

VOLUME I

FINAL

**Solana Highlands Revitalization Project  
Environmental Impact Report**

*Prepared for:*

**City of Solana Beach**

635 South Highway 101

Solana Beach, California 92075

*Contact: Joseph Lim, AICP, Community Development Director*

*Prepared by:*

**DUDEK**

605 Third Street

Encinitas, California 92024

*Contact: Matt Valerio, Sr. Project Manager*

OCTOBER 2018



FINAL

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Environmental Impact Report**

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OCTOBER 2018



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# CHAPTER 1 INTRODUCTION

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## 1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000 et seq.), as amended. The City of Solana Beach (City) is the Lead Agency for the environmental review of the proposed Solana Highlands Revitalization Project (proposed project) evaluated herein and has the responsibility for approving the proposed project. At the time it is called upon to consider approving the proposed project, the City Council will consider the information in this FEIR along with other information that may be presented during the environmental review process and public hearing on the proposed project.

As described in the CEQA Guidelines (14 CCR 15000 et seq.), public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, with consideration of other conditions, including economic, social, technological, legal, and other benefits. As required by CEQA, this FEIR assesses the potentially significant direct and indirect environmental effects of the proposed project, as well as the potentially significant cumulative impacts that could occur from implementation of the proposed project.

This FEIR is an informational document only, the purpose of which is to identify the significant effects of the proposed project on the environment and to indicate the manner in which those significant effects can be avoided or significantly lessened (including feasible mitigation measures), to identify any significant and unavoidable adverse impacts that cannot be mitigated to below a less-than-significant level, and to identify reasonable and feasible alternatives to the proposed project that would avoid or substantially lessen any significant adverse environmental effects associated with the proposed project and achieve the fundamental objectives of the proposed project.

## 1.2 ENVIRONMENTAL PROCEDURES

The California Public Resources Code (Section 21000 et seq.) requires preparation and certification of an EIR for any project that a Lead Agency determines may have a significant effect on the environment. This FEIR was prepared in compliance with all criteria, standards, and procedures of the CEQA Guidelines (14 CCR 15000 et seq.).

### 1.2.1 Notice of Preparation and Scoping

CEQA establishes mechanisms whereby the public and decision makers can be informed about the nature of a proposed project and the extent and types of impact that the project and its alternatives would have on the environment. Pursuant to Section 15082 of the CEQA Guidelines, the City

circulated a Notice of Preparation (NOP) dated November 14, 2014, to interested agencies, organizations, and parties, and posted the NOP in the San Diego Union Tribune Newspaper. The NOP was also sent to the State Clearinghouse (SCH) at the California Governor’s Office of Planning and Research and was submitted to the San Diego County Clerk. The NOP was also posted at the City Hall information kiosk, published on the City’s website homepage and E-Blasted to the community. The SCH assigned a state identification number (SCH no. 2014111028) to the Draft EIR. The City issued the NOP for public review and comment from November 14, 2014 through January 9, 2015 pursuant to California Code of Regulations, Title 14, Section 15082(b).

The NOP is intended to encourage interagency communication regarding the proposed project so that agencies, organizations, and individuals are afforded an opportunity to respond with comments and/or questions regarding the scope and content of the EIR. A public scoping meeting was duly noticed and held on November 20, 2014, at the City of Solana Beach City Council Chambers (635 South Highway 101). The purpose of this meeting was to provide the public and governmental agencies with information on the proposed project and the CEQA process, and to give attendees an opportunity to identify environmental issues that should be considered in the EIR. Attendees were invited to mail, email, or fax their comment letters to the City by no later than 5:00 p.m. on January 9, 2015.

Comments received during the NOP public scoping period were considered during preparation of the Draft EIR (DEIR). The NOP and comments on the NOP are included in Appendix A. Comment letters were received in response to the NOP and public scoping meeting, which covered a variety of topics, including transportation/circulation, population and housing, noise, water supply, safety hazards, and recreation. DEIR Appendix A contains the transcript of the scoping meeting and comment letters that were received during the NOP public scoping period.

