

FINAL  
ENVIRONMENTAL IMPACT REPORT  
for the  
Palomar Trolley Center  
SCH # 89032915

November, 1991

Prepared for:

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## **1.0 INTRODUCTION**

### **LEGAL REQUIREMENTS**

This Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 et. seq.); the guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) published by the Resources Agency of the State of California (California Administrative Code Sections 15000 st. seq.); the Environmental Review Procedures of the City of Chula Vista; and the regulations, requirements, and procedures of any other responsible agency with jurisdiction by law.

This report was prepared by professional planning consultants for submittal to the City of Chula Vista which is the Lead Agency for this project.

### **THE EIR AS AN INFORMATION DOCUMENT**

This EIR is intended to provide information to the public agencies, the general public and the decision makers, regarding the potential environmental impacts from the proposed Palomar Trolley Center Project. Under the provisions of the California Environmental Quality Act, "the purpose of an Environmental Impact Report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which such significant effects can be mitigated or avoided." Thus, the EIR is an information document for use by decision makers, public agencies and the general public.

### **THE EIR IN THE DEVELOPMENT PROCESS**

The EIR will be used by the City of Chula Vista in assessing impacts of the proposed Palomar Trolley Center Project including its construction and use. During the development process of the project, alternatives and mitigation measures identified in this EIR may be applied to the project by the City.

### **BACKGROUND**

In order to define the scope of the Draft EIR and to identify agency and public concerns regarding potential impacts of the proposed project, the City of Chula Vista distributed a Notice of Preparation to local, County and State agencies, other public agencies, and any interested private organizations and individuals.



Written comments received during the 30-day public review period for the Notice of Preparation of the Draft EIR are included in Appendix A of this document. Technical reports, prepared as part of this EIR for the project, are also included as appendices to this EIR. These documents were utilized as reference material in the EIR analysis.

## **AVAILABILITY OF REPORTS**

The Draft EIR is available for public inspection and copying at the City of Chula Vista, 276 Fourth Avenue, Chula Vista, California 92010. Copies are available to the public on payment of a reasonable charge for reproduction. Circulating copies are available at the City of Chula Vista Public Library, the Chula Vista Planning Department, and the Community Development Department during regular business hours.

## **COMMENTS REQUESTED**

Comments of all agencies and individuals are invited regarding the information contained in the Draft EIR. Where possible, those responding to the Draft EIR should provide additional information they feel is lacking, or indicate where the information may be found. Comments must specifically address the adequacy and sufficiency of the Draft EIR.

Following the 45 day period for circulation and review of the Draft EIR, all comments and responses to comments will be incorporated in the Final Environmental Impact Report.

## **STRUCTURE OF THIS EIR**

This EIR is organized in eleven sections. Section 1.0 is this introduction. Section 2.0, the Executive Summary, provides a brief project description and summarizes project impacts. A comprehensive project description is presented in Section 3.0. Section 4.0 describes the general environmental setting. Section 5.0 analyzes project impacts and outlines mitigation measures designed to reduce the impacts to less than significant levels. Section 6.0 examines alternatives to the project, while Section 7.0 discusses long-term impacts. References and persons responsible for preparation of the EIR are included in Section 8.0. Reference/sources are identified by a letter and number code in parentheses, e.g., (C-3), indicating the document or person listed in Section 8.0. Section 9.0 includes responses to comments on the Draft EIR. An Addendum to the EIR which describes a possible project phasing plan is incorporated as Section 10.0. Technical documents are included as appendices to the EIR in section 11.0. The Initial Study and written comments received during the Notice of Preparation review period are also included as appendices. A mitigation monitoring checklist,

in accordance with Section 21081.6 of the California Public Resources Code, is included in Appendix B of Section 11.0.

## **2.0 EXECUTIVE SUMMARY**

This Environmental Impact Report (EIR) analyzes the potential environmental impacts related to construction of a commercial retail center within the City of Chula Vista, in southwestern San Diego County. The project site is approximately 18.2 acres (729,800 square feet) and is partially developed with commercial, residential, and public uses. The project involves the removal of existing uses and development of approximately 198,200 square feet, 25 percent of the project site, of commercial uses which could include major anchor tenants, large commercial tenants, smaller retail shops, and stores, five "pad" buildings, two of which will have drive-through capabilities for fast-food restaurants, sidewalks, and extensive landscaping. In conjunction with but separate from the proposed project, the development of a linear park within the SDG&E right-of-way directly south of the project site has been suggested, subject to approval by SDG&E. Access to the adjacent MTDB trolley station will be provided within the project site through the use of a pedestrian sidewalk. Approximately 991 parking spaces will be provided. An Addendum to the EIR describing a possible project phasing plan is included as Section 10.0 of this document.

See Section 9.0  
Response M-2

### **PROJECT LOCATION**

The project site is located within the City of Chula Vista, approximately 8 miles southeast of the City of San Diego's downtown and approximately 7 miles north of the Mexican/American border in San Ysidro. The project site is currently designated in the Montgomery Specific Plan as Mercantile and Office Commercial, Research and Limited Industrial, Parks and Open Space/Special Study Area, and Institutional. Surrounding designations include Mercantile and Office Commercial to the north and east, Research and Limited Industrial to the south, and Institutional to the west.

The Palomar Trolley Center will serve to develop a large commercial center in the southbay area that will increase tax generating sources for the City and the Montgomery Specific Plan area. Interstate 5 and the MTDB trolley line will provide access to the site from outside the area. Palomar Street will provide primary access and Broadway and Industrial Boulevard will provide secondary access from within the City.

### **ENVIRONMENTAL IMPACTS**

The City of Chula Vista prepared an Initial Study for the proposed project and determined the need for an EIR. Environmental issues identified by the City for assessment in this EIR consist of:

- Drainage

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

- o Land Use
- o Aesthetics
- o Social Factors
- o Community Infrastructure
- o Energy
- o Utilities
- o Human Health
- o Transportation

**POTENTIALLY SIGNIFICANT IMPACTS**

See Section 9.0  
Response N-1

Based on data and conclusions presented in this EIR, the City finds that the project will result in significant impacts in the areas of Land Use, Utilities, Transportation and Schools. Implementation of the mitigation measures outlined in this document can reduce all impacts to less than significant levels. All mitigation measures listed in Table 2-1 must be implemented prior to project occupancy in order to comply with the City of Chula Vista's Threshold/Standards Policy. Table 2-1 is a summary of findings from the analyses.

**TABLE 2-1  
SUMMARY OF FINDINGS**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>I. Unavoidable Significant Environmental Impacts (Lead Agency must issue a "Statement of Overriding Considerations" under Section 15093 and 15126 (b) of the State CEQA Guidelines if the agency determines these effects are significant and wishes to approve the project)</b>			
NONE	N/A	N/A	N/A



**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

<b>IMPACT AREA</b>	<b>POTENTIAL ENVIRONMENTAL IMPACT</b>	<b>MITIGATION MEASURES</b>	<b>LEVEL OF SIGNIFICANCE AFTER MITIGATION</b>
TRANSPORTATION	Roadway segments within the study area including Palomar Street between Industrial Boulevard and Orange Avenue will be impacted by additional traffic generated by the project; intersections within the study area will experience lower levels of service and three intersections including Project Entrance/Palomar Street/, Broadway/Palomar Street, and Broadway/Main Street will operate below accepted levels of service without mitigation.	<p>Roadway Segments</p> <p>Widen Palomar Street between Industrial Boulevard and Orange Avenue to a six-lane major street to the satisfaction of the City Engineer.</p> <p>Intersections</p> <p>Install a traffic signal at the proposed intersection of Palomar Street/project entrance and construct the following lane geometrics:</p> <ul style="list-style-type: none"> <li>◦ Eastbound - one left, two through, and one through/right</li> <li>◦ Westbound - two left, two through, and one through/right</li> <li>◦ Northbound - one left, and one through/right</li> <li>◦ Southbound - one left, and one through/right</li> </ul> <p>Improve the intersection of Palomar Street/Broadway to provide the following lane geometrics:</p> <ul style="list-style-type: none"> <li>- Widen the eastbound approach to provide an additional left turn lane and widen the westbound approach to provide an additional through lane. The resulting geometric configuration for this intersection is detailed below:</li> </ul>	Less than significant.

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>TRANSPORTATION (Continued)</p>		<ul style="list-style-type: none"> <li>◦ Eastbound - two left, two through, and one through/right</li> <li>◦ Westbound - one left, three through, and one right</li> <li>◦ Northbound - one left, two through, and one right</li> <li>◦ Southbound - one left, two through, and one right</li> </ul> <p>Improve the intersection of Palomar Street/Trolley Station entrance to provide the following lane geometrics:</p> <ul style="list-style-type: none"> <li>- Widen the eastbound and westbound approaches to provide an additional through lane in each direction. The resulting geometric configuration for this intersection is detailed below:</li> </ul> <ul style="list-style-type: none"> <li>◦ Eastbound - one left, two through, and one through/right</li> <li>◦ Westbound - one left, three through, and one right</li> <li>◦ Northbound - one left, and one through/right</li> <li>◦ Southbound - one left/through, and one right</li> </ul>	

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>TRANSPORTATION (Continued)</p>		<p>The intersection of Main Street/Broadway to provide the following lane geometrics:</p> <ul style="list-style-type: none"> <li>- Widen the eastbound and westbound approaches to provide an additional right-turn lane in each direction and widen the northbound and southbound to provide an additional left-turn lane in each direction. The resulting geometric configuration for this intersection is detailed below:</li> <li>o Eastbound - one left, two through, and one through/right</li> <li>o Westbound - one left, two through, and one right</li> <li>o Northbound - two left, two through, and one right</li> <li>o Southbound - two left, two through, and one</li> </ul> <p>Site Access And Internal Circulation</p> <p>The following mitigation strategies and site improvements should be required by the City during the review of the site design plans:</p>	



**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>TRANSPORTATION (Continued)</p>		<ul style="list-style-type: none"> <li>◦ A raised median will be incorporated into the design of the Main Entrance driveway serving the Trolley Center site. This on-site raised median should be continuous for a distance of approximately 150 feet south of the signalized intersection at Palomar Street. This raised median will provide uninterrupted storage for northbound left turning vehicles and will also insure uniform traffic flow south of the signal in both directions.</li> <li>◦ In addition to the Main Entrance Driveway and the Palomar Trolley Station Entrance, three other access points will be provided and restrict access at these locations to right-turns in and right-turns out, in conjunction with a raised median on Palomar Street.</li> <li>◦ The access point located to the east of the site on Broadway shall be restricted to right and left-turns in and right-turns out. Care must be taken when designing this left-turn pocket, as it is likely to be confused with the left-turn pocket from northbound Broadway to westbound Palomar Street.</li> </ul>	

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>TRANSPORTATION (Continued)</p>		<ul style="list-style-type: none"> <li>◦ The internal circulation and parking layout adjacent to each individual restaurant pad should be re-evaluated when specific plans are made for these uses on the proposed project site.</li> <li>◦ The proposed project will provide an internal connection from its parking lot to the existing Trolley Station parking lot. This will provide vehicles leaving the Trolley Station an alternate exit at the signalized intersections at the proposed main project entry and reduce delay at the unsignalized Trolley Station exit if the Trolley Station traffic signal is relocated. In addition to this physical linkage for vehicles it is recommended that a similar linkage be provided exclusively for pedestrians.</li> </ul>	
<p>COMMUNITY INFRASTRUCTURE <u>Schools</u></p>	<p>Additional school children will be generated by the project and will enter schools currently over crowded because of a lack of classroom space.</p>	<p>Proposed project shall be required to pay school fees to off-set costs or be annexed to CFD #5 to allow use of Mello Roos Financing.</p>	<p>Less than significant.</p>

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>III. Environmental Impacts That Are Considered Adverse, But Less Than Significant (Section 15126 and 15128 of the State CEQA Guidelines).</b>			
DRAINAGE	Increased runoff from the project site will increase flows to off-site drainage facilities by approximately 6 percent.	The developer will be responsible for off-site drainage improvements, if necessary, and based on the amount of additional flows generated by the project; the project shall incorporate into the site design any of the flow reduction measures outlined in the Dudek Study which are feasible, if such flow reductions are deemed necessary by the City of Chula Vista Engineering Department.	Less than significant
SOCIAL FACTORS	The vacancy rate of neighborhood-serving commercial retail may be increased from 6.5 percent to 13.1 percent by adding the 87,400 square feet of neighborhood-serving commercial retail to the market area as proposed by the project.	Potentially adverse impacts can be mitigated by adherence to the disposition and development agreement by the Chula Vista Redevelopment Agency. The Agreement contains a clause restricting the developer from leasing or selling to tenants or purchasers greater than 15,000 square feet of floor area until the Redevelopment Agency has approved the tenant.	Less than significant
COMMUNITY INFRASTRUCTURE (except Schools)	Implementation of the proposed project will increase demand for public services such as fire/EMS, police protection, and recreational facilities within the project area.	The level of service provided by the City will adhere to the goals and policies outlined within the City's Threshold/Standards Policy to reduce impacts to these areas. Development of a linear park will require approval of the City of Chula Vista and SDG&E.	Less than significant.

**TABLE 2-1  
SUMMARY OF FINDINGS  
(Continued)**

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
ENERGY	Consumption of electricity and natural gas will increase 7.5 megawatt hours and 11,000 cubic feet, respectively, over existing conditions, but will be 132.8% and 157.1% above that consumed by existing development.	The developer shall implement energy conservation measures into construction and adhere to Energy Commission standards in construction.	Less than significant.
HUMAN HEALTH	Persons will be exposed to low-level soil contamination on-site that has occurred from a variety of hazardous materials, and to above ambient levels of electromagnetic radiation for short time periods from energy transmission lines.	The developer shall remove underground tanks, perform soil testing for several possible contaminants, and remove any contaminated soil from the site. Construction of the linear park shall be delayed until significance of EMR exposure can be determined from the EPA report.	Less than significant.
AESTHETICS	Existing viewshed will be changed from vacant land to a large commercial center.	All development guidelines outlined in the planning concepts for the Palomar Trolley Center shall be implemented along with applicable policies contained in the Montgomery Specific Plan.	Less than significant.

IMPACT AREA	POTENTIAL ENVIRONMENTAL IMPACT	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>IV. Impacts Considered But Found To Be Less Than Significant.</b>			
None	N/A	N/A	N/A

**AREAS OF CONTROVERSY**

The CEQA Guidelines requires the identification of any areas of controversy caused by the project.

Areas of controversy that may be expected during project implementation include:

- Removal of existing residences, commercial uses, and the church.

- Attraction of business away from existing neighborhood-serving commercial uses in the area.

## **ISSUES TO BE RESOLVED**

CEQA also requires the identification of issues to be resolved.

Issues to be resolved as the result of the project proposal include:

- General Plan Amendment
- Rezoning of parcels
- Drainage improvements
- Improvements to circulation system around the project site
- Continual maintenance of the City's Threshold/Standards Policy

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## **PROJECT DESCRIPTION**

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The Palomar Trolley Center project is a 198,200 square foot community shopping center to be constructed on approximately 18.2 acres of land on the south side of Palomar Street between Industrial Avenue and Broadway in the city of Chula Vista. A complete project description is provided in Section 3.0, Project Description, of the Final EIR.

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## **ENVIRONMENTAL IMPACT ANALYSIS**

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### **SCHOOLS**

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This analysis replaces the public school facilities analysis included within Section 5.5, Community Infrastructure, of the Final EIR.

## **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting related to public educational services is described on pages 5.5-4 and 5.5-5 of the Final EIR. In summary, educational services and facilities for the general area in which the Palomar Trolley Center is located are provided by the Chula Vista Elementary School District (CVESD) and the Sweetwater Union High School District (SUHSD). Projected enrollment exceeds the existing capacity of the three elementary schools administered by CVESD (Harborside, Lauderbach, and Rice Elementary Schools). Projected enrollment also exceeds the capacity of Chula Vista High School which is administered by SUHSD. No new schools are currently planned for the area, therefore relocatable classrooms are utilized by both school districts to meet projected enrollments by increasing the capacity of existing schools.

The City of Chula Vista Threshold/Standards Policy provides for an annual review of the impact of all projects, whether commercial or residential. This policy requires the City to "... annually provide the two local school districts with a 12 to 15 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth." In reply, the school districts provide information describing the following:

1. Amount of current capacity now used or committed;
2. Ability to absorb forecasted growth in affected facilities;
3. Evaluation of funding and site availability for projected new facilities; and
4. Other relevant information.

Both school districts utilize the SANDAG report, "School District Development Impact Fees: Relationship Between New Non-Residential Development and Student Enrollment," to estimate student generation for the Palomar Trolley Center project. The purpose of this report was to provide a basis for both school districts to collect developer fees for school facilities on commercial and industrial development as required by Assembly Bill 181 (1988). The CVESD indicates that the project will generate approximately 47 new elementary school students requiring an additional two classrooms of capacity at a revised estimate of \$240,000. The SUHSD estimates that the project will generate approximately 57 new junior high and high school students requiring two additional classrooms at an estimated cost of \$240,000. Taken together, the districts assert that 104 new students will be generated requiring additional facilities at an estimated cost of \$480,000.

The estimate of 104 new students relies on the SANDAG report's methodological assumption that the Palomar Trolley Center project creates new jobs in the area served by the school districts that are filled by individuals not presently residing in the area; that is the new jobs will be filled by individuals whose families will move into the area served by the school districts. These newly arrived families represent the source of the new students affecting the districts and requiring additional facilities. To accommodate these new families, new housing units must also be provided within the area served by the school districts (excluding a normal vacancy factor for housing stock in the area, a new family moving into an existing housing unit simply replaces the family that previously resided in the unit and, on the average, there is no net increase in the number of students). Under the SANDAG study, the number of new housing units associated with the 104 students is approximately 190, based on an estimated average student generation rate of .58 students per housing unit.

Section 65995 of the California Government Code authorizes school districts to collect fees from developers of both residential and non-residential projects to offset school facility impacts related to such development. The present limitations on school facility fees are \$1.58 per square foot for residential development and \$.26 per square foot for commercial and industrial development. Both school districts collect their proportional allocation of these fees. For each \$1.58 levied on residential development, CVESD receives \$.70 and SUHSD receives \$.88. For each square foot of commercial and industrial development, CVESD receives \$.12 and SUHSD receives \$.14. The collection of fees from the developers of residential and commercial/industrial projects is available to provide school facilities for new students attributable to new development.

The Palomar Trolley Center includes approximately 198,200 square feet of commercial development, and the total school facility fee available to the districts is approximately \$51,532 (198,200 square feet x \$.26 per square foot) to offset new student generation. Of that amount, CVESD receives \$23,784, and SUHSD receives \$27,748. Assuming construction of new units under the SANDAG methodology, the districts will also receive a school facility fee for residential development of approximately \$390,260 to offset that same new student generation (190 new housing units x 1,300 square feet per housing unit x \$1.58 per square foot). Of that amount, CVESD would receive \$172,900, and SUHSD would receive \$217,360. The combined fees available from both commercial and residential development for the facilities necessary to accommodate 104 new students are approximately \$441,792. Separately CVESD receives \$196,684, and SUHSD receives \$245,108.

Certain residential developments requiring legislative action (general plan amendments, rezonings) within the school districts' jurisdiction west of I-805 can be required to annex to Community Facility District # 5, instead of paying the school facility fees described above. CFD # 5 is a form of benefit assessment district established under the Mello-Roos Community Facilities Act to finance the construction of school facilities necessitated by new growth. The estimated bonding capacity for CFD # 5 is \$105,000,000. During 1991, the City of Chula Vista issued building permits for 111 residential units in the area of the city that lies west of I-805. According to CVESD records, 1991 residential projects west of I-805 in the city have added from 28 to 45 residential units to CFD # 5. The residential units added to CFD # 5 represent approximately 25 to 40 percent of the 111 total residential building permits issued in 1991 for the area. Assuming that 25 percent of new residential development (47 housing units) within the area is required to annex to CFD # 5 instead of paying school facility fees, the present tax revenue value of adding 47 housing units to CFD # 5 is approximately \$95,403 for CVESD and \$156,734 for SUHSD. If 47 of the 190 housing units theoretically associated with new student generation annex to CFD # 5, the remaining 143 units will contribute an estimated residential school facility fee of \$130,130 to CVESD and \$163,592 to SUHSD. The school facility fees contributed by 143 housing units combined with the present value of 47 housing units annexing to CFD # 5 is estimated at \$225,533 for CVESD and \$320,326 for SUHSD. Combining the fees/CFD # 5 present tax revenue value for residential and fees for commercial development, (\$51,532 total), estimated funds available to CVESD and SUHSD are \$249,317 and \$348,074 respectively.

Based on these estimates, the total school facility fees and the present tax revenue value of residential units which may annex to CFD # 5 exceeds the total cost of new facilities required by \$117,391 (\$597,391 available/\$480,000 needed). On an individual basis the fees available to CVESD are approximately \$9,317 higher than facility costs (\$249,317 available/\$240,000 needed). For SUHSD, the estimated fees available exceed the estimated facility costs by \$108,074 (\$348,074 available/\$240,000 needed).



Based on this analysis, the availability of school facility fees and present tax revenue value of residential projects reasonably assumed to annex to CFD # 5 to offset the potential impact of projected new student generation reduces that potential impact to a level of less than significant.

#### **MITIGATION MEASURES AND LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the analysis presented above, the impact of the Palomar Trolley Center project on school facilities is less than significant, and no mitigation is necessary.

### 3.0 PROJECT DESCRIPTION

#### **THE PROJECT AND PROJECT LOCATION** *(Possible Phasing Plan for project is included as Addendum to EIR as Section 10.0 of this document)*

The proposed project is a large community shopping center incorporating a total of 198,200 gross square feet of building space which will cover approximately 25% of the site area. The remaining 75% of the project area will consist of sidewalks, parking, landscaping, and roadways. The project site consists of approximately 18.2 acres (729,800 square feet). Also included as part of the project, as outlined in the revised Development Agreement between the developer and the Chula Vista Redevelopment Agency, will be an entertainment/recreation center, which will provide such uses as a bowling alley or theaters. In addition, a day care center will be provided either on the proposed project site, or on land provided by MTDB directly adjacent to the project site. Existing on-site uses include a 7-Eleven store and laundromat which occupy the northeast corner of the property, and Sam's Trailer Service which occupies the far eastern section of the site. The Mi Cabana nightclub/restaurant, three single-family homes, and a church are located within the central portion of the site. Approximately two-thirds of the property is currently vacant. A "paper" street right-of-way, which runs from Jayken Way north to Palomar Street, will also be vacated. Uses proposed for the site will include major anchor tenants and other large commercial tenants, smaller retail shops, five building pads, two of which will have drive-through capabilities for fast-food restaurants, sidewalks and extensive landscaping. Public amenities will include a traffic circulation loop within the project site.

In conjunction with the proposed project, a linear park may also be developed within the SDG&E right-of-way directly south of the project site. The 55-foot wide linear park will consist of a passive use park, with a pedestrian/bike path and possibly some benches. The park will provide access from Broadway to the trolley station and from the trolley station to Broadway or the proposed project. The linear park will not serve as a neighborhood or community park.

Parking for the Palomar Trolley Center will be provided on-site. The City uses a ratio of 5 parking spaces for every 1,000 square feet of building space. Therefore, the project must provide a minimum of 991 parking spaces.

Specific Design Guidelines have been developed for this proposed project which outline design criteria including site to building ratios, percentage of "high" retail sales tax generating businesses that must occupy the project site, and landscaping. These guidelines were created in an effort to allow a creative design theme which provides the Montgomery planning area with an upscale, viable retail center that adheres to and complements City design standards. These design guidelines are available at the City of Chula Vista Planning Department for public review.

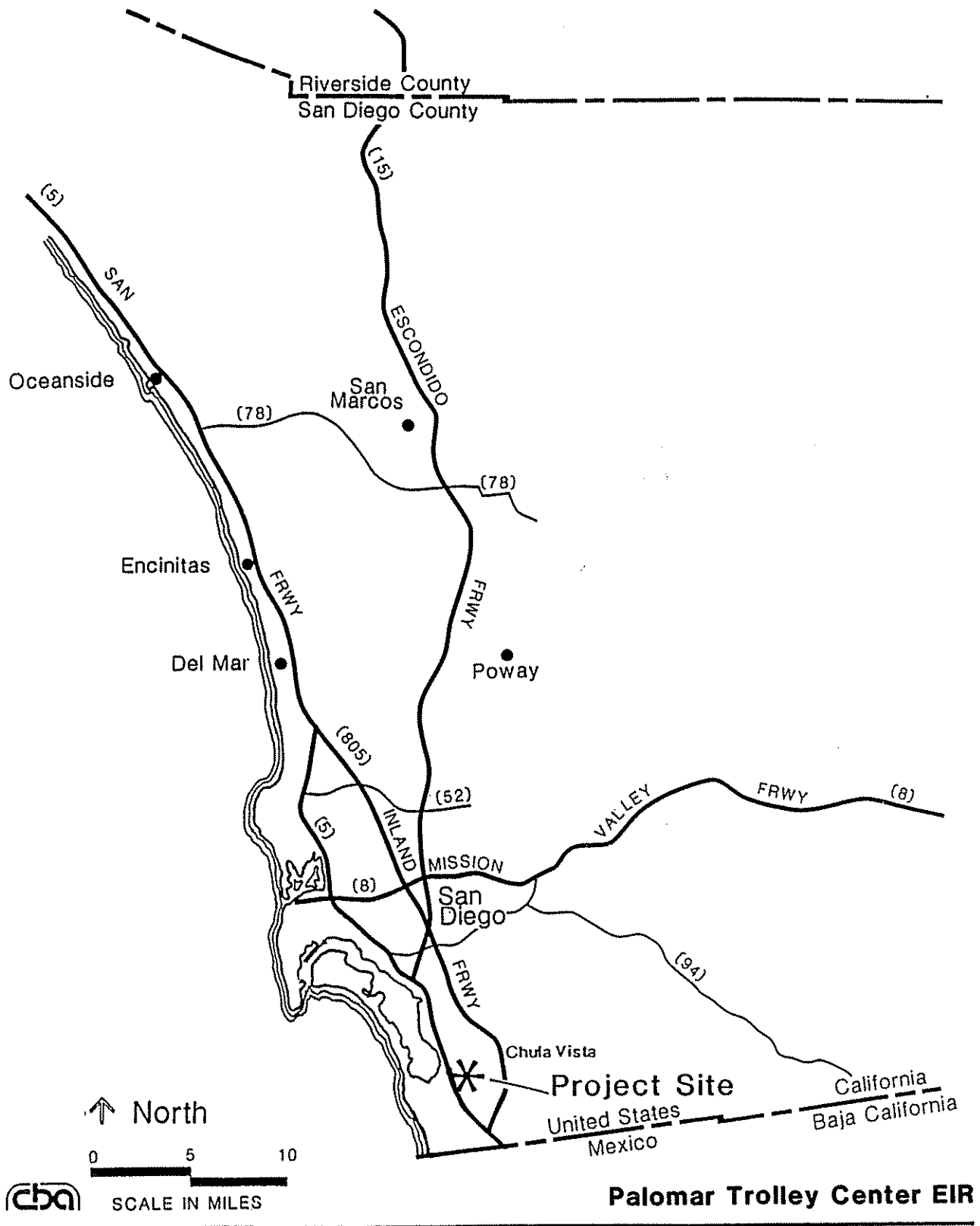
The project area is located within the City of Chula Vista, approximately 8 miles southeast of the City of San Diego's downtown and approximately 7 miles north of the international border with Mexico. Approximately 200-feet west of the project site is the Palomar Street MTDB trolley station. This trolley stop will be one of the major transportation routes to the project, and access from the project site to the trolley station will be provided by pedestrian walkways located directly south of the project site.

Approximately 12 acres of the project site presently lies within the Southwest Redevelopment Project Area. The Redevelopment Agency amended the Redevelopment Project Area boundary on July 9, 1991, so that it now includes the Palomar Trolley Center site.

The project site is relatively flat, sloping only slightly to the southwest at a grade of less than 2 percent. No major topographic features exist on the site. The site drains southwesterly to an existing unimproved drainage swale along the southern border of the property. Existing on-site drainage facilities consist of a 48-inch RCP storm drain along the western portion of the site which flows south. The drainage swale and 48-inch (reinforced concrete pipe) RCP join at the southwest corner of the site and drain into an existing off-site 60-inch (corrugated metal pipe) CMP storm drain. The 60-inch CMP flows into a large sump approximately 500 feet to the south of the project site. A large SDG&E Transmission Corridor Right-Of-Way (ROW) is located directly south of the project site. The ROW runs east to west, then turns to the northwest and runs between the proposed project site and the trolley station.

The portions of the project site that are currently occupied are designated in the Montgomery Specific Plan as Mercantile and Office Commercial, Institutional, and Research and Limited Industrial. The vacant portion of the site is currently designated Mercantile and Office Commercial. On-site zoning consists of Central Commercial Zone for the majority of the project site, and Limited Industrial Zone for a small portion of the site. Surrounding specific plan designations include Mercantile and Office Commercial to the north and east, Parks and Open Space/Special Study Area to the south, and Institutional to the west. A detailed map showing the specific plan and zoning designations is contained in Section 5.2, Land Use.

Chula Vista is located in southwestern San Diego County, directly east of the southern portion of the San Diego Bay (see Figure 3-1). Access is provided by Interstate 5 on the western side of the city and Interstate 805 on the eastern side of the city. Neighboring cities include National City to the north, Coronado to the west (across the San Diego Bay), Imperial Beach, and a portion of the City of San Diego to the south, and unincorporated County of San Diego lands to the east.



**Palomar Trolley Center EIR**

Figure 3-1  
Regional Map

The City of Chula Vista General Plan area includes a total of 44,467 acres and is comprised of 5 individual community plan areas including Bayfront, Central Chula Vista, Sweetwater, the Eastern Territories, and Montgomery (project location). The 18.2 acre project site is located within the Harborside "B" subcommunity of the Montgomery Specific Plan area, south of Palomar Street and directly east of the Palomar Street Trolley Station (see Figure 3-2). An aerial photograph of the project site and surrounding area is shown in Figure 3-3.

## **PROJECT BACKGROUND**

In July of 1989 an Environmental Impact Report (EIR) was completed and certified for the Palomar Trolley Center (SCH# 89032915) by A.D. Hinshaw and Associates as it was originally proposed. At that time Pacific Scene, Incorporated, proposed a community shopping center incorporating a total of 127,365 gross square feet of building space on 12.23 acres. The project required a General Plan Amendment (GPA) and a rezone of the property from Research and Limited Industrial to Mercantile and Office Commercial. An agreement between the City of Chula Vista and Pacific Scene for the development of an additional 6 acres of property directly adjacent to and south and east of the original project site requires that CEQA be complied with for expanded area.

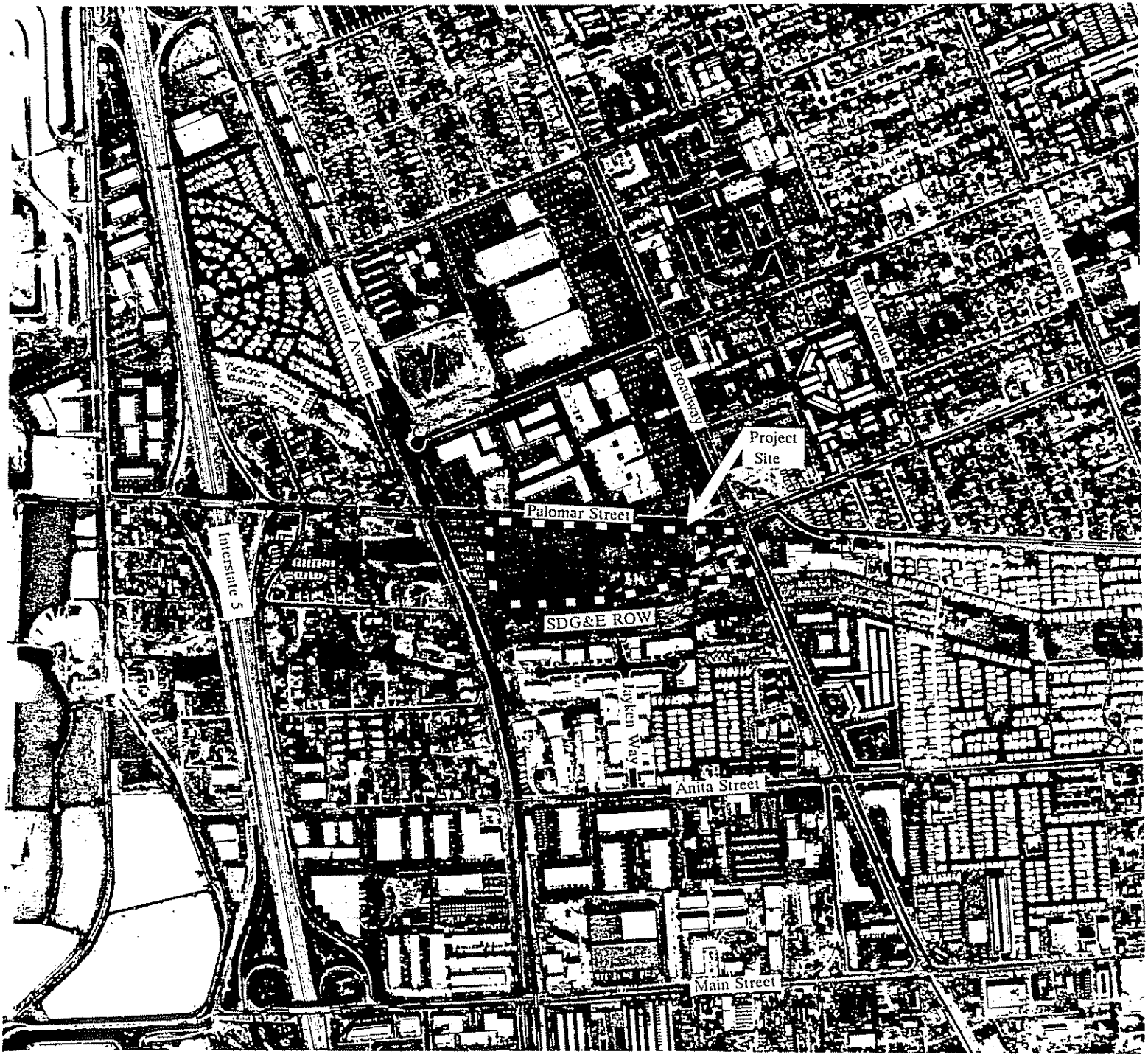
The original GPA and rezone for the 12.2-acre site were approved by the City Council under the condition that Pacific Scene would not go forward with the project until an expanded project consisting of an 18.2-acre site was evaluated. The City's desire for the expanded project was to: 1) provide for comprehensive planning and development of the 18.2 acres and 2) to increase the tax revenues for the City of Chula Vista with a retail center that included high sales tax revenue generating businesses.



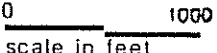
This EIR addresses the newly proposed Palomar Trolley Center which proposes a commercial shopping center containing 198,200 gross square feet of building space on 18.2 acres. The additional property proposed for development will require a GPA and a rezone similar to the original project for 3 of the 6 acres. The existing uses currently located on the project site which include several commercial uses, a church, two single-family and one multi-family residences will be removed prior to construction.

## **PROJECT OBJECTIVES**

The Palomar Trolley Center project will achieve several objectives including:

- Develop the project site with a large commercial center that will include one major tenant (40,000 square feet or more), other large tenants (14,000 to 40,000 square feet), retail shops (50 to 60 feet in



  North   
scale in feet

Palomar Trolley Center EIR

Figure 3-3  
Aerial Photograph

depth), and five freestanding pad buildings, two to which will have drive-through capabilities.

- Creation of a specific theme characterized by the use of accented walk treatments, meandering sidewalks, and extensive landscaping and seating.
- Comprehensive planning of entire southwest corner of Palomar Street and Broadway.
- Develop a commercial center that will provide the Montgomery area with a large revenue generating source which will serve to increase the City's tax base.
- Develop a commercial center serving the Southbay region of the County that has easy, convenient access to the trolley system.

## **PROJECT CHARACTERISTICS**

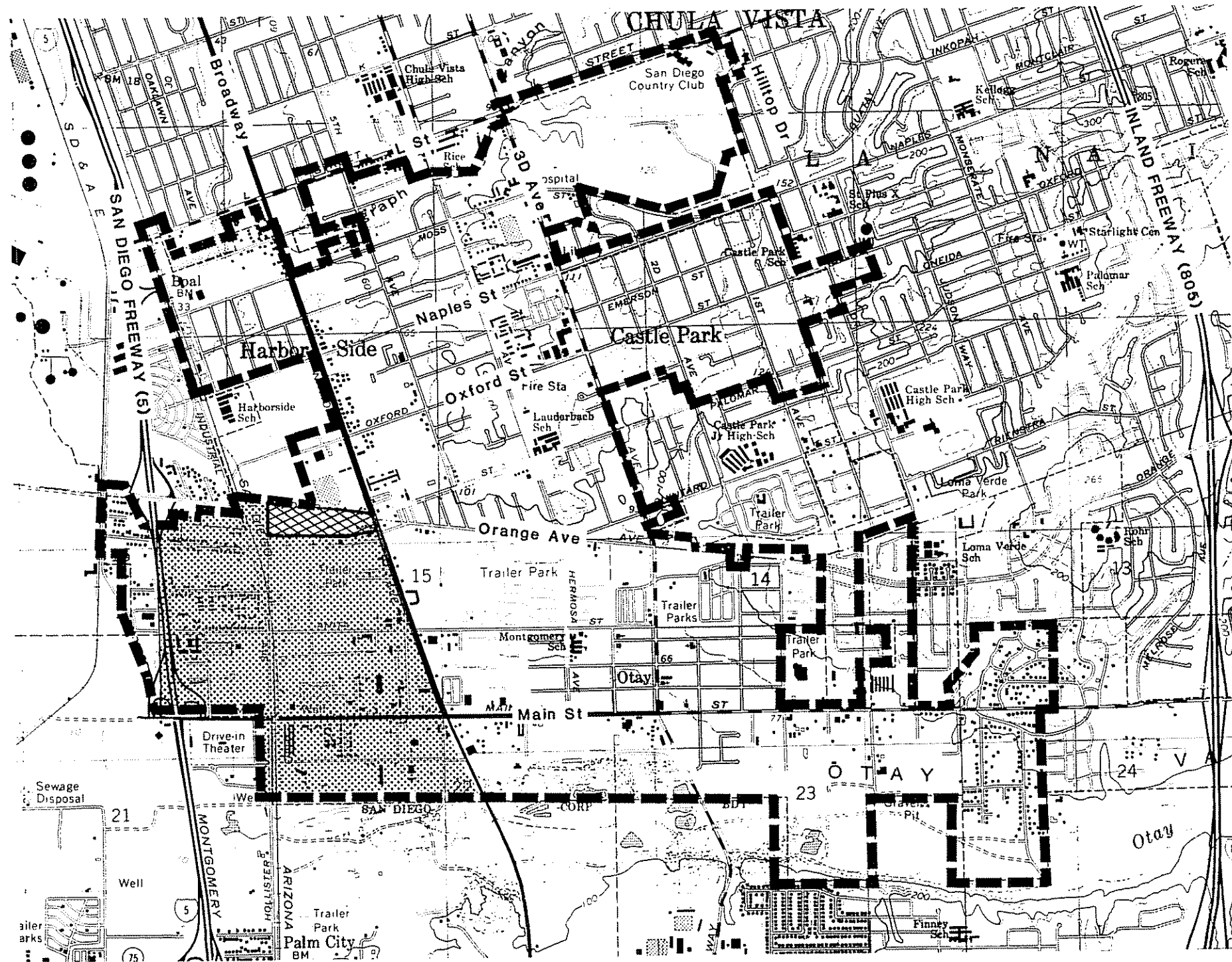
The proposed project will involve not only the construction of the retail center described above, but also necessary improvements to the surrounding circulation system that will provide access to the center. As stated above, an EIR was previously prepared for a similar project on a portion of the site. The previous project proposed the development of approximately 12.23 acres of land with similar uses.


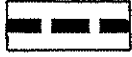

The traffic analysis contained in the EIR identified significant impacts to the circulation system at surrounding intersections and primary access areas. As a result of this earlier analysis, the currently proposed project's design includes three curb cuts, a new fully functional signalized intersection at the main entry, and a non-signalized left turn-in off Broadway. Loading and service areas will be provided along a driveway at the rear of the building.



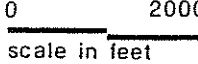
The San Diego Trolley system, which is operated by the Metropolitan Transit Development Board, has a station located directly west of and adjacent to the project site. The trolley system will play an intricate role in providing transportation to and from the shopping center while helping to reduce impacts to surface streets and Interstate 5. A conceptual site plan is shown in Figure 3-4.

## **INTENDED USES OF THE EIR**

CEQA (Section 15124) requires that the intended uses of the EIR be stated within the Project Description including a list of the decision-making agencies



-  Project Area
-  Montgomery Specific Plan Area
-  Harborside 'B' Subcommunity

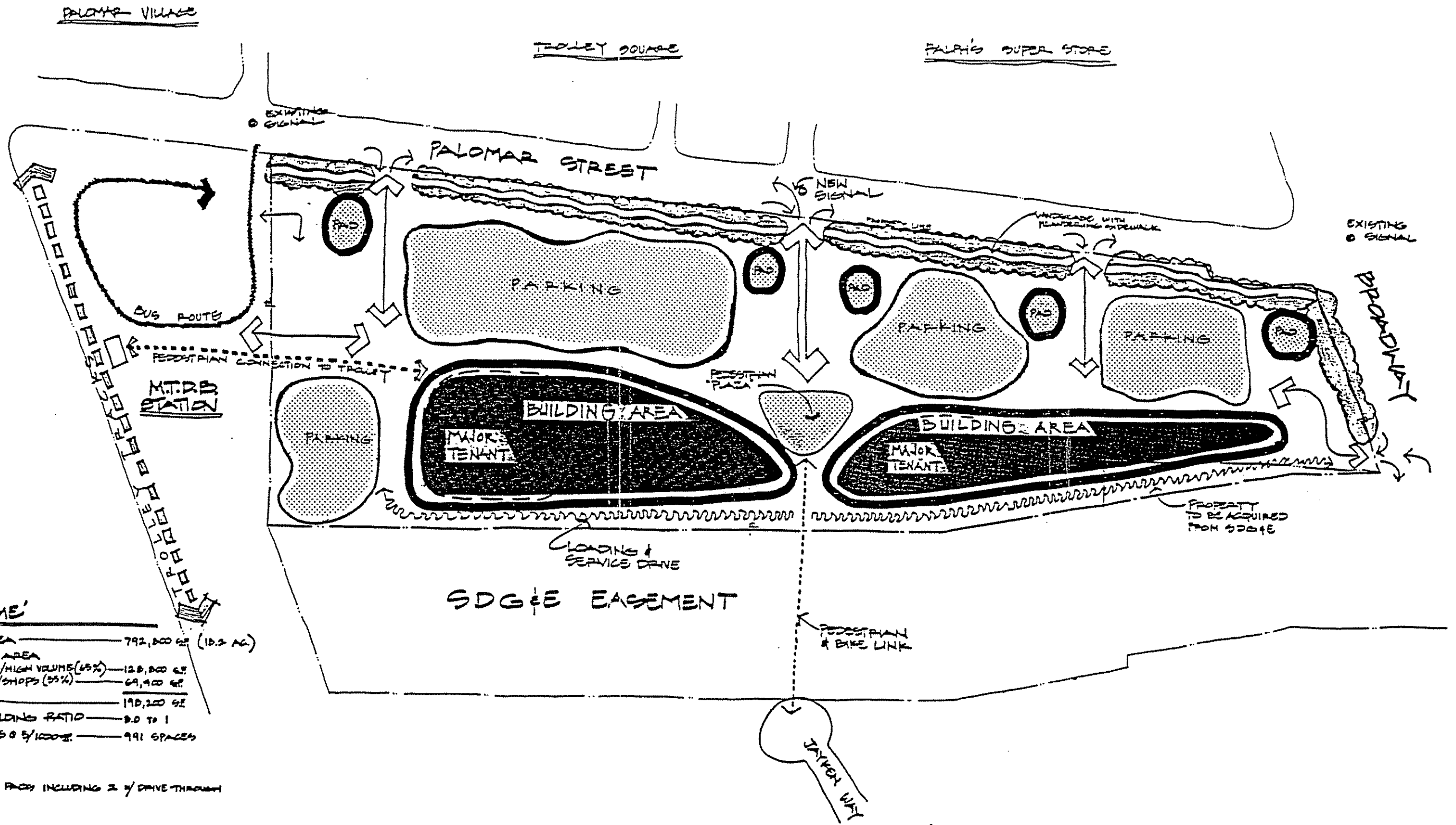
  North  scale in feet

Palomar Trolley Center EIR

SOURCE: U.S.G.S., National City, California, Montgomery Specific Plan

Figure 3-2  
Location of Project Site within the  
Harborside "B" Subcommunity





**RESUME'**

SITE AREA	792,000 SF (18.2 AC)
BUILDING AREA	
MAJOR/HIGH VOLUME (65%)	128,800 SF
PARKS/SHOPS (35%)	69,400 SF
TOTAL	198,200 SF
SITE BUILDING RATIO	2.0 TO 1
PARKING @ 5/1000 SF	991 SPACES

\* TOTAL 5 PADS INCLUDING 2 w/ DRIVE-THROUGH

CSA North 0 80 scale in feet

Source: Pacific Scene, Inc.

Palomar Trolley Center EIR

Figure 3-4  
Conceptual Site Plan

that will use the document as well as a list of approvals for which the EIR will be used.

The following agencies are expected to use the EIR for future decision-making and or informational purposes.

1. City of Chula Vista (Lead Agency)
2. Chula Vista Redevelopment Agency

The following is a list of discretionary actions that have been identified in conjunction with the Palomar Trolley Center project:

1. General Plan Amendment: Change the General Plan map from Research and Limited Industrial and Institutional to Commercial Retail for 3 acres.
2. Montgomery Specific Plan Amendment: A change to the Montgomery Specific Plan map from industrial and institutional uses to a commercial use for 3 acres.
3. Rezone: A change in the zoning text and zoning map from Limited Impact Industrial to Central Commercial Zone for 3 acres.
4. Owner Participation Agreement: An agreement between the developer and the Redevelopment Agency which states that the project will be developed in conjunction with the Redevelopment Agency.
5. Tentative Map: A subdivision map which divides the property for sale, lease, or financing which must be approved by the City.
6. Design Review: The project will be reviewed by appropriate City departments and personnel to assess the project's compliance with current design standards.
7. Street Vacation: The proposed project assumes the vacating of two unnamed "paper" streets. The roads to be vacated are a 60-foot wide street bisecting the property and a 30-foot wide road adjacent to the westerly property boundary.
8. Project Area Committee Review and Montgomery Planning Committee: Advisory recommendation regarding land use shall be made by the Project Area Committee.
9. Acquisition of Property under Section 33430 pursuant to Community Redevelopment Law: Land within the project site not already owned by the Agency may be acquired from the current owners using permissible methods of acquisition including purchase, lease, bequest, devise, or eminent domain.

10. Disposition of property in accordance with Section 33433 pursuant to Community Redevelopment Law, a Disposition and Development Agreement (DDA) or Owner Participation Agreement (OPA): Under the DDA, property owned by the Agency may be sold or leased after a properly noticed public hearing. Under the OPA, the owner of property within the project site participates in the redevelopment of the property.
11. Relocation pursuant to State Law and the adopted Relocation Plan of the Southwest Project Area: The agency has adopted rules and regulations to administer relocation assistance.
12. Acquisition of property by eminent domain pursuant to Section 33391 of Community Redevelopment Law: The City may take property from private entities if the taking is for a public purpose and just compensation is paid to the owner.

## ALTERNATIVES

Besides the proposed project, four alternatives to the proposed project are analyzed in this EIR as required by CEQA (Section 15126(d)). The alternatives are as follows:

- No Project Alternative (existing conditions): Assumes that the site would not be developed and that no changes would take place on or off-site as a result of the proposed project.
- Reduced Commercial Development Alternative: Assumes a 10% reduction in commercial development. The reduction would mean fewer spaces to be rented by smaller businesses on the project site.
- Alternate Access Alternative: Assumes that Jayken Way would be improved to allow vehicular access to the project site from the south.
- Residential Development Alternative: Developing the site with high-density residential uses instead of a commercial retail center.
- Alternative Project Sites: Analyses development of the proposed project at three different alternative locations including:
  1. Site located within the southwestern portion of National City, just west of I-5 and south of 24th street.
  2. Site located within the southern portion of Chula Vista, just east of I-805, and south of Otay Valley Road.

3. Site located within the southeastern portion of Chula Vista, directly south of Telegraph Canyon Road and directly east of the future SR 125 route.

The alternatives analysis is provided in Section 6.0 of this EIR.

## 4.0 ENVIRONMENTAL SETTING

The project site for the Palomar Trolley Center is 18.2 acres of mostly vacant land in the southwestern portion of the City of Chula Vista. Specifically, the site is on a nearly rectangular parcel oriented west to east, located at the southwest corner of Palomar Street and Broadway just north and east of San Diego Gas & Electric Company easements. The Palomar Street Trolley station is adjacent on the western boundary of the property. Presently, a 7-Eleven store and laundromat occupy the northeast corner of the property, and Sam's Trailer Service lies on the far east side of the site. Mi Cabana nightclub lies within the central section of the site, along with a church and three residential units. As shown on 3-3 in the Project Description, nearly two-thirds of the property is vacant. Only a storage shed occupies the vacant land.

The project site is nearly flat, slightly sloping to the southwest with an elevation of 50 to 60 feet Mean Sea Level (MSL). It appears to be approximately 5 feet higher than the surrounding property, possibly due to fill introduced from the area north of the site. Where there are no existing structure, the land has been cleared and used for agriculture as evidenced by tillage, so no natural vegetation remains. Current site vegetation is mainly cactus and tumbleweeds, with several pepper trees around the storage shed and some isolated trees and shrubs around the church and residences.

The project site's location near the Pacific Ocean serves to maintain moderate temperatures and humidity levels. High pressure off of the coast dominates weather conditions in late spring, summer, and early fall. Westerly wind systems and associated cyclones influence weather in the winter. Temperatures range from approximately 71 to 55 degrees Fahrenheit (F), with an average monthly temperature of 63 degrees F. Humidity varies from approximately 50 to 75 percent, with some periods of very low humidity during "Santa Ana" winds. Precipitation is in the form of rain, and occurs mainly between October and April averaging 10.4 inches annually. Winds generally blow from the west as daily seabreezes, with land breezes blowing offshore at night and early morning. Wind reversal occurs during "Santa Ana's" when high surface air pressure to the east results in east winds, high air pressure, temperature inversions and low humidity (less than 15 percent).

The site is underlain by Pleistocene marine terrace sediments of the Bay Point Formation. Site geology consists of a variable thickness of residual clay soils (3 to 5 feet) underlain by the Bay Point Formation, which is composed of marine sandstones, siltstones and conglomerates. Soils of the Bay Point Formation at the site consist of dense silty to clayey sand with some sandy clay.

The property lies within the Otay Hydrologic Unit, Otay Hydrologic Area. Groundwater in the Otay Hydrologic Area is designated as having existing beneficial uses for industrial applications. Potential groundwater uses include

groundwater recharge applications. Groundwater depth is approximately 50 feet, based on reported depths encountered in a formerly used irrigation well located on-site. Surface runoff flows southwest through a series of improved and unimproved channels mainly along the southern edge of the property.

Currently the project site is underutilized because the existing land use intensity is less than what is permitted by the General Plan. The small commercial, institutional, and residential uses do not utilize the available area to the extent expected by the City in the future.

## 5.0 ENVIRONMENTAL IMPACT ANALYSIS

As required by CEQA, this section outlines the environmental setting, the basis for determining significance, environmental impacts, and mitigation measures for those environmental factors on which the proposed project may have significant effects.

This EIR examines all of the environmental issue areas identified as being potential impacts in the City of Chula Vista environmental checklist. Each potential impact area is addressed according to the following format:

- **Environmental Setting:** A description of the environment in the vicinity of the project, as it exists before the commencement of the project;
- **Basis for Determining Significance:** A brief statement summarizing statements from pertinent documents which indicate when significant impacts have occurred;
- **Environmental Impact:** An analysis of the impacts of the proposed project in qualitative and quantitative terms;
- **Mitigation Measures:** A description of measures which could minimize significant adverse impacts. The discussion of mitigation measures shall distinguish between the measures which are proposed by the Lead Agency to be included in the project and other measures that are not included but could be reasonably expected to reduce adverse impacts if required as conditions of approving the project.
- **Level of Significance After Mitigation:** A brief statement summarizing the level of significance after mitigation for each issue area based on the analysis contained in the Environmental Impact section and effectiveness of mitigation;

### AREAS OF POTENTIAL ENVIRONMENTAL IMPACT

1. Drainage
2. Land Use
3. Aesthetics
4. Social Factors
5. Community Infrastructure
6. Energy
7. Utilities
8. Human Health
9. Transportation

## 10. Thresholds/Standards Policy

Detailed discussions of these impacts are found in the sections that follow. Specific references to literature used in this report are denoted by a reference number in parentheses [i.e., (A-1)]. A complete listing of references can be found in Section 8.0, References.



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## 5.1 DRAINAGE

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### ENVIRONMENTAL SETTING

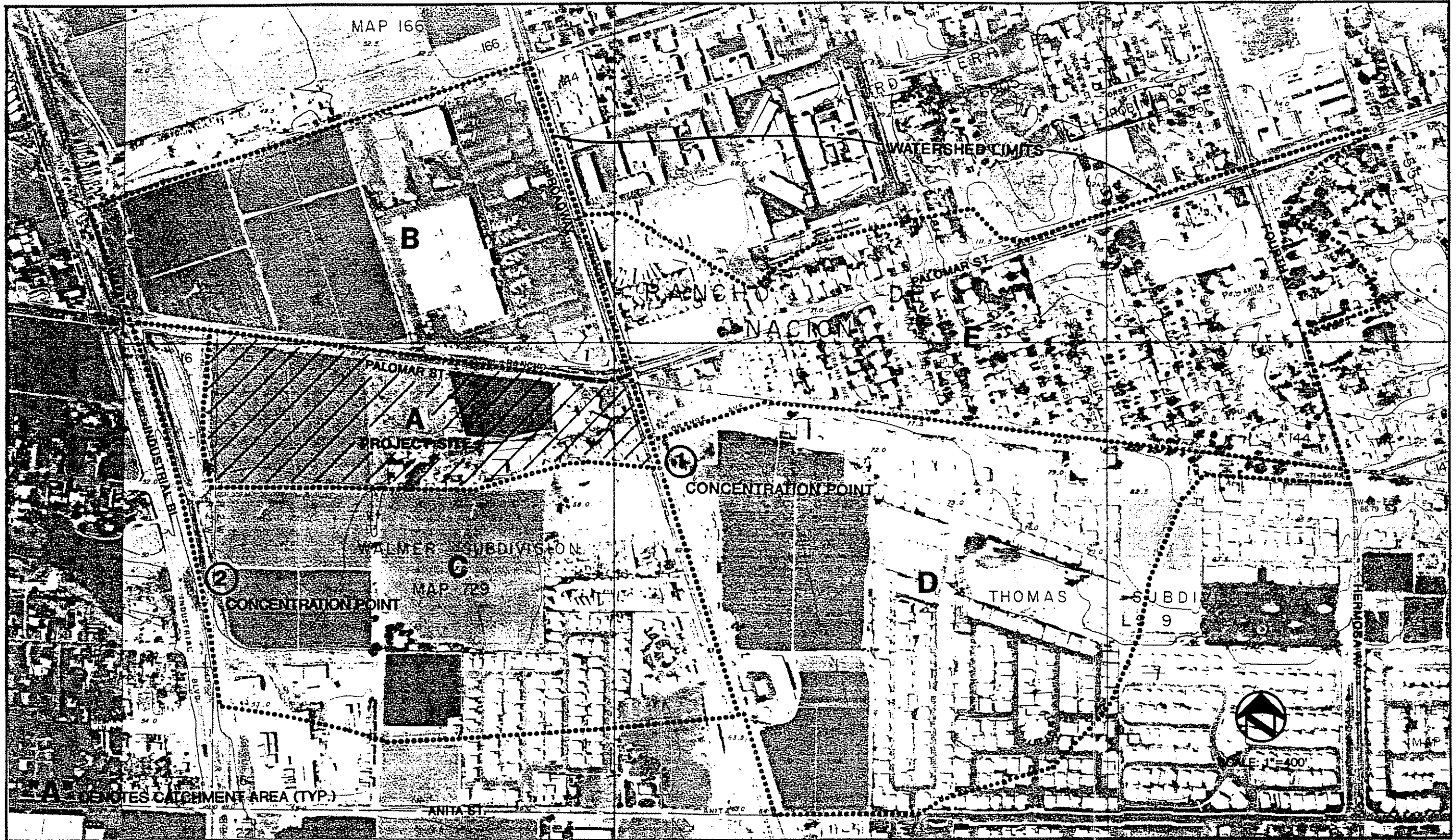
A hydrology study for the Palomar Trolley Center project site was completed in July of 1991 by Dudek and Associates, Inc. (Dudek). Information for this section of the EIR was taken from that study, and the complete hydrology analysis is included as Appendix G to this document.

The project site consists of 18.2 acres of mostly vacant land in the southwestern portion of the City of Chula Vista, within the Montgomery Planning Area. Presently, a 7-Eleven store and laundromat occupy the northeast corner of the property, and Sam's Trailer Service occupies the far eastern section of the site. The Mi Cabana nightclub, three single-family homes, and a church are located within the central portion of the site. Approximately two-thirds of the property is currently vacant.

The project site is relatively flat, sloping only slightly to the southwest at a grade of less than 2 percent. Currently, site drainage flows southwesterly to an existing unimproved drainage swale along the southern border of the property. Existing on-site drainage facilities consist of a 48-inch Reinforced Concrete Pipe (RCP) storm drain along the western portion of the site which flows south. The drainage swale and 48-inch RCP join at the southwest corner on the site and drain into an existing off-site 60-inch Corrugated Metal Pipe (CMP) storm drain. The 60-inch CMP flows into a large sump approximately 500 feet to the south of the project site.

The property lies within the Otay Hydrologic Unit, Otay Hydrologic Area. Groundwater in the Otay Hydrologic Area is designated as having beneficial uses for industrial applications. Groundwater depth is approximately 50 feet.

Figure 5-1 shows the project site within the watershed area. As shown, the watershed area is divided into catchment areas, with the area labeled "A" as the project site. At concentration point 1, runoff was calculated for the existing conditions for both a 10 year and 50 year frequency flows. The Palomar Trolley Center site is downstream of this concentration point and does not impact the runoff volumes. At concentration point 2, runoff was calculated for both the existing conditions (no project) and with the proposed Trolley Center for both frequency flows, 10 and 50 year. A summary of the results is shown below. The summary shows that the 10 and 50 year frequency flows for the existing conditions are 255 cubic feet per second (cfs) and 318 cfs respectively.



**TABLE 5-1  
SUMMARY OF RUNOFF VOLUMES AT CONCENTRATION POINT 2  
(MODIFIED RATIONAL METHOD)**

	Existing cfs) (without project)	Future (cfs) (with project)	Percent Increase
Q <sub>50</sub>	318	333	4.5%
Q <sub>10</sub>	255	267	4.5%

**BASIS FOR DETERMINING SIGNIFICANCE**

City of Chula Vista goals and policies used include the City of Chula Vista Threshold/Standards Policy for Drainage which states the City's goal is "to provide a safe and efficient storm water drainage system to protect residents and property in the City of Chula Vista." To help achieve this goal the City shall:

1. [Ensure that] storm water flows and volumes shall not exceed City Engineering Standards.
2. The GMOC shall annually review the performance of the City's storm drain system to determine its ability to meet the goals and objectives [of the City].

CEQA Guidelines used include Letter (q) of Appendix G which states that a project will have a significant effect if it will "Cause substantial flooding, erosion or siltation" was used as the basis for determining significance.

**ENVIRONMENTAL IMPACT**

As shown in Table 5-1, the projected 10 and 50 year frequency flows of the proposed project are 267 cfs and 333 cfs respectively. This accounts for an approximate increase of 15 cfs over the existing conditions or approximately 4.5 percent which is not considered a significant increase. The capacity of the culverts that pass beneath the MTDB Trolley Tracks downstream of the project site were analyzed by Dudek during the hydrological analysis. All on-site runoff would be directed towards these culverts, as is runoff from the Palomar Trolley Station. For the purposes of this study, it was assumed by Dudek that the downstream ends of the culverts were not submerged. The results of the study are summarized in Table 2, Page 3 of the Dudek report. The hydrologic and hydraulic calculations indicate that the culverts running beneath the MTDB Trolley Station have sufficient capacity to handle the increased flows, and no

significant impacts would result from development of the site with the proposed project. The watershed area appears to be fully developed from a hydrologic stand point (as opposed to a land use standpoint), except for the portion (A) which will be developed as the project site. The impact of the development of the 18.2 acre project site, out of the 230 acre watershed, is essentially negligible since it represents approximately 6 percent of the total watershed area. Further urbanization of the watershed will increase the watershed's imperviousness, however, the area is currently near complete buildout and the additional 6 percent represents a relatively small portion of the watershed.

The Dudek Report outlines several measures which can be used to reduce the amount of runoff from the project site that would impact offsite drainage facilities. These include:

- Detention Basins - Detention basins are designed to divert and store water during periods of peak flows. The water is then slowly released at or below the naturally occurring runoff water.
- Retention Basins - Retention basins divert water in a similar manner as detention basins, with the difference being the water is not released. Instead it is kept in the basin and infiltrates the pervious bottom of the basin. Portions of this water are also subject to evaporation.
- Porous Pavements - Porous asphalt pavement and pervious concrete pavements are composed of large, coarse aggregate with large void ratios that provide high permeability. Porous pavements seek to reduce the volume of stormwater runoff by increasing infiltration.
- Infiltration Trench - Infiltration trenches are shallow, excavated trenches, generally 2 feet to 10 feet in depth and filled with coarse aggregate. These trenches allow for the storage of stormwater runoff which will gradually infiltrate into the surrounding soil.
- Upgraded Hydraulic Structures
  - Linings: The culvert pipes can be lined to reduce the frictional resistance thereby increasing capacity.
  - Improved Entrance Conditions: The culvert entrance conditions may be improved to decrease turbulent conditions, thereby increasing flow capacity. Improvements may include beveled, rounded, or flushed inlets.

## **MITIGATION MEASURES**

The impacts identified are adverse, but less than significant and the following mitigation measures will reduce those adverse impacts to drainage:

1. The most appropriate and feasible diversion method outlined in the Dudek study and listed above will be incorporated into the project's design to reduce impacts to off-site drainage facilities, if such methods are warranted in the final design phase of the project and/or required by the City Engineering Department.
2. The City of Chula Vista's Threshold/Standards Policy will be used to ensure adequate drainage facilities will be provided.
3. The developer will be financially responsible for offsite drainage improvements to the extent that the project actually impacts offsite drainage facilities. The amount of financial responsibility shall be agreed upon by the City of Chula Vista and the developer.
4. Development of the subject property must comply with all applicable regulations established by the Environmental Protection Agency (EPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the above analysis, impacts to the surrounding drainage system from the proposed project after mitigation will be below a level of significance.

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## 5.2 LAND USE

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### ENVIRONMENTAL SETTING

The project area consists of several parcels and covers 18.2 acres. As shown in Figure 5-2 existing land uses consist of vacant land, several commercial land uses (a 7-11 store, laundromat, Mi Cabana night club, and Sam's Trailer Service), residential land uses (two single-family residences and a duplex), and a small part of an SDG&E easement. Existing land use categories designated on the project site and on surrounding land is shown in Figure 5-3. To the west is the MTDB Palomar Trolley Station (a major light-rail transportation route station), the Trolley Square and Ralph's Super Store (commercial land uses) lie to the north across Palomar Street, strip commercial lies to the east at the corners of Broadway Street and Palomar Street, and an industrial complex and commercial uses lie from west to east along the southern boundary of the project site. A "paper" street right-of-way exists from Jayken Way to Palomar Street.

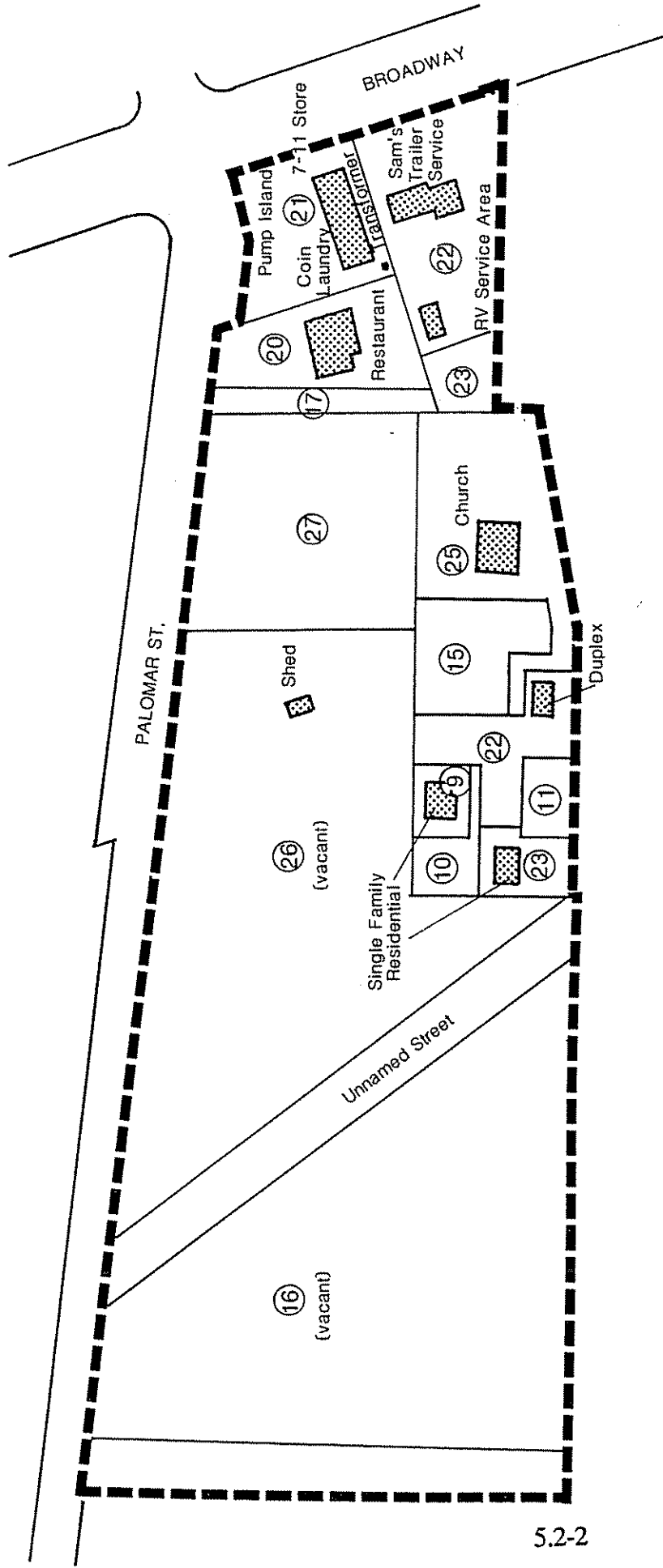
Table 5-1 lists the quantities of existing and proposed land uses for the project site. Vacant land occupies 12.5 acres (68.6 percent) of the project site, commercial land use comprises 3.1 acres (15.0 percent), an existing church is on 1.5 acres (8.2 percent) of the land, and residential land uses occupy 1.1 acres (6.0 percent) of the land cover. An easement owned by San Diego Gas and Electric Company (SDG&E) covers 2.1 acres of the vacant land.

Chula Vista is divided into five planning areas. Each of these planning areas are defined in the City's General Plan by goals and objectives and planning and design proposals that guide each area's future development and character. The General Plan considers the Specific Plans for individual communities within Chula Vista to be governing documents for community development within those respective areas. The project site is located in one of these areas and, as such, the Montgomery Specific Plan governs planning for the project site. A brief discussion of the Montgomery Specific Plan and its existing and proposed land uses follows.





#### Montgomery Specific Plan

The Montgomery Area is a 3.5 square mile area containing a mixture of land uses distributed among several subcommunities. The area is characterized as a medium density, suburban community with strip commercial development and incomplete infrastructure. The population of Montgomery is approximately 25,000 persons. (Montgomery Specific Plan C-1)

Montgomery is characterized by vacant and underutilized land and incompatible mixtures of land use. The land use distribution in Montgomery is a result of



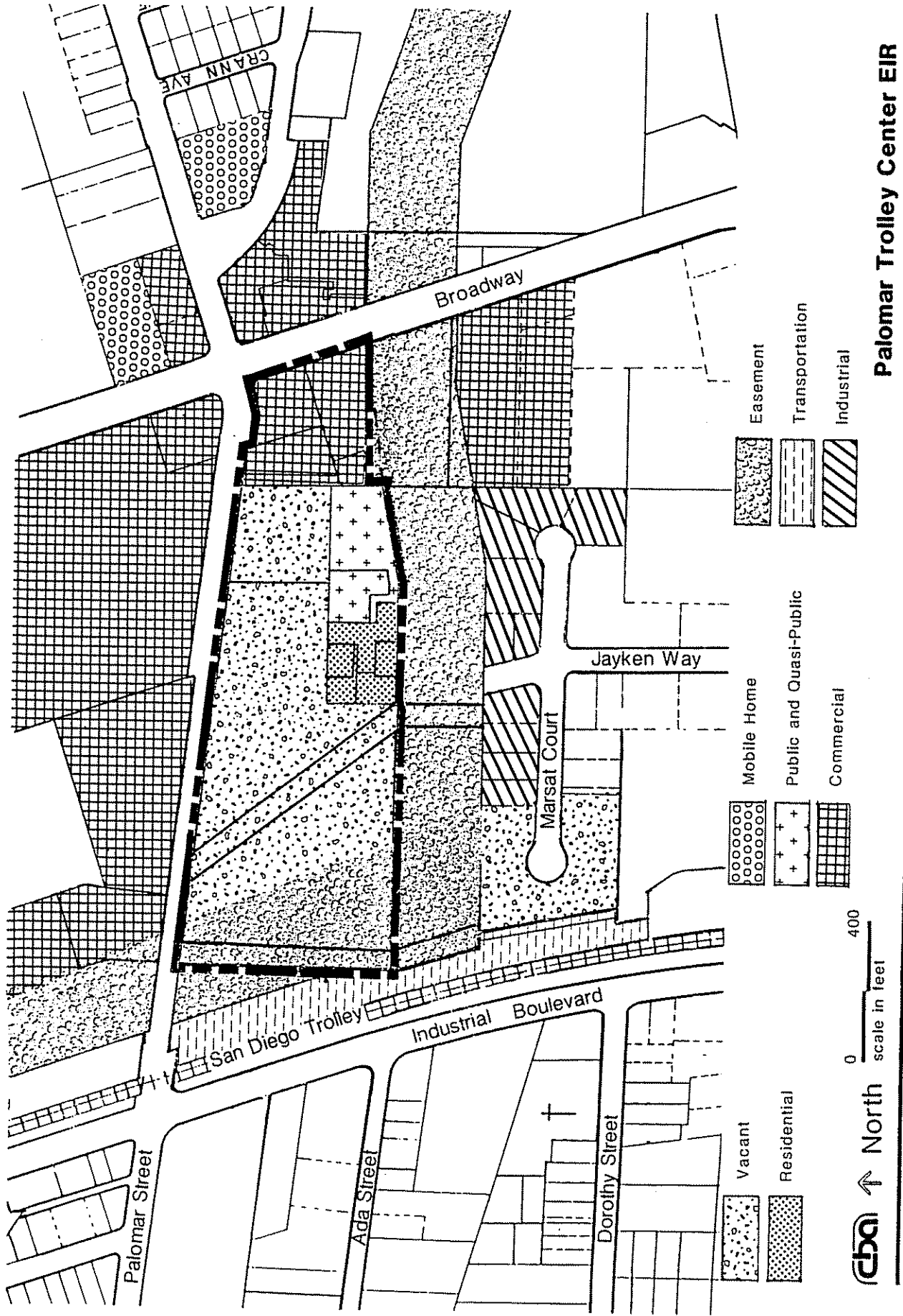
5.2-2

 Buildings  
 Assessor's Parcel Number  
 Site Boundary  
 North  
 0 400 scale in feet  


**Palomar Trolley Center EIR**

SOURCE: San Diego County Assessor's Map

Figure 5-2  
Existing Specific Land Uses



**Palomar Trolley Center EIR**

SOURCE: Aerial Photo, Project Design Consultants, 1990

Figure 5-3  
Existing Land Use Categories



**TABLE 5-1  
COMPARISON OF DEVELOPMENT POTENTIAL FOR THE  
PALOMAR TROLLEY CENTER SITE**

LAND USE	EXISTING		MONTGOMERY SPECIFIC PLAN		PROPOSED PROJECT		DIFFERENCE BETWEEN MONTGOMERY SPECIFIC PLAN AND PROPOSED PROJECT		
	(acres)	(d.u.'s ksf) *	(acres)	(ksf) *	(acres)	(ksf) *	(acres)	(ksf) *	(%)
Residential (two single-family units and one duplex)	1.1	3 d.u.'s	0.0		0.0		0.0		0.0
Mercantile and Office Commercial	3.1	29.4	15.2	165.5	18.2	198.2	3.0	32.7	19.8
Research and Limited Industrial	0.0	0.0	2.0	39.2	0.0	0.0	-2.0	-39.2	-100.0
Institutional (Church)	1.5	27.8	1.0	18.5	0.0	0.0	-1.0	-18.5	-100.0
Vacant	12.5		0.0		0.0		0.0		0.0
<b>TOTAL</b>	<b>18.2</b>	<b>57.2</b>	<b>18.2</b>	<b>223.2</b>	<b>18.2</b>	<b>198.2</b>	<b>0</b>	<b>-25.0</b>	<b>-11.2</b>

\* Thousand square feet; based on an FAR of 0.25 for commercial and institutional uses and 0.45 for industrial uses from the City of Chula Vista.

development occurring in the absence of comprehensive planning and zoning. Montgomery was included in the first San Diego County Regional General Plan in 1967 and the Montgomery Community Plan in 1979. Annexation of Montgomery to the City of Chula Vista occurred in 1985 and adoption of the Montgomery Specific Plan followed in 1988.

