9 ppm	9.0 ppm
	1-Hour	35 ppm	20 ppm
Nitrogen Dioxide	Annual	53 ppb	0.030 ppm
Sulfur Dioxide	1-Hour	100 ppb	0.18 ppm
	24-Hour	---	0.04 ppm
	3-Hour	0.5 ppm (secondary)	---
Lead	1-Hour	75 ppb (primary)	0.25 ppm
	30-Day Average	---	1.5 $\mu\text{g}/\text{m}^3$
	3-Month Average	0.15 $\mu\text{g}/\text{m}^3$	---

Source: Rincon Consultants, Inc., 2011.

Notes: ppm = parts per million; and  $\mu\text{g}/\text{m}^3$  = micrograms per cubic meter.

**TABLE 2.3-2**  
Ambient Air Quality at the Downtown San Diego Monitoring Station

<b>Pollutant</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Ozone (ppm), Worst Hour	0.087	0.085	0.078
Number of days of State exceedances (>0.09 ppm)	0	0	0
Ozone (ppm), 8-hr average	0.073	0.063	0.066
Number of days of State exceedances (>0.07 ppm)	1	0	0
Number of days of Federal exceedances (>0.08 ppm)	0	0	0
Carbon Monoxide (ppm), Highest 8-Hour Average	2.60	2.77	2.17
Number of days of above State or Federal standard (>9.0 ppm)	0	0	0
Particulate Matter <10 microns, $\mu\text{g}/\text{m}^3$ , Worst 24 Hours	59.0	60.0	40.0
Number of days above State standard (>50 $\mu\text{g}/\text{m}^3$ )	4	3	0
Number of days above Federal standard (>150 $\mu\text{g}/\text{m}^3$ )	0	0	0
Particulate Matter <2.5 microns, $\mu\text{g}/\text{m}^3$ , Worst 24 Hours	42.0	52.1	31.0
Number of days above Federal standard (>65 $\mu\text{g}/\text{m}^3$ )	3	3	0

Source: Rincon Consultants, Inc., 2011.

Notes: \*: There was insufficient (or no) data available to determine the value.

**TABLE 2.3-3**  
City of San Diego Regional Pollutant Emission  
Thresholds of Significance

	<b>Carbon Monoxide (CO)</b>	<b>Nitrogen Oxides (NOX)</b>	<b>Particulate Matter (PM10)</b>	<b>Sulfur Oxides (SOX)</b>	<b>Reactive Organic Gases (ROG)</b>
Threshold of Significance (lbs/day)	550	250	100	250	137

Source: Rincon Consultants, Inc., 2011.

**TABLE 2.3-4**  
**Sum of Construction Emissions**

Time Period	Pollutant Emissions (lbs/day)				
	CO (lbs/day)	NO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (lbs/day)	SO <sub>x</sub> (lbs/day)	ROG (lbs/day)
<b>Phase 1</b>					
Maximum daily summer emissions	1,228.55	2,614.96	233.64	3.68	1,482.52
Maximum daily winter emissions	1,330.77	2,680.70	224.78	3.66	1,482.53
<b>Phases 2a and 2b</b>					
Maximum daily summer emissions	1,030.90	2,212.76	207.74	3.68	258.25
Maximum daily winter emissions	1,131.68	2,261.29	208.70	3.66	258.26

Source: Rincon Consultants, Inc., 2011.

**TABLE 2.3-5**  
**Sum of Area Source and Operational Emissions**

Time Period	Pollutant Emissions (lbs/day)				
	CO (lbs/day)	NO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (lbs/day)	SO <sub>x</sub> (lbs/day)	ROG (lbs/day)
Maximum daily summer emissions	100.58	19.21	17.08	0.15	11.13
Maximum daily winter emissions	100.08	20.03	16.98	0.14	11.61
Significance Threshold	<b>550</b>	<b>250</b>	<b>100</b>	<b>250</b>	<b>137</b>
Exceeds Threshold?	No	No	No	No	No

Source: Rincon Consultants, Inc., 2011.

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## **2.4 Geology/Soils**

The geology/soils analysis provided in this section is summarized from the *Geotechnical Investigation and Geologic Fault Investigation for the Cedar/Kettner Parking/Residential Structure*, prepared by Geocon Inc. (Geocon) dated October 14, 2003 (Geocon, 2003). This document is provided as Appendix G on the attached CD of Technical Appendices found on the back cover of this EIR.

### **2.4.1 Existing Conditions**

#### **2.4.1.1 Field Investigation**

The purpose of the geotechnical investigation was to evaluate the soil conditions and general site geology, and to identify geotechnical constraints (if any) that may affect development of the project site. The field investigation conducted by Geocon in 2003 included five borings drilled to a maximum depth of 91 feet and excavating two trenches to a maximum depth of 14 ½ feet. The soils encountered in the borings and trenches were visually examined, classified and logged in accordance with American Society for Testing and Materials (ASTM) practice for description and identification of soils. In addition, the trenches were excavated to assess whether active faults traverse the property. Selected soils samples were tested for their in-place dry density and moisture content, consolidation, shear strength, expansion compaction, “R” value (stability of soils and aggregates for pavement construction), water-soluble sulfate, pH, and resistivity characteristics. These laboratory tests determine pertinent physical properties for engineering analyses and assist in providing recommendations for site grading and foundation design criteria.

#### **2.4.1.2 Geologic Units**

Based on the geotechnical investigation (Geocon, 2003) prepared for the project site, the property is underlain by fill and alluvial soils, which are in turn underlain by the Bay Point Formation and the San Diego Formation. Each geologic unit is described below.

##### Fill (Qaf)

Fill was encountered in two of the borings and both of the trenches. The fills encountered were up to 10 feet deep and consisted of loose to dense, dry to moist, silty and clayey sand with varying amounts of gravel and debris consisting of pieces of brick, glass and wood. During the excavation of Trench 2, an accumulation of partially burned household refuse was encountered that included bottles, ash, wood, wire, and ceramics. The refuse was encapsulated in a cylindrical concrete structure.

##### Alluvium (Qal)

Alluvium was encountered in both trenches and consisted of loose, damp to moist, silty sand. Portions of this deposit may actually be highly weathered sections of the Bay Point Formation or residual soil derived from the Bay Point Formation. It is expected that the alluvium will be removed during excavation for the proposed project.

##### Bay Point Formation (Qbp)

Pleistocene-age Bay Point Formation was observed in all of the borings and in the fault trenches. The Bay Point Formation typically consists of loose to dense, silty and clayey sand that is partially cemented in

places. Interbeds and lenses of rounded, fine to coarse gravel and clay were also observed in the formation. The Bay Point Formation is considered suitable for the support of the proposed structures.

#### San Diego Formation (Tsd)

Tertiary-age San Diego Formation was encountered in all of the borings at depths of between approximately 23 and 36 feet below existing ground surface. The San Diego Formation typically consists of moist to saturated, dense to very dense, silty and clayey sand, interbedded with stiff to hard clay, sandy clay, sandy silt, silt, and clay. Interbeds of gravel were also encountered in this formation.

#### **2.4.1.3 Groundwater**

Groundwater was encountered in all five of the borings at depths of between approximately 27 ½ and 34 feet below the existing ground surface. Groundwater levels in the vicinity of San Diego Bay will typically be relatively constant at an elevation of approximately three to four feet below mean sea level.

#### **2.4.1.4 Seismicity**

The tectonic setting of the downtown planning area is influenced by plate boundary interaction between the Pacific and North American lithospheric plates. This interaction occurs along a broad zone of northwest-striking faults that, at the latitude of San Diego, extends from the San Clemente fault zone to the San Andreas Fault.

The historical pattern of seismic activity in coastal San Diego (since about the 1930s) has generally been characterized as a broad scattering of small magnitude earthquakes. This is in contrast with the surrounding regions of Southern California, northern Baja California, and the nearby offshore regions, which are characterized by a high rate of seismicity, where many large to moderate earthquakes have occurred during the past 50 years. Although the historical seismicity for San Diego during the short period of observations is low, geologic data indicates that the Rose Canyon Fault Zone represents a significant seismic hazard to the entire coastal metropolitan region of San Diego, and is clearly capable of generating large earthquakes. The San Diego Bay region is considered to lie within the Rose Canyon Fault Zone and has been the location of repeated small to moderate magnitude earthquakes.

The project site is located near the southern onshore portion of the Rose Canyon Fault Zone in an area that is transitional between the predominately right-lateral faulting characteristic of the faults north of the downtown area, and the predominately dip slip faulting characteristic of faults making up the southern portion of the Rose Canyon Fault Zone. South of the downtown area, the major faults that compose the southern end of the Rose Canyon Fault Zone are the Spanish Bight, Coronado, and Silver Strand Faults. The La Nacion Fault represents the east side of this zone. Together, these faults define a wide and complex faulted basin occupied by San Diego Bay and a narrow section of the continental shelf west of the Silver Strand. Figure 2.4-1 depicts the location of regional active faults.

The nearest known active fault to the site is a strand of the Rose Canyon Fault Zone located approximately ½ mile southeast of the property. This area is designated by the State of California as an Alquist-Priolo Earthquake Fault Zone. Several strands of the Rose Canyon Fault are located within Alquist-Priolo

Earthquake Fault Zone in the downtown area. Historically, the Rose Canyon Fault has exhibited low seismicity with respect to earthquakes in excess of magnitude 5.0 or greater. Earthquakes on the Rose Canyon Fault having a maximum magnitude of 6.9 are considered representative of the potential for seismic ground shaking within the property. The “maximum magnitude earthquake” is defined as the maximum earthquake that appears capable of occurring under the presently known tectonic framework. Table 2.4-1 presents a list of significant active faults, their distance from the project site, and estimated maximum earthquake magnitude. As noted in this table, only the Rose Canyon Fault is within close proximity to the project site.

#### **2.4.1.5 Liquefaction**

Liquefaction primarily occurs when saturated, loose, fine to medium-grained soils are shaken during an earthquake, and the soils lose their strength and behave as a liquid. A primary factor controlling the potential for liquefaction is groundwater depth. The potential for liquefaction of the site soils during a strong earthquake is limited to those soils in a relatively loose, unconsolidated condition that are located at or near the limit of the groundwater table. Since the underlying formations are very dense, the potential for liquefaction at the project site is very low.

#### **2.4.1.6 Landslides and Slope Stability**

Landslides occur when slopes become unstable and collapse. Landslides and slope instability may be caused by natural factors such as topography, precipitation, and soil types. Other hazards such as floods and earthquakes may also trigger such events. Based on the examination of aerial photographs and review of available geotechnical reports for the site vicinity, no landslides were identified at the property. Furthermore, the project site is generally flat with a maximum elevation of 31' above mean sea level (amsl) in the northeast corner, trending down to 22' amsl in the southwestern corner of the site.

#### **2.4.1.7 Expansive Soils**

Expansive soils are primarily comprised of clay soils, which expand when the soil becomes saturated and shrink when dry. Based on the geotechnical investigation conducted by Geocon Incorporated (2003), the majority of the soils that will likely be encountered on the project site are considered to have a “very low” to “high” expansion potential (Expansion Index [EI] of between 0 and 130) as defined by Uniform Building Code (UBC) Table No. 18-I-B. A “high” expansion potential layer was encountered at the elevation of the bottom of the proposed structure, but no moisture variation is expected in this layer.

### **2.4.2 Analysis of Project Effects and Determination of Significance**

#### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G and the Alquist-Priolo Earthquake Fault Zoning Act, significant Geology/Soils impacts would result from the proposed project if any of the following would occur:

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- i. *Rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map;*
- ii. *Strong seismic ground shaking;*
- iii. *Seismic-related ground failure, including liquefaction; or*
- iv. *Landslides.*

The County of San Diego's significance thresholds for geology/soils are more stringent than the City's significance determination thresholds. Therefore, although the proposed project would be located in the City of San Diego, the County's significance thresholds for geology/soils are used. In addition to the CEQA Guidelines Appendix G thresholds described above, the County of San Diego Guidelines of Significance, Geology and Soils, adopted July 30, 2007, have been included to provide specific thresholds related to Section VI. Geology and Soils, a) i. – iv. of the CEQA Guidelines, Appendix G:

#### **Fault Rupture**

- The project proposes any building or structure to be used for human occupancy over or within 50 feet of the trace of an Alquist-Priolo (AP) fault or County Special Study Zone fault.
- The project proposes the following uses within an AP Zone which are prohibited by the County:
  - i. *Uses containing structures with a capacity of 300 people or more. Any use having the capacity to serve, house, entertain, or otherwise accommodate 300 or more persons at any one time.*
  - ii. *Uses with the potential to severely damage the environment or cause major loss of life. Any use having the potential to severely damage the environment or cause major loss of life if destroyed, such as dams, reservoirs, petroleum storage facilities, and electrical power plants powered by nuclear reactors.*
  - iii. *Specific civic uses. Police and fire stations, schools, hospitals, rest homes, nursing homes, and emergency communication facilities.*

#### **Ground Shaking**

- The project site is located within a County Near-Source Shaking Zone or within Seismic Zone 4 and the project does not conform to the UBC.

#### **Liquefaction**

- The project site has potential to expose people or structures to substantial adverse effects because:
  - i. *The project site has potentially liquefiable soils; and*
  - ii. *The potentially liquefiable soils are saturated or have the potential to become saturated; and,*
  - iii. *In-situ soil densities are not sufficiently high to preclude liquefaction.*

**Landslides**

- The project site would expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving landslides.
- The project is located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, potentially resulting in an on- or off-site landslide.
- The project site lies directly below or on a known area subject to rockfall which could result in collapse of structures.

**Expansive Soils**

- The project is located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), and does not conform with the Uniform Building Code.
  - b) *Result in substantial soil erosion or loss of topsoil;*
  - c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;*
  - d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code; or,*
  - e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.*

**Rationale**

Natural geologic processes that represent a hazard to life, health, or property are considered geologic hazards. Natural geologic hazards that affect people and property in the San Diego region include earthquakes, which can cause surface fault rupture, ground shaking, and liquefaction; expansive soils; weathering; and landslides or rockfalls. It is not possible to prevent or mitigate all geologic hazards, but their destructive effects can be reduced to acceptable levels or avoided through appropriate site location, design or densities. The above thresholds address those natural geologic events and existing onsite conditions that may cause harm to the persons or property for which the analysis is being conducted using criteria from the State Mining and Geology Board in reference to the Alquist-Priolo Earthquake Fault Zoning Act (AP Act); and the UBC Seismic Hazards Standards and Expansive Soil Standards for construction on soils within a high shrink/swell category.

**Analysis****2.4.2.1 Seismicity**

Because the project site is located in a seismically active region, the site is likely to be subject to at least one moderate to major earthquake during the design life of the structures. The nearest active fault is a strand of the Rose Canyon Fault Zone located approximately ½ mile (2,640 feet) southeast of the property. This area is designated by the State of California as an Alquist-Priolo Earthquake Fault Zone. With respect to the significance threshold, the proposed project would not expose people or structures to potential substantial adverse effects associated with seismic activity related ground failure because the project

would not develop any building or structure to be used for human occupancy over or within 50 feet of the trace of an AP fault or County Special Study Zone fault.

According to the geotechnical investigation, no evidence of faulting was observed in the Pleistocene-age Bay Point Formation. Accordingly, the potential for surface rupture due to faulting in the area of the proposed development is very low. The potential impact related to ground shaking would be addressed through compliance with the most current UBC requirements, as the UBC minimum design requirements address the level of seismic risk present at this site. Therefore, a less than significant impact is identified for this issue area.

#### **2.4.2.2 Liquefaction**

The potential for liquefaction of the site soils during a strong earthquake is limited to those soils in a relatively loose, unconsolidated condition and are located below the groundwater table. Since the underlying formations are very dense, the potential for liquefaction at the project site is very low. Therefore, a less than significant impact is identified related to liquefaction.

#### **2.4.2.3 Landslides and Slope Stability**

Based on the examination of aerial photographs and review of available geotechnical reports for the site vicinity, no landslides were identified at the property or at a location that could impact the project site. Furthermore, the project site is generally flat, with no substantial slopes or changes in elevation. The proposed excavation on site for the construction of the subsurface parking garage would be completed in a manner that would not result in the exposure of open cuts or slopes without proper temporary or permanent reinforcement consistent with the City's Municipal Code and UBC. Therefore, no significant impact is identified related to landslides and slope stability.

#### **2.4.2.4 Expansive Soils**

Soils that will likely be encountered during grading and excavation of the project site have both a “very low” and “high” expansion potential (Expansion Index [EI] of between 0 and 130) as defined by UBC Table No. 18-I-B. Two samples were tested for expansion potential. The soil sample from Trench No. 2 was identified to have a low expansion index of 4. The soil sample from Boring No. 3 was identified to have a “high” expansion potential layer at the elevation of the bottom of the proposed structure, but no moisture variation is expected in this layer. Adherence to the standards of the current UBC and Standard Engineering Methods for Expansive Soils during the design and construction of the project would ensure that the proposed development would not be affected by expansive soils. Therefore, a less than significant impact is identified for this issue area.

#### **2.4.2.5 Erosion**

The project site will be completely cleared of all structures and paving within Phase I and will include excavation in the northern portion of the site for the construction of the parking structure. Phase 2a will also include construction activities that would warrant the removal of onsite pervious surfaces; and Phase 2b would include both removal of the pervious surface in the southern portion of the site and excavation for the expansion of the parking structure beneath the proposed residential building. The County will be

required to develop a Stormwater Management Plan (SWMP) to address erosion control and sedimentation issues relating to the grading and construction components for Phase 1 of the project. The County or any entity associated with the development of both Phase 2a and/or 2b will also be required to develop a SWMP for Phase 2 of the project. The Plan will specify and describe implementation measures of all applicable Best Management Practices (BMPs) that will address equipment operation, materials management, and prevent the erosion process from occurring. All phases of the project will be required to comply with the National Pollutant Discharge Elimination System (NPDES) general construction permit requirements by incorporating the use of BMPs to reduce erosion associated with grading and construction to a less than significant level. Therefore, a significant increase in soil erosion on the project site would not occur.

#### **2.4.2.6 Soils**

As stated above, the project site is underlain by fill and alluvial soils, which are in turn underlain by the Bay Point Formation and the San Diego Formation. Although the site is generally suitable for development, the fill and alluvium would be required to be completely removed to ensure that the proposed development would not become unstable as a result of subsidence or collapse.

**GE-1** According to the geotechnical evaluation (2003), the site is generally suitable for the type of development proposed. The fill and alluvium on the project site are expected to be completely removed during excavations for the proposed project. However, any existing fill soils encountered beyond the planned excavation limits will not be suitable in their present condition to support settlement-sensitive structures. This possibility is a potentially significant impact.

#### **2.4.2.7 Groundwater**

Groundwater was encountered on the project site between approximately 27½ and 34 feet below the existing ground surface. Dewatering will be required during construction of the subterranean levels. Waterproofing will also be necessary for the portion of the basement walls below groundwater levels. A retaining wall above groundwater should be provided with a drainage system adequate to prevent the buildup of hydrostatic pressure, which could cause the groundwater to push into the lower levels of the parking garage through cracks and joints. Hydrostatic pressure within the soils may cause structural damage to the foundation walls and could contribute moisture-related problems.

**GE-2** Without proper waterproofing and proper surface drainage, the proposed project may result in a buildup of hydrostatic pressure due to the presence of groundwater at the project site.

#### **2.4.2.8 Onsite Wastewater Disposal**

The project does not propose or require the use of septic tanks or alternative wastewater disposal systems, but rather will connect to the City of San Diego sewer system. Therefore, there would be no impact relating to the capacity of the soil to support waste disposal.

### 2.4.3 Cumulative Impact Analysis

With the implementation of the measures detailed in the geotechnical investigation as defined in M-GE-1, the project impacts to geology and soils would be mitigated to below a level of significance, and therefore, the project would not make a cumulatively considerable contribution to a cumulative impact.

### 2.4.4 Significance of Impacts Prior to Mitigation

**GE-1 Geology** – The project site is generally suitable for the type of development proposed. However, any existing fill soils encountered beyond the planned excavation limits will not be suitable in their present condition to support settlement-sensitive structures. This possibility is a potentially significant impact prior to mitigation.

**GE-2 Groundwater** – Groundwater was encountered on the project site between approximately 27½ and 34 feet below the existing ground surface. The proposed project may result in a buildup of hydrostatic forces due to the presence of groundwater at the project site. This possibility is a significant impact prior to mitigation.

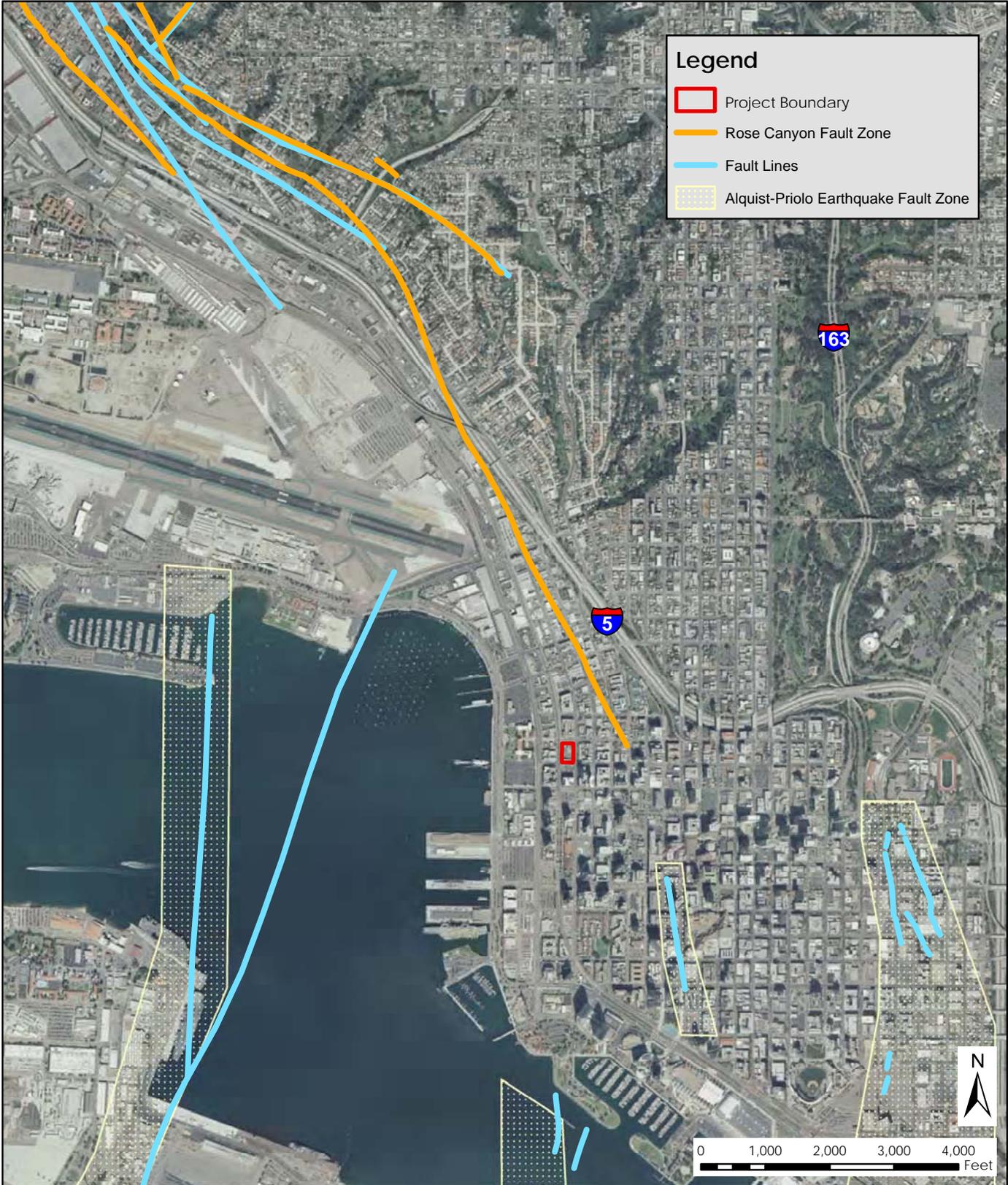
### 2.4.5 Mitigation

To mitigate potential significant impacts associated with GE-1 and GE-2, mitigation measure M-GE-1 has been proposed to reduce both potential impacts to below a level of significance.

**M-GE-1** Prior to approval of final engineering and grading plans for each phase of the Project, the County shall verify that all recommendations contained in the Geotechnical Investigation and Geologic Fault Investigation for the Cedar/Kettner Parking/Residential Structure prepared by Geocon Inc. (October 14, 2003) have been incorporated into final engineering and grading plans. This report identifies specific measures for mitigating geotechnical conditions on the project site to below a level of significance. The report addresses excavation and soil characteristics, corrosive potential, seismic design criteria, grading, construction dewatering, excavation slopes, shoring and tiebacks, soil nail walls, foundations, mat foundation recommendations, concrete slabs, lateral loading, retaining walls, site drainage and moisture protection, and foundation plan review. The County's soil engineer and engineering geologist shall review grading plans prior to finalization, to verify plan compliance with the recommendations of the report. All development on the project site shall be in accordance with Title 24, California Code of Regulations (State Building Code).

### 2.4.6 Conclusions

Significant geologic impacts that could affect the proposed project are unsuitable existing fill soils (GE-1) and the presence of groundwater (GE-2). However, these geologic impacts would be mitigated to below a level of significance through the implementation of M-GE-1, requiring proper engineering design as identified in the geotechnical study prepared for this site, prior to the issuance of any grading or building permits for each phase of the project.



SOURCE: SanGIS, 2011

8/31/11



Cedar and Kettner Development Project  
 Location of Regional Active Faults

FIGURE  
 2.4-1

**TABLE 2.4-1**  
**List of Significant Active Faults**

<b>Fault Name</b>	<b>Approximate Distance from Project Site (miles)</b>	<b>Estimated Maximum Earthquake Magnitude</b>
Rose Canyon Fault Zone	0.5	6.9
Coronado Bank	13	7.4
Newport Inglewood (Offshore)	34	6.9
Elsinore-Julian	42	7.1
Elsinore-Temecula	46	6.8
Earthquake Valley	47	6.5
Elsinore-Coyote Mountain	50	6.8
Palos Verdes	59	7.1

Source: Geocon Inc., 2003.

## **2.5 Hazards/Hazardous Materials**

The hazards/hazardous materials analysis provided in this section is summarized from the *Limited Environmental Site Investigation for the Cedar/Kettner Project* prepared by Geocon Consultants, Inc. (Geocon, 2004). This document is provided as Appendix H on the attached CD of Technical Appendices found on the back cover of this EIR.

### **2.5.1 Existing Conditions**

#### **2.5.1.1 General Principles**

Under Title 22 of the California Code of Regulations (CCR), the term “hazardous substance” refers to both hazardous materials and hazardous wastes, both of which are classified according to four properties: (1) toxicity; (2) ignitability; (3) corrosiveness; and, (4) reactivity (CCR Title 22, Chapter 11, Article 3). A hazardous material is defined in Title 22 of the CCR as:

“...A substance or combination of substances which because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or, (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (California Code of Regulations, Title 22, Section 66260.10).”

Chemical and physical properties that cause a substance to be considered hazardous, including the properties of toxicity, ignitability, corrosivity, and reactivity, are defined in the CCR, Title 22, Sections 66261.20 through 66261.24. Factors that influence the health effects of exposure to hazardous materials include the dose to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

Hazardous materials are commonly stored and used by a variety of businesses and are commonly encountered during construction activities. Hazardous materials typically require special handling, reuse, and disposal because of their potential to harm human health and the environment.

Typical adverse effects related to hazardous substances and existing contamination relate to the potential for site conditions, site contamination, or improper handling of hazardous substances to result in adverse human or environmental effects. For example, the improper handling of asbestos containing materials (ACMs) and lead based paint (LBP) during building demolition may result in worker exposure to hazardous substances. Potential pathways of exposure to contaminants include direct ingestion of contaminated soils, inhalation of volatiles and fugitive dusts, and ingestion of contaminated ground water caused by migration of chemicals through soil to an underlying potable aquifer. Potential exposure to contaminants can occur to construction workers during site development and to the residents or workers that occupy the buildings constructed on the site. Similarly, the siting of a facility that could result in a significant hazard to sensitive land uses in the event of a hazardous substance release could represent a potentially significant impact, particularly for facilities that handle certain highly toxic substances near schools or day care facilities.

### **2.5.1.2 Site Background**

The Hercules Oil Company occupied the project site between 1948 and 1973 and maintained three large aboveground fuel storage tanks (ASTs). Six underground storage tanks (USTs) and a waste oil sump were also identified at the project site in 1984 through site investigation and testing. Limited subsurface investigations conducted between 1984 and 1994 indicated the presence of gasoline and diesel-range hydrocarbons in soil and groundwater at the project site. Preliminary estimates prepared in 1993 indicated that approximately 11,000 cubic yards (cy) of soil would require remediation. Of this total, approximately 3,000 cy were inaccessible as they were situated beneath the Star Building. In January through March 1996, approximately 10,344 tons of soil containing petroleum hydrocarbon was excavated from the project site. The excavation extended to a depth of 28 feet, approximately two feet below the water table. Approximately 6,000 tons were transported offsite for recycling and approximately 4,000 tons (2,500 cy) were stockpiled, treated with nutrients and moisture, and passively vented. The treated soil was subsequently reused as backfill.