Based on the scope of the proposed project as described in the NOP, the following issues were determined to be potentially significant and are addressed in Chapter 3, Environmental Analysis, of the DEIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services Utilities and Service Systems
- Recreation
- Traffic and Circulation
- Tribal Cultural Resources

## 1.2.2 Public Review of the Draft EIR

The DEIR was circulated for public review and comment on June 19, 2018, initiating a 45-day public review period ending on August 2, 2018, pursuant to CEQA and its implementing guidelines. The DEIR and Notice of Completion were distributed to the State Clearinghouse, and a Notice of Availability (NOA) was published by the City in the San Diego Union Tribune newspaper and copies were posted with the San Diego County Clerks' office. The DEIR was directly mailed to federal, state, and local agencies. Mailings were sent to notify of scoping for and publishing of the DEIR to primary stakeholders and to the entire City via an E-Blast.

During the public review period, copies of the DEIR and appendices were made available for public review at City Hall located at 635 South Highway 101, Solana Beach, California, and the Solana Beach Library located at 157 Stevens Avenue, Solana Beach, California. The DEIR was also available for review on the City's website at <http://www.ci.solana-beach.ca.us/>.

During the public review period, 23 public comment letters on the DEIR were received. Additionally, 2 comment letters were received after the close of the public comment period. All comment letters received by the City, however, are included in this FEIR and have been formally responded to. All public comment letters and the City's responses are listed in FEIR Chapter 2, Responses to Comments.

## 1.3 CONTENTS OF THE FINAL EIR

This FEIR is prepared pursuant to Sections 15088, 15089, and 15132 of the CEQA Guidelines. The FEIR, in compliance with CEQA Guidelines Section 15132, contains the following:

- **Chapter 1:** Introduction. This chapter provides a description of the contents and organization of the FEIR, a summary of procedural compliance with CEQA, and a brief description of the proposed project.
- **Chapter 2:** Responses to Comments. This chapter includes a list of persons, organizations, and public agencies that provided written comments on the DEIR during, or after, the public review period. This chapter also includes a copy of the comments received by the City during (and after) the public review process for the DEIR and the City's responses to these written comments. Each comment letter is assigned an identifying name and each comment is bracketed and assigned a comment number, which corresponds to a response number.
- **Chapter 3:** Errata and Changes to the DEIR. This chapter contains a summary of changes made to the DEIR since its publication that are necessary to respond to comments on the DEIR or are otherwise needed to correct factual errors or typographic errors. Revisions were made to clarify information presented in the DEIR, and only minor technical changes or additions have been made. The changes and additions to the DEIR do not raise important

new issues related to significant effects on the environment. Such changes are “insignificant,” as the term is used in CEQA Guidelines Section 15088.5(b). This chapter describes changes that were made and presents textual changes made since public review as signified by strikethrough (~~strikethrough~~) where text is removed, and by underlined text (underline) where text is added for clarification.

- **Chapter 4:** Mitigation Monitoring and Reporting Program. A Mitigation Monitoring and Reporting Program (MMRP) was prepared in accordance with Section 15097 of the CEQA Guidelines. The State CEQA Guidelines require that a mitigation monitoring and reporting program be adopted upon certification of an EIR to ensure mitigation measures identified in the EIR are implemented. The MMRP is presented in table format and identifies mitigation measures for the proposed project, the party responsible for implementing the mitigation measures, the timing of implementing the mitigation measures, and the entity responsible for monitoring and reporting compliance with each mitigation measure.
- **DEIR:** Following the FEIR Chapters identified above, the DEIR is provided in its entire Public Review Draft form. The DEIR includes all figures and appendices included in the Public Review DEIR.

## 1.4 PROJECT LOCATION

The project site encompasses approximately 13.4 acres on three parcels (Assessor’s Parcel Numbers 298-260-33, 298-281-10, and 298-164-22). The proposed project is located at 661 to 781 South Nardo Avenue and 821 Stevens Avenue in the City of Solana Beach in north coastal San Diego County, California.

## 1.5 PROJECT DESCRIPTION SUMMARY

The proposed project would involve demolition of the existing apartment development on site and construction of an updated apartment complex consisting of 228 new multi-family residential units and 32 affordable senior housing units, for a total of 260 new units in 24 buildings. The proposed project would provide a net increase of 62 residential units.

Residential buildings would range in height from 2 to 3 stories and would provide a total of 12 studio apartments, 128 one-bedroom units, and 120 two-bedroom units. The three-story affordable senior building would contain all 12 of the studio apartments, 15 of the one-bedroom units, and 5 of the two-bedroom units, with the balance of the project comprised of 113 one-bedroom and 115 two-bedroom units. Additionally, the project would include a small private park along South Nardo Avenue to reduce visual effects of the redevelopment project in proximity to the existing greenspace/dog park on site.