The purpose of the Montgomery Specific Plan is to provide a detailed guide for the orderly growth, development, redevelopment and conservation of the Montgomery Community. The Plan will remain applicable to the area for several years, and is to serve as a link between the City's General Plan and developmental regulations. (C-1) The plan consists of a statement of community goals, objectives, policies, and diagrams. It specifies planned land use, support infrastructure, and standards and criteria for development and conservation.

The project site lies within the Harborside "B" subcommunity. Existing land use within Harborside "B" (1986 survey) is mostly industrial (41 percent), followed by residential (23.5 percent), vacant and other (22 percent), and commercial (11 percent). (C-1) Harborside "B" contains the largest amount of vacant and underutilized territory within Montgomery (76 acres), aside from Otay. Underutilized territory includes territory which is being used substantially below its full capacity. (C-1) This presents a major source of land for new development and improvement of the Montgomery Community.

Land uses that occur on the project site as classified by the Montgomery Specific Plan include:

**Residential:** Includes single, two-family, and multiple family dwellings, group quarters, and mobilehome parks. This classification does not include motels and hotels, which are classified as commercial uses. Densities include Low/Medium, Medium, Medium/High, and High Density.

**Commercial:** Includes general commercial and commercial recreation uses. It encompasses stores, offices, personal and professional services, and general retail activities. This designation is subdivided into Mercantile & Office, and Heavy Commercial.

**Institutional:** Includes community and neighborhood centers, fire stations, parks, churches, hospitals, and schools.

**Vacant and Other:** Includes vacant land and land used for agricultural purposes. It does not include underutilized land.

Land uses that are planned for the project site according to the Plan include:

**Commercial:** See commercial land use classification above.

**Industrial:** Encompasses limited, light, and heavy industrial uses, includes manufacturing, warehousing, wholesaling, mineral extraction and processing. This designation is expressed as Research & Limited Industrial.

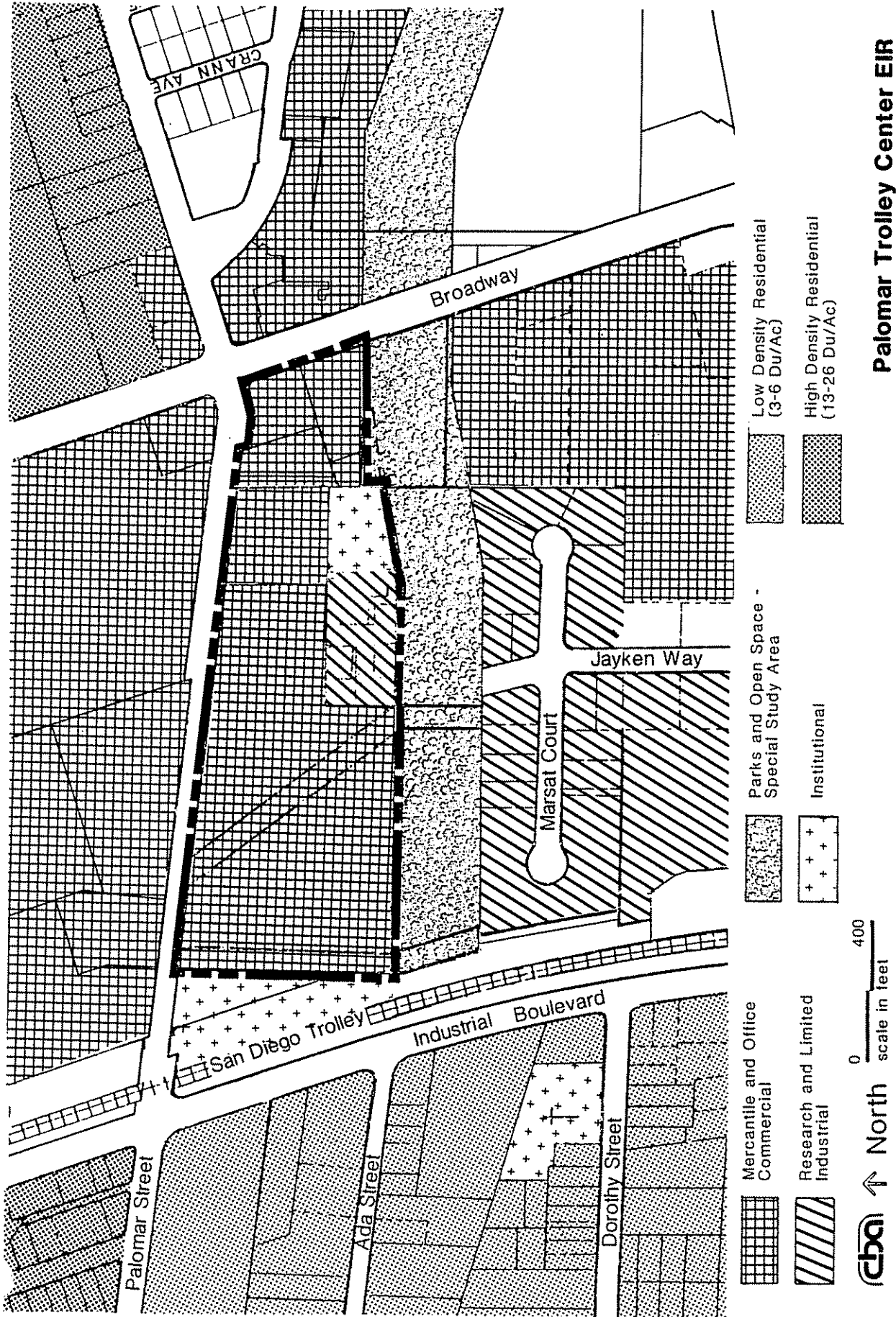
**Institutional:** See institutional land use classification above.

As shown in Figure 5-4, the existing Specific Plan land use for the project site includes research and limited industrial on 2.0 acres, mercantile and office commercial on 15.2 acres, and institutional land use which includes the church on 1.0 acre.

Land uses planned for surrounding areas include mercantile and office commercial for lots on the southeast, northeast, and northwest corners of Broadway and Palomar Street, and north of Palomar Street. South of the project site is an SDG&E easement designated as parks and open space with a special study overlay zone, and south of this are planned research and limited industrial, and mercantile and office commercial land uses.

## **Zoning**

This area was annexed from the County of San Diego by the City of Chula Vista in 1986. The zoning designations in this area were under the County's zoning categories until 1990. However, the City has rezoned the area to be consistent



**Palomar Trolley Center EIR**

**Figure 5-4**  
**Specific Plan Land Use**

SOURCE: Montgomery Specific Plan, City of Chula Vista January 1988

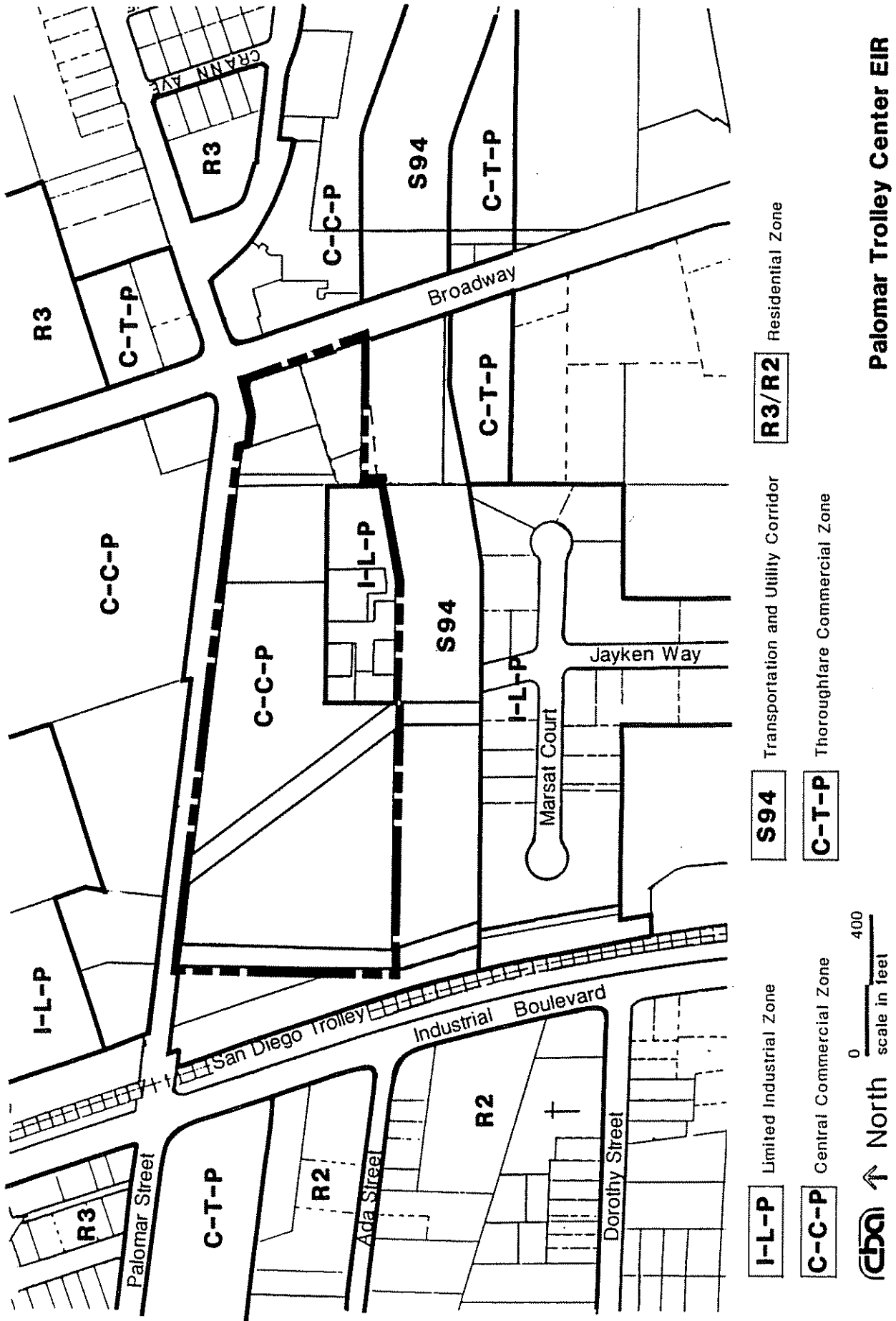
with the Montgomery Specific Plan. Figure 5-5 shows zoning for the project site according to the City of Chula Vista Zoning Ordinance.

The project site is zoned as Central Commercial (C-C) on 15.2 acres and Limited Industrial (I-L) on 3.0 acres, both modified as precise plan districts (P). The precise plan designation requires the implementation of a precise plan in conjunction with development in the designated zone.

The purpose of the precise plan district is to allow diversification in the spatial relationship of land uses, density, buildings, structures, landscaping and open spaces, as well as design review of architecture and signs through the adoption of specific conditions of approval for development of property in the City. Within the boundaries of the "P" district, the location, height, size and setbacks of buildings or structures, open spaces, signs and densities indicated on the precise plan shall take precedence over the otherwise applicable regulations of the underlying zone. (Chula Vista Municipal Zoning Code C-6) As stated in the City's zoning ordinance, the "P" district may be applied to areas within the City only when one or more of the following circumstances is evident:

- The area is unique in topography, geology, access, configuration, traffic circulation or some social or historic characteristics requiring special handling of the development on a precise plan basis.
- The area is adjacent and contiguous to a zone allowing different land uses, and the development of a precise plan will allow the area to coexist between land usages which might otherwise prove incompatible.
- The zone regulations do not allow the property owner and/or the City appropriate control or flexibility needed to achieve an efficient and proper relationship among the uses allowed in the adjacent zones.
- The area consists of two or more properties under separate ownership wherein coordination regarding access, on-site circulation, site planning, building design and identification is necessary to enhance the public convenience, health, safety and general welfare.

The purpose of the C-C-P zone is to stabilize, improve and protect the commercial characteristics of the major community business centers. This designation shall only be applied in the general location of such centers as designated in the Chula Vista General Plan. Some of the principal permitted uses include stores, shops, and offices serving the whole City, and restaurants, cocktail lounges and night clubs, parking structures, and accessory uses (C-6). Some conditional uses such as car washes, skating rinks, automobile rental,



- I-L-P** Limited Industrial Zone
  - C-C-P** Central Commercial Zone
  - S94** Transportation and Utility Corridor
  - C-T-P** Thoroughfare Commercial Zone
  - R3/R2** Residential Zone
- 0 400  
 scale in feet
- cbca** ↑ North

**Palomar Trolley Center EIR**

Source: Zoning Ordinance, City of Chula Vista, 1990

Figure 5-5  
 Existing Project Site Zoning

billiards, bowling alleys, veterinarian clinics, and service stations are also allowed. (C-6)

The I-L zone is meant to encourage sound limited industrial development by providing and protecting an environment free from nuisances created by some industrial uses. Also, the zoning is intended to insure the quality of the total environment of Chula Vista and San Diego County and to protect nearby residential, commercial and industrial uses from any hazards or nuisances. (C-6) Some of the permitted uses in the I-L zone include manufacturing and printing, wholesale businesses, storage, research laboratories, truck and trailer sales, building material yards, auto repair, laundries, car washes, plumbing and heating shops, exterminating services, animal hospitals, and other limited manufacturing uses determined by the Planning Commission to be of the similar character. No manufacturing uses and processes involving the primary production of products from raw materials are allowed.

### **BASIS FOR DETERMINING SIGNIFICANCE**

Significance of land use impacts is based on the projects compliance to the City's Thresholds/Standards Policies, the Chula Vista General Plan and the CEQA Guidelines. The Land Use Element of the Chula Vista General Plan contains Goals 1 and 2 which state that the City shall have a large and diversified economic base while maintaining or increasing the existing sources of employment, and that the City is to improve and increase the retail base of the City making the City an attractive place to shop for comparison and durable goods, respectively. The City's Thresholds/Standards Policy goal for economics is to provide land uses and activities which respond to the economic needs of the residents and the City of Chula Vista. Items (a) and (u) of Appendix G in the CEQA Guidelines state that, "a project will normally have a significant effect on the environment if it will conflict with adopted environmental plans and goals of the community where it is located and/or disrupt or divide the physical arrangement of an established community."

### **ENVIRONMENTAL IMPACT**

Project development will result in the demolition of some existing commercial development totaling 29,000 square feet and the conversion of 12 acres of vacant land to a commercial center. This change of land use would be compatible with adjacent commercial development north of Palomar Street, and east of Broadway.

Development according to the proposed project is not consistent with the land use designations for the project site according to the Montgomery Specific Plan and the City's General Plan. While the project proponent proposes to create commercial land uses on 18.2 acres, the Montgomery Specific Plan calls for

development of research and limited industrial on 2.0 acres, mercantile and office commercial on 15.2 acres, and institutional on 1 acre on the same land. Approval of the project will require General and Specific Plan amendments, and redesignating of industrial and institutional land uses to mercantile and office commercial.

Construction of the proposed project will result in approximately 198,200 square feet of mercantile and office commercial land use, which is 32,700 square feet more than is currently designated for the site according to the Montgomery Specific Plan. No industrial land use is proposed as part of this project, however the Montgomery Specific Plan designates 39,200 square feet of the project site for research and limited industrial land use. The Montgomery Specific Plan designates 18,500 square feet as institutional land uses. Institutional land uses are not included as part of the land use of the proposed project.

The project will result in the demolition of 3 existing residences and a church. Displacement of this small residential population is undesirable, but not significant as defined by CEQA. Displacement or elimination of a community facility such as the church may cause inconvenience to church members as the congregation relocates, but is not a significant impact in accordance with CEQA. Approximately 1,000 church members would be affected. (B-13)

The proposed project will not be consistent with existing zoning on the 3.0 acres of the site currently zoned as I-L-P (Limited Industrial). As proposed, the project would designate the 3.0 acres for commercial land uses. A rezone of the parcel from I-L-P to C-C-P will be required to allow project implementation and to create a compatible land use distribution.

In summary, the proposed project is not consistent with the existing Specific Plan (General Plan) and Zoning. This lack of consistency represents a significant impact which can be mitigated by amending the Montgomery Specific Plan and rezoning 3.0 acres of the project site as described below under Mitigation Measures.

An existing street right-of-way or "paper" street, currently connecting Jayken Way to Paloma Street will be vacated to provide the proposed distribution of land use on the site. No impact will occur to land use as a result of the street vacation.

## **MITIGATION MEASURES**

Mitigation measures needed to reduce significant impacts of project development on land use of the project site to a level of less than significant include:

1. The Montgomery Specific Plan shall be amended from research and limited industrial (2.0 acres) and institutional (1.0 acre) to 3.0 acres of mercantile and office commercial for the project site by the City of Chula Vista.
2. The developer shall submit a precise plan to the City in conjunction with the development proposal.
3. The 3.0 acres of the site presently zoned I-L-P shall be rezoned to C-C-P by the City of Chula Vista.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Impacts of development of the proposed project on land use of the project site are mitigated to a level less than significant.



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## 5.3 AESTHETICS

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### ENVIRONMENTAL SETTING

The project site is located in the southwestern portion of the City of Chula Vista, approximately 1700 feet east of Interstate 5. The eastern portion of the project site contains several commercial uses, a church, three residential uses, and an old storage shed. The remainder of the project site is vacant land formally used for agricultural purposes. The project site is bounded by Palomar Street on the north, the SDG&E transmission line right-of-way (ROW) on the south, Broadway on the east, and the MTDB Palomar Trolley Station on the west. The site is generally flat, with a slight slope to the southwest and an elevation of approximately 50 to 60 feet MSL. Current site vegetation consists mainly of cactus and tumbleweeds. Evidence of soil tillage is visible on the site indicating previous agricultural usage. Surrounding uses include a McDonald's restaurant, Ralph's grocery store and the Palomar Trolley Square retail center to the north, the Genesis Square and the Palomar Square retail centers to the east, the SDG&E ROW to the south, and the MTDB trolley station to the west.

### BASIS FOR DETERMINING SIGNIFICANCE

City of Chula Vista guidelines and policies used include Goal 3, Objective 11, of the Land Use Element of the General Plan which requires the assurance that ". . . new development meets or exceeds a standard of high quality planning and design,"<sup>1</sup> and policies 4-g and 4-h in Section III of the Montgomery Specific Plan (page 10) which state that "New development should reflect the basic character and land use pattern of the subcommunity in which it is sited" and "Architectural diversity and freedom should be encouraged in Montgomery. This diversity, however, will necessitate a strong emphasis upon inter-project design coordination."

Item (b) of Appendix G of CEQA Guidelines considers impacts to aesthetics to be significant when a project will "have a substantial, demonstrable negative aesthetic effect."

### ENVIRONMENTAL IMPACT

The proposed project is a high volume community shopping center incorporating a total of 198,200 gross square feet of building space on approximately 18.2 acres of relatively flat land. The project will cover approximately 25% of the site area with the remaining 75% of the project site being devoted to parking, landscaping, and walkways. All existing uses currently in place will be removed prior to

construction. Development will consist of finish grading for construction of a large commercial center that will include one major tenant and several smaller major tenants, retail shops, five freestanding pads, two of which will have drive-through capabilities, and the possibility of an entertainment center which may consist of a movie theater complex or bowling alley.

### **Viewer Sensitivity**

Viewer sensitivity is dependent upon viewer attitudes, the types of activities in which people are engaged when viewing the project, the type of use that is proposed, and the surrounding uses. Overall, higher degrees of visual sensitivity are correlated with areas where people live, are engaged in recreational outdoor pursuits, or participate in pleasure or scenic driving. Conversely, visual sensitivity is typically low in industrial or commercial areas where individuals are not normally engaged in activities where the surrounding scenic quality of the environment significantly increases or decreases the value or pleasure of the activity.

The Montgomery Community is considered a unique area of the City, with a "distinctive urban form, fabric, and functional pattern, which coalesce to produce the Montgomery "personality." Montgomery Specific Plan (C-1), Section I, page 28) A specific concern addressed in the Montgomery Specific Plan is the intrusion of commercial and industrial uses into residential areas. The plan states that "Vulnerability, which often stems from the mixed land use pattern, is an important factor in Harborside. For example, the three residential enclaves in the [Harborside] subcommunity are particularly vulnerable to the intrusion or adverse impacts from adjacent industrial and commercial uses." (C-1, page 33)

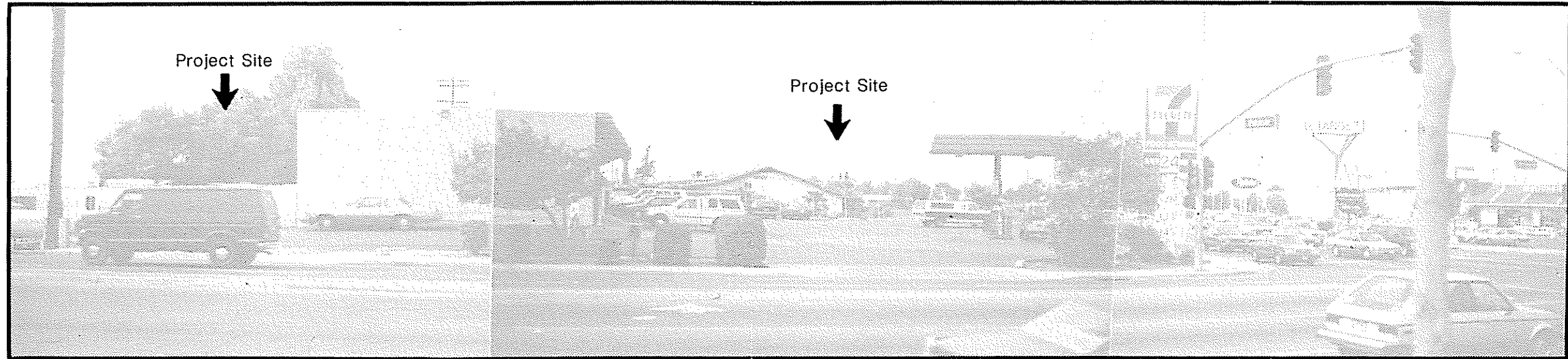
As stated above, the proposed project is a large commercial center that will serve the South Bay area. The proposed development will replace a largely undeveloped area with a high-volume commercial retail center visited by thousands of people on a daily basis. This type of use will be consistent with the existing commercial businesses to the north and south the project site. Broadway has a high volume of "strip" commercial uses of various types and Palomar Street (west of Broadway) also has several commercial businesses, most of which have been developed within the last 3 to 5 years. As such, the project's commercial orientation is consistent with surrounding uses that are immediately adjacent to the project site.

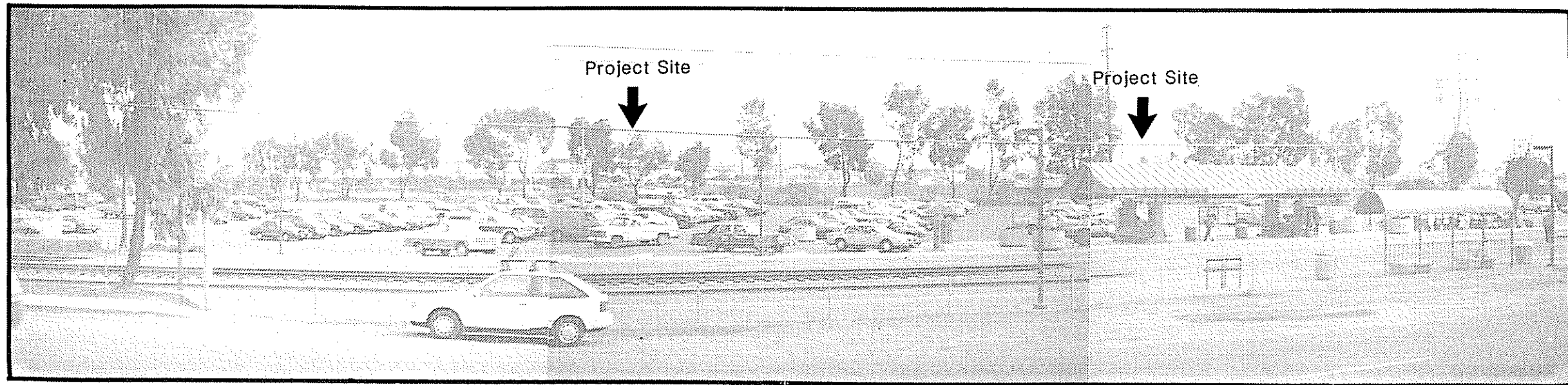
Although the proposed project will be consistent with surrounding uses, the impacts to various groups viewing the site must also be addressed. The proposed project will be viewed not only by large numbers of people, but by two distinct types of viewers including shoppers and employees, and nearby residents to the west of the project site.

This area of Montgomery contains high concentrations of commercial uses that are located along Broadway and Palomar Street. Some of the surrounding

commercial uses to the north of the project site are shown in Figure 5-6. The photo shows the northeast corner of the project site, at the intersection of Broadway and Palomar Street. The Ralph's Supermarket, Target, and McDonald's Restaurant can be seen to the right of the Photo. The surrounding businesses employ hundreds of workers in the various shops and retail stores. As such, the area is very busy and has high volumes of shoppers daily. The shoppers come from the surrounding areas that include not only Chula Vista, but National City, South San Diego, Imperial Beach, and Mexico. Since this group's main motivation for coming to the area is to work and shop, they will be less concerned with the aesthetic character or the effect that the project has had on the particular visual atmosphere, and impacts to these viewers will be low.

The second type of viewer, and potentially the most visually sensitive, will be residents that live to the west of the proposed project. Directly west of Industrial Boulevard are several residential homes that have views of the project site. Figure 5-7 shows views from the residential uses west of the project site. As stated above, viewer sensitivity is greater when residential uses are involved. The Palomar Trolley Center will be visible to these homes once the project has been developed, which will somewhat alter the visual character of the surrounding area for these homes. However, the proposed project will be located in the background of the viewshed for the residential uses, with the trolley station, a row of large trees, and the SDG&E ROW partially obstructing the view. The trolley station consists of the station itself (small waiting area with canopy, approximately 20 feet in height), parking lot with capacity for approximately 300 cars, and the tracks, poles and electrical wires on which the trolley runs. Primary views will focus on the trolley station since it is located in the forefront of the residential viewshed. This will serve to visually obstruct the proposed project to a degree. The group of trees which is located just east of the trolley station parking lot, while not dense in nature, will serve to visually buffer the commercial center once developed by partially obstructing views of the project site from the residential uses, thus further reducing the visual impact of the project. Finally, the SDG&E right-of-way is located between the project site and the group of trees. The ROW consists of large towers (approximately 135 feet tall) and wires running in a north/south direction along the western edge of the project site. While not directly obstructing the views of the residential uses, the SDG&E ROW does additionally remove the focus of the views away from the project site, thus giving the appearance that the project site is in the "background", and not visually obtrusive. The cumulative effect of all three visual obstructions will be to remove the focus of the residential views on the Palomar Trolley Center thus reducing impacts on viewer sensitivity. Also, the proposed project will not significantly depart from the commercially-oriented urban landscape that now exists in this area. The project will blend in with existing commercial uses, and impacts to residential uses will not be significant.





## Project Aesthetics

A project's aesthetics can be divided into two categories. The first is the Internal Aesthetics of the project, and the second is the Relational Aesthetics of the project. Internal aesthetics are judged by the functional clarity of a project's internal uses, as well as the degree and amount of internal consistency. The relational aesthetics of a project are judged by the project's ability to blend in with surrounding development.

Table 5-2 provides a list of several factors which can either enhance the visual quality of a project or adversely effect it. These factors are broad concepts which are not project specific. Rather, they are general guidelines which must adapt to each specific project being analyzed.

**TABLE 5-2  
FACTORS EFFECTING VISUAL QUALITY**

Enhancement of Visual Quality
<ol style="list-style-type: none"><li>1. Improved views</li><li>2. Improved aesthetic appeal</li><li>3. Improved aesthetic conditions</li><li>4. Elimination of unsightliness</li><li>5. Compatibility with surrounding uses</li></ol>
Adverse Effects on Visual Quality
<ol style="list-style-type: none"><li>1. Partial degradation/impairment</li><li>2. Unnatural intrusion</li><li>3. Unsightliness</li><li>4. Scale incompatibility</li><li>5. Complete loss of resource</li></ol>

A Design Guidelines booklet specific to the Palomar Trolley Center has been formulated and will be implemented during the final design phase of the project. These guidelines are to be used to ensure internal clarity and as well as external consistency with City standards. Some of the guidelines include:

- The main entry should be at the center of the project site.
- The main entry of the project will terminate at focal element.
- A gateway element will identify the project from the adjacent trolley station.

- The project will provide the perception of one major project with architecturally consistent elements.
- The project will vary the experience in the architectural skyline with roof and building forms.
- Edges along buildings shall be created to provide a variety of vistas throughout the project.
- Develop interesting and inviting vistas to "draw" people through the project.
- Pad buildings shall be architecturally coordinated with the main project buildings to create a cohesive architectural statement.

As described in the guidelines, the proposed project will employ the use of a "main focal point" where the main entry way will terminate. This focal point is to consist of a pedestrian plaza or food court and will be located at the center of the project site.

A consistent theme of the proposed project, as outlined in the guidelines, is the perception of one major project with architecturally consistent elements, with shops grouped into "districts." While each district will have a distinct storefront system, internal consistency will be provided through the use of consistent building materials to allow for a variety of storefronts. The use of a main focal point and architecturally consistent internal districts for the Palomar Trolley Center will adhere to goals and policies within the Montgomery Specific Plan. The Montgomery Specific Plan in Part 1, G-3 on page 37, identifies that the Montgomery planning area needs "substantial improvement in its visual and functional relationships, or townscape planning." The plan further states that a major goal of the Montgomery Specific Plan is to facilitate the "improvement of the visual and functional relationship, overall amenity, and aesthetic quality of the Montgomery Community." As such, the internal aesthetics of the proposed project will be consistent with City policy.

The relational aesthetics of the project with surrounding uses will be assured by applying the same specific design guidelines designed for the project as mentioned above. Part 2 of the Montgomery Specific Plan, under General Objectives, 2-c, page 8, calls for the "Substantial improvement of the community's land use patterns and spatial relationships; economic picture; and townscape planning, urban design, and aesthetic quality." The specific design guidelines call for compliance with City landscape and setback requirements, as well as a sign program that complies with the City of Chula Vista Sign Ordinance and a strong pedestrian link to the trolley station to the west. If, as the specific design guidelines call for, the project adheres to goals and policies for the Montgomery Planning Area while using specific design themes consistent with these goals and policies to create an architectural uniqueness, the relational aesthetics of the

Palomar Trolley Center will also be consistent with City policy. However, if the design guidelines are not implemented, significant impacts could occur to the visual quality of the area.

#### **MITIGATION MEASURES**

The mitigation measures are incorporated into the project and therefore the project and the associated impacts are adverse, but less than significant. The following measures are part of the project design:

1. The project shall be designed in accordance with the guidelines outlined by the site planning concepts for the Palomar Trolley Center and policies regarding aesthetics contained in the Montgomery Specific Plan.
2. The City's design review process shall be used to ensure that all guidelines are followed and that the project is aesthetically consistent with the surrounding commercial uses.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION MEASURES**

Based on the above analysis, impacts to aesthetics from the proposed project will, be less than significant.



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## 5.4 SOCIAL FACTORS

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### ENVIRONMENTAL SETTING

Information contained in this section of the EIR is documented in Appendix D, "An Analysis of Economic Development Resulting from Development of Palomar Trolley Center" prepared by Economic Research Associates (ERA).

The market area, or area from which consumers travel to purchase a product, varies with the product's value and frequency of purchase. Generally, expensive products bought less frequently draw consumers from a larger market area, and less expensive items bought more frequently draw from a smaller area.

"Neighborhood-serving" centers offer goods and services such as groceries, fast food, and personal services and draw from a smaller geographic area. They usually generate less taxable sales per square foot than centers serving a larger market area. A "community-serving" center, offers such items as discount general merchandise, some speciality items, hardware, toy stores, clothing stores, and sit-down restaurants, and draws from a larger area. "Regional-oriented" centers offer such items as fashion clothing, furniture, appliances, and specialty items and draws customers from the largest area. The community and regional-serving centers usually generate the greatest taxable sales per square foot.

The project proposes a 198,200 square foot "regional draw center" containing anchor outlets that have regional market area, and generate high retail sales and consequently high sales taxes per square foot. Examples of potential anchor tenants include Mega Foods, Home Depot, Nordstrom's Rack, Walmart, Marshall's, Ross, Office Club, Circuit City, Sportmart, and other value-oriented retailers. The project would also have five free-standing "pad" buildings, two of which could operate as fast-food restaurants. The high taxable sales (regional-serving) tenants (\$150 in gross taxable sales per square foot per year) are proposed to occupy 128,830 square feet, or 65 percent of the leasable area. The remaining 69,370 square feet, or 35 percent of the leasable area, may include lower taxable sales neighborhood- and community-serving uses. It is estimated that approximately 14 percent of the high taxable sales retail space will also serve the neighborhood market area population creating a total of 87,400 square feet of potential neighborhood-serving retail space. Public amenities may include a linear park, a bicycle path, a pedestrian linkage to the trolley station, and a traffic circulation link and loop.

## **Market Area Demographic Characteristics**

The San Diego Association of Governments (SANDAG) projected the population of each market area based on general plans and zoning regulations in place at the time the projections were made. The neighborhood market area (within a radius of 1.5 miles of the proposed Center) has a population of 35,700 people. This area is stable and is not projected to grow. The community-serving market area population (within 3 miles of the site) has 158,700 people, with modest growth expected. Within the regional serving market area (within 5 miles of the site) the population of 256,300 people is expected to grow at 1.1 to 1.3 percent per year. Ages of the population within all of the market areas shows a higher proportion of children and middle-age adults, but a lower proportion of young adults. This statistic suggests that family-oriented sales (discount retailing, household items, and family restaurants and entertainment) would do well.

Each market area has a lower average household income than San Diego County as a whole and is classified as a moderate-income area with average incomes increasing the larger the market area. Average incomes, however, are expected to increase over the upcoming decade in the community and regional market areas as new residential development occurs in these areas.

## **Competitive Environment**

### **Major Shopping Centers and Districts**

There are a number of large scale (75,000 square feet and up) neighborhood, community and regional shopping centers and districts in the market areas for the proposed Palomar Trolley Center. Table 5-3 shows selected shopping centers within the 1.5, 3, and 5 mile radius of the project site.

There is approximately 1,931,000 square feet of retail space within the neighborhood market area surrounding the project site including free-standing space. Approximately 2.7 million square feet of retail space in planned shopping centers exists within the community market area, which includes all of the neighborhood market area. Approximately 60,000 additional square feet of retail space is being planned or constructed within the Montgomery community, excluding the proposed project.

Table 5-4 shows an inventory of retail space within the neighborhood market area by major retail category.

**TABLE 5-3  
LARGEST SHOPPING CENTERS WITHIN EACH MARKET AREA**

Shopping Center	Location	Tenants
<b>1.5 Mile Radius From Project</b>		
Price Club Center	1144 Broadway	Price Club Membership Store Price Bazaar, Levitz, Home Club
Sommerset Plaza East and West	1600 Broadway	Tire Store, Fitness Center, Tile Store, Salvation Army Office
Target Center	Palomar and Broadway	Target, Ralph's Dow Stereo, Pic 'N' Save
K-Mart	1030 3rd Avenue	K-Mart, McMahan's Furniture
<b>3.0 Mile Radius From Project</b>		
Southland Plaza Shopping Center	Northeast corner of Palm Avenue and Saturn Boulevard	Mervyn's Department Store, Miller's Outpost, Restaurant, Vons, Home Depot, Sav-on Drug Store
Canyon Plaza	505 Telegraph Canyon Road	Thrifty's, Von's
Chula Vista Mall	Broadway and "H" Street	Broadway, J.C. Penney, Sears
Terra Nova Plaza	East of I-805 from the "H" Street offramp	Big 5, Home Depot Longs Drugs, Marshalls, Vons
<b>5.0 Mile Radius From Project</b>		
Bay Plaza	1400 Plaza Boulevard	Seafood City, Pic "N" Save, House of Fabrics
Plaza Bonita	Southwest corner of Sweetwater and Plaza Bonita Roads	Broadway, Penney's, Mervyn's and May Co.
San Diego Factory Outlet Center	4498 Camino De La Plaza	Factory Outlets of Athletic Shoes, Clothing, Cosmetics, Lingerie, Crystal, Cookware, Home Tools, Toys, Leather Goods
Sweetwater Town and Country Shopping Center	1510 Sweetwater Road	Drug Store, Bowling Center, Fitness Center, Electrical and Appliances

Source: ERA Report, Appendix D.

**TABLE 5-4  
PROJECT MARKET AREA RETAIL SPACE  
BY MAJOR CATEGORIES**

Retailer	Market Area (square feet)
Apparel Store	74,055
General Merchandise	407,950
Drug Stores	69,160
Food Stores	216,793
Liquor Stores	11,940
Eating/Drinking Places	213,342
Home Furnishings/Appliances	204,860
Building Materials	163,498
Auto Dealers/Supplies	38,487
Service Stations	14,600
Other Retail Stores	163,189
All Other Outlets	198,936
Vacancies	62,000
Non-retail	91,799
<b>TOTAL</b>	<b>1,930,609</b>

Source: CIC Research and Economics Research Associates, 1991.

### Planned and Proposed Competition

With the exception of a few mini-malls in Chula Vista, there are no major shopping centers planned or proposed within the project market area in the near term other than the Palomar Trolley Center. Smaller centers that are either under construction or planned within the Palomar Trolley Center market area total approximately 60,000 square feet in area as of March 1991. A total of 250,000 to 350,000 square feet of commercial land use is available to neighborhood-serving retail within the Montgomery Specific Plan area (based on a 25 to 35 percent floor area ratio of 23 vacant commercial acres).

See Section 9.0  
Response F-2

The market area is considered relatively competitive, especially on the neighborhood and community level. A wide variety of stores and types of shopping centers are available to the consumer, all of which have good access and are located on major thoroughfares. Overall vacancy rates are low at 3.2 percent, and no additional retail space of significant size, other than the proposed project, is planned in the near term. This situation indicates that the market is supporting the current space that is available and has capacity to absorb more space. However, this market support appears to be the result of demand coming from an expanded market area rather than increased demand from a growing population within the neighborhood market area, because the local market population is not growing at a rapid rate.

### **BASIS FOR DETERMINING SIGNIFICANCE**

The significance of environmental impacts caused by the proposed project is based on the CEQA Guidelines and the Chula Vista Thresholds/Standards for economics. The City's economic Thresholds/Standards for economics states that the City shall provide land uses and activities which respond to the economic needs of the residents and the City of Chula Vista. The identified threshold is for the Growth Management Oversight Committee (GMOC) to be provided with an annual report that evaluates development and its economic efforts. The goal of the Growth Management Element in the Chula Vista General Plan is "to direct and coordinate growth and development policies in ways that not just maintain, but consistently endeavor to improve, the quality of life for current and future residents of Chula Vista." Objective 2 under this goal is to encourage a healthy and sustaining economy that provides Chula Vista with competitive diverse employment and shopping opportunities through a series of actions including periodic City-wide economic analysis, assessing City tax revenues balancing new growth and revitalization of urban areas, and encouraging training and education for disadvantaged groups. CEQA Guidelines (Section 15382) state that ". . . a social or economic change related to a physical change may be considered in determining whether the physical change is significant."

### **ENVIRONMENTAL IMPACT**

According to the ERA analysis the portion of the proposed Palomar Trolley Center that is higher taxable sales and is probably community and regional serving (the 65 percent of the total retail space proposed containing anchor outlets) could be supported without adversely affecting the community market area. Outlets that currently have above average sales standards due to lack of competition may experience sales decline as new competitors enter the market. However, their sales should still be adequate to meet industry standards if they are well managed. Consumers will benefit from increased shopping alternatives.

However, increased vacancy rate or lower relative rents may occur among the lower taxable sales neighborhood-oriented centers and outlets in the neighborhood-market area from project implementation. Increased vacancy or

reduced relative rents may occur due to redundancy created by the lower taxable sales neighborhood-serving portion of the project (35 percent of the total retail space) and the higher taxable sales regional-serving retail uses that are to be supported by the neighborhood market population (14 percent of the higher taxable sales retail space). The extent of this negative impact depends on the types of lower taxable sales space introduced.

Introducing 87,400 square feet of new lower taxable sales neighborhood space into a market area that already has 1,050,000 square feet of neighborhood-supported space could potentially increase the current lower taxable sales neighborhood-serving vacancy rate to almost 13.1 percent or higher, depending upon how much planned and proposed space is preleased. Much of this vacancy would be expected to occur in the older retail centers and freestanding retail space rather than in the newer retail centers, which have experienced generally low vacancy rates. An alternative impact would be lower supportable rents among some outlets and centers.

The proposed site for the Palomar Trolley Center can be very competitive in what is becoming a competitive commercial market area. The site has a number of factors in its favor including its size, visibility, access to the freeway, and proximity to a trolley station. Because of a number of existing older shopping centers with a narrow market orientation, a well planned and marketed shopping center could fill a consumer void that existing centers do not fill.

As stated in the ERA report, "the proposed Palomar Trolley Center project can be supported on the community and regional level without adversely affecting the total higher taxable sales community retail market, although certain retailers may see their current market share fall somewhat as new competition is introduced." The proposed project could have a negative impact on the neighborhood-serving market by introducing additional lower taxable sales neighborhood-serving retail space in a neighborhood market area that is now served and is not growing.

As new centers are developed over time, the older obsolete centers will have difficulty competing even if the market is not overbuilt. Older centers might upgrade to stay competitive, but only if they are able to sustain sufficient rents and occupancies to amortize the improvement costs.

The existing Semi-Exclusive Negotiating Agreement with Pacific Scene, Inc. for Commercial Shopping Center at South Side of Palomar Between Industrial and Broadway, Section V., A., 7., stipulates that the "Disposition and Development Agreement" (DDA) include a clause that restricts the developer from leasing or selling to tenants or purchasers greater than 15,000 square feet of net useable floor area until the Executive Director of the Redevelopment Agency of the City of Chula Vista has approved the tenant. Approval can be withheld if the Agency finds and reasonably determines, at a public meeting and after notice is provided to the developer, that the "proposed tenant or purchaser is incompatible with the commercial mixture of tenants present in the market area of the project." This provision contained within the negotiating agreement which applies to the future DDA, allows the Redevelopment Agency to protect over-building of neighborhood-oriented uses in the neighborhood market area.

The development of a large area of high sales tax-generating land uses, such as regional or community-serving tenants, should generate a net fiscal surplus to the City since its anchors will draw customers and taxable sales from outside Chula Vista. As stated in the environmental setting subsection, the regional or community-serving tenants could produce \$150 in taxable sales per square foot per year and these tenants are proposed to occupy 129,000 square feet of the Palomar Trolley Center.

#### **MITIGATION MEASURES**

The social factor impacts identified are adverse, but less than significant, and the following mitigation measure will reduce those adverse impacts to social factors:

1. Any future "Disposition and Development Agreement" (DDA) shall include a clause that restricts the developer from leasing or selling to tenants or purchasers greater than 15,000 square feet of net useable floor area until the Executive Director of the Redevelopment Agency of the City of Chula Vista has approved the tenant. Approval can be withheld if the Agency finds and reasonably determines, at a public meeting and after notice is provided to the developer, that the "proposed tenant or purchaser is incompatible with the commercial mixture of tenants present in the market area of the project."

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Impacts caused by implementation of the proposed project on retail sales in the market area are mitigated to a level of less than significant.

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## **5.5 COMMUNITY INFRASTRUCTURE**

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The Community Infrastructure Section is divided into four subsections: fire/emergency medical services, police protection, schools, and recreation.

### **FIRE/EMERGENCY MEDICAL SERVICES**

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#### **ENVIRONMENTAL SETTING**

Fire protection for the study area is provided by the City of Chula Vista Fire Department. The City operates five stations, the main station (Station # 1) being located in the Civic Center complex at 447 F Street. Station # 5 was previously part of the Montgomery Fire Protection District which was dissolved in December of 1985.

Fire/EMS protection for the project area will be provided by Station # 5 that is located approximately 1.5 miles away with an estimated response time of 3 minutes. This station currently has four fire fighters and one 1250 gpm pumper truck. According to a recent evaluation of the existing stations in Chula Vista, roughly 92% of all emergency calls are responded to within 7 minutes. The average response time is approximately 4.4 minutes. (Carol Gove B-9)

#### **BASIS FOR DETERMINING SIGNIFICANCE**

The City of Chula Vista guidelines and policies used include the City's Threshold/Standards Policy for Fire and Emergency Medical Service which states that "Properly equipped and staffed fire and medical units shall respond to calls throughout the City within seven (7) minutes in 85% of the cases (measured annually)."

#### **ENVIRONMENTAL IMPACT**

Implementation of the proposed project will result in an increased demand for fire/EMS services, which will in turn require additional fire fighters and equipment. This will include not only actual fire suppression but the additional personnel required to inspect the project site periodically to ensure code compliance. Part Two of the Montgomery Specific Plan outlines goals and general objectives designed to integrate policies contained in the General Plan at a more specific level. General objective "k" requires the "Application of the principles and standards of the Safety Element of the Chula Vista General Plan,



including those that pertain to police protection, fire prevention and control, . . . to the special requirements of Montgomery." The Safety Element of the General Plan contains Policy Statements that specifically address fire protection for the City including:

Policy Statement 2 - The streets and rights-of-way of the City of Chula Vista shall be of adequate width and construction to facilitate the movement of emergency vehicles during fires and emergencies. Streets and rights-of-ways shall also be adequately designed to facilitate the evacuation of people during fires and other emergencies . . .

Policy Statement 5 - The peak load water supply shall adequately meet the needs of the Chula Vista Planning Area during periods of flood, fire, and natural disaster.

Policy Statement 8 - The Fire Code shall be consistent with the policies embodied herein, and in the Seismic Safety Element.

The Chula Vista Fire Department (B-9) has stated that the proposed project will not affect their ability to provide adequate fire/EMS protection, and therefore the project will not have a significant effect.

The proposed project also will be required to be consistent with all requirements as outlined in the Uniform Fire Code, which is made part of the General Plan by reference.

## **MITIGATION MEASURES**

The impacts identified are adverse, but less than significant and the following mitigation measures will reduce those adverse impacts to fire/EMS:

1. Prior to development the project will receive the approval of the City of Chula Vista Fire Marshall.
2. The project will meet standards set within the City's Threshold/Standards policy for Fire/EMS protection related to response times.
3. Required fire flow for the project area will average 5,000 gallons per minute.
4. A fully automatic fire sprinkler system will be provided in all buildings greater than 6,000 square feet in size. This system will be monitored on a consistent basis.

See Section 9.0  
Response 1-3

5. Fire hydrants will be provided to satisfaction of the Fire Marshall. No combustible construction materials shall be placed on the project site until fire hydrants are in place, tested, and fully operational.
6. Access roads shall meet City standards for location and construction.
7. Fire extinguishers are required in all buildings.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the above analysis, impacts to Fire/EMS from the proposed project measures will be less than significant.

#### **POLICE PROTECTION**

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##### **ENVIRONMENTAL SETTING**

Police protection is provided to the study area by the City of Chula Vista Police Department which is headquartered at the Civic Center Complex at the corner of Fourth Avenue and F Street. All police services are based out of this one centralized facility which include a full range of law enforcement and police protection services including animal control. Currently the Department has a staff of 232 employees, including 150 sworn officers which range in rank from police officer to captain, and seven animal control staff.

##### **BASIS FOR DETERMINING SIGNIFICANCE**

City of Chula Vista Threshold/Standards Policy related to Police protection states that "Properly equipped and staffed police units shall respond to emergency calls throughout the City within four and one-half (4.5) minutes in 75% and seven (7) minutes in 84% of all cases (measured annually)."

##### **ENVIRONMENTAL IMPACT**

Implementation of the proposed project will increase demand for police protection in the area. The officer ratio for acceptable police protection is currently 1:1,000 population (City of Chula Vista Police Department's standard for police protection). The project will slightly increase the population as individuals move into the area seeking employment, although the exact numbers are not yet known. However, the adequacy of police protection is reevaluated yearly and adjustments made to the number of officers needed. The Chula Vista Police Department has expressed no concerns with their ability to provide police

protection for the project (Captain Keith Hawkins). As stated above, police protection must comply with guidelines set in the City's Threshold/Standards Policy. This compliance will ensure that as the demand for police protection increases (based on the officer/population ratio) new officers will be brought on staff to ensure proper response times are maintained and adequate police protection is provided.

## **MITIGATION MEASURES**

The impacts identified are adverse, but less than significant and the following mitigation measures will reduce those impacts to police protection:

1. Security lighting and alarm systems will be installed to assist police with visual surveillance of commercial businesses.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the above analysis, impacts to police protection from the proposed project will be less than significant.

## **SCHOOLS**

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### **ENVIRONMENTAL SETTING**

Schools services are provided to the project area by the Chula Vista School District (CVSD) and the Sweetwater Union High School District (SUHSD).

#### **Chula Vista School District**

The CVSD currently has three elementary schools near the project area that would provide schools facilities for children. Table 5-5 lists the schools and their current attendance statistics.

In an effort to increase the attendance capacities of its schools, the district uses relocatable classrooms for instructional purposes. No new schools are currently planned by the district which would provide service to the project area.

#### **Sweetwater Union High School District**

The SUHSD currently has two schools, one middle and one high school operating that would provide service to the project area. Table 5-5 lists the schools and their current attendance statistics. The SUHSD has adopted a policy to maximize the use of its current facilities. As part of this, all new high schools

and all new junior high schools are being established as four year (grades 9-12) and two year schools (grades 7 and 8) respectively. Also, relocatable facilities are used to the fullest possible extent. By implementing this policy the district can increase its capacity by approximately one-third.

**Table 5-5  
Schools Serving The Project Area**

School	Capacity	Projected Enrollment
<b>ELEMENTARY</b>		
Harborside	510	817
Lauderbach	587	798
Rice	679	744
<b>JUNIOR HIGH AND MIDDLE</b>		
Castle Park Middle	1,456	1,090
<b>HIGH SCHOOLS</b>		
Chula Vista High	1,356	1,978

**BASIS FOR DETERMINING SIGNIFICANCE**

City of Chula Vista guidelines Threshold/Standards Policy related to schools requires the City to ". . .annually provide the two local school districts with a 12 to 15 monthly development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth." The District's replies should address the following:

1. Amount of current capacity now used or committed.
2. Ability to absorb forecast growth in affected facilities.
3. Evaluation of funding and site availability for projected new facilities.
4. Other relevant information the Districts(s) desire to communicate to the City and Growth Management Oversight Committee.

Item (w) of Appendix G (CEQA Guidelines) considers impacts to schools to be significant when a project "Conflict with established recreational, educational, religious or scientific uses of the area".

## **ENVIRONMENTAL IMPACT**

Significant impacts to schools in the project area will result from increases in population that are expected as individuals move into the area seeking employment. Both schools districts utilize a report completed by SANDAG that estimates student generation for non-residential projects. Based on the tables in the report, the project will produce approximately 47 elementary school students that will require an additional 2 classrooms at an estimated cost of \$ 423,000, and an estimated 57 new junior high and high school students requiring 2 new classrooms at an estimated cost of \$240,000.

Based on these projections, the development impact fees normally used to mitigate impacts may not be sufficient. As such, the use of a Mello Roos District may be required if impacts are to be properly addressed. If Mello Roos financing is used for this project, the project will be annexed to Community Facilities District (CDF) # 5, which would providing funding to mitigate impacts to both school districts.

## **MITIGATION MEASURES**

The following measures will serve to reduce significant impacts from the proposed project:

1. The project shall pay developer impacts fees to the school districts or be annexed to CDF # 5 to allow the use of Mello Roos Financing to help offset costs of increased numbers of school children.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the above analysis, impacts to schools from the proposed project after the implementation of the above mitigation measures will be less than significant.

## **RECREATION**

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### **ENVIRONMENTAL SETTING**

The City of Chula Vista currently has more than 256 acres in use as public parkland. These park and recreation areas vary in size and types of uses provided and are located throughout the City.

Parks in the vicinity of the project area that would provide recreational opportunities include Lauderback Park, which is a 4.0 acre neighborhood park

located approximately .7 of a mile away, and Otay Park, which is a 5.3 acre neighborhood park located approximately 1.3 miles away.

The Montgomery area currently lacks adequate park and recreational space. The standard for park and recreational land is 3 acres per 1,000 residents, but this only applies to developments east of I-805. Because of the intensity of development in the project area, land which is available for public purchase and development as park land is scarce. As a result, the City has primarily spent funds to up-grade existing facilities instead of building new park facilities.

### **BASIS FOR DETERMINING SIGNIFICANCE**

City of Chula Vista guidelines and policies used include Goal 9, in Part Two of the Montgomery Specific Plan which calls for the "Improvement of public facilities, including . . . the planning and development of parks, schools, and recreational facilities" and Goal 19, in Part Two of the Montgomery Specific Plan which calls for the "Encouragement of the park and recreation use of SDG&E rights-of-way."

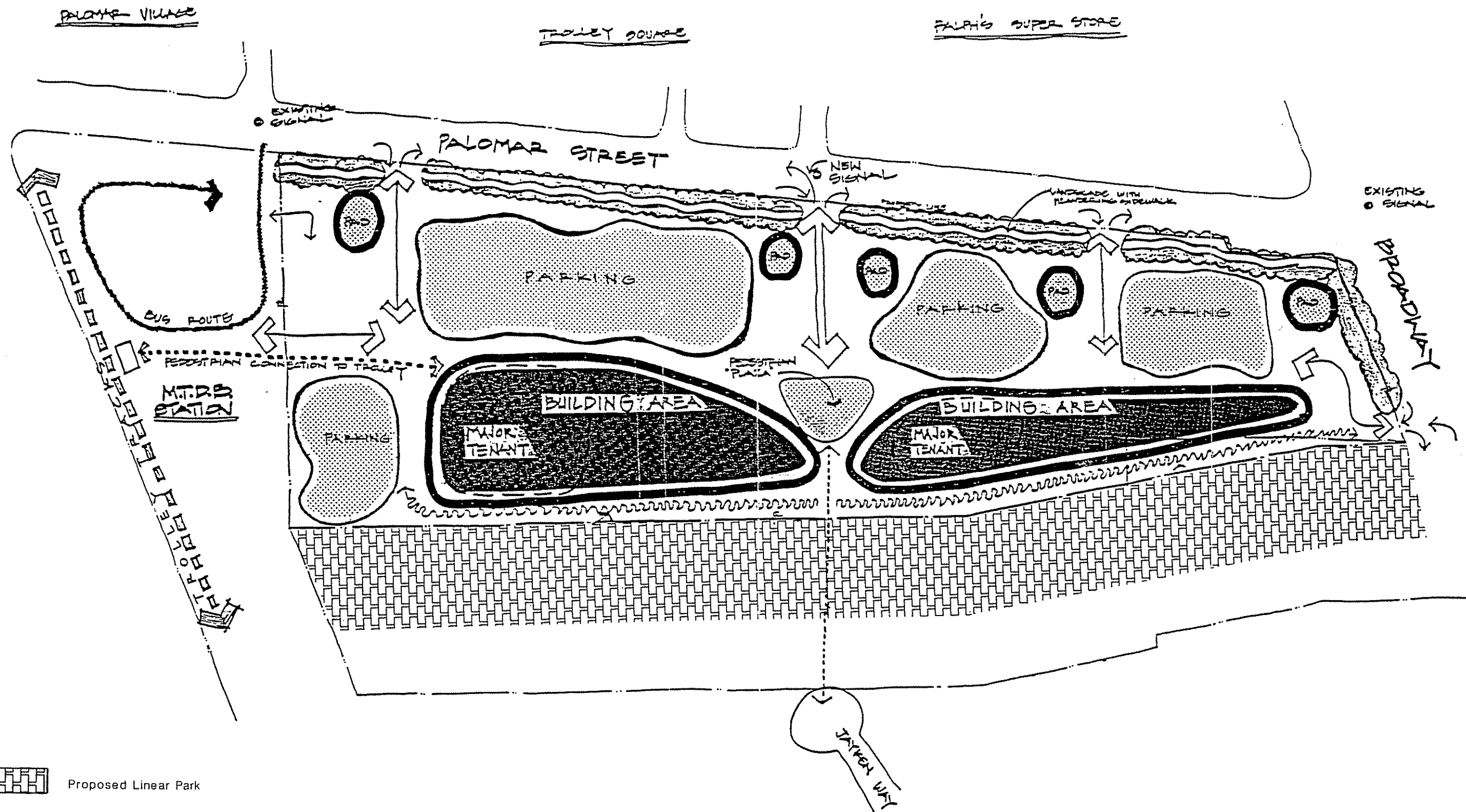
The City of Chula Vista Threshold standard states that "three (3) acres of neighborhood and community parkland with appropriate facilities shall be provided per 1,000 residents east of I-805".


### **ENVIRONMENTAL IMPACT**

The proposed project will result in minor increases in demands on public parks in close proximity to the project area. The commercial center will slightly increase population for the area, which in turn will result in minor increases in the demand for park and recreational uses.

In conjunction with but separate from the proposed project, the development of a linear park within the SDG&E right-of-way directly south of the project site has been suggested. The park would consist of a 55-foot wide passive use park containing a pedestrian walkway, bicycle path, and possibly other passive uses (Figure 5-8). The SDG&E corridor is currently designated as Parks and Open Space and is within a Special Study Area. The Special Study Area designation allows the City to reevaluate the appropriateness of using the SDG&E corridor for park purposes vs. alternative uses that may be proposed by SDG&E. In an effort to resolve this issue of ultimate use of the property, the Chula Vista Planning Department plans to undertake a study of the SDG&E corridor which will reevaluate the current Parks and Open Space designation, taking into account land use compatibility, the park and open space needs of the Montgomery Community, and environmental concerns.

See Section 9.0  
Response M-1, M-2



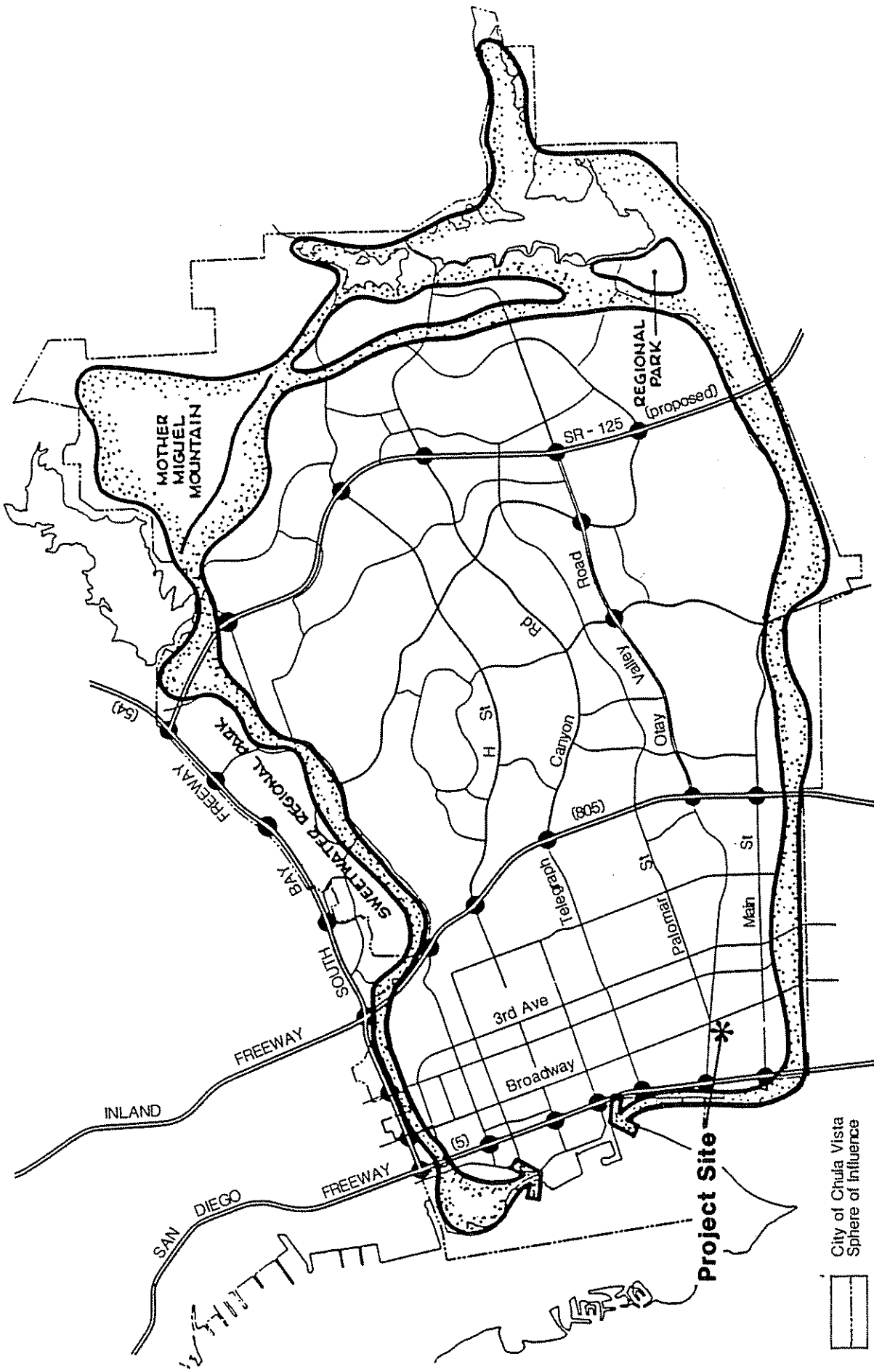
 Proposed Linear Park

  North  60  
scale in feet

Palomar Trolley Center EIR

SOURCE: Pacific Scene, Inc.

Figure 5-8  
Proposed Linear Park



City of Chula Vista  
Sphere of Influence



North ↑

no scale

Palomar Trolley Center EIR

SOURCE: Chula Vista General Plan Update

Figure 5-9  
City-Wide Greenbelt and Open Space System



Of specific concern, should the linear park be developed within the SDG&E ROW, is the presence of electromagnetic radiation (EMR). Electrical transformers and overhead electrical transmission lines are located above the SDG&E easement, where the linear park would be located. These power transmitters possess high amounts of energy in the form of EMR, which has been suggested to be potentially harmful to human health based on several sources of information regarding the effects of EMR (see Section 5-8, Human Health). An EMR study is currently being completed by the U.S. Environmental Protection Agency in light of recent concern about health risks associated with power lines. The results of the study are not yet available.

The Montgomery area as a whole is currently lacking approximately 71 acres of park land necessary to serve the area (Shauna Stokes [B-7]). Parks planned for future development include the Montgomery Community Park and the Rancho Drive Neighborhood Park. The City is currently planning a City-wide greenbelt and open space system as shown in Figure 5-9. This will include a system of parks, open space, and trails that would serve the City of Chula Vista. Although the exact time frame for development of the greenbelt is not known, it can be assumed that the greenbelt will not provide additional park land for some time.

The City's Threshold/Standards Policy which requires 3 acres of park land for every 1,000 residents in a given area east of I-805, does not apply to this development, nor do the park development impact fees that the City may charge because those apply only to residential developments.

The Chula Vista Recreation Department (B-7) has stated that the linear park would not help to ease the general lack of parkland in the Montgomery Planning area due to the park's location. It would serve mostly Palomar Trolley Center employees and individuals walking to or from the trolley station. The recreation department feels that the park is too far removed from residential areas to be of service. However, the park would serve as a useful pedestrian walkway and bike path, while adding a visual amenity to the project area.

See Section 9.0  
Response L-1

Also, the Semi-Exclusive Negotiating Agreement, Section 3-C, Conditions of Development, states that the developer will make a "Good Faith Effort" to provide a linear park within the SDG&E right-of-way, subject to approval of the City of Chula Vista and the current property owner, which is SDG&E. If approval for the park is not obtained from SDG&E, the linear park cannot be developed.

## MITIGATION MEASURES

The impacts identified are adverse, but less than significant. The following mitigation measures will reduce those adverse impacts to recreation:

See Section 9.0  
Response E-3  
Response M-3

1. The developer will make a good faith effort in providing a linear park within the SDG&E right-of-way. Development of the park will depend upon conclusions and recommendations contained within the special study described above and approval of the park by the City of Chula Vista and SDG&E.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Based on the above analysis, impacts to parks and recreation from the proposed project will be less than significant.

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## **5.6 ENERGY**

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### **ENVIRONMENTAL SETTING**

Energy in the forms of electricity and natural gas is used on the project site for lighting, use of appliances, air conditioning, electric motors, heating of air and water, and open flames. Gasoline is used by motor vehicles to access the land uses on the project site.

Electricity and natural gas is provided to the site by San Diego Gas and Electric Company (SDG&E). Electricity is transmitted by powerlines from the generating plant in the bayfront area west of the project site. The plant's capacity is 706 megawatts (Clint Barry [B-12]). Several transmission lines traverse the project site along easements to the west and south owned by SDG&E. Natural gas lines exist along all major street right-of-ways (Palomar and Broadway) that border the project site. Natural gas lines extend into the project site to serve existing development. These lines will need upgrading to serve the proposed project.

### **BASIS FOR DETERMINING SIGNIFICANCE**

The significance of environmental impacts caused by implementation of the proposed project is determined using objective of the Growth Management Element of the General Plan which states that the City will require that the pace and pattern of development be coordinated with provisions for adequate public facilities and services, and monitor changes in adequacy standards to measure impacts of growth. Items (n) and (o) of Appendix G in the CEQA Guidelines state that a project will normally have a significant effect on the environment if it will "Encourage activities which result in the use of large amounts of fuel, water, or energy," and "Use fuel, water, or energy in a wasteful manner."

### **ENVIRONMENTAL IMPACT**

Tables 5-6 and 5-7 show that consumption of both forms of energy will increase substantially over existing conditions. The project will use approximately 7.5 kilowatt hours of electricity and 11 thousand cubic feet of natural gas per day more than existing conditions. Table 5-6 also shows that development of the proposed project will result in approximately 132.8 percent more electrical usage than existing development of the site. Table 5-7 shows that proposed development will use 157.1 percent more natural gas than existing development. This is due to the large area of commercial land use proposed for the site.

**TABLE 5-6  
PROJECTED DAILY ELECTRICAL DEMAND**

LAND USE	Factor	Dwelling Units, Floor Area			Electrical Demand (mwh/day)			Change from Existing Conditions to Proposed Project	
	kwh/day per unit	Existing Use	Specific Plan	Proposed Project	Existing Use	Specific Plan	Proposed Project	Amount (mwh/day)	Percent
<b>RESIDENTIAL</b>									
Single Family	16.7	2 du	0 du	0 du	0.0	0.0	0.0	0.0	0.0%
Multiple Family	10.0	1 du	0 du	0 du	0.0	0.0	0.0	0.0	0.0%
<b>TOTAL RESIDENTIAL</b>		3 du	0 du	0 du	0.0	0.0	0.0	0.0	0.0%
<b>COMMERCIAL</b>									
Mercantile and Office Commercial	66.7	29.4 ksf	165.5 ksf	198.2 ksf	11.0	2.0	13.2	11.3	565%
<b>INDUSTRIAL *</b>									
Research and Limited Industrial	123.3	0.0 ksf	39.2 ksf	0.0 ksf	0.0	4.8	0.0	0	0%
<b>INSTITUTIONAL</b>									
Church	30.1	27.8 ksf	18.5 ksf	0.0 ksf	0.8	0.6	0.0	-0.8	-100%
<b>VACANT</b>									
VACANT	0.0	12.5 ac	0.0 ac	0.0 ac	0.0	0.0	0.0	0.0	0.0%
<b>TOTAL ALL USES</b>			223.2 ksf	198.2 ksf	11.8	5.4	13.2	7.5	132.8%

\* Square footage for industrial calculated using an FAR of 0.4 from the City of Chula Vista.

Abbreviations: du: dwelling unit; ksf: thousand square feet; mwh: megawatt hours; ac: acre.

Sources of generation factors: South Coast Air Quality Management District, "Air Quality Handbook for Environmental Impact Reports, revised April, 1987."

**TABLE 5-7  
PROJECTED DAILY NATURAL GAS DEMAND**

Factor	Dwelling Units, Floor Area			Natural Gas Demand (mcf/day)			Change from Existing Conditions to Proposed Project		
	cf/day per unit	Existing Use	Specific Plan	Proposed Project	Existing Use	Specific Plan	Proposed GPA	Amount (mcf/day)	Percent
<b>LAND USE</b>									
RESIDENTIAL									
Single Family	222.2	2 du	0 du	0 du	0.000	0.000	0.000	0.000	0.0%
Multiple Family	127.0	1 du	0 du	0 du	0.000	0.000	0.000	0.000	0.0%
<b>TOTAL RESIDENTIAL</b>		3 du	0 du	0 du	0.001	0.000	0.000	- 0.001	-100%
COMMERCIAL									
Mercantile and Office Commercial	95.3	29.4 ksf	165.5 ksf	198.2 ksf	0.003	0.020	0.018	0.015	523.8%
INDUSTRIAL *									
Research and Limited Industrial	110.0	0.0 ksf	39.2 ksf	0.0 ksf	0.000	0.004	0.000	0 ksf	0%
INSTITUTIONAL									
Church	95.3	27.8 ac	18.5 ksf	0.0 ksf	0.003	0.002	0.000	-0.002	-100%
VACANT	0.0	12.5 ac	0.0 ac	0.0 ac	0.000	0.000	0.000	0.000	0.0%
<b>TOTAL ALL USES</b>			223.2 ksf		0.007	0.026	0.018	0.011	157.1%

\* Square footage of industrial calculated using an FAR of 0.4 per the City of Chula Vista General Plan.

Abbreviations: du: dwelling unit; ksf: thousand square feet; mcf: million cubic feet; ac: acre.

Source of generation factors: South Coast Air Quality Management District, "Air Quality Handbook for Environmental Impact Reports, revised April, 1987."

All energy consumption projections for the proposed project are based on preliminary land use information. Specific land users may change over time, however the basic type of land uses allowed on-site according to the Montgomery Specific Plan will not change, and resulting energy consumption will also not change substantially from that projected.

Substantial increases in the consumption of non-renewable energy resources will result from the implementation of the proposed project. However, SDG&E currently has infrastructure in place which could easily serve the project site with gas and electric service. (B-12) SDG&E has also stated that it can provide service to the project site as required, and as such, no significant impacts will result from implementation of the proposed project. (B-12) Also, the level of energy consumption of the proposed project is less than what would occur under development of the project site according to the Montgomery Specific Plan. The Montgomery Specific Plan presently allows a total of 223,200 square feet of non-residential land uses (39,000 square feet being industrial land use) while the project proposes a total of 198,200 square feet of building space with no industrial land use. Therefore, impacts are considered adverse, but less than significant.