In September 1999, the County of San Diego, Department of Environmental Health (DEH) indicated that “no further action related to the underground storage tank release is required.” The Leaking Underground Fuel Storage Tank Program Case Closure Summary indicated approximately 1,156 gallons of free product and impacted groundwater was removed. However, the DEH summary also indicated that residual petroleum hydrocarbons remain in soil after excavation and treatment, and corrective actions should be reviewed if site use is changed (from a parking lot), and soil excavated during future construction must be managed in accordance with applicable legal requirements.

A letter from the County of San Diego, Department of General Services indicated that during building renovation in 1996, a vapor barrier was placed between the ground and the foundation of the Star Building to minimize the entry of potentially toxic or hazardous vapor into the existing structure.

### **2.5.1.3 Environmental Database Search**

BRG Consulting, Inc. (BRG) conducted a database search on August 25, 2011, for potential hazardous sites located on, or within one-quarter mile of, the project site using the California Department of Toxic Substances Control's (DTSC) EnviroStor Database. This database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to further investigate. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. In addition, pursuant to Government Code Section 65962.5, a search was conducted on each database or list identified by the Cortese List. The list below is a summary of the regulatory agencies and the associated data sources that provide information regarding the facilities or sites identified as meeting the Cortese List requirements:

- List of Hazardous Waste and Substances sites from DTSC EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database

- List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of "active" Cease and Desist Orders (CDO) and Cleanup Abatement Orders (CAO) from the Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the H&SC, identified by DTSC.

Based on a review of the list of hazardous waste and substances sites from the EnviroStor Database, there are no cleanup sites and/or hazardous waste permitted facilities located on or within one-quarter mile of the project site.

Based on a review of the list of leaking underground storage tank sites from the Water Board GeoTracker database, there are a total of 39 sites located within one-quarter mile of the project site. The cleanup statuses of 30 of the 39 sites are completed and are considered closed cases, while nine of the sites are considered open cases that are either under site assessment or remediation. Table 2.5-1 identifies the name of the facility, address, and cleanup status for each of the nine open case sites.

The project site is not listed on the list of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit, list of "active" CDO and CAO from the Water Board, or list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the H&SC, identified by DTSC.

#### **2.5.1.4 Site Investigation**

A limited environmental site investigation was conducted in 2003 to assess the extent and concentration of hydrocarbons and potential presence of other constituents of concern in soil and groundwater beneath the project site. The investigation was intended to evaluate the approximate volume of soil that may be expected to be transported offsite to an appropriate receiving facility, evaluate the potential need for a vapor barrier to be incorporated into the future design of the proposed structures, and evaluate groundwater quality with respect to dewatering activities during construction.

The field activities were performed in July, 2003. In summary, the field activities included the following: 1) conducting a subsurface utility survey, 2) drilling 14 soil borings, 3) observing the excavation of two geotechnical trenches, 4) collecting soil and groundwater samples, and 5) disposing of wastes generated from the activities.

14 borings (GB1 through GB14) were conducted, including ten vertical borings (GB1, GB2, and GB7-GB14), drilled to depths ranging from 35 to 40 feet and four borings (GB3-GB6) located adjacent to the existing Star Building and adjacent one-story warehouse drilled at an angle of approximately 30 degrees from vertical to characterize soils beneath the buildings to the extent practical. Two geotechnical trenches (T1 and T2) were also excavated to a maximum depth of 14 ½ feet each and soil samples were collected from

selected locations within the trench. Figure 2.5-1 depicts the approximate locations of the soil borings and trenches.

Selected boring locations were allowed to remain open for observation and groundwater sampling after the boring samples were extracted. Upon completion of soil sample laboratory analyses, 46 drums of soil and four drums of decontamination water were disposed at a hazardous waste disposal facility.

#### **2.5.1.5 Analytical Methods**

The soil samples were analyzed by the laboratory for the presence of total petroleum hydrocarbons as gasoline (TPHg) and diesel (TPHd) following United States Environmental Protection Agency (EPA) method 8015B. Upon completion of these analyses, the soil sample from each boring or trench location that exhibited the highest gasoline concentration was subsequently analyzed for the presence of volatile and organic compounds (VOCs) using EPA method 8260B. The soil sample with the highest diesel concentration was analyzed for semivolatile organic compounds (SVOCs) using EPA method 8270C. In addition, selected soil samples from the trenches and uppermost soil sample from each soil boring was analyzed for the presence of CCR Title 22 metals.

#### **2.5.1.6 Soil Analytical Results**

##### A. Gasoline and Diesel

Soil samples throughout the southwest portion of the site (borings GB1, GB2, GB3, GB4, GB5, GB7, GB8, and GBG10 and trench T2) exhibited widely varying concentrations of gasoline and diesel in the depth interval between 5 feet and 38 feet below ground surface. Soil samples exhibited gasoline concentrations ranging from below the laboratory detection limit to 4,500 mg/kg and diesel concentrations ranging from below the laboratory detection limit to 41,000 mg/kg. For both gasoline and diesel, the maximum detected concentrations were in sample GB1-31 (boring GB1 at 31 feet below ground surface). The statistical 90% upper confidence level (UCL) mean gasoline and diesel concentrations from these borings and depth intervals are 670 mg/kg and 6,300 mg/kg, respectively.

Soil sample analytical results from the remainder of the site (borings GB6 GB9, GB11, GB12, GB13, and GB14 and trench T1) generally exhibited isolated concentrations of gasoline and diesel. Concentrations of gasoline and diesel were not detected at or above the laboratory detection limits in the soil samples analyzed from GB6, GB11, GB12, or GB13. With the exception of a minor concentration of gasoline at a depth of 31 feet (29 mg/kg), concentrations of gasoline were not detected at or above the laboratory detection limit in the soil samples analyzed from GB14. Concentrations of diesel were not detected at or above the laboratory detection limits in the soil samples analyzed from GB14. With the exception of the soil sample collected at 10.5 feet, concentrations of gasoline and diesel were not detected at or above the laboratory detection limit in the soil samples analyzed from GB9. Sample GB9-10.5 (boring GB9 at 10.5 feet below ground surface) exhibited concentrations of 140 mg/kg gasoline and 1,300 mg/kg diesel. Soil samples from trench T1 exhibited gasoline concentrations ranging from below the laboratory detection limit to 160 mg/kg and diesel concentrations ranging from 44 mg/kg to 9,600 mg/kg.

### B. VOCs and SVOCs

The soil samples exhibiting the highest gasoline and diesel concentrations from borings GB1, BG3, BG4, BG5, GB7, GB8, GB9, GB10, and GB14 were also analyzed for VOCs and SVOCs. Concentrations of 1,2,4-trimethylbenzene, 4-isopropyltoluene, benzene, ethylbenzene, isopropylbenzene, m- and p-xylene, n-butylbenzene, n-propylbenzene, naphthalene, o-xylene, sec-butylbenzene, toluene, 2-metylnaphthalene, flourene, and phenanthrene were detected in the soil samples.

### C. Title 22 Metals

Lead was detected above the Total Threshold Limit Concentration (TTL) in sample T-2-1-5 (apparent burn ash material within the thin-walled concrete cylinder) and above 10 times the Soluble Threshold Limit Concentration (STLC) in three of four samples collected from trench locations. Mercury was also detected above 10 times the STLC in trench sample T2-1-5. None of the remaining CCR Title 22 metals were detected at or above their respective TTL or 10 times their respective STLC in the four trench boring samples analyzed. Within the 14 boring samples analyzed, none of the CCR Title 22 metals were detected at or above their respective TTL or 10 times their respective STLC in.

## **2.5.1.7 Groundwater Analytical Results**

### A. Gasoline and Diesel

Concentrations of gasoline in groundwater ranged from below the laboratory detection limit (GB2 and GB11) to 4.5 mg/l (GB1). Concentrations of diesel in groundwater ranged from below the laboratory detection limit (GB2 and GB11) to 120 mg/kg (GB1).

### B. VOCs and SVOCs

Concentrations of 1,2,4 trimethylbenzene, 1,3,5-trimethylbenzene, 4-isopropyltoluene, benzene, ethylbenzene, isopropylbenzene, m- and p-xylene, n-butylbenzene, n-propylbenze, naphthalene, o-xylene, sec-butylbenzene, and toluene were detected in the groundwater samples collected from GB1 and GB14. Benzene concentrations in GB1 and GB14 were 230 and 50 µg/l, respectively. With the exception of naphthalene (7.0 µg/l in GB2) and PCE (7.4 µg/l in GB11), VOCs were not detected at or above the laboratory detection limits in the groundwater samples collected from GB2 or GB11.

Concentrations of 2-metylnaphthalene, flourene, naphthalene, and phenanthrene were detected in the groundwater sample from GB1 at concentrations of 630, 33, 390, and 33 micrograms per liter (µg/l), respectively. SVOCs were not detected at or above the laboratory detection limits in the remaining groundwater samples analyzed.

### C. Title 22 Metals

Concentrations of antimony, arsenic, barium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, thallium, vanadium, and/or zinc were detected in groundwater samples from borings GB7, GB8, GB11, and/or GB14. Concentrations of remaining CCR Title 22 metals were not detected at or above the laboratory detection limits in these groundwater samples.

## 2.5.2 Analysis of Project Effects and Determination of Significance

### Guidelines for Determination of Significance

The County of San Diego's significance thresholds for hazards/hazardous materials are more stringent than the City's significance determination thresholds. Therefore, although the proposed project would be located in the City of San Diego, the County's significance thresholds for hazards/hazardous materials are used. For the purposes of this EIR, the basis for the determination of significance is the County's Guidelines for Determination of Significance, Hazardous Materials and Existing Contamination, adopted July 30, 2007.

- 1) The project is a business, operation, or facility that proposes to handle hazardous substances in excess of the threshold quantities listed in Chapter 6.95 of the Health and Safety Code (H&SC), generate hazardous waste regulated under Chapter 6.5 of the H&SC, and/or store hazardous substances in underground storage tanks regulated under Chapter 6.7 of the H&SC and the project will not be able to comply with applicable hazardous substances regulations.
- 2) The project is a business, operation, or facility that would handle regulated substances subject to California Accidental Release Prevention Risk Management Plan requirements that in the event of a release could adversely affect children's health due to the presence of a school or day care within one-quarter mile of the facility.
- 3) The project is located on or within one-quarter mile from a site identified in one of the regulatory databases compiled pursuant to Government Code Section 65962.5 or is otherwise known to have been the subject of a release of hazardous substances and as a result, the project would create a significant hazard to the public or the environment.
- 4) The project proposes structure(s) for human occupancy and/or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill (excluding burnsites) and as a result, the project would create a significant hazard to the public or the environment.
- 5) The project is proposed on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash); and as a result, the project would create a significant hazard to the public or the environment.
- 6) The project is proposed on or within 1,000 feet of a Formerly Used Defense Site and it has been determined that it is probable that munitions or other hazards are located onsite that could represent a significant hazard to the public or the environment.
- 7) The project could result in human or environmental exposure to soils or groundwater that exceed EPA Region 9 Preliminary Remediation Goal's, California Environmental Protection Agency California Human Health Screening Levels, or Primary State or Federal Maximum Contaminant Levels for applicable contaminants and the exposure would represent a hazard to the public or the environment.
- 8) The project will involve the demolition of commercial, industrial or residential structures that may contain asbestos containing materials, lead based paint, and/or other hazardous materials and as result, the project would represent a significant hazard to the public of the environment.

### **Rationale**

Hazardous materials are generally defined as any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or future hazard to human health and safety or to the environment, if released into the workplace or the environment [(H&SC) §25501(o)]. The above thresholds were identified to address the existing onsite conditions that may cause harm to persons or the environment.

### **Analysis**

#### **2.5.2.1 Hazardous Materials Handling**

The proposed project would involve transport, use and disposal of hazardous materials associated with routine commercial cleaning and maintenance for the office and retail buildings and parking structure. However, the transport, use and disposal of these materials would be handled in compliance with all applicable laws and regulations and would not create a significant hazard to the public (including children's health) or the environment. Therefore, a less than significant impact is identified for this issue area.

#### **2.5.2.2 Existing Onsite Contamination**

Due to the nature of historic and current land uses located throughout the downtown planning area, there is a high potential for encountering hazardous materials sites identified on registers compiled pursuant to Government Code Section 65962.5. Based on a search of the registers, there are a total of 39 sites located on or within one-quarter mile of the project site. The cleanup statuses of 30 of the 39 sites are completed and are considered closed cases, while nine of the sites are considered open cases that are either under site assessment or remediation. Each of these sites would be required to comply with mandatory federal, state, and local regulations. Therefore, these sites would not pose a substantial risk to current and future residents of the downtown planning area and there would be no significant impact.

As discussed in the *Limited Environmental Site Investigation* prepared by Geocon (March 22, 2004), six USTs were identified on the project site in 1984, some of which leaked contaminants into the surrounding soil and groundwater. Beginning in 1984, and continuing through 1996, the tanks were removed, and approximately 10,344 tons of contaminated soil and groundwater were removed for remediation by the County. In September 1999, the County of San Diego, Department of Environmental Health (DEH) indicated that “no further action related to the underground storage tank release is required. However, the DEH summary also indicated that residual petroleum hydrocarbons remain in soil after excavation and treatment, and corrective actions should be reviewed if site use is changed (from a parking lot), and soil excavated during future construction must be managed in accordance with applicable legal requirements.

**HZ-1** Although the County previously removed contaminated soil and groundwater from much of the project site for remediation, the DEH indicated that residual petroleum hydrocarbons remain in soil after excavation and treatment. The proposed project could result in a significant hazard to the public or the environment if the onsite soils containing residual

petroleum hydrocarbons are excavated during future construction of Phase 2 (commercial, office, and residential) on the project site.

### **2.5.2.3 Landfill**

The proposed project would include the development of structures for human occupancy (commercial, retail, and residential use). However, the proposed project is not located within 1,000 feet of an open, abandoned, or closed landfill and would not excavate within 1,000 feet of an open, abandoned, or closed landfill. Therefore, the proposed project would not create a significant hazard to the public or the environment related to landfills.

### **2.5.2.4 Burn Ash**

As described above, lead was detected above the TLC in sample T-2-1-5 (apparent burn ash material within the thin-walled concrete cylinder) and above 10 times the STLC in three of four samples collected from trench locations. Burn ash commonly contains elevated concentrations of lead and other heavy metals, often at concentrations that require it to be disposed of as hazardous waste.

**HZ-2** Without appropriate care, burn ash contaminated soils have a potential for causing public health and environmental impacts. Therefore, the proposed project could result in a significant hazard to the public or the environment in regard to onsite soils containing burn ash material.

### **2.5.2.5 Formerly Used Defense Site**

Based on a review of the EnviroStor database which includes the listing of military facilities, the project site is not located on or within 1,000 feet of a Formerly Used Defense Site. Therefore, the proposed project would not create a significant hazard to the public or the environment with regard to a Formerly Used Defense Site.

### **2.5.2.6 Exposure to Contaminated Soil and Groundwater**

#### A. Soils

Approximately 17,367 cy of soil exhibiting concentrations of gasoline and/or diesel above 100 mg/kg are primarily present within the southwest portion of the project site, including the soil beneath the existing structures. Soil containing gasoline and/or diesel is present at depths ranging from 5 feet to 42 feet below ground surface. These soils would likely be characterized as non-hazardous waste with respect to toxicity. However, these soils will require special handling and stockpiling for offsite disposal at a Class III landfill. The soils would require additional analysis for reactivity, corrosivity, ignitability and bioassay if Class III landfill disposal is desired.

**HZ-3** If the approximately 17,367 cy of soil is not analyzed for reactivity, corrosivity, ignitability and bioassay prior to disposal, there is a potential that humans or the environment could be exposed to contaminated soils. Therefore, the contaminated soils located within the

southwest portion of the project site, under existing structures, may have the potential to create a significant hazard to the public or environment.

Approximately 16 cubic yards of soil exhibiting concentrations of lead and/or mercury are present within an apparent pocket of debris and burn ash fill and a thin-walled concrete cylinder. The cylindrical structure lined with concrete walls is located approximately 80 feet north and 25 feet east of the northeast corner of the Star Building. Lead was detected above the TLC in sample T-2-1-5 (apparent burn ash material within the thin-walled concrete cylinder) and above 10 times the STLC in three of four samples collected from trench locations. Mercury was also detected above 10 times the STLC in trench sample T-2-1-5.

**HZ-4** Soil sample laboratory analytical results indicate that this debris would likely be characterized as a California hazardous waste with respect to lead and mercury content. As such, if left untreated, there is a potential that humans or the environment could be exposed to soils contaminated with lead and mercury. Therefore, the contaminated soils may have the potential to create a significant hazard to the public or environment.

Within the four trench samples analyzed, none of the remaining CCR Title 22 metals were detected at or above their respective TLC or 10 times their respective STLC. Furthermore, within the 14 soil boring samples analyzed, none of the CCR Title 22 metals were detected at or above their respective TLC or 10 times their respective STLC.

#### B. Groundwater

The discharge of groundwater to stormdrains that drain to San Diego Bay is regulated by the California Regional Water Quality Control Board. Based upon concentrations of VOCs detected in groundwater at the project site, discharge of untreated groundwater to San Diego Bay through the storm drain would be prohibited. Concentrations of VOCs, SVOCs, and CCR Title 22 metals in groundwater would likely not exceed City of San Diego Metropolitan Wastewater Division, Industrial User Discharge Program (MIWP) limits. However, the proposed project would need to obtain a MIWP permit to ensure that the discharge of water generated during future construction/dewatering activities would not exceed MIWP limits. Therefore, a less than significant impact is identified.

#### **2.5.2.7 Asbestos and Lead Based Paint**

Existing structures on the project site include the Star Building and one-story warehouse located on the southern portion of the project site. Implementation of the proposed project would require these structures to be demolished.

**HZ-5** It is possible that hazardous building materials (e.g., ACMs, LBP, etc.) are present within the Star Building and warehouse located on the southern portion of the project site. The potential presence of hazardous building materials on the project site is a significant impact to the public and the environment, specifically when these buildings are demolished.

### 2.5.3 Cumulative Impact Analysis

With the implementation of mitigation measures M-HZ-1 through M-HZ-3, the project impacts to hazards and hazardous materials would be mitigated to below a level of significance, and therefore, would not make a cumulatively considerable contribution to a cumulative impact.

### 2.5.4 Significance of Impacts Prior to Mitigation

**HZ-1 Residual Petroleum Hydrocarbons in Soil** – The proposed project could result in a significant hazard to the public or the environment if the onsite soils containing residual petroleum hydrocarbons are excavated during future construction of ~~Phase 2 (commercial, office, and residential)~~ on the project site.

**HZ-2 Burn Ash Material** – The proposed project could result in a significant hazard to the public or the environment with regard to onsite soils containing burn ash material. This is a significant impact prior to mitigation.

**HZ-3 Contaminated Soils** – If the approximately 17,367 cy of soil exhibiting concentrations of gasoline and/or diesel is not analyzed for reactivity, corrosivity, ignitability and bioassay prior to disposal, there is a potential that humans or the environment could be exposed to contaminated soils. Therefore, the contaminated soils located within the southwest portion of the project site and beneath the existing structures may have the potential to create a significant hazard to the public or environment. This is a significant impact prior to mitigation.

**HZ-4 Lead and/or Mercury** – Approximately 16 cubic yards of soil exhibiting concentrations of lead and/or mercury are present within an apparent pocket of debris and burn ash fill and a thin-walled concrete cylinder. If left untreated, there is a potential that humans or the environment could be exposed to soils contaminated with lead and mercury. Soil containing lead and/or mercury on the project site is a significant impact prior to mitigation.

**HZ-5 Asbestos and Lead Based Paint** – It is possible that hazardous building materials (e.g., ACMs, LBP, etc.) are present within the Star Building and warehouse located on the southern portion of the project site. The potential presence of hazardous building materials on the project site is a significant impact prior to mitigation.

### 2.5.5 Mitigation

To mitigate potential significant impacts associated with HZ-1 through HZ-4, mitigation measure M-HZ-1 has been proposed to reduce the potential impacts to below a level of significance.

**M-HZ-1** Prior to issuance of a demolition permit for Phase 1, or prior to the issuance of a grading or building permit for both Phase 2a and 2b, any contaminated or hazardous soil and/or water conditions on the site shall be removed and/or otherwise remedied ~~by the developer~~ if, and as, encountered during construction as provided by law and implementing rules and regulations. Such mitigation may include without limitation the following:

- a) Remove (and dispose of) and/or treat any contaminated soil and/or water and/or building conditions on the project site as necessary to comply with applicable governmental standards and requirements.
- b) Design and construct all improvements on the project site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor, particulate, or other form, and/or from the direct and indirect effects thereof.
- c) Prepare a site-safety plan, if required by any governmental entity, and submit it to such authorities for approval in connection with obtaining a demolition permit for Phase 1 or a building permit for both Phase 2a and 2b, for the construction or improvements on the ~~pp~~ project site. Such site safety plan shall assure workers and other visitors to the project site of protection from any health and safety hazards during development and construction of the ~~project~~ project. Such site safety plan shall include monitoring and appropriate protective action against vapors and particulates and/or the effect thereof.
- d) Obtain appropriate permits from the County of San Diego DEH and/or California Regional Water Quality Control Board and/or any other authorities, which would be required in connection with the removal and/or remediation of soil and/or water and/or building contamination.

To mitigate potential significant impacts associated with HZ-5, mitigation measures M-HZ-2 and M-HZ-3 have been proposed to reduce the potential impacts to below a level of significance.

**M-HZ-2** Prior to issuance of a demolition permit for onsite structures related to Phase 1, a facility survey shall be performed to determine the presence or absence of ACMs located in the Star Building and adjacent one-story warehouse. Suspect materials shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, who shall have taken and passed an EPA-approved Building Inspector Course. Should regulated ACMs be found, they shall be handled and disposed of in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation. Evidence of completion of the facility survey shall be submitted to the County of San Diego, Department of General Services Project Manager, and shall consist of a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.

**M-HZ-3** Prior to issuance of a demolition permit for onsite structures related to Phase 1, a survey shall be performed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of LBP located in the two buildings on the southern portion of the project site. Demolition of all materials containing lead-based paint [LBP] must comply with applicable regulations for demolition methods and dust suppression

consistent with the 1994 Federal Occupational Safety and Health Administration (OSHA) standards for lead hazards, 29 CFR 1910.1001, 1926.1101, and 1915.1001. All ~~lead based paint~~ LBP removed from the onsite structures shall be hauled and disposed of by a transportation company licensed to transport ~~this type of~~ such materials. ~~In addition~~ Additionally, the material shall be taken to a landfill or receiving facility licensed to accept the waste.

### **2.5.6 Conclusions**

Significant hazards and hazardous materials impacts that could affect the proposed project include contaminated soils and the potential presence of hazardous building materials (ACMs and LBP) in the existing structures on the project site. However, these impacts would be mitigated to below a level of significance with implementation of mitigation measures M-HZ-1 through M-HZ-3. Mitigation Measure M-HZ-1 requires that prior to demolition, grading, or issuance of a building permit, any contaminated or hazardous soil and/or water conditions on the site shall be removed and/or otherwise remedied ~~by the developer~~ if, and as, encountered during construction as provided by law and implementing rules and regulations. Mitigation Measure M-HZ-2 requires that a facility survey be performed to determine the presence or absence of ACMs located in the Star Building and adjacent one-story warehouse. Lastly, Mitigation Measure M-HZ-3 requires that a survey be performed by a DHS certified lead inspector/risk assessor to determine the presence or absence of LBP located in the two buildings on the southern portion of the project site. If either or both structures contain LBP, the demolition, transport and disposal of all LBP-containing materials must comply with applicable state and federal regulations that are designed to preclude significant impacts.



**TABLE 2.5-1**  
**List of Open Case Sites Located on or Within One-quarter Mile**  
**of the Project Site**

<b>Site/Facility Name</b>	<b>Site/Facility Type</b>	<b>Address</b>	<b>Contaminant</b>	<b>Affected Media</b>	<b>Cleanup Status</b>
Steve's Auto Body	Other Cleanup Site	1516 Kettner Boulevard	Diesel	Other groundwater (uses other than drinking water)	Open-Site Assessment
Steve's Auto Body	Other Cleanup Site	1516 Kettner Boulevard	Gasoline	Soil	Open-Site Assessment
Nielsen Construction	Other Cleanup Site	1465 Kettner Boulevard	Waste oil/motor/hydraulic/lubricating	Soil	Open-Remediation
Bayside Fire Station	Other Cleanup Site	1595 Pacific Highway	None Specified	None Specified	Open-Site Assessment
Bayside Fire Station	Leaking Underground Storage Tank (LUST) Cleanup Site	1595 Pacific Highway	Benzene, diesel, gasoline	Soil vapor, soil	Open-Site Assessment
Cattelus	Other Cleanup Site	1325 Pacific Highway	None Specified	None Specified	Open-Site Assessment
Cattelus	LUST Cleanup Site	1325 Pacific Highway	Gasoline	Soil	Open-Site Assessment
Metro Volkswagon	Other Cleanup Site	1954 Kettner Boulevard	None Specified	None Specified	Open-Site Assessment
Metro Volkswagon	Other Cleanup Site	1954 Kettner Boulevard	None Specified	None Specified	Open-Site Assessment

Source: State Water Resources Control Board, 2011 and BRG Consulting, Inc., 2011.

## CHAPTER 3.0 ENVIRONMENTAL EFFECTS FOUND NOT TO BE SIGNIFICANT

### **3.1 Effects Found Not Significant as Part of the EIR Process**

During the analysis of potential effects within the EIR, the following subject areas were determined to result in less than significant, or no impact, on the environment as a result of the proposed project: Land Use, Transportation and Traffic, and Aesthetics. The following provides a summary of the analysis completed for which these determinations were made.

#### **3.1.1 Land Use**

This section of the EIR addresses existing land uses at the project site and the impacts of the proposed project to on-site and surrounding land uses.

##### **3.1.1.1 Existing Conditions**

The project site is currently developed with a surface parking lot in the northern two-thirds of property and the Star Building and adjacent one-story warehouse in the southern one-third of the site. The existing surface parking lot provides approximately 140 public parking spaces primarily utilized by downtown visitors. The Star Building provides offices for employees of the County of San Diego as well as non-profit uses, including ArtWalk. The warehouse adjacent to the Star Building currently is not occupied or used.

The proposed project site is located within the City of San Diego's Downtown Community Plan area, and is zoned Centre City Planned District Residential Emphasis (CCPD-RE). The CCPD-RE zone is intended to accommodate primarily residential development. Small-scale businesses, offices and services are allowed, subject to size and area limitations. Within the CCPD-RE District at least 80 percent of the gross floor area must be occupied by residential uses. According to the Downtown Community Plan, the land use designation for the project site is "Residential Emphasis" with the designation of "County Joint-Use Parking for Neighborhood Center", which is intended to accommodate the County's use of the site for parking and associated development (Figure 3-1).

Existing land uses surrounding the project site include low to medium scale commercial uses, including hotel/motels, commercial and civic uses to the west; multi-family residential uses to the north; multi-family residential uses and commercial uses to the east; and office, multi-family residential uses, parking and retail to the south (Figure 3-2). The railroad and light-rail (trolley) right-of-way (ROW) is immediately adjacent on the west side of the project area. The County Administration Center (CAC) and the site of the approved Waterfront Park are two blocks west of the project area.

##### Applicable Land Use Plans and Policies

As explained in Chapter 1, because the County owns the project site and will construct a County parking facility and prepare the entire site in Phase 1 of the project, Phase 1 is exempt from the City of San Diego's regulations, including the City's land use ordinances and plans. Consequently, the City's land use ordinances and plans are not "applicable" to Phase 1 of the proposed project. Phases 2a and 2b of the proposed project would be a privately initiated development, although on County-owned land. Thus, the City's land use ordinances and plans would apply to Phases 2a and 2b. It should be noted that while

Phase 1 is not required to be consistent with City land use ordinances and plans, Phase 1 is conceptually designed to be consistent with the existing City land use ordinances and plans described below.

The following land use plans, policies and ordinances were reviewed for applicability and the project's consistency with those identified plans. Land Use plans that were considered for applicability to Phases 2a and 2b of the project include the City of San Diego General Plan, Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project, the Centre City Planned District Ordinance, and the City of San Diego Historical Resources Regulations. Other land use plans that were considered for applicability to the proposed project include, the San Diego County Regional Airport Authority Airport Land Use Compatibility Plan (ALUCP), Regional Comprehensive Plan, and the Plan Regional Transportation Plan. The following provides a general description of those plans and ordinances that are directly applicable to Phases 2a and 2b.