The project site would be broken into three neighborhoods: Bungalow, Valley View, and Lifestyle. The existing four entrances to the project site located off South Nardo Avenue would be consolidated to two driveways serving the main apartment complex. The first driveway would be located along the northwest portion of South Nardo Avenue in approximately the same location as the existing driveway in this location. The second driveway would become the main driveway located closer to Stevens Avenue along the eastern portion of South Nardo Avenue. The senior-affordable building would be served by a third driveway, located off of Stevens Avenue in approximately the same location as the existing driveway that currently serves the off-site units owned by the applicant. The proposed project would replace the existing 311 on-site parking spaces and provide 525 on-site parking spaces. There would be 233 garage spaces, a minimum of 22 covered spaces, and up to 270 uncovered spaces. Traffic-calming measures along South Nardo Avenue would be constructed as part of the proposed project.

Earthwork for the project would result in 176,000 cubic yards of cut and 22,000 cubic yards of fill, with 154,000 cubic yards of export. Exported material is being assessed for suitability for use with the City's Sand Compatibility and Opportunistic Use Program (SCOUP), and any material identified as suitable would be placed on the City's beaches; otherwise, soil export is assumed to be transported to the Otay Landfill as the maximum haul distance/impact for the purposes of this EIR analysis.

The proposed project would involve a phased construction plan designed to support partial occupancy of the existing buildings on site for the total construction period of approximately 39 months. The three project neighborhoods, Valley View, Lifestyle, and Bungalow, may be constructed over multiple phases.

The project applicant would be required to enter into a Development Agreement with the City requiring the senior apartments to be deed-restricted at specific affordability levels. In conjunction with City of Solana Beach Municipal Code and California law, the provision of the affordable apartments on site allows the applicant to receive a bonus in the project's density, allowing additional market-rate apartments to also be constructed.

Solana Beach Municipal Code Section 17.20.050 and California state law allow for the waiver of development standards for projects receiving a density bonus. Grading of the site is intended to achieve the proposed density and number of units that would allow for the inclusion of 32 affordable housing units and related density bonus. The City requires that height standards be measured from the lower of existing grade or proposed grade. Therefore, in some areas, fill would be placed below proposed buildings, walls, or fences and is included as part of the proposed height calculation. Development standard waivers for the proposed project include building height, wall and fence heights.

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Comment Letter OP



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

RECEIVED  
AUG - 8 2018  
Community Development Dept.  
City of Solana Beach



KEN ALEX  
DIRECTOR

August 3, 2018

Joseph Lim  
City of Solana Beach  
635 South Highway 101  
Solano Beach, CA 92075

Subject: Solana Highlands Revitalization Project  
SCH#: 2014111028

Dear Joseph Lim:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 2, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

OP-1

### Response to Comment Letter OP

Office of Planning and Research  
Scott Morgan  
August 8, 2018

**OP-1**

This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2014111028  
**Project Title** Solana Highlands Revitalization Project  
**Lead Agency** Solana Beach, City of

**Type** EIR Draft EIR

**Description** The project would demolish the existing apartments on-site and construct a new apartment complex consisting of 228 new multi-family residential units and 32 affordable senior housing units, for a total of 260 units in 24 buildings on site. The project proposes a net increase of 62 residential units onsite. Buildings would be two to three stories tall with a total of 12 studio apartments, 128 one-bedroom units and 120 two-bedroom units. The affordable senior portion would contain all 12 of the studio apartments, 15 of the one-bedroom units, and 5 of the two-bedroom units. The balance of the project consists of 113 one-bedroom and 115 two-bedroom units. On-site amenities would include a clubhouse, pool, spa, barbecue areas, walking paths, and passive usable open space.