#### **MITIGATION MEASURES**

Although no significant impacts are cited above, the following measures will serve to further reduce impacts caused by consumption of non-renewable energy resources:

1. The developer shall comply with California Energy Commission Standards in construction, including the use of energy-conserving construction techniques in all new construction.
2. The developer shall incorporate energy saving devices into the project whenever possible. These may include but not be limited to:
  - o time-controlled thermostats and lights
  - o fluorescent lighting or vapor lights instead of incandescent lighting
  - o weatherstripping and caulking of all doors and windows
  - o insulation of all buildings, hot water tanks, pipes and ducts
  - o and use of solid state dimmer switches.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

After the implementation of the mitigation measures described above, impacts from energy consumption caused by the proposed project will be less than significant.

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## 5.7 UTILITIES

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### ENVIRONMENTAL SETTING

Water provision, and sewer and solid waste disposal utilities are supplied to the project site by several agencies as discussed below.

#### Water

See Section 9.0  
Response G-4

Water is provided to the project site by the Sweetwater Authority. Source supply for the City's portion of the Sweetwater system is largely from surface water runoff and collection at Sweetwater Reservoir, augmented by the San Diego County Water Authority aqueduct system when necessary. (Chula Vista General Plan, Public Facilities Element C-5) Groundwater is currently not used on the project site. Transmission and distribution pipelines ranging in size from 6 inches to 42 inches deliver water to Chula Vista with a normal operation pressure range of 40 to 90 pounds per square inch (psi). Daily and seasonal peak flow requirements, including fire flows, are offset by operational storage reservoirs located throughout the City. Total operational storage for Sweetwater is approximately 38 million gallons with an average daily demand of about 24 million gallons per day. (C-5)

#### Sewer

The project site's sewage is disposed of by the City of Chula Vista, which maintains its own sanitary sewer system. This system consists of approximately 270 miles of sewer lines ranging in size from 6 inches to 36 inches, 10 raw pump stations and three independent metered connections to the City of San Diego Metropolitan Sewer System (METRO). Sewage is treated by the San Diego Metropolitan Sewage System. Treatment capacity as of 1989 was 19.2 million gallons per day (mgd). Total flows into the treatment system are 12.0 mgd (C-5). The sewer capacity at Industrial Boulevard and Hollister Street is inadequate to meet demands as identified by the City. (Letter from Clifford Swanson to PDC C-11) Peak sewer flows are as high as 100% full. (C-11) Also, Hollister Street sewers are flowing over design capacity at peak, and remedial measures are required. Sewer connections to the system along Industrial Boulevard cannot be permitted until a Capital Improvement Program (CIP) for construction of a parallel sewer along Industrial Boulevard has been implemented. (C-11) A sewage holding tank may be used to allow discharge during off-peak hours for the interim until new facilities are provided. (C-11) The provision and care of the tank would be the responsibility of the developer.



## **Solid Waste**

Collection and disposal of solid wastes from the project site are the responsibility of the City of Chula Vista. The City contracts Laidlaw Waste Systems to assume collection and disposal responsibilities. Thirteen trucks operate citywide. All waste is transported to the Otay Landfill located approximately one mile east of the study area. The Otay Landfill has an estimated life expectancy of eight years (until 1999) under the "worst-case" scenario, in which no new landfills will be opened within the region's existing disposal system, and average annual waste generation increases by 5 percent per year. (C-5)

The City of Chula Vista has begun a citywide recycling program. (B-21). This program is composed of source separation in the home of glass, paper, cans, and plastics followed by material recycling at the contracted facility. Pickup of the separated materials is provided by Laidlaw Waste Systems.

## **BASIS FOR DETERMINING SIGNIFICANCE**

The significance of environmental impacts to utility systems caused by the project are determined using the Chula Vista's Thresholds/Standards Policies and the CEQA Guidelines. City thresholds for water and sewer utilities state that the developer will request and deliver to the City a service availability letter from the water district for each project, and that individual projects will provide necessary improvements consistent with Sewer Master Plans and City Engineering Standards, respectively. Items (e), (h), and (o) of Appendix G of the CEQA Guidelines state that "a project will normally have a significant effect on the environment if it will breach published national, state, or local standards relating to solid waste or litter control, substantially degrade or deplete ground water resources, and/or use fuel, water, or energy in a wasteful manner."

## **ENVIRONMENTAL IMPACT**

### **Water**

Table 5-8 shows that water consumption from project implementation will increase by 257.4 percent (38,100 gallons per day) over existing conditions, from 14,800 gallons per day to 52,900 gallons per day. This increase is less than the increase projected to occur from development of the property according to the Montgomery Specific Plan. Water consumption according to the Montgomery Specific Plan would be 55,600 gallons per day, or 375.6 percent over that consumed presently. This high consumption rate is again due to the designation of more commercial land uses for the site under the Specific Plan. Any amount of water consumption over existing conditions may be significant because of the recent drought conditions in Southern California.

**TABLE 5-8  
PROJECTED DAILY WATER USE**

Factor	Number of Acres			Water Use (kgd/day)			Change from Existing Conditions to Proposed Project		
	gal/day per acre	Existing Use	Specific Plan	Proposed Project	Existing Use	Specific Plan	Proposed Project	Amount (kgd/day)	Percent
<b>LAND USE</b>									
RESIDENTIAL									
Single Family	1,000.0	0.7 ac	0.0 ac	0.0 ac	0.7	0.0	0.0	0.0	0.0%
Multiple Family	1,745.0	0.4 ac	0.0 ac	0.0 ac	0.6	0.0	0.0	0.0	0.0%
<b>TOTAL RESIDENTIAL</b>		1.1 ac	0.0 ac	0.0 ac	1.4	0.0	0.0	0.0	0.0%
<b>COMMERCIAL</b>									
Mercantile and Office Commercial	2,904.0	3.1 ac	15.2 ac	18.2	9.0	44.1	52.9	43.9	487.8%
<b>INDUSTRIAL</b>									
Research and Limited Industrial	4,310.0	0.0 ac	2.0 ac	0.0	0.0	8.6	0.0	0	0%
<b>INSTITUTIONAL</b>									
Church	2,904.0	1.5 ac	1.0 ac	0.0 ac	4.4	2.9	0.0	-4.4	-100%
<b>VACANT</b>	0.0	12.5	0.0 ac	0.0 ac	0.0	0.0	0.0	0.0	0.0%
<b>TOTAL ALL USES</b>		18.2	18.2	18.2	14.8	55.6	52.9	39.5	257.4%

Abbreviations: kgd: thousand gallons per day; ac: acre.

Source of generation factors: City of Chula Vista, Standard Factors for Environmental Review, 1986.

## Sewer

As shown in Table 5-9, sewage generated by the proposed project will be 303 percent (30,300 gallons per day) over that produced by existing land uses. However, approximately 5.0 percent less sewage will be produced by the proposed project than by development of the site under the existing Specific Plan. Significant impacts will result from project implementation because more sewage will be contributed to a system which is currently operating at a 100% capacity during peak flows.

According to the City of Chula Vista Engineering Department, "The improvements required to resolve the pipe capacity problems have been identified. Parallel sanitary sewers are required along Industrial Boulevard from Palomar Street to Anita Street. These will be 15-inch PVC sewers. Preliminary studies indicate that parallel sewers may be needed along Hollister Street from Manya Street to the Montgomery Metering Station (CV-1) in order to accommodate additional development. These parallel lines are estimated to be 15-inch, 33-inch and 36-inch PVC sewers."

The funding for the Industrial Boulevard improvement has been determined. There is a Capital Improvement Program (CIP) project for Fiscal Year 1990-91 for the construction of a parallel sewer along Industrial Boulevard.

No City project has yet been proposed for Hollister Street. The preliminary cost estimate for the improvement is \$200,000.

The City's normal capacity fees (sewerage facility participation fees) will pay for the parallel sewers along Industrial Blvd. The method for financing Hollister Street parallel sewers has not yet been determined. Private developments may be required to finance a portion of the sewer improvement cost. Fees would be in direct proportion to the actual wastewater discharged by each developer to the design capacity (0.75 full) of the sewer main." Since sewers along Industrial Boulevard currently have peak flows as high as 100 percent full, sewer connections cannot be permitted until the CIP project has been constructed. Use of a sewage holding tank shall be required which would allow discharge during off-peak hours for the interim until the new facilities (parallel relief sewer) are provided. This would allow construction to take place as planned.

See Section 9.0  
Response N-3

## Solid Waste

Solid waste generation from the project will be above that for existing land use conditions by 192 percent (0.33 tons per day), but will be nearly 60 percent below that produced from the site according to the Specific Plan as shown in Table 5-10.

Environmental impacts to utility systems from the proposed project will be greater than impacts presently occurring from existing land uses on the site.

**TABLE 5-9  
PROJECTED DAILY SEWER FLOW**

LAND USE	Factor	Number of Acres			Sewer Flow (kgd/day)			Change from Existing Conditions to Proposed Project	
	gal/day per acre	Existing Use	Specific Plan	Proposed Project	Existing Use	Specific Plan	Proposed Project	Amount (kgd/day)	Percent
RESIDENTIAL Single Family	898.0	0.7 ac	0.0 ac	0.0 ac	0.6	0.0	0.0	0.0	0.0
Multiple Family	1567.0	0.4 ac	0.0 ac	0.0 ac	0.6	0.0	0.0	0.0	0.0
<b>TOTAL RESIDENTIAL</b>		1.1 ac	0.0 ac	0.0 ac	1.3	0.0	0.0	-1.3	-100.0%
COMMERCIAL Mercantile and Office	2323.0	3.1 ac	15.2 ac	18.2 ac	7.2	35.3	42.3	35.1	487.5%
Commercial									
INDUSTRIAL Research and Limited	3448.0	0.0 ac	2.0 ac	0.0 ac	0.0	6.9	0.0	0	0%
Industrial									
INSTITUTIONAL Church	2323.0	1.5 ac	1.0 ac	0.0 ac	3.5	2.3	0.0	-3.5	-100.0%
VACANT	0.0	12.5 ac	0.0 ac	0.0 ac	0.0	0.0	0.0	0.0	0.0%
<b>TOTAL ALL USES</b>		18.2 ac	18.2 ac	18.2 ac	12.0	44.5	42.3	30.3	303.0%

Abbreviations: kgd: thousand gallons per day; ac: acre.

Source of generation factors: City of Chula Vista, Standard Factors for Environmental Review.

**TABLE 5-10  
PROJECTED DAILY SOLID WASTE GENERATION**

LAND USE	Factor		Dwelling Units, Floor Area			Waste Generation (tons/day)			Change from Existing Conditions to Proposed Project	
	lbs/day per unit	Existing Use	Specific Plan	Proposed Project	Existing Use	Specific Plan	Proposed Project	Amount (tons/day)	Percent	
<b>RESIDENTIAL</b>										
Single Family	8.5	2 du	0 du	0 du	0.009	0.0	0.0	0.000	0%	
Multiple Family	8.5	1 du	0 du	0 du	0.004	0.0	0.0	0.000	0%	
<b>TOTAL RESIDENTIAL</b>		3 du	0 du	0 du	0.013	0.0	0.0	-0.013	-100%	
<b>COMMERCIAL</b>										
Mercantile and Office Commercial	5.0	29.4 ksf	165.5 ksf	198.2 ksf	0.074	0.414	0.496	0.422	574.1%	
<b>INDUSTRIAL *</b>										
Research and Limited Industrial	8.0	0.0 ksf	39.2 ksf	0.0 ksf	0.000	0.157	0.000	0	0%	
<b>INSTITUTIONAL</b>										
Church	6.0	27.8 ksf	18.5 ksf	0.0 ksf	0.083	0.056	0.000	-0.083	-100%	
<b>VACANT</b>										
	0.0	12.5 ac	0.0 ac	0.0 ac	0.000	0.000	0.000	0.000	0.0%	
<b>TOTAL ALL USES</b>					0.170	0.627	0.496	0.326	191.8%	

\* - Square footage for industrial calculated using an FAR of 0.4 per the City of Chula Vista General Plan.

Abbreviations: du: dwelling unit; ksf: thousand square feet; ac: acre.

Source of generation factors: City of Chula Vista, Standards for Environmental Review.

However, the proposed project will present less impact than that caused by the long-term plan for the area, as outlined in the Montgomery Specific Plan.

### **MITIGATION MEASURES**

The following mitigation measures will reduce significant impacts of the proposed project in water, solid waste, and sewer services:

1. The developer shall implement water conservation devices into the project wherever possible. These may include, but not be limited to:
  - The use of drought resistant shrubbery and vegetation.
  - Installation of low volume toilet tanks.
  - Installation of flow control devices to reduce water flow from faucets.
2. The developer shall participate in whatever water conservation, no net increases in water consumption, or fee off-set program the City of Chula Vista has in effect at the time of building permit issuance.
3. The developer shall implement source control devices such as grease traps at food processing businesses.
4. The developer shall implement a recycling program, as required by the City of Chula Vista in all businesses by 1991. This program shall consist of source separation techniques, and disposal by a private contractor.
5. A sewer holding tank shall be located on the project site to allow for off-peak discharge of sewage until CIP projects have been completed.
6. The developer shall pay required sewer fees to finance sewer improvements. Fees will be in direct proportion to the actual wastewater discharged by the development.
7. The developer shall adhere to all State Energy Commission standards for new construction.

### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Impacts from the proposed project on utility systems will, after the implementation of mitigation measures, be less than significant.

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## 5.8 HUMAN HEALTH

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Information presented in this section is contained in the Phase I "Preacquisition Site Assessment" by Kleinfelder and the "Environmental Site Assessment" by Woodward-Clyde Consultants in Appendices E and F of this EIR, respectively.

### ENVIRONMENTAL SETTING

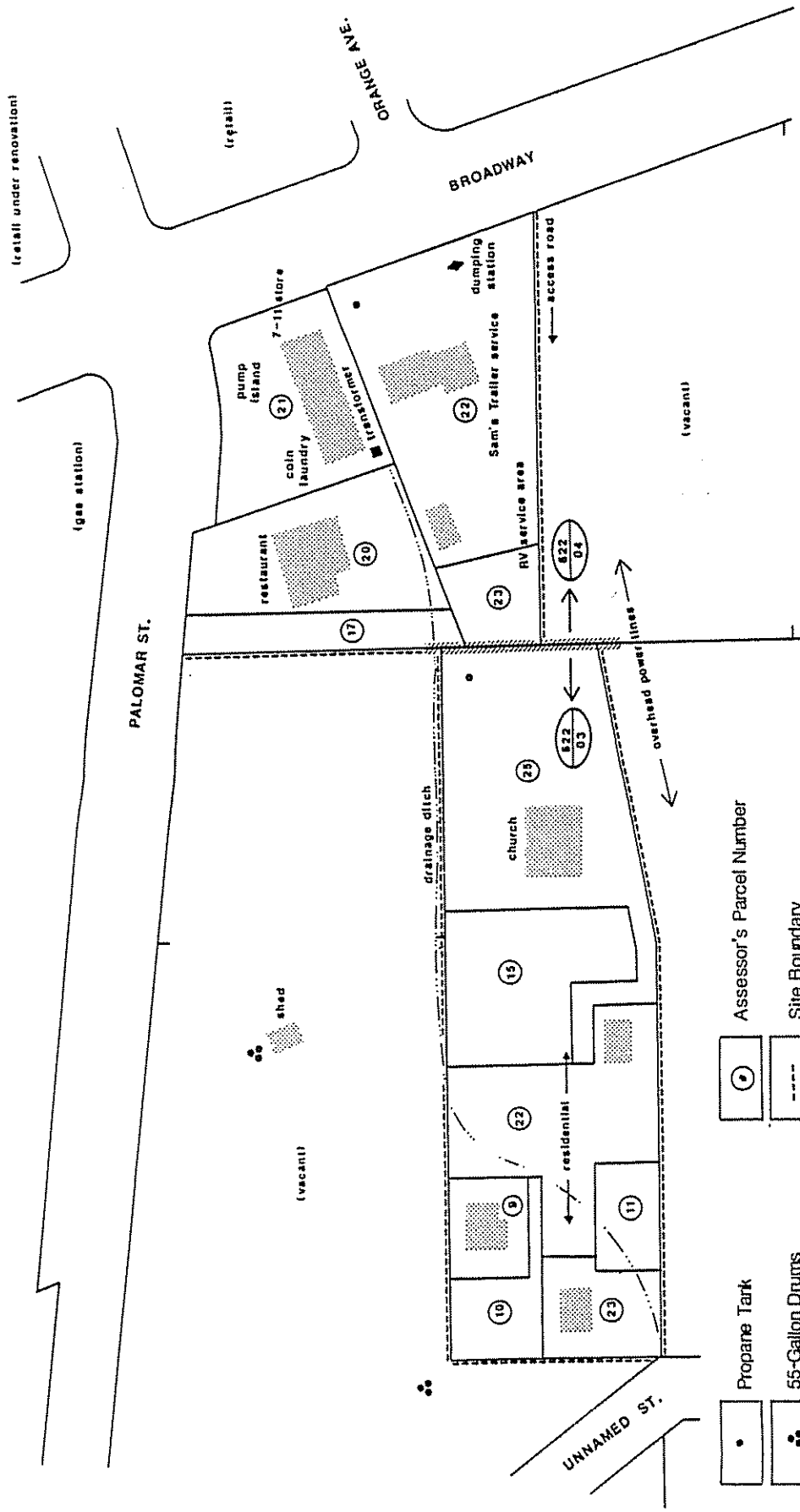
#### Hazardous Materials

Human health is affected by the existence of any health hazard in close proximity to a population. This can occur by the creation of a previously non-existent hazard in a populated area, or the attraction of persons to an area of an existing hazard by a project.

As a result of past use of the project site, hazardous materials have been and are currently being stored on-site. Figure 5-10 shows the location of hazardous materials on the project site. The project property includes the previous site of a gas station, and currently has three underground gasoline storage tanks at the 7-Eleven store. Agricultural use over 12.5 acres of the site has resulted in chemicals being stored in a shed on-site, and deposited in the soil and groundwater. Sam's Trailer Service, an existing operation, has an RV sewage dump station and repair service on the premises. Other buildings exist on the site which may contain asbestos as a material used in their construction, as well as chemicals stored on the same property such as cleaning solutions.

Historically, farming utilized pesticides and other chemicals for agricultural practices. These chemicals include insecticides (malathion, lannate, DDT, Vydate, and toxaphene), herbicides (paraquat), and soil fumigants (vapam, methyl bromide, and chloropicrin). According to the landowner, waste oil from farm equipment was disposed of by pouring it into the ground along the dirt road accessing the site. Also, there is one 280-gallon underground fuel tank and one 500-gallon above ground diesel fuel tank on the farm site. The 280-gallon unleaded fuel tank would require a permit from the Hazardous Materials Management Division (HMMD) of the San Diego County Department of Health Services. According to the Woodward-Clyde report, the underground tank is empty but not backfilled.

Other on-site land uses, such as the 7-Eleven store, also required HMMD permits. The 7-Eleven store is permitted to operate three 10,000-gallon fuel tanks containing regular, unleaded, and premium gasoline.



5.8-2

**Palomar Trolley Center EIR**

Figure 5-10  
Potential Site Hazards

**cba** ↑ North no scale

SOURCE: Kleinfelder



A propane tank is located at the northeast corner of Sam's Trailer Service. There is another 575-gallon tank within the fenced area near the northeast corner of the church. An RV dumping station for sewage exists on the southeast corner of Sam's Trailer Service, and chemicals maybe stored and handled near the repair and service area.

SDG&E operates four pole-mounted electric transformers on power lines above the adjacent easements. The transformers have not been tested for polychlorinated biphenyls (PCBs) by SDG&E. The consulting engineers for Woodward-Clyde did not observe leakage from the transformers or spillage on the ground around the poles.

Potential sources of contamination include:

- previous on-site waste oil disposal practices along a dirt road which accesses the property;
- pesticides used, stored and possibly disposed of on-site;
- the fuel storage tank located underground near the pesticide shed;
- propane tanks on church property and Sam's Trailer Service;
- the RV sewage dumping station and repair and service area at Sam's Trailer Service;
- buildings containing asbestos presently on-site; and
- the (presumably) oil-filled, electric transformers.

There are approximately fifteen hazardous material generator sites within a one mile radius of the site. The majority of these have been investigated and closed by the appropriate agencies with the exception of the Transportation Department at 1140 5th Avenue and Apollo Gas at 1264 3rd Avenue. These two sites are under preliminary site assessment for an unauthorized release. Neither of these sites is within a quarter mile of the subject site.

### **Electromagnetic Radiation**

Electrical transformers and overhead electrical transmission lines are located above the SDG&E easement south of the project site and over the western portion of the site. These power transmitters possess high amounts of energy in the form of electromagnetic radiation (EMR), which has been suggested to be potentially harmful to human health. A site-specific analysis of the effects of existing levels of EMR has not been done. However, several sources of information regarding the effects of EMR from overhead utility lines are available to form the basis for conclusions in this EIR. These sources include

"Potential Health Effects of Electric and Magnetic Fields from Electric Power Facilities" by the California Public Utilities Commission (C-9), "Electric and Magnetic Fields from 60 Hertz Electric Power: What Do We Know About Possible Health Risks" by the Department of Engineering and Public Policy at Carnegie Mellon University (C-8), and "Overhead Electrical Powerlines" by Sage Associates. (C-7)

High voltage power lines produce electric and magnetic fields in excess of the ambient levels of human exposure. In North America, the power used is alternating current (AC) which does not flow steadily in one direction, but alternates back and forth 60 times each second (60 Hertz). According to the Carnegie Mellon University report (C-8), electric charges associated with 60 Hertz (Hz) power produce electric fields which result from the strength of the charge and magnetic fields which result from the motion of the charge.

Electric fields represent the forces that electric charges exert on other charges at a distance. Forces of attraction or repulsion are carried from charge to charge through space by the electric field. (C-8) When charges move they create additional forces on each other. These additional forces are carried through space by magnetic fields. A magnetic field represents the forces that a moving charge exerts on other moving charges. (C-8) A group of charges all moving in roughly the same direction is called an electric current. All currents produce magnetic fields. Electric fields begin on positive charges and end on negative charges. Magnetic fields form closed continuous loops around currents.

Everything that has an electric charge has fields associated with it. Electric and magnetic fields are found throughout nature and in all living things. They hold matter together and are necessary for the operation of the nervous system. Sixty Hertz electric and magnetic fields can produce various hormonal and other changes in living things. Whether these changes can result in risks to public health is unclear. Possible risks of concern include the promotion of cancer, developmental abnormalities, and various neurological effects such as chronic depression. It is not clear what aspect of 60 Hz fields (if any) poses a risk. There is evidence that suggests that across the range of field strengths commonly encountered by people, stronger fields may not pose greater risks than weaker fields. With the scientific evidence that is now available, establishing a "safe field" standard is not possible. (C-8) However, there is no evidence that EMR is harmful to humans at this time.

See Section 9.0  
Response E-1

In their report, Sage Associates found that EMR levels from 220 kv overhead electrical transmission lines are expected to be above ambient levels to a distance of 100-175 feet outside of the 150 foot right-of-way. Ambient levels of EMR in homes is approximately one to ten volts per square meter for electric fields, and 0.75 to 1.0 milligauss for magnetic fields. (C-7) As a standard, Sage Associates recommended that no structures for human occupancy be located in areas with exposure to levels of EMR higher than 100 volts per square meter and that the area of 10-100 volts per square meter be considered for other than residential

use. (C-7) Exposure to magnetic radiation levels of 10 milligauss (10 Mg) or higher should be avoided for residences. No residential land uses are proposed by this project.

Above-ambient levels of electromagnetic radiation (EMR) most likely exist within the SDG&E easements adjacent to the south and west sides of the project site. Electrical transmission lines of 230/138 kv and 69 kv are located 35 feet above the easements, 62 feet from the project property. The exact amounts of electromagnetic radiation present within the project site has not been measured.

See Section 9.0  
Response E-1

The California Public Utilities Commission study, recommends that California take no action at the present to regulate electric and magnetic fields around electric power facilities. Too little is known presently to be able to determine where or what rules would provide useful protection. (C-9) The study does recommend further study to be done in priority areas to broaden knowledge in the subject matter. As such, no evidence exists that EMR causes significant health risks to humans.

An EMR study is currently being completed by the U.S. Environmental Protection Agency (EPA) in light of recent concern about health risks associated with power lines. The results of the study are not yet available.

## **BASIS FOR DETERMINING SIGNIFICANCE**

The significance of environmental impacts caused by the proposed project on human health is based on the Chula Vista General Plan and the CEQA Guidelines. The Safety Element of the General Plan contains the General Objective of preserving life, health, and property within the City. Development of a project causing impacts contrary to this objective would be a significant impact. Item (v) of Appendix G in the CEQA Guidelines states that "a project will normally have a significant effect on the environment if it will create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected."

## **ENVIRONMENTAL IMPACT**

### **Hazardous Materials**

Site surveys have indicated that human health hazards from on-site soil contamination and off-site hazardous materials manufacturing is low. This is based on the distance of the identified hazardous materials sites from the project site, and the fact that the likelihood of chemical contamination to the soil and groundwater at the subject site from offsite sources and previously examined on-site sources is low. Kleinfelder did not access private property on the project

site. Without access to all areas and activities on the subject property, Kleinfelder was unable to assess the impact from inaccessible onsite activities to the site. The Kleinfelder report recommends that when access to all areas is available an in-depth assessment be conducted.

According to the Kleinfelder report, soil contamination from the underground fuel storage tank exists, but is not likely to be in quantities needing substantial remediation. Total recoverable petroleum hydrocarbons (TRPH) are present in surface soils due to waste oil disposal practices. The extent of the contamination is localized and remediation should not be substantial. Low levels of pesticide residues have been detected in the surface soils as the result of agricultural usage of the site. These soils may not require any remediation, but this can only be determined by a Phase II testing program by Kleinfelder. A Phase I Preacquisition Site Assessment was performed for this study.

PCB-contaminated oils may be present in the transformers located on-site. However, based on previous correspondence from SDG&E, it is unlikely that the ground mounted transformer onsite and the pole mounted transformers contain PCB's. SDG&E has said that small number of pre-1980 mineral oil transformers were inadvertently contaminated with PCB's by the manufacturer, but SDG&E has never specified PCB transformers for its distribution system. Sampling of transformers within the distribution system indicates that the probability of PCB-contaminated transformers existing on the project site is low.

### **Electromagnetic Radiation**

See Section 9.0  
Response E-1

There is a present lack of information regarding the danger of health hazards caused by exposure to high levels of electromagnetic radiation and no definite conclusions can presently be reached regarding EMR. Regulatory agencies have recommended that no preventive action, other than what currently exists, be taken in the light of present knowledge.

The hazard present to commercial buildings on the project site is low considering the information available. This is because structures proposed within the project site are to be placed outside of easements. The easements were established to contain above-ambient levels of EMR, and to prevent human occupation within these areas. Also, people will be on the project site for relatively short periods of time. In comparison to a residential project, people will utilize a commercial development for shorter time periods, with the exception of employees. Thus, exposure to EMR will be limited over time, reducing potential health risks. Standards set by public agencies regarding school or residential projects do not apply to this project and should not be used. A parking lot will be placed within the western easement and a linear park may be placed in the southern easement, however. Exposure to EMR within these areas may be above ambient levels and could represent a potential health risk.

## MITIGATION MEASURES

The impacts identified are adverse, but less than significant and the following mitigation measures will reduce those adverse impacts to human health:

1. The developer shall perform additional soil sampling and analysis to define the lateral and vertical extent of waste oil contamination. Any soil found to be contaminated shall be removed from the project site and disposed of at a Class II or III disposal site.
2. The developer shall remove all underground fuel tanks, as identified by Kleinfelder and Woodward-Clyde Consultants, in accordance with applicable regulations. The developer shall also perform soil sampling around the tanks and complete a Health Risk Assessment for the property. Any contaminated soil shall be removed and disposed of at a Class II or III disposal site.
3. The developer shall sample the soil for contamination at the site of the RV sewage dumping station on the southeast corner of Sam's Trailer Service prior to development. Contaminated soil shall be removed from the project site and disposed of at a Class II or III disposal site.
4. A more in-depth assessment of daily onsite activities and observation of enclosed and restricted areas shall be performed by the developer prior to development. In particular, the repair and service area associated with Sam's Trailer Service and the enclosures surrounding the private residences shall be observed for use or storage of petrochemicals or other hazardous materials. Soils around such hazardous material storages shall be tested for contamination, and removed from the project site if contaminated and disposed of at a Class II or III disposal site.
5. The developer shall sample the existing buildings on the site for asbestos-containing building materials (ACBM's) prior to site development. All material or soil found to contain asbestos shall be removed from the project site and disposed of at a Class II or III disposal site.
6. The developer shall pay to have SDG&E test the onsite transformer and the pole mounted transformers for PCB's. Any soil around the transformers containing PCB's shall be removed from the project site and disposed of at a Class II or III disposal site, and any transformers containing PCB's shall be removed and replaced by SDG&E.
7. Construction of the linear park shall be delayed until definitive conclusions regarding the significance of exposure to EMR can be reached.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Impacts of the proposed project on human health from hazardous materials are less than significant. However, there is insufficient information available at the present time to reach a definite conclusion regarding the significance of exposure of the project to EMR.

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## 5.9 TRANSPORTATION

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### ENVIRONMENTAL SETTING

Pacific Scene, Inc. is proposing the development of a 198,200 square foot community shopping center on an 18.2 acre site with parking space for 991 vehicles. This section of the EIR will discuss circulation related impacts caused by the proposed project and the required mitigation measures needed to reduce any impacts. Information for this section was provided by JHK and Associates (JHK) in their report entitled Palomar Trolley Center Development Project, Traffic Impact Analysis, which was submitted to Cotton/Beland/Associates in April of 1991.

The project site is located in the southwestern portion of the City of Chula Vista just south of Palomar Street, between Industrial Boulevard and Broadway (See Figure 5-11, Study Area). The project proposes three points of access from Palomar Street, and one access point from Broadway. An alternative access point from Jayken Way to the south of the project site is discussed in Section 6.0, Alternatives. The project also proposes to retain the existing trolley station signal and to add an additional midblock signal at the project main entrance.

Figure 5-12 shows the average daily traffic (ADT) volumes on the existing network in the study area. The volumes shown were derived from the City of Chula Vista Traffic Flow Report dated November 12, 1990. Most of the traffic generated by the project from outside Chula Vista will access the site via the Interstate Route 5/Palomar Street interchange. Broadway and Palomar Street will provide the primary access to the site for trips originating in Chula Vista.

**Interstate Route 5 (I-5)** is an eight-lane freeway located to the west of the project site. The freeway extends southward to the California-Mexico border and to the north through downtown San Diego providing interstate travel through California. The current ADT volume on Interstate Route 5 is 141,000 vehicles per day (vpd) south of Palomar Street.

**Palomar Street** presently functions as a four-lane major street with an east/west orientation that extends from Bay Boulevard (to the west) to Oleander Avenue (to the east). Palomar Street currently has an ADT level of 6,200 vpd west of I-5 and 29,000 vpd east of I-5. Along the project site frontage Palomar Street currently carries approximately 25,000 vpd. East of Orange Street, Palomar Street has an ADT level of 15,200. Between Industrial Avenue and Broadway, Palomar Street has four lanes, with a center left turn lane. Where Palomar Street intersects with Industrial, the trolley station entrance, Broadway, and Orange Avenue the intersections are controlled by traffic signals. The intersections of Palomar Street with I-5 entrance/exit ramps are controlled by

stop signs. However, these intersections will be signalized as part of the project, prior to development of the proposed project and were therefore analyzed in the JHK report as if they were currently signalized.

Broadway is a four lane major street with a north/south orientation. This roadway extends from the National City limits to the south San Diego city limits. The current ADT level for Broadway is 20,500 north of Palomar Street, and 18,500 south of Palomar Street.

**Industrial Boulevard** is a two-lane class II collector extending north/south from "L" Street and Coronado Avenue (within the City of San Diego, Industrial acts as a frontage road for Interstate Route 5). The San Diego Trolley tracks run along the east side of this roadway for its entire length. Industrial Boulevard, north of Palomar Street carries approximately 4,600 vpd. Between Palomar Street and Anita Street, Industrial Boulevard has an ADT volume of 9,100 vehicles. Between Anita Street and Main Street, Industrial Boulevard carries approximately 8,500 vpd. The intersection of Industrial Boulevard and Anita Street, although currently unsignalized, is planned for signalization prior to the completion of the project, and is analyzed as if it were currently signalized.

**The San Diego Trolley** runs parallel to I-5 along the east side of the freeway through the City of Chula Vista. A station is located at Palomar Street, adjacent to and west of the project site. The San Diego Trolley provides service between downtown San Diego and the International Border. The capacity of nearby streets crossing the trolley tracks (i.e. Palomar Street, Anita Street, and Main Street) and nearby intersections is reduced due to stoppages in traffic as the trolley passes. This delay was not factored into the JHK traffic analysis.

**San Diego Transit Local Route 32** provides bus service along Broadway, with connections to "H" Street Trolley Station and the International Border Crossing. Chula Vista Transit Route 702 serves Palomar Street (and the trolley station) and provides connection to the "H" Street Trolley Station. These two bus services currently make 23 round trips daily. Plans for additional routes have been formulated for the near future (one to two years).

### **Roadway Segment Capacity Analysis**

An analysis of the existing operations on study area roadway segments was completed in order to provide a baseline condition for evaluating impacts to the circulation system. The majority of the roadways in the study area are classified as collector facilities, with the exception of Palomar Street, Broadway and Orange Avenue, which are classified as Four Lane Major facilities for Year 1990 base conditions. The desired ADT levels for LOS C conditions for each functional classification of roadway are shown in Table 5-11. The basis for this table was the Chula Vista General Plan Circulation Element (June 1989). Table 5-12 indicates the current Volume-to-Capacity Ratio for each segment under existing volume conditions based on the LOS C capacities. It should be noted



Table 5-11

**RECOMMENDED MAXIMUM  
DESIGN VOLUME FOR LEVEL OF SERVICE C  
AVERAGE DAILY TRAFFIC**

<u>Functional Class</u>	<u>Average Daily Traffic Volume</u>
Freeway (8 LN)	130,560
Freeway (6 LN)	97,920
Freeway (4 LN)	65,280
Expressway (6 LN)	70,000
Prime Arterial (6 LN)	50,000
Major Street (6 LN)	40,000
Major Street (4 LN)	30,000
Class I Collector	22,000
Class II Collector	12,000
Class III Collector	7,500

- 
- Notes:
1. Levels of Service are not applied to residential streets since their primary purpose is to serve adjacent property and not to carry through traffic.
  2. Levels of Service normally apply to facilities which carry through traffic between major trip generators and attractors

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Source: City of Chula Vista Street Design Standards, SANDAG Guidelines, JHK & Associates.

Table 5-12

**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
EXISTING CONDITIONS - YEAR 1990**

<u>Roadway Segment</u>	<u>Year 1990 ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>V/C (2)</u>
<u>Palomar St. - Class I Collector</u>			
Bay Blvd. - I-5	6,200	22,000	0.28
I-5 - Industrial Blvd.	29,900	22,000	1.36
<u>Palomar St. -Four Lane Major</u>			
Industrial Blvd. - Broadway	25,500	30,000	0.85
Broadway - Orange Ave.	26,800	30,000	0.89
<u>Palomar Street - Class I Collector</u>			
Orange Ave. - Fifth Ave.	15,200	22,000	0.69
<u>Anita St.- Class III Collector</u>			
Industrial Blvd.- Broadway	6,600	7,500	0.88
Broadway - Fifth Ave.	4,400	7,500	0.59
<u>Main St. - Class I Collector</u>			
Industrial Blvd. - Broadway	20,100	22,000	0.91
<u>Industrial Blvd. - Class II Collector</u>			
Naples St. - Palomar St.	4,600	12,000	0.38
Palomar St. - Anita St.	9,100	12,000	0.75
<u>Broadway - Four-Lane Major</u>			
Oxford St. - Palomar St.	20,500	30,000	0.68
Palomar St. - Anita St.	18,500	30,000	0.62
Anita St. - Main St.	16,700	30,000	0.56

Table 5-12 Continued  
**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
EXISTING CONDITIONS - YEAR 1990**

<u>Roadway Segment</u>	<u>Year 1990 ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>V / C (2)</u>
<u>Orange Ave. - Four-Lane Major</u>			
Palomar Street - Fifth Ave.	9,600	30,000	0.32

- 
- Notes:
1. Currently the City of Chula Vista plans for LOS C conditions as a maximum design volume on all Circulation Element facilities.
  2. The v/c ratio is based on the capacity of the roadway segment at LOS C. Thus, it gives an indication of the roadway's carrying capacity in relation to the City's minimum standards. It is not indicative of the actual (functional) capacity of the roadway.

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Source: Existing Year 1990 ADT data was derived from Chula Vista Traffic Counts (Traffic Flow Report, November 12, 1990).

that JHK based this analysis on a comparison of volume-to-capacity (v/c) at LOS C capacity levels. Thus, the analysis gives an indication of the roadway's carrying capacity in relation to the City's minimum standards. It is not indicative of the actual (functional) capacity of the roadway.

### **Intersection Capacity Analysis**

To analyze existing (Year 1990) conditions, turning movement volumes at key intersections were compiled from previous traffic studies completed in the study area. Due to the proposed land uses (primarily retail/commercial), it was determined that the PM peak hour was critical since only a minimal amount of commercial traffic is expected during the morning peak hour (7:00 to 9:00).

Analyzing peak hour is important because this generally places the highest demand on the surrounding street system. Figure 5-13 shows the existing lane configurations for each intersection included in the JHK analysis. The existing PM peak hour turning movement volumes are shown in Figure 5-14.

The Level of Service for the PM peak hours was calculated using the Intersection Capacity Utilization (ICU) method. The ICU method is the ratio of intersection demand to capacity calculated by summing the ratios of demand to capacity for the critical movement. For this analysis, a capacity of 1,700 vehicles per hour (vph) was assumed for through movement and a capacity of 1,500 vph was assumed for turning movements. The existing LOS for intersections analyzed in the JHK study are shown in Table 5-13. The intersections of Palomar Street/I-5 Southbound, Palomar Street/Trolley Station Entrance, Palomar Street/Orange Avenue, Broadway/Anita Street and Industrial Boulevard/Anita Street currently operate at LOS A. The intersections of Palomar Street/I-5 Northbound, Palomar Street/Industrial Boulevard, and Palomar Street/Broadway currently operate at LOS B. The intersection of Broadway/Main Street currently operates at LOS C.

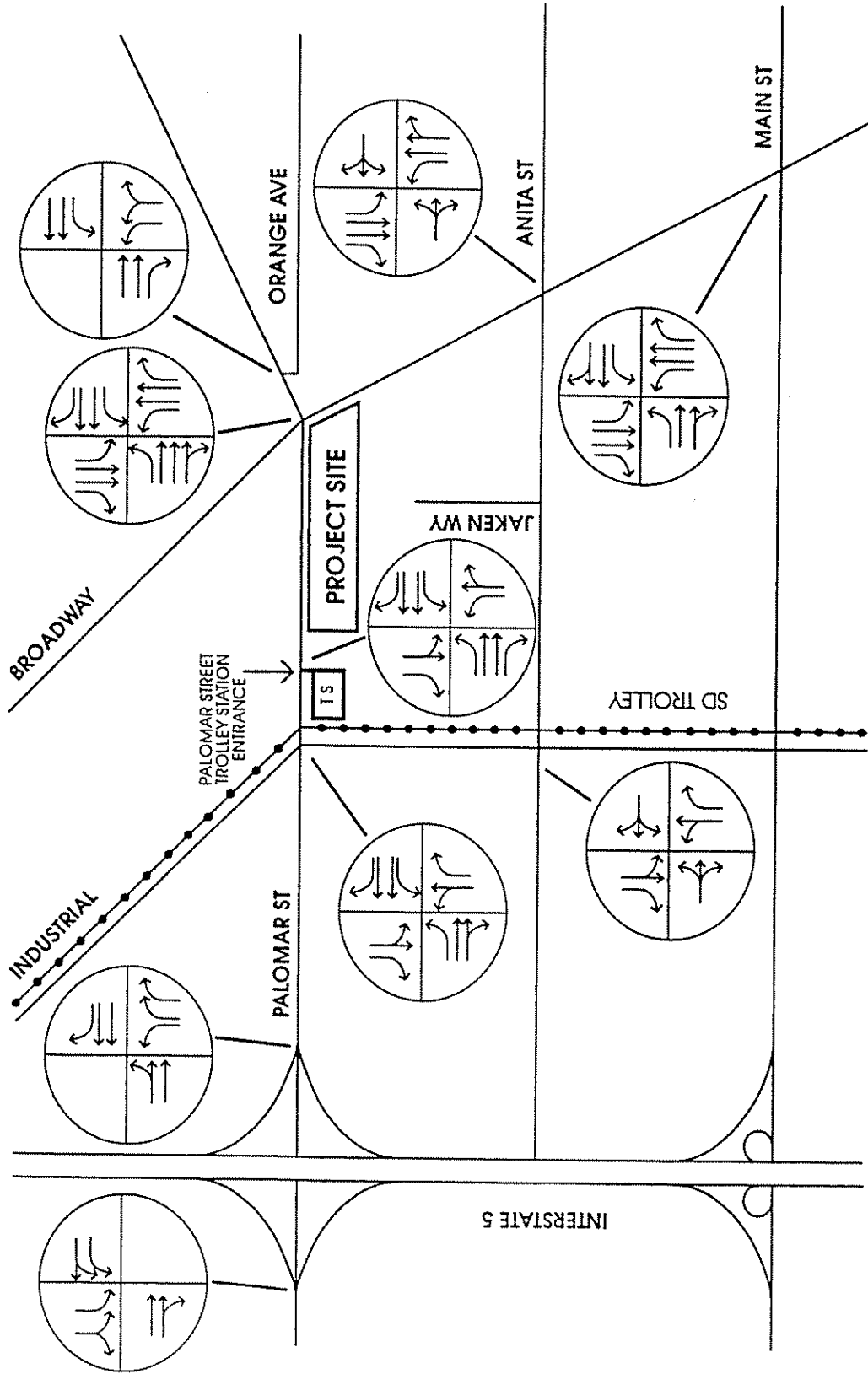
### **BASIS FOR DETERMINING LEVEL OF SIGNIFICANCE**

City of Chula Vista goals and policies used include:

Goal 1, Objective 3: Design the circulation system to serve the traffic needs of the City of Chula Vista by utilizing sound traffic engineering techniques to ensure that the system operates safely.

Goal 5, Objective 24: Ensure that new development and community activity centers have adequate transportation facilities.

Goal 5, Objective 25: Ensure that any new development can be accommodated by the transportation system.



5.9-9

**cba** ↑ North no scale

SOURCE: JHK & Associates

**Palomar Trolley Center EIR**

**Figure 5-13**  
**Existing Geometrics**  
 Year 990

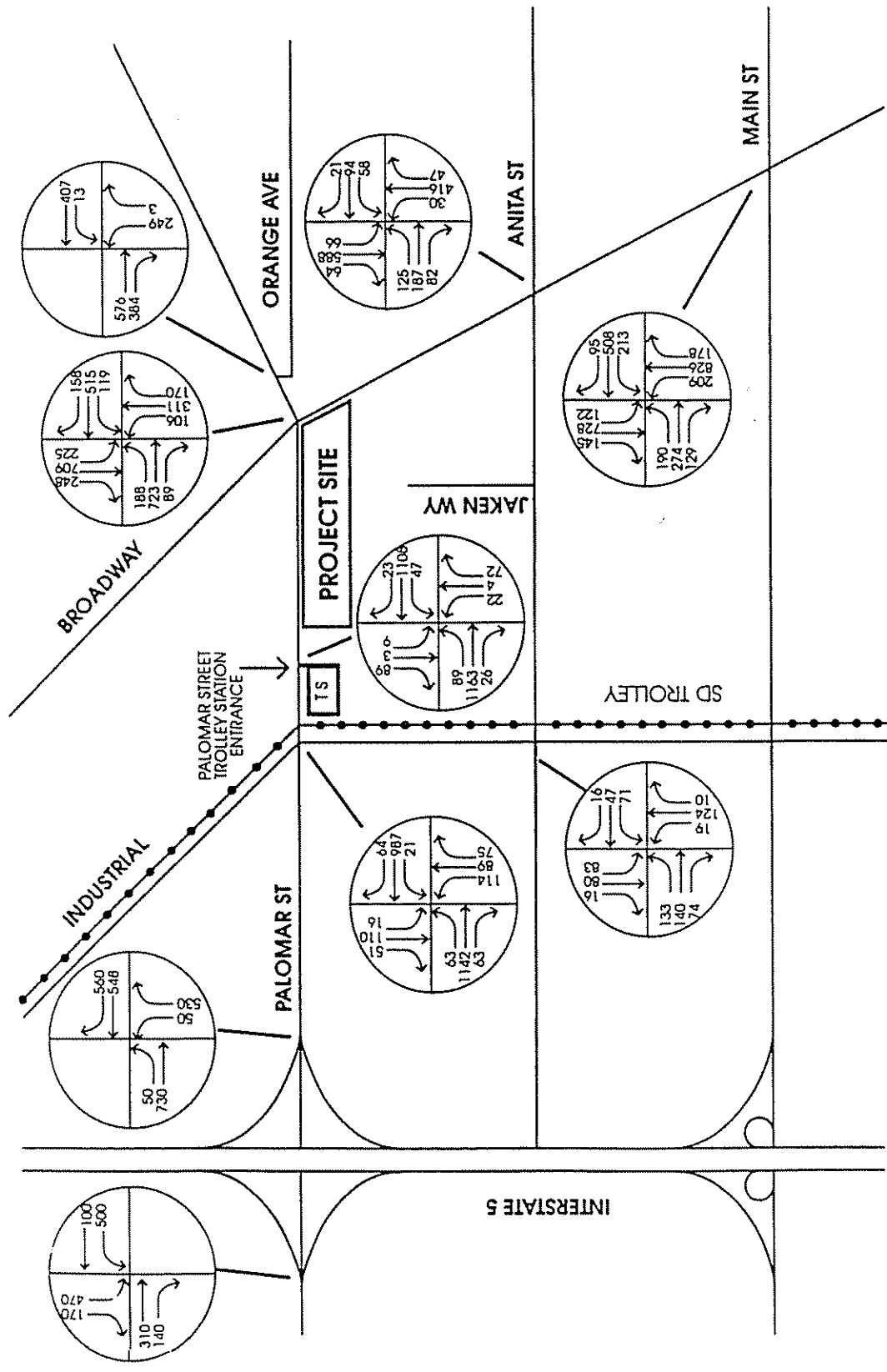


Figure 5-14  
PM Peak Hour Turning Movement Volumes  
Year 1990

**TABLE 5-13  
EXISTING LEVELS OF SERVICE-PM PEAK HOUR**

INTERSECTION	EXISTING CONDITIONS YEAR 1990	
	ICU	LOS
I-5 Southbound/Palomar Street	0.53	A
I-5 Northbound/Palomar Street	0.67	B
Industrial Boulevard/Palomar Street	0.60	B
Trolley Entrance/Palomar Street	0.55	A
Broadway/Palomar Street	0.66	B
Orange Avenue/Palomar Street	0.47	A
Broadway/Anita Street	0.57	A
Broadway/Main Street	0.76	C
Industrial Boulevard/Anita Street	0.44	A

Source: JHK & Associates

Also used was the City's Threshold/Standard Policy for traffic. The threshold standards are as follows:

1. City-wide: Maintain LOS "C" or better at all intersections, with the exception that LOS "D" may occur at signalized intersections for a period not to exceed a total of two hours per day.
2. West of I-805: Those signalized intersections which do not meet Standard 1 above may continue to operate at their current (1987) LOS, but shall not worsen.
3. City-wide: No intersection shall operate at LOS "F" as measured for the average weekday peak hour.

CEQA Guidelines used include letter (l) in Appendix G which states that a project will have a significant environmental impact if it will "cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system".

## **ENVIRONMENTAL IMPACT**

The analysis of project impacts associated with the Palomar Trolley Center is based on three assumptions which include:

1. I-5/Palomar Ramp traffic signal and improvements have been completed.
2. The signalization of Industrial Boulevard/Anita Street is completed.
3. Traffic in the project area has an annual growth rate of three percent.

Figure 5-15 shows the 1992 transportation network and traffic volumes without the project generated trips. Table 5-14 shows the Future Year 1992 roadway segment classifications and volume-to-capacity ratios. Existing Year 1990 conditions are included for comparison. Table 5-14 shows that the roadway segment of Palomar Street between I-5 and Industrial Boulevard will operate in Year 1992 above the maximum recommended design volume.

### **Trip Generation and Distribution**

The traffic which will result from the proposed project was estimated using accepted trip generation rates and peak hour factors which are based on categories of land uses. These rates have been developed by various agencies and summarized by SANDAG in their Traffic Generators manual. According to SANDAG, the 198,200 square foot commercial site will generate 70 trips per 1,000 square foot of gross floor area at its driveways. Some of these trips



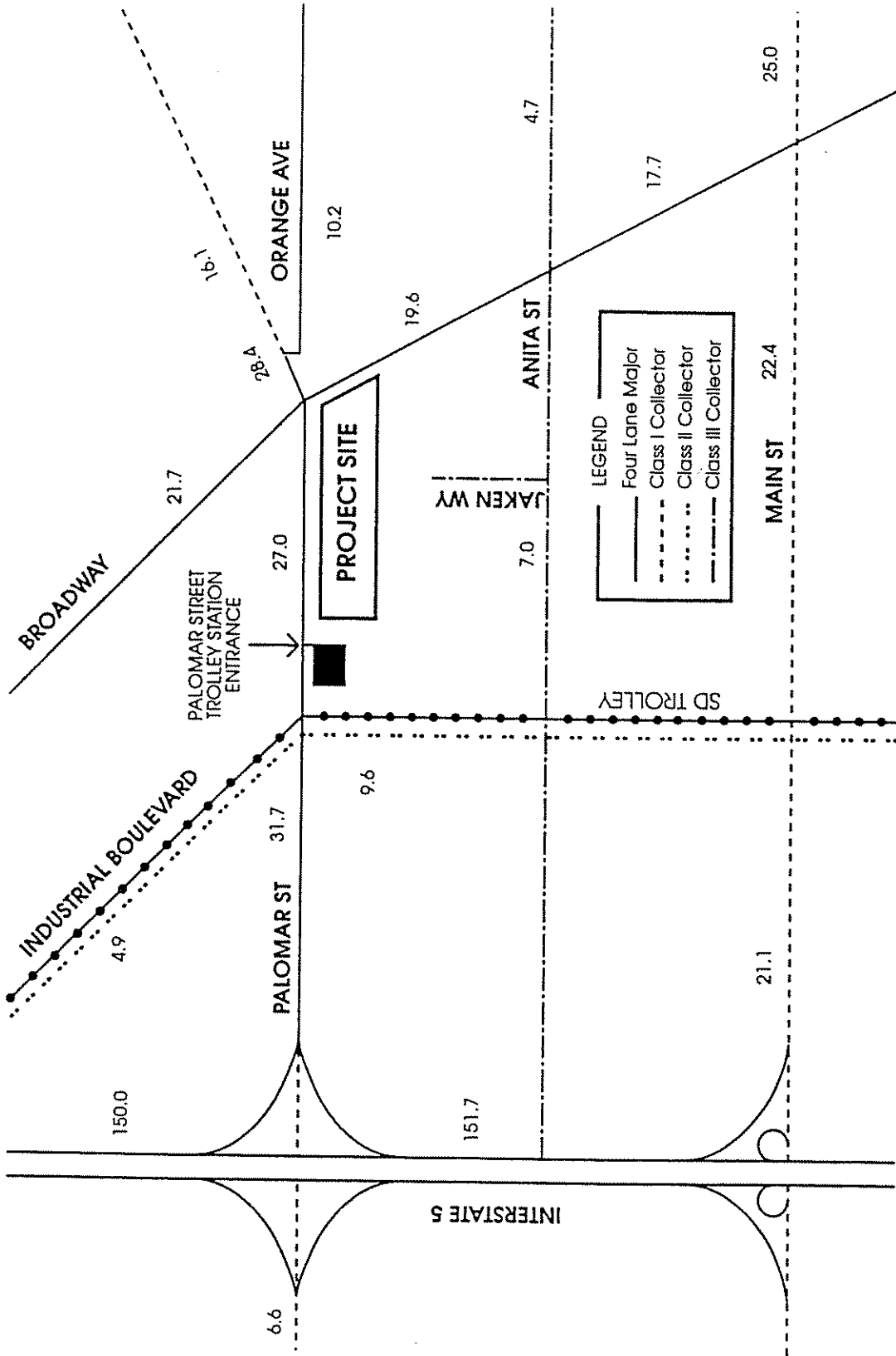


Figure 5-15  
 Future Network and Average Daily Traffic Volumes  
 Without Project Trips

Table 5-14

**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
FUTURE CONDITIONS WITHOUT PROJECT- YEAR 1992**

<u>Roadway Segment</u>	<u>Year 1992 ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>Year 1992 V / C (2)</u>	<u>Year 1990 V / C (2)</u>
<u>Palomar St. - Class I Collector</u>				
Bay Blvd.	6,600	22,000	0.30	0.28
I-5 - Industrial Blvd.	31,700	22,000	1.44	1.36
<u>Palomar St. -Four Lane Major</u>				
Industrial - Broadway	27,000	30,000	0.90	0.85
Broadway - Orange Ave.	28,400	30,000	0.95	0.89
<u>Palomar Street - Class I Collector</u>				
Orange Ave. - Fifth Ave.	16,100	22,000	0.73	0.69
<u>Anita St.- Class III Collector</u>				
Industrial - Blvd.	7,000	7,500	0.93	0.88
Broadway - Fifth Ave.	4,700	7,500	0.67	0.59
<u>Main St. - Class I Collector</u>				
Industrial Blvd. - Broadway	21,300	22,000	0.97	0.91
<u>Industrial Blvd. - Class II Collector</u>				
Naples St. - Palomar St.	4,900	12,000	0.41	0.38
Palomar St. - Anita St.	9,600	12,000	0.80	0.75
<u>Broadway - Four-Lane Major</u>				
Oxford St. - Palomar St.	21,700	30,000	0.72	0.68
Palomar St. - Anita St.	19,600	30,000	0.65	0.62
Anita St. - Main St.	17,000	30,000	0.59	0.56

Table 5-14 Continued

**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
FUTURE CONDITIONS WITHOUT PROJECT- YEAR 1992**

<u>Roadway Segment</u>	<u>Year 1992 ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>Year 1992 V/C (2)</u>	<u>Year 1990 V/C (2)</u>
<u>Orange Ave. - Four-Lane Major</u>				
Palomar Street - Fifth Ave.	10,200	30,000	0.34	0.32

- 
- Notes:
1. Currently the City of Chula Vista plans for LOS C conditions as a minimum for all Circulation Element facilities.
  2. The v/c ratio is based on the capacity of the roadway segment at LOS C. Thus, it gives an indication of the roadway's carrying capacity in relation to the City's minimum standards. It is not indicative of the actual (functional) capacity of the roadway.

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Source: Future Year 1992 ADT data was derived from Chula Vista Traffic Counts (Traffic Flow Report, November 12, 1990).

however, will already be on the street system and are either linked with other trips or stopover trips, known as "passerby" trips. The City of San Diego has completed research on passerby or linked trips, by conducting detailed surveys at similar sites in the City of San Diego. Linked trips refer to a driver stopping at a commercial establishment on their way home from another trip, then continuing home. Therefore, the trip is already on the street system, and should not be double-counted by the gross traffic generation rate. The recommended cumulative or linked trip rate for a community shopping center (100,000 - 300,000 square feet) is 49 trips per 1,000 square feet (per August 22, 1990 report from Urban Systems Associates report). Based on these trip generation rates, the proposed project will generate approximately 9,700 new ADT, with 972 PM peak hour trips.

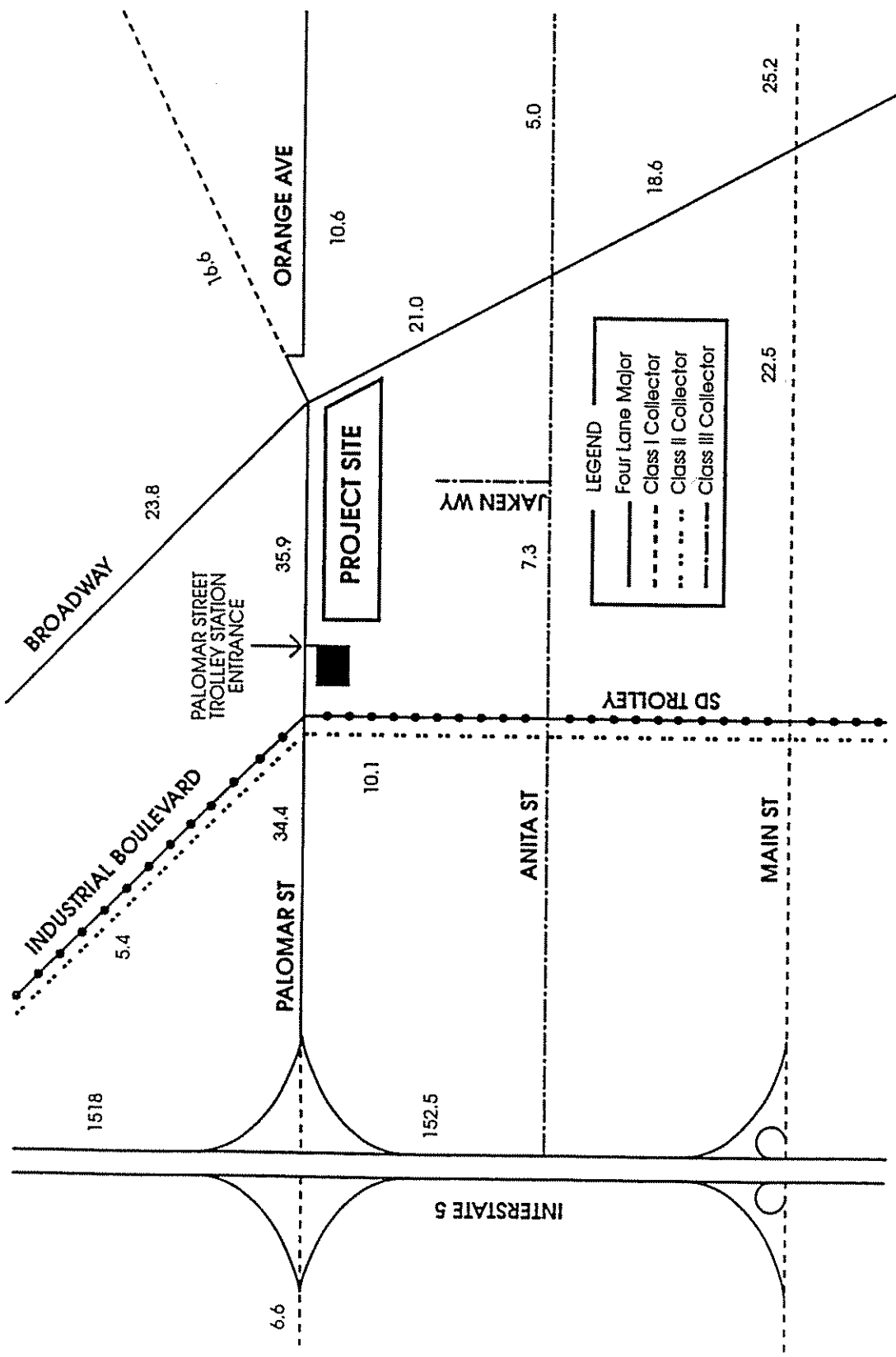
Trip distribution for the proposed project was based on the previous traffic studies for this project (Willdan, 1988; JHK, 1989). Figure 5-16 shows the future Year 1992 daily traffic volumes including project related traffic. Figure 5-17 shows the future Year 1992 street network and traffic volumes with the distribution of trips to and from the project site. As shown, the majority of trips (60 percent) will orient to and from the east along Palomar Street, before splitting north and south along Broadway, and east and west along Palomar Street and Orange Avenue.

#### **Roadway Segment Analysis**

Table 5-15 provides a summary of Future Year 1992 roadway segment volume-to-capacity ratios with project generated traffic loaded on the transportation network. Future Year 1992 without project volume-to-capacity ratios are included for comparison. Table 5-15 shows that Palomar Street between I-5 and Broadway and Main Street between Industrial and Broadway will operate above the maximum design volume in Year 1992 with the project. However, the impacts to Main Street were not considered significant because further analysis showed that with proper mitigation the intersection of Main Street and Broadway would operate at an acceptable level of service during the peak hour, and that no additional mitigation would be required for this segment.

#### **Intersection Capacity Analysis**

Table 5-16 summarizes the intersection ICU analysis results and the expected levels of service for the project area intersections. This analysis reveals that only the intersections of the project entrance/Palomar Street, Broadway/Palomar Street and Broadway/Main Street are significantly impacted by the proposed project. The remaining intersections will operate within the City of Chula Vista standards for acceptable levels of service (LOS A - C) in Year 1992 with project related traffic added. Table 5-17 describes the ICU and LOS for intersections in the study area with and without necessary mitigations described below.



5.9-17

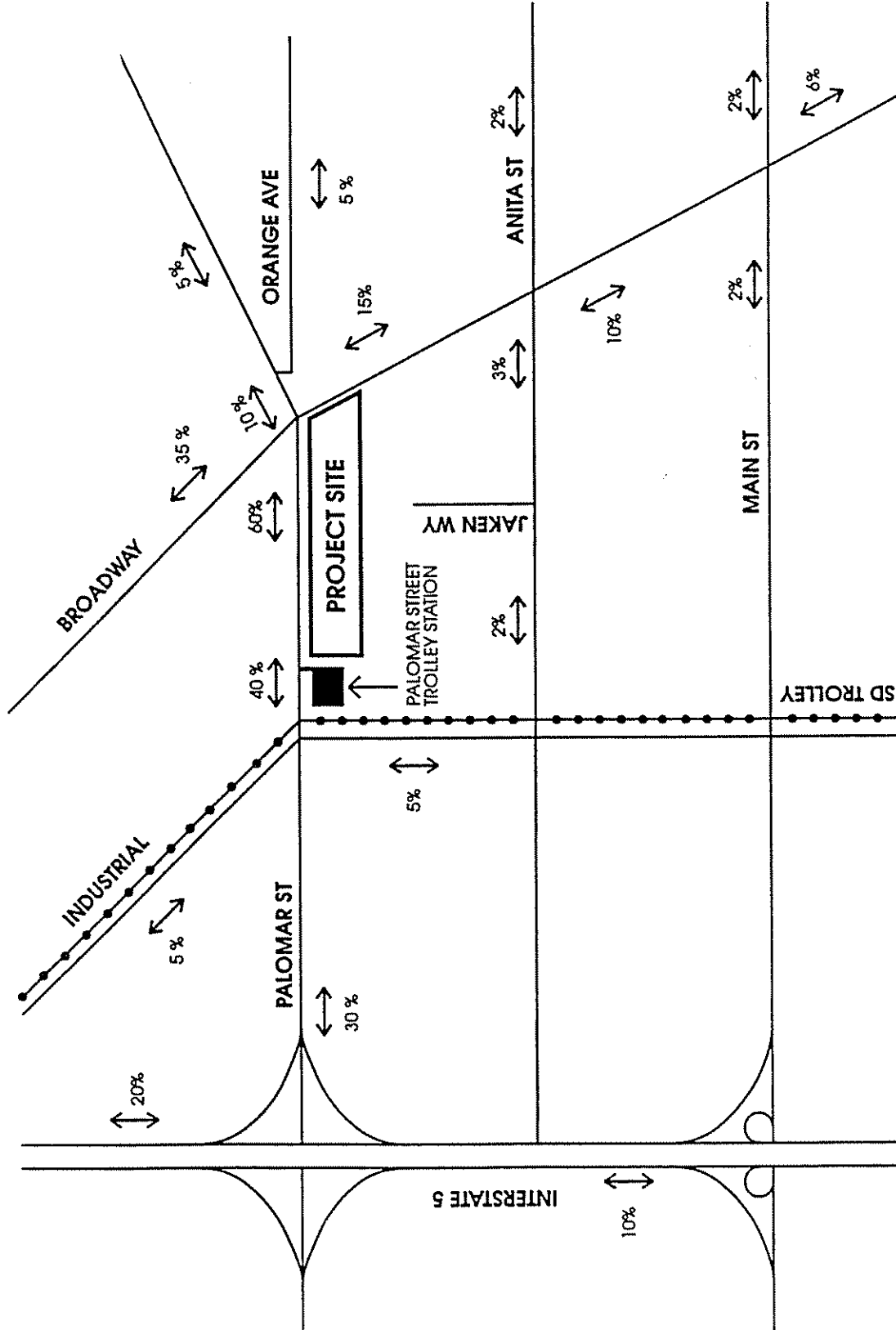
**CBA** North no scale

**Palomar Trolley Center EIR**

SOURCE: JHK & Associates

Figure 5-16  
 Future Network and Average Daily Traffic Volumes  
 with Project Trips

Year: 2032



**Palomar Trolley Center EIR**

**CBA** ↑ North no scale

SOURCE: JHK & Associates

Figure 5-17  
Trip Distribution for Proposed Project

Table 5-15

**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
FUTURE CONDITIONS WITH AND WITHOUT PROJECT- YEAR 1992**

<u>Roadway Segment</u>	<u>With Project ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>With Project V/C (2)</u>	<u>Without Project V/C (2)</u>
<u>Palomar St. - Class I Collector</u>				
Bay Blvd.	6,600	22,000	0.30	0.30
I-5 - Industrial Blvd.	34,400	22,000	1.56	1.44
<u>Palomar St. -Four Lane Major</u>				
Industrial - Broadway	35,900	30,000	1.20	0.90
Broadway - Orange Ave.	29,300	30,000	0.98	0.95
Orange Ave. - Fifth Ave.	16,600	30,000	0.55	0.73
<u>Anita St.- Class III Collector</u>				
Industrial - Blvd.	7,300	7,500	0.97	0.93
Broadway - Fifth Ave.	5,000	7,500	0.67	0.67
<u>Main St. - Class I Collector</u>				
Industrial Blvd. - Broadway	22,500	22,000	1.02	0.97
<u>Industrial Blvd. - Class II Collector</u>				
Naples St. - Palomar St.	5,400	12,000	0.45	0.41
Palomar St. - Anita St.	10,100	12,000	0.84	0.80
<u>Broadway - Four-Lane Major</u>				
Oxford St. - Palomar St.	23,800	30,000	0.79	0.72
Palomar St. - Anita St.	21,000	30,000	0.70	0.65
Anita St. - Main St.	18,600	30,000	0.62	0.59

Table 5-15 Continued  
**STREET CLASSIFICATIONS AND VOLUME TO CAPACITY RATIOS (V/C)  
 FUTURE CONDITIONS WITH AND WITHOUT PROJECT- YEAR 1992**

<u>Roadway Segment</u>	<u>Year 1992 ADT</u>	<u>Recommended Maximum Design Volume (1)</u>	<u>With Project V/C (2)</u>	<u>Without Project V/C (2)</u>
<u>Orange Ave. - Four-Lane Major</u>				
Palomar St. - Fifth Avenue	10,600	30,000	0.35	0.32

- 
- Notes:
1. Currently the City of Chula Vista plans for LOS C conditions as a minimum for all Circulation Element facilities.
  2. The v/c ratio is based on the capacity of the roadway segment at LOS C. Thus it gives an indication of the roadway's carrying capacity in relation to the City's minimum standards. It is not indicative of the actual (functional) capacity of the roadway.

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Source: Future Year 1992 ADT data was derived from Chula Vista Traffic Counts (Traffic Flow Report, November 12, 1990).



**TABLE 5-16  
FUTURE ICU AND LOS FOR SIGNALIZED INTERSECTIONS  
AT PM PEAK HOUR  
WITH AND WITHOUT PROJECT TRAFFIC**

Intersection	Year 1992 With Project Without Mitigation		Year 1992 Without Project	
	ICU	LOS	ICU	LOS
I-5 Southbound/Palomar Street	0.59	A	0.55	A
I-5 Northbound/Palomar Street	0.78	C	0.70	C
Industrial Boulevard/Palomar Street	0.69	B	0.63	B
Trolley Entrance/Palomar Street	0.71	C	0.58	A
Project Entrance/Palomar Street	0.93	E	0.44	A
Broadway/Palomar Street	0.82	D	0.69	B
Orange Avenue/Palomar Street	0.51	A	0.49	A
Broadway/Anita Street	0.64	B	0.60	B
Broadway/Main Street	0.82	D	0.80	C
Industrial Boulevard/Anita Street	0.48	A	0.46	A

Source: JHK & Associates

**TABLE 5-17  
 ICU AND LOS FOR INTERSECTIONS  
 IN THE STUDY AREA  
 WITH AND WITHOUT MITIGATION**

<u>Intersection</u>	<u>With Mitigation</u>		<u>Without Mitigation</u>	
	<u>ICU</u>	<u>LOS</u>	<u>ICU</u>	<u>LOS</u>
I-5 Southbound/Palomar St.	0.59	A	0.59	A
I-5 Northbound/Palomar St.	0.78	C	0.78	C
Industrial Blvd./Palomar St.	0.56	A	0.69	B
Trolley Station Entrance/Palomar St.	0.57	A	0.71	C
Project Entrance/Palomar St.	0.66	B	0.93	E
Broadway/Palomar St.	0.74	C	0.82	D
Orange Ave./Palomar	0.51	A	0.51	A
Broadway/Anita St.	0.64	B	0.64	B
Broadway/Main St.	0.78	C	0.82	D
Industrial Blvd./Anita St.	0.48	A	0.48	A

### Project Impacts - Buildout

The City of Chula Vista General Plan Circulation Element is based on buildout travel forecasts using the adopted buildout Land Use Element to estimate future street classifications required to accommodate travel demand. Forecast volumes for the street network in the project vicinity indicate future volumes will stabilize at today's levels or decrease. This seems reasonable, because land uses in the project vicinity are virtually buildout today, and future development in this area would be a result of redevelopment. Also, with buildout of planned land uses in the City's eastern area, some existing traffic could be redistributed. Therefore, we will consider the Future Year 1992 with project condition as the worst-case analysis. It should be noted, that volumes along Interstate 5 will be much higher than today. This is a result of future development in the Otay Mesa area.

### Project Generated Traffic Contribution

The following table is based on Year 1992 PM peak hour intersection entering volumes with and without the project generated traffic added. This information is included to give an indication of impacts attributable to the project.

Intersection	PM Peak Period Without Project Entering Volume	PM Peak Period With Project Entering Volume	Project Contribution (%)
I-5 Southbound/ Palomar Street	1793	1928	7%
I-5 Northbound/ Palomar Street	2587	2887	13%
Industrial Boulevard/ Palomar Street	2959	3337	11%
Trolley Station Entrance/ Palomar Street	2807	3341	16%
Broadway/Palomar Street	3776	4301	12%
Orange Avenue/ Palomar Street	1754	1844	5%
Broadway/Anita Street	1887	2049	8%
Broadway/Main Street	3838	3928	2%
Industrial Boulevard/ Anita Street	922	978	6%

## **Additional Traffic Engineering Analysis**

The traffic analysis prepared by JHK, at the request of the City of Chula Vista, also included three additional analyses which consisted of:

1. Delay studies of critical study area intersections using the 1985 Highway Capacity Manual (HCM) recommended methodologies.
2. Signal timing progression analysis to test the impact of the addition of a mid-block signal at the proposed project entrance. This analysis also included the review of the impacts associated with relocating the existing signal at the Palomar Street Trolley Station intersection further to the east to serve the proposed project.
3. Analysis of existing and future arterial levels of service utilizing the method described in Chapter 11 of the HCM.

## **Overview**

The JHK study determined that the critical study area intersections are those along Palomar Street between Industrial Boulevard and Orange Avenue, as these intersections will be impacted to the highest degree by project generated traffic. East-west progression along Palomar Street is also currently impacted, and will continue to be impacted, by trolley station operations. Based on this, several intersections were chosen to be analyzed in the JHK study including:

- Palomar Street/Industrial Boulevard
- Palomar Street/Trolley Station
- Palomar Street/Project Main Entrance
- Palomar Street/Broadway
- Palomar Street/Orange Avenue

## **Highway Capacity Manual (HCM) Delay Study**

This study was conducted using the projected Year 1992 traffic volumes for both with and without the project. This was done because volumes for buildout of the street network in the project vicinity indicate future volumes will stabilize at today's levels or decrease. Therefore, the future Year 1992 with project condition is considered to be the worst case scenario.