### **City of San Diego General Plan**

The General Plan provides land use policies that relate to general land use designations and locations these policies do not typically apply to specific development projects. Community Plans, Planned District Ordinances (PDOs) and zoning are the vehicles used to refine and implement the General Plan land use designations and policies for a particular area within the City. The General Plan designates the area in which the project site is located "Mixed-Use."

Overall, the City's General Plan provides city-wide goals and policies that do not relate to specific development proposals. The Downtown Community Plan is a more specific planning document, and it contains the more applicable land use policies relevant to the project site and the surrounding area. The plan and the project's conformance are discussed further in the analysis section below.

### **Redevelopment Plan for the Centre City Redevelopment Project**

The Centre City Development Corporation (CCDC) was created by the City of San Diego in 1975 to address conditions of blight and to encourage economic growth and the creation of jobs. The primary objective of CCDC is to eliminate blight, and to provide for orderly development that includes residential, commercial, and public uses through the redevelopment process as guided by California Redevelopment Law (Section 33000 of the Health and Safety Code). The Centre City Redevelopment Plan (CCRP) was adopted in 1992, and along with the Horton Plaza Redevelopment Project (adopted in 1972), the two redevelopment areas comprise the Downtown Community Plan area. The CCRP establishes a process, structure, and method to finance redevelopment programs, and enables tax-increment financing, selective eminent domain, and the application of CCDC resources toward the elimination of blight.

The CCRP divides the plan area into nine separate land use districts and defines the types of development that are allowed within each district. However, the range of land uses emphasized in each district is also subject to and governed by the land use designations specified in the Downtown Community Plan and the Planned District Ordinance, both of which are discussed below. The CCRP consists of the text, the legal description of the Redevelopment Project Area boundaries, the Redevelopment Project Area map, the

description of publicly owned facilities, and land use map. The proposed project falls within the “Expansion Sub Area” of the CCRP.

#### **City of San Diego Downtown Community Plan**

The City's Downtown Community Plan was adopted in 2006, and replaced the Centre City Community Plan, which was adopted in 1992. The Downtown Community Plan area encompasses approximately 1,445 acres of land in the metropolitan core of the City of San Diego, located west of Interstate 5 (I-5), from Laurel Street (north), to Commercial Street, 16<sup>th</sup> street, Sigsbee Street, Newton Avenue, Harbor Drive, and Beardsley Street, southwest to the waterfront of San Diego Bay. The outer boundaries of the Downtown Community Plan are co-terminus with the CCRP area, with the inclusion of the Horton Plaza Redevelopment Project area in the mid-section of the Downtown Community Plan.

#### **City of San Diego Centre City Planned District Ordinance**

The Centre City Planned District Ordinance (PDO), which was revised concurrently with the adoption of the Downtown Community Plan in 2006, establishes specific design standards to implement the CCRP and the Downtown Community Plan land use goals and policies. The intent is to encourage gracefully designed buildings with sculptured, articulated building types in order to achieve a more interesting and varied skyline and to provide a pedestrian environment. The PDO design standards address bulk, height, massing and orientation; street walls and street level treatment and architecture; view corridors; pedestrian access; and other design features to achieve the land use goals of the Community Plan. The project site is zoned CCPD-RE.

#### **City of San Diego Historical Resources Regulations**

The City of San Diego Historical Resources Regulations are provided in Chapter 14, Article 3, Division 2 of the City of San Diego Land Development Code (§143.0201 - §143.0280). The purpose of these regulations is to protect, preserve and where damaged, restore the historical resources of San Diego, which include historical buildings, historical structures or historical objects, important archaeological sites, historical districts, historical landscapes, and traditional cultural properties. These regulations are intended to assure that development occurs in a manner that protects the overall quality of historical resources. It is further the intent of these regulations to protect the educational, cultural, economic, and general welfare of the public, while employing regulations that are consistent with sound historical preservation principles and the rights of private property owners. The Historical Resources Regulations apply to proposed development when the following resources are present on site: designated historical resources, historical buildings, historical districts, historical landscapes, historical objects, historical structures, important archaeological sites, and traditional cultural properties. With respect to the proposed project, the Star Building is a City designated historic structure.

However, because the County owns the property and in Phase 1 includes a County parking facility and preparation of the entire site, Phase 1 is exempt from the City's regulations, including the *Historical Resources Regulations* and the *Site Development Permit Procedures*, contained in the San Diego Municipal Code §126.0501 et seq.

For further analysis of potential impacts to historic resources under CEQA, please refer to Section 2.1– Cultural and Historic Resources of this EIR.

### **San Diego County Regional Airport Authority Airport Land Use Compatibility Plan**

The San Diego County Regional Airport Authority was established in 2003, as an independent agency to manage the day-to-day operations of San Diego International Airport (SDIA) and address the region's long-term air transportation needs. The SDIA Airport Land Use Compatibility Plan (ALUCP) was adopted in 1992, and amended most recently in 2004, and is currently going through a comprehensive update. The purpose of the ALUCP for SDIA is to ensure compatible land use, development on and surrounding the airport. The ALUCP defines the airport influence area (AIA), which is determined by aircraft-generated noise, and requires that all future land uses and development be reviewed and designed for consistency with the existing and projected SDIA operations, including limitations on building height, construction materials, and use designations. The project site is located in the AIA. The ALUCP also addresses runway protection zones, the Airport Approach Overlay Zone (AAOZ), and aviation easements and noise attenuation efforts intended to correct the incompatibility of some current land uses. The project site is not located within a Runway Protection Zone or the current AAOZ.

### **Regional Comprehensive Plan**

The San Diego Association of Governments (SANDAG) prepared and adopted the Regional Comprehensive Plan (RCP) in July 2004. The RCP is a long-term planning framework for the San Diego region, including all cities and the unincorporated portion of the County of San Diego. The plan provides a broad context in which local and regional decisions can be made that move the region toward sustainability and smart growth. The RCP contains general goals and approaches for development in the region, to be used by each land use jurisdiction as appropriate during land use planning and development review.

### **Regional Transportation Plan**

Similar to the RCP, the Regional Transportation Plan (RTP) – MOBILITY 2030 – is the San Diego regional transportation planning blueprint prepared and adopted by SANDAG. The RTP is intended to address the intermodal and mobility challenges created by the region's growth, consisting of a set of policies, strategies, and budget allocations to maintain, manage, and improve the transportation system in the San Diego region.

## **3.1.1.2 Analysis of Project Effects and Determination of Significance**

### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, a significant land use impact would result from the proposed project if any of the following would occur:

- a) *Physically divide an established community;*
- b) *Conflict with Land Use Plans, Policies and Regulations; and/or,*
- c) *Conflict with any habitat conservation plan or natural community conservation plan.*

**City of San Diego Guidelines for Determination of Significance**

In addition to CEQA Guidelines Appendix G, the applicable City of San Diego Significance Determination Thresholds outlines the thresholds for determining impact significance for land use. Impacts to land use may be considered significant if the proposed project is:

- a) *Inconsistency/conflicts with the environmental goals, objectives, or guidelines of a community or general plan;*
- b) *Inconsistency/conflicts with an adopted land use designation or intensity and indirect or secondary environmental impacts occur;*
- c) *Substantial incompatibility with an adopted plan;*
- d) *Incompatible uses as defined in an airport land use plan or inconsistency with an airport's Comprehensive Land Use Plan (CLUP) as adopted by the Airport Land Use Commission (ALUC) to the extent the inconsistency is based on valid data; and/or,*
- e) *Inconsistency/conflict with adopted environmental plans for an area (e.g., MSCP).*

**Rationale**

The guidelines for determining significance of land use impacts of the proposed project are based on Appendix G of the CEQA Guidelines and the City of San Diego's Significance Determination Thresholds.

**Analysis****A. *Divide an Established Community***

The proposed project would be located in an urbanized area of downtown San Diego surrounded by commercial and civic uses to the west; multi-family residential uses to the north; multi-family residential uses and commercial uses to the east; and office, multi-family residential uses, parking and retail to the south. Phase 1 of the proposed project would include site preparation of the entire property, consisting of the removal of the surface parking lot and existing onsite structures, and construction of the parking garage. Should neither Phases 2a nor Phase 2b be initiated prior to completion of the parking structure, Phase 1 would include improving the areas along the southern and eastern side of the parking structure with temporary improvements (See Figure 1-5), including precast planters with shrubs and trees, concrete scoring and semi-pervious decomposed granite (DG) overlay ground treatments, and urban street furniture. As such, the development of Phase 1 would not isolate surrounding uses or divide an established community.

Similarly, Phases 2a and 2b would result in the construction of ground-floor commercial, with office and residential above. These uses are consistent with the surrounding existing development and would not divide the land use and development existing or planned for the community.

## B. *Consistency with Applicable Land Use Plans, Policies and Regulations*

### Phase 1

As explained above, Phase 1 would be exempt from the City's land use plans and regulations. Consequently, none of the City's land use plans and regulations would be "applicable". However, the County will work with the City of San Diego and CCDC to develop the public portion of the proposed project to be consistent with the policies of the San Diego General Plan, the Downtown Community Plan and the regulations of Centre City PDO with respect to building heights, setbacks, and temporary exterior improvements. The following provides a detailed analysis of the consistency of Phase 1 with the applicable land use plans, policies and regulations.

#### **City of San Diego General Plan**

The project site is designated for mixed use in the City's General Plan and the proposed project is a mixed-use project with a parking structure, commercial-retail, and residential. Therefore, the development of the parking structure under Phase 1 of the project is consistent with the City of San Diego's General Plan.

#### **Redevelopment Plan for the Center City Redevelopment Project**

The project site is located within the CCRP area. As discussed above, the primary objective of CCRP is to eliminate blight from the Downtown area, and to provide for orderly development that includes residential, commercial, and public uses through the redevelopment process as guided by California Redevelopment Law (Section 33000 of the Health and Safety Code). The proposed project would conform to this objective with the development of new mixed-use development consistent with Downtown Community Plan. However, Phase 1 of the project would be developed by the County using County funds and no redevelopment funding would be used to develop this portion of this project.

#### **Downtown Community Plan and Centre City Planned District Ordinance**

The CCRP defers to the Downtown Community Plan for guidance on allowable uses for the project site and surrounding area. Phase 1 of the proposed project is located within the boundaries of, and is consistent with the Downtown Community Plan and Centre City PDO. The project site has a land use classification of Residential Emphasis in the Downtown Community Plan; and is zoned CCPD-RE within the Centre City PDO (Figure 3-3). The Residential Emphasis land use classification of the Downtown Community Plan primarily allows residential development and limits non-residential uses to 20 percent or less of overall building area. Phase 1 of the proposed project alone, the parking structure, would not meet the ratio of residential to non-residential requirement of the Downtown Community Plan. However, at build-out of the project, which would include the completion of Phases 2a and 2b, as conceptually designed, non-residential uses would be 20 percent or less of the overall building area and, therefore, the proposed project would be consistent with the Community Plan. Additionally, the project site is also identified as "County Joint Use Parking for Neighborhood Center" in the Community Plan Vision Map for Little Italy, anticipating the development of County employee parking on this parcel. Therefore, the development of the project at buildout (all phases completed), as conceptually designed, would be consistent with allowable uses for the project site.

In addition to the above discussed land use classifications, although the County is exempt from the policies and the regulations of the City's plans and ordinances, Phase 1 of the project has been reviewed for conformance with the various elements of the Downtown Community Plan, including the Land Use and Housing, Urban Design, Neighborhoods and District, Transportation, and Health and Safety. Phase 1 as conceptually designed is consistent with the applicable Downtown Community Plan's goals and policies.

The CCRP further requires that all development comply with the regulations and standards contained in the Centre City PDO. The Centre City PDO contains regulations and controls pertaining to land uses, development densities/intensities, architectural design, building massing, landscaping, streetscaping, lighting, and other development characteristics. The PDO addresses the following issue areas: Land Use Districts (zoning); Floor Area Ratio (FAR) regulations and Transferable Development Rights; Development Regulations including, Building Height and Bulk, View Corridor Stepbacks; Urban Design Regulations; Parking Loading, Traffic and Transportation Demand Management, and Sign Regulations. Although Phase 1 is not required to comply with the PDO regulations, the following describes the consistency of Phase 1, as conceptually designed, with the PDO regulations.

**Land Use Districts (Zoning)** - The project site is zoned CCPD-RE, Residential Emphasis, which is intended to accommodate primarily residential development. Small-scale businesses, offices, services, and ground-floor active commercial uses are allowed, subject to size and area limitations. Within the Residential Emphasis District, at least 80 percent of the gross floor area must be occupied by residential uses. Non-residential uses may occupy no more than 20 percent of the gross floor area. A parking structure is an allowable use in this district, subject to a Conditional Use Permit (CUP); therefore, Phase 1 of the project would be consistent with the uses allowed by the Centre City PDO.

**Floor Area Ratio** - As provided in the Centre City PDO, the base minimum and maximum FARs set the parameters for the general bulk and intensity of development. There are no separate residential density standards. The project site is located in an area with a minimum FAR of 3.5 and a maximum FAR of 8.0. As conceptually designed, upon completion of the construction of Phase 1, the project would have a FAR of 3.85, which would be within the required minimum and maximum FAR for the project site under the Centre City PDO.

**Building Height and Bulk** – The proposed project has been conceptually designed to ensure that the project at buildout would be consistent with the building height and bulk standards of the Centre City PDO. The project site is located within the Little Italy Sun Access (LISA) Overlay District (Figure 3-4). The purpose the LISA is to maintain adequate sunlight and air to sidewalks and residential areas of Little Italy. Per the San Diego Municipal Code §156.0310(c)(1)(B) development on the blocks between Beech and Cedar Streets are required to have a building envelope at a 45° angle with the high point at Beech Street, sloping down toward Cedar Street. Maximum building height on the blocks between Beech and Cedar Streets is defined by a 45° angle measured from a height of 50 feet along the northern property line of a block of street frontage to a maximum height of 335 feet, measured 15 feet northerly of the southerly property line of a block

of street frontage. As shown in Figure 1-6, Phase 1 would be less than 100 feet high, which is consistent with the Centre City PDO.

**View Corridor Stepback** – As mentioned above, the project site is located between Beech street and Cedar Street, both of which are designated View Corridors per the Centre City PDO (Figure 3-5). Buildings or upper floors are required to provide a stepback along view corridor streets. The Phase 1 of the proposed project has been designed to meet the 15-foot stepback requirements of SDMC Table 156-0310B for both Beech and Cedar Streets.

**Residential Development Requirements** – Phase 1 of the proposed project is the development of a parking structure, no residential development would occur under this phase. Therefore, Phase 1 is not required to be consistent with the residential development requirements.

**Urban Design Regulations** - The Urban Design Regulations of the Centre City PDO are intended to create a downtown area with a distinct urban character, with development designed with a pedestrian orientation and which fosters active street life. They address the following eleven issue areas: building orientation to the public street; façade articulation; street level design; pedestrian entrances; transparency; blank walls; towers, glass and glazing; rooftops; residential, and parking facility standards. Phase 1 of the proposed project has been conceptually designed to be consistent with the Urban Design Regulations of the Centre City PDO.

**Parking** – Phase 1 would involve the development of a nine-level parking structure with a total of 640 parking spaces, which would provide enough parking spaces to meet the demand for CAC employees. As discussed in Section 1.2.1 of this EIR, the parking structure would be available to the public for use after County business hours during the week and on the weekends, which would provide additional parking spaces within the Little Italy community.

The PDO provides structured parking facility standards that address separation of the parking areas from the public sidewalk, encapsulating 50 percent of above grade parking structure building facades directly abutting street frontages with residential or non-residential uses, roof top parking, screening, interior lighting and signage. In addition, the Development and Design Regulation for Parking Facilities, San Diego Municipal Code §142.0560 apply to all parking facilities in the Centre City PDO. Phase 1 of the proposed project has been designed to be consistent with the parking requirements of the Centre City PDO.

In summary, although the County is exempt from City of San Diego policies and regulations. Phase 1 of the proposed project, as conceptually designed, would not conflict with any land use plans, policies or ordinances of the City of San Diego.

### **San Diego County Regional Airport Authority Airport Land Use Compatibility Plan**

The project site and the proposed development under Phase 1 would be within the AIA for the SDIA ALUCP. As noted above, the project site is outside of the Runway Protection Zone and AAOZ, for which further

development regulations may be applicable. As discussed in Chapter 2.2, the project site is located outside of the 65 dBA CNEL portion of the SDIA noise contours and no significant noise impacts related to aircraft noise are anticipated to occur. In addition, the Downtown Community Plan includes Airport Influence goals and policies that would require development within the Downtown Community Plan area to be consistent with the SDIA ALUCP. As discussed above, Phase 1 of the proposed project is consistent with the Downtown Community Plan. Furthermore, the proposed project would be required to obtain a consistency determination from the Airport Land Use Commission and San Diego County Regional Airport Authority to ensure the project's consistency with the SDIA ALUCP. Therefore, Phase 1 would not conflict with the SDIA ALUCP.

### **Regional Comprehensive Plan and Regional Transportation Plan**

Phase 1 of the proposed project involves the construction of a parking structure for CAC employees and preparation of the entire project site. The development of Phase I would not affect regional planning strategies, nor would it affect the transportation network planning and operation. The project is located along the rail line, with an existing transit stop for the trolley along the western portion of the project site, which would not be altered by the proposed project. While Phase 1 is not necessarily associated with smart growth principles, the project at buildout (with all phases) would provide a combination of uses, including residential, commercial and office, which could utilize the transit opportunities in place. Phase I is not expected to conflict with any policies of the RCP or the RTP, and therefore, no impact is identified under this significance criteria.

### **Phases 2a and 2b**

As noted in Chapter 1, unlike Phase 1, Phases 2a and 2b are privately-initiated development projects, which would be required to comply with the City of San Diego plans, policies and ordinances. Therefore, the following is an analysis of the consistency of Phases 2a and 2b, as conceptually designed, with the City's guiding documentation applicable to the project site as discussed above.

### **City of San Diego General Plan**

According to the City of San Diego General Plan, the project site is designated for mixed use.

### **Centre City Redevelopment Plan (CCRP)**

The project site is located within the CCRP area. Similar to Phase 1 of the proposed project, Phases 2a and 2b would conform to the CCRP's primary objective, which is to remove existing blight conditions and replace them with a new mixed-use development. The proposed project at build-out would include a mixed-use development with a parking structure, commercial/retail, and residential, which is consistent with Downtown Community Plan. Phases 2a and 2b will be privately-initiated development, which may be eligible for redevelopment funds.

### **Downtown Community Plan and Centre City Planned District Ordinance**

The CCRP defers to the Downtown Community Plan for guidance on allowable uses for the project site and surrounding area. Phases 2a and 2b of the proposed project are located within the boundaries of, and are consistent with the Downtown Community Plan (City of San Diego, 1992) and Centre City Planned District

Ordinance (City of San Diego, 2001). The project site has a land use classification of Residential Emphasis in the Downtown Community Plan and is zoned CCPD-RE in the Centre City PDO (Figure 3-3). The Residential Emphasis classification in the Downtown Community Plan allows primarily residential development and limits non-residential uses to 20 percent or less of overall building area. Phase 1 and Phase 2a of the project alone, the parking structure and commercial/office development, would not meet the ratio of residential to non-residential. With the completion of Phase 2b, as conceptually designed, non-residential uses would be 20 percent or less of the overall building area and, therefore, would be consistent with the Community Plan. Additionally, the project site is also identified as “County Joint Use Parking for Neighborhood Center” in the Community Plan Vision Map for Little Italy, anticipating the development of County employee parking on this parcel. Therefore, the development of the project at buildout (all phases completed), as conceptually designed, would be consistent with allowable uses for the project site.

In addition to the above discussed land use classifications, Phases 2a and 2b, as conceptually designed, were reviewed for conformance with the various elements of the Downtown Community Plan, including the Land Use and Housing, Urban Design, Neighborhoods and District, Transportation, and Health and Safety. The proposed design for Phases 2a and 2b is conceptual in nature at this point and will likely be refined by a private developer in the future. As conceptually designed, Phases 2a and 2b would be refined in the future, these phases as refined would be required to be consistent with the Downtown Community Plan.

The CCRP further requires that all development comply with the regulations and standards contained in the Centre City PDO. The Centre City PDO contains regulations and controls pertaining to land uses, development densities/intensities, architectural design, building massing, landscaping, streetscaping, lighting, and other development characteristics. The PDO addresses the following issue areas: Land Use Districts (zoning); Floor Area Ratio (FAR) regulations and Transferable Development Rights; Development Regulations including, Building Height and Bulk, View Corridor Stepbacks; Urban Design Regulations; Parking Loading, Traffic and Transportation Demand Management, and Sign Regulations. PDO regulations applicable to the Phases 2a and 2b, as conceptually designed, are discussed below.

**Land Use Districts (Zoning)** - The project site is zoned CCPD-RE, Residential Emphasis, which is intended to accommodate primarily residential development. Small-scale businesses, offices, services, and ground-floor active commercial uses are allowed, subject to size and area limitations. Within the Residential Emphasis District, at least 80 percent of the gross floor area must be occupied by residential uses. Non-residential uses may occupy no more than 20 percent of the gross floor area. A parking structure is an allowable use within this district, subject to a Conditional Use Permit (CUP). As discussed above, while Phase 1 and Phase 2a of the project alone would not meet the ratio of residential to non-residential uses, the project upon buildout, as conceptually designed, would be consistent with this requirement of the Centre City PDO.

**Floor Area Ratio** - As provided in the Centre City PDO, the base minimum and maximum FARs set the parameters for the general bulk and intensity of development. There are no separate residential density standards. The project site is located in an area with a minimum FAR of 3.5 and

a maximum FAR of 8.0. As conceptually designed, upon completion of the construction of Phases 2a and 2b, the buildout of the project would have a FAR of 7.75, which would be within the required minimum and maximum FAR for the project site under the Centre City PDO.

**Building Height and Bulk** – The proposed project has been conceptually designed to ensure that the project at buildout would be consistent with the building height and bulk standards of the Centre City PDO. The project site is located within the Little Italy Sun Access (LISA) Overlay District (Figure 3-4). Per San Diego Municipal Code §156.0310(c)(1)(B) development on the blocks between Beech and Cedar Streets are required to have a building envelope at a 45° angle with the high point at Beech Street, sloping down toward Cedar Street. Maximum building height on the blocks between Beech and Cedar Streets is defined by a 45° angle measured from a height of 50 feet along the northern property line of a block of street frontage to a maximum height of 335 feet, measured 15 feet northerly of the southerly property line of a block of street frontage. As shown in Figure 1-6, Phase 1 and Phase 2a would be less than 100 feet high. Development of Phase 2b, the high-rise residential component, is designed so that the building envelope is at a 45° angle with the high point, a maximum height of approximately 269 feet, at Beech Street, sloping down toward Cedar Street, as required by the Centre City PDO.

**View Corridor Stepback** – As mentioned above, the project site is located between Beech street and Cedar Street, both of which are designated View Corridors per the Centre City PDO (Figure 3-5). Buildings or upper floors are required to provide a stepback along view corridor streets. The proposed project has been conceptually designed to meet the 15-foot stepback requirements of SDMC Table 156-0310B for both Beech and Cedar Streets.

**Residential Development Requirements** – Phase 2a would involve the development of commercial/retail uses, which are not required to comply with the Residential Development Requirements. Phase 2b of the project, as conceptually designed, would involve the development of a high-rise residential structure, with retail along Kettner Boulevard and live-work lofts along the western project boundary. With approximately 163 dwelling units, the Residential Development Requirements of the PDO apply to Phase 2b of the proposed project. These requirements include: common outdoor space of 20 percent of the lot area; 500 square feet of common indoor space; at least 50 percent of all dwelling units have a minimum of 40 square feet of private open space, and 100 square feet of pet open space (i.e., permeable surfaces clearly marked for use by pets). These residential development requirements have been reviewed and incorporated into the conceptual design of Phase 2b, so that it is consistent with the Centre City PDO.

**Urban Design Regulations** - As discussed above, the urban design regulations include eleven issue areas: building orientation to the public street; façade articulation; street level design; pedestrian entrances; transparency; blank walls; towers, glass and glazing; rooftops; residential, and parking facility standards. Phases 2a and 2b of the proposed project have been conceptually designed to address all these issue areas and is consistent with the Urban Design Regulations of the Centre City PDO.

Parking – With the development of Phase 2a, as conceptually designed, approximately 52 spaces (office = 46 spaces at 1.5 spaces/1,000 SF; commercial = 6 spaces at 1/1,000 SF) would be required for the onsite commercial and office space based on the City's parking requirements in San Diego Municipal Code §156.0313. As discussed further in Section 3.1.3 – Transportation/Circulation of this EIR, Phase 1 would be able to accommodate the parking for both the CAC employees and the onsite commercial and office space (52 spaces). Therefore, Phase 2a will comply with the City's PDO relative to parking.

Phase 2b will include an expansion of the parking structure to add 160 spaces to the parking structure to accommodate the residential development associated with this phase. Additionally, a new access on Kettner Boulevard dedicated to the residential uses of Phase 2b would isolate approximately 70 spaces that were allocated for CAC employee in Phase 1, resulting in 230 total parking spaces for Phase 2b for residential uses. As discussed in Section 3.1.3-Transportation/Circulation, the reallocation of the 70 CAC employee parking spaces to residential parking spaces would reduce the available parking spaces for CAC employees to 518 spaces. However, at buildout of the entire project, the parking structure would still provide 503 employee spaces, which would meet the parking demand for CAC employees. Therefore, at buildout of the project (all phases), the proposed project will comply with the City's PDO relative to parking.

In addition, the Centre City PDO addresses off-street parking ratios for residential uses, including off-street parking ratios for dwelling units and guests, off-street loading, and motorcycle and bicycle storage/parking. As such, upon construction of Phase 2b, all three phases of the proposed project will comply with the City's PDO relative to parking.

In summary, the development of Phases 2a and 2b, as conceptually designed for this project, would not conflict with any plans, policies or ordinances of the City of San Diego. Furthermore, it is intended that the future entity responsible for development of these phases would be responsible for complying with all applicable City plans, policies and ordinances through project design.

#### **San Diego County Regional Airport Authority Airport Land Use Compatibility Plan**

Similar to the analysis for Phase 1, the proposed development under both Phases 2a and 2b would be within the AIA for the SDIA ALUCP, but the entire project site is outside of the Runway Protection Zone and AAOZ. As discussed in Chapter 2.2, the project site is located outside of the 65 dBA CNEL noise contours, which is the noise environment not suitable for residential land use. Because the project site is located outside of the 65 dBA CNEL noise contour boundary, the proposed project, specifically the proposed residential development of Phase 2b, would not experience noise levels that would exceed 65 dBA CNEL. Therefore, no significant noise impacts related to aircraft noise are anticipated to occur. In addition, the Downtown Community Plan includes Airport Influence goals and policies that would require development within the Downtown Community Plan area to be consistent with the SDIA ALUCP. As discussed above, Phases 2a and 2b of the proposed project are consistent with the Downtown Community Plan. Furthermore, similar to Phase 1, Phases 2a and 2b would be required to obtain a consistency determination

from the Airport Land Use Commission and San Diego County Regional Airport Authority. As such, Phases 2a and 2b would not conflict with the SDIA ALUCP.

### **Regional Comprehensive Plan and Regional Transportation Plan**

As discussed above for Phase 1, the project is located along the rail line, with an existing transit stop for the trolley along the western portion of the project site, which would not be altered by the proposed project. The project at buildout (with all phases) would provide a combination of uses, including residential, commercial and office, which could utilize the transit opportunities in place and is consistent with many of the smart growth principles identified within the RCP. Phases 2a and 2b would not alter or affect the transportation strategies included within the RTP, and would maintain the intermodal mobility for single-occupancy vehicles, transit, bicycle, and pedestrian, along the project frontages by maintaining right-of-ways and the provision of sidewalks consistent with the San Diego Municipal Code. Therefore, Phases 2a and 2b are not expected to conflict with any policies of the RCP or the RTP; and, therefore, no impact under this significance criteria is expected.

#### **C. *Conflict with any Habitat Conservation Plan or Natural Community Conservation Plan***

The site is currently developed with urban uses with no native vegetation or exposed soils and is not located within the City of San Diego's Multiple Species Conservation Plan (MSCP) area. In the review of the project, no conflicts with environmental plans, applicable habitat conservation plans, natural community conservation plans (NCCP) or policies adopted by other agencies have been identified. These applicable agencies include, but are not limited to: the California Regional Water Quality Control Board, the San Diego Air Pollution Control District, California Department of Fish and Game, the U.S. Fish and Wildlife Service, the California Department of Health Services, and the San Diego County Department of Environmental Health. Therefore, no impact is identified for this issue area.

### **3.1.1.3 Cumulative Impact Analysis**

As discussed above, the proposed project would not result in a significant impact related to land use for any of the project phases, and specifically would not physically divide an established community; conflict with any adopted land use plan or policy; or conflict with any habitat conservation plan or NCCP. Therefore, the development of the proposed project in conjunction with other cumulative projects would not result in a cumulatively considerable land use impact.