**Lead Agency Contact**

**Name** Joseph Lim  
**Agency** City of Solana Beach  
**Phone** 858 720 2434 **Fax**  
**email**  
**Address** 635 South Highway 101  
**City** Solana Beach **State** CA **Zip** 92075

**Project Location**

**County** San Diego  
**City** Solana Beach  
**Region**  
**Lat / Long** 77° 59' 06" N / 117° 15' 41.8" W  
**Cross Streets** 661-781 South Nardo and 821 Stevens Avenue  
**Parcel No.** 298-260-33, 298-281-10, 298-164-22...  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** I-5, 101  
**Airports** No  
**Railways** NCTD  
**Waterways**  
**Schools** St. James Academy  
**Land Use** high density res 13-20 du/acre

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

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Department of Housing and Community Development; Resources, Recycling and Recovery; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

**Date Received** 06/19/2018 **Start of Review** 06/19/2018 **End of Review** 08/02/2018

Comment Letter SD



401 B Street, Suite 800  
 San Diego, CA 92101-4231  
 (619) 699-1900  
 Fax (619) 699-1905  
 sandag.org

August 1, 2018

File Number 3300300

Mr. Joseph Lim, AICP  
 Community Development Director  
 City of Solana Beach  
 635 South Highway 101  
 Solana Beach, CA 92075

Dear Mr. Lim:

Subject: Solana Highlands Revitalization Project Draft Environmental Impact Report

Thank you for the opportunity to comment on the City of Solana Beach's Solana Highlands Revitalization Project Draft Environmental Impact Report (EIR). The San Diego Association of Governments (SANDAG) appreciates the City's efforts to implement the policies included in San Diego Forward: The Regional Plan (Regional Plan), which emphasize the need for better land use and transportation coordination. These policies will help provide people with more travel and housing choices, protect the environment, create healthy communities, and stimulate economic growth. SANDAG's comments are based on policies included in the Regional Plan and are submitted from a regional perspective.

**Transportation Demand Management**

Please consider incorporating transportation demand management (TDM) strategies to help mitigate traffic impacts and parking demand. TDM encourages the use of transportation alternatives that reduce the reliance on the private automobile and supports objectives and goals in the City's Climate Action Plan. Specific TDM measures to consider include:

- Provision and promotion of shared mobility services for residents of the development (e.g., carshare, bikeshare).
- Neighborhood electric vehicles (NEVs) provide a sustainable solution for short trips around the community and connecting to transit. Consider the provision of shared NEVs for residents to reduce parking demand and vehicle congestion associated with trips to proximate commercial and recreational destinations.
- Enhanced bicycle and pedestrian facilities that provide safe connections to the Solana Beach COASTER Station, recreational destinations, and other regional bikeways like the Coastal Rail Trail.
- Consider unbundling and reducing parking requirements given the proximity to regional transit services.
- Given the proximity to the North County Transit District's local bus service and the Solana Beach COASTER Station, consider subsidizing transit passes to encourage residents and employees to use public transit. Transit rider parking and secure bike parking are located at the Solana Beach COASTER Station for the convenience of the commuter.

MEMBER AGENCIES

- Cities of  
 Carlsbad  
 Chula Vista  
 Coronado  
 Del Mar  
 El Cajon  
 Encinitas  
 Escondido  
 Imperial Beach  
 La Mesa  
 Lemon Grove  
 National City  
 Oceanside  
 Poway  
 San Diego  
 San Marcos  
 Santee  
 Solana Beach  
 Vista  
 and  
 County of San Diego

ADVISORY MEMBERS

- Imperial County  
 California Department  
 of Transportation  
 Metropolitan  
 Transit System  
 North County  
 Transit District  
 United States  
 Department of Defense  
 San Diego  
 Unified Port District  
 San Diego County  
 Water Authority  
 Southern California  
 Tribal Chairmen's Association  
 Mexico

SD-1

SD-2

Response to Comment Letter SD

San Diego Association of Governments

Seth Litchney

August 1, 2018

SD-1

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

SD-2

As discussed in Section 3.12, Traffic and Circulation, the proposed project would be subject to compliance with local regulations, including the City's General Plan, the SANDAG's San Diego Forward plan, and the City's Comprehensive Active Transportation Strategy (CATS), and is in proximity to local and regional transit infrastructure. Although there are no proposed bike lane updates associated with the project, due to the limited increase in units over the existing Solana Highlands residences (62 additional units), the existing bicycle facilities would adequately accommodate the

- Provision of wayfinding and transportation kiosks that display real-time travel and trip planning information for regional transit services, shared mobility services, parking, and other available transportation options.

iCommute, the SANDAG TDM program, can assist with promoting regional TDM services that encourage the use of transportation alternatives and reduce traffic congestion. Regional TDM programs include the SANDAG Vanpool Program, Guaranteed Ride Home service, support for carpooling, and bike encouragement programs. More information on available regional TDM programs can be accessed through iCommuteSD.com.