The levels of service at the critical study area intersections were determined using the "Operational Method" outlined in Chapter 9 of the 1985 Highway Capacity Manual (HCM) for signalized intersections. This method was used in an effort to confirm the level of service findings included in Chapters 3, 4, 6, and 7 of the JHK study, which used the Intersection Capacity Utilization (ICU) method.

Levels of service for signalized intersections, using this methodology, are defined in terms of average delay per vehicle in seconds. Delay is a measure of driver discomfort, frustration, fuel consumption, and lost travel time. The level of service criteria for signalized intersections is shown in Table 5-18. Levels of Service (LOS) A through C are considered acceptable in all conditions, and Level of Service D is considered acceptable in densely developed urban study areas, such as the Palomar Trolley Center study area. Levels E and F are considered unacceptable; and, if possible, mitigation measures should be implemented to allow LOS A through D conditions to prevail under future conditions.

**TABLE 5-18  
LEVEL OF SERVICE FOR SIGNALIZED INTERSECTIONS  
HCM METHOD**

Level of Service	Average Delay (Seconds per Vehicle)
A	<=5.0
B	5.1 - 15.0
C	15.1 - 25.0
D	25.1 - 40.0
E	40.1 - 60.0
F	60.0 or more

Source: HCM, Chapter 9, "Signalized Intersections."

Table 5-19 shows the results of the HCM analysis as compared to the ICU analysis method. As shown, the HMC methodology predicted similar levels of service as the ICU analysis method. For most locations, the HMC method predicted the same LOS as the ICU method or one level worse. Exceptions are under the Existing Year 1990 and Future Year 1992 (with Project) conditions at the Palomar Street/Orange Avenue intersection, and under Future Year 1992 (with Project) conditions the HMC method once again predicts a poorer level of service by two full LOS ranges. This is due to the unique configuration of this intersection and the fact that high turn volumes are predicted to continue to occur at this location. The HCM method of analysis is more sensitive to these

conditions and thus predicts a more conservative LOS for future Year 1992 conditions. Most importantly, this comparative analysis shows that under the Year 1992 with the Project and with mitigation, both the HMC and the ICU methods predict acceptable levels of service for the critical study area intersections.

**Existing Year - 1990**

<b>Intersection</b>	<b>ICU Method</b>		<b>HCM Method</b>	
	<b>ICU</b>	<b>LOS</b>	<b>Delay</b>	<b>LOS</b>
Palomar St/Industrial Blvd	0.60	B	9.3	B
Palomar St/Trolley Station	0.55	A	8.1	B
Palomar St/Broadway	0.68	B	22.6	C
Palomar St/Orange Ave	0.47	A	20.4	C

**Future Year 1992 - Without Project**

<b>Intersection</b>	<b>ICU Method</b>		<b>HCM Method</b>	
	<b>ICU</b>	<b>LOS</b>	<b>Delay</b>	<b>LOS</b>
Palomar St/Industrial Blvd	0.63	B	10.6	B
Palomar St/Trolley Station	0.58	A	8.4	B
Palomar St/Broadway	0.69	B	23.7	C
Palomar St/Orange Ave	0.49	A	20.9	C

**Future Year 1992 - With Project**

<b>Intersection</b>	<b>ICU Method</b>		<b>HCM Method</b>	
	<b>ICU</b>	<b>LOS</b>	<b>Delay</b>	<b>LOS</b>
Palomar St/Industrial Blvd	0.68	B	16.8	C
Palomar St/Trolley Station	0.70	C	9.5	B
Palomar St/Project Entrance	0.93	E	59.5	E
Palomar St/Broadway	0.82	D	25.5	D
Palomar St/Orange Ave	0.51	A	21.9	C

**Future Year 1992 - With Project and Mitigation**

<b>Intersection</b>	<b>ICU Method</b>		<b>HCM Method</b>	
	<b>ICU</b>	<b>LOS</b>	<b>Delay</b>	<b>LOS</b>
Palomar St/Industrial Blvd	0.54	A	7.4	B
Palomar St/Trolley Station	0.57	A	7.6	B
Palomar St/Project Entrance	0.66	B	23.0	C
Palomar St/Broadway	0.70	C	23.2	C

Note: Delay is defined as average delay in seconds per vehicle



Table 5-19  
PM Peak Hour Conditions Using ICU and HCM Methods

## Signal Timing Progression Analysis

As part of the JHK study a Signal Timing Progression Analysis was also completed, as requested by the City of Chula Vista. For this analysis the Progression Analysis and Signal System Evaluation Routine (PASSER II-87), a specially designed software program, was used to determine the optimal signal timing for the best progression and minimum delay that could be implemented on the Palomar Street signal system. The following signal placement alternatives were analyzed under Future Year 1992 conditions with and without the project:

Alternative No. 1 - Retain the existing signal at the trolley station and do not add any new traffic signals.

Alternative No. 1A - Year 1992 conditions without project.

Alternative No. 1B - Year 1992 conditions with project.

Alternative No. 2 - Relocate the existing trolley station signal approximately 200 feet to the east. In addition, a left turn only non-signalized access could be provided further along Palomar Street.

Alternative No. 3 - Relocate the existing trolley station signal midblock.

Alternative No. 4 (Proposed Alternative) - Retain the existing signal at the trolley station. Add a new midblock signal.

Appendix F of the JHK study contains the PASSER II-87 analysis results. Tables 9-3 through 9-7 of the JHK report present the summaries of the PASSER II-87 results. The JHK study made the following findings:

Alternative 4 has relatively poor progression (Efficiency = 0.14) and a small amount of average intersection delay (12.8 sec/veh). Total system delay is considered high compared to Alternative 2 (50.7 veh-hr/hr).

The difference between the future without project condition and the future with project condition is fairly substantial. Under these two alternatives average delay ranges from 11.7 seconds to 20.9 seconds per vehicle; total delay ranges from 40.3 to 83.3 vehicle hours per hour; and efficiency ranges from 0.30 to 0.22.

Aside from the future without project condition, Alternative 2 attained the best efficiency, average delay, and total delay, mainly due to the fact that it proposes a signalized intersection at the minor entrance and no signal for either the main entrance or the Trolley Station Entrance. From a signal operations perspective, this is the best alternative; however, not locating signals at major ingress/egress points to existing and proposed developments is a significant consideration. Alternative 2 thus does not match existing or proposed access requirements along Palomar Street.

## Analysis Of Existing And Future Arterial Levels Of Service

This analysis provides an indication of existing and future levels of service along the Palomar Street facility direction (east/west). The arterial levels of service are based on the average travel speed for the segment, section, or entire arterial under construction. For this analysis, the section of Palomar Street between Industrial Boulevard and Orange Avenue was considered. The average travel speed of all through vehicles is computed from the running time on the arterial segments and the intersection approach delay. Average travel speed is influenced by the number of signals and the average intersection delay. Table 5-20 illustrates the criteria for judging arterial level of service. For the analysis Palomar Street was assumed to be a Class I Arterial.

**TABLE 5-20  
LEVEL OF SERVICE CRITERIA FOR ARTERIALS  
(HCM METHOD)**

Arterial Class	I	II	III
Range of Free Flow Speeds (mph)	45 to 35	35 to 30	35 to 25
Typical Free Flow Speed (mph)	40 mph	33 mph	27 mph
Level of Service	Average Travel Speed (mph)		
A	> =35	> =30	> =25
B	> =28	> =24	> =19
D	> =17	> =14	> =9
E	> =13	> =10	> =7
F	<13	<10	> =7

Source: HCM, Chapter 11, "Urban and Suburban Arterials."

### Summary of Alternative Evaluation

As shown in Table 5-21, each alternative configuration of the future signal system on Palomar Street results in different levels of performance for the overall signal system.



**TABLE 5-21  
PM PEAK HOUR CONDITIONS  
ARTERIAL LEVEL OF SERVICE  
HCM METHOD**

Measures of Performance				
Condition	Eastbound		Westbound	
	ATS	LOS	ATS	LOS
Existing Year 1990	17.7 mph	D	15.5 mph	E
Future Year 1992 - Alternative 1(A)	24.8	C	23.5	C
Future Year 1992 - Alternative 1(B)	15.3	E	16.8	E
Future Year 1992 - Alternative 2	20.7	D	22.2	C
Future Year 1992 - Alternative 3	18.1	E	17.5	D
Future Year 1992 - Alternative 4	17.4	D	17.6	D

Note: ATS = Arterial Travel Speed

The four alternative signalization scenarios were evaluated in terms of measures of performance and the extent to which they met the following minimal project objectives:

To maintain high quality traffic flow and arterial performance on the major circulation element facility of Palomar Street.

To provide high quality service for bus movements into and out of the existing Trolley Station.

To provide high quality and safe access to and from the existing commercial development center to the north of Palomar Street adjacent to the project site.

To provide high quality and safe access to and from the proposed Palomar Trolley Center development site.

The four alternatives were also evaluated upon four criteria in an engineering matrix analysis worksheet. The following criteria were included:

Progression Efficiency - Does the alternative provide for the greatest percentage of vehicles to pass through the Palomar Street Arterial System without stopping?

Average Intersection Delay - Does the alternative provide the least amount of average delay per intersection along Palomar Street?

Total System Delay - Does the alternative provide the least delay along the entire system, in terms of vehicle hours per hour?

Arterial Level of Service - Does the alternative provide the highest average travel speed through the area?

Each of the four alternatives were evaluated and ranked on a scale of 1 to 5 using the four traffic engineering criteria described above. Alternative 2 has the highest performance rating under Future Conditions with project traffic. However, Alternative 2 does not achieve the minimal project objectives. Alternative No. 2 would require the redesign of the internal circulation pattern and site layout for the proposed Trolley Center development project, since the main entrance would be shifted to the west of the proposed main entrance. Also, this on-site circulation system would have to be modified to provide a high quality linkage to the existing Trolley Station for internal bus circulation, which would need to be of an uninterrupted type flow on-site. The access pattern for the existing commercial development project to the north would have to be modified. The combination of these effects discount the high rating of this alternative. The alternative that ranked with the second highest score was Alternative No. 4, which is the proposed project. Alternative No. 4 places a new signalized intersection at the approximate midpoint between the two existing signals at the Palomar Trolley Station/Palomar Street and Broadway/Palomar Street. This intersection as analyzed in this traffic analysis report, is warranted under future volume conditions with project traffic. It can also be concluded from this additional future engineering analysis that this alternative achieves all three goals that were documented previously including the following:

- Alternative 4 does provide high quality service for bus movements into and out of the existing Trolley Station.
- Alternative 4 does provide high quality and safe access to and from the existing commercial development center to the north of Palomar Street adjacent to the project site.
- Alternative 4 does provide high quality and safe access to and from the new proposed Trolley Center development project.

Even with achievement of these goals, the concerns that the City Traffic Engineering Division has regarding the potential negative impacts of installing the new traffic signal at the project main entrance have been fully analyzed. Thus, based on the conclusions of this technical analysis, it is determined that the installation of a signal at this location can occur with a minimal amount of impact to future traffic flow along Palomar Street. Furthermore, with proper signal timing plans implemented along the Palomar Street arterial signal system, high quality traffic flow characteristics and levels of service can be achieved.

## **MITIGATION MEASURES**

The following mitigation measures will reduce significant transportation related impacts.

### **Roadway Segments**

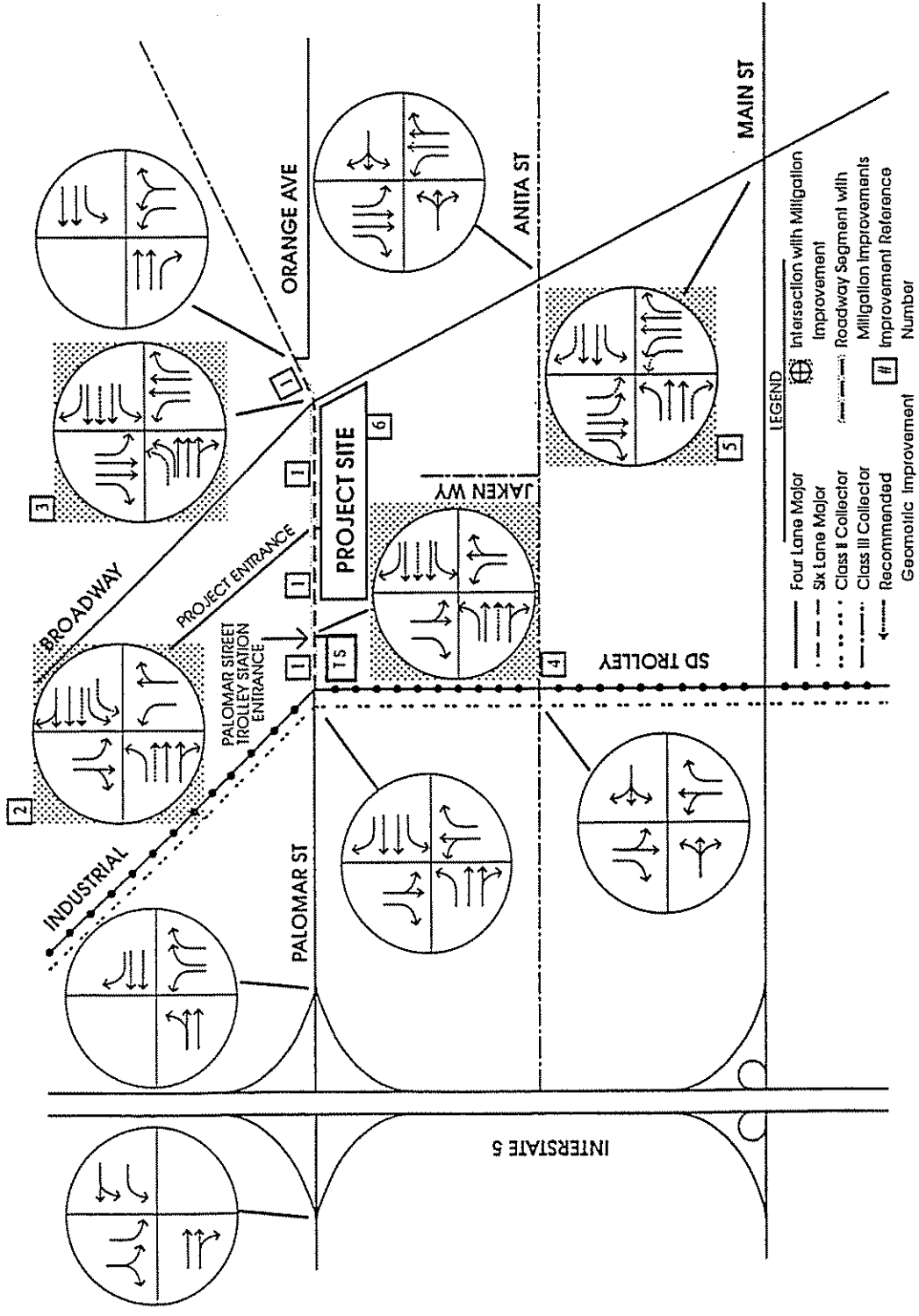
Street segments in the project vicinity currently operate at acceptable volume-to-capacity ratios, with the exception of Palomar Street between Interstate Route 5 and Orange Avenue. When the future growth in traffic and the proposed project is added, Palomar Street volume-to-capacity-ratios are expected to deteriorate further. However, the City of Chula Vista General Plan Circulation Element indicates that Palomar Street between Interstate Route 5 and Orange Avenue be widened to six lanes and classified as a six-lane major roadway. This improvement will increase available capacity and will improve this segment of Palomar Street level of service to acceptable levels. The Planning and Engineering firm of Project Design Consultants, has prepared a preliminary conceptual striping and roadway improvement plan for this widening, which was used in the analysis of effectiveness of this mitigation measure for both the roadway segments and intersections along the Palomar Street corridor. It is important to recognize that the roadway improvement project only includes the segment of Palomar Street between Orange Avenue and Industrial Boulevard. Thus, the westerly segment of Palomar Street between Industrial Boulevard and Interstate 5 must be monitored to ensure that the existing four lane cross section will be capable of handling the increased traffic flow in the future. As shown in the analysis of signalized intersections the critical intersections along this segment (Industrial Boulevard, I-5 Northbound ramps) are projected to operate at acceptable levels during the PM peak. Figure 5-18 illustrates the roadway segment mitigation measures recommended above. Table 5-22 summarizes roadway segment levels of service with the proposed improvements.

### **Signalized Intersections**

Intersections in the study area currently operate at acceptable levels of service. When the future growth in traffic and project traffic are added, however, three study area intersections are expected to experience poor levels of service.

The intersection of Palomar Street/Project Entrance is expected to have poor levels of service with project traffic added to Year 1992 conditions for the PM peak hour. The following geometric improvements to this intersection are required:

- Eastbound - the addition of one through lane.
- Westbound - the addition of one left-turn lane and one a through lane.



**cba** ↑ North no scale

SOURCE: JHK & Associates

**Palomar Trolley Center EIR**

**Figure 5-18**  
**Future Geometrics and Road**  
**Classifications with Mitigation**  
**Year 1992**

**TABLE 5-22  
STREET CLASSIFICATIONS AND  
VOLUME-TO-CAPACITY RATIOS (V/C)  
WITH PROJECT AND MITIGATION  
FUTURE YEAR 1992 CONDITIONS**

Roadway Segment	Year 1992 ADT	Recommended Maximum Design Volume (1)	With Mitigation V/C (2)	Without Mitigation V/C (2)
<b>Palomar Street - Class I Collector</b>				
Bay Boulevard - I-5	6,600	22,000	0.30	0.30
I-5 - Industrial Boulevard	34,000	22,000	1.56	1.56
<b>Palomar Street - Six Lane Major</b>				
Industrial Boulevard - Broadway	35,000	40,000	0.90	1.20
Broadway - Orange Avenue	29,300	40,000	0.89	1.33
<b>Palomar Street - Class I Collector</b>				
Orange Avenue - Fifth Avenue	16,600	22,000	0.75	0.75
<b>Anita Street - Class III Collector</b>				
Industrial - Broadway	7,300	7,500	0.97	0.97
Broadway - Fifth Avenue	5,000	7,500	0.67	0.67
<b>Main Street - Four-Lane Major</b>				
Industrial Boulevard - Broadway	22,500	22,000	1.02	1.02
<b>Industrial Boulevard - Class II Collector</b>				
Naples Street - Palomar Street	5,400	12,000	0.45	0.45
Palomar Street - Anita Street	10,100	12,000	0.84	0.84
<b>Broadway - Four-Lane Major</b>				
Oxford Street - Palomar Street	23,000	30,000	0.79	0.79
Palomar Street - Anita Street	21,000	30,000	0.70	0.70
Anita Street - Main Street	18,600	30,000	0.62	0.62
<b>Orange Avenue - Four-Lane Major</b>				
Palomar Street - Fifth Avenue	10,600	30,000	0.35	0.35

Although the intersection operation would improve to acceptable levels without the additional through lanes, it is necessary to accommodate the widening of Palomar Street discussed above. Also, it is recommended that a traffic signal be installed at the location to facilitate the volumes to be generated by this development.

The intersection of Palomar Street/Broadway is also expected to have poor levels of service under the Year 1992 with project condition during the PM peak hour. The following improvements to this intersection are required:

- Eastbound - the addition of one left turn lane.
- Westbound - the addition of one through lane.

The intersection of Broadway and Main Street currently operates at LOS D during the PM peak hour. The poor level of service is expected to continue both with and without the proposed project. JHK suggested geometric improvements to this intersection include the following:

- Eastbound - the addition of one through lane.
- Westbound: - the addition of one through lane.
- Southbound - construction of one left-turn lane.
- Northbound - construction of one left-turn lane.

With these improvements in place, the intersection would operate at acceptable levels of service.

Although the remaining intersections along Palomar Street (i.e., Palomar Street/Industrial Boulevard, and Palomar Street/Trolley Station) are expected to operate at acceptable levels of service under the Future Year 1992 with project condition without mitigation, additional through lanes on Palomar Street are shown to reflect the recommended widening of the Palomar Street corridor.

### **Parking**

The proposed project includes 911 parking spaces, or five spaces per 1,000 square feet. This is in accordance with City of Chula Vista Standards and requires no mitigation measures.

### **Access And Internal Circulation**

In addition to the central driveway and the Palomar Trolley Station entrance, three other access points will be provided that are restricted to right-turns in and right-turns out, in conjunction with a raised median on Palomar Street, one access point will be located to the east of the site on Broadway with right and

left-turns in and right-turns out. Care must be taken when designing this left-turn pocket, as it is likely to be confused with the left-pocket from northbound Broadway to westbound Palomar Street.

Internal circulation will be provided by an inner loop road around the shopping center connected by series of parking aisles. The internal circulation and parking layout adjacent to each individual restaurant pads should be re-evaluated when specific plans are made for these uses on the proposed project site.

JHK & Associates recommends that a raised median be incorporated into the design of the main entrance driveway serving the Trolley Center site. This on-site raised median should be continuous for a distance of approximately 150 feet south of the signalized intersection of Palomar Street. This raised median will provide uninterrupted storage for northbound left turning vehicles and will also insure uniform traffic flow south of the signal in both directions.

It is strongly recommended that the proposed project provide an internal connection from its parking lot to the existing Trolley Station parking lot. This will provide vehicles leaving the Trolley Station an alternate exit at the signalized intersections at the proposed main project entry and reduce delay at the unsignalized Trolley Station exit if the Trolley Station traffic signal is relocated. In addition to this physical linkage for vehicles it is recommended that a similar linkage be provided exclusively for pedestrians.

### **Conformance With Threshold Standards**

As shown on Table 5-23, all study area signalized intersections are projected to operate at LOS C or better. Thus full conformance with the adopted standards is achieved for the Future Year 1992 with project conditions with recommended mitigation measures in place.

### **Summary of Mitigation Requirements**

The analysis conducted in this traffic study indicates the need for improvements to the circulation system adjacent to the site to mitigate the impacts of this project and the cumulative growth in traffic. The following list describes each improvement measure and the numbering scheme corresponds to the graphic display of the roadway and intersection mitigation measures shown in Figure 5-18.

### **Roadway Segments**

1. Widen Palomar Street between Industrial Boulevard and Orange Avenue to a six-lane major street to the satisfaction of the City Engineer.

**TABLE 5-23**  
**INTERSECTION CAPACITY UTILIZATION (ICU)**  
**AND LEVEL OF SERVICE (LOS)**  
**FOR STUDY AREA SIGNALIZED INTERSECTIONS**  
**PM PEAK HOUR**  
**YEAR 1992**  
**WITH PROJECT TRAFFIC AND MITIGATION**

Intersection	With Mitigation		Without Mitigation	
	ICU	LOS	ICU	LOS
I-5 Southbound/Palomar Street	0.59	A	0.59	A
I-5 Northbound/Palomar Street	0.78	C	0.78	C
Industrial Boulevard/Palomar Street	0.56	A	0.56	A
Trolley Station Entrance/Palomar Street	0.57	A	0.71	C
Project Entrance/Palomar Street	0.66	B	0.93	E
Broadway/Palomar Street	0.74	C	0.82	D
Orange Avenue/Palomar Street	0.51	A	0.51	A
Broadway/Anita Street	0.64	B	0.64	B
Broadway/Main Street	0.74	C	0.87	D
Industrial Boulevard/Anita Street	0.48	A	0.48	A



## Intersections

2. Install a traffic signal at the proposed intersection of Palomar Street/Project Entrance and construct the following lane geometrics:
  - Eastbound - one left, two through, and one through/right
  - Westbound - two left, two through, and one through/right
  - Northbound - one left, and one through/right
  - Southbound - one left, and one through/right
  
3. Improve the intersection of Palomar Street/Broadway to provide the following lane geometrics:
  - Widen the eastbound approach to provide an additional left turn lane and widen the westbound approach to provide an additional through lane. The resulting geometric configuration for this intersection is detailed below:
    - Eastbound - two left, two through, and one through/right
    - Westbound - one left, three through, and one right
    - Northbound - one left, two through, and one right
    - Southbound - one left, two through, and one right
  
4. Improve the intersection of Palomar Street/Trolley Station Entrance to provide the following lane geometrics:
  - Widen the eastbound and westbound approaches to provide an additional through lane in each direction. The resulting geometric configuration for this intersection is detailed below:
    - Eastbound - one left, two through, and one through/right
    - Westbound - one left, three through, and one right
    - Northbound - one left, and one through/right
    - Southbound - one left/through, and one right
  
5. The intersection of Main Street/Broadway to provide the following lane geometrics:
  - Widen the eastbound and westbound approaches to provide an additional right-turn lane in each direction and widen the northbound and southbound to provide an additional left-turn land in each direction. The resulting geometric configuration for this intersection is detailed below:
    - Eastbound - one left, two through, and one through/right
    - Westbound - one left, two through, and one right
    - Northbound - two left, two through, and one right
    - Southbound - two left, two through, and one right

## Site Access And Internal Circulation

6. The following mitigation strategies and site improvements should be required by the City during the review of the site design plans:
  - o It is recommended that a raised median be incorporated into the design of the Main Entrance driveway serving the Trolley Center site. This on-site raised median should be continuous for a distance of approximately 150 feet south of the signalized intersection at Palomar Street. This raised median will provide uninterrupted storage for northbound left turning vehicles and will also insure uniform traffic flow south of the signal in both directions.
  - o In addition to the Main Entrance Driveway and the Palomar Trolley Station Entrance, three other access points will be provided and restrict access at these locations to right-turns in and right-turns out, in conjunction with a raised median on Palomar Street.
  - o The access point located to the east of the site on Broadway shall be restricted to right and left-turns in and right-turns out. Care must be taken when designing this left-turn pocket, as it is likely to be confused with the left-turn pocket from northbound Broadway to westbound Palomar Street.
  - o The internal circulation and parking layout adjacent to each individual restaurant pad should be re-evaluated when specific plans are made for these uses on the proposed project site.
  - o It is strongly recommended that the proposed project provide an internal connection from its parking lot to the existing Trolley Station parking lot. This will provide vehicles leaving the Trolley Station an alternate exit at the signalized intersections at the proposed main project entry and reduce delay at the unsignalized Trolley Station exit if the Trolley Station traffic signal is relocated. In addition to this physical linkage for vehicles it is recommended that a similar linkage be provided exclusively for pedestrians.

See Section 9.0  
Response G-3

## LEVEL OF SIGNIFICANCE AFTER MITIGATION

Based on the above analysis, impacts to the existing transportation from the proposed project after the implementation of the above mitigation measures will not be significant. The project area intersections will all operate at level C or better and roadways will adequately accommodate the vehicle trips the project will generate.

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## 5.10 THRESHOLD/STANDARDS POLICY

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The City of Chula Vista, in an effort to preserve the "quality of life" for residents, has implemented a Threshold/Standards Policy which addresses eleven issues in a policy document. Each issue is discussed in terms of a goal, objective, a "threshold" or standard, and a set of implementation measures. Each goal describes a desired condition which the City wishes to achieve, or "end state", while objectives represent steps which can be taken to advance the City towards that goal. Thresholds are levels of service which the City intends to maintain, the maintenance of which will achieve the desired goal. Implementation measures are techniques which will be used to encourage, or enforce, the maintenance of the current threshold.

The City can address development issues in two ways: those which can be applied on a project-by-project basis, and those which can be applied city-wide on a periodic basis to evaluate general conditions and review policy.

The threshold issues which will be addressed in this EIR include: Fire/EMS, Police, Traffic, Parks/Recreation, Drainage, Air Quality, Economics, Schools, Sewer, and Water.

### **Fire/Emergency Medical Services (EMS)**

The goal of the City is to maintain and improve the current level of fire protection and emergency medical service (EMS). The identified threshold standard is the maintenance of a properly equipped and staffed fire and medical unit that responds to calls throughout the City within seven minutes in 95 percent of the cases and within 5 minutes or less in 75 percent of the cases (averaged annually).

The project area would be served by fire station # 5. The estimated response time for the project area is approximately 1.5 minutes which is within the City's response standard. The Chula Vista Fire Department indicates that the project will not significantly impact their level of service, and that adequate fire/EMS will be provided for the area (B-1). The project will therefore, satisfy the City's Threshold/Standard Policy for fire/EMS service.

### **Police**

The City's goal is to respond to 84% of Priority I calls within 7 minutes and maintain an average response time to all Priority I emergency calls of 4.5 minutes or less and to respond to 62.10% of Priority II calls within 7 minutes and maintain an average response time to all Priority II calls of 7 minutes or less.

See Section 9.0  
Response D-1

The project area will be served by existing patrols in the area. The Chula Vista Police Department indicates that the project will not significantly impact their level of service, and that adequate police protection will be provided for the project area. The project will therefore, satisfy the City's Threshold/Standards Policy for police protection.

### **Traffic**

The goal of the City is to maintain a safe and efficient street system. The identified threshold is as follows:

1. City-wide: Maintain LOS "C" or better at all intersections, with the exception that LOS "D" may occur at signalized intersections during peak periods not to exceed a total of two hours per day.
2. West of I-805: Those signalized intersections which do not meet Standard # 1 above, may continue to operate at their current (1987) LOS, but shall not worsen.
3. City-wide: No intersection shall operate at LOS "F" as measured for the average weekday peak hour.

The proposed project will impact roadway segments and intersections near the project area. (See Section 5.9, Transportation.) This will result in reduced levels of service, some of which will not comply with the thresholds stated above. Based on the traffic analysis completed by JHK, specific mitigation measures will be required to reduce impacts. Also, the Circulation Element of the General Plan calls for improvements to some of the areas impacted such as the widening of Palomar Street to a six-lane major street able to accommodate up to 40,000 cars at LOS C. Part of this project will include the widening of Palomar Street (see Section 5.9, Transportation). These improvements, together with the project specific improvements will serve to reduce significant impacts and allow the project to comply with the City's Threshold/Standards Policy.

### **Parks and Recreation**

The goal of the City is to provide a diverse and flexible park system which meets both the active and passive needs of citizens. The identified threshold standard is to maintain three acres of neighborhood and community parkland with appropriate facilities for every 1000 residents east of I-805.

The proposed project is a commercial shopping center and contains no park and recreation land. Parks close to the project area which provide recreational opportunities include Lauderback Park (4.0 acres) and Otay Park (5.3 acres). The Montgomery area in general is seriously lacking in available park and recreational land. The City's Threshold policy only applies to land east of I-805. As such, no set standard is used by the City to maintain acceptable levels of

service for recreational uses within the project area. Land available for public acquisition and development for park use is virtually unavailable in the Montgomery area because of the intensity of land uses.

See Section 9.0  
Response E-3

The City Parks and Recreation Department is currently conducting a study to evaluate the use of Park Development Impact Fees (DIF). This new ordinance would require developers of commercial, industrial, and residential projects to either dedicate land for park use or pay a specific impact fee to the City. The impact fees could then be used to purchase land for park use or improve existing parks in the area.

Also, a linear park could be included as an amenity to the project which would provide a 50 foot wide passive park area with a walking and bike path. This park would, however, only serve the trolley center and possibly the commercial/industrial uses to the south and would be subject to approval by the City of Chula Vista and SDG&E. The linear park would not be considered a neighborhood park.

### **Drainage**

The goal of the City is to provide a safe and efficient storm water drainage system to protect residents and property. The identified threshold standard is the maintenance of a drainage systems which will be able to handle 100-year storm water flows and volumes.

The offsite drainage facilities are adequate to handle the 50 and 100-year frequency flows (see Section 5.1, Drainage). The drainage study performed for the project site outlined specific measures which could be incorporated into the on-site drainage system which would reduce off-site impacts. These included detention and retention basins, porous pavements, infiltration trenches, and upgraded hydraulic structures such as linings and improved culvert entrance conditions. The use of the most appropriate measure to be decided at such a time as the on-site drainage system is designed, will ensure that the City's Threshold/Standard Policy is met.

### **Air Quality**

The goal of the City is to maintain and improve the ambient air quality for the residents of Chula Vista. The identified threshold is for the City to provide the San Diego Air Pollution Control District (APCD) with a 12 to 15 month development forecast and request an evaluation of its impact on current and future air quality management programs, along with recent air quality data.

The project will cause an increase in the amount of air pollution because of increased traffic on surface roads around the project area. The threshold policy calls for the City to implement the tactics established in the currently adopted Regional Air Quality Maintenance Plan, such as ride sharing and the use of the

City's public transportation system. As identified in the Project Description under Project Objectives, an intricate part of the project is to provide a commercial center that offers easy access to the trolley station directly west of the project site. If this is done in conjunction with the proposed project, the City's Threshold/Standards Policy will be met.

### **Economics**

The goal of the City is to provide land uses and activities which respond to the economic needs of the residents and the City of Chula Vista. The identified threshold is for the Growth Management Oversight Committee (GMOC) to be provided with an annual report that evaluates development and its economic effects.

The proposed project will increase the City's tax generating revenues for the area and provide a commercial center for the Montgomery and the South Bay areas.

However, the project may adversely impact smaller, neighborhood-oriented businesses in the area through increased competition. These impacts can be reduced through the mitigation measures outlined in Section 5.4, Social Factors. If the mitigation measures are implemented, the project will meet the goals of the City and be in compliance with the City's Threshold/Standards Policy.

### **Schools**

The goal of the City is to ensure that the Chula Vista City School District and Sweetwater Union High School District have the necessary school sites and funds to meet the needs of the students. The identified threshold standard is as follows:

The City shall annually provide the two local school districts with a 12 to 15 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth. The District's replies should address the following:

1. Amount of current capacity now used or committed.
2. Ability to absorb forecasted growth in affected facilities.
3. Evaluation of funding and site availability for projected new facilities.
4. Other relevant information the District(s) desire to communicate to the City and GMOC.

The proposed project will impact schools within the Chula Vista School District and the Sweetwater Union High School Districts. Both school districts use a study completed by SANDAG which forecasts student generation based on the

type of project being analyzed. Based on this report, the proposed project will generate approximately 47 elementary school students and 57 junior high and high school students at an approximate cost of \$663,000. Since area schools are currently over crowded the City's threshold policy will not be met unless specific mitigation is required which would consist of the payment of impact fees to offset the cost of additional facilities required to meet the increased demands on the respective school districts, or the project site could be annexed to a Mello Roos District (CDF #5). This would provide funding for additional classroom space, and ensure the projects compliance with the City's Threshold/Standard Policy.

### **Sewer**

The goal of the City is to provide a healthful and sanitary sewer collection and disposal system for residents. The identified threshold standard is as follows:

1. Sewage flows and volumes shall not exceed City Engineering Standards.
2. The City shall annually provide the San Diego Metropolitan Sewer Authority with a 12 to 15 month development forecast and request confirmation that the projection is within the City's purchased capacity rights and an evaluation of their ability to accommodate the forecast and continuing growth, or the City Engineering Department staff shall gather the necessary data. The information provided to the GMOC shall include the following:
  - a. Amount of current capacity now used or committed.
  - b. Ability of affected facilities to absorb forecast growth.
  - c. Evaluation of funding and site availability for projected new facilities.
  - d. Other relevant information.

The Policy's objective states that "individual projects will provide necessary improvements consistent with Sewer Master Plans and City Engineering Standards". The project will impact the sewer system which is currently operating over the City standard of 75% capacity. As such, the existing system will be unable to handle projected sewer flows with current infrastructure. These impacts can be mitigated by installing parallel sewer lines along Industrial Boulevard and Palomar Street, and possibly Hollister Street from Manya Street to the Montgomery Metering Station. Funding of these improvements will be obtained from sewer fees paid by the developer and Capital Improvement Program funding. However, until the improvements under the CIP program can be completed, the project will be required to use an on-site sewer holding tank, which would allow for off-peak discharge of sewage in the system. This would allow construction to take place as planned. These measures will ensure the projects compliance with the City's Standard/Threshold Policy.

## Water

The goal of the City is to ensure that adequate supplies of quality (appropriate for intended use) water are available. The identified threshold standards are as follows:

1. Developer will request and deliver to the City a service availability letter from the Water District for each project.
2. The City shall annually provide the San Diego County Authority, the Sweetwater Authority, and the Otay Municipal Water District with a 12 to 15 month development forecast and request an evaluation of their ability to accommodate the forecast and continuing growth. The District's replies should address the following:
  - a. Water availability to the City and Planning Area, considering both short and long term perspectives.
  - b. Amount of current capacity, including storage capacity, now used or committed.
  - c. Ability of affected facilities to absorb forecast growth.
  - d. Evaluation of funding and site availability for projected new facilities.
  - e. Other relevant information the District(s) desire to communicate to the City and GMOC.

The Threshold Standard for water involves two actions: the developer must request and deliver to the City a service availability letter from the water district responsible for providing water service, and the City must annually provide development forecasts to the various water districts. Service availability for the project area can only be assured if sufficient water supplies and storage facilities are available. The project will require additional amounts of water as shown in Table 5-8 in Section 5-7. The City of Chula Vista currently has in place a "No Net Increase" policy regarding water consumption, which is the result of current drought conditions. As a result, the developer will be required to pay fees at the time of building permit issuance to ensure a zero net increase in water consumption as a result of project implementation. To mitigate the impacts from projected water use the developer will be required to implement standard water conservation methods such as drought resistant landscaping and low volume toilets. In addition the developer will be required to participate in whatever water conservation program is in effect at the time to offset impacts. If this is done, the project will comply with the City's Threshold/Standard Policy.

See Section 9.0  
Response G-4



## 6.0 ALTERNATIVES

The following discussion considers alternative development scenarios for the project area, including the impacts associated with each development alternative. Through comparison of these alternatives to the proposed project, the advantages of each can be weighed and analyzed. State CEQA Guidelines require a range of alternatives "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)).

CEQA Guidelines require that the discussion alternatives must focus on alternatives capable of either eliminating any significant adverse environmental effects or reducing them to a level of less than significant.

The alternatives evaluated during the analysis of the proposed project and considered in this section include: 1) the no project alternative; 2) a reduction in the amount of development (10% reduction); 3) an alternative access to the project site (Jayken Way); 4) developing the site with high density residential uses; and 5) three alternative project sites. The impacts of each alternative are further discussed in the following sections.

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### 6.1 NO PROJECT ALTERNATIVE

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The no project alternative assumes that development of the project area or other improvements would not take place. This alternative would leave the site as it currently exists, the majority of which is open vacant land, with three residential homes, a church, and several commercial uses located on the eastern portion of the site.

The result of the no project alternative would be the complete elimination of any project-related impacts to traffic or drainage. Also, a General Plan Amendment or rezone from an industrial to a commercial designation would not be required. The no project alternative would eliminate the increased competition for business in the area, which would benefit some of the smaller retail businesses nearby. Also, the impacts to the Chula Vista School District and the Sweetwater Union High School District would be eliminated, as this alternative would not generate additional school aged children.

The No Project Alternative would, however, eliminate the City's ability to achieve the objectives established for the project site. These objectives, which are described in Section 3.0, are seen as being an important aspect of the Montgomery Planning Area as well as the City of Chula Vista's future development. They include the development of a large commercial retail center serving the Southbay, the creation of a specific theme for the center through a

revenue generating source for the City, and the use of the adjacent trolley system as one of the major forms of transportation to and from the proposed project site.

The No Project Alternative would also eliminate the public improvements for drainage and circulation that would take place if the project were to be developed.

However, the no project alternative would allow the project site to be developed under the existing Montgomery Specific Plan, which would allow a more intense development scenario, including industrial uses.

While this alternative would eliminate environmental impacts associated with the proposed project, the additional tax revenues would not be realized by the City. Even so, this alternative is considered to be environmentally superior to the proposed project.

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## **6.2 REDUCED COMMERCIAL DEVELOPMENT ALTERNATIVE**

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The reduced development alternative assumes a 10% reduction in the amount of commercial development taking place on the project site. These reductions would be directed at some of the smaller retail shops in the center because of space requirements of the larger anchor stores. The overall size and configuration of the proposed project would not be significantly changed to accommodate the reduction in commercial space. Rather, an internal reconfiguration of space would take place resulting in reduced space available to retail vendors.

### **Drainage**

Impacts to drainage would remain similar to those of the proposed project. The 10% reduction in development would not significantly reduce run-off or the impacts to off-site drainage facilities.

### **Land Use**

Impacts to land use would remain similar under this alternative. A GPA and rezone would still be required since the type of land uses proposed would remain the same, only slightly reduced in size.

## **Energy**

Under this alternative impacts to energy would be reduced by approximately 10%, consistent with the 10% reduction in development. This would not represent a substantial reduction of the impacts to energy.

## **Utilities**

Impacts to utilities would also be reduced by approximately 10% with a 10% reduction in development. The reduction would result from less demand on utilities because of fewer businesses being located within the commercial center. However, as with energy, a 10% reduction in the demand for utility service would not represent a substantial reduction in impacts.

## **Transportation**

Impacts to transportation would be reduced under this alternative. The traffic analysis completed by JHK addressed traffic impacts with the 10% reduction in commercial space. The analysis found that this alternative would decrease project related ADT to 8,741 trips per day. This equates to an approximate reduction of 1,000 trips during the PM peak hour. The JHK study analyzed the reduction in project trips at the two intersections with failing levels of service as a result of the project (Broadway/Palomar Street, Broadway/Main Street). At the intersection of Broadway and Palomar, with existing geometrics, intersection levels of service improved from LOS D (0.82 ICU) to LOS C (0.80 ICU). At the intersection of Broadway and Main Street the level of service improved from LOS D (0.82 ICU) to LOS C (0.80 ICU). Based on the information contained in the JHK analysis, this alternative would reduce impacts to the surrounding circulation system.

## **Human Health**

Under this alternative impacts to human health would remain similar to those of the proposed project. A 10% reduction in commercial uses would not greatly reduce the amount of people exposed to the potential harmful effects of electromagnetic radiation (EMR).

## **Conclusion**

Although this alternative would reduce impacts to most areas, the reductions are in most cases considered to be only slight, and would result in only a minor reduction of impacts. However, this alternative reduces impacts to traffic enough to allow acceptable levels of service at the intersections mentioned above. This reduction is considered a very positive benefit of this alternative. Also, a 10% reduction in energy usage would reduce the use of nonrenewable resources such as fossil fuels. This alternative would also reduce the revenue generating ability of the center somewhat, because of the 10 percent reduction in retail floor space.

A center which generates additional tax revenues for the City is one of the project's main objectives. However, a 10 percent reduction of tax revenues is not considered a significant lose to the City. Because of the reductions in traffic to the surrounding circulation system, as well as the reduction in the amount of energy used, this alternative is considered to be environmentally superior to the proposed project.

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### 6.3 ALTERNATE ACCESS ALTERNATIVE

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This alternative would provide the project site with an alternate access route using Jayken Way which is located just south of the project site.

#### **Drainage**

Under this alternative impacts to drainage would not be significantly changed or reduced. The provision of an alternate access route would not significantly affect the amounts of drainage either on or off the project site. Therefore, impacts would remain the same.

#### **Land Use**

This alternative would alter the impacts to land use, the extent of which cannot be fully determined at this time. Under this alternative, Jayken Way would be used as an additional access point for vehicles, instead of being restricted to bicycle and pedestrian traffic as the current design calls for. This alteration would require that the project be redesigned to allow for traffic to drive through into the parking area. Traffic would enter the project at what is now designated as the "Main Focal Point" of the project. As currently designed, traffic will enter from Palomar Street and drive south along a main entry way which would terminate at a pedestrian plaza. This alternative would require that the pedestrian plaza be eliminated or relocated to allow traffic to enter the project from Jayken Way. The impacts to the project from this alternative could include a loss of available commercial space, possible conflicts between pedestrians and traffic, a "splitting" of the project into two sections, and perhaps a necessary redesign of the internal circulation system to accommodate the additional access.

This alternative would also introduce conflicts between pedestrians and bicyclists using the liner park south of the project site. As proposed, the park is to provide access just south of the project for pedestrians and bicyclists from Broadway to the trolley station and back. Extending Jayken Way through would expose both pedestrians and bicyclists to increased safety hazards from cars using the roadway.

A GPA and rezone of the project site would still be required to allow the commercial uses.

### **Energy**

Impacts to energy could possibly be reduced if a redesign of the project site is necessary due to the extension of Jayken Way. Even so, reductions in energy demands would most likely not be substantial enough to significantly reduce energy related impacts.

### **Utilities**

As stated above, the extension of Jayken Way could possibly require that the project site be redesigned, which would lead to a slight reduction in the amount of building space. However, any reductions to utility demands would not be significant.

### **Transportation**

As described in the JHK analysis of the project, the addition of an alternative access route would result in only minor reductions in impacts to the circulation system. The JHK study concluded that only 5% of the traffic generated by the project would utilize Jayken Way as an access route. The study stated that "The access route from the south on Jayken Way [would be] used only by local residents who were familiar with the area . . ." Therefore, the alternative access route would only reduce traffic related impacts a minor amount, and impacts would remain significant.

### **Human Health**

This alternative would not reduce or otherwise change the impacts to human health.

### **Conclusion**

This alternative would require the possible redesign of the project because of the alternate access. The alternative would equate to only minor reductions to traffic related impacts. All other impact areas would remain similar to those of the proposed project, as well as increasing hazards to pedestrians and bicyclists because of cars travelling on Jayken Way. Therefore, this alternative is not considered environmentally superior to the proposed project.

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## 6.4 RESIDENTIAL DEVELOPMENT ALTERNATIVE

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This alternative would develop the site with high density residential uses instead of the proposed commercial retail center. The basis for this alternative is a report recently released by the State of California to bring attention to local policy boards of the need for housing located next to rail transit lines. The report states that "Californians will ride public transit if it is convenient. And it will be convenient when far more housing in the state is located within five to eight minute walk of a rail transit station." The greater use of public transit such as the trolley system would reduce impacts to automobile facilities.

### **Drainage**

Impacts to drainage under this alternative cannot be determined, as no site plans or development proposals exist. Ultimate drainage impacts could be affected by such factors as the amount of landscaping, the possibility of underground parking, and site coverage with buildings. It can, however, be assumed that much of the project site would be covered with apartment buildings and that the design would most likely be two-story to allow for more residential units. The City's Zoning Ordinance has specific guidelines for the amount of required open space and landscaping required based on the type of multifamily development proposed.

As described in the City's Threshold/Standards Policy and the City's Drainage and Flood Control Master Plan, drainage would be required to meet specific design standards for on-site drainage impacts. Also, off-site drainage improvements would be required if the project caused off-site drainage impacts. Therefore, regardless of the extent to which drainage impacts would be increased or reduced, specific City requirements would need to be met designed to reduce significant impacts.

### **Land Use**

Under this alternative, a General Plan Amendment and rezone of the site would be required. Portions of the site currently occupied are designated in the Montgomery Specific Plan as Mercantile and Office Commercial, Institutional, and Research and Limited Industrial. The large, vacant portion of the project site is designated as Mercantile and Office Commercial. On-site zoning consists of Central Commercial Zone and Limited Industrial Zone. The site would need to be redesignated to a Multifamily Residential designation to allow for high density residential apartments or condominiums.

## **Energy**

Impacts to energy from a high density residential project cannot be fully determined at this time. Before the extent to which a project will impact energy usage can be determined, specific numbers of dwelling units and square footage must be supplied by the developer. As no such project exists, usage can only be estimated.

Usage factors contained in the City of Chula Vista's Standard Factors For Environmental Review show that multi-family uses use 300 Kwh per month of electricity and 40 therms per month of gas. Estimated usage factors for the proposed project are shown in Section 5.6, Energy. Based on the City's General Plan Land Use Element regarding High density residential as well as the City's Zoning Ordinance, and based on a "worse case" senecio, approximately 245.7 dwelling units would be allowed on the project site. Electrical usage would be approximately 2,457 kilowatt hours (KWH) per day, and gas usage would be approximately 319 therms per day, both of which are less than the proposed project. Therefore, based on this rough estimate, energy impacts would be reduced.

## **Utilities**

As indicated above, an exact comparison between this alternative and the proposed project cannot be made in this EIR, because no alternative project designs exist. However, using the same factors as outlined above, this alternative would use approximately 42,875 gallons of water per day (less than the proposed project), produce 38,132 gallons of liquid waste per day (less than the proposed project), and produce 2,383 pounds of solid waste per day (more than the proposed project). Therefore, impacts to solid waste would be increased, while impacts to water and liquid waste would be reduced.

## **Transportation**

The proposed project will generate approximately 9,700 new vehicle trips per day. Based on factors for the City of Chula Vista (6 vehicle trips per unit per day), a 245.7 dwelling unit residential development would generate approximately 1,474 vehicle trips per day. Again, it should be stated that this is a very rough estimate based on a worse case senecio, and several other factors would determine the exact numbers of dwelling units allowed in a residential development on the site. However, under this alternative impacts to transportation would be reduced substantially.

## **Human Health**

This alternative would greatly increase the impacts to human health from the potential harmful effects of long-term exposure to EMR. The proposed project

would expose large numbers of people to EMR for short-term periods of time. There currently is no substantial evidence that short-term exposure to EMR is harmful to humans. The development of the project site with residential uses would subject a smaller number of people residing on the site to long-term, daily exposure which could increase the risk of harmful effects. As stated in the EIR in the Human Health section, no conclusive evidence exists which can substantiate any harmful effects of EMR.

### **Conclusion**

The above analysis tries to compare the proposed project with a high density residential development on the same site. As stated above, this alternative is included because of the State of California's concern over the lack of use of public transit and congestion on surface streets and freeways. The State feels that public transit would be used more often if within a short walking distance from high density housing.

Impacts to drainage are, at this level of analysis, difficult to estimate. A residential development of this nature would be allowed to cover approximately 50 percent of the site, with the rest being used as parking, walk ways, open space, and roadways. Unless a detailed drainage study is completed, no exact determination can be made as to the increase or decrease of drainage impacts.

Impacts to land use would remain similar, because a General Plan amendment and Zoning change would still be required to allow residential development.

Impacts to energy and utilities would be about the same. A residential development would use less electricity, gas, and produce less liquid waste. However, a residential development would require more water and produce more solid waste than the proposed project. Based on the current drought conditions and the current lack of landfill space, the latter two are critical reductions.

This alternative would, because of its residential nature, produce far less traffic than the proposed project, a large commercial retail center. This would allow the project area roadways to avoid unacceptable levels of service for a longer period of time.

A large number of high density residential uses are located just east of Broadway, directly north of Palomar Street, within a 5 to 8 minute walk from the trolley station. These high density residential uses are located close enough to the project site to provide easy, pedestrian access to the trolley station. The development of the proposed linear park would provide a safe, convenient access route for the high density residential uses to the trolley station, once Broadway was crossed. Development of the project site with high-density residential use would provide greater access to public transportation for a larger number of persons.



When compared with the proposed project, a residential alternative would probably result in a similar level of overall environmental impacts. Therefore, this alternative is not considered environmentally superior to the proposed project.

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## 6.5 ALTERNATIVE PROJECT SITES

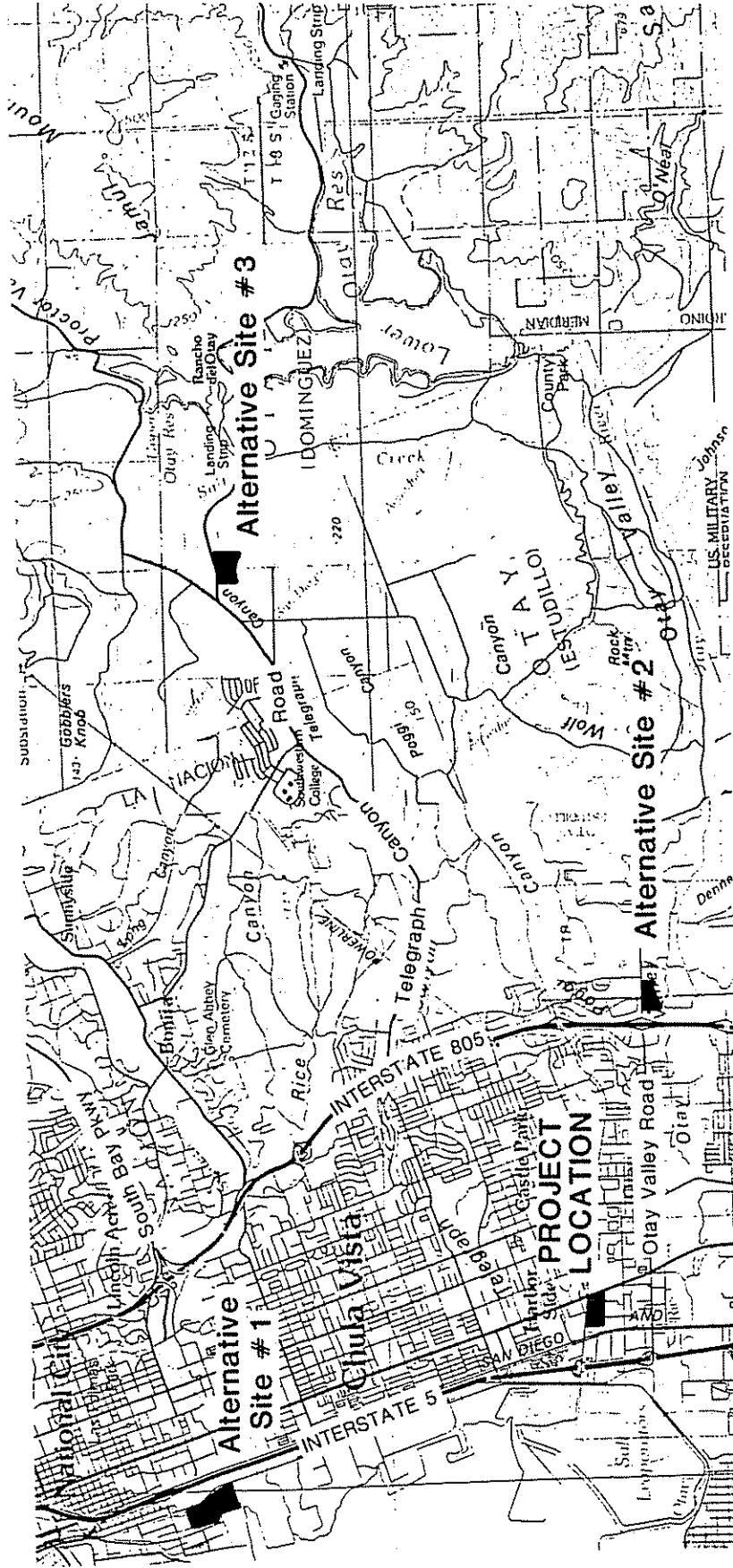
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For this EIR three alternative sites are analyzed and discussed. These include one site located within the City of National City, and two sites located within the City of Chula Vista.

The alternative sites were chosen based on their location (trying to remain within the City of Chula Vista if possible), proximity to the trolley line, size relative to the proposed project site, current status (developed or vacant), General Plan and zoning designations, potential hazards contained on the site (i.e., steep slopes, flood hazards, presence of hazardous waste), and the sites ability to allow the project to meet or obtain all or most of the stated objectives. Input from both the City of Chula Vista staff and the developer was also relied upon when choosing the alternative sites. The locations of each of the alternative locations in relation to the project site are shown in Figure 6-1.

An initial process of screening potential alternative sites was done at an early stage in the EIR process, which used the above criteria as the basis for choosing the final three sites to be included in the document's analysis. Other potential alternative sites included:

1. The trolley station at Palm Avenue, located south of the proposed project site. This site was not chosen because of its small size relative to the project site, and its current use as the parking lot for the trolley station at Palm Avenue. This alternative site would not be able to accommodate an 18.2 acre commercial development, and would require the trolley station to find alternate parking for trolley users.
2. A large parcel of land just south of southwestern Chula Vista located in the Otay Mesa/Nester planning area of San Diego known as the MKEG site. The site was not chosen because of its land use designation of Agriculture with a flood plain overlay. This designation would preclude it from being developed with a commercial center.



SOURCE: U.S.G.S., El Cajon and San Diego - 30x60 minute quadrangles.



**Palomar Trolley Center EIR**

Figure 6-1  
Alternative Site Locations

## **Alternative Site # 1**

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Alternative Site # 1 (Site 1) is located in the southwestern portion of the City of National City, west of Interstate 5. Site 1 consists of vacant land which is west of and directly adjacent to a wetland area. Site 1 is designated as Commercial Tourist and lies within the City of National City's Coastal Zone. Access from Interstate 5 is provided by 24th street which is located approximately 2200 feet to the north.

### **Drainage**

Under this alternative impacts to drainage would be similar. Tidelands Avenue currently has a 10-inch gravity flow main which conveys all drainage to 24th Street. Although no data was available on the current percentage of capacity being used within this line, the relative vacancy of the area suggests that only a small amount of the capacity is now being used. Should this site be chosen over the proposed project site, a complete analysis of available infrastructure would need to be completed to evaluate the adequacy of on and off-site facilities.

Also, specific detail would need to be given to the conveyance of off-site drainage so as to keep it away from the wet land area just east of this alternative site.

### **Land Use**

Land use impacts would be similar or perhaps increased at this alternative site. Because the site is currently vacant land with no uses occupying it, no displacement of residents or businesses would take place. However, Site 1 is designated as Tourist Commercial in the City of National City General Plan which allows uses "Located near freeway interchanges, to provide services, goods and accommodations for automobile-oriented visitors; and compatible residential development." As such, Site 1 would also require a General Plan Amendment (GPA) and zoning change from its current designation to Shopping Center Commercial which is a designation that allows uses similar to those proposed in the project. Site 1 is also within National City's Coastal Zone, which makes this site subject to development standards and specific requirements of the Local Coastal Plan.

Site 1, as stated above, is located directly west of a wetland area which is associated with the Sweetwater River. If the proposed project were located on this alternative site, special consideration would need to be given to the close proximity of the site to the wetland, and any impacts that may occur as a result of a large commercial center being located so close to a sensitive wetland area.

## **Energy**

Impacts to energy would be similar if development of the proposed project took place on Site 1. Since the size and scale of the project would be consistent with what is currently proposed, similar amounts of energy would be required and demand for fossil fuels would still be greatly increased.

## **Utilities**

Impacts to utilities would be similar to those of the proposed project. Because the project would be of a scale consistent with the proposed project the change in location would not lower the increased demands on utilities, and impacts would remain significant.

## **Transportation**

Impacts to transportation would remain similar or perhaps increase under this alternative. The two streets that would provide access to the site are 24th Street and Tidelands Avenue. 24th Street has a current ADT level of 15,000 at the I-5/24th Street intersection, and 4,000 at the intersection of 24th Street/Tidelands Avenue. Tidelands Avenue currently has an ADT level of 2,900. Both streets are classified as 4-Lane Collectors, with a maximum ADT of 15,000. National City's LOS D maximum is 10,000 ADT (LOS D is within National City's acceptable level of service for roadway segments and intersections). The JHK traffic analysis concluded that the proposed project would result in approximately 9,700 additional vehicle trips. This amount would cause the current ADT levels of 24th Street and Tidelands Avenue to drop to unacceptable levels of service and specific mitigation would be required to reduce significant impacts.

## **Human Health**

This alternative would eliminate the impacts to human health from EMR.

## **Conclusion**

The impacts to the above issues would remain similar to those of the proposed project, or perhaps increase as in the cases of land use and transportation. Also, trolley access would not be as easy as it would be with the proposed project site. Under this alternative, pedestrians would have to walk considerably further and cross one on-ramp and one off-ramp under I-5 to access the trolley station located on the east side of I-5. This would increase safety risks to trolley users. As such, this alternative site is not considered environmentally superior to the proposed project.

## **Alternative Site # 2**

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Alternative Site # 2 (Site 2) is located within the southern portion of the City of Chula Vista, just east of Interstate 805 and south of Otay Valley Road. Site 2 consists of open space and vacant land and is within Chula Vista's Eastern Territories. Site 2 is designated as Industrial Research and Limited Manufacturing. Freeway access is provided by Interstate 805 and surface street access is provided by Otay Valley Road.

### **Drainage**

Impacts to drainage would remain similar under this alternative. The existing on and off-site drainage facilities would need to be upgraded in order to adequately handle drainage from the site.

### **Land Use**

Impacts to land use would not be reduced under this alternative. Site 2 is designated Industrial Research and Limited Manufacturing which allows ". . . research and development, light manufacturing, warehousing, and flexible-use buildings, which combine the above uses with open space," which would require a GPA and zoning change similar to that of the proposed project area. However, development of this alternative site would not require the removal and displacement of existing residents or businesses because the site is currently vacant.

### **Energy**

Impacts to energy would be similar to those of the proposed project. The size and scale of the project would not differ greatly from that of the proposed project, therefore the increased demands for fossil fuels would also be similar, and impacts would remain significant.

### **Utilities**

Impacts to utilities would remain significant under this alternative. Because the size of the project would be similar to that of the proposed project, the demand increases for utilities would also be similar and impacts would remain significant.

### **Transportation**

Impacts to transportation would be reduced under this alternative. Freeway access would be provided by Interstate Route 805 (I-805), and surface street access would be provided by Otay Valley Road. Otay Valley Road is designated in the General Plan Circulation Element as a Six-Lane Major Street (Figure 2-2, Page 2-33) which has a 128-foot right-of-way (ROW) and can accommodate up to

40,000 average daily trips at LOS C. The number of average daily trips on this portion of Otay Valley Road is currently 18,960 as opposed to 25,500 for the portion of Palomar Street in front of the project site. This means that Otay Valley Road would be better able to handle the traffic generated by the proposed project than would Palomar Street.

### **Human Health**

This alternative would eliminate the impacts to human health from EMR.

### **Conclusion**

The impacts to land use and transportation would be similar, although the circulation system under this alternative would be better able to handle project related traffic. All other impacts would also remain similar to those of the proposed project.

However, this alternative would not be near the trolley system, and access to it would involve the use of the bus system. This would not fulfill the project goal of the trolley system being used to provide access to the project, thereby reducing the amount of cars using the circulation system. Therefore, Alternative Site # 2 is not considered environmentally superior to the proposed project, because it does not meet the project objective of easy, safe, convenient access to the trolley system.

### **Alternative Site # 3**

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Alternative Site # 3 (Site 3) is located within the southeastern portion of the City of Chula Vista, directly south of Telegraph Canyon Road and directly east of future State Route 125 (SR125). Site 3 is also located within Chula Vista's Eastern Territories, and is designated as Retail Commercial in the Chula Vista General Plan. Access to the site would be provided by Telegraph Canyon Road off of SR125.

### **Drainage**

Under this alternative impacts to drainage would be reduced. The site is currently vacant land which will be developed within the near future. Since the land has not previously been developed, no drainage facilities exist on-site. This means that all new drainage facilities will be installed to meet future demands. Therefore, impacts will be reduced because all necessary improvements on-site and in the area will meet current City standards.

## **Land Use**

Impacts to land use would be eliminated under this alternative. Site 3 is currently designated as Retail Commercial in the Chula Vista General Plan, which would not require a GPA or zone change to allow the commercial center to be developed on this site. Also, since Site 3 is located in the far eastern portion of the City, development of the area is just now taking place, and no residents or businesses are currently located on the site.

## **Energy**

Impacts to energy would remain similar to those of the proposed project, because the size and scale of the project would not vary greatly from what is now proposed. The demand for fossil fuels would still increase at a rate consistent with proposed project, and impacts would remain similar.

## **Utilities**

Impacts to utilities would not decrease under this development alternative, but would remain similar to those of the proposed project. Site 3 would be developed with a commercial center similar in size to that of the proposed project, which would increase demands on utilities at a similar rate. Therefore, impacts would remain similar.

## **Transportation**

Access to this alternative site would be provided by the future alignment of SR 125, and Telegraph Canyon Road. SR 125 will be an eight-lane freeway, while Telegraph Canyon Road will be a Prime Arterial/Major Street (six lanes). These streets will provide adequate access to the site.

This alternative site is already designated as a commercial use, and surrounding roadways have been designed to accommodate the traffic generated by commercial uses. The proposed project site requires a GPA from industrial to commercial. This will mean an increase over what the existing streets are designed for, causing significant impacts. Therefore, although traffic generated by this alternative would be similar to the proposed project, the surrounding circulation system would be better able to accommodate traffic without improvements, as required by the proposed project.

## **Human Health**

This alternative would eliminate the impacts to human health from EMR.

## **Conclusion**

Alternative Site #3 will reduce impacts in two areas. Impacts to drainage will be reduced because the drainage system being put into place as development occurs will be better able to handle on and off-site drainage requirements. Land use impacts will be eliminated because of the alternative site's commercial designation. As such, no GPA or rezone will be required prior to development of the site. And, impacts to transportation will be reduced by the new circulation system being constructed as development of this area occurs. SR 125 and Telegraph Canyon Road will provide far better access to this alternative site than the roadways surrounding the proposed project area.

However, this site does not meet project objectives of providing easy, convenient access to the trolley system, providing complete planning for entire project area, and providing the Montgomery Planning area with a revenue generating commercial center. Therefore, this alternative is not considered environmentally superior to the proposed project.

## **Summary**

Based on the above analysis of the various alternatives, the No Project Alternative and the Reduced Development Alternatives are considered to be environmentally superior to the proposed project because of their ability to reduce or eliminate most or all of the impacts associated with the proposed project. Although these alternatives are considered environmentally superior the City of Chula Vista also considers the specific project objectives in determining whether any of the alternatives analyzed represent a more appropriate project than the proposed project. Neither the "No Project" or "Reduced Development" Alternatives meet the project objectives.



## **7.0 OTHER ENVIRONMENTAL ISSUES**

The California Environmental Quality Act (CEQA) requires the discussion of impact areas considered but not found to be potentially significant, cumulative impacts, significant irreversible environmental changes, growth-inducing impacts, and short- and long-term environmental impacts of the proposed project. The following discussion addresses these issues as they relate to the development of the proposed project.

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### **7.1 IMPACT AREAS CONSIDERED BUT NOT FOUND TO BE POTENTIALLY SIGNIFICANT**

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The following impact areas were analyzed as part of this EIR and were found to be less than significant:

- Aesthetics
- Community Infrastructure
- Human Health
- Thresholds/Standards policy

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### **7.2 CUMULATIVE IMPACTS**

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CEQA Guidelines define cumulative effects as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." The Guidelines further state that the individual effects can be the various changes related to a single project or the change involved in a number of other closely related past, present, and reasonable foreseeable future projects (Section 15355).

Cumulative effects associated with the development of the proposed project and surrounding projects have been evaluated based on information contained in Table 7-1 as of December 1990. The Table includes descriptions and statuses of projects occurring within the Cities of Chula Vista, National City, and San Diego, and unincorporated County lands to the east. These projects are residential projects with twelve dwelling units or more, and commercial, office or industrial projects over 30,000 square feet in floor area. Project status varies from being under review to under construction. Projects currently under review may eventually be denied.

**TABLE 7-1  
CUMULATIVE PROJECTS LIST**

<b>Project/Developer Name</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
<b>National City</b>			
Commercial Development	Northwest corner of Plaza Blvd. and I-805	20,000 square feet of retail development	Planned Development Permit -- on hold
Specific Plan	Corner of Fairlomas Road and Sweetwater Road east of Plaza Bonita	117 townhomes	Approved by City Council
Mixed-Use Project	Northeast corner of Division Street and Highland Avenue	43 apartments and 21,725 square feet of retail	Under construction
Residential Development	Southwest corner of 16th Street and Lanoitan Avenue	16 single-family residential units	Building permits issued, under construction
Residential Development	3000 block of Sweetwater Road	47 single-family residential units	Approved by City Council
Specific Plan	12th and Plaza Blvd.	Mixed-use multi-family residential and neighborhood commercial on a 30,000 square foot lot	Under review
<b>Chula Vista</b>			
Sunbow II	East of I-805, south of Telegraph Canyon Road	1,946 multiple and single-family units, on 600 acres, 12-acre commercial center, and a 10-acre park	Approved
Fairway Villas	Lot 5, Eastlake Greens	161 condominiums on 9.3 acres	Approved

**TABLE 7-1  
CUMULATIVE PROJECTS LIST  
(Continued)**

<b>Project/Developer Name</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
Tiara at Rancho del Rey	Ridgeback Road/Del Rey Parkway/Otay Lakes Road	138 condominiums on 9.8 acres	Approved
Las Brisas Del Mar Unit 2	3rd Avenue off "C" Street and North Del Mar Avenue	33 single-family units on 6.67 acres	Approved
Rancho Del Rey Phase 5	Rancho Del Rey Parkway at Paseo Ranchero	105 single-family units on 41.5 acres	Approved
Evergreen Gardens	Northeast corner Third Avenue and Anita Street	45 townhomes on 4.8 acres	Under review
Woodcrest Southwestern	Telegraph Canyon Road, Buena Vista, Apache	54 single-family detached units on 19.17 acres	Approved
Salt Creek I	East "H" Street and San Miguel	228 total units on 130.14 acres	Under Preliminary Design Review
Residential	575 "E" Street	20 condominiums	Approved
Park Bonita	Southwest corner of "E" Street and Bonita Road	21 single-family detached units on 4.99 acres	Approved
Serena Rancho Del Rey	Northeast corner east "H" and Buena Vista Way	147 multi-family units on 9.53 acres	Approved, partially complete
Terra Nova	East "H" between Hidden Vista and Ridgeback	214 single-family attached units	Approved
Rancho del Rey SPA III	South of East "H" Street	589 single-family detached units on 110 acres	Tentative map approved by Council July 20, 1991

**TABLE 7-1  
CUMULATIVE PROJECTS LIST  
(Continued)**

Project/Developer Name	Location	Description	Status
Rancho del Rey SPA II	North of Rice Canyon and Southwest Otay Lakes Road	567 dwelling units of varying densities on 374.8 acres	Approved
Woodcrest Terra Nova	Hidden Vista Drive/Ridgeback Beacon Place/Woodhouse Avenue	86 single-family detached units on 26.3 acres	Under Construction
Ladera Villas	Paseo Entrada and Paseo Ranchero	29 single-family units on 10 acres	Under Construction
Flower and Broadway	S.W. corner of Flower and Broadway	Mixed-use developer of 90 residential units and 10,000 square feet of retail commercial	Approved
El Gar Construction	338 Fifth Avenue	21 apartments	Approved
Salvation Army	628 Third Avenue	75 apartments (senior citizen)	Approved
Arizona Apartments	564 Arizona Street	26 apartments	Approved
El Rancho Del Rey, Phase III	El Rancho Del Rey	75 single-family residences	Approved
Henry Bell	134 and 138 4th Avenue	12 apartments	Approved
Marbrisas	El Rancho Del Rey	500 unit apartment complex	Under Construction

**TABLE 7-1  
CUMULATIVE PROJECTS LIST  
(Continued)**

<b>Project/Developer Name</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
Beggins Apartments	362 Moss Street	42 apartments	Approved by Design Review; under Construction
El Rancho Del Rey Serena	North side of east "H" Street	147 condominiums	Under Construction
Salt Creek I	East Lake, San Miguel Road	237 condominiums	Approved
Eastlake Development	Southwest corner of Telegraph Canyon Road and "H."	214 duplex units	Approved
El Rancho Del Rey Neighborhood	1335 Zamora	98 single-family residences	Approved
Lazer, Inc.	2400 Fenton	20,000 square feet of office/institutional	Undetermined
Olympic Training Center	Eastlake III	Olympic training facility	Under Construction
Raymond Lucero	553 Flower Street	13,392 square feet of warehouse	Approved
Tiara El Rancho	Ridgeback Road	143 apartments	Approved
The Office Park at Eastlake	860 Kuhn Avenue	30 apartments	Approved
Park Village	1250 Third Avenue	30 apartments	Approved
The Vintage	Southwest corner of Golf Course Vista	142 single-family residences	Approved

**TABLE 7-1  
CUMULATIVE PROJECTS LIST  
(Continued)**

<b>Project/Developer Name</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
Industrial Environment	870 Canarias Court	12,000 square feet of industrial	Under construction
Zuniga Apartments	82 4th Avenue	12 apartments	Item continued, no Design Review yet
Fieldstone Co.	Otay Ranch Road and Lane Avenue	147 single-family residences	Approved
Moonview Estates	West of Abby Glen Court	14 single-family units	Pending
Project	East Palomar and Nolan Street	13 single-family units	Pending
Cal Best, Inc.	972 Broadway	28,500 Warehouse	Approved
North Island Federal Credit Union	2300 Boswell Road	135,600 square feet of office	Approved by Design Review
P & R Industries	3855 Main Street	33,360 square feet of mini-storage	Approved by Design Review
Security First Storage	1275 Fourth Avenue	25,200 square feet of mini-storage	Approved by Design Review
H.G. Fenton	1150 Bay Boulevard	Unknown	Approved
Seda Products	1881-85 Nirvana Avenue	13,800 square feet of distribution and industrial	Approved by Design Review
Willig Freight Line	2420 Boswell Road	15,000 square feet of industrial	Completed
Rohr	678 3rd Avenue	245,000 square foot expansion	Approved

**TABLE 7-1  
CUMULATIVE PROJECTS LIST  
(Continued)**

<b>Project/Developer Name</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
Salt Creek I	East "H" Street and San Miguel	144 "stacked" units	Under preliminary Design Review
Medical Office	Southwest corner of Lantis and Davidson	13,000 square feet	Continued by Design Review
Otay Rio Business Park	West side of Otay Valley Road	127, 498 square feet	All phases approved, no construction to date
La Mar Building	3730 Main Street	17,000 square feet of mixed uses	Approved
<b>City of San Diego Otay Mesa</b>			
Five Precise Plans named: Dennery Ranch Robinhood Ridge Hidden Trails California Terrace South Palm	North of I-905, east of I-805	Estate, Low-Density, and Medium-Density residential totalling approximately 9,000 units	Under review
<b>Otay/Nestor</b>			
Fenton/ Western	Otay River Valley, between I-5 and I-805 north of Palm Avenue	Master Plan of mixed-uses on 450 acres to include parkland, industrial, commercial and residential uses	In pipeline to be submitted to City of San Diego by 1/1/90.
Rivertrails	West side of Hollister Avenue between Sunset Lane and Tocayo Avenue	45 single-family residential uses	Denied at PC, coming to CC on 12/11/90

The region used to evaluate the cumulative effects consists of roughly a 25 square mile area including Chula Vista, National City, and San Diego north of San Ysidro. Proposed projects total approximately 16,320 dwelling units and 2 million square feet of non-residential floor space.