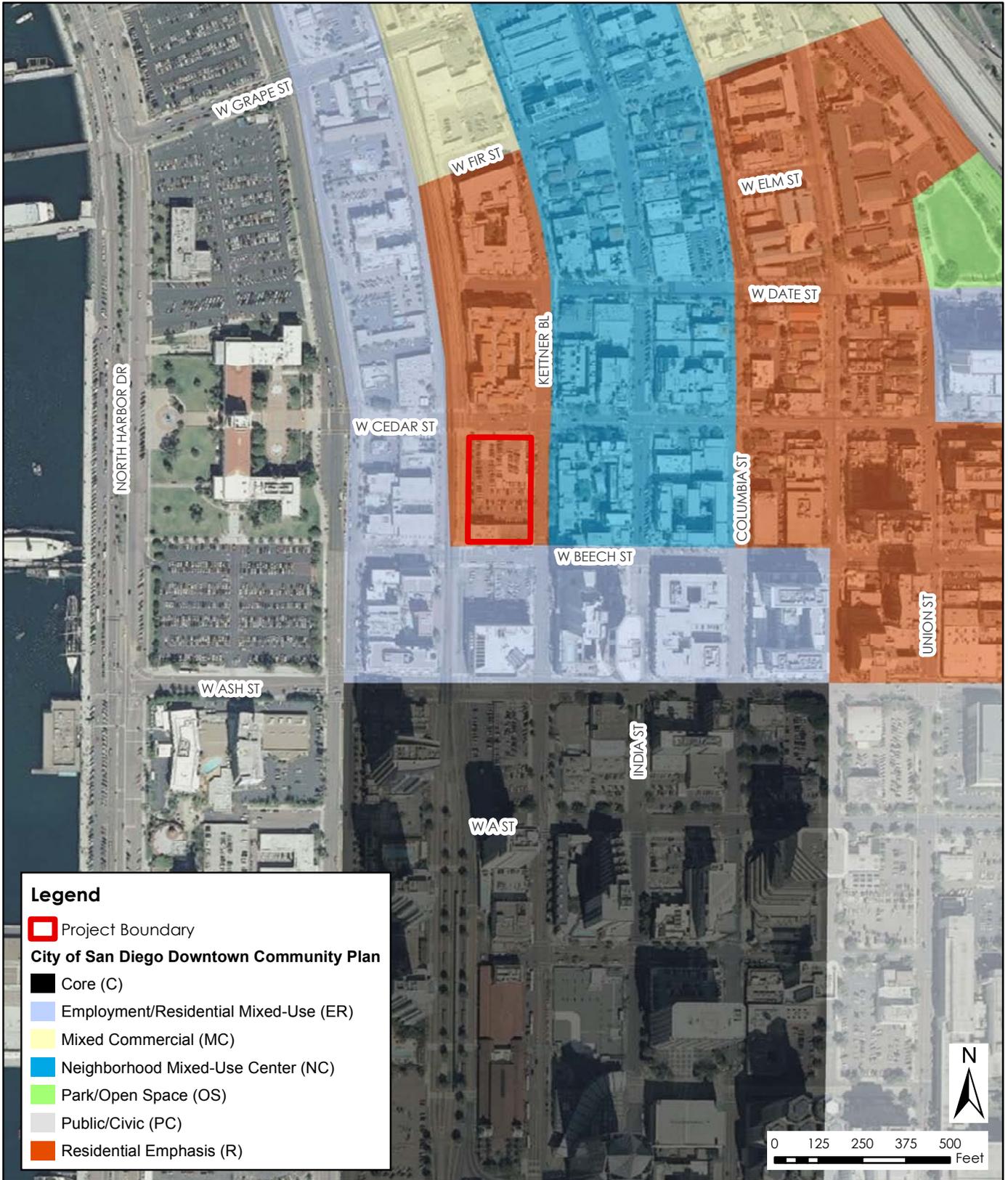
### **3.1.1.4 Conclusions**

Because Phase 1 of the proposed Project is a County facility, Phase 1 is exempt from all City of San Diego plans, ordinances, policies and regulations. However, as discussed above Phase 1 has been has been conceptually designed to be consistent with the City of San Diego General Plan, CCRP, Downtown Community Plan, and the Centre City PDO.

Phases 2a and 2b will be privately-initiated development which would be required to be consistent with all applicable City of San Diego land use plans and regulations including the City of San Diego General Plan, CCRP, Downtown Community Plan, and the Centre City PDO. As discussed above, Phases 2a and 2b, as

conceptually designed, are consistent with the applicable City of San Diego land use plans and regulations.

In addition, the proposed project is consistent with the San Diego County Regional Airport Authority ALUCP for the SDIA, Regional Comprehensive Plan, and Regional Transportation Plan. Furthermore, the proposed project would not conflict with any habitat conservation plan or natural community conservation plan. Therefore, no significant land use impacts would occur with implementation of the proposed project.



SOURCE: SanGIS, 2011; City of San Diego, 2006

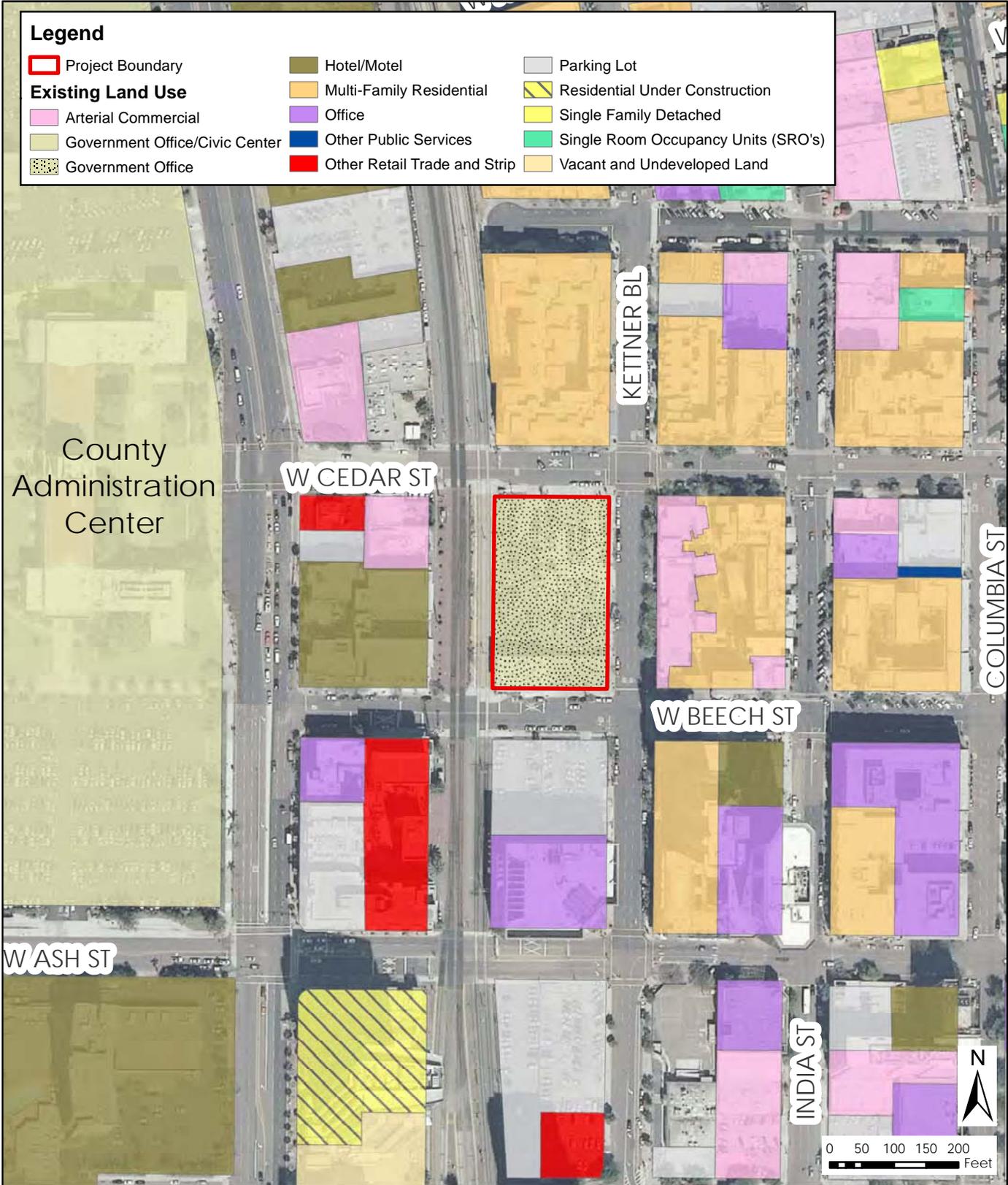
9/12/11



Cedar and Kettner Development Project

Land Use Districts

FIGURE  
3-1



SOURCE: SanGIS, 2011; BRG Consulting, Inc., 2011

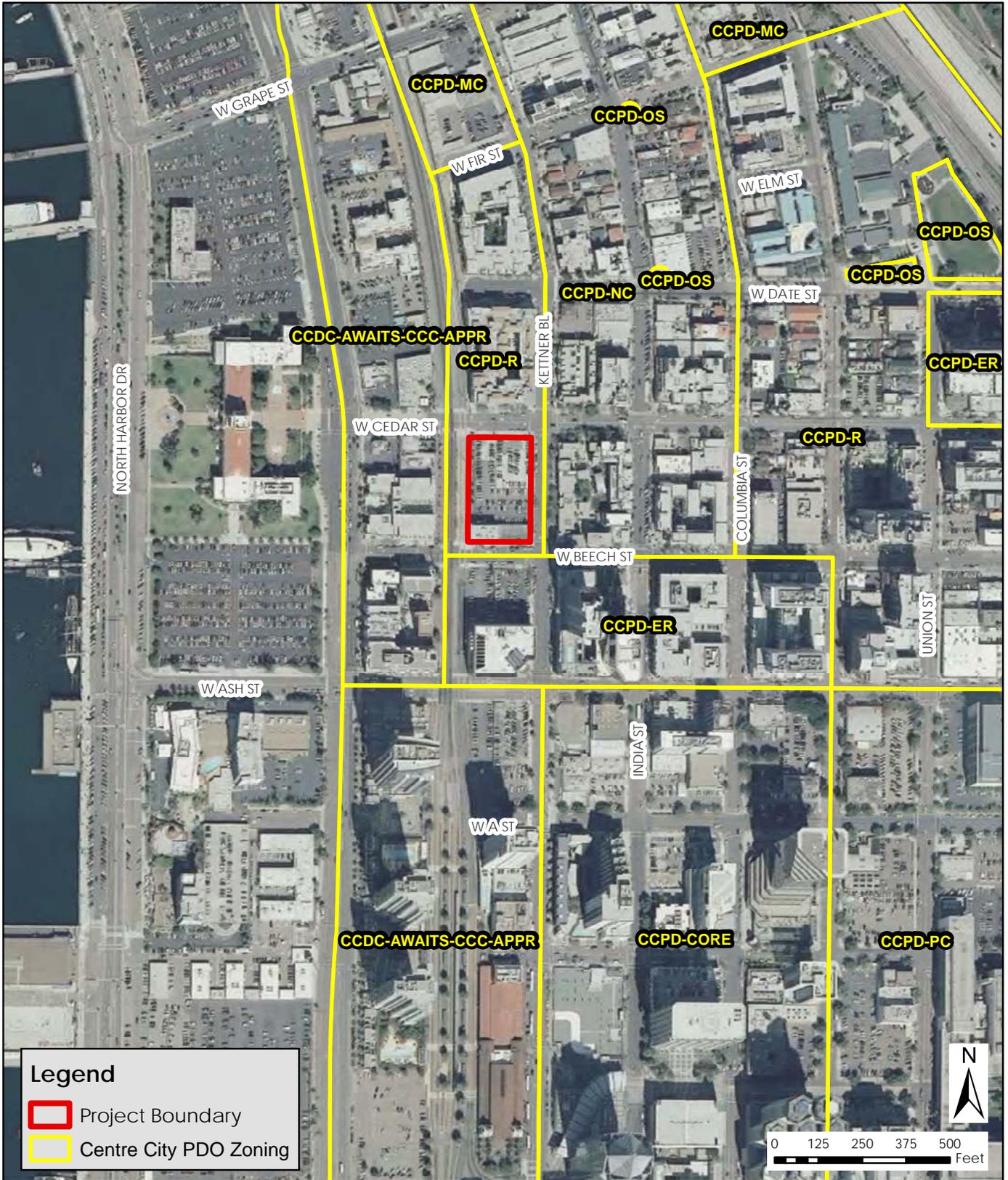
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Cedar and Kettner Development Project  
Existing Land Uses - Project Vicinity

FIGURE  
3-2

Path: D:\Projects\1101 Cedar Kettner\1st Screencheck EIR\Chapter 3\Figure 3-2 Existing Land Uses.mxd



SOURCE: SanGIS, 2011; City of San Diego, 2006

9/1/11



Cedar and Kettner Development Project

Zoning Map

FIGURE  
3-3



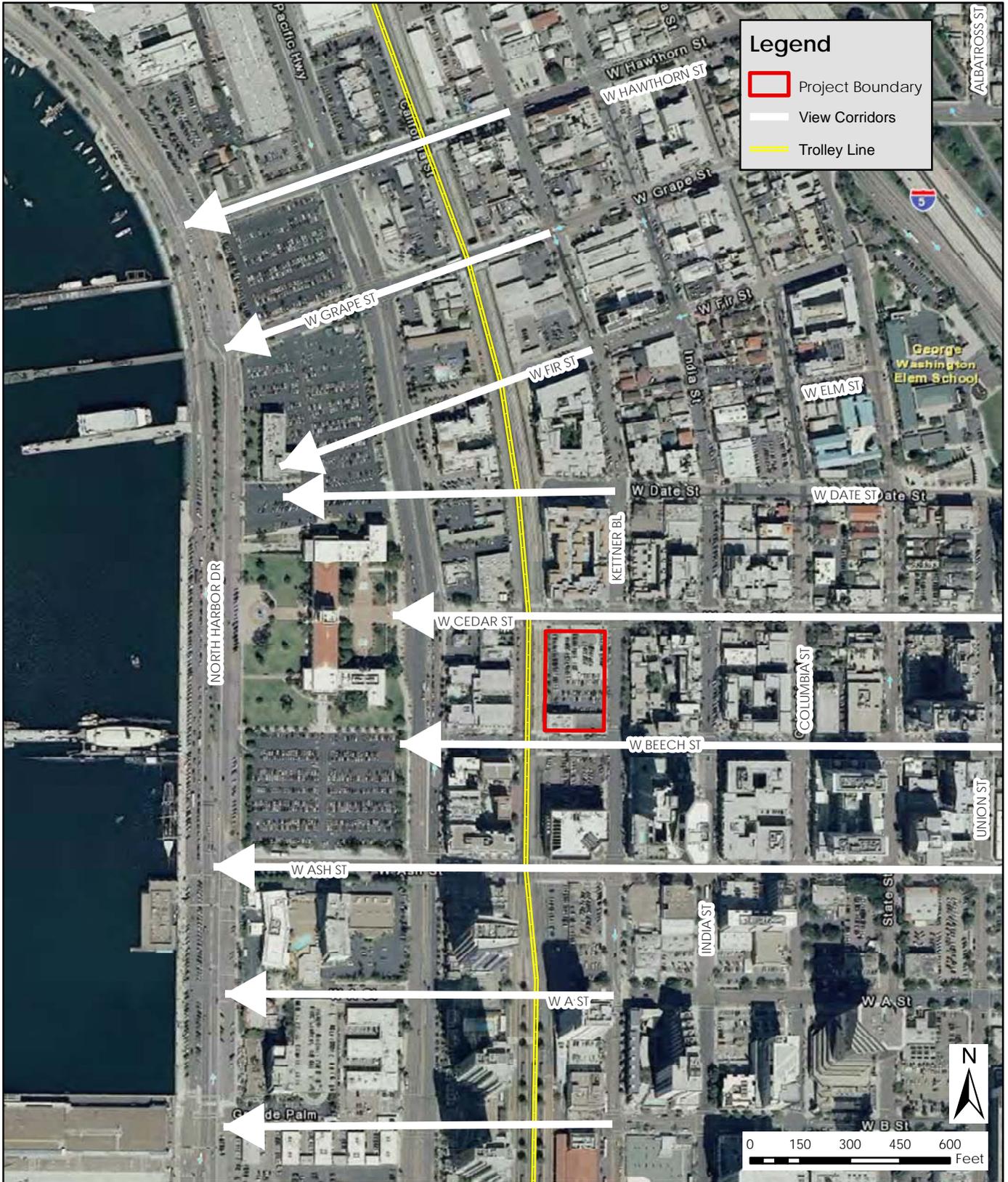
SOURCE: SanGIS, 2011; City of San Diego, 2006

9/12/11



Cedar and Kettner Development Project  
 Little Italy Sun Access Overlay

FIGURE  
 3-4



SOURCE: SanGIS, 2011; City of San Diego, 2006

9/12/11



Cedar and Kettner Development Project  
View Corridor Stepbacks

FIGURE  
3-5

### **3.1.2 Aesthetics**

#### **3.1.2.1 Existing Conditions**

##### Setting

The project site is located at the southern end of Little Italy, a highly urbanized neighborhood of downtown San Diego. The Little Italy neighborhood is characterized by such features as a grid street network, fully developed blocks, lower scale commercial, public and institutional buildings, high-rise buildings in the southern part of the neighborhood, trolley and rail lines, parking structures, and a neighborhood park (Amici Park). While the surrounding neighborhood lacks natural scenic resources like natural landforms, waterways and open space; natural and constructed visual resources occur just outside the downtown planning area boundary and can be seen from public spaces. Important visual features include San Diego Bay and distant views of Point Loma.

The project site is not adjacent to a major public roadway or public area. The elevation of the project site varies from approximately 31 feet above mean sea level (AMSL) at the northeast corner to approximately 21 feet AMSL at the southwest corner.

Visual characteristics of the neighborhood surrounding the project site include the historic County Administration Center and approved Waterfront Park, large-scale, industrial centers located close to the waterfront, high-rise office and residential buildings located in the southern part of the neighborhood; and the revitalized India Street with mixed use development of retail and restaurants, residential, and office space.

##### View Corridors

The Downtown Community Plan recognizes views and vistas of the San Diego Bay, parks and landmark buildings as significant downtown assets. The Community Plan designates view corridors and outlines design criteria to preserve and reinforce existing views of the water and of landmark buildings such as the County Administration Center at the foot of Cedar Street. View policies focus on streets and public spaces, rather than on private views.

The project site is bound by two designated view corridors, Beech and Cedar Streets, which provide views of the San Diego Bay and the County Administration Center, respectively.

#### **3.1.2.2 Analysis of Project Effects and Determination of Significance**

As explained previously, Phase 1 of the proposed project is exempt from the City's regulations. However, Phase 1 of the proposed project has been designed to generally comply with City regulations, including, building heights, setbacks, and temporary exterior improvements.

##### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, significant aesthetic impacts would result from the proposed project if any of the following would occur:

- a) *Have a substantial adverse effect on a scenic vista;*
- b) *Substantially damage scenic resources, including, but not limited to trees, rock outcroppings and historic buildings within a state scenic highway;*
- c) *Substantially degrade an existing visual character or quality of the site and its surroundings; and/or,*
- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views of the area.*

#### **City of San Diego Guidelines for Determination of Significance**

Under the City of San Diego Significance Determination Thresholds, impacts to aesthetics may be considered significant if the project would:

- a) *Block public views from designated open space areas, roads, or parks or to significant visual landmarks or scenic vistas (Pacific Ocean, downtown skyline, mountains, canyons, waterways);*
- b) *Severely contrast with the surrounding neighborhood character;*
- c) *Significantly alter the natural landform;*
- d) *Have a negative visual appearance; and/or,*
- e) *Emit or reflect a significant amount of light or glare.*

#### **Rationale**

The above thresholds were identified to address the potential impacts to visual resources based on Appendix G of the CEQA Guidelines. Existing visual resources define a region's character and identity. Scenic vistas, scenic resources, and community character and quality are resources that are valued at a local and regional level. Multiple detrimental changes in the visual environment may indirectly affect the economy, tourism, history, culture, recreation, or lifestyle. Both the CEQA Guidelines Appendix G and City of San Diego Guidelines are used in the analysis of aesthetics impacts below for all phases of the proposed project.

#### **Analysis**

##### **A. Scenic Vistas**

###### **Phase 1**

Phase 1 of the proposed project is designed to meet the view corridor regulations of the Centre City Planned District Ordinance (PDO). The parking structure would meet the required 15-foot stepback from ground level up along the Cedar Street frontage, and would not block views available through the Cedar Street view corridor. Development along Beech Street is required to have a 15-foot stepback, from an elevation of 50 feet on up. Phase 1 of the proposed project does not abut Beech Street, but is set back approximately 56 feet from Beech Street, and would not block the views available through the Beech Street View Corridor. As such, Phase 1 of the proposed project would not block views from designated

open space areas, roads, parks, or to any significant visual landmarks and scenic vistas. Therefore, no significant impact would occur related to scenic vistas.

### **Phases 2a and 2b**

Phase 2a is the construction and development of a building supporting first floor retail/commercial with the upper four floors as office space. Phase 2a would wrap around the eastern side of the parking structure, along Kettner Boulevard and is conceptually designed to maintain the required 15-foot stepback along the Cedar Street frontage, and therefore would not block views available through the Cedar Street View Corridor. Phase 2a of the proposed project has the same footprint as Phase 1 on the south side, along Beech Street and would be set back approximately 56 feet from the street and would not block views available through the Beech Street View Corridor.

Phase 2b of the proposed project would not front Cedar Street, and therefore would not block views available through the Cedar Street View Corridor. However, Phase 2b of the proposed project is conceptually designed so that the high-rise residential structure has the required 15-foot stepback from an elevation of 50 feet and up along the Beech Street frontage to ensure that it would not block views available through the Beech Street View Corridor.

Therefore, Phases 2a and 2b of the proposed project, as conceptually designed, would not block views from designated open space areas, roads, parks or to any significant visual landmarks and scenic vistas, and no significant impact would occur.

### **B. Scenic Resources/Historic Building**

The proposed project would involve the removal of the Star Building, a City-designated historic structure and adjacent warehouse (not designated as historic), located on the southern portion of the project site. While the removal of the Star Building would result in an impact to a historic resource, which is discussed in Chapter 2.1, the removal would not create an impact associated with the character of the neighborhood, as most of the existing development is new or renovated structures. Furthermore, all phases of the proposed project, as conceptually designed, would be consistent with the objectives of the Community Plan and the development regulations of the PDO. Therefore, a less than significant impact is identified for this issue area.

### **C. Visual Character**

Phase 1 of the proposed project includes development of a nine-level parking structure, with three levels below grade, and six levels above grade. Should neither Phase 2a nor Phase 2b be initiated prior to completion of Phase 1, Phase 1 would include temporary landscaping along the southern and eastern side of the parking structure.

Phase 1 is conceptually designed to be consistent with all development regulations of the PDO. Such regulations include required stepbacks, Little Italy Sun Access Criteria, Cedar and Beech Street View Corridors, building height and bulk, and the urban design guidelines. With six parking levels above grade, the Phase 1 parking structure is consistent with existing buildings and proposed projects in the immediate

neighborhood. Phase I as conceptually designed would be approximately the same height as the existing residential building to the north; higher than the three-story townhomes to the east; lower than the 28-story high-rise to the southeast; potentially smaller than the proposed 22-story high-rise to the south; larger than the trolley track and approximately the same height as the hotel to the west. This development pattern is consistent with the PDO, which allows for higher intensities in the southern portion of the Little Italy neighborhood. This phase is also conceptually designed to be consistent with the PDO requirements for building materials, building orientation, façade articulation, and structured parking facility standards. Cladding of expanded mesh or louvers is proposed along all four sides of the parking structure to screen the appearance of cars within the structure and the main pedestrian entrance is at the northwest corner of the structure along Cedar Street and would be defined by landscaping and an entry plaza.

Phase 1 would provide temporary landscape improvements to the Phase 2a and 2b areas along the southern and eastern side of the parking using a plant palette appropriate to the style of the surrounding neighborhood if neither Phase 2a or 2b is begun before Phase 1 is completed. As shown on Figure 1-5, Phase 1 Conceptual Perimeter Design Plan, the eastern side of the project site (Phase 2a area) would be paved and include precast planters with oversized potted shrubs and trees. The southern portion of the site, in the area of the proposed Phase 2b, would be left semi-pervious and covered with a decomposed granite (DG) overlay. Urban street furniture, including benches and tables, would be installed, and the area would be landscaped with precast planters and oversized potted shrubs and trees, adding to the pedestrian character of the neighborhood. The landscaping in both areas would be relocated when the subsequent phases are developed.

Similar to Phase 1 of the proposed project, Phases 2a and 2b would be designed to comply with all the development regulations of the PDO. Such regulations include required setbacks, Little Italy Sun Access Criteria, Cedar and Beech Street View Corridors, building height and bulk, tower design, the Urban Design Guidelines and the additional Standards for Residential Development. In addition, Phase 2a and Phase 2b would be designed to comply with the City of San Diego's landscape regulations contained in Municipal Code's Section 142.0401 et seq. As such, Phase 2a and 2b of the proposed project would not substantially contrast with the existing visual character of the surrounding neighborhood.

All phases of the proposed project would not substantially affect the existing visual character of the site and surrounding area. Therefore, the proposed project would not result in a significant visual character impact.

#### D. Landform Alteration

Development of the project would consist of a parking structure (Phase 1) with retail, office (Phase 2a) and high-rise residential structure (Phase 2b). The development is proposed on a relatively flat area with existing development in a highly urbanized neighborhood of downtown. Phase 1 of the proposed project would include the site preparation for the entire property in anticipation of the construction of Phase 1 by the County, and opportunity for the future development of Phases 2a and 2b. Because the proposed project is located on an existing developed site on a relatively flat area, the proposed project would not result in a

substantial change to the topography or ground surface relief features. Therefore, no significant impact would occur associated with landform alteration.

#### E. Light and Glare

As discussed in Chapter 1 of this EIR, because the County owns the project site and will construct a County parking facility and prepare the entire site in Phase 1 of the project, Phase 1 is exempt from the City of San Diego's regulations, including the City's PDO requirements for light and glare and the Urban Design Guidelines. Therefore, although Phase 1 is not required to be consistent with the City PDO requirements, Phase 1 is conceptually designed to be consistent with the Structured Parking Facility Standards of the PDO (Municipal Code Section 156.0313 et seq.), regarding headlight obscuring screening for parking levels above ground, interior lighting designed so that the light source is not directly visible from the exterior of the garage, and roof-top parking fixtures that are designed so that the light source is shielded from view of any property line. Phase 1 of the proposed project is conceptually designed to be consistent with the Performance Standards (Municipal Code Section 156.0312 et seq.) of the PDO, including those regarding building reflectivity. Therefore, Phase 1 of the proposed project would not result in a significant impact associated with glare.

Phases 2a and 2b of the proposed project would be privately developed and would be required to be designed to be consistent with the City PDO requirements regarding building reflectivity and lighting, and with the Urban Design Guidelines of the PDO (Municipal Code Section 156.0311 et seq.) regarding building materials, and glass and glazing. Therefore, Phases 2a and 2b of the proposed project would not result in a significant impact associated with glare.

The increase in the development area associated with all phases of the proposed project would result in an increase in the amount of ambient light shed into the nighttime sky. However, the project is located within a densely urbanized area and the increase in nighttime light emissions would comply with City regulations and would not be substantially different than the surrounding development area. Therefore, the proposed project would not result in a significant impact associated with increase in light shed into the nighttime sky.

#### **3.1.2.3 Cumulative Impact Analysis**

As discussed above, the proposed project would not result in a significant impact related to scenic vistas, scenic resources, visual character, and light and glare. Therefore, the development of the proposed project in conjunction with other cumulative projects would not result in a cumulatively considerable aesthetics impact.

#### **3.1.2.4 Conclusions**

Based on the analysis above, no significant aesthetic impacts would occur with implementation of the proposed project.

### **3.1.3 Transportation/Circulation**

The transportation/circulation analysis provided in this section is based on the *Cedar-Kettner Mixed-Use Development Trip Generation Assessment*, *Cedar-Kettner Mixed-Use Development Traffic Analysis* and the *County of San Diego Administrative Center Parking Demand Analysis*; all prepared by Fehr & Peers. These documents are provided as Appendix E1, E2, and E3, respectively, on the attached CD of Technical Appendices found on the back cover of this EIR. In addition, portions of Section 5.2 (Transportation, Circulation, Access and Parking) of the Downtown Community Plan EIR are incorporated by reference in the analysis provided below.

#### **3.1.3.1 Existing Conditions**

##### Methodologies

##### **County Administration Center Trip Redistribution**

With the construction of the Cedar and Kettner project, County employees currently parking in two existing CAC surface parking lots will park in the new parking structure. Peak hour driveway counts were conducted in April 2011 at the six existing CAC parking lot driveways to determine the number of peak hour trips accessing the existing CAC lots. Count datasheets are included in Attachment 1 of Appendix E2. The trips were then redistributed from the CAC parking lot driveways to the project site using appropriate professional methodologies. Table 3.1.3-1 displays the total number of CAC employee vehicle trips that would be redistributed to the project site.

##### **Project Trip Generation Estimates**

Trip generation estimates were derived using the *City of San Diego Trip Generation Manual* (City of San Diego, 2003), Centre City cumulative trip generation rates. Table 3.1.3-2 presents the trip generation estimates for Phases 1, 2a, and 2b of the proposed project.

As shown in Table 3.1.3-2, Phase 1 of the project would only reroute existing traffic from existing CAC parking lots to the new parking structure and would not generate any new trips. Under Phases 2a and 2b, the proposed project would generate a total of 626 and 737 daily trips, respectively, for a total of 1,363 daily trips for the project as a whole upon its completion.

##### **Traffic Operations**

The traffic operations analysis focused on the intersections surrounding and adjacent to the project site. Traffic operations at the following five intersections were analyzed under both the with-project and without-project conditions:

- Cedar Street & Pacific Highway
- Cedar Street & Kettner Boulevard
- Beech Street & Pacific Highway
- Beech Street & Kettner Boulevard
- Ash Street & Pacific Highway

The traffic analysis of with project conditions also included review of project driveway locations.

Average intersection delay and level of service (LOS) were derived using methodologies consistent with those outlined in the 2000 Highway Capacity Manual (HCM). SYNCHO 6 Traffic Analysis Software was used to analyze the intersection traffic operations.

### **Existing Traffic Conditions**

Traffic counts were conducted in April 2011 at the five study area intersections. Table 3.1.3-3 displays existing traffic operations at the study intersections. As shown in Table 3.1.3-3, all intersections surrounding the project site currently operate at acceptable LOS B or better.

### **Existing CAC Parking Demand**

Under the County's 2003 *Waterfront Park Master Plan*, the surface parking lots located on both sides of the CAC building (north and south) would be eliminated and replaced with public park space and a subsurface parking structure for CAC visitors, VIPs/County executives, and park visitors. This 250 space subterranean lot would be accessible via a driveway on Ash Street, between Pacific Highway and Harbor Drive. CAC employee parking would be relocated to the proposed project site.

Hourly parking occupancy counts were conducted in April 2011 at the two existing CAC parking lots. The maximum overall parking occupancy for the CAC facility occurred between 10:00 AM and 11:00 AM with 835 of the 1,118 spaces occupied (75%), broken down as follows:

- 19 occupied disabled parking spaces (90%)
- 152 occupied visitor parking spaces (90%)
- 148 occupied reserved employee spaces (71%)
- 516 occupied employee spaces (72%)

Based upon the existing parking occupancy, the CAC employee parking demand (reserved and employee parking) peaked at 664 occupants (with 900 current employees), resulting in a parking demand ratio of 0.74 (664 spaces/900 employees) spaces per employee.

### **Transit**

The downtown area is served by a variety of transit services, including intercity passenger rail, commuter rail, light rail, and an extensive network of local bus routes, connecting the downtown area to the rest of the region.

### **San Diego Trolley**

Two trolley lines run to and through downtown, forming a loop within the downtown area. The Blue Line connects to Old Town in the north and National City, Chula Vista, and San Ysidro in the south. The Blue Line stops adjacent to the project site at the County Center/Little Italy Trolley Station. The Orange Line runs from El Cajon, La Mesa, and Lemon Grove in the east and terminates downtown (its closest stop to the project site is at Santa Fe Depot).

The Trolley operations plan is scheduled to change in mid-to-late 2012. The County Center/Little Italy Trolley State will be served by the Green Line, which will connect Downtown San Diego to Old Town, Mission Valley, San Diego State University, El Cajon and Santee. The Orange Line (to National City, Chula Vista, and San Ysidro) will be accessible with a three-block walk to the Santa Fe Depot (Orange Line) or America Plaza (Blue Line).

~~Mission Valley in the north, and to National City, Chula Vista, and Imperial Beach in the south; ending at the international border in San Ysidro. The Green Line extension provides a connection to San Diego State University. The Orange Line runs from El Cajon, La Mesa, and Lemon Grove in the northeast and terminates in the downtown. There is an existing trolley station on the west side of the project site that will not be altered by the proposed project.~~

### **Coaster Commuter Rail**

The Coaster is a commuter rail service operated by the North County Transit District. The service connects the Oceanside Transit Center, Carlsbad Village, Carlsbad Poinsettia, Encinitas, Solana Beach, Sorrento Valley, the Old Town Transit Center, and downtown. It uses the historic Santa Fe Depot as its downtown terminal.

### **Amtrak Intercity Rail**

Amtrak currently provides nine daily intercity connections between downtown and Los Angeles and beyond, with local stops in Oceanside and Solana Beach.

### **Local/Express Buses**

Bus routes serve downtown with wide service coverage and frequent service linking the downtown area with outlying communities. In addition, peak period express bus service links the downtown area with residential communities along the I-8 and I-15 corridors.

### **Non-Motorized Transportation**

The downtown environment includes a wide variety of land uses in close proximity, providing numerous opportunities for non-motorized travel including pedestrian, bicycle, and pedicab. Downtown residents, as well as employees and visitors, are able to accomplish many of their daily errands without the need for an automobile.

## **3.1.3.2 Analysis of Project Effects and Determination of Significance**

### Guidelines for Determination of Significance

The significance thresholds contained in Section 5.2.2 of the Downtown Community Plan EIR are included here because they are specific thresholds for the downtown area. For purposes of this EIR, a significant impact would occur if the proposed project would:

- Cause the LOS on a roadway segment or intersection to drop below LOS E<sup>1</sup> (Table 3.1.3-4);
- Cause the LOS on a freeway segment to drop below LOS E, or cause a ramp delay in excess of 15 minutes;
- Cause the capacity and service capabilities of existing and planned transit services to be exceeded;
- Substantially discourage use of non-motorized forms of transportation;
- Create an average demand for parking which would exceed the available average supply.

In addition, Appendix G of the CEQA Guidelines is used to provide direction for determination of a significant traffic/circulation impact from the proposed project.

- Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;
- Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities;
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or,
- Result in inadequate emergency access.

The City of San Diego has a threshold for determining if a project, which is consistent with the Downtown Community Plan, requires further detailed traffic and circulation analysis in a project-specific Traffic Impact Assessment (TIA), beyond what was analyzed in the Downtown Community Plan EIR. This threshold is a project-generated traffic volume of 2,400 average daily trips (ADT) or project-generated traffic of 200 vehicles at the peak hour (VPH). The determination of ADT generated by a proposed project is based on the type and size of project and the trip generation rates for the Centre City as specified in the Trip Generation Manual of the San Diego Municipal Code for land development. As shown in the Trip Generation Assessment (Appendix E1), the proposed project would generate a total of 1,363 ADT at buildout of all three phases and a maximum of 155 VPH during the p.m. peak hour at buildout. Therefore, because the proposed project has been designed to be consistent with the Downtown Community Plan

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<sup>1</sup> Consistent with City of San Diego and CCDC guidelines, LOS E was identified as the minimum acceptable LOS for peak hour intersection operations for intersections located within the downtown area.

designation for the project site and because the project at buildout would not exceed the threshold for ADT or peak hour trips, a detailed TIA is not required for the project.

### Analysis

#### **Existing plus Project Conditions**

Traffic counts were conducted at five study-area intersections in April 2011 to determine the existing traffic conditions at those intersections. Traffic generated by the proposed project was added to those existing conditions to determine if the project would cause significant traffic impacts at those five intersections.

As shown in Table 3.1.3-5, all intersections surrounding the proposed project are projected to operate at acceptable LOS E or better under the Existing Plus Full Project (all phases) conditions. Consistent with the City of San Diego and CCDC guidelines, LOS E is identified as the minimum acceptable LOS for peak hour intersection operations for intersections located within the downtown area. Therefore, the proposed project is not anticipated to have any direct traffic related significant impacts on the surrounding intersections.

All three project driveways are projected to operate at LOS C or better under Existing Plus Full Project conditions. Vehicles accessing the project driveways are projected to cause none to minimal queuing along the roadways adjacent to the project site. Therefore, no significant traffic impact would occur.

#### **Near-Term Conditions**

Near-term conditions were analyzed to determine if the project would cause any significant traffic impacts during the first year that Phase 1 operates. Near-term conditions assumed a five percent cumulative growth rate on the roadways surrounding the project site. Table 3.1.3-6 displays the traffic operations for the study intersections under near-term conditions (without project). As shown in Table 3.1.3-6, all intersections surrounding the project site are projected to operate at acceptable LOS B or better under near-term conditions.

#### **Near-Term With Project Conditions**

Near-term with project conditions included a review of traffic conditions at the study intersections under the following *with-project* scenarios:

- Phase 1 - Redistribution of CAC employee trips from the existing CAC lots to the proposed parking structure.
- Phase 2a - Inclusion of traffic generated from Phase 1 and the proposed Phase 2a land uses (retail and office).
- Phase 2b (Project Buildout) - Full buildout of the project with inclusion of traffic generated from all project phases.

Table 3.1.3-7 displays traffic operations under all three of the *with-project* scenarios outlined above. As shown in Table 3.1.3-7, all intersections surrounding the project site are projected to operate at acceptable

LOS E or better under Phase 1, Phase 2a and Phase 2b conditions. Consistent with the City of San Diego and CCDC guidelines, LOS E is identified as the minimum acceptable LOS for peak hour intersection operations for intersections located within the downtown area. Therefore, the proposed project would not result in a significant traffic impact under near-term with project conditions.

As shown in Table 3.1.3-7, all three project driveways are projected to operate at acceptable LOS C or better under each of the phases (Phase 1, Phase 2a, and Phase 2b). Vehicles accessing the project driveways are projected to cause none to minimal queuing along the roadways accessing the project site. Therefore, no significant traffic impact would occur.

### **Freeway System and Ramp Delay**

As described above under the Project Trip Generation Estimates, Phase 1 of the project would not generate any new trips. The proposed project would generate 626 and 737 daily trips under Phases 2a and 2b of the project, respectively, for a total of 1,363 new daily trips for the project as a whole upon its completion. According to Section 5.2 (Transportation, Circulation, Access and Parking) of the Downtown Community Plan EIR, at buildout of the Downtown Community Plan area, eight of the nine freeway segments within the downtown area would operate at LOS F. However, Policy 7.4-P-4 was included in the Downtown Community Plan to promote solutions for freeway congestion and reduced significant impacts. The proposed project is consistent with the Downtown Community Plan and would generate an increase trips on roadways within the Downtown area. However, the average daily trips generated by the proposed project would disperse from their origin onto other roadways in the downtown area. As such, the daily trips generated by the proposed project would not result in a significant impact on the freeways and ramps serving downtown.

### **Public Transit**

Section 5.2 (Transportation, Circulation, Access and Parking) of the Downtown Community Plan EIR is incorporated by reference. According to that EIR, the development of downtown area under the proposed Community Plan would increase the demand for transit service including the Trolley and bus service. However, SANDAG, which is responsible for long-range planning for transit, indicates that existing and planned transit services would have the capacity to meet the increased demand (CCDC, 2006).

As such, because the proposed project is located within the Community Plan area, the analysis provided in Section 5.2 of the Downtown Community Plan EIR for public transit would apply to the proposed project. As such, the proposed project would not cause the capacity and service capabilities of existing and planned transit services to be exceeded. Furthermore, the proposed project would not alter or otherwise affect the existing transit stop located along the western project site boundary. Therefore, no significant impact related to transit services would occur with implementation of the proposed project.

### **Non-Motorized Forms of Transportation**

The proposed project would not substantially discourage use of non-motorized forms of transportation such as walking or bicycling because the proposed project would not impede pedestrian or bicycle paths. The proposed project would include the development of sidewalks and building access that comply with the

Americans with Disabilities Act (ADA) standards. Therefore, no significant impact is identified related to non-motorized forms of transportation.

### **Parking Demand**

Under the CAC Waterfront Master Plan, and as required for mitigation of the Waterfront Park, parking associated with the CAC will be divided into the subterranean lot and the proposed parking structure. The County intends for all CAC employees (other than County executives) to park in the new County parking structure, while CAC visitors, VIPs/County executives, and park visitors would park in the subterranean lot. Based on the CAC Waterfront Master Plan, the 250 spaces in the subterranean lot would be allocated as follows:

- 10 vanpool spaces
- 16 spaces reserved for VIPs/County executives
- 224 visitor parking spaces (56 allocated for the park, 168 located for CAC visitors)

#### Visitor Parking Demand

A parking demand survey was completed for this project to ensure that the existing parking needs for the CAC would be accommodated by the parking to be provided at the CAC and the proposed Cedar and Kettner Development Project. Based on the hour-by-hour occupancy data, CAC visitor parking demand peaked at 159 visitors. As such, the proposed subterranean lot at the CAC would provide enough parking spaces to accommodate this demand, and the additional demand generated by the new Waterfront Park (56 spaces), therefore avoiding the need for offsite visitor parking.

#### CAC Employee Parking Demand

The CAC employee parking will be relocated to the proposed parking structure at the project site, with exception of VIPs/County executives who would park in the subterranean lot on the CAC site. Based on the Parking Demand study prepared by Fehr and Peers (Appendix B of this EIR), the existing CAC employee parking demand ratio (0.74 spaces/employee) was applied to the projected number of employees (680) who would work at the CAC based on Department of General Services facilities planning for County Departments, to derive a future parking demand of 503 spaces (680 employees X 0.74 spaces/employee).

The following section describes the parking demand and proposed parking supply associated with each phase of the project. Table 3.1.3-8 provides a summary of the parking demands and proposed parking the proposed project.

#### Phase 1 Parking

The proposed parking structure developed under Phase 1 would provide 640 spaces, which would more than meet the parking demand of 503 spaces for CAC employees. Therefore, Phase 1 of the proposed project would meet the required parking demands, and no impact is identified.

### Phase 2a Parking Demand

With the development of Phase 2a, as conceptually designed, approximately 50 spaces (30,590 SF Office = 46 spaces at 1.5 space/1,000 SF.; 6,000 SF Commercial = 6 spaces at 1/1,000 SF; 46 + 6 = 52.) would be required for the onsite commercial and office space based on the City's parking requirements in the San Diego Municipal Code Section 156.0313. The 52 parking spaces needed for Phase 2a would be provided by the 640 spaces constructed within the parking structure during Phase 1. (640 spaces minus 503 spaces for CAC employees equals 137 excess spaces.) Therefore, construction of Phase 2a would reduce the available CAC employee parking spaces to 588, which would still meet the employee parking demand of 503 spaces. Phase 2a of the project would comply with the City's PDO relative to parking.

### Phase 2b

Phase 2b will include an expansion of the parking structure to add 160 spaces to the parking structure to accommodate the residential development associated with this phase. Additionally, a new access (ingress and egress driveway) on Kettner Boulevard would be developed and dedicated to the residential development within Phase 2b. The development of this new driveway would result in the isolation of approximately 70 of the Phase 1 parking spaces, resulting in a total of 230 parking spaces for the Phase 2b residential development. Therefore, the parking available for CAC employee would then be reduced to 518 spaces, which would still meet the CAC employee parking demand of 503 spaces. (640 spaces minus 52 spaces for Phase 2a, minus 70 spaces for Phase 2b equals 518 spaces.) Therefore, at buildout of the project (all phases), the proposed project would comply with the City's PDO relative to parking.

### Public Parking

In addition, the CAC employee parking spaces would be available after business hours for use by the public. This proposal would provide additional parking opportunities to the Little Italy community.

### **Adopted Policies, Plans, or Programs**

The proposed project would not change the existing surrounding circulation network and would be compatible with the land use for the project location. Therefore, it will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, no significant impact is identified for this issue area.

Under the with-project conditions, all intersections were projected to operate at acceptable LOS E. Furthermore, the proposed project has been designed to include the implementation of Transportation Demand Management (TDM) measures to decrease travel demand on the surrounding circulation system. The following are the TDMs that would be implemented for the proposed project:

- A bulletin board, displaying transportation information for employees, which will include maps, routes and schedules for public transit routes serving the site, telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators; ridesharing promotional material supplied by commuter-oriented organizations; bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;

- A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site;
- Shuttle bus to other County offices;
- Bicycle racks;
- A safe and convenient zone in which vanpool and carpool vehicles may deliver or board passengers;
- Sidewalks/pathways for external pedestrian circulation; and,
- ~~• A designated public bus stop will be pursued by the County for the subject property;~~
- Established start and end shift times for employees outside the peak commute hours.

Therefore, the proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

Because all intersections surrounding the project site are projected to operate at acceptable LOS E or better under Phase 1, Phase 2a, and Phase 2b conditions, the proposed project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Therefore, no significant impact is identified for this issue area.

### **Air Traffic Patterns**

Based on the FEIR for the *Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Centre City Redevelopment Plan* (CCDC, 2006), the Downtown Community Plan is designed to integrate and implement the Airport Land Use Compatibility Plan (ALUCP) for the San Diego International Airport (SDIA). To minimize aircraft risk, the Downtown Community Plan includes airport influence goals and policies that would require consistency with the proposed ALUCP. For example, building heights must be consistent with the SDIA ALUCP and the City of San Diego restrictions. The proposed project, as conceptually designed, complies with the Federal Aviation Administration requirements for consistency with airport height and safety regulations and the City's PDO. Furthermore, should any refinement of the project design take place at a later date, the project will be required to comply with any applicable regulations related to air traffic patterns, including building heights and materials. Therefore, the proposed project would not result in a significant impact related to a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

### **Hazards Due to Design Feature**

The proposed project would not change the existing surrounding circulation network and would be compatible with the land use for the project location. As such, the proposed project would not substantially increase hazards due to a design feature and no significant impact would occur.

### **Emergency Access**

Traffic access to the project site is proposed at three locations. The first driveway would be located off Cedar Street, the second driveway is proposed off Beech Street, and the last one would be off Kettner Boulevard. Access into the CAC parking structure would be provided at two separate points, two lanes for entrance on Beech Street and two lanes for exist on Cedar Street. Parking for the residential development and Phase 2b retail would be constructed to connect underground to the CAC parking structure (Phase 1), with ingress and egress access for this phase limited to a driveway on Kettner Boulevard. With the proposed three driveways on the project site, adequate site ingress and egress would be provided and public street operations would not be negatively affected. Therefore, the proposed project would not result in a significant impact related to inadequate emergency access.

### **3.1.3.3 Cumulative Impact Analysis**

The proposed project, as conceptually designed, is consistent with the Downtown Community Plan and, therefore would not introduce new or unanticipated uses that would generate substantially more traffic than what was analyzed in Section 6.2.6 of the Downtown Community Plan EIR.

Under the with-project conditions, all intersections surrounding the project site were calculated to operate at acceptable LOS E or better under all phases of the project. Average daily trips generated by the proposed project would disperse from their origin onto other roadways in the downtown area. Therefore, the traffic volumes generated from the proposed project combined with the increases in traffic with other cumulative projects would not result in a cumulatively considerable impact to grid or surrounding streets.

As described above, the average daily trips generated by the proposed project would disperse from their origin onto other roadways in the downtown area, without creating a noticeable increase in ADT at the nearest freeway ramps. As such, the daily trips generated by the proposed project combined with the daily trips of the cumulative projects would not result in a cumulatively considerable impact on the freeways and ramps serving downtown.

Generally, the buildout of the downtown area could create a significant parking impact due to the potential for demand to exceed supply in combination with new parking demand generated in the surrounding neighborhoods. However, the proposed project would develop a parking structure that would provide adequate parking onsite. Therefore, the proposed project would not result in a cumulatively considerable impact related to inadequate parking supply.

### **3.1.3.4 Conclusions**

Based on the analysis above, the proposed project would not result in significant or cumulative traffic impacts. All impacts are below a level of significance.

TABLE 3.1.3-1  
Redistributed CAC Employee Parking Peak Hour Trips

	AM Peak Hour		PM Peak Hour	
	In	Out	In	Out
Relocated CAC Employee Parking	420	44	51	376

Source: Fehr & Peers, 2011.

TABLE 3.1.3-2  
Cedar Kettner Development Trip Generation

Land Use	Units	Trip Rate	ADT	AM Peak					PM Peak				
				%	Trips	In:Out	In	Out	%	Trips	In:Out	In	Out
<b>Phase 1</b>													
The parking structure would only reroute existing trips and is not projected to generate any new trips.													
<b>Phase 2a</b>													
Retail	6,400 SF	18/1000 SF	115	3	3	6:4	2	1	9	10	5:5	5	5
Office	25,520 SF	(1)	511	13	67	9:1	60	7	14	72	2:8	14	58
<b>Phase 2a Total</b>			<b>626</b>		<b>70</b>		<b>62</b>	<b>8</b>		<b>82</b>		<b>19</b>	<b>63</b>
<b>Phase 2b</b>													
Retail	4,700 SF	18/1000 SF	85	3	3	6:4	2	1	9	8	5:5	4	4
Housing	163 DU	4/DU	652	8	52	2:8	10	42	10	65	7:3	46	19
<b>Phase 2b Total</b>			<b>737</b>		<b>55</b>		<b>12</b>	<b>43</b>		<b>73</b>		<b>50</b>	<b>23</b>
<b>Project Total</b>			<b>1,363</b>		<b>125</b>		<b>74</b>	<b>51</b>		<b>155</b>		<b>69</b>	<b>86</b>

Notes: (1) = Office Trip Generation Rate =  $.85\ln(T) = .756\ln(x) + 3.95$

Source: Fehr & Peers, 2011.

**TABLE 3.1.3-3**  
**Traffic Operations – Existing Conditions**

#	Intersection	Existing			
		AM		PM	
		Delay (Sec)	LOS	Delay (Sec)	LOS
1	Cedar Street & Pacific Highway (Signal)	12.9	B	14.4	B
2	Cedar Street & Kettner Boulevard (AWSC)	8.8	A	11.0	B
3	Beech Street & Pacific Highway (TWSC)	9.4	A	9.9	A
4	Beech Street & Kettner Boulevard (AWSC)	8.4	A	9.8	A
5	Ash Street & Pacific Highway (Signal)	18.0	B	18.8	B

Notes: AWSC = All-Way Stop Controlled Intersection

TWSC = Two-Way Stop Controlled Intersection

Source: Fehr & Peers, 2011.

**TABLE 3.1.3-4**  
**Significant Transportation Impact Thresholds**

Level of Service *	Allowable Change Due to Project Impact **					
	Freeways		Road Segments		Intersections	Ramp Metering
	V/C <sup>1</sup>	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay (min) <sup>2,3</sup>
<b>E</b> (or ramp meter delays above 15 min.)	0.010	1.0	0.02	1.0	2.0	2.0
<b>F</b> (or ramp meter delays above 15 min.)	0.005	0.5	0.01	0.5	1.0	1.0

Notes 1: V/C = Volume/Capacity Ratio

Note 2: The City of San Diego's allowable increase in delay at a ramp meter with more than 15 minutes delay and freeway LOS E is 2 minutes.

Note 3: The City of San Diego's allowable increase in delay at a ramp meter with more than 15 minutes delay and freeway LOS F is 1 minute.

\* = All LOS measurements are based upon Highway Capacity Manual procedures for peak-hour conditions. However, V/C ratios for roadway segments are estimated on an ADT/24-hour traffic volume basis (using Table 2 of the City's Traffic Impact Study Manual). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped locations). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

\*\* = If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are determined to be significant. The project applicant shall then identify feasible improvements (within the Traffic Impact Study) that would restore/and maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see above \* note), or if the project adds a significant amount of peak-hour trips to cause any traffic queues to exceed on- or off- ramp storage capacities, the project applicant shall be responsible for mitigating the project's direct significant and/or cumulatively considerable traffic impacts.

Source: City of San Diego Traffic Impact Manual, 2007.

**TABLE 3.1.3-5**  
**Traffic Operations – Existing plus Project Conditions**

#	Intersection	Existing +Project			
		AM		PM	
		Delay (Sec)	LOS	Delay (Sec)	LOS
1	Cedar Street & Pacific Highway (Signal)	11.7	B	14.5	B
2	Cedar Street & Kettner Boulevard (AWSC)	11.1	B	44.1	E
3	Beech Street & Pacific Highway (TWSC)	9.7	A	10.6	B
4	Beech Street & Kettner Boulevard (AWSC)	14.1	B	11.9	B
5	Ash Street & Pacific Highway (Signal)	18.6	B	17.0	B
6	Cedar Street & Project Driveway (TWSC)	9.6	A	15.4	C
7	Beech Street & Project Driveway (TWSC)	No Conflicting Movements		No Conflicting Movements	
8	Kettner Boulevard & Project Driveway	10.7	B	11.1	B

Notes: AWSC = All-Way Stop Controlled Intersection

TWSC = Two-Way Stop Controlled Intersection

No Conflicting Movements indicates that the project driveway only allows right-turn inbound movements, without any conflicting movements and additional intersection delay.

Source: Fehr & Peers, 2011.

**TABLE 3.1.3-6**  
**Traffic Operations – Near-Term Conditions**

#	Intersection	Existing			
		AM		PM	
		Delay (Sec)	LOS	Delay (Sec)	LOS
1	Cedar Street & Pacific Highway (Signal)	13.0	B	16.1	B
2	Cedar Street & Kettner Boulevard (AWSC)	9.0	A	11.5	B
3	Beech Street & Pacific Highway (TWSC)	9.5	A	9.9	A
4	Beech Street & Kettner Boulevard (AWSC)	8.5	A	10.2	B
5	Ash Street & Pacific Highway (Signal)	18.1	B	18.9	B

Notes: AWSC = All-Way Stop Controlled Intersection

TWSC = Two-Way Stop Controlled Intersection

Source: Fehr & Peers, 2011.

**TABLE 3.1.3-7**  
**Traffic Operations – With Project Conditions**

#	Intersection	Phase 1				Phase 2a				Phase 2b			
		AM		PM		AM		PM		AM		PM	
		Delay (Sec)	LOS	Delay (Sec)	LOS	Delay (Sec)	LOS	Delay (Sec)	LOS	Delay (Sec)	LOS	Delay (Sec)	LOS
1	Cedar Street & Pacific Highway	11.8	B	16.1	B	11.8	B	16.1	B	11.8	B	16.2	B
2	Cedar Street & Kettner Boulevard <sup>1</sup>	11.0	B	27.5	D	11.4	B	43.0	E	11.7	B	48.7	E
3	Beech Street & Pacific Highway <sup>2</sup>	9.7	A	10.5	B	9.7	A	10.3	B	9.7	A	10.5	B
4	Beech Street & Kettner Boulevard <sup>1</sup>	12.6	B	11.7	B	14.2	B	12.2	B	14.9	B	12.6	B
5	Ash Street & Pacific Highway	16.2	B	17.0	B	16.2	B	17.8	B	16.2	B	17.0	B
6	Cedar Street & Project Driveway <sup>2</sup>	9.4	A	12.9	B	9.6	A	14.8	B	10.8	B	15.3	B
7	Beech Street & Project Driveway <sup>2</sup>	No Conflicting Movements				No Conflicting Movements				No Conflicting Movements			
8	Kettner Boulevard & Project Driveway <sup>2</sup>	N/A				N/A				10.7	B	12.2	B

Notes: <sup>1</sup> AWSC = All-Way Stop Controlled Intersection

<sup>2</sup> TWSC = Two-Way Stop Controlled Intersection

No Conflicting Movements indicates that the project driveway only allows right-turn inbound movements, without any conflicting movements and additional intersection delay.

N/A = Intersection does not exist under the proposed scenario.

Source: Fehr & Peers, 2011.

**TABLE 3.1.3-8**  
**Cedar and Kettner Development Project Parking Demands and Proposed Parking**

Phase of Development	Parking Demands and Proposed Parking
Phase 1 – Parking Structure for CAC employees	Parking Demand: 680 employees x 0.74 space/employee = 503 parking spaces needed for CAC employees
	Proposed Parking: 640 spaces available for CAC employees (excess of 137 parking spaces for CAC employees)
Phase 2a – Commercial/Retail	Parking Demand: 52 parking spaces <sup>1</sup>
	Proposed Parking: 52 parking spaces for 2a will be provided in the Phase 1 parking structure. <sup>2</sup>
Phase 2b – Residential	Proposed Parking: 230 parking spaces <sup>3</sup>
Total Parking Spaces provided at Buildout for the entire project	800 parking spaces: Employees – 518 parking spaces Commercial/Retail – 52 parking spaces Residential – 230 parking spaces

Notes: <sup>1</sup> = Parking demand for Phase 2a was derived from the City's parking requirement in Municipal Code Section 156.0313 (30,590 SF Office = 46 spaces at 1.5 space/1,000 SF.; 6,000 SF Commercial = 6 spaces at 1/1,000 SF; 46 + 6 = 52.).

<sup>2</sup>= Reducing CAC employee parking spaces (640 at Phase 1) by 52 spaces, will reduce the amount of available parking spaces in the parking structure to 588 spaces for CAC employees. This will still meet the parking demand (503 parking spaces) for CAC employees.