### **Drainage**

Surface land cover changes associated with regional development will substantially increase impervious surface cover over the area. This condition will cause urban runoff to increase in volume and velocity. Less infiltration of water will increase runoff, and improved drainage systems will convey this runoff to basins at a more rapid flow rate. Overall watershed slope will decrease with grading and leveling of surfaces, which will counteract the increase in flow velocities generated by drainage improvements. Surface and subsurface water quality will also be adversely affected by development as pollutants such as oils, detergents, and grease are added by urban runoff. Greater short-term erosion and sedimentation will result from clearing of the surface, and less long-term sedimentation will occur as surfaces are paved and landscaping is established. Mitigation measures implemented as set forth by hydrologic engineers will reduce impacts from most individual projects to less than significant, but significant cumulative impacts may remain.

### **Land Use**

Existing land uses will change throughout the region as build-out occurs. Approximately 16,320 dwelling units, and 2 million square feet of non-residential land use will occupy what is now vacant land. Development consistent with County and municipal plans will accomplish objectives pertaining to achieving orderly growth in the area. Mitigation and adherence to regional plans may reduce individual impacts to less than significant. However, such large-scale land use change may be considered significant at a regional level.

### **Aesthetics**

Development projects would cumulatively impact the aesthetics of the region as new development occurs in undeveloped areas. Grading and placement of artificial cut and fill slopes will alter the natural terrain and produce man-made topography. Regionally, hillsides and summits will be built upon, reducing visual resources significantly. Removal of the natural vegetation and creation of man-made slopes in place of the natural terrain on a regional scale will degrade viewsheds considerably. Careful design review of individual projects can serve to greatly improve the aesthetics of the man-made environment. Also, adherence to the mitigation measures identified by local and regional plans for individual projects will reduce impacts, but cumulative impacts may remain significant.



## **Social Factors**

Population will increase throughout the region as development occurs. The addition of approximately 16,320 dwelling units as shown in Table 7-1 will contribute 40,310 persons to the region, based on 2.47 persons per dwelling from the SANDAG Series 7 estimates. This will cause an increase in demand for products within the regional and community market areas of the project site and the region, and create new neighborhood market areas regionwide. Approximately 1.2 to 1.3 million square feet of commercial land use is proposed in the region. A breakdown of the total commercial square footage into individual regional, community, and neighborhood-serving projects is not available at this time. However, neighborhood-serving projects are outside of the neighborhood market area for the Palomar Trolley Center and will have no effect on its vacancy rate. In addition, it is concluded in this EIR that the community and regional-serving market areas for this project can support an additional 1.6 million square feet of retail space under existing development conditions. The amount of regional and community-serving retail space that the region can support at build-out of the projects listed in Table 7-1 will be greater than what can be supported now. No significant impacts to social factors are expected.

## **Community Infrastructure**

The level of development occurring in the region is considered significant. As new development occurs the demand placed on community infrastructure will exceed that supplied by the existing system. Adequate community provision of fire/emergency services, police protection, schools, and recreational facilities will have to be maintained during build-out of the various communities comprising the region. Regional and local plans make provisions for infrastructure availability during build-out of individual areas. Impacts will be significant, but mitigable to levels of less than significant with careful adherence to these plans.

## **Energy/Utilities**

Energy demands of the region can be met for future build-out, however non-renewable resources will become more scarce. San Diego Gas and Electric Company is capable of providing energy to the area with expansion of the existing infrastructure. Natural gas supplies are non-renewable and will become less available in the foreseeable future. Without the use of alternative forms of energy (ie., solar) regional development may have significant impacts on existing energy supplies. Energy conservation techniques must also be applied with each project to ensure the greatest energy savings possible. Utility demand will also be increased with regional build-out. Increased water consumption may lead to significant impacts due to limited water supplies and drought conditions in southern California. Sewage disposal may require expansion of the existing facilities and creation of new treatment plants. Efficient solid waste disposal will become more difficult as disposal locations become less available, and waste

quantities increase. Significant impacts will be incurred, however mitigation measures such as stringent water conservation techniques and recycling programs may reduce impacts in most areas to less than significant.

### **Human Health**

Large increases in population will result from development within the region. The development of approximately 167,700 square feet of industrial projects in the subregion will increase the risk of explosion or effects of other hazards in the area. Construction of dwelling units near industrial projects, and adjacent to major transportation corridors and power transmission lines will expose more people to conditions leading to detrimental health, and place greater demand on emergency and conventional medical facilities. Maintenance of adequate medical care is necessary to ensure the existence of high quality human health during build-out. Also, the County has a Hazardous Waste Management Plan and an Emergency Services Organization Emergency Plan which serves to reduce accidents involving hazardous materials, and to provide emergency services once an incident occurs. Chula Vista has an adopted Emergency Plan as a part of the County's Plan. Impacts are significant, but mitigable to a level of less than significant with adherence to these plans and provision of adequate medical care to the region.

### **Transportation**

Traffic levels will increase commensurate with the level of development occurring in the region. Population will increase causing greater traffic volumes over existing conditions and creating circulation problems. Circulation improvements will be required region-wide. Mitigation may be implemented in certain areas, but significant region-wide impacts may remain.

### **Thresholds/Standards Policy**

The level of development occurring in the region is considered significant. As new development occurs in the region, the demand for basic public services (fire/emergency medical services, police protection, traffic, parks/recreation, drainage, schools, sewer, and water) will exceed existing supplies. Provision of such services will have to be increased to meet the City's Threshold/Standards Policy during build-out of the various communities comprising the region. Regional and local plans provide conditions for service availability during build-out. Some service districts may need to coordinate planning efforts to assure service at the level of the threshold at all times. Impacts will be significant, but mitigable to levels of less than significant with careful planning and close adherence to planning policy.

## **LEVEL OF SIGNIFICANCE**

Cumulative environmental impacts resulting from regional development shown in Table 7-1 will be significant to drainage, land use, aesthetics, energy/utilities, and transportation. Impacts to significant areas may be mitigable to levels of less than significant with the implementation of mitigation measures included in the previous discussion. Development of vacant land on a region-wide scale may produce unmitigable impacts to some of the areas identified as significant. Mitigation must be implemented in order to reduce impacts to an accountable level, however certain locations may possess significant impacts even after mitigation. Certain regional approaches to cumulative impacts are now being studied by various agencies in the County. Implementation of region-wide mitigations to air quality, transportation, etc., will help reduce the level of cumulative impact.

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### **7.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

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Development of the proposed project will result in consumption of nonrenewable energy resources which will have a significant irreversible effect on such resources. While mitigation measures will serve to reduce consumption as much as possible, a residual less than significant impact will remain that is not reversible. All potentially significant impacts identified in the EIR are mitigable to levels of less than significant.

---

### **7.4 GROWTH-INDUCING IMPACTS**

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This section of the EIR considers the ways development of the proposed project could directly or indirectly encourage economic or population growth in the region.

The proposed project will have minor growth-inducing impacts on the City of Chula Vista at large and the Montgomery Planning area specifically. This impact will result from the creation of additional jobs that may result in individuals seeking employment to relocate to Chula Vista or other areas of the South Bay nearby. However, the number of jobs created will not be significant and will not lead to a significant amount of growth.

The Palomar Trolley Station is considered an "in-fill" development that is taking place within an urbanized area. There will not be significant increases in public

services because of the project that would lead to growth or require additional housing.

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## 7.5 SHORT- AND LONG-TERM ENVIRONMENTAL IMPACTS

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CEQA requires an analysis of the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity.

The proposed project will require a changing of the existing General Plan designation of a portion of the property from Limited Industrial to Mercantile and Office Commercial, and a zoning change from Limited Impact Industrial to Central Commercial. This will have a long-term effect on the potential uses that can be located on the project site. Since an adequate supply of industrially zoned land exists the impacts will not be adverse.

Once the site is developed with the proposed commercial uses, agricultural production will no longer be possible. However, the site has severe limitations as to what crops can be grown because of soil conditions associated with the Huerhuero loam soil (HrC) that is present on-site. The Storie Index indicates that the few crops that can be grown on the site require special management.

Development of the proposed project with commercial uses may create increased competition in the area. The competition created will most likely favor the more viable retailing concepts which would tend to draw customers away from smaller more traditional or outdated retailers, possibly forcing some out of business. Although the Palomar Trolley Center is not seen as directly stimulating an increase in the competition from a cumulative standpoint, it will tend to perpetuate the process. The project will also increase the tax revenues on a long-term basis for the City because of increased spending.

Development of the project site with the proposed commercial uses will create additional traffic in the area that will effect the circulation system on a long-term basis. These additional trips will also have a cumulative effect on the Average Daily Trips and the Levels of Service, as described in Section 5-9, Transportation.

In the short-term, the project will create noise and air quality impacts during construction. Also, the visual quality of the area will be somewhat degraded during construction of the project and necessary improvements to the circulation system.

## **8.0 REFERENCES AND PERSONS RESPONSIBLE FOR PREPARATION OF THE ENVIRONMENTAL IMPACT REPORT**

### **A. Persons Responsible for Preparation of the EIR**

#### **1. Lead Agency**

City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 92010  
(619) 691-5104

Contact: Marilyn R. F. Pongeggi

#### **2. Primary Preparers of the EIR**

Cotton/Beland/Associates, Inc.

John E. Bridges, Principal; Project Manager

Michael J. Mezey, Project Planner

Chris Webb, Project Planner

619 S. Vulcan Avenue, Suite 205  
Encinitas, CA 92024  
(619) 944-4194

747 East Green Street, Suite 400  
Pasadena, CA 91101

### **B. Persons and Organizations Contacted**

1. Marilyn R. F. Pongeggi, Principal, M. F. Pongeggi and Associates, Contract Environmental Planner, City of Chula Vista.
2. Debbie Collins, Director of Planning, Lettieri-McIntyre and Associates, Inc., Contract Planner, City of Chula Vista.
3. Pamela A. Barnhart, Transportation Planner, JHK and Associates.
4. A. James Moxham, Senior Vice President, Pacific Scene, Inc.
5. Thomas Silva, Director of Planning, Sweetwater Union High School District.

6. Kate Shurson, Director of Planning, Chula Vista City School District.
7. Shauna Stokes, Principal Management Assistant, Chula Vista Department of Parks and Recreation.
8. Sam Roller, Assistant Civil Engineer, Chula Vista, Engineering Department.
9. Carol Gove, Fire Marshal, Chula Vista Fire Department.
10. Keith Hawkins, Captian, Chula Vista Police Department.
11. Bill Anderson, Principal, Economic Research Associates.
12. Clint Barry, Project Management Metro, San Diego Gas and Electric Company.
13. Jim Moore, Minister, Jehovah's Witnesses, Chula Vista.
14. Roger L. Droust, Senior Civil Engineer, City of Chula Vista.
15. Harold Rosenberg, Traffic Engineer, City of Chula Vista.
16. Clifford L. Swanson, Deputy Public Works Director, City of Chula Vista.
17. Douglas Reid, Environmental Review Coordinator, City of Chula Vista.
18. Maryann C. Miller, Contract Planner, City of Chula Vista.
19. Jim Rasmus, Project Engineer, Dudek & Associates.
20. Gail K. Masutani, Ph.D., Dudek & Associates.
21. Ed Kaliri, Division Manager, Laidlaw Waste Systems.
22. Douglas S. Mainland, Assistant Planner, City of National City Planning Department.
23. Elizabeth Chopp, Associate Civil Engineer, City of Chula Vista Engineering Department.

**C. Documents**

1. Montgomery Specific Plan, 1988, City of Chula Vista.
2. Fogg Report.

3. Final Focused Environmental Impact Report for the Palomar Trolley Center, Chula Vista, by A.D. Hinshaw Associates, July 12, 1989.
4. Chula Vista General Plan, Public Facilities Element.
5. Chula Vista Municipal Zoning Code, Title 19, November 1989.
6. Overhead Electrical Powerlines, Powder Canyon Specific Plan, by Sage Associates, July of 1989.
7. Electric and Magnetic Fields from 60 Hertz Electric Power: What Do We Know About Possible Health Risks, Department of Engineering and Public Policy at Carnegie Mellon University.
8. Potential Health Effects of Electric and Magnetic Fields From Electric Power Facilities, California Public Utilities Commission in Cooperation With The California Department of Health Services, September 15, 1989.
9. Palomar Trolley Center Traffic Impact Analysis, JHK & Associates, April 1991.
10. Letter from the City of Chula Vista Deputy Public Works Director/City Engineer Clifford Swanson to Project Design Consultants, March 16, 1991.

## 9.0 RESPONSES TO COMMENTS ON THE DRAFT EIR

The Draft EIR was made available for public review and comment pursuant to State CEQA Guidelines (Section 15087(c)) for a period of 45 days. During this review period, comments have been received in response to the Draft EIR. These responses include written comments from the public and responsible agencies. In accordance with State CEQA Guidelines, the Final EIR shall respond to comments received during the noticed period and, "the Lead Agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response" (Section 15087(a)).

Comments on the Draft EIR were received from interested agencies, organizations, and individuals. Copies of each comment letter received are in this section. The individually addressed comments have been given a reference number in the left margin. Any additional information or changes that may be incorporated into the text of the Draft EIR in response to a comment are identified with this reference number adjacent to the text within the margin.

The following is a list of agencies and other interested parties that submitted comments on the Draft EIR during the noticed review period:

1. Kate Shurson, Chula Vista Elementary School District (September 24, 1991).
2. William Lieberman (October 3, 1991).
3. Dorothy E. Green (September 30, 1991).
4. Keith Hawkins, Chula Vista Police Department (September 13, 1991).
5. Southwest Project Area Committee (October 7, 1991).
6. Montgomery Planning Committee (October 16, 1991).
7. Resource Conservation Committee (October 21, 1991).
8. Carol Gove, Chula Vista Fire Department (September 13, 1991).
9. A. James Moxham, Pacific Scene (November 6, 1991).
10. Joan E. Harper, City of San Diego (October 31, 1991).
11. Richard A. Reynolds, Sweetwater Authority (October 22, 1991).
12. Don L. Rose, SDG&E (November 12, 1991).
13. Gordon Howard, City of Chula Vista (October 30, 1991).
14. Roger L. Daoust/Harold Rosenberg, City of Chula Vista (October 16, 1991).





BOARD OF EDUCATION  
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**CHULA VISTA ELEMENTARY SCHOOL DISTRICT**

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 426-9800

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

September 24, 1991

**RECEIVED**  
SEP 26 1991  
PLANNING

Ms. Marilyn Ponsoggi  
Environmental Section  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

RE: Draft EIR - Palomar Trolley Center  
EIR-91-02 / PB-064 / DP-807

Dear Ms. Ponsoggi:

Thank you for the opportunity to review the Draft Environmental Impact Report for the Palomar Trolley Center.

The Draft EIR states that schools serving this project are currently overcrowded and recommends either payment of impact fees or annexation to a Huelo-Roos Community Facilities District. I want to clarify that payment of impact fees does not mean developer impact fees allowed under current State law, but rather full cost mitigation. This, or participation in a Huelo-Roos District, either by payment of the present value of the 25 year tax, or annual payments for the taxing period, would adequately mitigate impacts to school facilities and reduce impacts to a level of insignificance.

I would appreciate this clarification being made in the report and also in the Mitigating Monitoring Section.

If you have any questions, please contact me.

Sincerely,

*Kate Shurson*

Kate Shurson  
Director of Planning

KS:dp

Chula Vista Elementary School District

A-1. The Draft EIR states on page 5.5-6 that developer impact fees normally used to mitigate impacts to schools may not be adequate for this project, and that annexation to Huelo Roos District # 5 may be required. The City Attorney has determined that when there is a legislative action, such as a General Plan Amendment, that the developer can be required to annex to a Huelo-Roos District rather than being given the option. The only portion of the site to be addressed in the CPA is the three acre portion that comprises the possible Phase 2 area of development. Therefore, only this three portion of the site is subject to mitigation fees.

**MTDB**  
Metropolitan Transit Development Board



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7480  
(619) 231-1466  
FAX (619) 234-3407

October 1, 1991

RECEIVED

T 461.6

OCT 03 1991

Ms. Maryann Hiller  
Environmental Review Coordinator  
City of Chula Vista  
P.O. Box 1087  
Chula Vista, CA 91912

PLANNING

Dear Ms. Hiller:

Subject: DEVELOPMENT OF THE PALOMAR TROLLEY CENTER

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the development of the Palomar Trolley Center. We have reviewed this document as it relates to the nearby Palomar Trolley Station and offer the following comments.

The Metropolitan Transit Development Board (MTDB) concurs with the findings on Page 10-1 that the existing Trolley Station traffic signal must be retained in its current location, and another traffic signal should be placed mid-point between the Trolley Station signal and the Broadway signal on Palomar Street for use by the Palomar Trolley Center Project. MTDB prefers that the Palomar Trolley Center have a signal separate from the existing signal for the Trolley Station.

**Metropolitan Transit Development Board**

B-1. Comment noted.

In the past, MTDB has suggested that the project include bringing retail establishments on to the property of the Trolley Station. In reviewing the DEIR, it was not apparent this suggestion was included in the design. We will appreciate knowing how this can be done.

Again, thank you for this opportunity for review and comment. If you have any questions regarding these comments, please contact me at 231-1466.

Sincerely,

William Heberman  
Director of Planning and Operations

WL:pad:paw  
L-MILLER.PAD

B-2. The Draft DEIR addresses proposed development on the Palomar Trolley Center site and does not address retail establishments within the MTDB Trolley Station property located west of the Palomar Trolley Center project site. The Draft DEIR addresses impacts associated with the commercial retail center within the proposed project site. Establishing retail uses within the MTDB property would require separate environmental review under a separately proposed project.

Monday Sept 30, 1991  
521 Orange Av. #55  
Chula Vista, Ca. 91911

Dear Ms. Miller,  
Thank you for your letter concerning Development of Palomar Trolley Center. If possible I will try to attend the Nov. 6, meeting and bring a home owner from Orange Tree Park. However, I have no wish to challenge the project. The envelope of my letter was damaged as though run over by car tires. I did not receive until Sat. Sept 28.  
Sincerely yours,  
Dorothy E. Greene

Dorothy E. Green

C-1. The letter from Ms. Green does not comment on the adequacy of the Draft EIR nor does it raise issues related to the proposed project. As such, no response is necessary.

ROUTING FORM

DATE: September 13, 1991

TO: Ken Larson, Building & Housing  
John Lippitt, Engineering (EIR only)  
Cliff Swanson, Engineering (EIR only)  
Hal Rosenberg, Engineering (EIR only)  
Roger Doust, Engineering (EIR/2)  
Richard Rudolf, Assistant City Attorney (EIR only)  
Carol Gove, Fire Department  
Marty Schmidt, Parks & Recreation  
Keith Hawkins, Police Department  
Current Planning  
Frank Herrera, Advance Planning  
Bob Semmett, City Landscape Architect  
Bob Leifer, Planning Director  
Chula Vista Elementary School District, Kate Shuron  
Sweetwater Union H.S. District, Tom Silva (IS & EIR)  
Other - Lance Abbott, Community Development

FROM: Marilyn Pansaggi Environmental Section

SUBJECT:  Application for Initial Study (IS- /FA- /DP )  
 Checkprint Draft EIR (20 days)(EIR- /FB- /DP )  
 Review of a Draft EIR (EIR- 91-02 /FB- 064 /DP 807 )  
 Review of Environmental Review Record FC- /ERR- )

The project consists of: Development of the Palomar Trolley Center, as 18.2 acre community shopping center, consisting of 198,200 square feet for building space. Uses proposed for the site will include major anchor tenants and other large commercial tenants and smaller retail shops, five building "pads", two of which will have drive-through capabilities for fast food restaurants, sidewalks and extensive landscaping.

Location: South side of Palomar street, west of Broadway north of the SDG&E easement and east of the H10B Trolley Station in the City of Chula Vista, APN: 622-030-09, 10, 11, 15, 22 and 23 and 618-280-17, 20, 21, 22, and 23.

Please review the document and forward to me any comments you have by October 22, 1991

Comments:

*The police thresholds have been modified as per attached:*

Keith Hawkins, Captain, Chula Vista Police Department  
D-1. The new thresholds for police protection have been incorporated into the Final EIR. These changes will not alter the conclusions reached in the document concerning the adequacy of police protection.

The Southwest Project Area Committee considered the Draft EIR on October 7, 1991. They made the following comments which will be included and responded to in the Final EIR:

1. The Final EIR should address the EIR issue in as objective a manner as possible and should not conclude that there is a significant impact from the EIR without clear evidence to that fact.
2. The Draft EIR concludes that no additional police and fire personnel are needed to service the project. The Final EIR should address clearly the impact to Police and Fire services that the project will result in by taking Police and Fire services away from the residential population.
3. The Final EIR should not consider impacts mitigated if exactions paid to mitigate impacts (i.e. parks, community facilities, etc.) are used to replace funds that would otherwise be provided for park and recreation opportunities in the project area.

E-1

E-2

E-3

#### Southwest Project Area Committee

E-1. The Draft EIR, within the Human Health section (page 5.8-4), discusses "Possible risks of concern" and further states that "With the scientific evidence that is now available, establishing a safe field standard is not possible". The Draft EIR further states on page 5.8-5 that "The California Public Utilities Commission study, recommends that California take no action at the present to regulate electric and magnetic fields around electric power facilities". Under the heading "Electromagnetic Radiation" (page 5.8-6, first sentence), the Draft EIR states that "There is a present lack of information regarding the danger of health hazards caused by exposure to high levels of electromagnetic radiation and no definite conclusions can presently be reached regarding EMR". Currently studies are being completed nation-wide in an attempt to further assess the effects of electromagnetic radiation on humans. Future studies may show that no harmful effects are associated with exposure to electromagnetic radiation. The level of significance is described as adverse, but less than significant on page 5.8-7 in the first sentence. Based on this information the EIR provides an objective analysis of fact based on available data, without asserting definitive conclusions.

E-2. The City of Chula Vista Fire and Police Departments base the level of service provided to an area on the response times contained within the Threshold/Standards Policy for the City of Chula Vista, and described in Section 5.10, page 5.10-1. Service is considered to be adequate as long as response times remain within the required threshold standard. The Palomar Trolley Center, an 18.2 acre commercial retail site, is one development project within the City and will not significantly alter the levels of service to other areas. Both the Chula Vista Fire Department (Fire Marshal Carol Gove) and the Chula Vista Police Department (Captain Keith Hawkins) have stated that adequate levels of service will be maintained, and that response times will remain within the City's Threshold/Standards Policy. If it is determined in the future that either department cannot meet the identified response times due to City-wide growth, additional staff can be hired and new equipment purchased to ensure adequate levels of service.

E-3. The Draft EIR does not discuss the use of fees to mitigate impacts to parks and recreation. The level of significance is identified as adverse, but less than significant, and mitigation measures on page 5.5-10 do not list fees as a mitigation measure. The City's Threshold Policy regarding Recreation only applies to areas of the City east of I-805, and residential not commercial projects. As the project site is west of I-805, and a commercial development, the threshold does not apply and mitigation impacts fees cannot be assessed. Within the Threshold/Standards section on page 5.10-3 (second paragraph), the Draft EIR states that the "City Parks and Recreation Department is currently conducting a study to evaluate the use of Park Development Impact Fees (DIF)", but does not state that these fees are required by the City for this project.

Montgomery Planning Committee

F-1. This comment only states that the Montgomery Planning Committee (MPC) supports the comments made by the Southwest Project Area Committee, and does not address the adequacy of the DEIR. Comments made by the Southwest Project Area Committee are addressed above.

F-2. The report states that the "... situation indicates that the market is supporting the current space that is available and has the capacity to absorb more space oriented to certain markets" (page 5.4-5). Specifically, uses oriented towards broader community and regional market areas can be absorbed without adverse impacts since these areas are growing. The Draft EIR, however, states that the portion of the project that is neighborhood-serving may adversely affect neighborhood supported retailers by providing competition in a neighborhood market area that is not growing. It is estimated that the potential effect of this impact is that vacancies for neighborhood-supported retailers could increase to over 13 percent or more for these uses could be suppressed in order to keep retail space occupied.

Neighborhood-supported retail space, however, only constitutes approximately half of the retail space in the neighborhood, since many retailers in the Montgomery neighborhood such as Price Club, Home Club, Target, K-Mart and others serve a regional population as well. The overall estimated vacancy rate among all retail space in the neighborhood would be approximately 7 percent.

There is no industry standard to determine whether or not a certain vacancy rate is significant. It depends on market conditions and factors particular to each situation. A five percent vacancy rate generally is indicative of a healthy market condition. A vacancy of over ten percent usually is cause for concern, but is not uncommon. Grubb & Ellis projected that the 1991 retail vacancy rate in San Diego County as a whole will be approximately 9 percent.

Given the 9 percent rate in San Diego County as a whole, and that the total vacancy rate in the neighborhood for all retail space is projected to be below this amount, the potential 13 percent vacancy rate for neighborhood-supported retail space is considered an adverse, but less than significant impact. As stated above, the types of lower taxable sales space introduced in the project will ultimately determine the amount of vacancies. The Semi-Exclusive Negotiating Agreement between the City and Pacific Scene includes a clause that restricts the developer from leasing or selling to tenants requiring greater than 15,000 square feet of retail space until the Executive Director of the Redevelopment Agency has approved the tenant after determining the proposed tenant's compatibility in the market area. This will allow the Redevelopment Agency to ensure that new anchor tenants, which will define the market orientation of the entire retail center, will not create a glut of similar neighborhood-supported retail uses in the market area.

The Montgomery Planning Committee considered the Draft EIR on October 16, 1991. They made the following comments which will be included and responded to in the Final EIR:

1. The Planning Committee duplicates and supports the comments made on the document by the Southwest Project Area Committee.

2. The Committee raised concerns about the effects of the project on the Montgomery area's existing vacancy problem, and in particular, what threshold standard is used to determine if the impact is significant, and if, in fact, the mitigation will reduce the impact to less than significant.

Resource Conservation Commission

- G-1. This comment addresses a design issue and not the adequacy of the Draft EIR. As such, no response is necessary.
- G-2. This comment addresses the Montgomery Planning Committee's review process and not the adequacy of the Draft EIR. No response is necessary.
- G-3. Page 8-11 of the JHK Traffic Analysis (Appendix C of the DEIR, last paragraph) recommends that the proposed project provide an internal connection from its parking lot to the existing Trolley Station parking lot for vehicles. This recommendation is also included in the Draft EIR (page 5.9-38) as a mitigation measure designed to reduce an impact related to the project.
- G-4. As stated in Section 5.7 (Utilities) and in Section 5.10 (Threshold/Standards Policy), the Sweetwater Authority provides water to the project site. The Sweetwater Authority has indicated that they will be able to provide water to the project site, and the City of Chula Vista has stated that the developer must participate in "whatever water conservation program is in effect at the time" to help mitigate impacts. The Service Availability Letter from the Sweetwater Authority and mitigation measure listed in the Draft EIR are designed to mitigate the specific impacts of the proposed project. The Draft EIR briefly addresses the current drought conditions in Southern California, but is not required to, nor can it feasibly provide mitigation for a regional-wide condition.
- G-5. The comment addresses the Sweetwater Authority's operational policies and not the adequacy of the Draft EIR. No response is necessary.
- G-6. The comment does not state a specific concern regarding the Draft EIR, but expresses concerns over the findings contained within the economic report completed by ERA for the project. For further clarification see Response P-2.

The Resource Conservation Commission (RCC) considered the Draft EIR on October 21, 1991. They made the following comments which will be included and responded to in the Final EIR:

- G-1 1. The project should be limited to no more than two fast food pads.
- G-2 2. The Montgomery Planning Group should have the opportunity to review the design of the project.
- G-3 3. The project should provide an internal vehicular connection from its parking lot to the existing trolley station parking lot.
- G-4 4. The Final EIR should include mitigations devised to mitigate for a limited supply of water versus just paying fees to mitigate the impact.
- G-5 5. It does not make sense for water districts to charge more for less usage, ask for voluntary reductions, and still approve a project that will consume more water.
- G-6 6. The findings of the socioeconomic section were questioned.

ROUTING FORM

DATE: September 13, 1991

*3/10/91*

- Ken Larson, Building & Housing
- John Lippitt, Engineering (EIR only)
- Cliff Swanson, Engineering (EIR only)
- Hai Rosenberg, Engineering (EIR only)
- Roger Daoust, Engineering (IS/3, EIR/2)
- Richard Rudolf, Assistant City Attorney (EIR only)
- Carol Gove, Fire Department
- Marty Schmidt, Parks & Recreation
- Keith Hawkins, Police Department
- Current Planning
- Frank Herrera, Advance Planning
- Bob Sennett, City Landscape Architect
- Bob Leifer, Planning Director
- Chula Vista Elementary School District, Kate Shurson
- Sweetwater Union H.S. District, Tom Silva (IS & EIR)
- Other - Lance Abbott, Community Development

*10* Marilyn Ponsaggi Environmental Section

Subject:  Application for Initial Study (IS- /FA- /DP

Checkprint Draft EIR (20 days) (EIR- /FB- /DP

Review of a Draft EIR (EIR- 91-02 /FB- 084 /DP 807

Review of Environmental Review Record FC- /ERR-

The project consists of: Development of the Palomar Trolley Center, as 18.2 acre community shopping center, consisting of 198,200 square feet for building space. Uses proposed for the site will include major anchor tenants and other large commercial tenants and smaller retail shops, five building "pads", two of which will have drive-through capabilities for fast food restaurants, sidewalks and extensive landscaping.

Location: South side of Palomar street, west of Broadway north of the SD&E easement and east of the MTDB Trolley Station in the City of Chula Vista. APN: 622-030-09, 10, 11, 15, 22 and 23 and 618-280-17, 20, 21, 22, and 23.

Please review the document and forward to me any comments you have by October 22, 1991

Comments: *9/19/91 - [initials] = the SD. does not use microfiche. No other comments. Gove*





**Pacific  
Scene, Inc.**

November 6, 1991

Ms. Marilyn Fonseggi  
Environmental Section  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

RE: EIR 91-02

Dear Marilyn:

Pacific Scene has reviewed EIR 91-02 and would like to comment on several items in the EIR, as well as seek clarification on a mitigation condition. The comments are as follows:

1. Project Description - page 3-1. It states pursuant to the Semi-Exclusive Negotiating Agreement with Pacific Scene, Inc. that included as part of the project "... will be an entertainment/recreation center which will provide such uses as a bowling alley or theaters."

Comment: The Semi-Exclusive Agreement provides that the developer use good faith business efforts to provide a high volume entertainment center, if the parking for the same is available on the SDG&E easement or elsewhere. There are a number of considerations involved with the entertainment use and we would respectfully request that language indicating that an entertainment use may be included in the project more accurately reflects the agreement between the Redevelopment Agency and Pacific Scene, Inc.

2. The project description further provides that a day care center will be provided on the proposed project site or on land provided by RTDB directly adjacent to the project site.

Comment: The Semi-Exclusive Negotiating Agreement provides that the developer will construct a day care site if the necessary site is tendered to the developer by RTDB. RTDB has concluded that a day care center on their property is not practical. Since the day care center will not be going on RTDB property, we have located another site and are working with the respective parties to provide a day care center for the area. Here again we want to make sure that the parties understand that a day care center may be provided if certain conditions are met.

Pacific Scene, Inc.

I-1. Comment noted. The Semi-Exclusive Agreement does state that the developer will use good faith business efforts to provide a high volume entertainment center within the Palomar Trolley Center development provided that adequate parking following a good faith effort adequate parking cannot be obtained. If however, center may not be included as part of the project.

I-2. Comment noted. Per language contained in the Semi-Exclusive Agreement, a day care center may be constructed for the site provided that adequate space is obtained by the developer. If adequate space cannot be provided, a day care center may not be included as part of this project. However, the developer is currently negotiating for an off-site location for the day care center.

Ms. Marilyn Ponssegi  
November 6, 1991  
Page Two

3. We would like to query mitigation measure 4 on page 5-5-2 which provides that all buildings will have an automatic fire sprinkler system. We would like to know whether this includes the pad buildings. We believe that these buildings are not necessarily required to be sprinklered by either the City of Chula Vista or the Uniform Building Code.

Your clarification and comments on these items will be appreciated.

Sincerely,

PACIFIC SCENE, INC.



A. James Hoxham  
Senior Vice President

AJH:jcn

cc: Chula Vista Planning Commission ✓

1-3. Comment noted. The City of Chula Vista does not require automatic fire sprinkler systems in buildings under 6,000 square feet, provided that uses contained within the buildings do not specifically warrant sprinkler systems. The buildings in question will all be approximately 4,000 square feet or less, and will not require sprinkler systems, per further discussion with Fire Marshal Carol Gove. Text in the Final EIR has been changed to reflect this. However, conclusions within the document regarding fire protection for the site have not been altered.



THE CITY OF  
**SAN DIEGO**

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIFORNIA 92101

PLANNING  
DEPARTMENT  
Development and  
Environmental Planning  
Division  
236-6460

NOV - 4 1991

October 11, 1991

Maryann Miller, Environmental Review Coordinator  
City of Chula Vista  
P.O. Box 1087  
Chula Vista, CA 91912

Dear Ms. Miller:

SUBJECT: Palomar Trolley Center Draft EIR

We have reviewed the Draft EIR for the Palomar Trolley Center and  
have no comments.

Thank you for sending consulting us!

Sincerely,

*John F. Harpot*  
John F. Harpot, AICP  
Senior Planner  
JH:jfh

City of San Diego

J-1. Comment noted. The City of San Diego letter does not comment on the Draft  
EIR. No response is necessary.



**SWEETWATER AUTHORITY**

505 GARRETT AVENUE  
POST OFFICE BOX 2328  
CHULA VISTA, CALIFORNIA 91912-2328  
(619) 426-1413  
FAX (619) 425-7469

GOVERNING BOARD  
WYNNE W. DANIEL, CHAIRMAN  
MARGARET A. WELSH, VICE-CHAIRMAN  
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WANDA AVERY  
TREASURER  
DIAN J. RESNVS  
SECRETARY-CONTROLLER

RECEIVED

OCT 25 1991

PLANNING

October 22, 1991

City of Chula Vista Planning Department  
276 Fourth Avenue  
Chula Vista, CA 91910

Subject: WATER AVAILABILITY  
SMA DEV. FILE: PALOMAR TROLLEY CENTER  
EIR-91-02

Gentlemen:

This letter is in response to the subject environmental impact report for the referenced project within the Sweetwater Authority service area. There is a 10-inch AC water main in Palomar Street and a 6-inch CI water main in Broadway adjacent to the proposed development. Our records indicate 11 existing service laterals to the proposed development. Enclosed is a copy of 1/4 section 180 which shows these facilities.

K-1

Also, there is a 10-inch water main which runs through the subject project. This water main is in a street which the City of Chula Vista proposed to vacate. Enclosed is a copy of a letter dated August 10, 1989 from the Authority to the City of Chula Vista. In this letter the Authority requested its facilities be exempt from the street vacation and receive an easement for the water main.

K-2

Finally, the Authority cannot comment on the adequacy of the existing system to provide domestic service and/or fire protection. As plans develop for structures, the Owner must submit a letter to the Authority from the appropriate fire agency stating fire flow requirements. Based on this requirement, this project may result in a need for new water systems or substantial alteration to the existing water system.

K-3

If the Owner provides the required fire flow information and enters into an agreement for water facility improvements with the Authority, water service can be obtained at a pressure range from a maximum of 93 p.s.i. to a minimum of 68 p.s.i.

Sweetwater Authority

K-1. Comment noted.

K-2. Comment noted.

K-3. This comment addresses the Sweetwater Authority's ability to provide adequate fire flow pressure for the project site. The Draft EIR states that the Sweetwater Authority must issue a Letter of Availability which insures that water service can be provided to the project site. Fire flow requirements are determined by the Chula Vista Fire Department once plans of the development have been submitted by the developer. Since the comment does not specifically address the adequacy of the Draft EIR, no response is necessary.

City of Chula Vista Planning Department  
Subject: WATER AVAILABILITY  
PALOMAR TROLLEY CENTER

EIR-91-02

October 22, 1991  
page two

If you have any questions, please contact Mr. Hector Martinez at  
420-1413.

Very truly yours,

SWEETWATER AUTHORITY



Richard A. Reynolds  
Chief Engineer

RAR:HM:ln

n/a:/EIR9102.

enclosure: photocopy of 1/4 SEC. 180 map  
photocopy of letter dated 8/10/89



San Diego Gas & Electric

PO BOX 1017 SAN DIEGO, CA 92112-0107

NOV - 4 1991

November 1, 1991

RM:MG

Environmental Review Coordinator  
City of Chula Vista  
P. O. Box 1087  
Chula Vista, CA 91912

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
PALOMAR TROLLEY

Dear Coordinator:

We have reviewed the subject draft environmental impact report. While we have no problems with the project in general, we do take significant issue with a small portion of the project as described in the draft EIR. The project description indicates that the adjacent SDG&E right of way is a part of the project and is to be developed as a linear park.

We are stating categorically at this time that the right of way is not part of the project, nor is it available for development as a linear park. The fact that it is included in the project description and in several other parts of the EIR is disturbing. We have stated numerous times in writing, in telephone conversations and in face to face meetings as well as in public testimony that this portion of SDG&E's fee owned right of way is not available for park use.

We have also stated on numerous occasions that other fee owned rights of ways could be made available for parks. SDG&E has provided land for public use on several past occasions for the City of Chula Vista.

It should be understood that rights of way owned by SDG&E in fee are the only rights of way that SDG&E can allow a secondary use in. The underlying ownership controls the use of easement type rights of way. Many of our fee owned rights of way are already in public use by the citizens of Chula Vista and Montgomery i.e. parks in the vicinity of Hilltop Drive, Orange Avenue, the J Strant Marina and the Nature Interpretive Center.

San Diego Gas & Electric

L-1. Comment noted. The SDG&E right-of-way (ROW) was included in the Draft EIR at the request of the City of Chula Vista as an amenity to the project that would provide access to the trolley station from the Palomar Trolley Center project and from Broadway by a pedestrian and bicycle path, as well as providing passive park uses. The proposed park was also evaluated as to its ability to ease the current lack of park/recreational space available in the Montgomery Planning Area. As stated in the document (page 5.5-10, third paragraph), the park would not help ease the lack of parkland in the Montgomery Planning Area, and would serve mostly employees of the Palomar Trolley Center, and not the general public. The Semi-exclusive Negotiating Agreement between the City of Chula Vista and Pacific Scene states that the developer will make a good faith effort to provide a linear park within the SDG&E ROW. However, this is dependant upon the developer's ability to obtain approval of the park from the City of Chula Vista and the current land owner, which is SDG&E. Text has been added to the Final EIR that clearly states that the linear park is separate from the proposed Palomar Trolley Center development, and that approval of the park is essential, without which the linear park will not be developed. This new text does not alter any conclusions reached in the document.

L-2. Comment noted.

L-3. Comment noted.

L-1

L-2

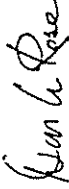
L-3

Environmental Review Coordinator  
November 1, 1991  
Page 2

Because of the limited number of fee owned rights of way, SDG&E feels an obligation to all the rate payers within the service territory to generate revenue from the few that seem most suitable for commercial or industrial type uses. This particular right of way is being reserved to generate revenue for the purpose of helping to keep the energy bills down for all of our customers. We hope the citizens and the decision makers of Chula Vista can understand and empathize with SDG&E's position on this issue.

Therefore, it is our opinion that the draft EIR is inaccurate as long as it includes the SDG&E fee owned right of way as part of the project. All references to use of this property should be deleted and any plans to develop a linear park as part of the project should be shown on the project proponents property or land that the project proponent has secured through permission for use.

Sincerely,



Don L. Rose  
Senior Land Planner

DIR:kmd

cc: Robert Leiter  
Planning Director

L-4. Comment noted.

L-5. This comment does not address the adequacy of the Draft EIR, but states the opinion that the document is inaccurate. The Draft EIR is not inaccurate as to its evaluation of the linear park and its inability to provide additional park land for the Montgomery Planning Area. As stated above in Response L-1, the park was included to evaluate its ability to provide badly needed park land within the Montgomery Planning Area. Also, as stated above, the park will not be developed without permission from the City of Chula Vista and SDG&E.

October 30, 1991

TO: Chula Vista Planning Commission  
VIA: Robert Leiter, Director of Planning *RL*  
FROM: Gordon Howard, Principal Planner *G.H.*  
SUBJECT: PALOMAR TROLLEY CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

Upon review of the Draft Environmental Impact Report for the Palomar Trolley Center, we have become aware of the need for additional clarification regarding the relationship of this project to the adjacent corridor owned by San Diego Gas & Electric and used for their high power transmission lines.

The corridor is designated as Open Space in the Montgomery Specific Plan, but is also designated as a Special Study Area, in order to reevaluate the appropriateness of using this land for park purposes vs. alternative uses as may be proposed by San Diego Gas & Electric. In order to resolve this outstanding issue, the Planning Department will be undertaking a special study of the San Diego Gas & Electric corridor. The study will reevaluate the land use designations for the San Diego Gas & Electric corridor through the Montgomery community, taking into account land use compatibility, park and open space needs of the Montgomery Community, and environmental concerns.

M-1

Gordon Howard, Principal Planner, City of Chula Vista

M-1. Comment noted. The Final EIR has been modified to reflect that the current designations within the SDG&E property shall be reevaluated as to their appropriateness by a special study (page 5.5-7), and recommendations shall be made regarding alternative uses that may be proposed by SDG&E. This modification to the Final EIR does not alter conclusions reached in the document.

M-2. Comment noted. See M-1 and I-1.

M-3. Comment noted. The mitigation measures listed on page 5.5-10 have been modified to reflect that no decision regarding the linear park will be made until the special study has been completed.

M-2

Specific mitigation measures on Page 5.5-10 call for development of the linear park on the SDG&E property as a mitigation for recreation impacts. These mitigation measures are premature, prior to completion of the special study.

M-3

The Planning Department recommends that these clarifications be included within the Final EIR.



October 16, 1991  
File No. YE-050

TO: Marilyn Ponsaggi, Contract Environmental Review Consultant  
VIA: Clifford L. Swanson, Deputy Public Works Director/ City Engineer  
FROM: Roger L. Decuel, Senior Civil Engineer  
Harold Rosenberg, Traffic Engineer  
SUBJECT: Review of Draft Environmental Impact Report EIR 91-02, Palomar  
Trolley Center

We have reviewed a draft copy of the subject EIR dated September, 1991 and present the following comments:

1. On page 2-2 under "Potentially Significant Impacts", add the following statement:  
N-1 "All mitigation measures listed in Table 2-1 must be implemented prior to project occupancy in order to comply with the City of Chula Vista's Threshold/Standards Policy."
2. Sewage capacity mitigation measures were not included in Table 2-1. Sewage generation by the project is potentially significant and must be addressed in the EIR. Therefore, add the following statement to the "Utilities" section of Table 2-1, under the heading "Mitigation Measures":  
N-2 "The developer may be required to finance portions of future downstream sewer improvements in Industrial Boulevard and Hollister Street."
3. On page 5.7-4, in the fifth paragraph (sentence before last), change "sewage holding" to "sewage holding tank".  
N-3
4. The concerns of the Traffic Division have been adequately addressed in the subject EIR.  
N-4

KPA/kps

cc: Elizabeth Chopp, Civil Engineer

[A:YE-050.02]

Roger L. Droust, Senior Civil Engineer/ Hal Rosenberg, Traffic Engineer

N-1. Comment noted. The referenced statement has been added to page 2-2. The additional text does not alter the conclusions reached in the document.

N-2. Comment noted. The referenced text has been added to Table 2-1. The additional text does not alter conclusions reached in the document.

N-3. Comment noted. The referenced sentence on page 5.7-4 has been changed to read "sewage holding tank".

N-4. Comment noted.

## **10.0 ADDENDUM**

A draft Environmental Impact Report (DEIR) for the Palomar Trolley Center was completed in September 1991. The public review period for the DEIR ended on November 6, 1991. This addendum addresses the option of implementing the project in two phases pursuant to the Semi-Exclusive Negotiating Agreement (SENA). Although this option was included within the SENA prior to this, it was not addressed within the Draft EIR.

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### **10.1 PURPOSE AND SCOPE**

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This Addendum to the Environmental Impact Report (EIR) for the Palomar Trolley Center (SCH# 89032915) is prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines 15164. The purpose of an addendum to an EIR is to comply with CEQA in instances in which the EIR requires "minor technical changes or additions that do not raise important new issues about the project's significant effects on the environment," and where no factors are present that would require the preparation of either a subsequent or supplemental EIR (15164 [a]). "An addendum need not be circulated for public review but can be included in or attached to the Final EIR" (15164 [b]). "The decision-making body shall consider the addendum with the Final EIR prior to making a decision on the project" (15164 [c]).

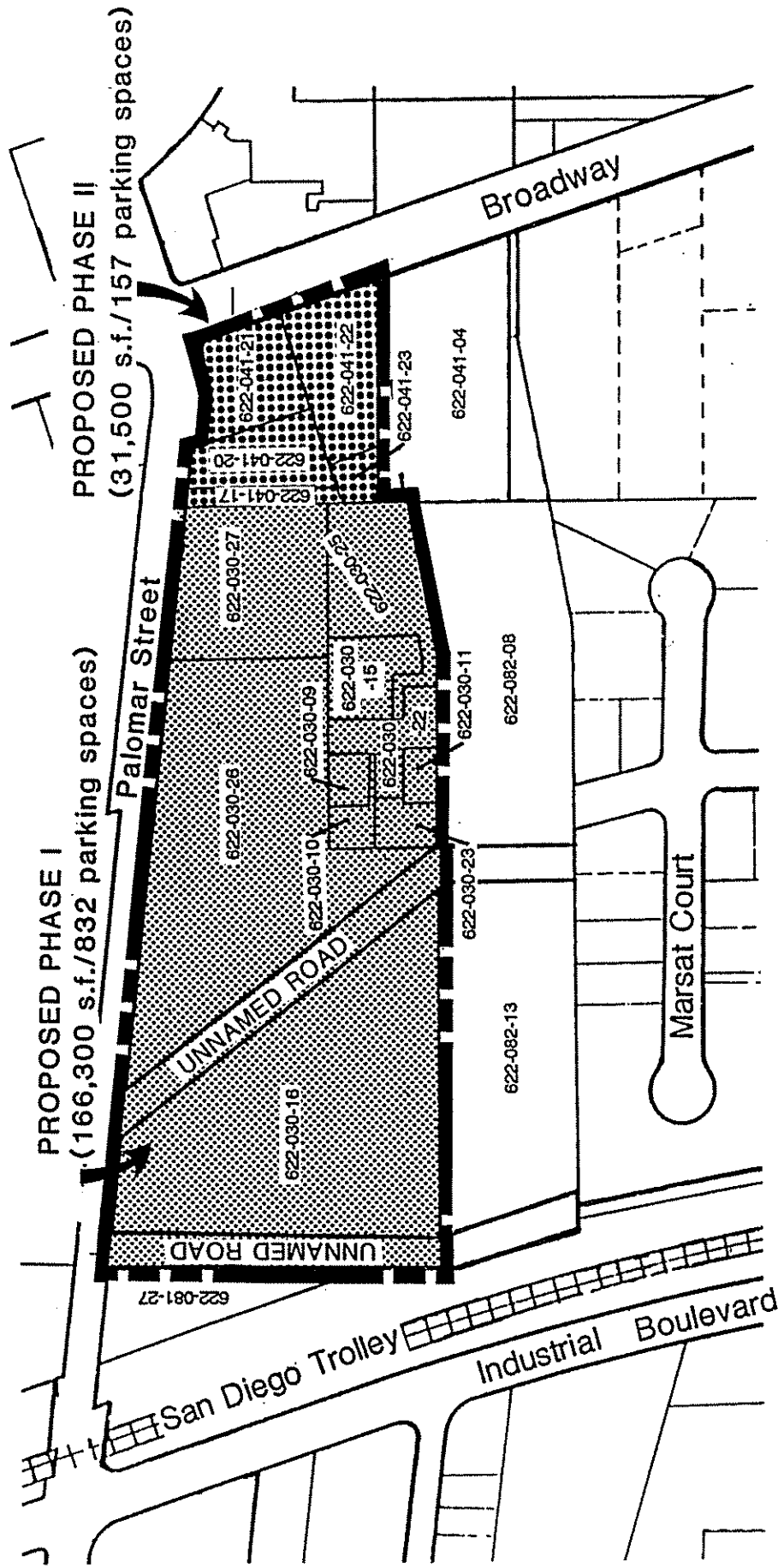
This addendum to the Palomar Trolley Center EIR evaluates information on a proposed possible phasing plan for the Palomar Trolley Center, a 198,200 square foot community shopping center to be constructed on approximately 18.2 acres of land. The project evaluated in the EIR was a single-phase development, while the proposed possible phasing plan describes a two-phase development. The analysis of additional information focuses on seven issues: aesthetics, drainage, community infrastructure, energy, utilities, human health, and transportation.

---

### **10.2 PROJECT DESCRIPTION**

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The proposed phasing plan for the Palomar Trolley Center identifies two phases of project development. As shown in Figure 10-1, the phasing plan will divide the 18.2 acre project site into a Phase I, consisting of the westerly fifteen acres,



Proposed Phase I

Proposed Phase II

0 150  
scale in feet

North

CSA

Palomar Trolley Center EIR

SOURCE: Pacific Scene, Inc.

Figure 10-1  
Proposed Phasing Plan

and Phase II, which includes the remaining three acres. Phase I includes 166,300 square feet of building floor area and 832 parking spaces; Phase II includes building floor area of 31,500 square feet and 157 parking spaces. The combined building square footage of 197,800 square feet is slightly less (400 square feet) than the 198,200 square feet described in the EIR as a result of greater refinement of the commercial square footage needs for the project. The five freestanding building pads associated with the commercial center will be located within the 15-acre Phase I area. Of the existing uses on the 18-acre project site, the church, and three residential structures will be replaced with new commercial development during Phase I, while replacement of the 7-Eleven store, laundromat, the restaurant/night club, and trailer service operation will occur with Phase II.

The phasing plan does not propose any modifications to the mitigation measures identified in the EIR. All mitigation measures will be completed with Phase I, except those mitigation measures associated specifically with building construction and remaining site development in Phase II (see discussion below).

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### **10.3 ENVIRONMENTAL IMPACT ANALYSIS**

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#### **DRAINAGE**

---

#### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and drainage impact associated with development of the Palomar Trolley Center is described on pages 5.1-1 through 5.1-4 of the EIR and the impact of developing the entire 18.2 acres does not change as a result of the proposed phasing. However, Phase I represents development of approximately 84 percent of the total project, therefore the associated drainage impacts of the two-phase project are less severe than those analyzed in the EIR until both Phases I and II are constructed.

#### **MITIGATION MEASURES**

The mitigation measures described on pages 5.1-5 of the EIR will be applied to each phase of the Palomar Trolley Center.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.

## **LAND USE**

---

### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and land use impact associated with development of the Palomar Trolley Center is described on pages 5.2-1 through 5.2-10 of the EIR and the impact of developing the entire 18.2 acres does not change as a result of the proposed phasing. The phasing plan, however, initially results in a Phase I commercial center development of 166,300 square feet of floor area, or approximately 84 percent of the total project square footage.

### **MITIGATION MEASURES**

All mitigation measures described on page 5.2-10 of the EIR will be applied to Phase I of the Palomar Trolley Center.

## **LEVEL OF SIGNIFICANCE**

The impacts of the project after mitigation remain at a level of less than significant.

## **AESTHETICS**

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### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and aesthetic impact of the development of the Palomar Trolley Center is described on pages 5.3-1 through 5.3-8 of the EIR. The impact of developing the entire 18.2 acres does not change as a result of the proposed phasing. The phasing plan does limit the replacement of existing uses to the church and residential structures in Phase I, and the nightclub/restaurant, laundromat, 7-Eleven, and trailer service operation in Phase II.

## **MITIGATION MEASURES**

The mitigation measures described on page 5.3-8 of the EIR will be applied to each phase of the Palomar Trolley Center.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.

## **SOCIAL FACTORS**

---

### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and social factors impact of the Palomar Trolley Center is described on pages 5.4-1 through 5.4-7 of the EIR. The proposed phasing plan does not change the impact associated with developing the entire 18.2 acre site. The phasing plan does limit the competitive impact on surrounding commercial development, in that approximately 84 percent of the total square footage of commercial space considered in the EIR will be constructed in Phase I, with the remaining 16 percent included in Phase II.

## **MITIGATION MEASURES**

The mitigation measure described on page 5.4-7 of the EIR will be applied to each phase of the Palomar Trolley Center.

## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.

## **COMMUNITY INFRASTRUCTURE**

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### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and impact of developing the Palomar Trolley Center is described on pages 5.5-1 through 5.5-10 of the EIR. The impact of developing the entire 18.2 acres does not change as a result of the phasing plan. The

phasing plan does limit Phase I community infrastructure impacts to those attributable to approximately 84 percent of the total development.

#### **MITIGATION MEASURES**

The mitigation measures described on pages 5.5-2 through 5.5-10 will be applied to each of the two project phases.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.

#### **ENERGY**

---

#### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and impact of developing the Palomar Trolley Center is described on pages 5.6-1 through 5.6-4 of the EIR. The impact of developing the entire 18.2 acres does not change as a result of the phasing plan. The phasing plan does limit Phase I energy impacts to those attributable to approximately 84 percent of the total development.

#### **MITIGATION MEASURES**

The mitigation measures described on page 5.6-4 will be applied to each of the two project phases.

#### **LEVEL OF SIGNIFICANCE**

The impacts of the project after mitigation remain at a level of less than significant.

#### **UTILITIES**

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#### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and impact of developing the Palomar Trolley Center is described on pages 5.7-1 through 5.7-7 of the EIR. The impact of developing

the entire 18.2 acres does not change as a result of the phasing plan. The phasing plan does limit Phase I utilities impacts to those attributable to approximately 84 percent of the total development.

#### **MITIGATION MEASURES**

The mitigation measures described on page 5.7 will be applied to each of the two project phases.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.

#### **HUMAN HEALTH**

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#### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and impact of developing the Palomar Trolley Center is described on pages 5.8-1 through 5.8-6 of the EIR. The proposed phasing plan does not change the impact of developing the entire 18.2 acres. The phasing plan does limit Phase I human health impacts to those attributable to approximately 84 percent of the total development. Certain impacts, such as the existence of the underground fuel tank in the Phase I area and the RV sewage dumping station in the Phase II area, are specific impacts associated with different phases of the project.

#### **MITIGATION MEASURES**

Mitigation measures 1, 2, 5, 6 and 7 on page 5.8-7 of the EIR will be applied to Phase I of the project, while measures 1, 3, 4 and 5 will be applied to Phase II.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.



## **TRANSPORTATION**

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### **ENVIRONMENTAL SETTING AND IMPACT**

The environmental setting and impact of developing the Palomar Trolley Center is described on pages 5.9-1 through 5.9-30 of the EIR. The impact of developing the entire 18.2 acres does not change as a result of the phasing plan. The phasing plan does limit Phase I transportation impacts to those attributable to approximately 84 percent of the total development.

### **MITIGATION MEASURES**

All mitigation measures described on pages 5.9-31 through 5.9-38 will be applied to Phase I of the Palomar Trolley Center project. However, mitigation at Broadway and Main Street may not be necessary at the time building permits are issued for the project. Prior to issuance of building permits a technical report will be prepared to analyze the scheduling of improvements, the methods of financing the improvements, and the extent to which this project would contribute to the need and financing of the improvements. If the study concludes that this project will only contribute a portion of the need for the improvements, then the mitigation requirements for the improvements of Broadway and Main will be scheduled for completion as additional projects are developed, all of which will contribute financially to the improvements. The improvements will be completed at the time projected traffic volumes show them to be necessary.

### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The impacts of the project after mitigation remain at a level of less than significant.



January 8, 1990

Notice of Preparation  
of a Draft Environmental Impact Report

The City of Chula Vista will be the lead agency and will prepare a draft Environmental Impact Report (EIR) for the following project:

PROJECT: Palomar Trolley Center. The proposed project is a community shopping center incorporating a total of 198,200 gross square feet of building space which will cover approximately 25% of the site area. The project site consists of approximately 18.2 acres (729,800 square feet). The proposed project includes a General Plan Amendment, Specific Plan Amendment (Montgomery Specific Plan), Zone Change, Tentative Map, Design Review and a Street Vacation. The site is currently designated for industrial use and will be redesignated for commercial use. The site is adjacent to a station for the San Diego trolley and is in the Redevelopment Area of the City of Chula Vista. An EIR was previously prepared for a portion of the site, however, the project site has been now been substantially enlarged and included in the City's redevelopment area, therefore a new EIR is now being prepared.

CASE NO.: EIR-91-02

An initial study prepared for this project identified the following potentially significant environmental impacts: drainage, land use, aesthetics, social factors, community infrastructure, energy, utilities, human health, transportation, and the City thresholds/standards policy. Other standard sections required by CEQA will also be included, such as Alternatives to the Project, Mitigation Monitoring, Short-term and Long-term Impacts, Cumulative Impacts and Growth Inducement.

For more information, or to provide comments on the scope and content of the draft EIR, contact Marilyn R.F. Pongeggi or Maryann Miller at the City of Chula Vista Planning Department, (619) 691-5101, P.O. Box 1087, Chula Vista, CA 91912.

Written documents on the scope and content of the draft EIR must be sent to the above address by no later than thirty (30) days after receipt of this notice.

Attachments: Project Description  
Regional Map  
Vicinity Map  
Site Plan

Palomar Trolley Center  
Notice of Preparation  
Page 2

Distribution: Pacific Scene, Inc. - A. James Moxham  
Cotton-Beland, Associates, Inc. - Michael Mezey  
Lettieri-McIntyre and Associates, Inc. - Deborah Collins  
Metropolitan Transit District Board (MTDB)  
State Clearinghouse  
City of Chula Vista  
    Planning Department  
    Building Department  
    Engineering Department  
    Parks & Recreation Department  
    Community Development Department  
Chula Vista City Schools  
Chula Vista Unified High School District  
San Diego Gas and Electric

## PALOMAR TROLLEY CENTER PROJECT - CHULA VISTA

### PROJECT LOCATION

The proposed project is situated to the south of Palomar Street, to the west of Broadway, north of a San Diego Gas and Electric easement and to the east of the Metropolitan Transit Development Board (MTDB) right-of-way for the San Diego Trolley in the City of Chula Vista. It is within the Montgomery specific planning area. The Assessor's Parcel Numbers are 622-030, 09, 10, 23, 11, 22 and 15 and 618-280-17, 20, 21, 22, 23.

### PROJECT DESCRIPTION

The project consists of a general plan amendment, specific plan amendment, zone change, tentative map, design review and street vacation for the development of 18.2 acre community shopping center. The site is currently designated for industrial uses and is proposed to be redesignated for commercial use. An EIR has previously been prepared and certified for the development of a portion of this site, however, since that time the project site has been substantially enlarged and is now in the City's redevelopment area, therefore a new EIR is being prepared.

### ENVIRONMENTAL ISSUES

As identified in the Initial Study conducted for the proposed project, potentially significant, adverse impacts have been identified. The following environmental issues will be addressed in the EIR: drainage, land use, aesthetics, social factors, community infrastructure, energy, utilities, human health, transportation and the thresholds/standards policy.

#### Drainage

This section of the EIR will evaluate the capacity of the City drainage system to accommodate the drainage from this project. Increased drainage resulting from the creation of impervious surfaces will also be addressed and analyzed in terms of overall drainage impacts.

#### Land Use

This section of the EIR will document existing land uses in the project area and will describe potential changes associated with project implementation. This section will describe existing land use designations (general plan, community plan, zoning, and redevelopment agency designations) on the project site and any changes which would be necessary to implement the project. The Land Use section will describe the conformance of the project to the environmental goals of relevant City plans and policies.

### Aesthetics

Using cross sections, this section of the EIR will document the existing visual environment of the project site and the surrounding area. The relationship of the project to the City's design guidelines and relevant City plans and programs will be documented in the EIR.

### Social Economic Factors

This section will include a discussion of anticipated changes in existing uses as a result of this project. A market analysis will be prepared for this section of the document.

### Community Infrastructure

This section will analyze the ability of the City to provide services such as police, fire, schools, etc. to the project.

### Human Health

This section will include a hazardous materials reconnaissance and analysis.

### Energy

This section will include a discussion of the availability of gas and electric to the project. Entities responsible for providing these services will be contacted and their comments include in the document.

### Utilities

This section will include a discussion of the availability of water, sewer, telephone, storm drainage, etc. to the project. Entities responsible for providing these services will be contacted and their comments included in the document.

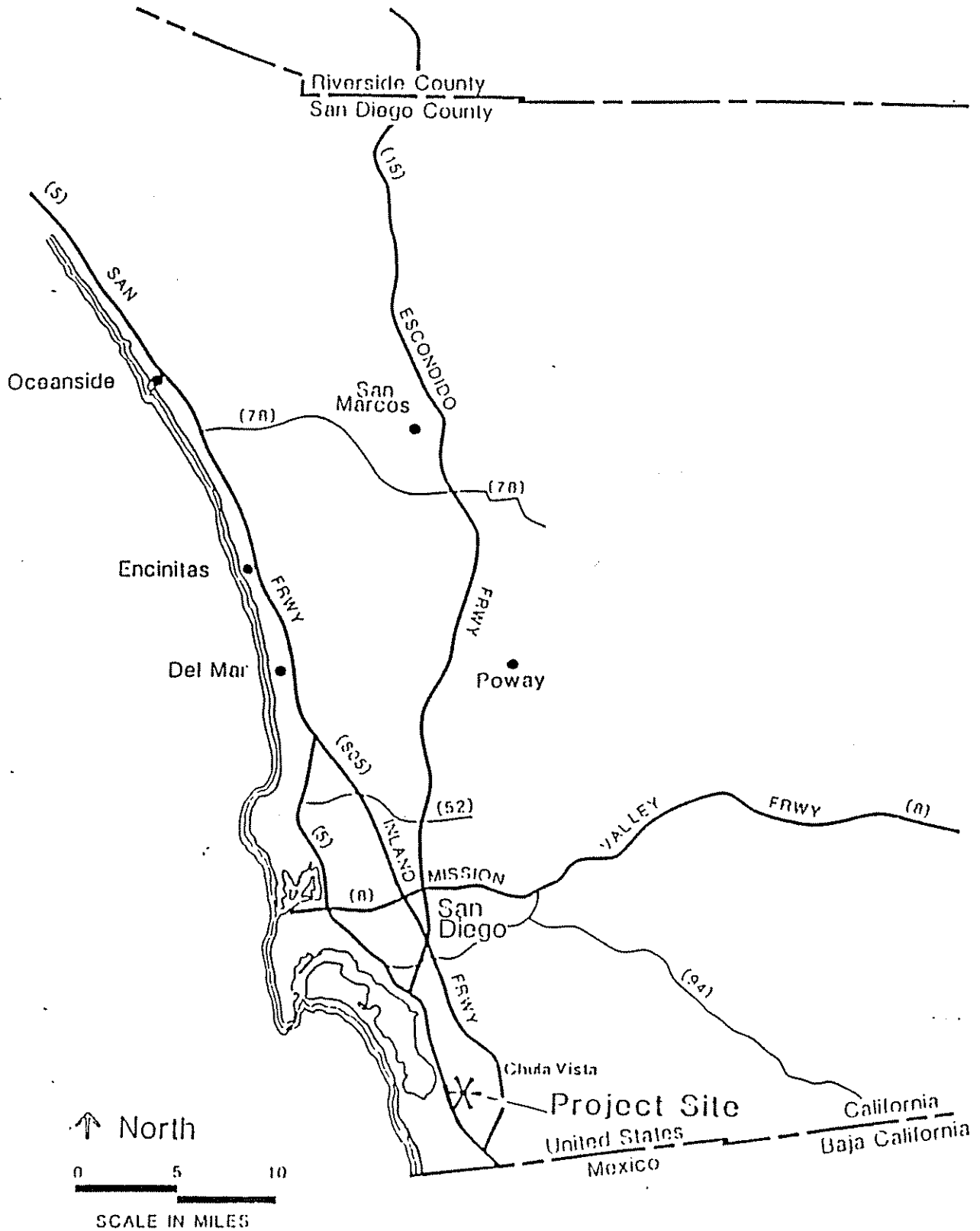
Transportation

This section will project traffic generation and distribution for the project. It will analyze the potential impact of this traffic on existing City streets based on adopted City policies, ordinances and engineering standards. Various alternative accesses will also be analyzed.

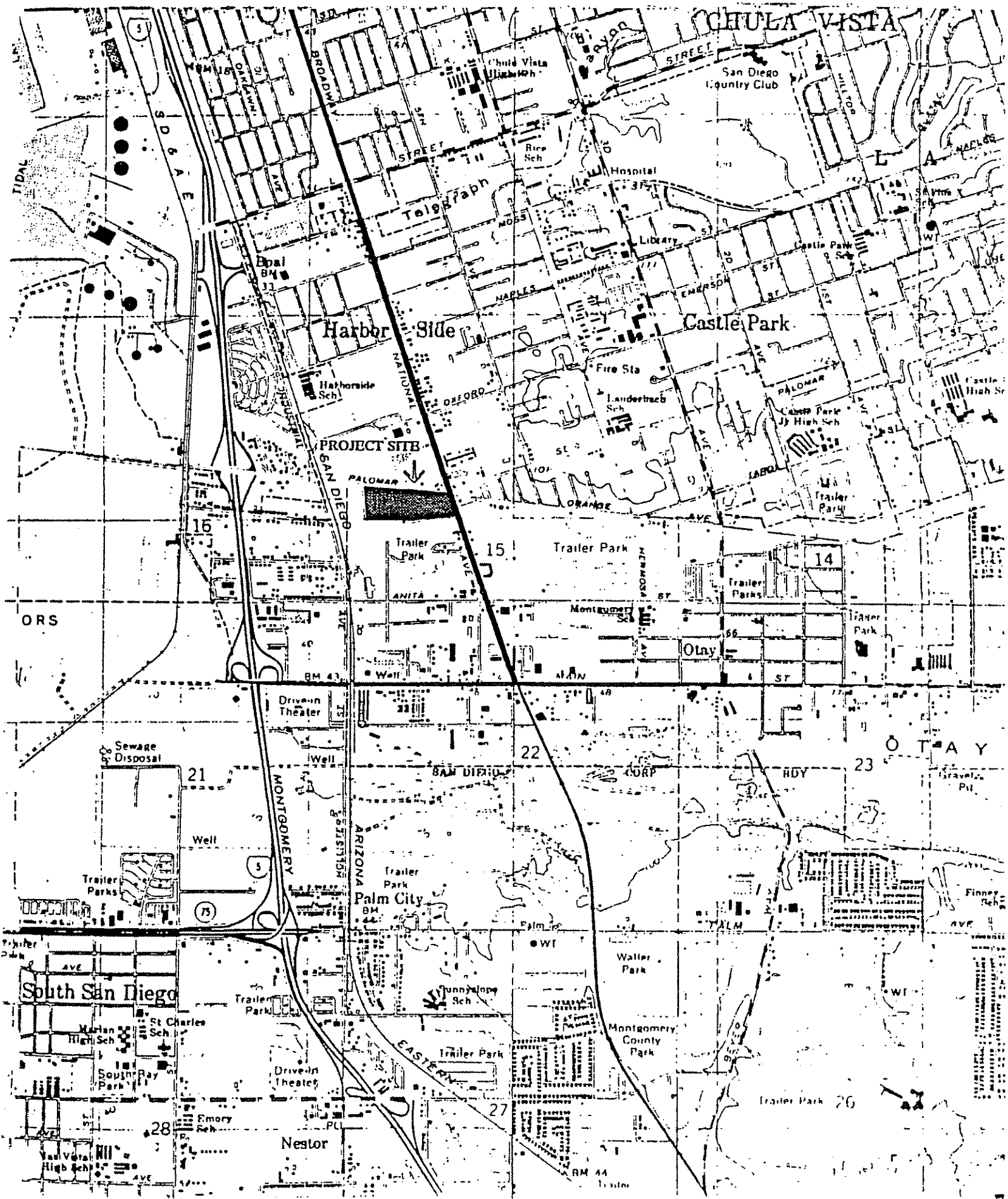
Thresholds

All City environmental standards and thresholds will be used to analyze potential significant impacts and their level of impact.

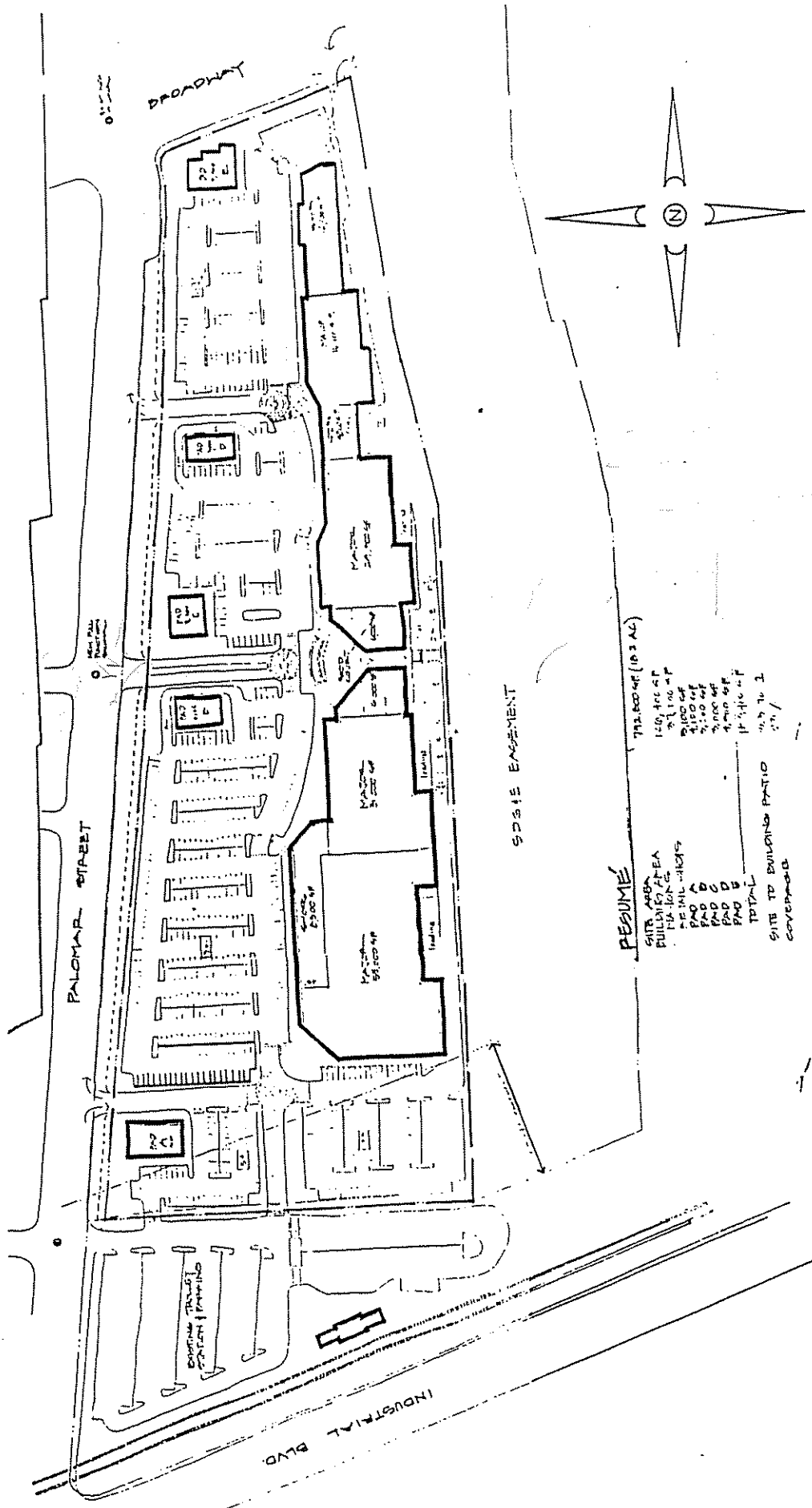
WPC 8806P



Regional Map







**RESUME**

SITE AREA	723,800 SF (16.3 AC)
BUILDING AREA	140,700 SF
PAVING	27,100 SF
PERMITS	2,100 SF
PAD A	4,100 SF
PAD B	2,000 SF
PAD C	2,000 SF
PAD D	4,000 SF
PAD E	14,500 SF
TOTAL	147,400 SF
SITE TO BUILDING RATIO	4.9 to 1
COVERED	19%

EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

CASE NO. \_\_\_\_\_

I. Analysis (Provide in Section J an explanation of mitigation proposed for all significant or potentially significant impacts.)

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
1. <u>Geology</u>			
a. Is the project site subject to any substantial hazards, such as earthquakes, landsliding, or liquefaction?	_____	_____	<input checked="" type="radio"/>
b. Could the project result in:			
Significant unstable earth conditions or changes in geological substructure?	_____	_____	<input checked="" type="radio"/>
A significant modification of any unique geological features?	_____	_____	<input checked="" type="radio"/>
Exposure of people or property to significant geologic hazards?	_____	_____	<input checked="" type="radio"/>
2. <u>Soils</u>			
a. Does the project site contain any soils which are expansive, alluvial or highly erodible?	_____	_____	<input checked="" type="radio"/>
b. Could the project result in:			
A significant increase in wind or water erosion of soils, either on or off-site?	_____	_____	<input checked="" type="radio"/>
A significant amount of siltation?	_____	_____	<input checked="" type="radio"/>
3. <u>Ground Water</u>			
a. Is the project site over or near any accessible ground water resources?	_____	_____	<input checked="" type="radio"/>

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
b. Could the project result in:			
A significant change in quantity or quality of ground water?	___	___	● ___
A significant alteration of direction or rate of flow of ground water?	___	___	● ___
Any other significant affect on ground water?	___	___	● ___
4. <u>Drainage</u>			
a. Is the project site subject to inundation?	___	● ___	___
b. Could the project result in:			
A significant change in absorption rates, drainage patterns or the rate of amount of surface runoff?	● ___	___	___
Any increase in runoff beyond the capacity of any natural water-way or man-made facility either on-site or downstream?	● ___	___	___
Alterations to the course or flow of flood waters?	___	___	● ___
Change in amount of surface water in any water body?	___	___	● ___
Exposure of people or property to water related hazards such as, flooding or tidal waves?	___	___	● ___
5. <u>Resources</u>			
Could the project result in:			
Limiting access to any significant mineral resources which can be economically extracted?	___	___	● ___
The significant reduction of currently or potentially productive agricultural lands?	___	___	● ___
6. <u>Land Form</u>			
Could the project result in a substantial change in topography or ground surface relief features?	___	___	● ___

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
7. <u>Air Quality</u>			
a. Is the project subject to an air quality impact from a nearby stationary or mobile source?	___	___	<input checked="" type="radio"/>
b. Could the project result in:			
A significant emission of odors, fumes, or smoke?	___	___	<input checked="" type="radio"/>
Emissions which could degrade the ambient air quality?	___	<input checked="" type="radio"/>	___
Exacerbation or a violation of any National or State ambient air quality standard?	<input checked="" type="radio"/>	___	___
Interference with the maintenance of standard air quality?	<input checked="" type="radio"/>	___	___
The substantial alteration of air movement, moisture or temperature, or any significant change in climate either locally or regionally?	___	___	<input checked="" type="radio"/>
A violation of the revised regional air quality strategies (RAQS)?	___	<input checked="" type="radio"/>	___
8. <u>Water Quality</u>			
Could the project result in a detrimental effect on bay water quality, lake water quality or public water supplies?	___	___	<input checked="" type="radio"/>
9. <u>Noise</u>			
a. Is the project site subject to any unacceptable noise impacts from nearby mobile or stationary sources?	___	___	<input checked="" type="radio"/>
b. Could the project directly or indirectly result in a significant increase in ambient noise levels?	___	___	<input checked="" type="radio"/>

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
<u>10. Biology</u>			
a. Could the project directly or indirectly affect a rare, endangered or endemic species of animal, plant or other wildlife; the habitat of such species; or cause interference with the movement of any resident or migratory wildlife?	---	---	● ---
b. Will the project introduce domestic or other animals into an area which could affect a rare, endangered or endemic species?	---	---	● ---
<u>11. Cultural Resources</u>			
a. Will the proposal result in the alteration of or the destruction of a prehistoric, historic, archaeological or paleontological resource?	---	---	● ---
b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historical building, structure, or object?	---	---	● ---
c. Does the proposal have the potential to cause a physical change which would affect unique ethnic or cultural values?	---	---	● ---
d. Will the proposal restrict existing religious or sacred uses within the potential impact area?	---	---	● ---
<u>12. Land Use</u>			
a. Is the project clearly inconsistent with the following elements of the General Plan?			
Land Use	●		
Circulation	●		
Scenic Highways			●
Conservation			●
Housing			●
Noise			●
Park and Recreation			●
Open Space			●
Safety			●
Seismic Safety			●
Public Facilities		●	

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
b. Is the project inconsistent with the Comprehensive Regional Plan?	___	●	___
<b>13. <u>Aesthetics</u></b>			
a. Could the project result in:			
Degradation of community aesthetics by imposing structures, colors, forms or lights widely at variance with prevailing community standards	___	___	●
Obstruction of any scenic view or vista open to the public?	___	___	●
Will the proposal result in a new light source or glare?	●	___	___
<b>14. <u>Social</u></b>			
a. Could the project result in:			
The displacement of residents or people employed at the site?	●	___	___
A significant change in density or growth rate in the area?	___	___	●
The substantial demand for additional housing or affect existing housing?	___	___	●
<b>15. <u>Community Infrastructure</u></b>			
a. Could the project inhibit the ability of the urban support system to provide adequate support for the community or this project?	___	●	___
b. Could the project result in a deterioration of any of the following services?			
Fire Protection	___	●	___
Police Protection	___	●	___
Schools	___	___	●
Parks or Recreational Facilities	___	___	●
Maintenance of Public Facilities Including Roads	___	___	●

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
16. <u>Energy</u>			
Could the project result in:			
Wasteful, inefficient or unnecessary consumption of energy?	---	---	●
A significant increase in demand on existing sources of energy?	---	●	---
A failure to conserve energy, water or other resources?	---	---	●
17. <u>Utilities</u>			
Could the project result in a need for new systems or alternatives to the following utilities:			
Power or natural gas	---	---	●
Communications systems	---	---	●
Water	---	---	●
Sewer or septic tanks	---	---	●
Solid waste & disposal	---	---	●
18. <u>Human Health</u>			
Could the project result in the creation of any health hazard or potential health hazard?	---	●	---
19. <u>Transportation/Access</u>			
Could the project result in:			
A significant change in existing traffic patterns?	●	---	---
An increase in traffic that could substantially lower the service level of any street or highway below an acceptable level?	●	---	---
20. <u>Natural Resources</u>			
Could the project result in a substantial depletion of non-renewable natural resources?	---	●	---

	<u>YES</u>	<u>POTENTIAL</u>	<u>NO</u>
21. <u>Risk of Upset</u>			
Will proposals involve:			
a. A risk of an explosion or the release of any hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset condition?	---	---	<input checked="" type="radio"/>
b. Possible interference with an emergency plan or an emergency evacuation plan?	---	---	<input checked="" type="radio"/>
22. <u>Growth Inducement</u>			
Could the service requirements of the project result in secondary projects that would have a growth inducing influence and could have a cumulative effect of a significant level?	---	<input checked="" type="radio"/>	---
23. <u>Mandatory Findings of Significance</u>			
a. Does the project have a potential to degrade the quality of the environment, or curtail the diversity of the environment?	<input checked="" type="radio"/>	---	---
b. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals? (A short term impact on the environment is one which occurs in the relatively brief, definitive period of time, while long-term impacts will endure well into the future.)	---	<input checked="" type="radio"/>	---
c. Does the project have impacts which are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past project, the effects of other current projects and the effects of probable future projects.)	---	---	<input checked="" type="radio"/>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	---	---	<input checked="" type="radio"/>



J. PROJECT REVISIONS OR MITIGATION MEASURES

The following project revisions or mitigation measures have been incorporated into the project and will be implemented during the design, construction or operation of the project:

\_\_\_\_\_  
Project Proponent

\_\_\_\_\_  
Date

K. DETERMINATION

On the basis of this initial study:

- \_\_\_\_\_ It is recommended that the decision making authority find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby forwarded to the decision making authority for consideration and adoption.
  
- \_\_\_\_\_ It is recommended that the decision making authority find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the MITIGATION MEASURES described above have been ADDED to the project and a MITIGATED NEGATIVE DECLARATION is hereby forwarded to the decision making authority for consideration and adoption.
  
- \_\_\_\_\_ It is found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required to evaluate the issues identified in this Initial Study.
  
- \_\_\_\_\_ It is found that further information will be necessary to determine any environmental significance resulting from the project and the technical information listed below is required prior to any determination.

\_\_\_\_\_  
Environmental Review Coordinator

\_\_\_\_\_  
Date

WPC 0169P

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## PALOMAR TROLLEY CENTER INITIAL STUDY DISCUSSION

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### 1. Geology

a. No. The project site's existing topography is flat and no landslide hazards exist. As shown on Exhibit 1, Geology Map, in the City's General Plan EIR, no significant faults exist on or near the site that would cause earthquake or liquefaction hazards.

b. 1) No. As stated above, the site's topography is flat and will require little grading and no significant changes to geological substructures.

2) No. There are no significant geological features on the project site.

3) No. See Number 1-a above.

### 2. Soils

a. No. According to the United States Department of Agriculture Soil Survey, the project site contains Huerhuero loam soil, which is considered fair for certain types of crop production. This type of soil contains gravelly clay throughout the surface layers and heavy clay loam throughout subsurface layers. Huerhuero loam is only slightly susceptible to erosion hazards, and is considered an acceptable soil for development.

b. 1) No. The proposed project will reduce the amount of erodible soils as result of buildings and parking lot areas. All off-site drainage will be conveyed to City facilities.

2) No. See Number 2-b above.

### 3. Ground Water

a. No. According to the "Comprehensive Water Quality Control Plan for the San Diego Basin" prepared by the Regional Quality Control Board, San Diego Region (1975), the project site is within the Otay Hydrologic Unit, Otay Hydrologic

Area. When the site contained agricultural uses a well was used for irrigation of the crops. However, the well has not been used since the termination of agricultural production, and the listed uses of the ground water are confined to industrial and irrigation applications.

b. 1) No. The project will not add to or remove any remaining ground water.

2) No. There will be no changes to the flow or direction of ground water. Relatively small amounts of grading will be required prior to the construction phase of the project, and no significant subsurface changes will take place.

3) No. See 3 b-2 above.

#### 4. Drainage

a. Potentially. Site drainage currently flows southwesterly to an existing unimproved drainage swale along the southern border of the project site. According to the drainage analysis contained in the EIR for the Palomar Trolley Center as originally proposed (July 12, 1989), preliminary calculations have revealed that runoff per a 50 year frequency would pond for a given period before passing because of inadequate off-site drainage facilities.

b. 1) Yes. The project will result in the creation of addition impervious surfaces that will serve to reduce the current absorption rates. This will directly increase the amounts of surface runoff and effect drainage patterns. At this time, it appears that off-site drainage facilities are inadequate ( See 4-a above) to handle flows at a 50 year frequency level. Currently a 60-inch CMP storm drain exists at the southwest corner of the site, which flows into a large sump that is located approximately 500 feet to the south of the project site.

2) Yes. See 4 b-1 above.

3) No. The project is not located within any flood plains and as such, will not alter or change the course of flood waters.

4) No. All off-site drainage will be conveyed into drainage facilities, and will not flow into any bodies of water.

5) No. As stated above, ponding of water during 50 year frequency flows could take place. However, no significant flooding will result from this.

## 5. Resources

- a. No. The site was previously used for agricultural purposes and no significant mineral resources have been identified as existing on the project site.
- b. No. The site was previously used for agricultural purposes, with tomatoes being the main crop. However, no crops have been grown on the project site for approximately four years; as such, the property is not considered a significant crop-producing parcel.

## 6. Land Form

- a. No. See Number 1-b above.

## 7. Air Quality

- a. No. The proposed project site is located approximately 1.1 miles southeast of the San Diego Gas and Electric South Bay generating plant. However, the plant will not significantly effect the air quality of the project site.
- b. 1) No. The proposed uses within the project will not produce significant amounts of smoke or odors. Two of the free-standing pads may be used for fast food restaurants. However, these uses will not produce significant amounts of smoke or odors that would affect surrounding uses.  
  
2) Potentially. The proposed project will increase the amount of traffic on surface streets around the site. This will directly increase the amount of exhaust fumes from cars that could degrade the ambient air quality.  
  
3) Yes. The proposed project is located in a "nonattainment" basin. As such, the state and federal standards related to air quality cannot be attained and any increases to local traffic will exacerbate the problem.  
  
4) Yes. See Number 7 b-3 above.  
  
5) No. The proposed project will not alter the existing air movement patterns or change the moisture of temperature conditions in the area.  
  
6) Potentially. See Number 7 b-3 above.

## **8. Water Quality**

a. No. The project will not affect any area lakes or bay water. All off-site drainage will be conveyed to City facilities.

## **9. Noise**

a. No. There are no uses surrounding the project site that would create noise levels that would be considered unacceptable. However, increases in traffic volumes caused by the project will increase the ambient noise levels on roadways adjacent to the project area. The Noise Element of the General Plan identifies transportation as one of four major sources of noise within the City. However, increased ambient noise levels will not significantly effect the commercial uses included in the project or surrounding it.

b. No. The increased noise levels caused by the proposed project will not be significant.

## **10. Biology**

a. No. As identified on Exhibit 2, Biological Resources, in the General Plan EIR, the project site consists of "Urbanized Areas" and "Farmed or Disturbed Areas," containing no significant biological resources. As outlined in Appendix C to the General Plan EIR, under biological resources, no rare or endangered species of animals exist on the project site.

b. No. See Number 10-A above. The proposed commercial uses will not introduce domestic animals to the project site directly, however trash bins and dumpsters may attract dogs and cats searching for food.

## **11. Cultural Resources**

a. No. As shown on Exhibit 4, Areas of Potential Cultural Resources, in the General Plan EIR, the project site is outside areas designated as having a low, moderate, or high potential for containing significant cultural resources.

b. No. The project site does not contain any prehistoric or historical structures. All structures on the site are less than fifty years old. For a structure to be considered for historical significance it must be a minimum of 50-years of age.

c. No. See Number 11 a and 11 b above.

d. No. The proposed project will require the removal and relocation of one church. However, no religious or sacred practices will be restricted.

## 12. Land Use

a. 1) Yes. The project will require a General Plan amendment from industrial to commercial for the northeastern portion of the property.

2) Yes. The project will have significant circulation-related impacts on the surrounding surface streets because of increased traffic flows associated with the project.

3) No. The City's Circulation Element does not identify any scenic highways near the project site. Therefore, the project will not adversely effect any scenic highways in the area.

4) No. The City's Conservation and Open Space Element identifies as a goal the retention of all "highly productive" agricultural land within the City. The project has not been used for crop production for approximately four years and the soils contained on site area not considered conducive to producing high yields of marketable crops.

5) No. The commercial uses proposed in the project will only slightly increase the demand for housing in the area. The increases will not be inconsistent with the housing element in the General Plan.

6) No. See Number 9 above.

7) No. The proposed project contains only commercial uses. As such, the project will not effect the ratio of park and recreational land for the surrounding area.

8) No. The site is designated for a use other than open space and as such will not be inconsistent with Conservation/Open Space Element of the General Plan.

9) No. The project will not contain uses that will pose significant threats to the safety of individuals on or off the project site.

10) No. See Number 1, Geology.

11) Potential. The proposed project will not significantly effect any public facilities other than drainage facilities that are discussed above under Drainage.

b. Potentially. The proposed project may be inconsistent with standards set for the region regarding air quality due to its location within a non-attainment basin.

### **13. Aesthetics**

a. 1) No. The proposed project will be required to adhere to a set of design standards specifically prepared for the project. Also, the City's design review process will ensure that aesthetic quality of the project will be consistent with accepted standards.

2) No. Due to other commercial uses adjacent to the project site and existing topography surrounding the site, views to the San Diego Bay or east toward the mountains either do not exist or are substantially blocked.

3) Yes. The proposed project will create additional sources of light and glare from security and parking lot lighting. These light sources will, however, be required to conform to standards outlined in the City's Zoning and General Plan documents, as well as the design review process.

### **14. Social**

a. 1) Yes. There currently exists on the project site three residences and several commercial businesses. The land will be purchased and these uses will be removed prior to construction.

2) No. The proposed project will cause a slight increase in the growth rate of the city as individuals relocate to the area in search of work. However, the rate of increase is expected to be minor and no significant effect on the density or growth rate of the area will take place.

3) No. Per the answer to Number 14 a-2, a slight increase in the demand for housing is expected to take place. However, this increase will be minor and no significant impacts will occur.

### **15. Community Infrastructure**

a. Potential. The proposed project will have significant impacts on the surrounding circulation system, which will lower the levels of service for adjacent surface streets.

b. 1) Potential. Increased fire protection will be required for the commercial uses within the project.



- 2) Potential. The project will require addition police protection for the site.
- 3) No. Although increases in the number of students is expected, these increases will not significantly affect schools. Any impacts that do occur can be mitigated by impact fees or the annexation of the project to a Mello Roos District.
- 4) No. See Number 12, a-7 above.
- 5) No. The maintenance of public facilities will not be significantly effected by the proposed project. The additional tax dollars generated by the project will help to off-set the costs of any future maintenance required as a result of the project.

#### 16. Energy

- 1) No. The proposed project will be required to conform to policies listed in the Conservation Element of the General Plan including Goal 1, Objective 1 that calls for the "judicious management of . . .natural resources."
- 2) Potential. The proposed project's commercial uses will increase demand for nonrenewable sources of energy such as fossil fuels.
- 3) No. See Number 16 a-1 above.

#### 17. Utilities

- a. 1) No. The area around the proposed project site is already developed and utilities such as water mains and electrical lines are currently in place. The project will only require the extension of these utilities onto the project site and any necessary improvements to the current systems. No new or alternative systems will be required.
- 2) No. See Number 17 a-1 above.
- 3) No. See Number 17 a-1 above.
- 4) No. See Number 17 a-1 above.
- 5) No. The northeastern portion of the project area is currently served by Laidlaw Waste Systems. These services will be extended to the remaining portion of the project area once development is complete.

**18. Human Health**

a. Potentially. The proposed commercial uses will not create any significant hazards to public health or safety. However, a hazardous waste assessment is required to document the potential for soil and ground water contamination from previous uses on the site, including agricultural production and gas station services. Additionally, the site is adjacent to a major overhead electrical transmission line serving the south portion of the city.

**19. Transportation/Access**

a. 1) Yes. The proposed project will generate additional traffic in the area. The project also proposes the relocation and addition of traffic signals for Palomar Street.

2) Yes. Additional traffic generated by the project will lower the level of service for streets in the area.

**20. Natural Resources**

a. Potentially. See Number 16 a-2.

**21. Risk of Upset**

a. No. The commercial uses proposed in the project typically do not involve the use of chemical substances that could explode or release hazardous chemical into the air.

b. No. The project will not interfere with or be inconsistent with City emergency or evacuation plans. The project does not propose any circulation system/roadway changes that might conflict with established emergency response or evacuation routes.

**22. Growth Inducement**

Potentially. The commercial uses within the project will serve the existing population in the surrounding area; however, jobs will be generated by the commercial development and some minor population increases may result from job creation. The project will not have significant growth inducing effects or cause the need for additional projects in the area.

### 23. Mandatory Findings of Significance

- a. Yes. The project has the potential to reduce the efficiency of the existing circulation system thereby reducing the quality of the environment.
- b. Potentially. One of the objectives of the proposed project is to provide a commercial center in the Southbay that will increase the revenue generating potential of the area. However, the project, as stated above, has the potential to significantly effect the existing circulation system and lower the levels of service for the area on a long-term basis.
- c. No. The proposed project does not have the potential to create impacts that area individually limited but cumulatively considerable.
- d. No. The proposed project does not have the potential to significantly effect human beings.

### DETERMINATION

It is found that the proposed project MAY have significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required to evaluate the following issues identified in this Initial Study.

- 1. Drainage
- 2. Land Use
- 3. Aesthetics
- 4. Social Factors
- 5. Community Infrastructure
- 6. Energy
- 7. Utilities
- 8. Human Health
- 9. Transportation
- 10. Thresholds/Standards Policy

## REFERENCES

### Individuals Contacted

1. Thomas Silva, Director of Planning, Sweetwater Union High School District. December 5, 1990.
2. Marilyn R.F. Pongeggi, Environmental Review for the City of Chula Vista. December 4, 1990.
3. Debbie Collins, Director of Planning, Lettieri-McIntyre. November 28, 1990.
4. Robert Reid, Kleinfedder and Associates, Inc. November 26, 1990.
5. Kate Shurson, Director of Planning, Chula Vista City School District. December 6, 1990.

### Documents Cited

1. City of Chula Vista General Plan
2. Montgomery Specific Plan
3. City of Chula Vista Zoning Ordinance
4. City of Chula Vista General Plan EIR
5. Palomar Trolley Station EIR, July, 1989



# County of San Diego

LAUREN M. WASSEMAN  
DIRECTOR  
(619) 924-2982

## DEPARTMENT OF PLANNING AND LAND USE

FIELD OFFICE  
354 VIA VERA CRUZ  
SAN MARCOS  
CALIFORNIA 92069-2638  
(619) 741-4238

MAIN OFFICE  
6201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1886  
INFORMATION (619) 924-2900

January 23, 1991

City of Chula Vista Planning Department  
Post Office Box 1087  
Chula Vista, California 91912



Attn: Marilyn R.F. Pongeggi

SUBJECT: NOTICE OF PREPARATION - DRAFT ENVIRONMENTAL IMPACT REPORT -  
Palomar Trolley Center

Thank you for the opportunity to comment on this project. The County would like to express our concerns with the land use section of the development.

This project represents an ideal opportunity to develop housing located on the existing rail transit line in the County (San Diego Trolley). The State of California has recently released a report to bring the attention to the local policy boards of the need for housing located next to rail transit lines. The report states that "Californians will ride public transit if it is convenient. And it will be convenient when far more housing in the state is located within five to eight minute walk of rail transit station", which this development certainly will be. Existing and future improvements to fixed rail transit have been funded by the State and local taxpayers, and this public investment demands greater usage by locating housing starts along the line. The current level of public investment for the existing San Diego Trolley line serving San Diego, Chula Vista and the border exceeds \$100 million.

The recent work by Peter Calthorpe on Pedestrian Pockets suggest developments built with transit as a prime focus.<sup>2</sup> By developing properties within walking distances of transit stations, and tying many uses together (shopping, employment, entertainment), significant impacts to automobile facilities can be mitigated and reduced. This property is 12 minutes from the border shopping areas, 10 minutes by transit to the Chula Vista Shopping Center, 10 minutes walking to a Super Market center at Broadway and Palomar, and only 17

<sup>1</sup> "The Promise of California's Rail Transit Lines in the Siting of New Housing, Senate Office of Research, April 1990

<sup>2</sup> "Pedestrian Pockets, New Strategies for Suburban Growth" by Peter Calthorpe with Mark Mack, August 1987.

January 23, 1991

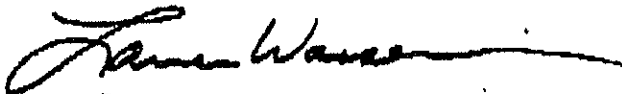
minutes by Trolley to the employment, entertainment and shopping opportunities in downtown San Diego. With Interstate 5 located within 1/2 mile of the property and currently operating at a level of service below C, and projected to operate at a level of service F in the next few years, the opportunity to develop housing which would lower the automobile usage can not be passed up.

The County of Sacramento is currently pursuing the development of housing starts to be located in the existing and proposed extensions to the Sacramento Light Rail Transit line.<sup>3</sup> These Transit-Oriented Developments (TODs) are located within 1/4 mile of a transit line, with a density of 10-50 units/acre, mixed use, with reduced parking requirements due to a greater transit mode split.

The 18.2 acre lot where the proposed "Palomar Trolley Center" is to be built is a perfect opportunity for developing a high density housing start to take advantage of the existing trolley line. The area already has other high density, low income housing (mobile home park), residential, and retail commercial (supermarket, Price Club, Target, convenience store, liquor store, fast food). In our opinion, there is no determined need for additional commercial development with the other commercial developments located within walking distance. However, the need for high density, upscale housing located on the existing transit line is great. Furthermore, the opportunities for developing such new housing starts is very limited.

We appreciate the opportunity to comment on your Notice of Preparation for an Environmental Impact Report for this highly limited property located adjacent to a trolley line. We sincerely hope you give consideration to an alternative of residential development for this property.

Sincerely yours,



LAUREN WASSERMAN, Director  
Department of Planning and Land Use

LMW:JM:jb

AUTHOR\TPLTRJL.191

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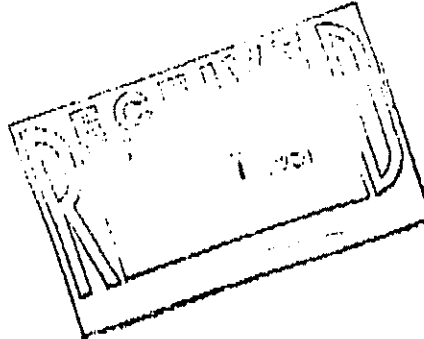
<sup>3</sup> "Transit-Oriented Development Design Guidelines", draft, Sacramento County Planning & Community Development Department, July 1990.

## DEPARTMENT OF WATER RESOURCES

P. O. Box 8598  
LOS ANGELES  
90056-1598



JAN 25 1991



City of Chula Vista  
Planning Department  
P. O. Box 1087  
Chula Vista, CA 91912

Attention: Marilyn R. F. Pongeggi

Subject: Notice of Preparation of DEIR for Palomar Trolley Center,  
A Community Shopping Center with a Gross Area of 198,200  
sq. ft., dated January 1991 5014 8903 2915

Your referenced document has been reviewed by our Department staff. Recommendations, as they relate to water conservation and flood damage prevention, are attached.

The Department recommends that you consider implementing a comprehensive program to use reclaimed water for irrigation purposes in order to free fresh water supplies for beneficial uses that require high quality water.

For further information, you may wish to contact John Pariewski at 213-620-3951.

Thank you for the opportunity to review and comment on this report.

Sincerely,

A handwritten signature in cursive script that reads "Charles R. White".

Charles R. White, Chief  
Planning Branch  
Southern District

Attachments

cc: Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

Department of Water Resources Recommendations  
for Water Conservation and Water Reclamation

To reduce water demand, implement the water conservation measures described here.

Required

The following State laws require water-efficient plumbing fixtures in structures:

- o Health and Safety Code Section 17921.3 requires low-flush toilets and urinals in virtually all buildings as follows:

"After January 1, 1983, all new buildings constructed in this state shall use water closets and associated flushometer valves, if any, which are water-conservation water closets as defined by American National Standards Institute Standard A112.19.2, and urinals and associated flushometer valves, if any, that use less than an average of 1-1/2 gallons per flush. Blowout water closets and associated flushometer valves are exempt from the requirements of this section."

- o Title 20, California Administrative Code Section 1604(f) (Appliance Efficiency Standards) establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, and sink faucets, as specified in the standard approved by the American National Standards Institute on November 16, 1979, and known as ANSI A112.18.1M-1979.
- o Title 20, California Administrative Code Section 1606(b) (Appliance Efficiency Standards) prohibits the sale of fixtures that do not comply with regulations. No new appliance may be sold or offered for sale in California that is not certified by its manufacturer to be in compliance with the provisions of the regulations establishing applicable efficiency standards.
- o Title 24 of the California Administrative Code Section 2-5307(b) (California Energy Conservation Standards for New Buildings) prohibits the installation of fixtures unless the manufacturer has certified to the CEC compliance with the flow rate standards.
- o Title 24, California Administrative Code Sections 2-5352(i) and (j) address pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures. These requirements apply to steam and steam-condensate return piping and recirculating hot water piping in attics, garages, crawl spaces, or unheated spaces other than between floors or in interior walls. Insulation of water-heating systems is also required.



- o Health and Safety Code Section 4047 prohibits installation of residential water softening or conditioning appliances unless certain conditions are satisfied. Included is the requirement that, in most instances, the installation of the appliance must be accompanied by water conservation devices on fixtures using softened or conditioned water.
- o Government Code Section 7800 specifies that lavatories in all public facilities constructed after January 1, 1985, be equipped with self-closing faucets that limit flow of hot water.

Recommendations to be implemented where applicable

Interior:

1. Supply line pressure: Water pressure greater than 50 pounds per square inch (psi) be reduced to 50 psi or less by means of a pressure-reducing valve.
2. Drinking fountains: Drinking fountains be equipped with self-closing valves.
3. Hotel rooms: Conservation reminders be posted in rooms and restrooms.\* Thermostatically controlled mixing valve be installed for bath/shower.
4. Laundry facilities: Water-conserving models of washers be used.
5. Restaurants: Water-conserving models of dishwashers be used or spray emitters that have been retrofitted for reduced flow. Drinking water be served upon request only.\*
6. Ultra-low-flush toilets: 1-1/2-gallon per flush toilets be installed in all new construction.

Exterior:\*

- ① Landscape with low water-using plants wherever feasible.
2. Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.
3. Group plants of similar water use to reduce overirrigation of low-water-using plants.
4. Provide information to occupants regarding benefits of low-water-using landscaping and sources of additional assistance.

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\*The Department of Water Resources or local water district may aid in developing these materials or providing other information.

5. Use mulch extensively in all landscaped areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.
6. Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.
7. Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots. Drip irrigation, soil moisture sensors, and automatic irrigation systems are a few methods of increasing irrigation efficiency.
8. Use pervious paving material whenever feasible to reduce surface water runoff and to aid in ground water recharge.
9. Grade slopes so that runoff of surface water is minimized.
10. Investigate the feasibility of using reclaimed waste water, stored rainwater, or grey water for irrigation.
11. Encourage cluster development, which can reduce the amount of land being converted to urban use. This will reduce the amount of impervious paving created and thereby aid in ground water recharge.
12. Preserve existing natural drainage areas and encourage the incorporation of natural drainage systems in new developments. This aids ground water recharge.
13. To aid in ground water recharge, preserve flood plains and aquifer recharge areas as open space.

Department of Water Resources  
Recommendations for  
Flood Damage Prevention

In flood-prone areas, flood damage prevention measures required to protect a proposed development should be based on the following guidelines:

1. It is the State's policy to conserve water; any potential loss to ground water should be mitigated.
2. All building structures should be protected against a 100-year flood.
3. In those areas not covered by a Flood Insurance Rate Map or Flood Boundary and Floodway Map, issued by the Federal Emergency Management Agency, the 100-year flood elevation and boundary should be shown in the Environmental Impact Report.
4. At least one route of ingress and egress to the development should be available during a 100-year flood.
5. The slope and foundation designs for all structures should be based on detailed soils and engineering studies, especially for hillside developments.
6. Revegetation of disturbed or newly constructed slopes should be done as soon as possible (utilizing native or low-water-using plant material).
7. The potential damage to the proposed development by mudflow should be assessed and mitigated as required.
8. Grading should be limited to dry months to minimize problems associated with sediment transport during construction.

## DEPARTMENT OF TRANSPORTATION

DISTRICT 11, P.O. BOX 85406, SAN DIEGO 92186-5406



February 27, 1991

11-SD-005

5.7/6.4

Maryann Miller  
Planning Department  
City of Chula Vista  
P.O. Box 1087  
Chula Vista, CA 91912

Dear Ms. Miller:

Notice of Preparation of a DEIR for the  
Palomar Trolley Centre - SCH 89032915

Caltrans District 11 will appreciate the opportunity to review the draft document. Our review will focus on traffic impacts at the following locations:

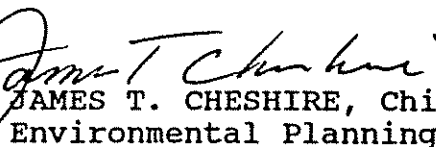
1. The Interstate Route 5 interchange at Palomar Street.
2. The at-grade trolley crossing at Palomar Street.

Our contact person for Interstate 5 in this area is Jim Linthicum, Project Manager, Project Studies Branch "B", (619) 688-6952.

Sincerely,

JESUS M. GARCIA  
District Director

By

  
JAMES T. CHESHIRE, Chief  
Environmental Planning Branch

MO:ec





# County of San Diego

LAUREN M. WASSERMAN  
DIRECTOR  
(619) 694-2962

## DEPARTMENT OF PLANNING AND LAND USE

FIELD OFFICE  
334 VIA VERA CRUZ  
SAN MARCOS  
CALIFORNIA 92069-2638  
(619) 741-4236

MAIN OFFICE  
5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (619) 694-2960

February 7, 1991


City of Chula Vista Planning Department  
P.O. Box 1087  
Chula Vista, CA 91912

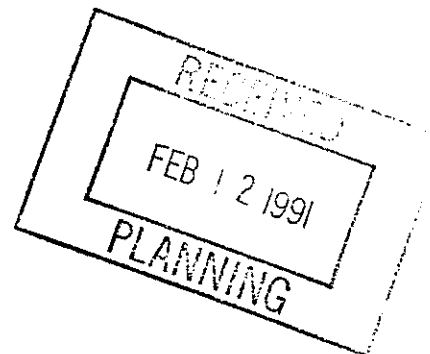
Attn: Marilyn R.F. Pongeggi

RE: our letter of January 23, 1991 on NOP - DEIR - Palomar  
Trolley Center

The enclosed articles were referenced in our original letter. We are forwarding them to you for your information.

Sincerely yours,

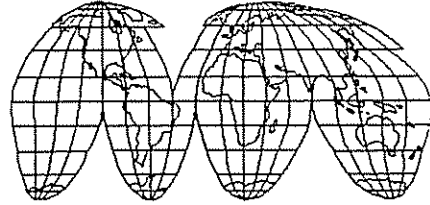
  
James J. Lundquist  
Associate Transportation Specialist



M E M O

DATE: August 20, 1990

TO: H. Rosenthal, S. Shafer-Finch,  
G. Howell, S. Denny, R. Repasy,  
R. Zumwalt, T. Dowell, D. Marum  
B. Lieberman



FROM: Jim Lundquist *Jim*

SUBJECT: Attached summary of TODs - Transit-Oriented Development

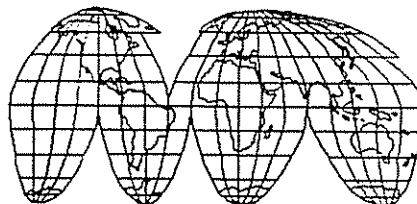
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The attached summary appears to back-up the Project Team Alternative for Otay Ranch in several areas:

- Mixed-use - necessary for transit usage.
- On transit lines - within 1/4 mile.
- Density - at least 10 units/acre to 50 units/acre.
- Intersections - no better than level E.
- Parking - reduce by 15%
- Create a land use pattern for transit usage (pedestrian friendly)
- Child care must be provided for.
- Build over underground parking.
- Build under above ground parking.
- Street access for retail anchor stores.
- Streets designed either commercial or residential.
- Large traffic carrying streets located around the perimeter, not through the project.
- All through streets, no cul-de-sac's or dead ends.
- Parallel street system for local auto access and other than auto trips.
- Minimum street dimensions for comfortable ped environment.
- Street designed for ped movement (sidewalks).
- 75% of all household trips are non-job related.
- Assume a greater than average transit ridership.

I have the original document. Please contact me directly if you wish to view it - 694-3724.

M E M O



DATE: August 20, 1990  
TO: File - Otay Ranch  
FROM: Jim Lundquist  
SUBJECT: TODs - Transit-Oriented Development

---

The Sacramento County Planning and Community Development Department has published a draft Transit-Oriented Development Design Guidelines. Robert Sherry has sent one to us for our information. The goal of the TOD to use "the location, mix and configuration of land uses (which) are designed to encourage non-automobile travel, provide a model of efficient land utilization, serve the needs of future household demographics, and create identifiable and livable communities."

Attached are the 13 guideline summaries. I will highlight some of the important discussions and justifications used in developing these guidelines,

1D - A commercial core is essential. It provides the mixed-use destination needed to make transit use attractive. People will rarely use transit to get to work if the destination is not combined with retail and service opportunities for mid-day trips on foot.

1F - Near transit stops, a minimum residential density of ten units per acre and commercial uses must create a high level of pedestrian activity.

2A - truck line network is defined as regional express of either LRT or high frequency bus service with headways of 10-15 minutes. A fundamental purpose of TODs is to create a land use pattern which will support transit. Studies have shown that the greatest pedestrian capture rate occurs when stops are within 1/4 mile from home or office, frequent headways, and close to dedicated transit right-of-way. It is also important that the destinations are pedestrian-oriented and mixed-use.

3A - The ratio of the value of improvements to land value is less than 1:1; such sites are considered suitable for redevelopment.

3B - 160 acres is equivalent to a 1/4 mile radius (walking distance).

3D - 2,000 feet is considered the greatest distance within which a significant percentage of trips can be captured by transit, walking, or bicycling, rather than auto. In secondary areas, one mile is an easy biking distance to the transit stop.

4A - All TODs must be mixed-use. In addition, a certain minimum proportion of uses is required to stimulate pedestrian activity and to provide economic incentives for developing with mixed-use patterns. The proportion of uses is based on site area and does not preclude additional, different uses on upper floors.

4B - The mixed-use core commercial area is the driving force behind successfully linking transit and land use. The TOD must have a minimum amount of retail and commercial space to form a useful neighborhood shopping center and provide opportunities for workers to run errands at lunch time or to and on the way from work. Without shopping opportunities within convenient walking distance, residents will use their cars for a greater number of trips and workers will lose an incentive to use transit to work.

4D - TODs must provide a mix of housing types. SFR are still #1, but higher density townhouses and multi-family units are gaining an increasing proportion of the market. Providing a mix will also result in a more cosmopolitan community.

4E - Granny units are strongly encouraged to provide affordable rental housing opportunities, to meet demand for variety, increase density, and avoid institutional character of many apartment projects and segregation of low income groups.

4F - many parents now lengthen early morning and evening auto trips by driving a child to a child care facility on the way to work.

5A - Studies show that transit systems need residential of 10 units per acre to support frequent and convenient service. SFR can be developed between 10-14/acre, and townhouses at 15-18 per acre.

5B - TODs should promote efficient utilization of land near transit stops. These floor area ratios encourage multi-story buildings and structured parking whenever possible.

5D - Construction of both residential and commercial buildings over underground or partially underground parking structures is encouraged.

5E This density bonus in retail areas only is designed as an incentive for developers to provide second and third story residential uses in the core area above retail space. This



provides visual interest, more urban character, street security, and concentration of pedestrian activity.

6A - Small, single entry malls will be discouraged. Some retail anchor stores (> 30,000 s.f.), such as neighborhood grocery stores, need parking lot access to the primary entry. This is conditionally permitted if pedestrian access to the entry is provided from the street and not through the parking lot. Parking lot access steals the activity and life from the street, the main pedestrian route, and signals that auto access is preferred.

6B - Encourages public activity in the public realm.

6C - Street should be designed as either commercial or residential streets. Ground floor uses should be similar on both sides of the street. Where possible, use changes should occur at mid-block alleys, rather than the center of streets. Building on each side of the street should be designed with similar height, bulk and orientation.

7A - These four to six lane streets are barriers to pedestrian activity and thus should not be the focal point for the TOD. Rather, large traffic carrying streets should be located at the perimeter of a TOD or at the junction of two adjacent TODs.

7B - The street pattern which is circuitous and complex will discourage pedestrians; a street system with landmarks and a simple form will be memorable and familiar. This brings security through community rather than by isolation.

7C - The street system should allow autos, bikes, and pedestrian to travel on small local streets to any location in the TOD and to the Secondary Area. In many typical suburban communities, arterial streets are the main travel networks and only route to important destinations. Forcing all cars on to a few main roadways not only increases traffic congestion, but also requires pedestrians to walk along busy, smoggy, wide and unfriendly boulevards, rather than small, peaceful streets. Multiple parallel routes to the core area provide short and convenient routes for pedestrians, as well as facilitate the flow of traffic.

7D - Visible landmarks help orient pedestrians and make walking routes interesting and memorable. Straight streets make destinations more accessible by making them visible; if a destination is visible, a person is more likely to walk to it.

7E - Shade trees reduce heat, provide shade and habitat for local birds and create a beautiful community.

7F - Parallel parking helps to "civilize" the street for pedestrians by creating a buffer between moving cars and the sidewalk. Parallel parking on street trades off the role of arterial streets to move traffic safely and smoothly against a slowing of flow to develop a pedestrian environment where walking is desired.

7G - Slowing auto traffic is desired to create a safer, more comfortable pedestrian environment. Minimum street dimensions are intended to make streets more intimate in scale while providing for municipal service vehicle and maintaining auto safety. Smaller street sections will reduce street crossing dimensions and result in cost savings which can in turn be allocated for pedestrian amenities.

7I - A street system should balance the needs and viability of the pedestrian as well as the car. Reduced auto speeds improve pedestrian accessibility and safety, and can continue to accommodate safe vehicular movement. Unless absolutely necessary to maintain LOS E, additional turning lanes at intersections should be avoided to minimize pedestrian crossing dimensions.

8A - Diagonal short cuts across parks, plazas and greens should be encouraged. Paths lined with activities or occupants are safer. Paths in the rear of housing can also present a security risk to adjacent neighbors.

8B - Up to 75% of all household trips are non job related. Many can be captured within the TOD or a short transit connection. Pedestrian access is critical to the displacement of auto trips within the TOD and to encourage as much transit use as possible.

8D - To minimize street widths, one side of parking could be replaced with an on-street bike lane.

9C - Most people will use transit only if its fast, safe and very convenient. Accessibility to transit stops must be given priority in the design of streets to promote transit ridership.

10A - Surface parking lots are "dead" spaces for pedestrians and drain the life of a street.

10C - With mixed uses, the varied parking demand can utilize the same parking spot, and a reduced number of spaces is strongly encouraged. A single parking space can serve several land uses.

10D - TODs assume a greater than average transit ridership.

10H - one space per residential unit.

11F Land within TODs should maximize transit-oriented uses.

12C - Improvements should be made to open walking paths between uses, protect important vistas and slow auto traffic.



TELEPHONE (916) 440-6141

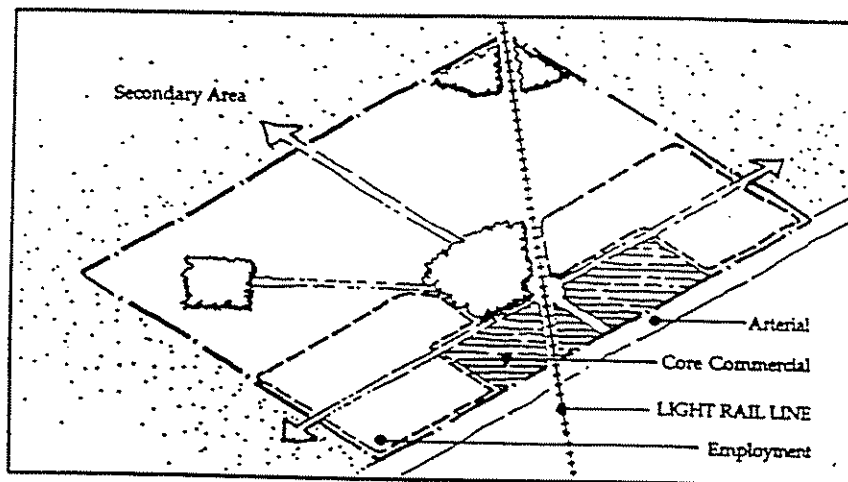
## Public Review D

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# TRANSIT-ORIENTED DEVELOPMENT DESIGN GUIDELINES



Prepared By

CALTHORPE ASSOCIATES

In Association With  
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For

SACRAMENTO COUNTY  
PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT

June 1990

## B. GUIDELINE SUMMARY

The following is a summary of the TOD Design Guidelines. A full discussion and statement of justification for each guideline is provided in Section C.

### 1. TOD Definitions

**Guideline 1A:  
TRANSIT-ORIENTED  
DEVELOPMENT (TOD)**

A Transit-Oriented Development (TOD) is a mixed-use community within an average one-fourth mile walking distance of a transit stop and core commercial area. The design, configuration, and mix of uses emphasize a pedestrian-oriented environment and reinforce the use of public transportation. TODs mix residential, retail, office, open space, and public uses within comfortable walking distance, making it possible for residents and employees to travel by transit, bicycle or foot, as well as by car.

**Guideline 1B:  
URBAN TOD**

Urban TODs are located on the Trunk Line Network of the regional transit system, at light rail stops or at transfer stations and may be developed at high commercial intensities and residential densities.

**Guideline 1C:  
NEIGHBORHOOD  
TOD**

Neighborhood TODs are located on the Feeder Bus Line Network within 10 minutes transit travel time from a light rail stop or transfer stations and should place an emphasis on residential uses and local-serving shopping.

**Guideline 1D:  
CORE COMMERCIAL  
AREA**

Each TOD must have a mixed-use core commercial area located immediately adjacent to the transit stop. This core area should include convenient shopping areas, offices, and public uses such as a town square, post office, library, and civic services.

**Guideline 1E:  
SECONDARY AREAS**

Each TOD may have a Secondary Area adjacent to it which includes lands no further than one mile from the proposed transit stop. Secondary Areas may have lower density housing, light industrial development, and few, or no, commercial uses. Secondary Areas may also include public schools and community parks.

Guideline 1F:  
NON-TOD USES

Uses which rely extensively upon autos or trucks for their business are not appropriate uses for TODs. Heavy industrial uses, warehousing and distribution facilities, and freeway commercial complexes are not appropriate for TODs.

## 2. *Location Criteria*

Guideline 2A:  
RELATIONSHIP TO  
TRANSIT

The TOD site must be located on an existing or proposed Trunk Line Network or on a Feeder Bus Line Network within 10 minutes transit travel time from Trunk Line Network.

Guideline 2B:  
URBAN POLICY AREA

The TOD site must be located within the Sacramento County Urban Policy Area.

Guideline 2C:  
URBAN GROWTH  
AREA SITES

TOD concepts can be applied to primarily undeveloped sites in Urban Growth Areas served by the Trunk Line Network or within 10 minutes transit travel time along the Feeder Bus Line Network. TODs in Urban Growth Areas may be surrounded by Secondary Areas.

Guideline 2D:  
INFILL AND  
REVITALIZATION SITES

Infill and revitalization sites should be located in urbanized areas with complementary uses. They must have available infrastructure capacities on and adjacent to the site and be located on the Trunk Line Network or within 10 minutes transit travel time along the Feeder Bus Line Network.

Guideline 2E:  
COMMERCIAL AND  
INDUSTRIAL REUSE  
SITES

TOD concepts can be applied to existing and/or underutilized retail, office, and industrial sites by adding mixed-uses with structured parking on existing surface parking lots.

Guideline 2F:  
LARGE-SCALE  
DEVELOPMENT PROJECTS

New large-scale development projects should be planned as networks of TODs linked by transit. Secondary Areas, along with non-TOD uses, such as industrial, manufacturing, and regional parks, may be integrated into these overall plans.

### 3. *Site Characteristics*

Guideline 3A:  
EXISTING ON-SITE  
DEVELOPMENT

TOD sites must be substantially underutilized, redevelopable, or undeveloped.

Guideline 3B:  
SITE SIZE: URBAN  
GROWTH AREAS

TOD sites in Urban Growth Areas must be at least 40 acres, and no more than 160 acres, in size. These TOD sites may be complemented by Secondary Areas consisting of lower density residential, industrial, or office uses.

Guideline 3C:  
SITE SIZE: INFILL AND  
REVITALIZATION SITES

Infill and revitalization TOD sites must be at least 20 acres, and no more than 160 acres, in size. Sites with the minimum 20 acres must have at least 80 percent of the area either vacant or developable.

Guideline 3D:  
DISTANCE FROM  
TRANSIT STOP

The TOD must not contain land further than 2,000 feet from a transit stop. The Secondary Area may contain land no further than one mile from the transit stop.

Guideline 3E:  
ENVIRONMENTAL  
CONSTRAINTS

TODs should not be used to justify development on, or undue impact to, environmentally sensitive areas.

Guideline 3F:  
SINGLE SITE PLAN

Regardless of the number of property owners, the TOD must consist of one project application and design proposal.

Guideline 3G:  
PHASING

Each TOD must be developed in a balanced phasing pattern. Public uses must be developed concurrent with commercial and residential uses.

## 4. Mix of Uses

**Guideline 4A:  
PROPORTION OF USES**

The following is a list of land use types within the TOD and their minimum and maximum percentage of site area:

<u>Use</u>	<u>Neighborhood TOD</u>	<u>Urban TOD</u>
Public	10% minimum	10% minimum
Core	10-15%	10-30%
Housing	20-80%	20-60%
Office	0-60%	20-60%

**Guideline 4B:  
CORE  
COMMERCIAL AREA**

Each TOD must have a mixed-use core area containing ground floor retail and commercial space that occupies at least 10 percent of the total TOD site area. A minimum of 20,000 s.f. of retail space must be provided within this requirement.

**Guideline 4C:  
COMPLEMENTARY  
USES**

Existing viable uses within TOD sites, and adjacent uses in Secondary Areas, should complement the mix of uses and the pedestrian and transit orientation of the TOD.

**Guideline 4D:  
HOUSING**

A mix of housing densities, ownership patterns, and building types is desirable in a TOD.

**Guideline 4E:  
ANCILLARY UNITS**

Ancillary 'granny' units are encouraged in the ownership portion of the residential component of the TOD and may be included in the density calculation. In Secondary Areas ancillary units are encouraged and are considered a free density bonus.

**Guideline 4F:  
DAY CARE**

Day care facilities are required within the TOD if the office component exceeds 300,000 square feet or if the housing exceeds 100 units.

**Guideline 4G:  
PUBLIC USES**

The public use component of a TOD should be developed as parks, plazas, and public buildings such as a town hall, community building, recreation facility, or a library. At a minimum, parks and/or plazas are required.

## 5. *Residential Densities and Commercial Intensities*

Guideline 5A:

RESIDENTIAL DENSITIES

Residential densities within TOD sites must be a minimum of 10 units per residential gross acre and may be developed to a maximum of 30 units per residential gross acre in Neighborhood TODs and to a maximum of 50 units per residential gross acre in Urban TODs.

Guideline 5B:

OFFICE INTENSITIES

Office intensities without structured parking must have a minimum 0.35 Floor Area Ratio (FAR) and may not exceed 0.60 FAR. In Neighborhood TODs offices may develop to a maximum 1.00 FAR with structured parking and in Urban TODs offices may develop to a maximum 1.70 FAR with structured parking.

Guideline 5C:

CORE COMMERCIAL  
INTENSITIES

Core commercial areas must be developed at a minimum 0.25 FAR. Second floor uses are not included in this minimum entitlement.

Guideline 5D:

BUILDING HEIGHTS

Building heights in the core area should not exceed 4 1/2 stories in Urban TODs and 3 1/2 stories in Neighborhood TODs. Residential uses may not exceed 3 1/2 stories in height.

Guideline 5E:

UPPER STORY USES  
ON RETAIL SITES

Retail developments in the core commercial area may add additional floors of residential and/or office uses up to two floors of residential uses for every ground floor of retail, or up to one floor of office for every ground floor of retail. The intensity of the retail use must not be reduced and the buildings must be consistent with the design guidelines.

## 6. *Building Siting and Design*

Guideline 6A:

COMMERCIAL  
BUILDING ENTRIES

Primary ground floor commercial building entrances must orient to streets, not to interior blocks or parking lots. Secondary entries from the interior of a block will be allowed. Anchor retail buildings may have their entries from off-street parking lots, however, on-street entries are strongly encouraged.



Guideline 6B:  
RESIDENTIAL  
BUILDING ENTRIES

In all cases, primary ground floor residential building entrances must orient to streets, not to interior blocks or parking lots. Secondary and upper floor entries will be allowed from the interior of a block.

Guideline 6C:  
SIMILAR USES  
ADJACENT TO  
STREETS

Where possible, similar uses and building intensities are encouraged to be located on both sides of the street.

Guideline 6D:  
BUILDING SETBACKS

Building setbacks from public streets should be minimized. "Build-to" lines should be established which reflect the desired character of the area and bring buildings close to the sidewalk.

Guideline 6E:  
BUILDING FACADES

Building facades should be varied and articulated to provide visual interest to pedestrians. Street level windows and numerous building entries are required in the core commercial area. Arcades, porches, bays, and balconies are encouraged. In no case shall the facade of a building consist of an unarticulated blank wall or an unbroken series of garage doors. Building materials should convey durability and permanence, and should be suitable to the Sacramento climate.

## 7. *Street and Circulation System*

Guideline 7A:  
ARTERIAL STREETS  
AND THOROUGHFARES

Arterial streets and thoroughfares must not pass through TODs. The core commercial area of the TOD shall not focus on the intersection of two arterials or thoroughfares.

Guideline 7B:  
STREET PATTERNS

The TOD street system should be clear, formalized, and interconnected, converging to the transit stop and commercial center. Cul-de-sac and "dead end" streets should be avoided.

Guideline 7C:  
MULTIPLE ROUTES

The street system should provide multiple and parallel routes between the core area, various areas in the TOD, and the Secondary Area. In no case shall internal trips within the TOD be forced onto a peripheral arterial.

- Guideline 7D:  
STREET VISTAS
- Where possible, streets should frame vistas of the core area, public buildings, parks, or natural features.
- Guideline 7E:  
STREET TREES
- Street trees are required to provide shade on all streets. Street trees shall be spaced no further than 30 feet on center and shall be located in 6 foot wide planter strips between curbs and sidewalks or within 4 feet of sidewalks on private lots in Secondary Areas. A limited number of species should be planted along any single street.
- Guideline 7F:  
ON-STREET PARKING
- Parallel parking is encouraged on all TOD streets except arterials.
- Guideline 7G:  
STREET DIMENSIONS
- Within TODs street widths should be minimized without compromising auto safety.
- Guideline 7H:  
LEVEL OF SERVICE
- Intersections within TODs shall be designed for no greater than Level of Service E or the minimum intersection dimensions allowed.

## 8. *Pedestrian and Bicycle System*

- Guideline 8A:  
PEDESTRIAN ROUTES
- Pedestrian routes should be located along or visible from streets. Routes through parking lots or at the rear of residential developments should be avoided. Primary pedestrian routes and bikeways should be bordered by residential fronts (rather than back yards), public parks, plazas, or commercial uses.
- Guideline 8B:  
CONNECTIONS TO THE  
CORE AREA AND THE  
TRANSIT STOP
- The pedestrian system must provide clear, comfortable, and direct pedestrian access to the core commercial area and the transit stop.
- Guideline 8C:  
SIDEWALKS
- Sidewalks are required on all streets in TODs and Secondary Areas. Sidewalks must be at least 6 feet wide in TODs and at least 4 feet wide in Secondary Areas.
- Guideline 8D:  
BIKEWAYS
- Bike lanes should be provided on selected collector streets and should converge upon the commercial and transit center. Bicycle routes are also encouraged on small residential streets, but designated or marked bike lanes are not required.

Guideline 8E:  
BIKE PARKING

Bicycle parking facilities must be provided throughout the core commercial area and in office developments.

## 9. *Transit Stops*

Guideline 9A:  
SITE RELATIONSHIP TO  
TRANSIT STOP

The transit stop should be centrally located within the TOD.

Guideline 9B:  
TRANSIT STOP FACILITIES

At a minimum, TOD transit stops shall provide shelter for pedestrians, convenient drop-off areas, and secure bike storage.

Guideline 9C:  
STREET CROSSINGS TO  
TRANSIT STOPS

Streets must be designed to facilitate safe pedestrian crossings to the TOD transit stop.

## 10. *Parking Requirements and Configuration*

Guideline 10A:  
LOCATION OF  
PARKING LOTS

Parking lots should not dominate the frontage of pedestrian-oriented streets or interrupt pedestrian routes. Parking lots should be located behind buildings or in the interior of a block, whenever possible. In no case shall surface parking lots occupy more than 33 percent of the lot's pedestrian-oriented street frontages.

Guideline 10B:  
SIZE OF SURFACE  
PARKING LOTS

The size of any single surface parking lot shall be limited to 2 acres, unless divided by a street or building.

Guideline 10C:  
JOINT USE PARKING

Joint parking allowances are strongly encouraged for proximate uses. Retail, office, entertainment, and some housing should share parking areas and quantities.

Guideline 10D:  
PARKING REQUIREMENTS  
IN OFFICE AREAS

Reduce standard parking requirements by 15 percent in TOD office areas to discourage auto commuting. Locate car and van pool parking in the most convenient locations.

**Guideline 10E:  
SURFACE PARKING  
REDEVELOPMENT**

Land devoted to surface parking lots should be reduced through redevelopment and construction of structured parking facilities. Surface parking lots in TODs should be redeveloped to more intensive uses in the future.

**Guideline 10F:  
RETAIL IN STRUCTURED  
PARKING LOTS**

Retail uses should be encouraged on the first floor of street-side edges of parking structures.

**Guideline 10G:  
PEAK PARKING LOTS**

'Peak' parking areas, if necessary, should be developed with non-asphalt materials that allow infiltration of rainwater.

**Guideline 10H:  
ON-STREET PARKING  
REQUIREMENTS**

A portion of any project's parking requirements may be satisfied by on-street parking.

**Guideline 10I:  
PARKING LOT  
LANDSCAPING**

All parking lots must have designated tree-shaded walks, and sufficient trees must be provided so that within ten years 70 percent of the surface area of the lot is shaded. Additionally, all parking lots should be screened from streets by non-bermed landscape treatments. Views of retail facades must not be blocked.

**Guideline 10j:  
PARK AND RIDE LOTS**

Park and ride lots may be provided in Urban TODs within publically-operated structured parking lots located close to the transit stops. Surface parking lots specifically devoted to "park and ride" should not be provided in TODs. Rather, community-serving park and ride lots should be located at the ends of Trunk Line or Feeder Bus Line Networks or adjacent to, but outside, the boundaries of TODs.

## ***11. Open Space, Parks, and Public Spaces***

**Guideline 11A:  
LOCATION OF PARKS  
AND PLAZAS**

Parks and plazas should be the focus of developments and should be placed next to public streets, residential areas, and retail uses. Parks and plazas should not be formed from residual areas or as part of privately-owned parcels. They may not be used as buffers to surrounding developments or to separate buildings from streets.

Guideline 11B:  
PARK AND PLAZA DESIGN Public parks and plazas should be designed for both active and passive uses. They should reflect the character of the surrounding area.

Guideline 11C:  
PARK AND PLAZA  
LANDSCAPING Parks and plazas should provide adequate shading for comfortable mid-day summer use and sunny areas for winter use. Landscape design must respect vistas created by streets.

Guideline 11D:  
MONUMENT TREES Landscaping in public open spaces should continue the Sacramento tradition of planting "monument" trees.

Guideline 11E:  
ON-SITE CREEKS AND  
RIPARIAN HABITAT On-site creeks, riparian habitat and other sensitive environmental features should be incorporated into the design of the TOD as open space amenities. Streams should not be fenced, channeled, or culverted.

Guideline 11F:  
SCHOOLS AND  
COMMUNITY PARKS If needed, school sites and community parks shall be located at the edges of TODs in Secondary Areas. Strong pedestrian and bike links should connect these sites with the commercial and transit core.

## 12. *Relationship To Existing Development*

Guideline 12A:  
INTEGRATING EXISTING  
VIABLE USES Existing on-site uses which are economically and physically viable should be incorporated into the overall plan for the TOD. If necessary, improvements should be made to make these uses more compatible with TOD concepts.

Guideline 12B:  
CONDITIONS AND  
DENSITY OF EXISTING  
USES The condition, density, and intensity of existing on-site uses should be similar and complementary to those of the planned TOD.

Guideline 12C:  
REDESIGNING STREET  
AND PEDESTRIAN  
SYSTEMS Existing on-site pedestrian and auto circulation systems should be redesigned to encourage pedestrian access between parcels, uses, and public spaces.

## 13. *Secondary Areas*

**Guideline 13A:  
TYPE AND PROXIMITY  
OF USES**

Secondary Areas may have lower density housing, public schools, industrial uses and community parks. They may also have a minimal amount of non-competing low intensity commercial uses.

**Guideline 13B:  
RESIDENTIAL DENSITIES  
IN SECONDARY AREAS**

The average minimum residential density within Secondary Areas shall be 7 units per gross acre. Half-plexes and duplexes should be located at each street corner.

**Guideline 13C:  
ROADWAY CONNECTIONS  
TOTODs**

The primary roadway network of the Secondary Area must connect with the TOD roadway system and provide multiple direct linkages to the core commercial area and the transit stop without requiring use of an adjacent arterial.

**Guideline 13D:  
BIKEWAYS**

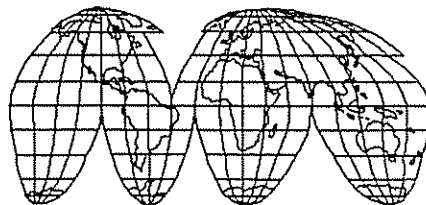
The primary roadway system in Secondary Areas must provide strong bicycle connections to the TOD core commercial area and transit stop.

**Guideline 13E:  
PUBLIC AMENITIES**

Day care, neighborhood parks, and other public recreation facilities must be provided to serve Secondary Areas.

M E M O

DATE: November 14, 1990  
TO: File  
FROM: Jim Lundquist *Jim*  
SUBJECT: Review - "The Promise of  
California's Rail Transit  
Lines in the Siting of New  
Housing."



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Attached are selected pages from the above document dated April 1990. The author, Michael Bernick, makes the argument that existing and future public investment in urban rail transit systems demand greater usage. This paper puts forth the idea of increasing housing density near the transit stations, both existing, and even greater possibilities, future line extensions. He argues that perhaps transit operators could benefit from sharing the increased revenues produced by higher housing. He also shows that local neighborhoods, cities and counties area not hurt too bad by putting housing starts over commercial development.

I have deleted the following chapters:

1. BART
2. Sacramento LRT
3. San Diego Light Rail
4. Los Angeles County Rail Transit
5. San Jose Light Rail
6. Monterey Corridor
7. The Sedway Study for BART

I felt that these chapters went into greater detail for specific locations than was necessary to stimulate local discussion for his argument. I deleted Chapter 8 because it dealt with Peter Calthorpe's Pedestrian Pocket design concepts, which I have previously reviewed in greater detail. I also deleted Chapter 10, which detailed the Rail Bond Acts passed in the June 1990 election.

In his final chapter, Mr. Bernick noted the explosion of rail transit projects in the state, where Californian's will pay to get the "Other Drivers" off the road. "Californians will ride public transit if it is convenient. And it will be convenient when far more housing in the state is located within five to eight minute walk of rail transit stations."

# THE PROMISE OF CALIFORNIA'S RAIL TRANSIT LINES IN THE SITING OF NEW HOUSING

A Special Report to:

Senate Transportation Committee  
Honorable Quentin L. Kopp, Chair

S.D. CO. LAW

MAY 21 1991

STATE CONTRACT

and

Senate Housing and Urban Affairs Committee  
Honorable Leroy Greene, Chair

Prepared by:

Arnelle & Hastie, Attorneys-at-Law  
San Francisco/Oakland

Contract Consultants to  
Senate Office of Research

April 1990



THE PROMISE OF CALIFORNIA'S RAIL TRANSIT LINES  
IN THE SITING OF NEW HOUSING

Executive Summary

The light rail and heavy rail systems built in California over the past thirty years have not been designed with significant housing densities at the rail stations. Instead, rail transit stations outside of downtown areas are surrounded mainly by low density commercial or residential, and in a few cases mid-rise office structures. In downtown locations, the stations are surrounded in a few cities by high density office structures, with high density residential largely absent.

These land use patterns are the outgrowths of four dynamics of recent rail construction in California:

1. The location of the new rail line on the right of way of a former rail line that served industrial rather than residential uses, as in San Diego.

2. The design of the rail line to link established residential neighborhoods with an emerging industrial development sought by the city, as in San Jose.

3. The design of the rail stations as Employment Centers, with the assumption of ridership by the workers in nearby office

buildings, as in the San Francisco Bay Area.

4. A citizen revolt against development and downzoning of neighborhoods, as in Los Angeles, and even Sacramento.

Despite the absence of densities along existing rail lines, the concept of greater residential densities along the lines is quietly gaining greater and greater support among transit professionals in California. The data on ridership by Californians who live within 1000 yards of rail transit stations is very limited. But the data that does exist indicates ridership among these persons living near rail stations to be over 30% in commuting to work, compared to 10% among persons who work near rail transit stations.

In recent months, the County of Sacramento has hired California architect Peter Calthorpe to apply his "pedestrian pocket" concept to consider greater residential densities near existing and planned stations on the Sacramento light rail line. Further, developer River West has hired Calthorpe to design a "pedestrian pocket" centered on a proposed rail station in the West Laguna area. Also, in recent months, the BART Board commissioned the planning firm of Lynn Sedway and Associates to examine a concentration of housing around two BART stations, Colma and El Cerrito del Norte. Sedway's conclusion: densities up to 70-90 units per acre could be built around these two stations, that would

be market-feasible and consistent with the surrounding neighborhoods.

In the past, when concentration of housing around rail stations has been brought up, California cities and counties usually have opposed such concentration, favoring commercial development instead for the revenue generated. Little financial analysis, though, has been done on the revenues and costs to the cities and counties of various forms and densities of development. Working with the city of El Cerrito and the city of Daly City, initial analysis was made of revenues of residential versus commercial development. The result: Even at the moderate densities of 70-90 units per acre, the city obtained greater revenues than most forms of commercial development.

What can the State of California do to encourage greater housing densities around rail transit stations throughout the state?

Three lines of policy stand out, that will not require new state funds.

1. Priority for Housing Densities in the Distribution of Proceeds of the Rail Bond Acts:

On the June 1990 ballot are three measures which if passed

will mean a dramatic increase in funds for rail expansions: The Passenger Rail and Clean Air Bond Act of 1990, sponsored by the state legislature and authorizing \$1 billion in General Obligation bonds for rail improvements; the Clean Air and Transportation Improvement Act of 1990, authorizing \$1.99 billion in General Obligation bonds for rail improvements; and the Traffic Congestion Relief and Spending Limitation Act of 1990, triggering SB 300 (Kopp) and the increase in the state gas tax.

Particularly with the first and third of these measures, competition for funds will take place among California projects. High priority in this competition can be written into the funding criteria administered by the California Transportation Commission to rail projects which promise to concentrate development near rail stations.

## 2. Market Incentives for Municipalities to Encourage Housing Near Rail Stations:

The initial analysis done for this study of city revenues for various forms of development suggests that with even moderate densities, cities will be better off financially than with most forms of commercial development.

Yet, our analysis only touches upon the costs incurred by cities, especially by California's smaller cities, with additional

residential development. A source of funds to defer at least some of these costs lies in the increased revenue to be obtained by the rail transit operator. With any significant increased ridership, the rail transit operator can meet its marginal costs, and still help California's municipalities offset certain costs of development.

3. Local Land Use Policies to Minimize Neighborhood Opposition:

The greatest opposition to greater residential densities around rail transit stations may well come from neighborhood organizations. Almost every multi-family housing project in urban California in recent years, has sparked opposition from neighborhood organizations, citing greater traffic congestion and also greater congestion in general.

Four policies stand out as designed to minimize this neighborhood opposition, based on legitimate concerns: 1. initial focus on rail station areas not surrounded by established single family neighborhoods; 2. initial focus on market-rate housing; 3. benefits to the surrounding neighborhoods through new low density retail; and 4. linkage to established single family neighborhoods.

As the recent history of rail transit in California indicates, appeals to the "political correctness" of rail, or exhortations to

ride rail, will have little impact. Only through appropriate land use decisions, combined with improving transit service, will rail transit ridership be increased. Chief among these land use decisions is the siting of new housing, to the greatest extent possible, near rail transit stations.

## INTRODUCTION

### CALIFORNIA'S HOUSING CONUNDRUM AND THE UNLIKELY EMERGENCE OF RAIL TRANSIT

California stands poised for a billion dollar-plus investment in rail lines. On the June 1990 ballot are two bond measures designed to invest more than 2.9 billion in new rail lines.

Who would have imagined this focus on rail twenty or even ten years ago. Rail was largely discredited. The major interurban rail lines built earlier this century in California had been abandoned. From academia, a steady stream of articles appeared, characterizing rail transit as highly cost-inefficient, not worth the enormous capital investments.

The opposition to rail has not disappeared. In the 1988 elections to the BART Board of Directors, one candidate, Roy Nakagawa, nearly won on a platform of replacing BART with buses. From academia, articles continue to criticize the willingness of policymakers to undertake rail expansions of multi millions of dollars.

Yet, support for rail has grown mainly because there simply have not been good alternatives. Suggestions for double-decking freeways have been soundly rejected. Traffic management systems have produced little enthusiasm, and marginal results. The most recent polls on the rail bond acts show them passing with well over 60% voter support.

Given the high capital cost of these rail systems, are there

ways that rail systems can more fully utilize capacities? Are there ways that they might offer at least partial answer to California's housing conundrum: the strong support for more housing, and the equally strong opposition to siting in particular neighborhoods.

I began to consider these questions in late 1988 as an elected member of the BART Board of Directors, representing the northern half of San Francisco. For the previous decade I had been involved in starting new businesses and job training programs in the state, and since early 1987 had worked on land-use and municipal finance issues with the law firm of Arnelle and Hastie.

Over the last quarter of 1989 and first quarter of 1990, on assignment with the State Senate Rules Committee, I looked more closely into the data on transit ridership and housing densities surrounding rail stations, and met with transit officials, developers, and local politicians throughout the state. The following pages suggest the serious obstacles to higher density residential development near rail transit stations in California. And the promise of this development if these obstacles are addressed in practical fashion.



## PART I

### Limited Residential Densities Along Existing Rail Lines

#### OVERVIEW

The first section examines residential densities along the major existing light rail and heavy rail lines in California. Discussion of densities along each of these lines can (and probably should) justify a separate study for each. For purposes of this study, though, the following pages are meant only as very summary examination, indicating major characteristics of these systems regarding residential development near stations.

The light rail and heavy rail systems built in California over the past thirty years have not been designed with significant housing densities at the rail stations. Instead rail transit stations outside of downtown areas are surrounded mainly by low density commercial or residential, and in a few cases mid-rise office structures. In downtown locations, the stations are surrounded in a few cities by high density office structures, with high density residential largely absent.

These land use patterns are the outgrowths of four dynamics of recent rail construction in California:

1. The location of the new rail line on the right-of-way of a former rail line that served industrial rather than

residential uses, as in San Diego.

2. The design of the rail line to link established residential neighborhoods with an emerging industrial development sought by the city, as in San Jose.
3. The design of the rail stations as Employment Centers, with the assumption of ridership by the workers in nearby buildings, as in the San Francisco Bay Area.
4. The citizen revolt against development and downzoning of neighborhoods, as in Los Angeles, and even Sacramento.

The following chapters briefly detail these dynamics.

## PART II

### OVERVIEW

#### Designing Higher Densities Along California's Rail Transit Lines

Though the major rail lines currently have limited residential densities, the idea of higher densities is enjoying increasing currency among local planners throughout California.