<sup>3</sup>= Phase 2b will add 160 parking spaces to the Phase 1 parking structure for residential uses. In addition, as part of Phase 2b a separate residential-only ingress and egress access driveway would be developed along Kettner Boulevard. The development of this driveway would result in the isolation of 70 parking spaces from the CAC employee parking structure. As such, at buildout of the project, the parking structure would have 518 parking spaces allocated for CAC employees, which meets the parking demand of 503 spaces for CAC employees.

Source: Fehr and Peers, 2011 and BRG Consulting, Inc., 2011.

### **3.1.4 Greenhouse Gas Emissions**

The greenhouse gas emissions analysis provided in this section is summarized from the *Cedar and Kettner Property Development Project Greenhouse Gas Study* prepared by Rincon Consultants, Inc. (Rincon, 2011b). This document is provided as Appendix D on the attached CD of Technical Appendices found on the back cover of this EIR.

#### **3.1.4.1 Existing Conditions**

##### A. Overview of Global Climate Change

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is more appropriate because it helps convey that there are other changes in addition to rising temperatures.

The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated throughout the world. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC, 2007), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (90% or greater chance) that the global average net effect of human activities since 1750 has been one of warming. The prevailing scientific opinion on climate change is that most of the observed increase in global average temperatures, since the mid-20th century, is likely due to the observed increase in anthropogenic Greenhouse Gas (GHG) concentrations (Rincon, 2011b).

##### B. Greenhouse Gases

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). GHGs are present in the atmosphere naturally, and are released by natural sources or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are largely by-products of fossil fuel combustion, whereas CH<sub>4</sub> results from off-gassing associated with agricultural practices and landfills. Man-

made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and sulfur hexafluoride (SF<sub>6</sub>) (Rincon, 2011b). Different types of GHGs have varying global warming potential (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO<sub>2</sub>E), and is the amount of a GHG emitted multiplied by its GWP. CO<sub>2</sub> has a GWP of one. By contrast, CH<sub>4</sub> has a GWP of 21, meaning its global warming effect is 21 times greater than CO<sub>2</sub> on a molecule per molecule basis (Rincon, 2011b).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34° C cooler (Rincon, 2011b). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

**Carbon Dioxide.** The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO<sub>2</sub> are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (Rincon, 2011b). CO<sub>2</sub> was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the last half of the 20<sup>th</sup> Century. Concentrations of CO<sub>2</sub> in the atmosphere have risen approximately 40% since the industrial revolution. The global atmospheric concentration of CO<sub>2</sub> has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (Rincon, 2011b). The average annual CO<sub>2</sub> concentration growth rate was larger during the last 10 years (1995–2005 average: 1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year), although there is year-to-year variability in growth rates (Rincon, 2011b). Currently, CO<sub>2</sub> represents an estimated 82.7% of total GHG emissions (Rincon, 2011b). The largest source of CO<sub>2</sub>, and of overall GHG emissions, is fossil fuel combustion.

**Methane.** CH<sub>4</sub> is an effective absorber of radiation, though its atmospheric concentration is less than that of CO<sub>2</sub> and its lifetime in the atmosphere is limited to 10 to 12 years. It has a GWP approximately 21 times that of CO<sub>2</sub>. Over the last 250 years, the concentration of CH<sub>4</sub> in the atmosphere has increased by 148% (Rincon, 2011b), although emissions have declined from 1990 levels. Anthropogenic sources of CH<sub>4</sub> include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (Rincon, 2011b).

**Nitrous Oxide.** Concentrations of N<sub>2</sub>O began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (Rincon, 2011b). N<sub>2</sub>O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil

management and mobile source fossil fuel combustion are the major sources of N<sub>2</sub>O emissions. N<sub>2</sub>O's GWP is approximately 310 times that of CO<sub>2</sub>.

**Fluorinated Gases (HFCs, PFCs, and SF<sub>6</sub>).** Fluorinated gases, such as HFCs, PFCs, and SF<sub>6</sub>, are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF<sub>6</sub> emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, but these compounds have much higher GWPs. SF<sub>6</sub> is the most potent GHG that the IPCC has evaluated (Rincon, 2011b).

### State Greenhouse Gas Inventory

Worldwide anthropogenic emissions of GHGs were approximately 40,000 million metric tons (MMT) CO<sub>2</sub>E in 2004, including ongoing emissions from industrial and agricultural sources, but excluding emissions from land use changes (i.e., deforestation, biomass decay) (Rincon, 2011b). CO<sub>2</sub> emissions from fossil fuel use accounts for 56.6% of the total emissions of 49,000 million metric tons CO<sub>2</sub>E (includes land use changes) and all CO<sub>2</sub> emissions are 76.7% of the total. Methane emissions account for 14.3% of GHG and N<sub>2</sub>O emissions account for 7.9% (Rincon, 2011b).

Total U.S. GHG emissions were 6,633.2 million metric tons CO<sub>2</sub>E in 2009 (Rincon, 2011b). While total U.S. emissions have increased by 7.3% from 1990 to 2009, emissions decreased from 2008 to 2009 by 427.9 million metric tons CO<sub>2</sub>E, or 6.1% (Rincon, 2011b). This decrease was primarily due to (1) a decrease in economic output resulting in a decrease in energy consumption across all sectors; and (2) a decrease in the carbon intensity of fuels used to generate electricity due to fuel switching as the price of coal increased, and the price of natural gas decreased substantially. Since 1990, U.S. emissions have increased at an average annual rate of 0.4%. The transportation and industrial end-use sectors accounted for 33% and 26%, respectively, of CO<sub>2</sub> emissions from fossil fuel combustion in 2009. Meanwhile, the residential and commercial end-use sectors accounted for 22% and 19%, respectively, of CO<sub>2</sub> emissions from fossil fuel combustion in 2009 (Rincon, 2011b).

Based upon the California Air Resources Board (ARB) *California Greenhouse Gas Inventory for 2000-2008*, California produced 478 MMT CO<sub>2</sub>E in 2008. The major source of GHGs in California is transportation, contributing 36% of the state's total GHG emissions. Electricity generation is the second largest source, contributing 24% of the state's GHG emissions (Rincon, 2011b). California emissions are due in part to its large size and large population compared to other states. Another factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. ARB has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 MMT CO<sub>2</sub>E (Rincon, 2011b).

### C. Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Scientists have projected that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and the increase may be as high as 2.2-10°F (1.4-5.8°C) in the next century. In addition to these projections, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic (Rincon, 2011b).

According to CalEPA's 2009 *Climate Action Team Biennial Report*, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. The Greenhouse Gas Study prepared by Rincon Consultants, Inc., (Rincon, 2011b) for the proposed project (Appendix D of this EIR), provides a detailed summary of some of the potential effects that could be experienced in California as a result of climate change (e.g., sea level rise, air quality, water supply, hydrology, agriculture, ecosystems and wildlife).

### D. Regulatory Setting

**International and Federal Regulations.** The United States is, and has been, a participant in the United Nations Framework Convention on Climate Change (UNFCCC) since it was produced by the United Nations in 1992. The objective of the treaty is "stabilization of GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system." This is generally understood to be achieved by stabilizing global GHG concentrations between 350 and 400 ppm, in order to limit the global average temperature increases between 2 and 2.4°C above pre-industrial levels (Rincon, 2011b). The UNFCC itself does not set limits on GHG emissions for individual countries or enforcement mechanisms. Instead, the treaty provides for updates, called "protocols," that would identify mandatory emissions limits.

Five years later, the UNFCC brought nations together again to draft the *Kyoto Protocol* (1997). The *Kyoto Protocol* established commitments for industrialized nations to reduce their collective emissions of six GHGs (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub>, HFCs, and PFCs) to 5.2% below 1990 levels, by 2012. The United States is a signatory of the *Kyoto Protocol*, but Congress has not ratified it and the United States has not bound itself to the *Protocol's* commitments.

The United States is currently using a voluntary and incentive-based approach toward emissions reductions in lieu of the *Kyoto Protocol's* mandatory framework. The Climate Change Technology Program (CCTP) is a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative.

However, the voluntary approach to address climate change and GHG emissions may be changing. The U.S. Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act.

**California Regulations.** California State Assembly Bill (AB) 1493 (2002), referred to as “Pavley,” requires ARB to develop and adopt regulations to achieve “the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles.” On June 30, 2009, EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016, and Pavley II, which is now referred to as “LEV (Low Emission Vehicle) III GHG” will cover 2017 to 2025. Fleet average emission standards would reach 22 per cent reduction by 2012, and 30 per cent by 2016.

In 2005, Governor Schwarzenegger issued Executive Order S-3-05, establishing statewide GHG emissions reduction targets. Executive Order (EO) S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80% of 1990 levels (Rincon, 2011b). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the “2006 CAT Report”) (Rincon, 2011b). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the “California Global Warming Solutions Act of 2006,” signed into law in 2006. AB 32 codifies the Statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels; the same requirement as under S-3-05), and requires ARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires ARB to adopt regulations to require reporting and verification of statewide GHG emissions.

After completing a comprehensive review and update process, the ARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO<sub>2</sub>E. The Scoping Plan was approved by ARB on December 11, 2008, and includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms.

Executive Order S-01-07 was enacted on January 18, 2007, and mandated the establishment of a Low Carbon Fuel Standard (“LCFS”) for transportation fuels for California to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020.

Senate Bill (SB) 97, signed in August 2007, acknowledged that climate change is an environmental issue that requires analysis in CEQA documents; and in March 2010, the California Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

Senate Bill (SB) 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing ARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, ARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. San Diego Association of Governments' (SANDAG) targets include a 7% reduction from 2005 levels by 2020, and a 13% reduction from 2005 levels by 2035.

Most recently, in April 2011, Governor Brown signed SB 2X, requiring California to generate 33% of its electricity from renewable energy by 2020.

**Local Regulations and CEQA Requirements.** Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. They give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, the Bay Area Air Quality Management District (BAAQMD), the South Coast Air Quality Management District (SCAQMD), and the San Joaquin Air Pollution Control District (SJVAPCD) have adopted quantitative significance thresholds for GHGs. In August 2010, the City of San Diego released the *Memorandum Addressing Greenhouse Gas Emissions from Projects Subject to CEQA*, which provides guidance for selecting GHG emissions thresholds based on the CAPCOA CEQA and Climate Change white paper (January 2008) and AB 32.

The County of San Diego has adopted the Strategic Energy Plan and implementing Board of Supervisor's policies, to provide regulations and guidance for energy usage and green building standards within the County, and for County facilities. Currently, the County is in the process of preparing a Climate Action Plan (CAP) to address the generation of GHG emissions as it pertains to land use planning and development, as part of the Implementation Plan for the recently updated General Plan.

### **3.1.4.2 Analysis of Project Effects and Determination of Significance**

#### Guidelines for Determination of Significance

In accordance with CEQA Guidelines Appendix G, significant Greenhouse Gas Emissions impacts would result from the proposed project if any of the following would occur:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,*
- *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.*

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (State CEQA Guidelines, Section 15064(h)(1)).

#### **City of San Diego Guidelines for Determination of Significance**

In addition to the CEQA Guidelines Appendix G thresholds described above, the City of San Diego's *Memorandum Addressing Greenhouse Gas Emissions from Projects Subject to CEQA* (August 2010) establishes a 900 metric ton screening threshold for determining when a GHG analysis is required. The 900 metric ton screening threshold is based on available guidance from the CAPCOA white paper. If GHG emissions associated with a proposed project exceed the 900 metric ton screening threshold, the project would have a significant impact related to climate change unless the project reduces emissions by at least 28.3% from the CARB 2020 "business-as-usual" forecast model, which represents the GHG emissions that would be expected to occur without any GHG project reducing features or mitigation, consistent with AB 32.

#### **Rationale**

Climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Climate change has the potential to affect sea level rise, air quality, water supply, hydrology, agriculture, ecosystems and wildlife. The determination of significance thresholds for the impact analysis is based on recently established California goals for reducing GHG emissions, as well as a project-specific emissions inventory developed for on site development. In addition, the 900 metric ton screening threshold is based on available guidance from the CAPCOA white paper.

#### **Analysis**

#### **A. Construction Emissions**

##### **Phase 1 Development**

Construction activity is assumed to occur over a period of approximately 123 work days for Phase 1 of the proposed project. As identified in Table 3.1.4-1, construction activity for the project would generate an estimated 401.51 metric tons of CO<sub>2</sub>E during Phase 1.

### **Phases 2a and 2b Development**

Construction activity is assumed to occur over a period of approximately 113 work days for Phases 2a and 2b of the proposed project. As identified in Table 3.1.4-1, construction activity for the project would generate an estimated 344.32 metric tons of CO<sub>2</sub>E during Phases 2a and 2b Development.

As identified in Table 3.1.4-1, the entire CO<sub>2</sub>E for the proposed project is 746 CO<sub>2</sub>E. Over a 30-year period (the assumed life of the project), construction of the proposed project (Phases 1, 2a, and 2b) would generate an estimated 25 metric tons of CO<sub>2</sub>E per year.

## **B. Operational Indirect and Stationary Direct Emissions**

### **Energy Use**

For the business-as-usual scenario, operation of on site development would consume both electricity and natural gas. The generation of electricity through combustion of fossil fuels typically yields CO<sub>2</sub>, and to a smaller extent, N<sub>2</sub>O and CH<sub>4</sub>. As discussed in the Greenhouse Gas Study (Appendix D of this EIR), annual electricity and natural gas emissions can be calculated using default values from the CEC sponsored CEUS and RASS studies, which are built into a CalEEMod model. Additional project design features (as identified in Chapter 1.0 of this EIR), such as the proposed 365.1 kW parking structure roof-top photovoltaic system, exceeding Title 24 requirements by approximately 15%, and providing Energy Star appliances in the proposed residential units, were included in the CalEEMod model in order to quantify the project's energy saving features. These design features would reduce the project's GHG emissions below the business-as-usual scenario, and are analyzed further in the Cumulative Impact Analysis section below (Section 2.6.3).

As identified in Table 3.1.4-2, electricity consumption associated with the business-as-usual scenario for the proposed project at buildout would generate approximately 302 metric tons of CO<sub>2</sub>E per year. Natural gas use would generate approximately 102 metric tons CO<sub>2</sub>E per year. Other stationary direct sources (area sources, which include hearths, consumer products, area architectural coatings, and landscaping equipment) would generate approximately 2 metric tons of CO<sub>2</sub>E per year. Therefore, overall energy use from the proposed project under the business-as-usual scenario at buildout would generate approximately 406 metric tons of CO<sub>2</sub>E per year.

### **Solid Waste**

For the business-as-usual scenario, it is anticipated that the proposed project would generate approximately 95.35 metric tons of solid waste per year at project buildout (Rincon, 2011b). As such, the business-as-usual scenario for the proposed project at buildout would generate approximately 40 metric tons of CO<sub>2</sub>E per year.

### **Water-Use**

On site development for the proposed project at buildout, under business-as-usual conditions, would use approximately 18.9 million gallons of water per year. Additional project design features (as identified in Chapter 1.0 of this EIR), such as low-flow toilets and irrigation control devices for landscaped areas were included in the CalEEMod model, as identified in the Greenhouse Gas Study (Appendix D of this EIR), in

order to quantify the project's energy saving features included as design considerations for each phase of the project development. These design features would reduce the project's GHG emissions below the business-as-usual scenario, and are analyzed further in the Cumulative Impact Analysis section below (Section 3.1.4.3). Inclusion of these design features would reduce the project's water use to approximately 17.7 million gallons of water per year. Based on the amount of electricity generated in order to supply this amount of water, the business-as-usual scenario for the proposed project would generate approximately 93 metric tons of CO<sub>2</sub>E per year.

### **Transportation**

For the business-as-usual scenario, mobile source GHG emissions were estimated using total daily trips based on the Trip Generation Assessment Memorandum prepared for the proposed project (Appendix E1 of this EIR). Based on the CalEEMod model estimate, as identified in the Greenhouse Gas Study (Appendix D of this EIR), Phases 2a and 2b of the proposed project, under business-as-usual conditions, would generate an estimated 4,876,468 annual vehicle miles traveled (VMT) at project buildout. Existing CAC employees (Phase 1) are not included in this calculation, as they are existing VMT and would not be new trips generated by the proposed project.

Additional project design features, as identified in Chapter 1.0 of this EIR, such as the project's location in downtown San Diego and the site's proximity to existing transit (both light rail and bus service), increasing the density on site (urban infill), and implementing a variety of voluntary Transportation Demand Management (TDM) measures, were included in the CalEEMod model in order to quantify the project's vehicle trip reducing (and therefore VMT reducing) features. These project-specific features would reduce the project's GHG emissions below the proposed project's business-as-usual scenario, and are analyzed further in the Cumulative Impact Analysis section below (Section 3.1.4.3). Inclusion of these features would reduce the annual VMT generated by the proposed project to an estimated 3,264,341 VMT.

Table 3.1.4-3 identifies the estimated mobile emissions of GHGs for the proposed project's business-as-usual scenario based on the estimated annual VMT. Mobile sources for the proposed project would generate an estimated 2,292 metric tons CO<sub>2</sub>E per year under the business as usual scenario at project buildout.

### **C. Combined Construction, Stationary and Mobile Source Emissions**

Table 3.1.4-4 combines the construction, operational (energy use, solid waste, and water use emissions), and mobile GHG emissions associated with the development of the proposed project (all phases) for the business-as-usual scenario. Emissions associated with construction activity (approximately 746 metric tons CO<sub>2</sub>E) are amortized over 30 years (the anticipated life of the project).

As identified in Table 3.1.4-4 below, for the proposed project's business-as-usual scenario, the combined annual emissions would total 2,856 metric tons CO<sub>2</sub>E per year. This emissions estimate indicates that the majority of the project's GHG emissions are associated with vehicular travel (80%). However, as noted above, mobile emissions associated with Phase 1 are existing emissions, and so are already a part of the total California GHG emissions and are not included in the project mobile emissions calculations.

As discussed above, based on the City of San Diego's *Memorandum Addressing Greenhouse Gas Emissions from Projects Subject to CEQA* (August 2010), if a proposed project's GHG emissions exceed the 900 metric ton screening threshold, the project would have a significant impact unless it could show a 28.3% reduction from the CARB 2020 "business-as-usual" forecast model, which represents the GHG emissions that would be expected to occur without any GHG project reducing features or mitigation, consistent with AB 32. In the absence of specific federal, state or local thresholds, if a project reduces emissions by more than approximately 28.3% (the statewide average that is commonly acceptable), impacts are not cumulatively considerable. As identified in Table 3.1.4-4, the proposed project's business-as-usual scenario's contribution of GHG emissions would be approximately 2,856 metric tons CO<sub>2</sub>E per year, which exceeds the 900 metric ton screening threshold. Therefore, the proposed project would be required to show a minimum 28.3% reduction in GHG emissions, which is equivalent to 808 metric tons CO<sub>2</sub>E per year.

#### **D. Greenhouse Gas Emissions Reduction Measures**

For the proposed project, GHG emissions would be reduced in comparison to the business-as-usual scenario as a result of existing state measures and project-specific design features identified in Chapter 1.0 of this EIR, which would be required as part of the project's implementing conditions along with state GHG reduction measures. Table 3.1.4-5 lists existing state measures for GHG emissions reductions and quantifies the total reduction in metric tons of CO<sub>2</sub>E per year that the proposed project would have in comparison to the business-as-usual scenario. As identified in Table 3.1.4-5, implementation of these measures would reduce GHG emissions for the proposed project by approximately 92 tons CO<sub>2</sub>E per year.

#### **Project Design Features**

In addition to the state GHG reduction measures, the project would include a number of design features, as identified in Chapter 1.0 of this EIR that would further reduce GHG emissions. These features listed in Chapter 1 and which are included as a part of the project's design would ensure that GHG reductions occur during the operational phase of the project. These features include implementing a variety of voluntary TDM measures, installing a 365.1 kW roof-top photovoltaic system on the proposed parking structure, and for Phases 2a and 2b, exceeding Title 24 requirements by approximately 15%, obtaining LEED Silver Certification for design and construction, providing Energy Star appliances and low-flush toilets in the proposed residential units, and including irrigation control devices for landscaped areas. As identified in Table 3.1.4-6, with the implementation of the project design features, GHG emissions from the proposed project would be reduced by 998 metric tons at project buildout.

#### **Total Reduction of Greenhouse Gases**

As shown in Table 3.1.4-7, the proposed project's design considerations (Table 3.1.4-6) combined with the state reduction measures (Table 3.1.4-5) would have a total reduction of approximately 1,090 CO<sub>2</sub>E per year or approximately 38.17%. As such, GHG emissions would be reduced by more than 28.3% from the business-as-usual scenario at project buildout and impacts related to GHG emissions would not be significant.

### **E. City of San Diego General Plan Climate Change & Sustainable Policies**

This analysis also includes a qualitative assessment of the proposed project using the *City San Diego General Plan's Climate Change and Sustainable Policies (2008)*. As explained in Chapter 1, because the County owns the project site and will construct a County parking facility and prepare the entire site in Phase 1 of the project, Phase 1 is exempt from the City of San Diego's regulations, including the City's General Plan. Consequently, the City's land use ordinances and plans are not "applicable" to Phase 1 of the proposed project. Phases 2a and 2b of the proposed project would be a privately initiated development, although on County-owned land. Thus, the City's General Plan would apply to Phases 2a and 2b. It should be noted, while Phase 1 is not required to be consistent with City General Plan, all phases of the proposed project incorporate a number of design considerations (as identified above and in Chapter 1.0 of this EIR) intended to reduce GHG emissions and that would be included as project implementing conditions to ensure that they are realized during construction and operation of all phases of the proposed project. The project's consistency with Climate Change and Sustainable Policies are discussed in Table 3.1.4-8. Table 3.1.4-8 illustrates that the proposed project would be consistent with the Climate Change and Sustainable Policies contained in the General Plan.

#### **3.1.4.3 Cumulative Impact Analysis**

Based on the analysis provided above in Section 3.1.4.2, the proposed project's business-as-usual scenario would result in a contribution of GHG emissions that would be approximately 2,856 metric tons CO<sub>2</sub>E per year, which exceeds the 900 metric ton screening threshold. Therefore, the proposed project would be required to show a minimum 28.3% reduction in GHG emissions, which is equivalent to 808 metric tons CO<sub>2</sub>E per year.

For the proposed project, GHG emissions would be reduced in comparison to the business-as-usual scenario as a result of project-specific design features which would be required as part of the project design along with state GHG reduction measures, which include the Renewable Portfolio Standard and Electricity Energy Efficiency (AB 32) for energy usage, as well as the requirements for medium and heavy-duty vehicles to address transportation (mobile) emissions. Table 3.1.4-5 further details these existing state measures for GHG emissions reductions and quantifies the total reduction in metric tons of CO<sub>2</sub>E per year, and shows that implementation of state measures would reduce GHG emissions by approximately 92 tons CO<sub>2</sub>E per year.

In addition to the State GHG reduction measures, the project design features that are listed in Chapter 1 and which are included as part of the project design would further reduce GHG emissions. The GHG reductions from these features were calculated using CalEEMod and are shown in Table 3.1.4-6. As shown in Table 3.1.4-7, the proposed project's design features combined with the state's reduction measures would have a total reduction of approximately 1,090 CO<sub>2</sub>E per year or approximately 38.17%. As such, GHG emissions would be reduced by more than 28.3% from the business-as-usual scenario and the GHG emission contribution at buildout would not be cumulatively considerable. As such, in conjunction with the cumulative projects, the proposed project would not result in a cumulatively significant greenhouse gas emissions impact.

**3.1.4.4 Conclusions**

With the implementation of state GHG emission reduction measures and project design considerations, the proposed project would reduce its GHG emission contribution by 38.1%, which is greater than the 28.3%, the statewide average that is a commonly acceptable threshold for the reduction to ensure impacts are below a level of significance. As such, implementation of the proposed project (all phases) would not result in a direct, indirect, or cumulative significant GHG emission impact.

TABLE 3.1.4-1  
Estimated Construction Emissions of Greenhouse Gases

Emissions Source	Carbon Dioxide Equivalent (CO <sub>2</sub> E)
Phase 1 construction emissions	401.51 metric tons
Phases 2a and 2b construction emissions	344.32 metric tons
<b>Total construction emissions</b>	<b>746 metric tons</b>
<b>Amortized over 30 Years (entire project)</b>	<b>25 metric tons</b>

Source: Rincon Consultants, Inc., 2011.

TABLE 3.1.4-2  
Estimated Annual Energy-Related Greenhouse Gas Emissions  
Business-as-Usual Scenario (at Project Buildout)

Emissions Source	Annual Emissions (CO <sub>2</sub> E)
Electricity Use	302.31 metric tons
Natural Gas	102.08 metric tons
Area Source Emissions	2.05 metric tons
<b>Total</b>	<b>406 metric tons</b>

Source: Rincon Consulting, Inc., 2011.

TABLE 3.1.4-3  
Estimated Annual Mobile Emissions of Greenhouse Gases  
Business-as-Usual Scenario (at Project Buildout)

Emission Source	Annual Emissions (CO <sub>2</sub> E)
Mobile Emissions (CO <sub>2</sub> & CH <sub>4</sub> )	2,193.16 metric tons
Mobile Emissions (N <sub>2</sub> O)	98.65 metric tons
<b>Total</b>	<b>2,292 metric tons</b>

Source: Rincon Consultants, Inc., 2011.

**TABLE 3.1.4-4**  
**Combined Annual Emissions of Greenhouse Gases**  
**Business-as-Usual Scenario (at Project Buildout)**

Emission Source	Annual Emissions (CO <sub>2</sub> E)
<b>Construction</b>	25 metric tons
<b>Operational</b> Energy Solid Waste Water	406 metric tons 40 metric tons 93 metric tons
<b>Mobile</b> CO <sub>2</sub> & CH <sub>4</sub> N <sub>2</sub> O	2,193 metric tons 99 metric tons
<b>Total</b>	<b>2,856 metric tons</b>

Source: Rincon Consultants, Inc., 2011.

**TABLE 3.1.4-5**  
**Greenhouse Gas Emissions Reductions from Existing State Measures**

Measure	Sector	% Reduction from Business-As-Usual Scenario (Sector Specific) <sup>1</sup>	Total CO <sub>2</sub> E from Business- As-Usual Scenario Sector (tons)	Total CO <sub>2</sub> E Reduced (tons)
Renewable Portfolio Standard	Energy Use (Electricity)	14.06%	302.31	42.50
Electricity Energy Efficiency (AB 32)	Energy Use (Electricity)	11.67%	302.31	35.28
Medium/Heavy Duty Vehicles (Aerodynamic Efficiency and Vehicle Hybridization)	Transportation	0.62%	2,291.81	14.21
<b>Total Reduction</b>				<b>91.99</b>

<sup>1</sup> Reductions for Business-As-Usual Scenario for project at buildout of all three phases (Phase 1, 2a, and 2b).

Source: Rincon Consultants, Inc., 2011.

**TABLE 3.1.4-6**  
Reduction in Greenhouse Gases from Project Features

Emission Source	Annual Emissions Reduced (CO <sub>2</sub> E) <sup>1</sup>
<b>Operational</b>	
Energy	257.73 metric tons
Water	6.00 metric tons
<b>Mobile</b>	
CO <sub>2</sub> & CH <sub>4</sub>	701.58 metric tons
N <sub>2</sub> O	32.62 metric tons
<b>Total Reduction</b>	<b>998 metric tons</b>

<sup>1</sup> Reductions for Business-As-Usual Scenario for project at buildout of all three phases (Phase 1, 2a, and 2b).

Source: Rincon Consultants, Inc., 2011.

**TABLE 3.1.4-7**  
Total Reduction of Greenhouse Gases

Emission Source	Annual Emissions (CO <sub>2</sub> E) <sup>1</sup>
Business-As-Usual Total GHG	2,856 metric tons
Reductions from State Measures	92 metric tons
Reductions from Project Design Features	998 metric tons
<b>Total Reductions</b>	<b>1,090 metric tons</b>
<b>Project Total with Emission Reductions</b>	<b>1,766 metric tons</b>
<b>Percentage Reduction from Business-As-Usual Emissions</b>	<b>38.17%</b>

<sup>1</sup> Reductions for Business-As-Usual Scenario for project at buildout of all three phases (Phase 1, 2a, and 2b).

Source: Rincon Consultants, Inc., 2011.