As noted in chapter 2, in Sacramento County, where housing densities around the rail stations are rarely above 10 units per acre, planning staffs have introduced the idea of directing growth around the transit stations. Sacramento County has hired architect Mr. Peter Calthrope, to examine the applicability of his transit-based "pedestrian pockets" for Sacramento.

In Part II, Mr. Calthrope's "pedestrian pockets" are discussed in further detail. Chapter 8 details his ideas, including the residential development he is at work on in West Laguna Creek, Sacramento County. Chapter 7 begins this Part with the Sedway study, a recent study of high density residential around BART stations, and the reaction to this study.

Part of this reaction included the initial opposition of municipal officials who, in post Proposition 13 California, feared losing the revenue of commercial developments. Chapter 9 studies the revenue impacts of various forms of development, with surprising results.

## CHAPTER 9

### Housing versus Commercial at Rail Stations: A Financial Consideration

"You're absolutely right that housing is appropriate around our BART station", El Cerrito Mayor Jean Siri tells Lynn Sedway after Sedway's report is distributed. "But the city can't afford it."

Indeed, as noted in chapter 7, the reactions of both El Cerrito and Daly City officials to the Sedway proposals of higher housing density around the BART stations were negative due to the loss of revenue to the city and the increased costs of services.

Yet, how major a loss of revenue will the cities incur? What will be the financial loss to the cities of high density housing rather than office construction or retail?

Little quantitative work has been done in California comparing the revenue and costs to the cities of various forms of development. As a starting point in considering the above questions, closer study was made of the budgets of El Cerrito and Daly City. Also, rough estimate was made of the revenues and expenses of various forms of development surrounding the BART stations at El Cerrito and Colma (within the sphere of influence of Daly City). The results:

- \* At the Colma station, the County of San Mateo has plans for additional housing, though well below the densities of Sedway. The Sedway plan brings in considerably greater property tax revenue, less commercial revenue, and slightly greater total revenue. The Sedway plan, though, also threatens greater costs to the municipality, that would leave the County plan as financially more attractive by a slight margin.
  
- \* At the El Cerrito station, the City of El Cerrito has plans for a small amount of new housing, and a major addition of new retail, in contrast to the Sedway plan. As at Colma, the Sedway plan, brings in greater property tax revenue, less sales tax revenue, and greater total revenue. No cost data is available for El Cerrito.
  
- \* The projections of greater revenue generated at both stations by the Sedway plan surprised city officials. These projections suggest that even under the current state fiscal structures, the placement of density housing may not be financial drains on the city, even though they might meet other opposition.

Colma/San Mateo County

Chart 9-1 compares the anticipated property and sales tax revenues projected by the Daly City Planning staff for the two alternative plans of development at the Colma BART Station. The projections in column one are connected to the Sedway plan of high density development. The projections in column two are connected to the plan of development that the County of San Mateo has drawn up for the station.

The County planners have put forward a development plan that includes greater housing and commercial density than presently exists (as set forth in chapter 1). But the housing and commercial density are similar to densities in surrounding areas of the County, and considerably below Sedway's plans.

A comparison of the revenues and costs of the two plans yields a few points worth underlining:

- \* The Sedway plan, at 1,760 units (66 units per acre) generates considerably greater property tax revenue than the Daly City plan for the same area at 351 units. Moreover, the greater property tax revenue of the Sedway plan is enough to leave the Sedway plan slightly ahead of the Daly City plan in terms of total revenues--\$1.29 million to \$1.15 million.

- \* The Sedway plan, with its emphasis on residential, lags

CHART 9-1

REVENUES ASSOCIATED WITH ALTERNATIVE DEVELOPMENT PLANS FOR THE COLMA BART STATION

PROPERTY TAX REVENUES	SEDWAY HIGH DENSITY RESIDENTIAL PLAN	DALY CITY/ COLMA AREA PLAN
No. Dwelling Units	1,760	351
Density	66 d.u./acre	23.6 d.u./acre
Sales Price/Unit*	\$150,000	\$180,000
Residential Ppty Val	\$264,000,000	\$63,180,000
Office/Retail Space	725,830	1,265,000
Sales Price/Sq.Ft.	\$120	\$120
Commercial Ppty Val	\$87,099,600	\$151,800,000
Local Ppty Tax Revenues	\$895,304	\$548,199
<b>SALES TAX REVENUES</b>		
Retail Space	181,458	316,250
Sales/Sq.Ft.**	\$190	\$190
Retail Sales in Stores in Project	\$34,476,925	\$60,087,500
Total Residents	3,520	720
Local Taxable Expenditures per Resident***	\$3,110	\$3,110
Residents Expenditures Outside Project but in Daly City	\$5,473,600	\$1,091,610
Total Taxable Sales	\$39,950,525	\$61,179,110
Local Sales Tax Revenues @.01	\$399,505	\$611,791
<b>TOTAL ESTIMATED LOCAL REVENUES FROM PROPERTY AND SALES TAX</b>	<b>\$1,294,809</b>	<b>\$1,159,990</b>

\*Price differential between plans based on considerably lower density of Daly City/Colma Area plan.

\*\*Based on Urban Lend Institute, "Dollars and Cents of Shopping Centers", 1987, adjusted to 1989 dollars.

\*\*\*Based on expenditures calculated for fiscal analysis prepared for Daly City in 1985, adjusted to 1989 dollars.



CHART 9-2

ANNUAL COSTS ASSOCIATED WITH ALTERNATIVE DEVELOPMENT PLANS FOR THE COLMA BART STATION

RESIDENTS	3520	702
RETAIL EMPLOYEES	403	703
OFFICE EMPLOYEES	2177	3795

COST	SEDWAY HIGH DENSITY RESIDENTIAL PLAN	DALY CITY/ COLMA AREA PLAN
-----	-----	-----
POLICE	\$354,208	\$259,268
FIRE	\$170,568	\$89,099
PARKS & REC	\$80,927	\$16,139
GENERAL	\$170,139	\$90,849
	-----	-----
	\$775,841	\$455,356

RETAIL EMPLOYEES @ 450 square feet/employee.  
 OFFICE EMPLOYEES @ 250 square feet/employee.

CHART 9-3

COMPARISON OF ANNUAL REVENUES AND SERVICE COSTS  
ASSOCIATED WITH ALTERNATIVE DEVELOPMENT SCHEMES  
FOR COLMA BART STATION

TOTAL ESTIMATED ANNUAL REVENUES FROM PPTY & SALES TAX	\$1,294,809	\$1,159,990
TOTAL ESTIMATED ANNUAL SERVICE COSTS	\$775,841	\$455,356
SURPLUS (DEFICIT)	\$518,968	\$704,634

behind the Daly City plan in terms of sales tax revenue. Still, the Sedway plan is able to generate a projected \$399,505 in sales tax revenues due to the retail frontage planned for a number of the parcels, as well as commercial development along Junipero Serra Freeway.

Chart 9-2 compares the anticipated costs of the two plans of development. It is far from complete, containing only a number of major costs estimated by city staff. In this rough estimate, the Sedway plan results in more than \$320,000 in additional costs annually for the area. These costs are mainly in police and fire, the big expenditure items for cities in California. Chapter 9-3 combines annual revenues and costs. The Sedway plan means generates annually a surplus of \$518,000 compared to the \$704,000 generated by the County plan: a difference of \$186,000.

#### El Cerrito

Chart 9-4 compares the anticipated property and sales tax revenues projected by the El Cerrito Redevelopment Agency staff for three alternative plans of development at the El Cerrito BART station. The first column, the Sedway plan, is the density housing, 70-90 units per acre, proposed in the Sedway study. The second column, "E.C. Plan," is the plan of the City of El Cerrito, which includes an additional 150 units of housing, but focuses on

attracting retail operations. The third column, Sedway Plan at 35 units per acre, has been included by Agency staff, to be consistent with zoning: the El Cerrito Zoning Ordinance has a maximum of 35 units per acre. This zoning limit can be changed by the council at any time, but is included as indication of current land use.

The various parcels (TA No 1, TA No 2, etc.) indicated on the chart relate to the parcels indicated on the accompanying map 9-5.

A number of points worth underlining:

- \* The units are valued at \$75,000 per unit. This is considerably below the \$150,000 per unit utilized for Colma. It is based on treating the units as rental units rather than condominiums.
  
- \* Even as rental units, the Sedway plan, with 2,305 units, generates over \$1.7 million a year in property taxes for the city, compared to \$112,500 generated by the El Cerrito plan. In contrast, the El Cerrito plan generates \$742,500 in sales tax revenues per year, compared to the estimated \$34,500 generated by the El Cerrito plan. The cost estimates for sales tax do not include the retail frontage on parcels TA No 2, TA No 3, TA No.9, TA No.1, Blake/Potrero, and Wall/Knott, as Agency staff do not believe there is sufficient market for this retail.

\* Even without including this retail on the Sedway plan, the total income generated by the Sedway plan is greater than the income generated by El Cerrito plan by \$1,859,850 to \$1,271,600. Using the lower density of 35 units per acre for the Sedway plan yields income of \$1,029,000, less than the El Cerrito plan.

CHART 9-4

COMPARISON OF ANNUAL REVENUES AND SERVICE COSTS ASSOCIATED WITH ALTERNATIVE DEVELOPMENT SCHEMES FOR EL CERRITO BART STATION

DEL NORTE BART STATION DEVELOPMENT  
REVENUE IMPACT OF HOUSING DEVELOPMENT  
(NOT INCLUDING BART OWNED PROPERTY)

SEDWAY PLAN                      E.C. PLAN                      SEDWAY PLAN @ 35 UNITS/AC

1. PROPERTY TAX REVENUES

A. RESIDENTIAL

TA No.	NUMBER OF UNITS	SEDWAY PLAN	E.C. PLAN	SEDWAY PLAN @ 35 UNITS/AC
TA No. 1	165	150	88	88
TA No. 2	0	0	0	0
TA No. 3	450	0	207	207
TA No. 4	240	0	129	129
Blake/Potrero	360	0	193	193
Wall/Knott	175	0	94	94
TA No. 5	270	0	145	145
TA No. 6	645	0	342	342
TOTAL UNITS	2,305	150	1,198	1,198

Value per unit	\$75,000	\$75,000	\$75,000	\$75,000
Total property value	\$172,075,000	\$11,250,000	\$89,850,000	\$89,850,000
E.C. prop. tax revenues @ 1%	\$1,720,750	\$112,500	\$898,500	\$898,500

B. OFFICE

TA NO. 2 - SF	68,000	68,000	68,000	68,000
@ \$120 SQ FT	\$8,160,000	\$8,160,000	\$8,160,000	\$8,160,000
E.C. Prop. tax rev. @ 1%	\$81,600	\$81,600	\$81,600	\$81,600

C. RETAIL

TA NO. 4 - SF	0	85,000	0	0
Sales per sq ft	\$250	\$250	\$250	\$250
Sales Volume	\$0	\$21,250,000	\$0	\$0
E.C. Revenue @ 1%	\$0	\$212,500	\$0	\$0
Value per sq ft	\$100	\$100	\$100	\$100
E.C. Prop. Tax Revenue @ 1%	\$0	\$85,000	\$0	\$0

CHART 9-4

DEL NORTE BARI STATION DEVELOPMENT  
 REVENUE IMPACT OF HOUSING DEVELOPMENT  
 (NOT INCLUDING BARI OWNED PROPERTY)

	SEDWAY PLAN	E.C. PLAN	SEDWAY PLAN @ 35 UNITS/AC
BLAKE/POTRERO			
Sales per sq ft	0	10,000	0
Sales Volume	\$300	\$300	\$300
E.C. Revenue @ 1%	\$0	\$3,000,000	\$0
Value per sq ft	\$100	\$100	\$100
E.C. Prop. Tax Revenue @ 1%	\$0	\$10,000	\$0
WALL/KHOIT			
Sales per sq ft	0	30,000	0
Sales Volume	\$100	\$100	\$100
E.C. Revenue @ 1%	\$0	\$3,000,000	\$0
Value per sq ft	\$100	\$30,000	\$100
E.C. Prop. Tax Revenue @ 1%	\$0	\$30,000	\$0
TA NO. 1			
Sales per sq ft	0	10,000	0
Sales Volume	\$100	\$100	\$100
E.C. Revenue @ 1%	\$0	\$1,000,000	\$0
Value per sq ft	\$100	\$10,000	\$100
E.C. Prop. Tax Revenue @ 1%	\$0	\$10,000	\$0
TA NO. 3			
Sales per sq ft	15,000	25,000	15,000
Sales Volume	\$230	\$230	\$230
E.C. Revenue @ 1%	\$3,450,000	\$5,750,000	\$3,450,000
Value per sq ft	\$34,500	\$57,500	\$34,500
E.C. Prop. Tax Revenue @ 1%	\$15,000	\$25,000	\$15,000
TA NO. 5			
Sales per sq ft	0	175,000	0
Sales Volume	\$230	\$230	\$230
E.C. Revenue @ 1%	\$0	\$40,250,000	\$0
Value per sq ft	\$100	\$100	\$100
E.C. Prop. Tax Revenue @ 1%	\$0	\$175,000	\$0
TOTAL RETAIL SALES TAX REV.	\$34,500	\$742,500	\$34,500
TOTAL RETAIL PROP. TAX REV.	\$15,000	\$335,000	\$15,000

CHART 9-4

DEL NORTE BART STATION DEVELOPMENT  
 REVENUE IMPACT OF HOUSING DEVELOPMENT  
 (NOT INCLUDING BART OWNED PROPERTY)

	SEDWAY PLAN	E.C. PLAN	SEDWAY PLAN @ 35 UNITS/AC
D. GRAND TOTAL EC PROP. TAX REV	\$1,825,350	\$529,100	\$995,100
E. GRAND TOTAL EC RETAIL REV.	\$34,500	\$742,500	\$34,500
F. GRAND TOTAL ALL REVENUES	\$1,859,850	\$1,271,600	\$1,029,600



## PART III

### State Policies for "Transit-Sensible Housing"

#### OVERVIEW

Are there state policies that can promote greater residential densities around rail stations? In particular, are there state policies that can promote such densities without spending significant state funds or raising taxes?

In Part III, potential state policies are examined. Winning support for such densities lies in winning support among three quarters: 1. Neighborhood organizations opposing the introduction of higher densities; 2. Local government officials preferring the revenue generated by commercial projects; and 3. Developers who see little advantage in locating near a transit station.

The following four chapters consider alternative policies for addressing the concerns of neighborhood organizations, local governments, and private developers.

## CHAPTER 11

### Market Incentives for Cities and Counties to Encourage Housing Near Rail Stations

Priority in the new state transit funds will be incentive for cities and counties to promote higher residential densities around rail stations. However, too much should not be made of this incentive. It confronts other strong forces working against higher residential densities, particularly in the opposition of neighborhood organizations and the financial costs to the city or county.

While the next chapter focuses on neighborhood organizations, this chapter looks at incentives for the city or county. Conventional wisdom among California city and county officials is that residential development cannot compete against other land uses, given the state's current taxing structure. The analysis of revenues in chapter 9 questions this conventional wisdom, suggesting that sufficiently high residential densities can compete against nearly all commercial uses.

Nonetheless, some financial incentive to the city or county will be appropriate at times to cover the increased costs of residential developments. Here, the source of funds for the city or county lies not in the usual approach of developer fees or user taxes, but in revenue-sharing by the city or county with the rail

transit agency, which will gain additional ridership revenues through development.

Let's explain.

Revenue Gains For the City or County Through Residential Development Near Rail

Start with returning to the revenue comparisons of Chapter 9. Municipal revenue gains of proposed residential development were matched against the gains of commercial development around two BART stations: El Cerrito and Colma. The proposed residential densities were approximately 70-90 units per acre at both sites. The commercial development was primarily retail development at the El Cerrito site with a proposed major shopping center, and mixed commercial development at the Colma site.

At the El Cerrito site, the proposed residential development at 70-90 units per acre generated \$1,859,850 annually in sales and property taxes, compared to \$1,271,600 generated by the commercial development. Even at 35 units per acre, the residential development generated \$1,029,600 annually. At the Colma site, the proposed residential development at 70-90 units per acre, generated greater revenue than the proposed commercial development: \$1,294,809 to \$1,159,990.

These comparisons call forth a number of caveats:

- \* On the one hand, these comparisons may even underestimate the revenue gains of residential-focused development. For one, the El Cerrito commercial development revenues depend on the city's ability to attract a major shopping center, as well as tenants for the proposed office building. The Sedway study questions the market for commercial development, particularly office development, at least in the next few years. Without this commercial development, the revenue gains by the residential-focused development would be even greater. Second, the residential-focused development includes retail on the ground floor of the residential complexes, that was not taken into account due to the view of the El Cerrito Redevelopment Agency staff that no market existed for such retail. With this retail included, though, the revenue gains by the residential-focused development also would be greater.
  
- \* On the other hand, the residential-focused development depends for its revenue gains primarily on the property tax generated. The proposed densities of 70-90 units per acre are not the high rise structures near rail, as, say, in Toronto. However, they constitute higher densities than currently exist in both cities. As densities are

reduced, the residential development comes to compare unfavorably with commercial development.

Beyond these caveats, a further point: The revenue comparisons of these two sites are only preliminary analyses. Far more work remains to be done in other revenue comparisons of developments near rail stations throughout the state.

Yet, these revenue comparisons suggest that at densities of 70-90 units per acre, the city or county will not need subsidy from the state to make itself "whole" on the revenue side when it zones for residential, or more appropriately it zones for mixed residential and retail, rather than office-retail around its rail station.

Meeting Additional City or County Costs of Residential Near Rail: Revenue-Sharing Agreements with Rail Operators

Returning to the financial comparisons of chapter 9, chart 9-2 looks at the cost side, comparing the costs to the city of residential-focused development rather than commercial at the Colma rail station. The residential-focused development generates an estimated \$775,841 in increased police, fire, parks and rec, and general government costs, annually, compared to an additional \$455,356 generated by the existing plan of primarily commercial development at the station.

As with the revenue estimates, the cost estimates are rough. Yet, residential development does bring higher costs to cities, particularly in the two main areas of city expenditures: police and fire.

In discussing residential densities near rail stations, elected and appointed officials in Daly City/Colma, and other Bay Area cities have asked whether the state might make the cities "whole" for on-going costs incurred. Clearly, the state has no funds earmarked to do so. However, a source of funds does lie in the increased revenues that the transit agency will obtain. Cities and counties could enter into cost-reimbursement agreements with transit agencies, to offset a portion of costs incurred.

What increased revenues will the transit agencies obtain?

In the case of the Colma station, the Sedway density plan of 70-90 units per acre, will result in additional 1593 units of housing. Assuming 1.5 commuting occupants per unit, at 35% BART usage (consistent with data on Walnut Creek and Pleasanton BART usages), an additional 834 persons would be using BART per work day from the Colma station residential.

With an average daily fare of \$4.00, and 200 commuting days per year, this additional ridership would generate an additional

\$667,200 in operating revenue per year for BART.

If Daly City (or San Mateo County) obtained half of this operating revenue increase, it could fully cover the estimated increased costs of residential rather than commercial. At smaller percentages of cost recovery, Daly City (or San Mateo County) still cover the majority of additional costs.

The greater transit agency revenue due to residential development is even greater for the Sedway residential plan around the El Cerrito station. The Sedway density plan of 70-90 units per acre, will result in an additional 2470 units of housing. Again assuming 1.5 commuting occupants per unit, at 35% BART usage, an additional 1235 persons would be using BART per work day. With an average daily fare of \$4.00, and 200 commuting days per year, this additional ridership would generate an additional \$988,000 in operating revenue per year for BART.

Is this idea of revenue sharing among municipalities and rail transit operators hopelessly unrealistic? On the surface, it seems so, given the operating deficits of a number of the major transit operators in the state.

However, rail transit operations carry heavy fixed costs. This marginal cost of each new rider is low, and below fares. Thus, even in sharing revenues, the rail transit operator will be

better off financially than without additional development.

Revenue-sharing agreement among the city or county and transit agency can be based on reliable figures. It will be relatively easy to measure the increased ridership of a new residential development near a rail station, and estimate the increased revenue, based on an average commute cost.

The Developer: Existing Interest in Residential Near Rail and Market Incentives to Encourage Development

The municipality is one participant in achieving residential densities near rail stations. A second main participant, of course, is the developer. Are there measures that the state legislature can take to encourage developer initiative in constructing residential near rail?

For the most part among major California rail lines, there is considerable interest among developers, and a willingness to go forward if zoning of sufficient density is achieved. Of course, along any of the rail lines, the various stations will differ in their development potential. As noted in chapter 7, on the BART line, four of the current stations are inappropriate for higher density housing, as they are surrounded by established single family neighborhoods. Five other stations are currently not good



sites as there is only weak market for housing near them. However, fourteen stations are appropriate candidates for this development. The BART Joint Development Manager, Mr. Terry Margerum, notes that with these fourteen stations, developers will line up to build housing of 70-90 units per acre if the zoning is achieved, and the municipality does not place unusual city fees or exactions.

When the Sedway design of 70-90 units-per-acre was announced, a number of residential developers contacted BART expressing interest in development. One of these, AF Evans of Alamo, had built a 392 unit project near the Fremont BART station, at 35 units per acre. The company noted that the City of Fremont's fees and exactions (nearly \$11,000 per unit) and 2:1 parking requirement, had almost made the project not feasible. However, even at 35 units per acre, the project was renting, with marketing aided significantly by proximity to the transit station.

A second developer that contacted BART, Rafanelli and Nahas, based in Castro Valley, had worked with the City of Hayward to develop a 240 unit project adjacent to the BART station on land owned by the city. The firm was unable to project rents high enough even with subsidized land, and eventually did not proceed on the project. However, the firm believes there is a strong market in the vicinity of other BART stations--the proximity to transit being a marketing plus--and is interested in other sites.

The state has not forward market incentives to promote other forms of housing, particularly low income housing. Section 52080 of the Health and Safety Code, for example, is part of the Multifamily Rental Housing Revenue Bond standards. It gives priority to local agencies that encourage very low income units through such incentives as:

Reductions in construction and design requirements.

Reductions in setback and square footage requirements, and the ratio of vehicular parking spaces.

Granting density bonuses.

Providing expedited processing of permits.

Reducing or eliminating fees and charges for filing and processing applications, petitions, permits, planning services, water and sewer connections, and other fees and charges.

Modifying zoning code requirements to allow mixed use zoning.

In theory, the state could require and/or encourage local governments to use one or more of these incentives for developers seeking to build around rail transit stations. In practice, the strong housing market surrounding many of the rail transit stations

makes such incentives less urgent. One of these incentives, though, that might appropriately be part of legislation is the reduction in the ratio of vehicular parking spaces. The City of Fremont, for example, had a policy of reducing by 25% the parking space requirements for housing near the BART station. Though the City eliminated this incentive, it is sensible as it is directly connected to the location near rail transit.

The use of tax-exempt financing has been suggested as an incentive to developers. The established tax-exempt measures to encourage development, primarily Mello-Roos districts and Assessment districts, will be available to developers near transit stations, in the same way they are available to other forms of development.

Further, where, as at the El Cerrito BART station, the transit station is part of a Redevelopment district, the use of tax increment financing will be available, as it is for other Redevelopment projects.

Beyond these existing tax-exempt instruments, further incentives, such as housing revenue bonds, are blocked primarily by the limitations on housing bonds placed by federal law. The use of tax-exempt financing for multifamily rental housing requires that ten percent of the units be reserved for very low income households, and an additional ten percent of units be reserved for

lower income households.

Unless the housing near transit stations meets these requirements, it cannot be eligible for tax-exempt financing. As the next chapter argues, housing near transit stations should be regarded as market-rate housing, frequently condominiums, not low income housing.

## CHAPTER 12

### Local Land Use Policies to Minimize Neighborhood Opposition

The greatest opposition to greater densities around rail transit stations is likely to come not from the city or county or (certainly not) the development community, but from neighborhood organizations. Almost every multi-family housing project in urban California in recent years, has sparked opposition from neighborhood organizations, citing greater traffic congestion, and also greater congestion in general.

One approach favored by the state's policy think-tanks: take land use decisions away from cities and even counties and give them to a regional land use authority or even to the existing transit authority. This approach, though, has been rejected repeatedly in the state legislature, and in public opinion polls.

In the alternative, are policies designed to minimize neighborhood opposition: initial focus on rail station areas not surrounded by established single-family neighborhoods; initial focus on market-rate housing; explicit tradeoffs downzoning other potential commercial and residential development; benefits to the surrounding neighborhoods through new low-density retail and other improvements; and linkage to in-fill development in other neighborhoods.

## Neighborhood Opposition To Densities Around Rail Transit

The Rockridge station on the BART line near the Berkeley/Oakland border for the past ten years has been an attraction to developers. Unsolicited proposals from developers have come to BART to build a variety of high-rise residential projects and residential-retail projects on surrounding land owned by BART. The neighborhood group, Rockridge Community Planning Council, successfully has opposed all development and zoning changes. Similar opposition to residential development has come from neighborhood groups in Lafayette and Orinda, two other BART station areas of high developer interest.

With the exception of the downzoning of housing densities at the Wilshire/Alvarado station in Los Angeles, planners at the other rail transit lines in California do not report such neighborhood opposition to density development proposals. This, though, is mainly because as outlined in Part I, such proposals have not been prominent. Several examples in the Bay Area and Los Angeles can be cited of opposition to other in-fill development, and it is worth saying a word about the revealing case of similar opposition to in-fill in Sacramento County. This case has been detailed in recent years by environmental design professors, Robert Johnston and Seymour Schwartz of the University of California, Davis.

In 1973, the County of Sacramento revised its General Plan to contain an urban service boundary, specify limits to the extension of water and sewer lines, and transfer 141,000 acres of rural, formerly designated for urban uses, to non-urban categories. The result was to seek a halt to low density sprawl, to develop a greenbelt around the County, and to direct residential development to established areas. This result was applauded particularly by the County's environmentalists and the Environmental Council of Sacramento.

From 1973-1977, the County Board of Supervisors made zoning decisions consistent with this in-fill emphasis. Developers were not successful in obtaining major changes in land use. The Supervisors also set in motion a longer-term, more detailed planning process of citizen participation, involving citizens appointed to ten community advisory councils, with the goal of winning citizen support for specific community plans.

The result of these advisory councils, however, was to block in-fill. The community advisory councils succeeded in reducing densities on over 2,745 acres in the County: 1851 acres went from Low Density Residential to Agricultural-Residential, and 508 acres changed from Medium Density Residential to Low Density Residential. In theory, members of the citizen advisory councils favored in-fill development for Sacramento County. In their specific neighborhoods, though, they opposed density residential in-fill.

When the Rancho Cordova community plan was being formulated in 1977, the advisory council resisted the Medium-Density land use designation (13-30 units per acre), eliminating 12% of this land use designation in the unincorporated area. According to the UC Davis researchers:

"Council members and citizens complained about potential overcrowding of schools, crime, undesirable transient residents, traffic congestions, lowered property values, and destruction of natural settings."

From 1977-1981, no residential development of more than 15 units per acre was approved in Rancho Cordova.

The Political Opposition to Zoning Powers for Transit Agencies or Regional Agencies

Recognizing this neighborhood opposition to in-fill projects, policy organizations have recommended that certain land use decisions be taken away from the cities and counties and given to newly-formed regional agencies, or to existing transit agencies.

"Regional government" has been one of the "hot" issues of recent legislative sessions, with several standing and select legislative committees busily dissecting it. A number of lengthy



position papers are currently being written on regional government in California. This report is not the place to analyze the issue's complexity, except to note the political opposition in the legislature, and among the public to the taking of zoning powers away from the local city or county.

The Bay Area Council is a regional policy organization, funded by the region's major private sector corporations and a proponent (perhaps the region's main proponent) of regional action. The Council, with radio station KQED, annually surveys Bay Area residents. The 1989 Bay Area Council Poll focused on regionalism. The Poll found strong support for regional authorities in theory, but less support for specific decision-making powers, including land-use powers. For example, 62% of Bay Area residents surveyed supported the idea that a Regional Agency should have authority to resolve growth and development conflicts, and a similar 62% supported a Regional Agency developing a regional growth plan. Yet, 63% said a Regional Agency should not have authority to overrule local no-growth ordinances, 66% said a Regional Agency should not have authority to decide the amount of new housing.

Minimizing Neighborhood Opposition (1): Initial Focus on Rail Transit Stations Not Surrounded by Established Single Family Neighborhoods

One approach for minimizing neighborhood opposition: start on development at rail transit stations not surrounded by developed

single family neighborhoods. Once higher residential development is shown as successful at these stations, it can more easily win neighborhood support in other developed areas.

For example, in downtown Hayward, the development of a 311 unit housing project near the BART station brought forth objection from less than a handful of neighbors. The reason: the development is in largely commercial rather than residential district. Once this development proves that it will not bring increased crime or disruption, similar residential developments at other BART stations will be easier.

#### Minimizing Neighborhood Opposition (2): Market Rate Housing

When the idea of higher density residential near rail stations was brought before the BART Board of Directors, the reaction of Board members was mixed. Four of the members thought that the idea had promise. Four others worried about the impact of such development on surrounding neighborhoods and also the impact on the transit agency. Assuming that high density meant low income housing, they perceived such development as bringing additional crime to the station, scaring off potential riders, especially in the evening hours.

Neither the Sedway nor the Calthrope proposals are framed in terms of low income housing, and the residential developments

around the Hayward and Pleasant Hill stations are market rate. Yet, the assumption among policymakers seems to be that any residential developments will be below market. It is worth emphasizing: the concept of higher density residential around rail stations is not framed in terms of below market rate housing. The envisioned developments are market-rate.

Minimizing Neighborhood Opposition (3): Benefits to the Surrounding Neighborhoods

The surrounding neighborhoods will see benefits in the new development, if the residential is mixed with ground-floor low density retail, as envisioned in the Sedway/ROMA design, and as being constructed at the Pleasant Hill BART station.

The Pleasant Hill development includes a day care center and 20,000 feet of low density retail, including a proposed deli, convenience store and cleaners. Jerry Loving, architect for the development, cites market research indicating that the retail will provide services not only to the residents of the complex, but also to residents of surrounding neighborhoods.

Further, as Dean Misczynski and Steve Sanders of the Senate Office of Research note, other neighborhood benefits are possible as tradeoffs for development. As Sanders writes, responding to an earlier draft of this report:

"Often, developments are sold on the basis of intangible benefits, while residents are asked to bear tangible costs. Making the benefits explicit can help. Examples could include neighborhood traffic controls to actually reduce existing traffic as a condition of development near transit, protection of specific open spaces in return for higher density, or targeted programs to benefit the adjacent neighborhood (child care, parks, job training) to mitigate the impacts of development."

As well as the tradeoffs in terms of neighborhood improvements, there are tradeoffs in terms of downzoning of other development. Again to Sanders,

"In many instances the choices near rail are not simply housing or no development. Often, the choices are housing or a more intensive use, such as high-rise office or a large shopping center, which create more objectionable neighborhood impacts. A selective strategy of "downzoning" commercial uses to residential could gain public support."

Minimizing Neighborhood Opposition (4): Linkage to In-Fill  
Development in Other Neighborhoods

In February, the BART Board of Directors, approved the siting of a new rail transit station, scheduled to be completed in 1995, at Norbridge Street in Castro Valley. The approval was done, however, only after strenuous opposition from residents of a single family neighborhood near Norbridge Street, who bitterly felt that they were bearing the brunt of the rail location.

Indeed, the opposition of neighborhood groups to residential densities (not only at rail stations) lies partly in the perception that the costs brought by development (increased congestion, crowding) are not being equally distributed across the city or county. Other areas are seen as being spared development.

It is thus important in siting higher density development near rail stations to link this development with residential development in other areas of the city and county. As with so many other areas of public policy, neighborhood opposition (legitimately) is greatest when legislators and policymakers are seen as advocating development in areas outside their neighborhoods or communities, and not bearing any costs themselves.

## CHAPTER 13

### California's Investment in Rail

A likely \$2.9 billion in new bond proceeds for rail expansions. More money than this for rail if SCA 1 passes, and the gas tax goes into effect. An explosion of activity in rail in California over the next decade.

As noted above, who would have expected this explosion even ten or five years ago. Earlier interurban systems had been torn up. Rail clearly was the past. Now it is the future.

As this investment in rail begins, now is the time to consider the ways that rail in California can be most fully utilized. Despite the popularity of rail in theory, and even willingness of Californians to tax themselves to pay for rail, ridership on rail remains limited, as Californians look to rail primarily to get other drivers off the road.

At BART, daily ridership in 1988 was around 220,000 passenger trips. Over the next two years, the agency tried a number of public relations approaches (including hiring Henny Youngman to urge "Take Your BART Please"), but ridership remained at 220,000 passenger

trips. Only the earthquake succeeded in increasing ridership, up to 358,000 passenger trips during the closure of the Bay Bridge. Following the quake, the ridership has fallen to 238,000 daily passenger trips; above pre-quake ridership, but not greatly.

Public relations, appeals to the "political correctness", exhortations, all will have little impact on increasing rail ridership. Only through appropriate land use decisions, combined with improving transit service, will rail transit ridership be increased.

Chief among these appropriate land use decisions are ones siting housing near transit stations. The housing developments envisioned in the Sedway report and elsewhere are not high rise, ten or fifteen story complexes. They are three to four story structures. Even at these lower densities, 1500-2000 or so units could be built within a half-mile of most rail transit stations.

Now is the time to begin the planning process. Before the stations are built. There is widespread opportunity for in-fill of greater housing densities along existing rail lines. There is equal or greater opportunity for densities along new rail stations, particularly those not surrounded by established neighborhoods.

Immediately after the earthquake, Santa Clara Supervisor Rod Diridon, President of the Metropolitan Transit Commission in the

Bay Area, went on television saying it was "wrong" for persons to drive in single-occupancy vehicles. Such talk by politicians in general, as in this specific case, is wholly without impact. Californians will ride public transit if it is convenient. And it will be convenient when far more housing in the state is located within five to eight minute walk of rail transit stations.



### About the Author...

Michael Bernick is a municipal finance attorney with Arnelle and Hastie, and a recent instructor in municipal finance at UC Berkeley and Golden Gate University. He is the author of two books on urban economic growth, The Dreams of Jobs (1984) and Urban Illusions (1987), a textbook, The Jobs Perplex, and regular articles in both economic development journals and California newspapers. His newest book, Real Work, will be completed later this year.

Mr. Bernick is a graduate of Harvard (B.A.), Oxford University (B.Phil.), and received his law degree from the University of California, Berkeley.



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# CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 92010 • 619 425-9600

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

## BOARD OF EDUCATION

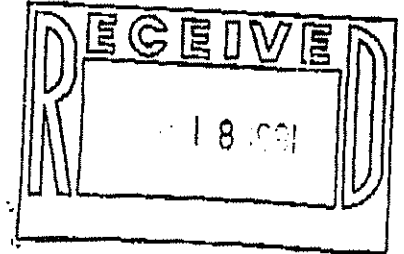
JOSEPH D. CUMMINGS, Ph.D.  
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SHARON GILES  
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GREG R. SANDOVAL

## SUPERINTENDENT

JOHN F. VUGRW, Ph.D.

January 14, 1991

Ms. Maryann Miller  
City of Chula Vista  
Planning Department  
276 Fourth Avenue  
Chula Vista, CA 91910



RE: Palomar Trolley Center / EIR-91-02 - Notice of Preparation of  
a Draft Environmental Impact Report (DEIR)

Dear Ms. Miller:

Thank you for the opportunity to review and comment on the Initial Study and Notice of Preparation for the above-referenced project.

In early December, the District was contacted by Cotton/Beland Associates regarding this project. On December 7, the attached letter was sent detailing District concerns. In order to mitigate impacts on schools created by this project, participation in an alternative financing mechanism, such as a Mello-Roos Community Facilities District, is recommended.

If you have any questions, please give me a call.

Sincerely,

*Kate Shurson*

Kate Shurson  
Director of Planning

KS:dp

cc: Bob Letter  
Tom Silva  
Tom Meade

*Handwritten notes:*  
10/18/91  
10/18/91

# Sweetwater Union High School District

ADMINISTRATION CENTER  
1130 FIFTH AVENUE  
CHULA VISTA, CALIFORNIA 92011  
(619) 691-5553

PLANNING DEPARTMENT

January 24, 1991

Ms. Mary Ann Miller  
Environmental Coordinator  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91911

Dear Ms. Miller:

**Re: Notice of Draft Environmental Impact Report  
Palomar Trolley Center**

I am in receipt of the above subject notice, and I appreciate the opportunity to respond. The proposed center will affect the district in the following two ways:

1. The incorporation of the tax increment financing on properties not presently within the redevelopment area will limit future tax revenues to the district.
2. The project will add employment opportunities to the South Bay, and a proportion of these new jobs will result in additional households. Using a recent study prepared to analyze this issue, it can be estimated that approximately 50 new students will be the impact of this project.

In regard to the first issue, the district and the redevelopment agency have reached an agreement as to how revenues from the Southwest Redevelopment Area will be shared. To mitigate the limit of revenue to the district caused by the Trolley Center's inclusion into the redevelopment agency, I am requesting that the same terms and conditions of that agreement apply to the new properties.

In addressing the second issue, the report should note that the project is located in the Castle Park Middle and Chula Vista High School attendance areas. The following table illustrates the current enrollment and facility status at those schools.

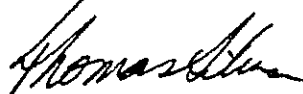
Proposed Palomar Trolley Center  
Affected Secondary Schools

School	1990 CBEDS Enrollment	Permanent Site	Number of Relocatables	Unhoused Students
CPM	1218	1456	0	<238>
CVH	1919	1356	16 (480 Students)	83

As you can see, Chula Vista High School will be significantly impacted by the addition of new students. Payment of the district's portion of \$0.26 per square foot is not adequate to mitigate these impacts. Therefore, I am requesting that this project be annexed to the district's Mello-Roos Community Facilities District No. 5 as a means to mitigate the increased student enrollment. Should the city find that this annexation is inconsistent with the goals of the redevelopment agency, then the aforementioned revenue/sharing agreement will have to be revised to include those additional costs to the district which would have been accommodated by Community Facilities District No. 5.

Again, thank you for the opportunity to respond to this project. If you have any questions, please call me at 691-5553.

Cordially,



Thomas Silva  
Director of Planning

TS/sf

cc: Lance Abbott, Chula Vista Community Development  
Mike Mezey, Cotton Beland Associates, Inc.  
Thomas Meade, District Consultant  
Kate Shurson, Chula Vista Elementary School District

**PROPOSED DEVELOPMENT TYPE:** Community Shopping Center

**CLASSIFICATION:** Other Retail

**NAME:** Palomar Trolley Center

**LOCATION:** Southwest Corner of Palomar Street and Broadway  
Avenue, Chula Vista

**SIZE:** 183,400 Square Feet

1. Estimate number of new jobs created by development  
 $183,400 \text{ square feet} \times .001537 \text{ employees/square foot} =$   
**282 new jobs.**
2. Estimate new workers living in district by development type.  
 $282 \text{ new jobs} \times .736 \text{ (ELF)*} =$  **196 new resident employees.**
3. Estimate new households.  
 $196 \text{ employees} \times .873 \text{ households/employee} =$  **172 households.**
4. Estimate new student enrollment.  
 $172 \text{ households} \times .29 \text{ students/household} =$  **50 new students enrolled.**

# **PALOMAR TROLLEY CENTER MONITORING PROGRAM**

## **PURPOSE OF MONITORING PROGRAM**

The attached proposed monitoring program is written in accordance with Section 21081.6 of the Public Resources Code added by Assembly Bill 3180 effective January 1, 1989. Its purpose is to provide for the accomplishment of mitigation measures required by the Final Environmental Impact Report (SCH# 89032915) for the proposed Palomar Trolley Center project. This monitoring program provides for the monitoring of mitigation measures in compliance with the EIR, agency requirements, mitigation measure implementation, completion, and effectiveness.

The following items are identified for each mitigation measure to ensure understanding of responsibility and method:

- Department or agency responsible for mitigation.
- What is being monitored and how it will be accomplished.
- Monitoring schedule.
- Identification of when monitoring is complete.

Sanctions for non-compliance are not included in the Mitigation Monitoring Table. The City of Chula Vista may determine appropriate sanctions for non-compliance and implement such sanctions as deemed necessary. Sanctions for non-compliance may include the withholding of building permits or certificates of occupancy, stopping the work order and/or financial compensation.

## **MITIGATION MEASURES**

The mitigation measures are listed by impact area, as listed in the EIR, and by order of their occurrence (i.e., project design, project construction, and project operation). The mitigation measures listed are required by the Final EIR certified for the project. Other applicable mitigation measures required shall be incorporated into this program as necessary to avoid or reduce significant environmental impacts.

**PALOMAR TROLLEY CENTER  
MITIGATION MONITORING PROGRAM CHECKLIST**

Issue Area	Potential Significant Environmental Effects	Mitigation Measures	When Applied		Monitor/Report Agency	Shown in conditions	Shown on Plans		Installed on Site		Const/Operating		Sanctions for Non-Compliance	
			One-Time	Const Only			Operating	Rqd	Verified Date/Init	Verified Date/Init	Frequency to Monitor	Report		
Drainage	Increased runoff from the project site will increase flows to off-site drainage facilities by approximately 6 percent.	<p>1. The most appropriate and feasible diversion method outlined in the Dudek study and listed above will be incorporated into the project's design to reduce impacts to off-site drainage facilities, if such methods are warranted in the final design phase of the project and/or required by the City Engineering Department.</p> <p>2. The City of Chula Vista's Threshold/Standards Policy will be used to ensure adequate drainage facilities will be provided.</p> <p>3. The developer will be financially responsible for offsite drainage improvements to the extent that the project actually impacts offsite drainage facilities. The amount of financial responsibility shall be agreed upon by the City of Chula Vista and the developer.</p> <p>4. Development of the subject property must comply with all applicable regulations established by the Environmental Protection Agency (EPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge.</p>		X	Engineering Department	AR					B	a		
			X		Engineering Department	AR					A	a		
			X		Engineering Department	AR						B	a	
			X		Engineering Department	RC						E	C	

**Shown in Conditions of Approval:**  
 AO - Agency Option to Implement as Needed;  
 RC - Required by Code;  
 P - Plan, Program or Report Required;  
 AR - Agency to Require on All Projects.

**Monitoring Frequency:**  
 A - With Each New Development;  
 B - Prior to Construction;  
 C - Throughout Construction;  
 D - On Completion;  
 E - Operating;  
 F - On Violation.

**Reporting Frequency:**  
 a - Once, On Completion;  
 b - On Violation;  
 c - Ongoing.

**Sanctions**  
 1 - Withhold Building Permit  
 2 - Withhold Cert. of Occupancy  
 3 - Stop Work Order  
 4 - Monetary

**PALOMAR TROLLEY CENTER  
MITIGATION MONITORING PROGRAM CHECKLIST**

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			One-Time	Const Only		Operating	AR	Rqd	Verified Date/Init	Verified Date/Init	Rqd	Frequency to Monitor	Report	
Land Use	Land uses proposed by the project are inconsistent with the Montgomery Specific Plan and the City's Zoning Ordinance; the project proposes 18.2 acres of commercial land use on a parcel designated as 2.0 acres of industrial, 15.2 acres of commercial, and 1 acre of institutional; rezoning of the project site must occur (3.0 acres of limited industrial to central commercial) to be consistent with land uses proposed by the project.	<p>1. The Montgomery Specific Plan shall be amended from research and limited industrial (2.0 acres) and institutional (1.0 acre) to 3.0 acres of mercantile and office commercial for the project site by the City of Chula Vista.</p> <p>2. The developer shall submit a precise plan to the City in conjunction with the development proposal.</p> <p>3. The 3.0 acres of the site presently zoned I-L-P shall be rezoned to C-C-P by the City of Chula Vista.</p>	X		Planning Department	AR				B		a		
			X		Planning Department	AR				B		a		
			X		Planning Department	AR					B		a	
Aesthetics	Existing viewshed will be changed from vacant land to a large commercial center.	<p>1. The project shall be designed in accordance with the guidelines outlined by the site planning concepts for the Palomar Trolley Center and policies regarding aesthetics contained in the Montgomery Specific Plan.</p> <p>2. The City's design review process shall be used to ensure that all guidelines are followed and that the project is aesthetically consistent with the surrounding commercial uses.</p>		X	Planning Department	AO						C		a
				X	Planning Department	AO						C		a

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			One- Time	Const Only	Opera- ting		Rqd	Verified Date/Init	Rqd	Verified Date/Init	Rqd	Frequency to Monitor	Report		
Social Factors	The vacancy rate of neighborhood-serving commercial retail may be increased from 6.5 percent to 13.1 percent by adding the 87,400 square feet of neighborhood-serving commercial retail to the market area as proposed by the project.	<p>1. Any future "Disposition and Development Agreement" (DDA) shall include a clause that restricts the developer from leasing or selling to tenants or purchasers greater than 15,000 square feet of net useable floor area until the Executive Director of the Redevelopment Agency of the City of Chula Vista has approved the tenant. Approval can be withheld if the Agency finds and reasonably determines, at a public meeting and after notice is provided to the developer, that the proposed tenant or purchaser is incompatible with the commercial mixture of tenants present in the market area of the project."</p>	X			Community Development	AO						E	e	

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			One-Time	Const Only		Operating	Rqd	Verified Date/Init	Rqd	Verified Date/Init	Rqd	Frequency to Monitor	Report			
Community Infrastructure	Implementation of the proposed project will increase demand for public services such as fire/EMS, police protection, and recreational facilities within the project area.	<p><b>Fire</b></p> <ol style="list-style-type: none"> <li>Prior to development the project will receive the approval of the City of Chula Vista Fire Marshall.</li> <li>The project will meet standards set within the City's Threshold/Standards policy for Fire/EMS protection related to response times.</li> <li>Required fire flow for the project area will average 5,000 gallons per minute.</li> <li>A fully automatic fire sprinkler system will be provided in all buildings. This system will be monitored on a consistent basis.</li> <li>Fire hydrants will be provided to satisfaction of the Fire Marshall. No combustible construction materials shall be placed on the project site until fire hydrants are in place, tested, and fully operational.</li> <li>Access roads shall meet City standards for location and construction.</li> <li>Fire extinguishers are required in all buildings.</li> </ol> <p><b>Police</b></p> <ol style="list-style-type: none"> <li>Security lighting and alarm systems will be installed to assist police with visual surveillance of commercial businesses.</li> </ol>	X			RC						A	a			
			X			RC							A	a		
				X		RC								A	C	
				X		RC								A	C	
					X	RC								A	a	
					X	RC								A	a	
						RC								A	C	
						AO								A	C	

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			One-Time	Const Only			Operating	Qrd	Verified Date/Init	Qrd	Verified Date/Init	Frequency to Monitor		Report
Community Infrastructure (Continued)		Schools	X			AR								
		9. The project shall pay developer impacts fees to the school districts or be annexed to CDF #5 to allow the use of Mello Roos Financing to help offset costs of increased numbers of school children.												
		Recreation												
		10. The developer will make a good faith effort in providing a linear park within the SDG&E right-of-way. Development of the park will depend upon conclusions and recommendations contained within the special study described above and approval of the park by the City of Chula Vista and SDG&E.	X				AO							
		11. The park will be properly maintained by whoever is deemed responsible, per an agreement between the City and the developer.			X	AR								
		12. Where feasible, vegetation for the open space area will consist of drought resistant plants and trees.		X		AR								

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Energy	Consumption of electricity and natural gas will increase 7.5 megawatt hours and 11,000 cubic feet, respectively, over existing conditions, but will be 132.8% and 157.1% above that consumed by existing development.	<p>1. The developer shall comply with California Energy Commission Standards in construction, including the use of energy-conserving construction techniques in all new construction.</p> <p>2. The developer shall incorporate energy saving devices into the project whenever possible. These may include but not be limited to:</p> <ul style="list-style-type: none"> <li>o time-controlled thermostats and lights</li> <li>o fluorescent lighting or vapor lights instead of incandescent lighting</li> <li>o weatherstripping and caulking of all doors and windows</li> <li>o insulation of all buildings, hot water tanks, pipes and ducts</li> <li>o and use of solid state dimmer switches.</li> </ul>		X	Planning and Engineering Department	AR					C	b	
			X		Planning and Engineering Department	AR					D	b	

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			One-Time	Const Only			Operating	Reqd	Verified Date/Init	Reqd	Verified Date/Init	Frequency to Monitor	
Utilities	Water consumption will be 38,100 gallons per day more than present, and generation of sewage and solid waste will be 30,300 gallons per day and 0.33 tons per day above present conditions, respectively; the project will use 257% more water and generate 303% and 191.8% more sewage and solid waste respectively than existing development.	<p>1. The developer shall implement water conservation devices into the project, wherever possible. These may include, but not be limited to:</p> <ul style="list-style-type: none"> <li>o The use of drought resistant shrubbery and vegetation.</li> <li>o Installation of low volume toilet tanks.</li> <li>o Installation of flow control devices to reduce water flow from faucets.</li> </ul> <p>2. The developer shall participate in whatever water conservation, no net increases in water consumption, or fee off-set program the City of Chula Vista has in effect at the time of building permit issuance.</p> <p>3. The developer shall implement source control devices such as grease traps at food processing businesses.</p> <p>4. The developer shall implement a recycling program, as required by the City of Chula Vista in all businesses by 1991. This program shall consist of source separation techniques, and disposal by a private contractor.</p> <p>5. A sewer holding tank shall be located on the project site to allow for off-peak discharge of sewage until CIP projects have been completed.</p>	X		Planning Department Engineering Department	AR				D		a	
			X		Planning Department	AR				F		b	
			X		Planning Department	AO				D		a	
			X		Planning Department	AR				E		c	
			X		Engineering Department	AO				D		a	

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 A - With Each New Development;  
 B - Prior to Construction;  
 C - Throughout Construction;  
 D - On Completion;  
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**Reporting Frequency:**  
 a - Once, On Completion;  
 b - On Violation;  
 c - Ongoing.

**Sanctions**  
 1 - Withhold Building Permit  
 2 - Withhold Cert. of Occupancy  
 3 - Stop Work Order  
 4 - Monetary

**PALOMAR TROLLEY CENTER  
MITIGATION MONITORING PROGRAM CHECKLIST**

Issue Area	Potential Significant Environmental Effects	Mitigation Measures	When Applied		Monitor/Report Agency	Shown in conditions	Shown on Plans		Installed on Site		Const/Operating		Sanctions for Non-Compliance
			One-Time	Const Only			Operating	Verifed Date/Init	Rqd	Verifed Date/Init	Rqd	Frequency to Monitor	
Utilities (Continued)		<p>6. The developer shall pay required sewer fees to finance sewer improvements. Fees will be in direct proportion to the actual wastewater discharged by the development.</p> <p>7. The developer shall adhere to all State Energy Commission standards for new construction.</p>	X		Engineering Department	AR					D	a	
			X		Engineering Department	AR					C	a	
Human Health	Persons will be exposed to low-level soil contamination on-site that has occurred from a variety of hazardous materials, and to above ambient levels of electromagnetic radiation for short time periods from energy transmission lines.	<p>1. The developer shall perform additional soil sampling and analysis to define the lateral and vertical extent of waste oil contamination. Any soil found to be contaminated shall be removed from the project site and disposed of at a Class II or III disposal site.</p> <p>2. The developer shall remove all underground fuel tanks, as identified by Kleinfelder and Woodward-Clyde Consultants, in accordance with applicable regulations. The developer shall also perform soil sampling around the tanks and complete a Health Risk Assessment for the property. Any contaminated soil shall be removed and disposed of at a Class II or III disposal site.</p> <p>3. The developer shall sample the soil for contamination at the site of the RV sewage dumping station on the southeast corner of Sam's Trailer Service prior to development. Contaminated soil shall be removed from the project site and disposed of at a Class II or III disposal site.</p>	X		Engineering Department	AO					B	a	
			X		Engineering Department	AO					B	a	
				X	Engineering Department	AO					B	a	

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			One-Time	Const Only			Operating	Rqd	Verified Date/Init	Rqd	Verified Date/Init	Monitor		Report		
Human Health		<p>4. A more in-depth assessment of daily onsite activities and observation of enclosed and restricted areas shall be performed by the developer prior to development. In particular, the repair and service area associated with Sam's Trailer Service and the enclosures surrounding the private residences shall be observed for use or storage of petrochemicals or other hazardous materials. Soils around such hazardous material storages shall be tested for contamination, and removed from the project site if contaminated and disposed of at a Class II or III disposal site.</p> <p>5. The developer shall sample the existing buildings on the site for asbestos-containing building materials (ACBM's) prior to site development. All material or soil found to contain asbestos shall be removed from the project site and disposed of at a Class II or III disposal site.</p> <p>6. The developer shall pay to have SDG&amp;E test the onsite transformer and the pole mounted transformers for PCB's. Any soil around the transformers containing PCB's shall be removed from the project site and disposed of at a Class II or III disposal site, and any transformers containing PCB's shall be removed and replaced by SDG&amp;E.</p> <p>7. Construction of the linear park shall be delayed until definitive conclusions regarding the significance of exposure to EMR can be reached.</p>	X		Engineering Department	AO	Rqd				B		a			
				X		Engineering Department	AO						B		a	
				X		Engineering Department	AO						B		a	
				X		Engineering Department	AO						B		b	

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			One-Time	Const Only	Operating			Rqd	Verified Date/Init	Rqd	Verified Date/Init	Frequency to Monitor	Report				
Transportation (Continued)		o Eastbound - two left, two through, and one through/right				Engineering Department	AO										
		o Westbound - one left, three through, and one right															
		o Northbound - one left, two through, and one right															
		o Southbound - one left, two through, and one right															
		4. Improve the intersection of Palomar Street/Trolley Station Entrance to provide the following lane geometrics: - Widen the eastbound and westbound approaches to provide an additional through lane in each direction. The resulting geometric configuration for this intersection is detailed below: o Eastbound - one left, two through, and one through/right o Westbound - one left, three through, and one right o Northbound - one left, and one through/right o Southbound - one left/through, and one right	X								D	a					

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			One-Time	Consl Only			Operating	Rqd	Verified Date/Init	Verified Date/Init	Rqd	Frequency to Monitor	
Transportation (Continued)		<p>5. The intersection of Main Street/Broadway to provide the following lane geometrics:-</p> <ul style="list-style-type: none"> <li>- Widen the eastbound and westbound approaches to provide an additional right-turn lane in each direction and widen the northbound and southbound to provide an additional left-turn lane in each direction. The resulting geometric configuration for this intersection is detailed below:</li> <li>o Eastbound - one left, two through, and one through/right</li> <li>o Westbound - one left, two through, and one right</li> <li>o Northbound - two left, two through, and one right</li> <li>o Southbound - two left, two through, and one right</li> </ul>	X		Engineering Department	AO					D	a	

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Transportation (Continued)		<p>6. The following mitigation strategies and site improvements should be required by the City during the review of the site design plans:</p> <ul style="list-style-type: none"> <li>o A raised median be incorporated into the design of the Main Entrance driveway serving the Trolley Center site. This on-site raised median should be continuous for a distance of approximately 150 feet south of the signalized intersection at Palomar Street. This raised median will provide uninterrupted storage for northbound left turning vehicles and will also insure uniform traffic flow south of the signal in both directions.</li> <li>o In addition to the Main Entrance Driveway and the Palomar Trolley Station Entrance, three other access points will be provided and restrict access at these locations to right-turns in and right-turns out, in conjunction with a raised median on Palomar Street.</li> <li>o The access point located to the east of the site on Broadway shall be restricted to right and left-turns in and right-turns out. Care must be taken when designing this left-turn pocket, as it is likely to be confused with the left-turn pocket from northbound Broadway to westbound Palomar Street.</li> <li>o The internal circulation and parking layout adjacent to each individual restaurant pad should be re-evaluated when specific plans are made for these uses on the proposed project site.</li> </ul>	X		Engineering Department	AO					D	a	

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Transportation (Continued)		It is strongly recommended that the proposed project provide an internal connection from its parking lot to the existing Trolley Station parking lot. This will provide vehicles leaving the Trolley Station an alternate exit at the signalized intersections at the proposed main project entry and reduce delay at the unsignalized Trolley Station exit if the Trolley Station traffic signal is relocated. In addition to this physical linkage for vehicles it is recommended that a similar linkage be provided exclusively for pedestrians.		X	Engineering Department	AO					D	a	

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ALAN'S MEETING COPY

RESOLUTION NO. 16834

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE TENTATIVE SUBDIVISION MAP FOR SALT CREEK RANCH, CHULA VISTA TRACT 92-02 AND MAKING THE NECESSARY FINDINGS, RECERTIFYING SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT SEIR 91-03 (SCH #89092721) AND READOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS AND THE MITIGATION MONITORING PROGRAM FOR THE SEIR

WHEREAS, the property which is the subject matter of this resolution is identified and described on Chula Vista Tract 92-02, and is commonly known as Salt Creek Ranch ("Property"); and,

WHEREAS, the Baldwin Company filed a duly verified application for the subdivision of the Property in the form of the tentative subdivision map known as Salt Creek Ranch, Chula Vista Tract 92-02, with the Planning Department of the City of Chula Vista on June 15, 1992 ("Project"); and,

WHEREAS, said application requested the approval for the subdivision of approximately 1197.4 acres located on both sides of Proctor Valley Road, east of the easterly terminus of East H Street, into 2,609 residential lots, open space areas, two school lots, two parks and two community purpose facility lots; and,

WHEREAS, the development of the Property has been the subject matter of a General Development Plan ("GDP") previously approved by the City Council on September 25, 1990 by Resolution No. 15875 ("GDP Resolution") wherein the City Council, in the environmental evaluation of said GDP, relied in part on the Salt Creek Ranch, General Development Plan, Environmental Impact Report No. 89-03, SCH No. 89092721 ("Program EIR 89-03"), a program environmental impact report as same is defined in CEQA Guideline Section 15168; and,

WHEREAS, the development of the Property has been the subject matter of a Section Planning Area Plan ("SPA Plan") previously approved by the City Council on March 24, 1992 by Resolution No. 16554 ("SPA Plan Resolution") wherein the City Council, in the environmental evaluation of said SPA Plan, relied in part on the "Salt Creek Ranch, Sectional Planning Area (SPA) Plan Final Supplemental Environmental Impact Report No. 91-03", SCH No. 89092721 ("SEIR 91-03"); and,

WHEREAS, this Project is a subsequent activity in the program of development environmentally evaluated under Program EIR 89-03 and SEIR 91-03 that is virtually identical in all relevant respects, including lot size, lot numbers, lot configurations, transportation corridors, etc., to the project descriptions in said former environmental evaluations; and,

WHEREAS, the City Environmental Review Coordinator has reviewed the proposed Tentative Map and determined that it is in substantial conformance with the SPA Plan, therefore no new environmental documents are necessary;

WHEREAS, the Planning Commission held an advertised public hearing on said project on September 23, 1992 and recertified SEIR 91-03, voted to recommend that the City Council approve the Tentative Map in accordance with the findings and conditions listed below and readopted the Statement of Overriding Considerations and the Mitigation Monitoring Program; and,

WHEREAS, the City Council set the time and place for a hearing on said tentative subdivision map application and notice of said hearing, together with its purpose, was given by its publication a newspaper of general circulation in the City and its mailing to property owners within 1,000 feet of the exterior boundaries of the property at least ten days prior to the hearing; and,

WHEREAS, the hearing was held at the time and place as advertised, namely 4:00 p.m., October 6, 1992, in the Council Chambers, 276 Fourth Avenue, before the City Council and said hearing was thereafter closed.

NOW THEREFORE, THE CITY COUNCIL finds, determines and resolves as follows:

SECTION 1. CEQA Finding re Previously Examined Effects.

The City Council hereby finds that the Project, as a later activity to that evaluated in the Program EIR 89-03 and SEIR 91-03, would have no new effects that were not examined in the preceding Program EIR 89-03 and SEIR 91-03 (Guideline 15168 (c)(1)); and,

SECTION 2. CEQA Finding re Project within Scope of Prior Program EIR.

The City Council hereby finds that (1) there were no changes in the project from the Program EIR and the SEIR which would require revisions of said reports; (2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken since the previous reports; (3) and no new information of substantial importance to the project has become available since the issuance and approval of the prior reports; and that therefore, no new effects could occur or no new mitigation measures will be required in addition to those already in existence and current made a condition for Project implementation. Therefore, the City Council approves the Project as an activity that is within the scope of the project covered by the Program EIR and SEIR, and therefore, no new environmental documents are required (Guideline 15168(c)(2)).

SECTION 3. Incorporation of All Feasible Mitigation Measures and Alternatives.

The City does hereby adopt and incorporate herein as conditions for all approvals herein granted all mitigation measures and alternatives, if any, which it has determined, by the findings made in the GDP Resolution and the SPA Resolution, to be feasible in the approval of the General Development Plan and the SPA Plan, respectively.

SECTION 4. Notice with Later Activities.

The City Council does hereby give notice, to the extent required by law, that this Project is an activity within the scope of the program approved earlier in the GDP Resolution and the SPA Plan Resolution and the Program EIR and SEIR adequately describes the activity for the purposes of CEQA (Guideline 15168 (e)).

SECTION 5. General Plan Findings--Conformance to the General Plan.

Pursuant to Government Code Section 66473.5, in the Subdivision Map Act, finds that the tentative subdivision map as conditioned herein for Salt Creek Ranch, Chula Vista Tract no. 92-02, is in conformance with all the various elements of the City's General Plan, the Salt Creek Ranch General Development Plan and Sectional Planning Area Plan based on the following:

- a. Land Use - The project is a planned community which provides a variety of land uses and residential densities ranging between 1.2 and 17.9 dwelling units per acre. The project is also consistent with General Plan policies related to grading and landforms.
- b. Circulation - All of the on-site and off-site public and private streets required to serve the subdivision consist of Circulation Element roads and local streets in locations required by said Element. The applicant shall construct those facilities in accordance with City standards or pay in-lieu fees in accordance with the Salt Creek Ranch Public Facilities Financing Plan.
- c. Housing - The applicant is required to enter into an agreement with the City to provide and implement a low and moderate income program within the project prior to the approval of any Final Map for the project.
- d. Conservation and Open Space - The project provides 452 acres of open space, 37% of the total 1197.4 acres. Grading has been limited on steep hillsides and grading plan approval will require the revegetation of slopes in natural vegetation.
- e. Parks and Recreation - The project will provide a 22 acre (gross) community park, a 7 acre (gross) neighborhood park and the payment of PAD fees or additional improvements as approved by the Director of Parks and Recreation. In addition, equestrian and recreational trail systems will be provided throughout the project, ultimately connecting with other open space areas and trail systems in the region.
- f. Seismic Safety - No seismic faults have been identified in the vicinity of the property.

- g. Public Safety - All public and private facilities will be reachable within the threshold response times for fire and police services.
- h. Public Facilities - The applicant will provide all on-site and off-site streets, sewers and water facilities necessary to serve this project. In addition, the project is preserving a potential fire station site. The developer will also contribute to the Otay Water District's improvement requirements to provide terminal water storage for this project as well as other major projects in the eastern territories.
- i. Noise - The project will include noise attenuation walls as required by an acoustic study dated July 15, 1992 prepared for the project. In addition, all units are required to meet the standards of the UBC with regard to acceptable interior noise levels.
- j. Scenic Highway - The roadway design provides wide landscaped buffers along the two scenic highways, Proctor Valley Road and Hunte Parkway.
- k. Bicycle Routes - Bicycle paths are provided throughout the project.
- l. Public Buildings - The project provides a fire station site and two school sites to serve the area. The project is also be subject to RCT and DIF fees.

SECTION 6. Subdivision Map Act Findings.

A. Balance of Housing Needs and Public Service Needs.

Pursuant to Section 66412.3 of the Subdivision Map Act, the Council certifies that it has considered the effect of this approval on the housing needs of the region and has balanced those needs against the public service needs of the residents of the City and the available fiscal and environmental resources. The development will provide for a variety of housing types from single family detached homes to attached single family and multiple family housing and will provide low and moderate priced housing consistent with regional goals.

B. Opportunities for Natural Heating and Cooling Incorporated.

The configuration, orientation and topography of the site partially allows for the optimum siting of lots for passive or natural heating and cooling opportunities as required by Government Code Section 66473.1.



## C. Finding re Suitability for Residential Development.

The site is physically suitable for residential development and the proposal conforms to all standards established by the City for such projects.

## SECTION 7. Conditional Approval of Tentative Subdivision Map.

The City Council does hereby approve, subject to the following conditions, the tentative subdivision map for Salt Creek Ranch, Chula Vista Tract 92-02 (Unless otherwise specified, all Conditions and Code Requirements shall be fully completed to the City's satisfaction prior to the approval of the First Final Map. Unless otherwise specified, "dedicate" means grant the appropriate easement, rather than fee title):

The developer shall:

General/Preliminary

1. Prepare amendments to the Public Facilities Financing Plan (PFFP) to reflect the modifications to the sequence of development as indicated on Exhibit A (attached) and condition No. 2 herein and which indicates a reduction in Phase 1 to 1,137 dwelling units by deleting lots/dwelling units in locations and numbers, subject to the approval of the Director of Planning and the City Engineer. For purposes of these conditions, Phases 1-3 cited in these conditions shall be composed of those neighborhoods or portions of neighborhoods as indicated on Exhibit A. *(Planning, Engineering)*
2. Install public facilities in accordance with the Public Facilities Financing Plan as amended or as required by the City Engineer to meet threshold standards adopted by the City of Chula Vista. In addition, the sequence that improvements are constructed shall correspond to any future East Chula Vista Transportation Phasing Plan as may be amended in accordance with the final HNTB SR-125 Financing Study adopted by the City. The City Engineer and Planning Director may, at their discretion, modify the sequence of improvement construction should conditions change to warrant such a revision. *(Engineering)*
3. The mitigation measures required before Final Map approval by Final Supplemental Environmental Impact Report for Salt Creek Ranch (FSEIR) 91-03 are hereby incorporated into this Resolution by reference. Any such measures not satisfied by a specific condition of this Resolution or by the project design shall be implemented to the satisfaction of the Director of Planning. Mitigation measures shall be monitored via the Mitigation Monitoring Program approved in conjunction

with the FSEIR. Modification of the sequence of mitigation shall be at the discretion of the Director of Planning should changes in circumstances warrant such revision. (*Planning*)

4. Unless otherwise conditioned, the developer shall comply with, remain in compliance with, and implement, the terms, conditions and provisions of the Salt Creek General Development Plan, Sectional Planning Area Plan, and such Master Plan of Reclaimed Water, Urban Runoff Report, Habitat Enhancement Plan, Master Plan of Sewage, Water Conservation Plan, the Air Quality Improvement Plan Design Guidelines and the Public Facilities Financing Plan approved by the Council ("Plans") as are applicable to the property which is the subject matter of this Tentative Map, prior to approval of the Final Map, or shall have entered into an agreement with the City, providing the City with such security (including recordation of covenants running with the land) and implementation procedures as the City may require, assuring that, after approval of the Final Map, the developer shall continue to comply with, remain in compliance with, and implement such Plans. Developer shall agree to waive any claim that the adoption of a final Water Conservation Plan or Air Quality Plan constitutes an improper subsequent imposition of the condition. (*Planning, Engineering*)

#### Streets, Rights-of-Way and Improvements

5. Provide security in accordance with Chapter 18.16 of the Municipal Code and dedicate construct full street improvements for all public and portions of private streets shown on the Tentative Map within the subdivision boundary or off-site, as required for each unit or phase. Said improvements shall include, but not be limited to, asphalt concrete pavement, base, concrete curb, gutter and sidewalk, sewer reclaimed water and water utilities, drainage facilities, street lights, signs, fire hydrants and transitions to existing improvements. All streets shall conform to the City's Street Design Standards Policy adopted by City Council Resolution #15349 unless otherwise conditioned or approved by the City Engineer. Construct transitions to existing improvements in the manner required by the City Engineer. (*Engineering*)
6. Dedicate for public use all the streets shown on the tentative map within the subdivision boundary except private streets. (*Engineering*)
7. Construct or enter into an agreement to construct the following street improvements prior to the approval of the corresponding Final Map for the neighborhoods identified. The required security shall be provided for each facility prior to approval of the Final Map for the corresponding neighborhood or portion thereof. Construction of appropriate full or

partial improvements for each neighborhood or portion thereof, as indicated in Matrix A (full) or Matrix B (partial) shall be completed prior to issuance of occupancy permits for each affected neighborhood or portion thereof.

MATRIX "A"	
NEIGHBORHOOD	FACILITIES NEEDED*
1	1, 2, 3, 18
2	1, 2, 4, 10, 11, 18
3	1, 18
4A	18
4B	1, 18
5	1, 18
6	1, 4, 9, 18, 20
7A	1, 4, 10, 18, 20
7B	1, 4, 5, 9, 18, 20
8	5, 6, 9, 20, 21
9	5, 6, 7, 8, 9, 20
10A	5, 6, 7, 8, 9, 15, 16, 20
10B	5, 6, 7, 9, 15, 16, 20
11	5, 6, 9, 12, 13, 14, 17, 20
12	5, 6, 9, 12, 13, 20
13	5, 6, 9, 12, 20
*See Table 1 for description of each facility.	

MATRIX "B"	
Construct the following partial improvements in accordance with the phasing plan [or revised development sequence] as indicated on Exhibit A attached.	
Phase 1A Neighborhood	PARTIAL FACILITIES NEEDED
3a, 3b, 4b, 5b, 6a	1, 18 full improvements. Facility No. 19, Proctor Valley Road, shall be graded full width and paved with two lanes in lieu of constructing facility #18.
Phase 1B Neighborhood	
#1a 90 units #2a,b-213 units #4a-100 units #5a-119 units #6b-113 units	a. 3 - grade to ultimate, improve 4 lanes and center median.
	b. 4, 5 - grade to ultimate, construct a 2 lane facility to the satisfaction of the City Engineer.
	c. 9, 10, 20 full improvements
	d. 21 - construct 2 lanes of Duncan Ranch Rd. to the park entrance. Improve the 12 acre park.

Facility 11:

Deposit cash with the City Engineer to provide security for the future construction of full street improvements for Hunte Parkway, including underground utilities, north of its intersection with Street IIII to the northerly subdivision boundary in lieu of constructing said full improvements. The amount of deposit shall be based on a developer's cost estimate submitted to and improved by the City Engineer. The deposit shall be paid prior to approval of the Final Map for Neighborhood 2. Notwithstanding the foregoing, construct a 24-foot wide paved access road between street "IIII" and the northerly subdivision boundary at the time Hunte Parkway, between Proctor Valley Road and Street "IIII", is constructed, or at such time as the existing access road is removed, whichever occurs first. *(Engineering)*

Facility 19:

Provide security for facility #19 (Proctor Valley Road offsite) prior to issuance of the building permit for the 1138th unit. Complete full grading and construct two lanes prior to occupancy of the 1756th unit. Construct full improvements prior to issuance of the 2176th building permit.

TABLE 1 DESCRIPTION OF TRANSPORTATION FACILITIES		
Facility No.	Street	Portion
1	Lane Avenue	South Subdivision boundary to Proctor Valley Road
2	Lane Avenue	Proctor Valley Rd. to entrance NH 1&2
3	Proctor Valley Rd.	West Subdivision Boundary to Lane
4	Proctor Valley Rd.	Lane to Hunte Parkway
5	Proctor Valley Rd.*	Hunte to Neighborhood 7B
6	Proctor Valley Rd.*	Neighborhood 7B to YYYY
7	Proctor Valley Rd.*	St. YYYY to St. CCCC
8	Proctor Valley Rd.*	St. CCCC to East Subdivision Boundary
9	Hunte Parkway	South Subdivision Boundary to Proctor Valley Road
10	Hunte Parkway	Proctor Valley Road to Entrance of Neighborhood 7A
11	Hunte Parkway	Neighborhood 7A Entrance to North Subdivision Boundary, grade full width, pave 2 lane road, cash bond for ultimate improvements, extend utilities to Subdivision Boundary
12	YYYY	Proctor Valley Road to Neighborhood 9 Northern boundary.
13	YYYY	Neighborhood 9 to Neighborhood 12.
14	YYYY	Neighborhood 12 to Northern Subdivision boundary.
15	CCCC	Proctor Valley Road to Northern Boundary Neighborhood 9.
16	CCCC	Neighborhood 9 to North Boundary Neighborhood 10A.
17	CCCC	Neighborhood 10A to YYYY
18	MacKenzie Creek Rd.	West Subdivision Boundary to Lane.
19	Proctor Valley Road	West Subdivision Boundary to Mt. Miguel Rd.
20	Hunte Parkway	South Subdivision Boundary to Otay Lakes Road.
21	Duncan Ranch Road	Within Subdivision.
* These segments of Proctor Valley Road shall be graded and constructed to 6 lane prime standards unless studies conducted for the Otay Ranch development indicate a lesser street standard is adequate and that reduction is approved through a change of the street classification in the circulation element of the General Plan.		

(Engineering)

8. Provide on the Final Map City rejection of an irrevocable offer to dedicate (IOD) the right-of-way for Hunte Parkway north of Street "III" in Neighborhood 2. Grant an open space easement over the balance of the right-of-way within the IOD subject to the condition that it revert to street purposes if and when the City later accepts the IOD. *(Engineering)*
9. Provide red curbs and "no parking" signs to prohibit on-street parking on Lane Avenue and stripe bicycle lanes. *(Engineering)*
10. Provide red curbs and "no parking" signs to prohibit on-street parking on the westerly side of Hunte Parkway between Proctor Valley Road and the southerly subdivision boundary. *(Engineering)*
11. Design and construct Lane Avenue as a Class I collector. *(Engineering)*
12. Requested Waiver 1 is approved subject to compliance with parking requirements in Street Design Standard Policy, item #20, page 12. Requested waivers 2 through 7 as listed on the tentative map and reduction of the centerline radius of Street "CCC" to 150 feet are hereby approved subject to submission of a letter from a registered civil engineer indicating that the results of the waivers requested conform with common engineering practice and standards in consideration of public safety. *(Engineering, Planning)*
13. Construct a temporary turnaround at the end of any streets which are not constructed to their full lengths that are greater than 150 feet in length as measured from the nearest intersection, except as approved by the City Engineer. *(Engineering)*
14. Construct or provide to the specifications or satisfaction of the City Engineer the following features to all neighborhoods with private streets with controlled access devices, such as gates:
  - a. Gates located to provide sufficient room to queue up without interrupting traffic on public streets.
  - b. Turn arounds at the gates.
  - c. Delineation of border between public street and private street by enhanced pavement. No enhanced pavement shall be located within public right-of-way.
  - d. Emergency vehicle access. *(Engineering)*
15. Install fully activated traffic signals including interconnect

wiring at the following intersections:

- a. Proctor Valley Road/Lane Avenue
- b. Proctor Valley Road/Hunte Parkway
- c. Proctor Valley Road/Duncan Road
- d. Proctor Valley Road/Oak Creek Road
- e. Proctor Valley Road/Street "YYYY"
- f. Lane Avenue/Otay Lakes Road
- g. Hunte Parkway/Otay Lakes Road

Install underground improvements, standards and luminaries with construction of street improvements, and install mast arms, signal heads and associated equipment when signal warrants are met, as determined by the City Engineer.  
*(Engineering)*

16. Install interconnect conduit, pull boxes and pull rope to connect the traffic signals along Proctor Valley Road within the subdivision. *(Engineering)*
17. Install traffic counting station loops at seven locations determined by the City Engineer. *(Engineering)*
18. Submit to and obtain approval by the City Engineer striping plans for all major and collector streets simultaneously with the associated improvement plans. *(Engineering)*
19. Grant in fee the City a 1-foot control lot at the northerly terminus of Hunte Parkway and Street "YYYY" and the southerly terminus of Duncan Ranch Road. *(Engineering)*
20. Install transit amenities on both sides of Proctor Valley Road (East "H" Street) at the following locations, or appropriate alternative locations as approved by the City Engineer:
  - a. Proctor Valley Road (East "H" Street)/Hunte Parkway intersection.
  - b. Proctor Valley Road (East "H" Street)/Lane Avenue intersection

Transit amenities include, but are not limited to benches and/or shelters, and are subject to the approval of the City Engineer.

Pay a \$10,000 cash deposit to the City to fund transit

amenities when required. *(Engineering)*

21. Dedicate to the City right-of-way at the easterly end of Street IIII to provide for the future extension of said street. Said dedication shall extend to the subdivision boundary the exact configuration and location of which are subject to approval of the City Engineer and the Director of Planning. All right-of-way which is not utilized by the street to be constructed shall be rejected by the City on the Final Map. This dedication shall be in lieu of the easement indicated on the Tentative Map over lot 76, Neighborhood 11 which shall not be shown on the Final Map. *(Engineering, Planning)*
22. Provide public street access to the northern adjacent properties upon development of Neighborhood 11 by means of Street YYY stubbing into said area, as depicted on the Tentative Map, subject to approval of the City Engineer and the Director of Planning. Prior to approval of the first Final Map for Neighborhood 12, the northern adjacent property owners of record shall demonstrate to the satisfaction of the City Engineer and Director of Planning that alternate public street access to the northern adjacent properties can be reasonably and feasibly constructed by them, at their own expense, from an economic, planning, environmental, engineering and legal standpoint. Upon such a showing, the developer shall provide private easement access up to the existing dirt roads located at the end of Street MMMM and Street NNNN, by means of Street SSSS, as depicted on the Tentative Map. *(Engineering, Planning)*
23. Grant to the City an easement or easements for street tree planting and maintenance, and landscape buffer areas along all public streets in the width required by the City's Street Design Standards. *(Engineering)*
24. Acquire and then grant to the City all offsite rights-of-way necessary for the installation of required street improvements for the affected phase or unit, prior to approval of each Final Map for each affected phase or unit of the subdivision. *(Engineering)*
25. Notify the City at least 60 days prior to consideration of the affected Final Map by City, if offsite right-of-way cannot be obtained as required by Condition 24. (Only offsite right-of-way or easements affected by Section 66462.5 of the Subdivision Map Act are covered by this condition).

After said notification and prior to the approval of the affected Final Map, the developer shall:



- a. Pay the full cost of acquiring offsite right-of-way or easements required by the Conditions of Approval of the Tentative Map.
- b. Deposit with the City the estimated cost of acquiring said right-of-way or easements. The amount of the deposit is subject to the approval of the City Engineer.
- c. Prepare and submit all easement and/or right-of-way documents, plats and appraisals necessary to commence condemnation proceedings.

If the developer so requests, the City may use its power of eminent domain to acquire right-of-way, easements or licenses needed for offsite improvements or work related to the tentative map. The developer shall pay all costs, both direct and indirect incurred in said acquisition.

The condition to construct the related offsite improvements which fall under the purview of Section 66462.5 of the State Subdivision Map Act are waived in accordance with that section of the Act, if the City does not acquire or commence proceedings for immediate possession of the property within the 120 day time limitation specified in that section.  
(Engineering)

26. Widen intersection approaches for Proctor Valley Road/Hunte Parkway to the satisfaction of the City Engineer.  
(Engineering)
27. Construct private streets in accordance with the standards contained in the subdivision manual and street design standards unless otherwise approved by the City Engineer. Private street cross sections shall conform to those shown on the tentative map for curb-to-curb width and right-of-way width, with the exception of the private street section for Neighborhood 13 which shall have a 48 ft. right-of-way width, and 32 ft. curb-to-curb. (Engineering)
28. Provide standard curb and gutter for all public streets. Street sections as shown on the Tentative Map are approved unless otherwise conditioned. (Engineering)

#### Sewers

29. Grant the City fee title to a parcel within which the Salt Creek Ranch sewer pump station shall be located. Design and construct the sewer pump station subject to the approval of the Cities of Chula Vista and San Diego. (Engineering)
30. Provide security and construct the following offsite sewer improvements prior to approval of any Final Map which requires

the Eastlake sewer pump station on Otay Lakes Road to provide sewer service:

- a. A gravity sewer right-of-way from the southerly subdivision boundary to the EastLake pump station.
- b. Upgrade the EastLake pump station, as determined by the City Engineer, to provide pumping capacity and emergency measures to accommodate temporary sewage flows from Salt Creek Ranch.

Obtain approval of the design of said improvements from the City Engineer. *(Engineering)*

~~31. Request and complete incorporation into the existing sewer service surcharge district to provide for future maintenance of the Salt Creek Ranch and Eastlake pump stations, prior to approval of the first Final Map of a phase or unit served by the Eastlake pump station. Deposit \$2,000 to cover costs of incorporation. Pay the full cost of said incorporation. *(Engineering)*~~

32. Provide access to all sanitary sewer manholes via an improved access road with a minimum width of 12 feet, designed an H-20 wheel load, or other loading, subject to the approval of the City Engineer. *(Engineering)*

Grading and Drainage

33. Grade rear or side yard access to all public storm drain structures, including inlet and outlet structures, and construct paved access thereto except as otherwise directed by the City Engineer. *(Engineering)*

34. Place all lot lines at top of slope, except in Neighborhoods 9-13, where the SPA concept allows for this exception. Final grading plans and lot line locations shall be subject to approval of the City Engineer and Directors of Planning, and Parks and Recreation and the Fire Marshal. *(Engineering, Planning, Parks & Recreation, Fire)*

35. Submit a list of proposed lots indicating whether the structure will be located on fill, cut, or a transition between the two situations prior to approval of each Final Map for single family residential use. *(Engineering)*

36. Submit grading proposals for review and approval by the City Engineer and the Directors of Planning and Parks and Recreation for consideration of balanced cut and fill, contour grading, utilization of appropriate soil types, effective landscaping and re-vegetation where applicable. Grade in separate phases unless a single phase operation is approved

- with the grading plan. (*Engineering, Planning, Parks & Recreation*)
37. Provide a letter of permission for grading from SDG&E prior to any grading within or adjacent to an SDG&E easement or which would affect access thereto. (*Engineering*)
  38. Construct retention/detention facilities as approved by the City Engineer prior to issuance of grading permits to reduce the quantity of runoff to an amount equal to or less than present flows for the 100 year frequency storm. (*Engineering*)
  39. Prepare and obtain approval by the City Engineer and the Director of Planning an erosion and sedimentation control plan and landscape/irrigation plans as part of the mass grading plans. (*Engineering, Planning, Parks and Recreation*)
  40. Obtain notarized letters of permission for all offsite grading prior to issuance of a grading permit for work requiring said offsite grading. (*Engineering*)
  41. Accomplish the following prior to approval of a Final Map for any unit or phase which requires drainage detention and/or filtration basin(s):
    - a. Prepare a maintenance program including a schedule and a financing mechanism for said detention and/or filtering basins. Said program shall be subject to approval of the City Engineer.
    - b. Enter into an agreement with the City of Chula Vista and the State Department of Fish and game wherein the parties agree to implement the basin maintenance program (*Engineering*)
  42. Provide a comprehensive Best Management Practices (BMPs) study regarding off-site drainage satisfactory to the City Engineer and the City of San Diego's Water Utilities Director prior to approval of any Final Map in Neighborhoods 9-13. Install all facilities as recommended in the study and shall implement maintenance district for these drainage facilities satisfactory to the Water Utilities Director. (*Engineering*)
  43. Design the storm drains and other drainage facilities include BMPs to minimize non-point source pollution satisfactory to the City Engineer and the City of San Diego Water Utilities Director. (*Engineering*)
  44. Present evidence to the satisfaction of the City Engineer that an agreement has been reached between the developer and the City of San Diego Water Utilities Director to provide for the protection of the reservoirs from urban pollutants prior

the approval of any Final Maps, implementing permits, or issuance of any grading permits in Neighborhoods 9-13. Such measurement shall include, but not be limited to ensuring BMPs for stormwater and/or urban runoff including erosion control.  
(Engineering)

Water

45. Gain approval by the City Engineer and the Otay Water District (OWD) of a Master Plan of Water for Salt Creek Ranch prior to approval of any Final Map. This plan shall include a discussion of implementation and phasing, and participation in the water allocation program and TSF financing for this project and other projects in the OWD Master Plan service area. (Engineering, OWD)
46. Determine the exact locations for the proposed pump station and reservoir to serve the 1296 Zone prior to approval of the first Final Map requiring said facilities. (Engineering, Planning, OWD)
47. Annex the project site to the OWD into Improvement District No. 22, or establish a new improvement district for the project area prior to approval of any final map. Obtain written verification from OWD at each phase or unit of development that the tract or parcel will be provided adequate water service and long term water storage facilities. (Engineering, OWD)
48. Make consistent with the Water Conservation Plan for Salt Creek Ranch dated October 1991 water conservation measures for roadside landscaping and landscape maintenance subject to the approval of the Director of Planning. (Planning, Parks and Recreation)

Reclaimed Water

49. Enter into an agreement with OWD to commit to use of reclaimed water at the earliest possible date so that OWD can ensure that an adequate supply is available prior to approval of any Final Map. Make all reclaimed water use conform to the applicable regulations of Chula Vista, Regional Water Quality Control Board and the State Department of Health. (Engineering, OWD)
50. Pay all costs incurred from retrofitting the reclaimed water system, when reclaimed water becomes available. Determine the amount of said deposit, subject to City approval, and pay said deposit prior to approval of each associated Final Map. (Engineering)
51. Install reclaimed water lines as outlined in the Public

Facilities Financing Plan at such time as the road improvements are constructed or the City Engineer determines that the facilities are necessary to provide a link to a live system. (Engineering)

Fees/Payments

52. Pay the following fees:

- a. Spring Valley Sewer Trunk connection fees (\$130/acre) and Frisbee trunk sewer fee prior to Final Map approval for any phase or unit thereof contributing flow to the Spring Valley Trunk Sewer.
- b. Telegraph Canyon drainage fees in accordance with ordinance 2384 prior to Final Map approval for any phase or unit tributary to said basin. (Engineering)

53. Deposit \$5,000 to provide for the first year's maintenance costs prior to approval of the Final Map of any phase or unit which requires the Salt Creek Ranch pump station to provide sewer service. (Engineering)

Agreements/Covenants

54. Enter into and execute an agreement to fund the project's fair share of a park-and-ride facility to be located in the vicinity of the East H Street and SR-125 interchange. (Engineering)

55. Enter into an agreement with the City for each phase or unit thereof, whereby:

a. The developer agrees the City may withhold occupancy permits for any units in the subject subdivision if any one of the following occur:

(1) Regional development threshold limits set by the East Chula Vista Transportation Phasing Plan have been reached.

(2) Traffic volumes, levels of service, public utilities and/or services exceed the adopted City threshold standards.

b. The developer agrees that the City may withhold building permits for any of the phases of development identified in the Public Facilities Financing Plan (PFFP) if the required public facilities, as identified in the PFFP or as amended or otherwise conditioned have not been completed or constructed to satisfaction of the City. The property owner may propose changes in the timing and sequencing of

Actually in SMR.  
But SMR may not  
have the mechanism  
to fulfill this.  
Found mention of need  
in SMR SPA Plan

development and the construction of improvements affected. In such case, the PFFP may be amended as approved by the City Planning Director and Public Works Director.  
(Engineering, Planning)

56. The developer shall agree to comply with the requirements of the revised Eastern Chula Vista Transportation Phasing Plan and Transportation Development Impact Fee Program or as said documents may be revised based on the conclusions of the H.N.T.B. State Route 125 financing study. (Engineering)
57. Enter into an agreement with the City agreeing not to protest formation of a district for the maintenance of landscaped medians and parkways along streets within and adjacent to the subject property prior to approval of any Final Map which includes those facilities. (Engineering)
58. Enter into an agreement to defend, indemnify and hold harmless the City and its agents, officers and employees, from any claim, action or proceeding against the City, or its agents, officers or employees to attack, set aside, void or annul any approval by the City, including approval by its Planning Commission, City Council or any approval by its agents, officers, or employees with regard to this subdivision provided the City promptly notifies the subdivider of any claim, action or proceeding and on the further condition that the City fully cooperates in the defense. (Engineering)
59. Enter into an agreement with the City wherein the City is held harmless from any liability for erosion, siltation or increase flow of drainage resulting from this project. (Engineering)
60. Develop an interim urban runoff management plan and agree to install required facilities to protect the water quality of the Otay Lakes prior to approval of any Final Map for any lot, unit or phase which drains to the Otay Lakes drainage basin, subject to the satisfaction of the Cities of Chula Vista and San Diego and the State Office of Health Services. (Engineering)
61. Agree to participate in funding the development of a comprehensive Otay Lakes watershed management plan and to pay a fair share of the construction cost of long term facilities as may be determined by said plan. Enter into and execute an agreement with the Cities of Chula Vista and San Diego and the County of San Diego wherein the parties agree to implement the management plan, said to be executed prior to Final Map approval for any lot, unit or phase which drains to the Otay Lakes drainage basin. (Engineering)
62. Obtain permission from the City to deposit sewage in a foreign basin and enter into an agreement whereby the City shall agree

Some language  
was 58

to such transfer, and the circumstances under which said permission may be revoked. *(Engineering)*

63. Enter into an agreement and provide appropriate security to guarantee the ability to restore the sewer systems' reserve capacity to that which currently exists, on a length-by-length basis, for sewage diverted into the Telegraph Canyon Basin. *(Engineering)*
64. Agree to participate in the monitoring of existing sewage flows in the Telegraph Canyon Trunk Sewer and, pursuant to any adopted Basin Plan, agree to participate in the financing of improvements set forth therein, in an equitable manner. Execute said agreement prior to Final Map approval for any phase or unit thereof proposing to discharge sewage into Telegraph Canyon trunk sewer. *(Engineering)*
65. Enter into an agreement with the City to participate in funding of the offsite Salt Creek Sewer Interceptor. *(Engineering)*
66. Enter into an agreement with the City to insure that all franchised cable television companies ("Cable Company") are permitted equal opportunity to place conduit and provide cable television service to each lot within the subdivision prior to the approval of Final Maps for each phase or unit. Restrict access to the conduit to only those franchised cable television companies who are, and remain in compliance with, all of the terms and conditions of the franchise and which are in further compliance with all other rules, regulations, ordinances and procedures regulating and affecting the operation of cable television companies as same may have been, or may from time to time be issued by the City of Chula Vista. *(Engineering)*

#### Public Parks and Trails

67. Prepare, submit and obtain Director of Parks and Recreation approval, for a recreation needs analysis which identifies the demand for various park facilities, to ensure that the parks are equipped to meet the expressed needs of the community. *(Parks and Recreation)*
68. Prepare, submit and obtain Director of Parks and Recreation approval of a comprehensive Master Plan for the open space system, recreation trails and parks which shall include, but not be limited to, phasing of the installation of facilities in accordance with the recreation needs analysis.

The Master Plan shall reflect:

- a. More precise location, size and configuration of park:

recreation and equestrian trails and fencing than indicated on the Tentative Map.

- b. A multi-use bridged trail crossing of Salt Creek to the community park in Phase 1 to create an east/west link over Salt Creek.
  - c. The extension of equestrian and recreation trail systems to the eastern property boundary on the south side of Proctor Valley Road.
  - d. Pedestrian walkways from cul-de-sac ends on Streets DD, FF, and GG designed with open ends along Proctor Valley Road west of Hunte Parkway to the walk system adjacent to Proctor Valley Road.
  - e. All open space access points shall have a minimum of 10 ft. clear vehicular surface, with an additional 2 ft. clear on either side of any vertical obstructions.
  - f. Determination of the open space district parcel boundaries and maintenance responsibilities.
  - g. An equestrian-style fence adjacent to the 10 foot recreation trail along the north side of the Community Park, adjacent to Proctor Valley Road, and continuing along the trail at the east side of the park to the point where the trail enters the park.
  - h. Extension of the recreation trail within lots K and L adjacent to EastLake, along the southerly property line of Neighborhood 4d, along the westerly property line of said Neighborhood (future San Miguel Road), and the westerly edges of the Neighborhood Park and the Fire Station site. This trail shall be a minimum of 10 feet in width and provide maintenance vehicle access to each adjacent open-ended residential cul-de-sac.
  - i. All aspects of work in the open space network and the park sites shall comply with all approved landscape and irrigation standards.
  - j. The design, and installation and improvement of the parks/open spaces shall be in accordance with the standards set forth in the City Landscape Manual as may be amended from time to time. (*Parks and Recreation, Planning, Engineering*)
69. Prepare agreement(s) to phase the parks as follows:
- a. Complete construction of the portions of Proctor Valley Road and Duncan Ranch Road necessary to access the parking



lot driveway of the community park shall be constructed. These streets shall be constructed prior to the completion of the initial 12.0 acre phase of the community park. The streets shall be to the satisfaction of the City Engineer and the Director of Parks and Recreation.

- b. The initial 12 net usable acres of the Community Park shall be dedicated in fee and improvements commenced prior to or concurrent with the recordation of the Final Map for the 592nd lot in Phase I. Complete construction of all the facilities required for the first 12 acres of the community park within one year following the recordation of the Final Map for the 592nd lot.
- c. The remainder of the Community Park (8.23 net usable acres, 10 gross acres) shall be dedicated in fee and improvements commenced prior to, or concurrent with the recordation of the Final Map for the 1447th lot. Complete construction of all the facilities required for the remaining 10 acres of the community park within one year following the recordation of the Final Map for the 1447th lot.
- d. The Neighborhood Park (5.71 net usable acres, 7.1 gross acres), shall be dedicated in fee and improvements commenced prior to the recordation of the Final Map of the 2200th lot. Complete construction of all the facilities required for the neighborhood park within one year following the recordation of the Final Map for the 2200th lot.
- e. At no time is the project to be deficient in park acreage. If the standard of 3 acres per 1000 residents is exceeded at any time, then the next phase of the community park or the neighborhood park shall begin immediately.

70. Dedicate all required parkland (22 gross acres, Community Park, 7 gross acres, Neighborhood Park) and park improvements in accordance with the Master Plan and construction documents prepared pursuant to Condition 73 as "turn-key" projects. The Director of Parks and Recreation shall have the right of final approval in the selection process of the general contractor for both of the park sites. (Parks and Recreation)

71. Prepare, submit and obtain approval from the City Engineer and Directors of Planning and Parks and Recreation for the design of the equestrian crossing of Proctor Valley Road at Hunte Parkway where indicated on the Tentative Map. The crossing shall include staging areas, the design shall be approved prior to any Final Map for Phase 2. (Parks and Recreation, Engineering, Planning)

72. Locate underground, surface or overhead easements off-site

either park site, except for the necessary and required easements for the on-site park and recreation facilities. (Parks and Recreation, Engineering)

Turn Key  
Parks

73. Enter into a Chula Vista standard three party agreement with the City of Chula Vista and a design consultant, for the design of all aspects of the neighborhood and community parks in accordance with the Master Plan whereby the Parks and Recreation Director selects the design consultant. The agreement shall include, but not be limited to, the design development phase, the construction document phase and the construction supervision phase for the park sites. The construction documents shall reflect the then current requirements of the City's Code/Manual requirements. (Parks and Recreation)
74. Prepare the Final Map in accordance with Exhibits B and C, to indicate:
- a. The modification in size and configuration to the community park as set forth in the Master Plan.
  - b. Dedication in fee of the community and neighborhood parks in corrected configuration.
  - c. Grading of the sites in accordance with the revised grading schemes as indicated on Exhibits B and C. (Parks and Recreation)

Street Trees/Open Space

75. Grant all open space lots to the City in fee on the applicable Final Map and a deed executed and recorded for each lot. (Engineering)
76. Submit a schedule outlining the proposed turnover of maintenance for open space areas to the City, subject to approval of the Directors of Planning Parks and Recreation. (Planning, Parks & Recreation)
77. Submit a list of open space items to be maintained and a rough estimate of maintenance costs to allow City staff to determine a preliminary cost and spread for the open space district. (Engineering, Parks & Recreation)
78. Request that the City form an Open Space District to maintain public Open Space lots and submit to the City the associated diagram, cost estimate, description of work and a deposit of \$8,000 for processing the formation of the district. (Engineering, Parks & Recreation)
79. Gain approval of access to all of the open space areas for

maintenance purposes by the Directors of Parks and Recreation and Planning, Fire Marshal and City Engineer during the Open Space Master Plan stage as indicated in Condition 68. (*Parks & Recreation, Planning, Fire, Engineering*)

80. Provide a 10 ft. wide access path for maintenance vehicles in the greenbelt open space area (lots D-8 through G-8) bisecting Neighborhoods 1 & 2. Final landscape materials and design for this area shall be consistent with open space criteria, subject to approval of the Director of Parks and Recreation prior to approval of the final subdivision map for Subarea 1. (*Parks & Recreation*)

*check w/ Glen*  
81. Prepare, submit to and obtain approval of the Directors of Parks and Recreation and Planning and the Fire Marshal, prior to approval of final grading and landscape plans for Phase 3, of final details of habitat enhancement, protective measures for sensitive habitat/species and temporary irrigation in open space areas within Phase 3. (*Parks & Recreation, Planning, Fire*)

82. Indicate on all affected grading plans that all walls which are to be maintained by open space districts shall be constructed entirely within open space lots dedicated to the City. (*Planning, Engineering*)

83. Dedicate Lots A through HH to the City for open space purposes. As biological habitat, lots Z and CC through GG shall generally be restricted from any use except that access roads to serve the SDG&E transmission towers and the drainage retention ponds shall be permitted. In addition, in accordance with Condition 22, a road providing access to northerly adjacent properties may be permitted subject to the approval of the Director of Planning and the City Engineer. (*Planning, Engineering*)

84. Establish Homeowners Associations for Neighborhoods 5 (Lot 93), 8, 12 and 13 to provide for the maintenance of private open space and streets prior to the approval of Final Maps for said neighborhoods, subject to the approval of the Director of Planning. (*Planning*)

85. Submit a comprehensive landscape plan for review and approval of the City Landscape Architect and Director of Parks and Recreation prior to approval of the first Final Map. Submit comprehensive, detailed landscape and irrigation plans, erosion control plans and detailed water management guidelines for all landscape irrigation in accordance with the Chula Vista Landscape Manual for the associated landscaping in each Final Map. These detailed landscape and irrigation plans shall be for the review and approval of the City Landscape Architect and Director of Parks and Recreation prior to the

approval of each Final Map. The landscaping format within the project shall be in substantial conformance with Section 3.2 (Landscape Concept) of the Salt Creek Ranch SPA. (Planning, Parks & Recreation)

86. Maintain a width on all open space lots adjacent to public rights-of-way so as to provide 10 feet of landscaping treatment behind the back of sidewalk. (Planning)

87. Include in the CC&R's that the maintenance of all private facilities and improvements within open space areas are managed by home owners associations. Submit to and gain approval of said CC&Rs by the Director of Planning prior to approval of the associated Final Map. (Planning)

#### Fire and Brush Management

88. Provide the initial cycle of fire management/brush clearance within lots adjacent to natural open space areas in Subarea 3 subject to approval of the Fire Marshal and the Director of Parks and Recreation. (Fire, Parks & Recreation)

89. Install fire hydrants every 500 ft. for single family residential and every 300 ft. for multi-family dwellings. Install and make operable the hydrants prior to delivery of combustible building materials. (Fire)

90. Locate fuel modification areas in Subarea 3 entirely within affected lots. Indicate lot line extensions required to accommodate said areas on the Final Map(s) of Subarea 3, subject to the approval of the City Engineer, Fire Marshal, and Director of Planning. (Engineering, Fire, Planning)

91. Dedicate to the City open space easements (OSE) over all downhill side or rear slopes adjacent to Open Space lots Z, AA and CC through GG in Subarea 3. These OSE's shall preclude the construction of any structures within said easements and shall limit activities within the easements to landscape maintenance of fuel modification plant materials. The wording of the OSE's shall be subject to the approval of the Director of Planning and the City Attorney. (Planning, C.A.)

92. Prepare and execute fuel modification plans consistent with Section 3.6 of the Salt Creek Ranch SPA subject to the approval of the Directors of Planning and Parks and Recreation and the Fire Marshal prior to approval of any Final Map in Subarea 3. (Planning, Fire, Parks & Recreation)

93. Offer lot FS-1 (fire station site) for dedication in fee to the City prior to or concurrent with the recordation of the first Final Map in Phase 2. (Fire, Engineering)

94. Provide fire prevention facilities and equipment, including the construction of a fire station, if required, in accordance with the Salt Creek Ranch Public Facilities Financing Plan. Provide or secure said facilities and equipment in accordance with a schedule as approved by the Fire Chief. (Fire)

Miscellaneous

95. Include in the Declaration of Covenants, Conditions and Restrictions provisions assuring maintenance of private facilities including the private streets, sewer, and drainage systems. Name the City of Chula Vista as party to said Declaration authorizing the City to enforce the terms and conditions of the Declaration in the same manner as any owner within the subdivision. (Engineering, Planning)
96. Tie the boundary of the subdivision to the California System - Zone VI (1983). (Engineering)
97. Submit copies of Final Maps in a digital format such as (DXF) graphic file prior to approval of each Final Map for any unit. Provide computer aided Design (CAD) copy of the Final Map based on accurate coordinate geometry calculations and submit the information in duplicate on 5 1/2 HD floppy disk prior to the approval of each Final Map. (Engineering)
98. Agree to participate in a regional or subregional multispecies coastal sage scrub conservation plan prior to the approval of the first Final Map. (Planning)
- ~~99. Suspend development of Neighborhood 10b and reconfigure the northeastern Subarea 3 neighborhood to provide a wider open space area for a regional wildlife corridor if, at the time development is proposed for Neighborhoods 10a, 10b, and 11, an off-site regional wildlife corridor linking San Miguel Mountain with the Upper Otay Reservoir has not been approved as part of a habitat conservation plan. Make the width of the open space area sufficient to ensure long-term viability of the wildlife corridor, as indicated in the SPA Plan (PCM 91-4) subject to the approval of the Director of Planning. (Planning)~~
100. Submit and gain approval by the Design Review Committee Precise Plans for the multiple family area within Neighborhoods 4a (reference lot 1) and 5 (reference lot 93) a gross densities of 18 dwelling units per acre and 6 dwelling units per acre respectively. (Planning)
101. Provide sales disclosure documents which identify the allowable uses in the Eastlake Business Center, subject to review by the Director of Planning prior to the approval of Final Maps in Neighborhoods 5 and 6. (Planning)

102. Mitigate noise impacts on the residences along Proctor Valley Road by the placement of solid walls or wall/berm combinations on the building pads at the top of the slopes adjacent to the roadway. The walls shall be solid masonry construction with a material weight of at least 3.5 pounds per square foot which would not allow any air spaces along their entire length. The end of each noise wall shall wrap around the building pad enough to block the line of sight from all points in the exterior living space to any portion of the impacting roadway. Indicate on the grading plans for Neighborhoods 1, 3, 7B and 8 said walls in compliance with the Salt Creek Ranch SPA SEIR, subject to the approval of the City Engineer and the Director of Planning. *(Planning, Engineering)*
103. Retain a qualified biologist/environmental specialist to oversee the construction of Proctor Valley Road, Hunte Parkway and the reservoir and associated waterline and to monitor the implementation of the mitigation measures related to Biological Resources as required by City Council Resolution 16555-Mitigation Monitoring Program. *(Planning)*
104. Retain a qualified archaeologist to monitor the implementation of the mitigation measures relative to Cultural Resources required by the City Council Resolution 16555-Mitigation Monitoring Program. *(Planning)*
105. Provide the proposed list of fertilizers, pesticides, herbicides and fungicides, and the landscaping plans to the City of San Diego Water Utilities Department for approval prior to approval of any Final Map in Neighborhoods 9-13. *(Planning)*
106. Submit for approval by the Director of Planning and the City Engineer copies of proposed CC&Rs for the subdivision prior to approval of each Final Map. *(Planning, Engineering)*
107. Design and improve lot A-3 in Neighborhood 3 (private park) subject to the approval of the Director of Planning. Design the park prior to the approval of any Final Map in Neighborhood 3 and improve the park concurrently with the immediate surrounding area, as determined by the Director of Planning. *(Planning)*
108. Design and improve lots D-8 through G-8 in Neighborhood 8 (private recreation area) subject to the approval of the Director of Planning. Design these areas prior to the approval of any Final Map in Neighborhood 8 and improve the areas concurrent with the immediate surrounding area as required by the Director. *(Planning)*
109. Show evidence satisfactory to the Director of Planning that the CC&R's for Neighborhood 12 include a statement that

Streets MMMM and NNNN may be required to provide access to roads which provide access to properties to the north, prior to the approval of any Final Map for Neighborhood 12. (Planning, Engineering)

110. Reserve lots S-1 and S-2 (school sites) for school purposes to be offered for dedication in fee to the Chula Vista City Elementary School District in accordance with a schedule as indicated in a Mello-Roos Community Facilities District, as approved by the School District, which shall be established to the satisfaction of the District. (Planning)
111. Establish and participate in a school facility financing plan as well as providing classroom space as required by the Sweetwater Union High School District. Provide a letter from the District verifying compliance with this condition. (Planning)
112. Reflect on the Final Map for Neighborhood 7B the provision of a minimum setback of 100 feet between lots 103 and 104 and the northerly right-of-way line of Proctor Valley Road. Accomplish this setback by deleting said lots and shortening Street FFFF accordingly or by rearranging lots along said street to provide the required setback, subject to the approval of the Director of Planning. (Planning)
113. Enter into an Affordable Housing Agreement with the City subject to the approval of the City Council. (Community Development)
114. Submit to the Director of Planning and gain approval by the City Council of all street names for this project. (Planning)
115. Note 10 on Sheet 3 of 8 regarding quitclaiming of a right-of-way dedication is denied until such time as the City Engineer and the Director of Planning determine that said right-of-way is not required to provide access to the subject property or adjacent property. (Engineering, Planning)
116. Prepare an amendment to the Salt Creek Ranch Mitigation Monitoring Program to require subsequent environmental review to be conducted on the urban runoff detention basins in Phase 3 when the final configuration of said basins are determined. Should this environmental review result in the requirement for measures to mitigate any perceived environmental impacts, such measures shall be incorporated into the revised Mitigation Monitoring Program, subject to the approval of the Director of Planning. (Planning)
- ~~117. Reflect on the Final Map for Neighborhood 9 the deletion of one lot from the north side of Street AAAA and consolidation of the remaining lots to create larger lots subject to the~~

~~approval of the Director of Planning. (Planning)~~

~~118. Reflect on the Final Map for Neighborhood 9 the deletion of two lots from the east side of Street CCCC (Neighborhood 9) and consolidation of the remaining lots to create larger lots, subject to the approval of the Director of Planning. (Planning)~~

~~119. Reflect on the Final Map for Neighborhood 13 the deletion of one lot from the west side of Street RRRR south of Lot 33 to expand open space lots B-13 and C-13, subject to the approval of the Director of Planning. (Planning)~~

120. Pay off all existing deficit accounts associated with the processing of this application to the satisfaction of the Director of Planning.

a. Provide permanent City bench marks tied to the City system at the following locations:

1. East "H" Street/Mt. Miguel Road
2. Lane Avenue/Otay Lakes Road
3. Hunte Parkway/Otay Lakes Road
4. Mt. Miguel Road/Mackenzie Creek Road
5. East "H" Street/Both Subdivision Boundaries
6. East "H" Street/Lane Avenue
7. East "H" Street/Hunte Parkway
8. Otay Lakes Road/Rutgers

Said bench marks shall be tied to the existing City bench mark system at points 465, 1350, and 1655. Completion shall occur prior to acceptance of the associated street improvements. The monumentation bond for the corresponding final map which contains the intersection shall include the cost of this work. Offsite bench marks shall be set prior to approval of the first final map.

b. Provide the City with a copy of the disclosure to homeowners of costs associated with Mello-Roos, Assessment, and Open Space Districts as required by Ordinance 2275 prior to approval of each final map. (Planning)

#### Code Requirements

121. Comply with all applicable sections of the Chula Vista Municipal Code. Preparation of the Final Map and all plans shall be in accordance with the provisions of the Subdivision Map Act and the City of Chula Vista Subdivision Ordinance and Subdivision Manual. (Engineering, Planning)

122. Underground all utilities within the subdivision in accordance with Municipal Code requirements. (Engineering)



123. Provide some lots with residential fire sprinkler systems due to access requirements as determined by the Fire Marshal. In multi-family dwellings, if a sprinkler system is required for one building, all buildings in the project shall be sprinklered. *(Fire)*
124. Make all proposed development consistent with the Salt Creek Ranch SPA Planned Community District Regulations, subject to the approval of the Director of Planning. *(Planning)*
125. Comply with Title 24 and any other energy conservation ordinances and policies in effect at the time construction occurs on the property in conformance with this Tentative Map. *(Building and Housing, Planning)*
126. Comply with all relevant Federal, State and Local regulations, including the Clean Water Act. The developer shall be responsible for providing all required testing and documentation to demonstrate said compliance as required by the City Engineer. *(Engineering)*
127. Comply with the Community Purpose Facility Ordinance. The developer shall provide areas proposed to show compliance with said ordinance and obtain approval of said areas from the Director of Planning. *(Planning)*
128. Pay the following fees in accordance with the City Code and Council Policy:
  - a. The Transportation and Public Facilities Development Impact Fees prior to the issuance of any building permit.
  - b. Signal Participation Fees
  - c. School fees
  - d. All applicable sewer fees, including but not limited to sewer connection feesPay the amount of said fees in effect at the time of issuance of building permits. *(Engineering)*

failing any of which conditions, or failing the continued maintenance of same as the condition may require, this conditional approval and any entitlement accruing hereunder, shall, following a public hearing by the City Council at which the Applicant or his successor in interest is given notice and the opportunity to appear and be heard with regard thereto, be terminated or modified by the City Council.

SECTION 8. CEQA Findings

(1) Re-adoption of Findings.

The Council does hereby re-approve, accept as its own, and re-incorporate as if set forth full herein, and make each and every one of the CEQA Findings attached hereto as Exhibit D.

(2) Certain Mitigation Measures Feasible and Re-dopted.

As more fully identified and set forth in the Program EIR and the SEIR, and in the CEQA Findings for this Project, which is hereby attached hereto as Exhibit D, the Council hereby finds that pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, that the mitigation measures described in the above referenced document are feasible and will become binding upon the appropriate entity such as the Applicant, the City, or other special districts which has to implement these specific mitigation measures.

(3) Feasibility of Alternatives.

As is also noted in the environmental documents referenced in the immediately preceding paragraph, alternatives to the Project which were identified as potentially feasible are hereby found not to be feasible.

(4) Adoption of Mitigation Monitoring Program.

As required by the Public Resources Code Section 21081.6, City Council hereby re-adopts the Mitigation Monitoring and Reporting Program ("Program") set forth as Exhibit E to this resolution and incorporated herein by reference as set forth in full. The City Council recommends that the Council find that the Program is designed to ensure that during the project implementation and operation, the Applicants and other responsible parties implement the project components and comply with the feasible mitigation measures identified in the Findings and in the Program.

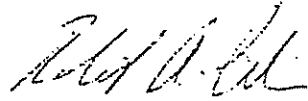
(5) Statement of Overriding Considerations.

Even after the re-adoption of all feasible mitigation measures, certain significant or potentially significant environmental affects caused by the project or cumulatively will remain. Therefore, the City Council of the City of Chula Vista re-issues, pursuant to CEQA Guidelines Section 15093, as set forth and attached hereto, a Statement of Overriding Considerations identifying the specific economic, social, and other considerations that render the unavoidable significant adverse environmental effects still significant but acceptable.

SECTION 9. Notice of Determination.

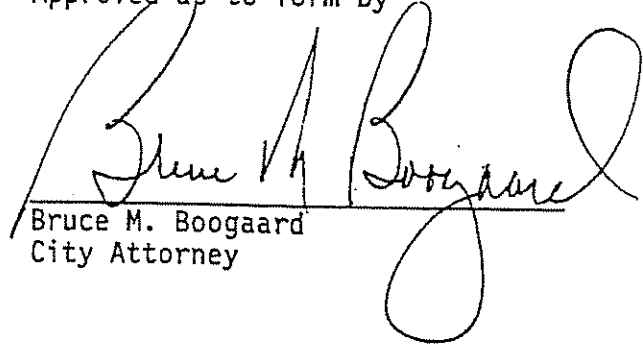
City Council directs the Environmental Review Coordinator to post a Notice of Determination and file the same with the County Clerk.

Presented by



Robert A. Leiter  
Director of Planning


Approved as to form by



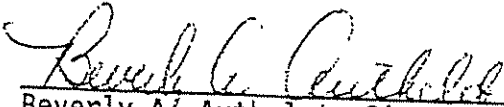
Bruce M. Boogaard  
City Attorney

PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of October, 1992, by the following vote:

YES: Councilmembers: Horton, Moore, Rindone, Nader  
NOES: Councilmembers: None  
ABSENT: Councilmembers: Malcolm  
ABSTAIN: Councilmembers: None

  
\_\_\_\_\_  
Tim Nader, Mayor

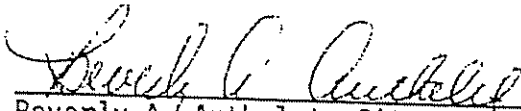
ATTEST:

  
\_\_\_\_\_  
Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss. \_\_\_\_\_  
CITY OF CHULA VISTA )

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Resolution No. 16834 was duly passed, approved, and adopted by the City Council held on the 6th day of October, 1992.

Executed this 6th day of October, 1992.

  
\_\_\_\_\_  
Beverly A. Authelet, City Clerk

RESOLUTION NO. 2003-199

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING AND ESTABLISHING  
CONDITIONS OF THE AMENDING TENTATIVE  
SUBDIVISION MAP FOR ROLLING HILLS RANCH  
SUBAREA III (FORMERLY SALT CREEK RANCH), 92-02A

I. RECITALS

A. Project Site

WHEREAS, the area of land which is the subject matter of this resolution is diagrammatically represented in Exhibit A, copies of which are on file in the office of the City Clerk, incorporated herein by reference, and commonly known as Rolling Hills Ranch Subarea III amending Tentative Subdivision Map, Chula Vista Tract 92-02A; and for the purpose of general description herein consists of 606.9 acres located north of Proctor Valley Road and east of Hunte Parkway, within the Rolling Hills Ranch (formerly Salt Creek Ranch) Planned Community ("Project Site"); and

B. Project; Application for Discretionary Approval

WHEREAS, on October 15, 2001, Pacific Bay Properties and as assumed by its successor in interest ("Developer") filed an amending tentative subdivision map with the Planning and Building Department of the City of Chula Vista requesting approval of the amending Tentative Subdivision Map for Rolling Hills Ranch Subarea III, Chula Vista Tract 02-02a in order to modify the Project Site and create 425 single-family lots and 6 open space lots (CC, EE-GG, DDD, HHH), 29 Master Home Owner's Association (HOA) open space lots, 4 HOA lots and 1 recreational lots (Rec Lot 9A); and various special lots (i.e., slope lots) throughout the subdivision ("Project"); and

C. Prior Discretionary Approval

WHEREAS, the development of the Project Site has been the subject matter of various entitlements and agreements, including: 1) Salt Creek Ranch General Development Plan (GDP) approved by City Council Resolution 15875 on September 25, 1990 and amended by City Council Resolution 2001-103 on April 10, 2001; 2) Salt Creek Ranch Sectional Planning Area (SPA) Plan approved by the City Council Resolution No. 16555 on March 24, 1992 and amended by City Council Resolution 2001-103 on April 10, 2001; 3) the Rolling Hills Ranch Planned Community District Regulations and Land Use Map approved by City Council Ordinance No. 2499 on April 7, 1992 and amended by Ordinance No. 2833 on April 24, 2001; 4) Public Facilities Financing Plan approved by City Council Resolution 16555 on March 24, 1992 and amended by Resolution 2000-190 on April 10, 2001; 5) Tentative Subdivision Map for Salt Creek Ranch, Chula Vista Tract 92-02 previously approved by City Council Resolution Number 16834 on October 6, 1992 and amended by City Council Resolution 2000-190 on June 13, 2000; and 6) Agreement for Monitoring of Building Permits approved by City Council Resolution 2003-166 on April 15, 2003; and

WHEREAS, this constitutes a supplemental resolution which only affects Subarea III and whose only intent is to modify, delete or add to previously adopted conditions of approval as they relate to said subarea; and

WHEREAS, the TM conditions of approval pursuant to Resolution 16834 and 2000-190 except as specifically modified, deleted, or added as to Subarea III remain in full force and effect as to the entirety of CVT 92-02; and

WHEREAS, the Planning Commission held an advertised public hearing on the Project on April 23, 2003 and, after hearing staff presentation and public testimony, voted 6-0 recommend that the City Council approve the Project, in accordance with the findings and subject to the conditions listed below; and

#### Council Record of Applications

WHEREAS, a duly called and noticed public hearing on the Project was held before the City Council of the City of Chula Vista on May 13, 2003, on the Project and to receive the recommendations of the Planning Commission, and to hear public testimony with regard to the same; and

WHEREAS, the City Clerk set the time and place for a hearing on said tentative subdivision map application, and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners within 500 ft. of the exterior boundary of the project, at least ten (10) days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. October 13, 2002, in the Council Chambers, 276 Fourth Avenue, before the City Council and said hearing was thereafter closed.

#### II. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing on the Project held on April 23, 2003, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding.

#### III. PREVIOUS SEIR 91-03 REVIEWED AND CONSIDERED; FINDINGS; APPROVALS

The City Council of the City of Chula Vista has previously reviewed, analyzed, considered, and certified FSEIR 91-03, Salt Creek Ranch and Addendum.

#### IV. COMPLIANCE WITH CEQA

The Environmental Review Coordinator has determined that any impacts associated with the proposed tentative subdivision map have been previously addressed by FSEIR 91-03, Salt Creek Ranch and has, therefore, prepared an addendum to said FSEIR. The Tentative Map is in substantial conformance with the conceptual tentative map and grading plans on which the FSEIR analysis was based and, therefore, approval and implementation of the Tentative Map does not change the basic conclusions of the FSEIR. The addendum has been prepared in accordance with requirements of the California Environmental Quality Act, State Environmental Impact Report (EIR) Guidelines and the Environmental Review Procedures of the City of Chula Vista.

#### V. INDEPENDENT JUDGMENT OF CITY COUNCIL

The City Council finds that the addendum to FSEIR 91-03, reflects the independent judgment of the City Council of the City of Chula Vista and hereby considers the addendum to FSEIR 91-03, Salt Creek Ranch.

## VI. TENTATIVE SUBDIVISION MAP FINDINGS

A. Pursuant to Government Code Section 66473.5 of the Subdivision Map Act, the City Council finds that the amending Tentative Subdivision Map, as conditioned herein for Rolling Hills Ranch Subarea III, Chula Vista Tract No. 92-02a, is in conformance with the elements of the City's General Plan, based on the following:

### 1. Land Use

The Rolling Hills Subarea III Plan (Residential Neighborhoods 9-12) provides for low density residential development with densities ranging between 1.05 and 2.0 dwelling units per acre. The project will provide for 425 single-family units. The project as conditioned, is in substantial compliance with the amended Salt Creek Ranch GDP and SPA, and since the GDP and SPA are in substantial conformance with the General Plan, the Tentative Map is also in substantial conformance with the General Plan.

### 2. Circulation

All on-site and off-site streets required to serve the subdivision will be constructed or Development Impact Fees (DIF) paid by the developer.

The public streets within the Project will be sized as prescribed in the circulation element of the General Plan and designed per City design standards and/ or requirements, or modifications accepted by the City Engineer. The required and anticipated off-site improvements would be designed to handle this Project and future projects in the area.

### 3. Housing

The applicant has entered into an agreement with the City to provide for required low and moderate income housing and in currently ahead of schedule in terms of meeting the conditions of this agreement.

### 4. Conservation

The Environmental Impact Report SEIR 91-03 and Addendum addresses the goals and policies of the Conservation Element of the General Plan and found the development of this site to be consistent with these goals and policies. In addition, subarea III boundaries and densities have been modified to specifically comply with the requirements of the Multiple Species Conservation Plan (MSCP) being adopted concurrently.

### 5. Parks and Recreation. Open Space

Subarea III is a portion of the overall Salt Creek Ranch Development which will provide a 29 acre (gross) community park, a 7.3 acre (gross) neighborhood park and the payment of pad fees or additional improvements as

approved by the Director of Building and Park Construction. In addition, equestrian and recreational trail systems will be provided throughout the project, ultimately connecting with other open space areas and trail systems in the region including the Chula Vista City-wide "Greenbelt" trail.

6. Seismic Safety

The proposed subdivision is in conformance with the goals and policies of the Seismic Element of the General Plan for this site.

7. Safety

The Fire Department and other emergency service agencies have reviewed the proposed subdivision for conformance with City safety policies and have determined that the proposal meets the City Threshold Standards for emergency services.

8. Noise

Noise mitigation measures included in the Environmental Impact Report FSIER 91-03 and Addendum adequately address the noise policy of the General Plan. The project has been conditioned to require that all dwelling units be designed to preclude interior noise levels of 45 dBA and exterior noise exposure over 65 dBA for all outside private patio areas.

9. Scenic Highway

The Subarea III portion of the Rolling Hills Ranch project is located east of the intersection of Hunte Parkway and East H Street. The portion of Proctor Valley Road adjacent to Subarea III, which serves the eastward extension of east H Street is not delineated as a scenic highway within the Land Use Element of the General Plan.

10. Bicycle Routes —

Although no designated regional off-street bicycle routes are included as components of the internal circulation network, bicyclists will be readily able to share the internal streets with motor vehicles due to low traffic volume and limited speeds allowed. Bicycle route segments to connect to regional systems have been incorporated as prescribed by the Circulation Element of the General Plan. On-street bike lanes are included on the adjacent arterial highways. The bike lanes will be paved components of the street systems indicated.

11. Public Buildings

No public buildings are proposed on the project site. The project is subject to Residential Construction Tax (RCT) fees prior to issuance of building permits.

B. Pursuant to Section 66412.3 of the Subdivision Map Act, the Council certifies that it has considered the effect of this proposal on the housing needs of the region and has



balanced those needs against the public service needs of the residents of the City and the available fiscal and environmental resources.

C. The configuration, orientation and topography of the site partially allows for the optimum setting of lots for passive or natural heating and cooling opportunities as required by Government Code Section 66473.1.

D. The site is physically suited for residential development and the proposal conforms to all standards established by the City for such project.

E. The conditions herein imposed on the grant of permit or other entitlement herein contained is approximately proportional both in nature and extend to the impact created by the proposed development.

BE IT FURTHER RESOLVED that the City Council does hereby approve the Project subject to the general and special conditions set forth below.

## VII. GENERAL CONDITIONS OF APPROVAL

### A. Project Site is Improved with Project

Developer, or their successors in interest, shall improve the Project Site with the Project as described in the Tentative Subdivision Map, Chula Vista Tract 92-02A and FSEIR 91-03 and Addendum, except as modified by this resolution.

### B. Implement Mitigation Measures

Developer shall diligently implement, or cause the implementation of all mitigation measures pertaining to the Project identified in the Final Subsequent Environmental Impact Report, (FSEIR) 91-03 and Addendum. Any such measures not satisfied by a specific condition of this resolution or by the project design shall be implemented to the satisfaction of the Director of Planning and Building. Mitigation Measures shall be monitored via the Mitigation Monitoring Program approved in conjunction with the FSEIR and Addendum. Modification of the sequence shall be at the discretion of the Director of Planning and Building should changes in the circumstances warrant such revision.

### C. Implement Public Facilities Financing Plan

Developer shall install public facilities in accordance with the Project's Public Facilities Financing Plan, as amended or as required by the City Engineer, to meet the threshold standards adopted by the City of Chula Vista. The City Engineer and Planning and Building Director may, at their discretion, modify the sequence of improvement construction should conditions change to warrant such a revision.

### D. Design Approval

Per section 2.3.1.3 of the Community Design Section of the approved Salt Creek Ranch SPA, single family detached residential areas with lots 4,500 s.f. or larger in any residential district may use the tentative tract map with typical building elevations and typical building locations on lots as a substitute for elevations and siting of all buildings. Specific requirements for application and review procedures are published in the City's Zoning Ordinance.

### VIII. SPECIAL CONDITIONS OF APPROVAL

All conditions listed below are either modified conditions of previous Resolution No's. 16834 and 2000-190 or are new conditions which only affect Subarea III. As such, the numbering of conditions shown is consistent with the existing condition number shown in Resolution No. 16834 which is herewith shown for purposes of being modified or deleted. All other conditions of approval adopted pursuant to Resolution 16834 and 2000-190 remain in full force and effect as to Subarea III and the entirety of CVT 92-02.

#### Streets, Rights-Of-Way and Improvements

19. Grant in fee the City a 1-foot control lot at the northerly terminus of Hunte Parkway and the easterly terminus of both Ranch Estate Place and Ranch Lakes Way and the southerly terminus of Duncan Ranch Road. (Engineering)

22. Prior to approval of the first Final Map for Neighborhood 12, the northern adjacent property owners of record shall demonstrate to the satisfaction of the City Engineer and Director of Planning that alternative public street access to the northern adjacent properties can be reasonably and feasibly constructed by them, at their own expense, from an economic, planning, environmental, engineering and legal standpoint. Upon such a showing, the developer shall provide private easement access up to the existing dirt roads located at the end of Street MMMM and Street NNNN, by means of Street SSSS, as depicted on the Tentative Map. (Engineering, Planning)

27. Construct private streets in accordance with the standards contained in the subdivision manual and street design standards unless otherwise approved by the City Engineer. Private street cross sections shall conform to those shown on the tentative map for curb-to-curb width and right-of-way width. (Engineering)

#### Sewers

29. Grant to the City fee title to a parcel within which the Salt Creek Ranch sewer pump station shall be located. Design and construct the sewer pump station subject to the approval of the Cities of Chula Vista and San Diego. Developer shall comply with Council Policy 570-03 and provide the City of Chula Vista with a deposit for the maintenance and operation of said facility as outlined in Council Policy No. 570-03 for permanent sewer pump stations. (Engineering)

31. Delete

*WE RECEIVED A \$312,000 CHECK*

#### Grading and Drainage

#### Water

43. Design the storm drains and other drainage facilities to include BMP's to minimize non-point source pollution, satisfactory to the City Engineer and the City of San Diego Water Utilities Director.

a. The Development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA), as set forth in the National Pollutant Discharge Elimination

System (NPDES), permit requirements for urban runoff and storm water discharge, the Clean Water Act, and any regulations adopted by the City of Chula Vista, pursuant to the NPDES regulations or requirements. Further, the Developer shall file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The SWPPP shall include both construction and post construction pollution prevention and pollution control measures and shall identify funding mechanisms for post construction control measures.

b. The developer shall comply with all the provisions of the NPDES Permit during and after all phases of the development process, including, but not limited to, mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units.

c. Prior to approval of the first final map for the Project, Developer shall enter into an agreement with the City where Developer agrees not to protest the formation of a facilities benefit district or any other funding mechanism approved by the City to finance the operation, maintenance, inspection, and monitoring of NPDES facilities. This agreement to not protest shall not be deemed a waiver of the right to challenge the amount of any assessment, which may be imposed due to the addition of these improvements and shall not interfere with the right of any person to vote in a secret ballot election. The above noted agreement shall run with the entire land contained within the Project.

At such time as required by the City Engineer for the Project, the Developer shall submit and obtain approval from the City Engineer of a maintenance program for the proposed post-construction BMP's. The maintenance program shall include, but not be limited to: 1) a manual describing the maintenance activities of said facilities, 2) an estimate of the cost of such maintenance schedule and activities, and 3) a funding mechanism for financing the maintenance program. In addition, the Developer shall enter into a Maintenance Agreement with the City to ensure the maintenance and operation of said facilities.

Prior to approval of each grading, construction, and building permits for the project, the Developer shall demonstrate to the satisfaction of the City Engineer compliance with all of the applicable provisions of the municipal code and the adopted City of Chula Vista's Storm Water Management Standards Requirements Manual, which includes the Local SUSMP. The Developer shall incorporate into the project planning and design effective post-construction BMP's and provide all necessary studies and reports demonstrating compliance with the applicable regulations and standards. BMP's shall be identified and implemented that specifically prevent pollution of storm drain systems to the Maximum Extent Practicable (MEP) from certain project feature, land use, areas and activities.

The Developer shall incorporate in the Project design, water quality and watershed protection principles and all post construction Best

Management Practices (BMP's) selected for the Project, in compliance with the NPDES Permit. (Engineering)

Fees/Payments

53. Deposit \$30,000 or a sum up to that amount if otherwise approved by the City Engineer in his/her discretion to provide for the first years' maintenance costs prior to approval of the Final Map of any phase or unit, which requires the Salt Creek Ranch pump station to provide sewer service. (Engineering)

Agreements/Covenants

55. Enter into a supplemental agreement with the City, prior to approval of each Final Map, where the developer agrees to the following:

a. That the City may withhold building permits for the subject subdivision if any one of the following occur:

1. Regional development threshold limits set by the Chula Vista Transportation Phasing Plan, as amended from time to time, have been reached or in order to have the Project comply with the Growth Management Program, as may be amended from time to time.

2. Traffic volumes, levels of service, public utilities and/or services either exceed the adopted City threshold standards or fail to comply with the then effective Growth Management Ordinance, and Growth Management Program and any amendments thereto. Public utilities shall include, but not be limited to, air quality, drainage, sewer and water.

3. The required public facilities, as identified in the PFFP or as amended or otherwise conditioned have not been completed or constructed to the satisfaction of the City. The developer may propose changes in the timing and sequencing of development and the construction of improvements affected. In such case, the PFFP may be amended as approved by the City's Director of Planning and Building and the Public Works Director. The Applicant agrees that the City may withhold building permits for any of the phases of development identified in the Public Facilities Financing Plan (PFFP) for the Project if the required public facilities, as identified in the PFFP have not been completed.

b. That the City may withhold the issuance of building permits for the Project, should the Developer be determined by the City to be in breach of any of the terms of the Tentative Map Conditions or any Supplemental Agreement. The City shall provide the Developer of notice of such determination and allow the Developer reasonable time to cure said breach.

66. Permit all cable television companies franchised by the City of Chula Vista equal opportunity to place conduit and provide cable television service for

each lot or unit within the final map area. Developer further agrees to grant, by license or easement, and for the benefit of, and to be enforceable by, the City of Chula Vista, conditional access to cable television conduit within the properties situated within the final map only to those cable television companies franchised by the City of Chula Vista, the condition of such grant being that: (a) such access is coordinated with Developer's construction schedule so that it does not delay or impede Developer's construction schedule and does not require the trenches to be reopened to accommodate that placement of such conduits; and (b) any such cable company is and remains in compliance with, and promises to remain in compliance with the terms and conditions of the franchise and with all other rules, regulations, ordinances and procedures regulating and affecting the operation of cable television companies as same may have been, or may from time to time be, issued by the City of Chula Vista. Developer hereby conveys to the City of Chula Vista the authority to enforce said covenant by such remedies as the City determines appropriate, including revocation of said grant upon determination by the City of Chula Vista that they have violated the conditions of grant. (Engineering, Planning & Building)

#### Public Parks and Trails

68. Within 60 days from City Council approval of the Amending Tentative Map, prepare, submit and obtain the approval of the Director of Planning and Building for a comprehensive Landscape Master Plan for Subarea III. The Landscape Master Plan shall reflect the requirements of the Landscape Architecture Division's checklist and the City of Chula Vista Landscape Manual.

70. Developer shall provide a title report showing the Community Park site is free and clear of all encumbrances prior to acceptance of the park except for those easements of record in favor of the City on the Final Map for the site.

#### Street Trees/Open Space

82. a. Concurrently with approval of the first final map for the Project, the MSCP Preserve lots (Lots CC, EE, FF and GG) and Tarplant Management Areas (Lots DDD and HHH) shall be conveyed through an Irrevocable Offer of Dedication to the City or other appropriate management entity deemed acceptable to the Director of Planning and Building. Prior to the first final map, the Developer shall enter into an agreement with the City which requires the Developer to assure interim management of the lots for a period not to exceed two years. A conservation easement or other similar restriction, acceptable to the Director of Planning and Building, shall also be provided that precludes the use of lots CC, EE, FF, GG for any use other than preserve, as set forth in the MSCP Subarea Plan, unless agreed to by the City and the Wildlife Agencies.

b. Fencing and/or walls shall be installed, to the satisfaction of the Environmental Review Coordinator, adjacent to both the MSCP Preserve lots (Lots CC, EE, FF and GG) and the Tarplant Management Areas (Lots DDD and HHH) in order to prevent impacts to the biological resources from domestic pets and human activity. An alternative to fencing would be the planting of native barrier plants subject to the approval of the

Environmental Review Coordinator at his/her sole discretion. Perpetual maintenance of the fence or barrier shall be provided by the HOA (Planning & Building, Engineering)

c. Indicate on all affected grading plans that all fencing and/or walls to be maintained by the HOA shall be constructed entirely within HOA-maintained open space lots or easements granted to the HOA and irrevocably offered to the City of Chula Vista.

84. Prior to the approval of final maps for Neighborhoods 9, 10a, 10b, 11 and 12 and subject to the approval of the Director of Planning and Building, establish homeowners associations (HOA) for said neighborhoods to provide for the maintenance of those areas as identified by the Director of Planning and Building and the City Engineer, including open space areas, private streets, drainage facilities and fencing, walls or other barriers as identified on the amending tentative map (CVT 92-02A) (Planning & Building)

85.

a. Prior to issuance of each grading permit for the Project, prepare, submit and obtain approval of the Director of Planning and Building for Landscape slope erosion control plans for the area encompassed within each the grading permit in accordance with the City of Chula Vista Grading Ordinance and the Landscape Manual. Revegetation of slopes external to Subarea III and/or adjacent to open space lots or undisturbed areas shall be accomplished with native plant species, which are appropriate to the area as determined by the City's Landscape Architecture Division and Environmental Review Coordinator.

b. Prior to issuance of the first building permit for the Project, prepare, submit and obtain approval of the Director of Planning and Building for landscape and irrigation plans in accordance with the City of Chula Vista Landscape Manual for all streets, common areas and open space lots.

87. Include in the Covenants Conditions & Restrictions (CC&R's) that the maintenance of all private facilities and improvements within open space areas are managed by homeowners associations. Prior to approval of the first final map for the Project, the Developer shall: 1) create a Master Homeowners Association ("HOA") to own and maintain in a professional manner open space areas, medians, parkways, and all other improvements not maintained by community facilities district or other entity; and 2) complete the formation of the HOA which shall be structured to allow annexation of future tentative map areas in the event the City Engineer and Director of Planning and Building requires such annexation of future tentative map areas. Submit to and gain approval of said CC&R's by the Director of Planning prior to approval of the associated final map. The CC&R's shall include the following;

a. Maintain all the facilities and improvements within the open space lots offered for dedication to the City until acceptance of the open space lots for maintenance by a community facilities district.

b. The HOA shall not seek to dedicate or convey for public streets, land used for private streets without approval of 100% of all the HOA members or holders of first mortgages within the HOA.

Notwithstanding the above, if the Developer chooses to annex into an existing HOA and provide supplemental CC&R's, all above requested provisions apply and shall be incorporated into said CC&R's to the satisfaction of the City Attorney, Director of Planning & Building and City Engineer. (Planning and Building, Engineering, City Attorney)

Fire and Brush Management

88. Provide the initial cycle of fire management/brush clearance within designated brush management HOA lots in Subarea III and conduct selective thinning on Parcel YY subject to the approval of the Fire Marshal and the Landscape Architecture Division and Environmental Review Coordinator. (Planning & Building, Fire, Building and Parks Construction)

90. Prior to the issuance of the first grading permit, the Developer shall contribute, in an amount and form acceptable to the Director of Planning and Building, to the City of Chula Vista's Repetitive Fire Restoration Reserve Fund ("Reserve Fund"). The contribution shall satisfy the Developer's long-term proportionate share to the Reserve Fund and is in lieu of annual contributions. (Planning and Building)

91. Dedicate to the City open space easements (OSE) over all downhill side and rear slopes adjacent to MSCP Preserve lots in Subarea III. These open space lots shall preclude the construction of any structures within said easements and shall limit activities within the easements to landscape maintenance of fuel modification plant materials. The wording of the OSE's shall be subject to the approval of the Director of Planning and Building, and the City Attorney. (Planning & Building, C.A.)

92. Prepare and execute fuel modification plans consistent with Section 3.6 of the Rolling Hills Ranch SPA subject to the approval of the Directors of Planning & Building, Building and Parks Construction, and the Fire Marshal prior to approval of any Final Map in Subarea III. Any new plantings within the Fuel Modification Zone shall be non-invasive and subject to the approval of the Environmental Review Coordinator and Landscape Architecture Division. (Planning & Building, Fire, Building and Parks Construction)

Miscellaneous

99. Delete

117. Delete

118. Delete

119. Delete

NEW CONDITIONS

INVSIA  
5/2/04

129. Upon conveyance of the Tarplant Management Areas (TMA) (Lots DDD and HHH) as depicted on C.V.T. Map 92-02A, the TMA will be managed by a qualified preserve manager subject to the approval of the City of Chula Vista after consultation with the Wildlife Agencies. Prior to the issuance of the first grading permit for the Project, the applicant shall provide a \$100,000 cash deposit to the City of Chula Vista or management entity as approved by the City to be placed in a non-wasting endowment for long-term management of the TMA. Maintenance of all drainage facilities through the TMA shall be the sole responsibility of the HOA. (Planning & Building, Engineering)

130. Grading plans for Neighborhood 11 shall provide for the removal of topsoil containing tarplant in Neighborhood 11 to be relocated to graded slopes within the TMA (Lots HHH and DDD). A qualified biologist, as approved by the Environmental Review Coordinator, shall supervise movement of topsoil containing tarplant. (Planning & Building, Engineering)

131. Prior to the issuance of the first grading permit for Subarea III, the Developer shall provide offsite mitigation for tarplant to include: (1) preservation of 5.8 acres (containing approximately 15,080 plants) within the San Miguel Mitigation Bank; and, (2) conservation of one 10 acre parcel containing a minimum of 15,000 plants in a location within the MSCP Preserve subject to the approval of the Director of Planning & Building. An endowment for perpetual management of the 10 acre offsite mitigation parcel, shall be provided to the City or designated management entity approved by the City. The endowment shall be in an amount and form acceptable to the City or the designated management entity approved by the City. (Planning & Building)

132. Prior to the issuance of the first grading permit for Subarea III, Area Specific Management Directives (ASMD's) for the MSCP Preserve lots (Lots CC, EE, FF, and GG) and the TMA lots (Lots DDD and HHH) shall be prepared by the Developer subject to the approval of the Director of Planning and Building. The ASMD's will contain short-term management measures, to be implemented by the Developer during the construction of the project, and long-term management measures which will be implemented by the City or designated management entity. Developer shall assure funding, in an amount consistent with funding levels identified in the MSCP and form approved by the Director of Planning and Building, for implementation of the ASMD's. (Planning & Building)

133. The approval of this map by the City of Chula Vista does not authorize the applicant to violate any Federal, State or City laws, ordinances, regulations or policies, including but not limited to the Federal Endangered Species Act of 1973 and any amendments thereto. (16 U.S.C. Section 1531 et seq.)

134. In accordance with authorization granted to the City of Chula Vista from the U.S. Fish & Wildlife Service (USFWS) pursuant to Section 10(a) of the ESA and by the California Department of Fish & Game (CDFG) pursuant to Fish & Game Code Section 2835 as part of the Multiple Species Conservation Program (MSCP), the City of Chula Vista through the approval/issuance of this permit/map hereby confers upon permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of Chula Vista Implementing Agreement (IA)



approved by the City Council on May 13, 2003. Third Party Beneficiary status is conferred upon permittee by the City: (1) to grant permittee the legal standing and legal right to utilize the take authorization granted to the City of Chula Vista pursuant to the MSCP in accordance with those limitations imposed under this permit and the provisions of the IA, and (2) to assure permittee that no existing mitigation obligation imposed by the City of Chula Vista pursuant to this permit shall be altered in the future by the City of Chula Vista, USFWS, or CDFG, except in the circumstances described in the IA. If mitigation lands are identified but not yet accepted by the City or other designated management entity or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this permit and of full satisfaction by permittee of mitigation obligations required by this permit, as described in accordance with the IA.

135. Construct or enter into an agreement to construct the following street improvements prior to the approval of the corresponding Final Map for the neighborhoods identified. The required security shall be provided for each facility prior to approval of the Final Map for the corresponding neighborhood or portion thereof. Construction of appropriate improvements for each neighborhood portion thereof shall be completed prior to issuance of the first building permit for each affected neighborhood or portion thereof.

NEIGHBORHOOD	Facilities Needed *
9	A, B, C, G, H,
10A	A, B, C, D, E, F, G, H
10B	A, C, D, G, H, L
11	A, B, C, D, E, F, G, H, I, K
12	A, B, C, D, E, F, G, H, I, J

\* Should there be a conflict between this condition and condition no. 7 of Resolution No. 16834, this condition shall control.

Facility	Description
A	Proctor Valley Road from Coastal Hills Drive to Agua Vista Drive, including transition to existing dirt road and dedicate to the City in a form acceptable to the City Engineer, the "future Proctor Valley Road easement" as shown on the Tentative Map east of Agua Vista Drive.
B	Coastal Hills Drive from Proctor Valley Road, to north boundary of Neighborhood 9 (& cul-de sac within SDG&E Easement).
C	Agua Vista Drive from Proctor Valley Road, to north boundary of Neighborhood 9.
D	Agua Vista Drive from north boundary of Neighborhood 9 to Ranch Estate Place.
E	Agua Vista Drive from Ranch Estate Place to north boundary of Neighborhood 10A (& cul-de sac within SDG&E Easement).
F	Coastal Hills Drive from north boundary of Neighborhood 9 (SDG&E Easement) to sewer access road easement within Lot GGG, at the southerly boundary of Neighborhood 11, Lot 8. Sewer access road from Coastal Hills Drive to Adams Ranch Court; Adams Ranch Court.
G	Stormwater detention and diversion facility at south end of

- 
- H Neighborhood 9 (Lot AA).  
Sewer Pump Station on Agua Vista Drive, north of Proctor Valley Road (Lot BB).
  - I 1296 Zone Hydropneumatic Pump (Lot GGG) and complete the 980 zone water distribution loop from Agua Vista Dr to Coastal Hills Dr. such that the pump will have two sources of 980 zone water.
  - J Iron Gate and Butterfly Way to Coastal Hills Drive.
  - K Ranch Lakes Way and Agua Vista Dr. to easterly subdivision boundary.
  - L Ranch Estate Place from Agua Vista Dr to easterly subdivision boundary and off-site cul-de-sac.
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136. In the event of a final map, which requires over-sizing of the improvements necessary to serve other properties, said final map shall be required to include the installation of all necessary improvements to serve the Project, plus the necessary improvements for over-sizing of facilities required to serve such other properties. At the request of Developer, City shall consider formation of a reimbursement district or any other reimbursement mechanism in accordance with the restrictions of State Law and City Ordinances. (Engineering)

137. Prior to approval of each Final Map containing any public streets, the Applicant shall agree to contract with the City's current street sweeping franchisee, or other server approved by the Assistant Director of Public Works (ADPWO) to provide street sweeping for each phase of development on a frequency and level of service comparable to that provided for similar areas of the City. The developer shall cause street sweeping to commence immediately after the final residence, in each phase, is occupied and shall continue sweeping until such time that the City has accepted the street or 60 days after the completion of all punch list items, whichever occurs earlier. The developer further agrees to provide the ADPWO with a copy of the memo requesting street sweeping service, which memo shall include a map of areas to be swept and the date the sweeping will begin. (Public Works)

138. Prior to approval of the first final map for the Project, developer shall enter into an agreement assuring HOA membership in advance notice service such as USA Dig Alert in perpetuity.

#### X. CONSEQUENCE OF FAILURE OF CONDITIONS

If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. No vested rights are gained by Developer or a successor in interest by the City's approval of this resolution.

#### XI. INVALIDITY; AUTOMATIC REVOCATION

It is the intention of the City Council that its adoption of this resolution is dependent upon the enforceability of each and every term, provision and condition herein stated; and that in the event that any one or more terms, provision, or conditions are determined by a Court of competent jurisdiction to be invalid, illegal or unenforceable, this resolution shall be deemed to be automatically revoked and of no further force and effect ab initio.

It is in the public's interest for City to require McMillin to indemnify the City against the adverse risks and costs of a challenge to City's actions in preparing and approving an Addendum to FSEIR 91-03 and approving the Amendment to the Tentative Subdivision Map for Rolling Hills Ranch, Chula Vista Tract 92-02(A) and related discretionary approvals, if any.

Presented by

Approved as to form by

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Robert A. Leiter  
Planning & Building Director

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Ann Moore  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 13th day of May, 2003, by the following vote:

AYES:	Councilmembers:	McCann, Rindone, Salas and Padilla
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	Davis

ATTEST:

\_\_\_\_\_  
Stephen Padilla, Mayor

\_\_\_\_\_  
Susan Bigelow, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2003-199 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 13th day of May, 2003.

Executed this 13th day of May, 2003.     \_\_\_\_\_

\_\_\_\_\_  
Susan Bigelow, City Clerk