**TABLE 3.1.4-8**  
**Project Consistency with Applicable**  
**San Diego General Plan Climate Change and Sustainable Policies**

Policy	Project Consistency
<b>Conservation Element</b>	
<p><b>CE-A.2.</b> Reduce the City's carbon footprint. Develop and adopt new or amended regulations, programs, and incentives as appropriate to implement the goals and policies set forth in the General Plan to:</p> <ul style="list-style-type: none"> <li>• Create sustainable and efficient land use patterns to reduce vehicular trips and preserve open space;</li> <li>• Reduce fuel emission levels by encouraging alternative modes of transportation and increasing fuel efficiency;</li> <li>• Improve energy efficiency, especially in the transportation sector and buildings and appliances;</li> <li>• Reduce the Urban Heat Island effect through sustainable design and building practices, as well as planting trees (consistent with habitat and water conservation policies) for their many environmental benefits, including natural carbon sequestration;</li> <li>• Reduce waste by improving management and recycling programs.</li> </ul>	<p><b>Consistent</b></p> <p>The proposed project would introduce a mixed-use (retail, office, and residential) development in downtown San Diego on a site that is surrounded by urban development. The project would be an urban infill development project and would provide employment opportunities at the project site. The project site is located along existing transit corridors. Residents and employees at the project site would have adequate access to and from the site via public transportation as the Kettner Street and Cedar Street Metropolitan Transit System (MTS) stop and the County Center/Little Italy light rail station are adjacent to the project site.</p> <p>In addition, the project site is adjacent to existing retail-serving development and the project site is served by adequate pedestrian sidewalks and bike routes reducing overall vehicle travel. The project would also include transportation demand measures (TDM), including information, facilities, and on-site amenities for carpools, vanpools, bicyclists, transit riders, and pedestrians.</p> <p>The project would be required to adhere to current Title 24 standards, and would reduce energy use by at least 15% beyond these standards. The project would further reduce energy use with the implementation of energy efficient appliances. At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. This would ensure that the project incorporates sustainable or "green" building techniques for the construction and operation of the project, as well as include landscaping (consistent with water use reduction policies) that would reduce the Urban Heat Island effect. In addition, as required by the City's Municipal Code (Section 147.0301) the proposed project would be equipped with low-water use plumbing fixtures, further reducing water use at the project site.</p>

Policy	Project Consistency
<b>Conservation Element</b>	
<p><b>CE-A.5.</b> Employ sustainable or “green” building techniques for the construction and operation of buildings.</p> <p>a. Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;</li> <li>• Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens;</li> <li>• Employing self generation of energy using renewable technologies;</li> <li>• Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;</li> <li>• Reducing levels of non-essential lighting, heating and cooling; and</li> <li>• Using energy efficient appliances and lighting.</li> </ul> <p>b. Provide technical services for “green” buildings in partnership with other agencies and organizations.</p>	<p><b>Consistent</b></p> <p>The project would be required to adhere to current Title 24 standards, and would reduce energy use by at least 15% beyond these standards. The project would further reduce energy use with the implementation of energy efficient appliances. At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. This would ensure that the project incorporates sustainable or “green” building techniques for construction and operation.</p> <p>The proposed parking structure also includes a 365.1 kW rooftop photovoltaic system that would offset some energy use of on site development.</p>
<p><b>CE-A.9.</b> Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:</p> <ul style="list-style-type: none"> <li>• Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases;</li> <li>• Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyzes the costs and benefits over the life of a particular product, technology, or system;</li> <li>• Removing code obstacles to using recycled materials in buildings and for construction; and</li> <li>• Implementing effective economic incentives to recycle construction and demolition debris</li> </ul>	<p><b>Consistent</b></p> <p>At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. This would ensure that sustainable or “green” building techniques for the construction and operation of the project are employed.</p> <p>San Diego’s solid waste diversion rate was 55% in 2006. The applicant would implement a construction waste management plan, as required under CalGreen, which would be designed to divert at least 50% of solid waste thereby reducing waste by improving management and recycling programs. The project would also be in compliance with AB 939, diverting at least 50% of its solid waste after the recyclable content is diverted, and would be subject to all applicable State and City requirements for solid waste reduction as they change in the future.</p>

Policy	Project Consistency
<b>Conservation Element</b>	
<p><b>CE-A.11.</b> Implement sustainable landscape design and maintenance.</p> <ol style="list-style-type: none"> <li>a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.</li> <li>b. Encourage composting efforts through education, incentives, and other activities.</li> <li>c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities</li> <li>d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.</li> <li>e. Reduce use of lawn types that require high levels of irrigation.</li> <li>f. Strive to incorporate existing mature trees and native vegetation into site designs.</li> <li>g. Minimize the use of landscape equipment powered by fossil fuels.</li> <li>h. Implement water conservation measures in site/building design and landscaping.</li> <li>i. Encourage the use of high efficiency irrigation technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible.</li> </ol>	<p><b>Consistent</b></p> <p>The project would incorporate drought tolerant landscaping that would be designed to require minimal irrigation and would include irrigation control devices for landscaped areas. In addition, as required by the City's Municipal Code (Section 147.0301) the proposed project would be equipped with low-water use plumbing fixtures, further reducing water use at the project site.</p>
<p><b>CE-A.12.</b> Reduce the San Diego Urban Heat Island, through actions such as:</p> <ul style="list-style-type: none"> <li>• Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up;</li> <li>• Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditioning units, and parking lots; and</li> <li>• Reducing heat build up in parking lots through increased shading or use of cool paving materials as feasible.</li> </ul>	<p><b>Consistent</b></p> <p>At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. This would ensure that the project incorporates sustainable or "green" building techniques for the construction and operation of the project, as well as include landscaping (consistent with water use reduction policies) that would reduce the Urban Heat Island effect.</p>

Policy	Project Consistency
<b>Conservation Element</b>	
<p><b>CE-F.2.</b> Continue to upgrade energy conservation in City buildings and support community outreach efforts to achieve similar goals in the community.</p>	<p><b>Consistent</b> As described above, the project would be required to adhere to current Title 24 standards, and would reduce energy use by at least 15% beyond these standards. At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. The project would further reduce energy use with the implementation of energy efficient appliances.</p>
<p><b>CE-F.4.</b> Preserve and plant trees, and vegetation that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.</p>	<p><b>Consistent</b> As described above, the project would incorporate drought tolerant landscaping that would be designed to require minimal irrigation, include irrigation control devices for landscaped areas, and enhance natural carbon sequestration.</p>
<p><b>CE-F.6.</b> Encourage and provide incentives for the use of alternatives to single-occupancy vehicle use, including using public transit, carpooling, vanpooling, teleworking, bicycling, and walking. Continue to implement programs to provide City employees with incentives for the use of alternatives to single-occupancy vehicles.</p>	<p><b>Consistent</b> The proposed project would introduce a mixed-use (retail, office, and residential) development in downtown San Diego on a site that is surrounded by urban development. The project would be an urban infill development project and would provide employment opportunities at the project site. The project site is located along existing transit corridors. Residents and employees at the project site would have adequate access to and from the site via public transportation as the Kettner Street and Cedar Street Metropolitan Transit System (MTS) stop and the County Center/Little Italy light rail station are adjacent to the project site.</p> <p>In addition, the project site is adjacent to existing retail-serving development and the project site is served by adequate pedestrian sidewalks and bike routes reducing overall vehicle travel. The project would also include transportation demand measures (TDM), including information, facilities, and on-site amenities for carpools, vanpools, bicyclists, transit riders, and pedestrians.</p>

Policy	Project Consistency
<b>Conservation Element</b>	
<p><b>CE-I.7.</b> Pursue investments in energy efficiency and direct sustained efforts towards eliminating inefficient energy use.</p>	<p><b>Consistent</b> As described above, the project would be required to adhere to current Title 24 standards, and would reduce energy use by at least 15% beyond these standards. At a minimum, Phases 2a and 2b of the project would be designed and developed to achieve a LEED Silver Certification. The project would further reduce energy use with the implementation of energy efficient appliances.</p>
<p><b>CE-J.1.</b> Develop, nurture, and protect a sustainable urban/community forest.</p> <ul style="list-style-type: none"> <li>a. Seek resources and take actions needed to plant, care for, and protect trees in the public right-of-way and parks and those of significant importance in our communities.</li> <li>b. Plant large canopy shade trees, where appropriate and with consideration of habitat and water conservation goals, in order to maximize environmental benefits.</li> <li>c. Seek to retain significant and mature trees.</li> <li>d. Provide forest linkages to connect and enhance public parks, plazas, recreation and open space areas.</li> </ul>	<p><b>Consistent</b> During Phase 1, should neither Phase 2a nor Phase 2b be initiated prior to completion of the parking structure, the areas along the southern and eastern side of the parking structure would be improved with temporary enhancements. The eastern side of the site (Phase 2a area) would be paved and include precast planters with oversized potted shrubs and trees. The southern portion of the site (Phase 2b) would be left semi-pervious and would be landscaped with precast planters and oversized potted shrubs and trees.</p> <p>Permanent street landscaping along Kettner Boulevard would be completed during Phase 2a in a manner consistent with City design standards for the Centre City Planned District Ordinance area.</p> <p>Also, as described above, the project would incorporate drought tolerant landscaping that would enhance natural carbon sequestration and provide shade on the street level.</p>
<p><b>CE-J.4.</b> Continue to require the planting of trees through the development permit process.</p> <ul style="list-style-type: none"> <li>a. Consider tree planting as mitigation for air pollution emissions, storm water runoff, and other environmental impacts as appropriate.</li> </ul>	<p><b>Consistent</b> As described above, the project would incorporate drought tolerant landscaping that would enhance natural carbon sequestration and help reduce storm water runoff from the site.</p>
<b>Mobility Element</b>	
<p><b>ME-F.5.</b> Increase the number of bicycle-transit trips by coordinating with transit agencies to provide safe routes to transit stops and stations, to provide secure bicycle parking facilities, and to accommodate bicycles on transit vehicles.</p>	<p><b>Consistent</b> The project site is adjacent to existing retail-serving development and the project site is served by adequate pedestrian sidewalks and bike routes reducing overall vehicle travel. The project would also implement transportation demand measures (TDM), including information, facilities, and on-site amenities for carpools, vanpools, bicyclists, transit riders, and pedestrians.</p>

Policy	Project Consistency
<b>Mobility Element</b>	
<p><b>ME-E.6.</b> Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.</p>	<p><b>Consistent</b></p> <p>The proposed project would introduce a mixed-use (retail, office, and residential) development in downtown San Diego on a site that is surrounded by urban development. The project would be an urban infill development project and would provide employment opportunities at the project site. The project site is located along existing transit corridors. Residents and employees at the project site would have adequate access to and from the site via public transportation as the Kettner Street and Cedar Street Metropolitan Transit System (MTS) stop and the County Center/Little Italy light rail station are adjacent to the project site.</p> <p>In addition, the project site is adjacent to existing retail-serving development and the project site is served by adequate pedestrian sidewalks and bike routes reducing overall vehicle travel. The project would also include transportation demand measures (TDM), including information, facilities, and on-site amenities for carpools, vanpools, bicyclists, transit riders, and pedestrians.</p>

Source: Rincon Consultants, Inc., 2011.

### **3.2 Effects Found Not Significant During Initial Study**

The following are the environmental issues that were found not to be significant during review of the project under the Environmental Initial Study as outlined in CEQA Guidelines, Appendix G.

#### **3.2.1 Agriculture and Forest Resources**

The project site and adjacent parcels do not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) (California Department of Conservation, 2006). In addition, the proposed project site does not contain prime agricultural soils, as identified on the soils map for the Conservation Element of the San Diego County General Plan. Therefore, no adverse impacts to agricultural resources as outlined under the FMMP or to prime agricultural soils would occur as a result of implementation of the proposed project.

The project site and surrounding areas constitute a developed urban area. In addition, the project site and surrounding area are not zoned for agricultural use, nor is the land under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use or a Williamson Act Contract.

The project site and surrounding area are within a developed urban area and do not contain agriculture uses or resources. Therefore, implementation of the proposed project would not result in the conversion of farmland to non-agricultural uses.

The project site and surrounding area are within a developed urban area and do not contain forest lands, timberlands, or timberland zoned Timberland Production either on-site or in the immediate vicinity (ESRI, 2008). Therefore, implementation of the proposed project would not result in a conflict with existing zoning for, or causing rezoning of forest land, timberland, or timberland zoned Timberland Production; result in the loss of forest land or conversion of forest land to non-forest use; or, involve other changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, impacts to the agriculture and forest resources would not be significant.

#### **3.2.2 Biological Resources**

The project site has been completely disturbed and contains no native vegetation or habitats. Therefore, no endangered, threatened, or rare, plant or animal species protected by the County of San Diego, City of San Diego, or state and Federal wildlife agencies, are expected to occur onsite.

The proposed project site does not contain any wetlands, rivers, streams, lakes, or waters of the U.S. that could potentially be impacted, diverted or obstructed by the proposed project. Therefore, no impacts would occur to wetlands, rivers, streams, lakes or waters of the U.S. under the jurisdiction of the California Department of Fish & Game (CDFG) and/or Army Corps of Engineers (ACOE).

No linear features, such as drainages, ridges, valleys, that connect areas of native vegetation or natural open space were identified on the site. Therefore, the site is not used as a wildlife corridor and would not impact the dispersal of wildlife.

The proposed project and any offsite improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program (MSCP) (City of San Diego, 1997). Therefore, conformance with the MSCP and the County's Habitat Loss Permit (HLP) Ordinance findings are not required, as there is no coastal sage scrub habitat onsite. Therefore, impacts to biological resources would not be significant.

### **3.2.3 Hydrology and Water Quality**

The quality of stormwater and urban runoff would not significantly change because the proposed land uses would not result in a substantial modification to the character of a drainage basin. The County and any future developer for Phase 2a and/or 2b would be required to implement site-specific stormwater runoff control measures (both structural and nonstructural) in compliance with state and local regulatory requirements.

The project site will be completely cleared of all structures and paving within Phase I and will include excavation in the northern portion of the site for the construction of the parking structure. Phase 2a will also include construction activities that would warrant the removal of onsite pervious surfaces; and Phase 2b would include both removal of the pervious surface in the southern portion of the site and excavation for the expansion of the parking structure beneath the proposed residential building. The County or any entity associated with the development of both Phase 2a and/or 2b, will be required to develop a Stormwater Management Plan (SWMP) to address erosion control and sedimentation issues relating to the grading and construction components for each phase of the project. The Plan will specify and describe implementation measures of all applicable Best Management Practices (BMPs) that will address equipment operation, materials management, and prevent the erosion process from occurring. The project will be required to comply with the National Pollutant Discharge Elimination System (NPDES) general construction permit requirements by incorporating the use of BMPs to reduce erosion associated with grading and construction. Therefore, a significant increase in soil erosion on the project site would not occur.

The proposed project would not use groundwater, nor would it result in a substantial decrease in infiltration of surface water into the water table since the entire site is currently impermeable.

The site is relatively flat, and the existing drainage patterns would be retained. In addition, the entire site is currently covered with impervious surfaces, and, upon completion, each phase of development would similarly cover most of the site with impervious or semi-pervious surface as well. Therefore, there would be no substantial change to the existing drainage pattern or rate or amount of surface runoff and the storm drain system serving the project site would not be affected.

Because the site is currently developed, there would be no substantial change in the runoff volume contributed by the project site and the storm drain system serving the site would not be affected. In addition, the proposed project would not result in a major source of urban pollutants.

The project site is not located within a 100-year flood hazard as mapped on a federal FEMA Flood Hazard Boundary or Flood Insurance Rate Map. Therefore, the proposed project would not result in significant hydrology/water quality impacts related to flooding.

The site is approximately three miles from the Pacific Ocean and almost a quarter of a mile at its closest from San Diego Bay at an elevation of roughly ten to 20-30 feet above MSL. The potential risk associated with seiches or tsunamis is insignificant because the site is protected from ocean waves by Coronado and due to the low probability of occurrence of these events in general in the vicinity of the project site. Also, the project site is not located near a source for major mudflow. As such, the proposed project is not anticipated to result in inundation by seiche, tsunami, or mudflow. Therefore, impacts to hydrology and water quality would not be significant.

### **3.2.4 Mineral Resources**

Based on the *Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region* (California Department of Conservation, 1996), the project site is not located within a significant mineral resources area. Additionally, no known past or present mining activities were identified on the project site. The proposed project would not result in the loss of availability of a known significant mineral resource that would be of value to the region. Therefore, impacts to mineral resources would not be significant.

### **3.2.5 Public Services**

Fire and police services are currently provided by the City of San Diego. Section 5.4.3.1 of the Downtown Community Plan EIR is incorporated by reference. The Downtown Community Plan EIR determined that no significant impact would result from development allowed by the community plan. Because the project is consistent with this plan, the analysis and determination of no significant impact from the Downtown Community Plan EIR applies to the impact analysis for the proposed project, and no physical impact on the environment is expected from the project's contribution to the need for fire or police services. Therefore, impacts to fire or police services would not be significant.

Implementation of the proposed project would result in additional residential units on the project site, which could generate school-aged children that would attend public schools. Section 5.4.3.1 of the Downtown Community Plan EIR is incorporated by reference. The Downtown Community Plan EIR determined that no significant impact would result from development allowed by the community plan. Because the project is consistent with this plan, the analysis and determination of no significant impact from the Downtown Community Plan EIR applies to the impact analysis for the proposed project. The Downtown Community Plan analyzed the impact of increased population of students generated by new residential development downtown on the capacity of the present San Diego Unified School District (SDUSD) schools serving downtown, and determined that no significant impacts would occur as a result of the community plan.

Should the population of school-age children warrant a new school in the future, the potential physical impact of the construction would be evaluated when a site and design is identified by the SDUSD. Therefore, the proposed project would not have a direct or cumulative effect on the need to construct new facilities that would result in significant environmental impacts.

The proposed site is located two blocks from the CAC, where the Waterfront Park has been approved for development. In fact, implementation of the proposed project and the provision of CAC employee parking on the project site will enable the County to move forward with the development of the park, which will displace current employee parking. Therefore, impacts to parks would not be significant.

### **3.2.6 Recreation**

The proposed project would not result in an inducement of growth beyond what is currently anticipated for the site or the surrounding area. As such, the proposed project would not generate a demand for recreational uses beyond what was anticipated under the Downtown Community Plan EIR (CCDC, 2006), nor is the project site located in an area planned for recreational uses. Furthermore, the proposed project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, impacts to recreation would not be significant.

### **3.2.7 Utilities and Service Systems**

The proposed project is consistent in land use and intensity with the adopted community plan. As such, it is within the current wastewater treatment capacity assumptions for the project area. Although the buildout of the Downtown Community Plan area will create additional demand for wastewater collection and treatment systems, implementation of the proposed project would not result in the construction of new water or wastewater facilities beyond those planned to implement the Downtown Community Plan.

The site is relatively flat and is currently covered with impervious surfaces. Upon completion, the proposed project would similarly cover most of the site as well. Therefore, there would be no substantial change to rate or amount of surface runoff and the storm drain system serving the project site would not be affected. Any runoff from the project site would continue to be accommodated by the City of San Diego's storm water drainage facilities.

During construction, non-recyclable solid waste would be taken to a permitted landfill with sufficient capacity to accommodate the project's disposal needs. Operation of the proposed project is anticipated to generate a minimal increase in the current generation of solid waste needs beyond what is anticipated for the downtown area, and specifically the project site. The proposed project would continue to generate municipal solid waste, acceptable for solid waste haulers and landfill operators, at its current rate. The proposed project would continue to comply with federal, state and local regulations related to solid waste and recycling. Therefore, impacts to utilities and services would not be significant.

## CHAPTER 4.0 PROJECT ALTERNATIVES

### **4.1 Rationale for Alternative Selection**

In accordance with Section 15126.6(a) of the State CEQA Guidelines, “an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The Guidelines go on to state that “the range of alternatives in an EIR is governed by the ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice” (Section 15126(d)(5)).

The Guidelines require the evaluation of the No Project Alternative. The discussion of the No Project Alternative may proceed along two lines:

1. If the project is a development proposal, the No Project Alternative is the circumstance under which the project does not proceed.
2. When the project is the revision of an existing land use or regulatory plan, the No Project Alternative is the continuation of the existing plan.

Because the proposed project is a development project, the No Project (No Development) Alternative applies and is discussed below.

The alternatives evaluated within this subchapter include the following:

1. No Project (No Development) Alternative
2. Adaptive Reuse Alternative (Build Alternative #1)
3. Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2)

These alternatives permit informed decision making and public participation because there is enough variation among the alternatives to provide a reasonable range. These alternatives would avoid or minimize one or more significant impacts associated with the proposed project while also meeting the project objectives. The proposed project would result in potentially significant and unmitigable impacts related to noise and historical resources and significant and mitigable impacts related to air quality, geology and soils, and hazards/hazardous materials. A matrix comparing the impacts of each of alternatives with the proposed project is provided in Table 4.1.

These alternatives are compared to the impacts of the proposed project and are assessed relative to their ability to meet the basic objectives of the proposed project as described in Chapter 1.

#### **4.1.1 Alternatives Considered but Rejected**

The Guidelines provide several factors that should be considered with regard to the feasibility of an alternative: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan

consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the project applicant can reasonably acquire, control, or otherwise have access to the alternative site (if an off-site alternative is evaluated). Two alternatives that were rejected at the initial scoping stage because they do not meet the basic objectives of the proposed project as described in Chapter 1 are briefly discussed below.

### **Alternative Location**

In accordance with State CEQA Guidelines Section 15126.6(f)(2), an alternative project site location should be considered if development of another site is feasible and if development of another site would avoid or substantially lessen significant impacts of the proposed project. When considering an alternative site location, the project objectives may be used to determine the necessary size of the site, its location, and availability of infrastructure. CEQA Guidelines Section 15126.6(f)(2)(A) states that a key question in looking at an off-site alternative is "...whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location."

The proximity of the employee parking to the existing CAC facilities is one of the most basic project objectives identified for this project (Chapter 1). The County of San Diego does not own an adequately sized property in close proximity to the CAC, other than the subject property, that could provide an alternative location for the project. In addition, an adequately sized parking structure can't be built within the CAC Waterfront site. While the County of San Diego does own additional properties of equal or greater size, those properties are located in areas outside of the acceptable walking distance to the CAC. These locations would not meet the project goal of providing adequate employee parking close to the CAC. Furthermore, they would require bussing or other services to transport staff from the parking facility to the CAC. This need for additional transportation would result in further generation of air quality and greenhouse gas emissions compared to those identified for the proposed project. This alternative has been rejected from further consideration because it is infeasible to develop the CAC employee parking facilities on an alternative site. The County does not own any alternative sites close to the CAC. Furthermore, if the County were to purchase another site for the project, it would significantly increase the cost of the project.

### **Health and Human Services Administration (HHSA) Office and Parking Alternative**

In 2004, the County of San Diego proposed development of the project site to serve as the headquarters of the County Health and Human Services Agency (HHSA), and included a parking structure to serve onsite HHSA employees and CAC employees. A total of 65,000 Gross Square Feet (GSF) of office space was proposed to be developed within two phases, with the first phase consisting of 40,000 GSF for HHSA, and the second phase would include 25,000 GSF for other County departments or divisions. The first phase also included the construction of a parking structure to include approximately 768 parking spaces that would be located in three below-grade parking levels and eight above-grade levels. Of these, approximately 593 spaces would be designated as CAC employee parking spaces, and the remaining 175 spaces would be used by HHSA staff, Star Building occupants, and occupants of the future phase 20,000 GSF office building. This proposed project did include the retention of the Star Building located on the southwest corner of the project site, with the removal of the one-story warehouse adjacent to the Star Building.

This alternative has been rejected from consideration because the previously identified need for HHS and other County office space has since been addressed through relocation of core administrative functions to other County-owned property in downtown San Diego, the approval and current construction of the County Operations Center (COC) Redevelopment and Expansion project in Kearny Mesa, as well as the construction of a separate HHS office located on Ruffin Road, approximately .5 mile from the COC site. No longer is near-term additional office space necessary for County operations. Furthermore, this alternative does not meet the project objective for the County to establish an opportunity for a public-private partnership.

## **4.2 Analysis of the No Project (No Development) Alternative**

CEQA Guidelines Section 15126.6(e) requires that an EIR address the No Project Alternative. According to Guidelines Section 15126.6(e) *“the specific alternative of ‘no project’ shall also be evaluated along with its impact. The ‘no project’ analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”*

### **4.2.1 Description and Setting**

The No Project (No Development) Alternative would retain the site in its current condition, including the surface parking lot, the Star Building, and the one-story warehouse. (See Figure 1-3). No new development, including the proposed parking structure, commercial/office development, or the multi-family residential component, would occur. With this alternative, the CAC Waterfront Park could not be constructed at this time, as the displaced employee parking would need to be addressed prior to the development of the waterfront park. This requirement for the provision of offsite employee parking within two to three blocks of the CAC is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003).

### **4.2.2 Comparison of the Effects of the No Project (No Development) Alternative to the Proposed Project**

The No Project (No Development) Alternative would result in the avoidance of significant and unmitigable impacts associated with historic resources, specifically, the removal of the Star Building; noise impacts associated with the operational (mobile) noise impacts on the proposed residential component; and cumulative air quality impacts associated with mobile source emissions, as this alternative would not result in a change in air emissions generated by the site, and thus would not result in a cumulatively considered contribution to mobile source emissions.

While this alternative would not result in impacts associated with hazardous materials and hazards, or geology and soils, because no new development would be proposed on the site, it would not alleviate these issues. Any future development of the site, especially if any commercial, office or residential uses were included, would need to mitigate these impacts at that time.

While the No Project (No Development) Alternative would reduce impacts, both significant and mitigable, and significant and unmitigable, as identified for the proposed project, the No Project Alternative would

affect the County's ability to provide mitigation for the Waterfront Park at the CAC. The provision of employee parking close to the CAC is not only an objective of the proposed project, but as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). Furthermore, the No Project Alternative would not allow the County to meet the following two other objectives for the proposed project: (1) provide "an opportunity to develop part of the site through a public-private partnership;" and (2) "maximize the County's potential return from development of a portion of the site through a public-private partnership." In summary, the No Project (No Development) Alternative will not meet the basic objectives of the project and is, therefore, not recommended for selection and implementation.

### **4.3 Analysis of the Adaptive Reuse Alternative (Build Alternative #1)**

The Adaptive Reuse Alternative (Build Alternative #1) was included to provide an alternative which eliminated the need for removal of the Star Building. While this alternative would reduce impacts associated with historical resources compared to the proposed project, this alternative would not avoid the significant and unmitigable impacts associated with noise from existing traffic conditions on future residents.

#### **4.3.1 Description**

The Build Alternative #1 would consist of the construction of a parking structure and commercial/retail on the entire project site below grade, with the exception of the southern third of the site, which includes the footprint of the Star Building that would be retained under this alternative. The parking structure would include two levels of below-grade parking (B1-B2) and six levels of above-grade parking (P1-P6). Approximately 655 standard and ADA parking spaces would be provided. Vehicles would exit via two lanes on Cedar Street and enter via two lanes on Kettner Boulevard. This alternative would also include a approximately 16,000 gross square feet of commercial/retail space along Kettner Boulevard and at the corner of Kettner Boulevard and Beech Street. In addition, a residential component, with approximately 65 units on five floors, would be developed above grade. Of those, 40 would be built on top of the western side of the parking structure. The Star Building first floor would be used as a lobby, community room, and fitness center for the residential units, and would have residential units on the second and third floors. Figure 4-1 provides a conceptual floor plan for the ground floor with the various first floor uses, and Figure 4-2 provides the conceptual design plan section drawings for the buildout of the Build Alternative #1. This alternative would provide a sufficient amount of parking for the County CAC employees and allow for the development of the CAC Waterfront Park. As noted above, the requirement for the provision of offsite employee parking within two to three blocks of the CAC is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003).

#### **4.3.2 Comparison of the Effects of the Build Alternative #1 to the Proposed Project**

By retaining the Star Building, the Adaptive Reuse Alternative (Build Alternative #1) would reduce direct and cumulative impacts associated with historic resources that were determined to be significant and unmitigable even with the proposed mitigation. This alternative would result in similar significant and unmitigable exterior noise impacts associated with the direct and cumulative operational (mobile) noise impacts from Kettner Boulevard on the proposed residential component. This alternative would reduce cumulative air quality impacts associated with mobile source emissions, as this alternative would result in

less traffic, air emissions, and GHG emissions because of the reduced number of residential units and the omission of the office component compared to the impacts identified for the proposed project.

The Build Alternative #1 would result in similar significant and mitigable impacts as the proposed project associated with hazardous materials and hazards, and geology and soils, due to construction of the parking garage, commercial, and residential units proposed for development on the site.

With respect to the alternative's ability to meet the project objectives, the Adaptive Reuse Alternative (Build Alternative #1) would meet the County's objective of providing adequate employee parking close to the CAC, which as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). While the Build Alternative #1 would allow the County to develop part of the site through a public-private partnership, which is an objective proposed for this project, this alternative would result in approximately 100 fewer residential units compared to the proposed project due to the structural constraints associated with the adaptive reuse of the Star Building and the limited area for the residential development along the eastern perimeter of the parking structure. Furthermore, these units would be located in a less desirable area of the project site adjacent to the railroad tracks. These factors would preclude the County from meeting the project objective of maximizing "the County's potential return from development of a portion of the site through a public-private partnership". In summary, the Build Alternative #1 would meet most of the project objectives, including the objective to provide adequate parking close to the CAC, but not the objective to maximize the County's potential return.

#### **4.4 Analysis of the Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2)**

The Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) was included to provide an alternative which would avoid the Star Building and any cause for removal of the building, allowing for construction of a parking structure and residential development on the remaining portion of the project site.

##### **4.4.1 Description**

The Build Alternative #2 would consist of two phases. Phase 1 would include the construction of a parking structure covering the northern two-thirds of the project site. The parking structure would include one and a half levels of below-grade parking (B1-B2) and four and a half levels of above-grade parking (P1-P5). Approximately 680 standard and ADA parking spaces would be provided in this structure and access would be provided at two separate points, on Cedar Street and Kettner Boulevard. This alternative would provide parking for the County CAC employees and allow for the development of the CAC Waterfront Park.

The existing Star Building would be retained as a stand-alone building, with no integration of the building into the proposed development, and would continue to be used for office space. The adjacent one-story warehouse building, which is not designated as historic would be removed under Phase 2 and replaced with a commercial (first-floor) and residential low-rise, that would wrap along the parking structure on Kettner Boulevard. As conceptually designed, Phase 2 would consist of approximately 65 residential units

within five floors. Additional parking would be constructed below Phase 2, along Kettner Boulevard, connecting with the new parking structure to provide adequate parking for the commercial and residential uses per City Municipal Code, while continuing to accommodate the parking demand identified for the CAC employee parking. Figure 4-3 provides a conceptual floor plan for the ground floor with the various first floor uses, and Figure 4-4 provides the conceptual design plan elevations for the buildout of Build Alternative #2.

#### **4.4.2 Comparison of the Effects of the Build Alternative #2 to the Proposed Project**

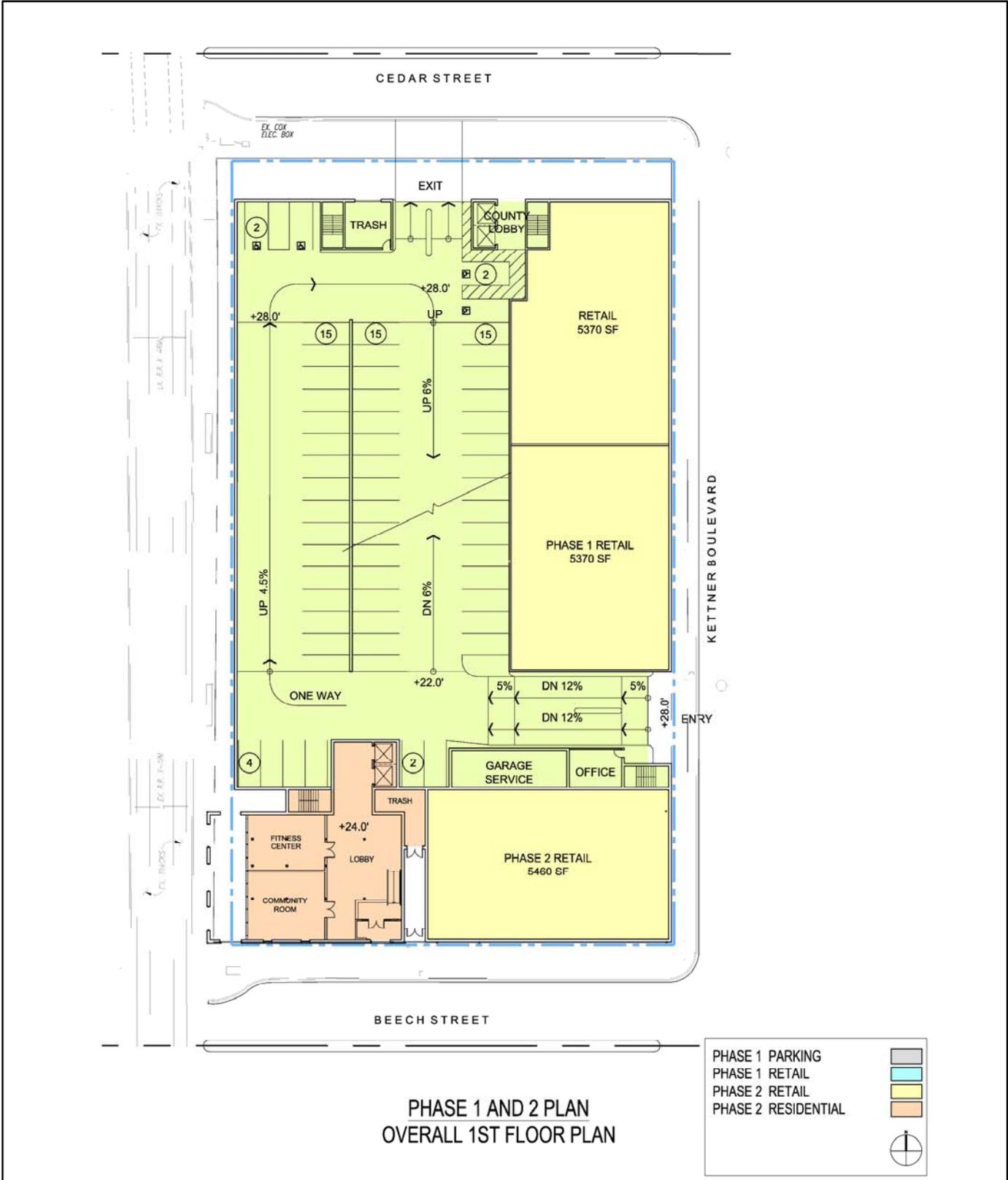
The Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) would reduce direct and cumulative impacts that were found to be significant and unmitigable, associated with the removal of a historic resource because this alternative would retain the Star Building as a stand-alone structure and continue to use it for offices. This alternative would result in similar significant and unmitigable exterior noise impacts associated with the direct and cumulative operational (mobile) noise from Kettner Boulevard on the proposed residential component. This alternative would also result in reduced cumulative air quality impacts associated with mobile source emissions, as this alternative would result in less traffic, air emissions, and GHG emissions generated by a reduced number of residential units and the omission of the office component compared to the impacts identified for the proposed project.

The Build Alternative #2 would result in reduced significant and mitigable impacts associated with hazardous materials and hazards by retaining the Star Building and its existing uses. Because the Star Building would not be demolished under this alternative, the public would not be exposed to potential hazardous materials onsite (e.g., contaminated soils, lead-based paint, asbestos, etc.). However, contaminated soils would remain under the Star Building, the health effects of which are known. This alternative would result in similar significant and mitigable impacts associated with geology and soils due to construction of the parking garage and residential units.

The Build Alternative #2 would meet the County's objective for the proposed project of "providing adequate parking close to the CAC", which as noted above, is a mitigation measure (MM 2.5) from the certified Waterfront Park EIR (County, 2003). The Build Alternative #2 will also provide the County with the opportunity to develop part of the site through a public-private partnership, though at a lesser scale of return estimated for the proposed project. The Build Alternative #2 will result in reduced impacts, both significant and mitigable, to air quality, GHG, and hazardous materials, and significant and unmitigable impacts to historic resources. As such, the Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) would be the environmentally superior alternative due to its reduction of impacts related to reduced emissions, retention of the Star Building for office use with minor remediation necessary, as well as the general ability of this alternative to meet most of the project objectives.

#### **4.5 Environmental Superior Alternative**

Although the No Project (No Development) Alternative would result in reduced environmental impacts compared to the proposed project, Section 15126.6(e)(2) of the State CEQA Guidelines requires identification of an alternative other than the No Project Alternative as the environmentally superior alternative. As such, the Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2) would be the environmentally superior alternative due to its reduction of impacts and emissions, retention and continued use of the Star Building for office use with minor remediation necessary, and the general ability of this alternative to meet most of the project objectives.

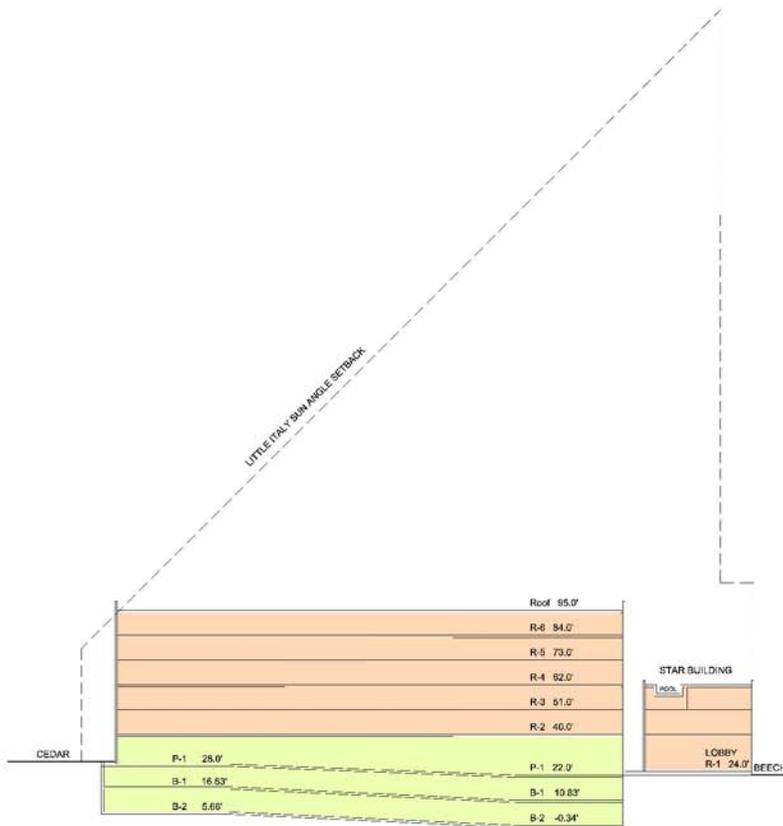


SOURCE: Carrier and Johnson, July 2011

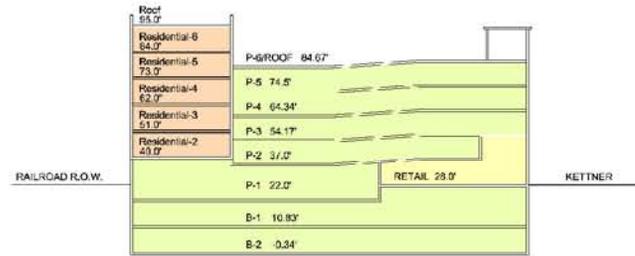
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	<p>Cedar and Kettner Development Project</p> <h2 style="margin: 0;">Build Alternative #1</h2> <h3 style="margin: 0;">Conceptual Floor Plan for Ground Floor</h3>	<p><b>FIGURE</b></p> <h1 style="margin: 0;">4-1</h1>
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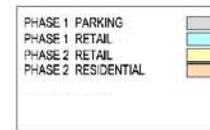
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PHASE 1 AND 2  
NORTH/SOUTH SECTION



PHASE 1 AND 2  
EAST/WEST SECTION



SOURCE: Carrier Johnson, July 2011

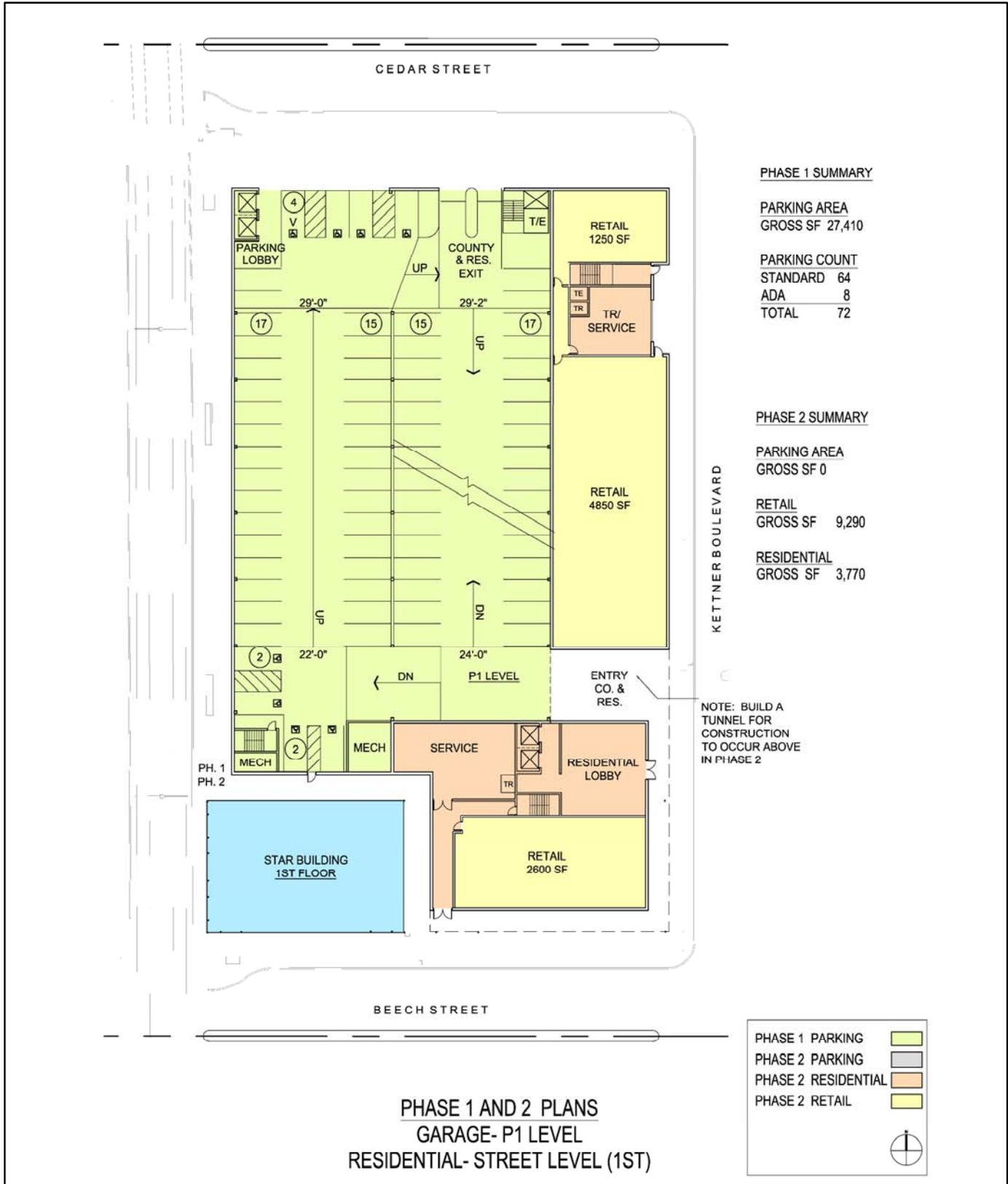
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Cedar and Kettner Development Project

# Build Alternative #1 Site Plan Elevations

## FIGURE 4-2



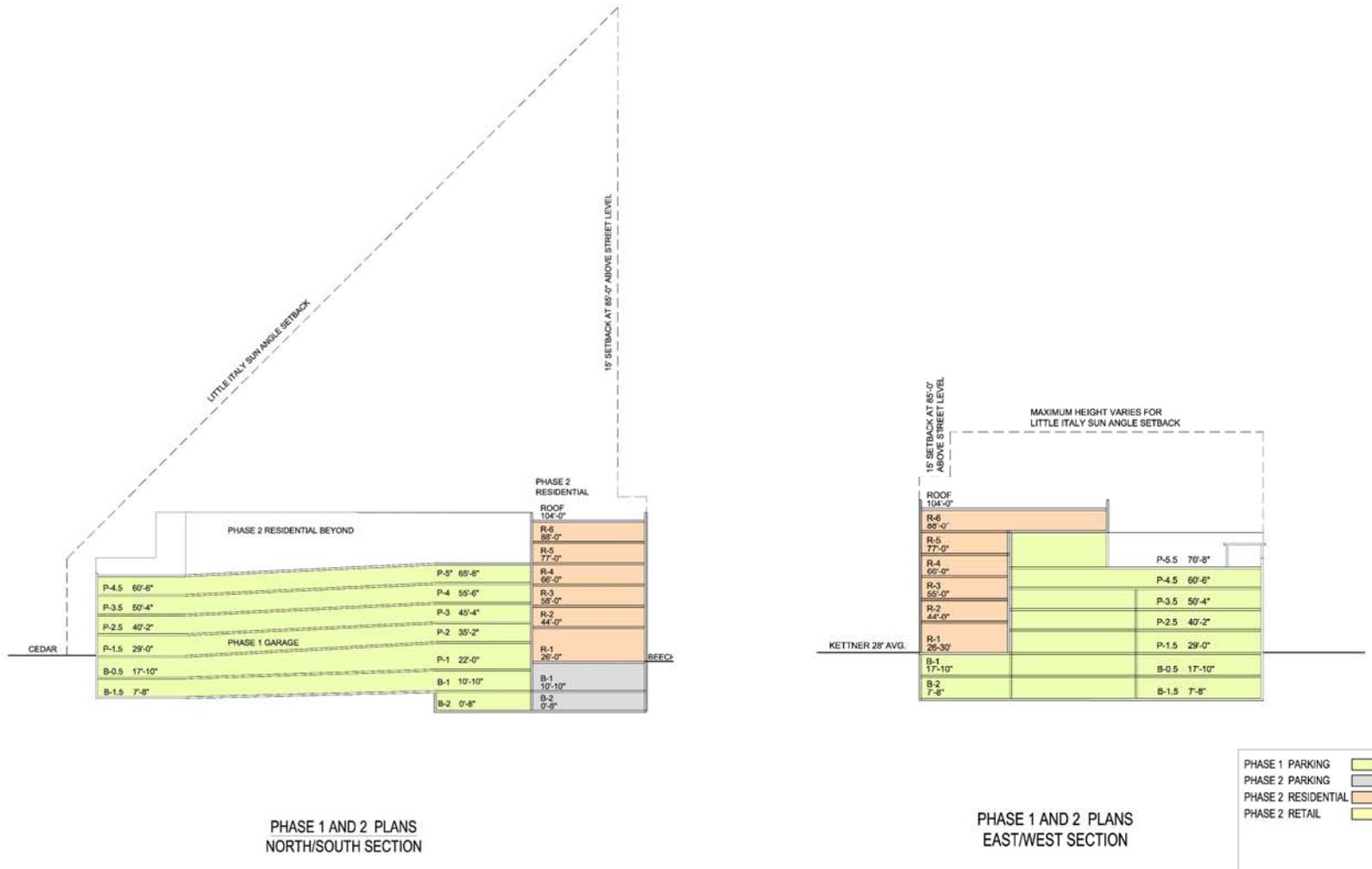
SOURCE: Carrier and Johnson, July 2011

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Cedar and Kettner Development Project  
**Build Alternative #2**  
**Conceptual Floor Plan for Ground Floor**

**FIGURE**  
**4-3**



SOURCE: Carrier Johnson, July 2011

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### Cedar and Kettner Development Project

## Build Alternative #2 Site Plan Elevations



# FIGURE

## 4-4

**TABLE 4-1**  
**Comparison of Project Alternatives**

Impact Category	No Project (No Development) Alternative	Adaptive Reuse Alternative (Build Alternative #1)	Parking and Residential Development without Removal or Integration of the Star Building Alternative (Build Alternative #2)
<b>Air Quality</b>	Avoid	Reduced	Reduced
<b>Noise</b>	Avoid	Reduced	Similar
<b>Historic Resources</b>	Avoid	Avoid	Avoid
<b>Geology/Soils</b>	Avoid	Similar	Similar
<b>Hazardous Materials and Hazards</b>	Avoid	Similar	Reduced
<b>Environmentally Superior?</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
<b>Meets Project Objectives?</b>	<b>No</b>	<b>Most</b>	<b>Most</b>

Notes:    Avoid = Impacts under this alternative avoided as compared to impacts for the proposed project.  
               Reduced = Impacts under this alternative reduced as compared to impacts for the proposed project.  
               Similar = Impacts under this alternative similar to impacts for the proposed project.

Source:   BRG Consulting, 2011.

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## **CHAPTER 6.0 LIST OF PREPARERS AND PERSON AND ORGANIZATIONS CONTACTED**

### **6.1 List of Preparers**

The following staff members contributed to the preparation of this EIR as follows:

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#### **Rincon Consulting**, Air Quality and Greenhouse Gas

Joe Power, Principal  
Chris Bersbach, Project Analyst

#### **Marie Burke Lia, Attorney at Law**, Historic Resources

#### **County of San Diego:**

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David Timber, Department of General Services  
Dahvia Lynch, Department of General Services  
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### **6.2 Persons and Organizations Contacted**

The following persons and organizations were contacted during the preparation of this EIR:

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#### **Other Contacts:**

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**CHAPTER 7.0 LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS****7.1 Proposed Project****7.1.1 Cultural and Historical Resources**

**M-CR-1** Prior to demolition of the City-designated Star Building, the County shall prepare full building archival photo documentation ~~similar~~ pursuant to Historic American Buildings Survey (HABS) Level II guidelines with minimum 2-1/4" negative and 8 x 10" archivally processed black and white prints. The photography should be extensive including overall views, exterior façade, and details. Field measurements and detailed drawings of openings and decorative elements shall be included in the existing building documentation. The documentation will also include outline narrative information about the building and copies of original drawings. Two original hardcopies and electronic versions on media such as CD shall be prepared. One hardcopy and electronic file shall be deposited with the City of San Diego, and the County of San Diego, Department of Planning and Land Use should retain the other copy.

**M-CR-2** Prior to approval of a Demolition Permit for Phase 1, or any grading and/or improvement plans and issuance of any Grading or Construction Permits for both Phase 2a and 2b, the County shall hire an Approved Principal Investigator (PI), known as the "Project Archaeologist", to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities within areas not previously disturbed or where undocumented fills occur. The following shall be completed to mitigate potential effects:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The contract with the Project Archaeologist shall include a condition requiring the Project Archaeologist to complete the grading monitoring.
- b. The Project Archeologist shall provide evidence that he/she subcontracted with a Native American of the appropriate tribal affiliation to perform Native American Grading Monitoring for the project.

**M-CR-3** Prior to approval of a Demolition Permit for Phase 1, or any grading and or improvement plans and issuance of any Grading or Construction Permits for both Phase 2a and 2b, a County approved Paleontologist, known as the "Project Paleontologist", shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The following shall be completed to mitigate potential effects:

A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. The contract with the Project Paleontologist shall include a condition that the Paleontologist completes the grading/ trenching/excavation monitoring.

### **7.1.2 Noise**

**M-N-1** ~~Per the requirements of the Centre City Development Corporation's Design Review/Development Permit Approvals~~ Consistent with the 2006 Downtown Community Plan Final EIR prepared by Centre City Development Corporation, prior to the issuance of a Design Review/Development Permit, all residential projects (Phase 2b of the proposed project) with required outdoor open space (common or private) (e.g., private balconies) are required to prepare a noise study to ensure exterior noise would not exceed 65 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an exterior noise standard of 65 dB CNEL shall be incorporated into the building/architectural plans.

**M-N-2** Prior to issuance of building permits for the development of Phase 2b, the developer shall be required to prepare a noise study to ensure that interior CNEL would not exceed 45 dB. Any additional mitigation measures identified by the noise study that are necessary to achieve an interior standard of 45 dB CNEL shall be incorporated into the building/architectural plans.

### **7.1.3 Air Quality**

**M-AQ-1** All phases of the proposed project shall comply with City of San Diego's Construction site BMPs to ensure that impacts related to short-term construction emissions would be mitigated to less than significant. The following are the construction BMPs that would mitigate short-term construction emissions:

1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds are forecast to abate below this threshold.
2. Dust suppression techniques shall be implemented including, but not limited to, the following:
  - a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.
  - b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.

- c. Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.
3. Vehicles on the construction site shall travel at speeds less than 15 miles per hour.
4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.
5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface. Any visible track-out extending for more than 50 feet from the access point shall be swept or washed within 30 minutes of deposition.
6. All diesel-powered vehicles and equipment shall be properly operated and maintained.
7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.
8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.
9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.
10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume- low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.
12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.
13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost- competitive for use on this development.
14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.
15. Rubble piles shall be maintained in a damp state to minimize dust generation.
16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent feasible.

17. If alternative fueled and/or particulate filter equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.

#### **7.1.4 Geology/Soils**

**M-GE-1** Prior to approval of final engineering and grading plans for each phase of the ~~the~~ Project, the County shall verify that all recommendations contained in the *Geotechnical Investigation and Geologic Fault Investigation for the Cedar/Kettner Parking/Residential Structure* prepared by Geocon Inc. (October 14, 2003) have been incorporated into final engineering and grading plans. This report identifies specific measures for mitigating geotechnical conditions on the project site to below a level of significance. The report addresses excavation and soil characteristics, corrosive potential, seismic design criteria, grading, construction dewatering, excavation slopes, shoring and tiebacks, soil nail wall, foundations, mat foundation recommendations, concrete slabs, lateral loading, retaining walls, site drainage and moisture protection, and foundation plan review. The County's soil engineer and engineering geologist shall review grading plans prior to finalization, to verify plan compliance with the recommendations of the report. All development on the project site shall be in accordance with Title 24, California Code of Regulations (State Building Code).

#### **7.1.5 Hazards/Hazardous Materials**

**M-HZ-1** Prior to issuance of a demolition permit for Phase 1, or prior to the issuance of a grading or building permit for both Phase 2a and 2b, any contaminated or hazardous soil and/or water conditions on the site shall be removed and/or otherwise remedied ~~by the developer~~ if, and as, encountered during construction as provided by law and implementing rules and regulations. Such mitigation may include without limitation the following:

- a) Remove (and dispose of) and/or treat any contaminated soil and/or water and/or building conditions on the project site as necessary to comply with applicable governmental standards and requirements.
- b) Design and construct all improvements on the project site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor, particulate, or other form, and/or from the direct and indirect effects thereof.
- c) Prepare a site-safety plan, if required by any governmental entity, and submit it to such authorities for approval in connection with obtaining a demolition permit for Phase 1 or a building permit for both Phase 2a and 2b, for the construction or improvements on the project site. Such site safety plan shall assure workers and other visitors to the project site of protection from any health and safety hazards during development and construction of the ~~the~~ Project. Such site safety plan shall include monitoring and appropriate protective action against vapors and particulates and/or the effect thereof.

- d) Obtain appropriate permits from the County of San Diego DEH and/or California Regional Water Quality Control Board and/or any other authorities, which would be required in connection with the removal and/or remediation of soil and/or water and/or building contamination.

To mitigate potential significant impacts associated with HZ-5, mitigation measures M-HZ-2 and M-HZ-3 have been proposed to reduce the potential impacts to below a level of significance.

**M-HZ-2** Prior to issuance of a demolition permit for onsite structures related to Phase 1, a facility survey shall be performed to determine the presence or absence of ACMs located in the Star Building and adjacent one-story warehouse. Suspect materials shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, who shall have taken and passed an EPA-approved Building Inspector Course. Should regulated ACMs be found, they shall be handled and disposed of in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation. Evidence of completion of the facility survey shall be submitted to the County of San Diego, Department of General Services Project Manager, and shall consist of a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.

**M-HZ-3** Prior to issuance of a demolition permit for onsite structures related to Phase 1, a survey shall be performed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of lead-based paint (LBP) located in the two buildings on the southern portion of the project site. Demolition of all materials containing LBP must comply with applicable regulations for demolition methods and dust suppression consistent with the 1994 Federal Occupational Safety and Health Administration (OSHA) standards for lead hazards, 29 CFR 1910.1001, 1926.1101, and 1915.1001. All LBP removed from the onsite structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste.

## **7.2 Environmental Design Considerations**

With respect to energy conservation, or “green” building measures, the following list of design considerations and measures is considered part of project design, and will be a requirement at project implementation for each phase:

## **Greenhouse Gas Emissions**

### **Phase 1 – Parking Structure**

- 365.1 kW Roof-top Photovoltaic System;
- Natural Ventilation (Along Cedar and Railroad ROW);
- Lighting Control;
- Transportation Demand Management (TDM) Measures:
  - A bulletin board, displaying transportation information for employees, which will include maps, routes and schedules for public transit routes serving the site; telephone numbers for regional ridesharing agency and local transit operators; ridesharing promotional material supplied by commuter-oriented organizations; and bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
  - A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site;
  - Shuttle bus to other County offices;
  - Bicycle racks;
  - A safe and convenient zone in which vanpool and carpool vehicles may deliver or board passengers;
  - Sidewalks/pathways for external pedestrian circulation; and.
  - Established start and end shift times for employees outside the peak commute hours. ~~;~~ ~~and~~
  - ~~On-site amenities (e.g., food service, postal services, etc.).~~

### **Phase 2a - Commercial/Office**

- Meet LEED Silver Certification requirements;
- Low-flow toilets;
- Recycled content for flooring; and,
- Onsite buildings will be developed with an energy efficiency that goes beyond Title 24 requirements.

### **Phase 2b - Residential/Commercial**

- Meet LEED Silver Certification requirements;
- Low-flow toilets;
- EnergyStar Appliances (Residential);
- Onsite buildings will be developed with an energy efficiency that goes beyond Title 24 requirements;
- Irrigation control devices for landscaped areas; and,
- Drought tolerant landscaping.