**Regional Housing Needs**

SANDAG recognizes that the San Diego region and California are facing a severe housing crisis and that a lack of housing production has led to higher rents and housing costs – affecting residents, business community, and quality of life. The Solana Highlands Revitalization Project provides 228 multi-family residential units and 32 senior affordable units, for a total of 260 units. While this project assists in meeting the regional housing need, SANDAG encourages the City to continue to increase housing choices and to connect the housing to pedestrian, bicycle, and transit infrastructure.

**Other Considerations**

SANDAG has a number of additional resources that can be used for additional information or clarification on topics discussed in this letter. These can be found on the SANDAG website at sandag.org:

1. Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region
2. Integrating Transportation Demand Management into the Planning and Development Process – A Reference for Cities
3. Riding to 2050, the San Diego Regional Bike Plan

When available, please send any additional environmental documents related to this project to:

SANDAG  
 Attention: Intergovernmental Review  
 401 B Street, Suite 800  
 San Diego, CA 92101

We appreciate the opportunity to comment on the City's Solana Highlands Revitalization Project Draft EIR. If you have any questions, please contact me at (619) 699-1943 or seth.litchney@sandag.org.

Sincerely,



SETH LITCHNEY  
 Senior Regional Planner

SLI/KHE/abar



proposed project’s residents. Green/Sustainable Design Features are described in Chapter 2, Project Description, and include electric vehicle charging stations, walking paths, and bike lockers, which are generally consistent with the City’s Climate Action Plan. Additionally, traffic calming improvements and pedestrian safety improvements are included in the proposed project, which would improve conditions for pedestrian and bicycle use that aligns with the City’s CATS program. In response to this comment, the City will add a condition of approval to the project for the Applicant to add sharrows along the project frontage on South Nardo, to further effectuate the CATS program. As stated in the DEIR Section 3.12, Traffic and Circulation, the proposed project would not result in any significant unmitigated traffic impacts. Furthermore, as stated in DEIR Section 3.4, Greenhouse Gases, the proposed project would not result in any significant unmitigated impacts related to greenhouse gases (GHG).

**SD-3** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**SD-4** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed

	<p>project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. Please also see response to comment SD-2.</p>
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Comment Letter VB



P.O. Box 908  
Alpine, CA 91903  
#1 Viejas Grade Road  
Alpine, CA 91901

Phone: 6194453810  
Fax: 6194455337  
viejas.com

June 25, 2018

John LaRaia  
H.G. Fenton Company  
7577 Mission Valley Road  
San Diego, CA 92108

**RE: Solana Highlands**

Dear Mr. LaRaia,

In reviewing the above referenced project the Viejas Band of Kumeyaay Indians ("Viejas") would like to comment at this time.

The project area may contain many sacred sites to the Kumeyaay people. We request that these sacred sites be avoided with adequate buffer zones.

Additionally, Viejas is requesting, as appropriate, the following:

- All NEPA/CEQA/NAGPRA laws be followed
- Immediately contact Viejas on any changes or inadvertent discoveries.

Thank you for your collaboration and support in preserving our Tribal cultural resources. I look forward to hearing from you. Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314, or email, [rteran@viejas-nsn.gov](mailto:rteran@viejas-nsn.gov) or [epingleton@viejas-nsn.gov](mailto:epingleton@viejas-nsn.gov), for scheduling. Thank you.

Sincerely,

Ray Teran / Resource Management  
VIEJAS BAND OF KUMEYAAY INDIANS

VB-1

VB-2

VB-3

VB-4

Response to Comment Letter VB

Viejas Band of Kumeyaay Indians

Ray Teran

June 25, 2018

**VB-1**

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response is required.

**VB-2**

As indicated in Section 3.5 (pp. 3.5-3 through 3.5-4) of the DEIR and Appendix B of Appendix G, Cultural Resources Study, the City received a list of local tribal entities using a records search with the South Coastal Information Center in San Diego. The City contacted the tribes provided on this list, including the Viejas Band of Kumeyaay Indians (Viejas). Viejas responded that the site is of significance to or has ties to Viejas,

	<p>asked to be kept informed of developments, and requested that a Kumeyaay cultural monitor be present during excavation activities. In response to Viejas' request, mitigation measure CUL-1 was included, which states: "Prior to the start of any ground-disturbing activity, the project applicant shall retain an archaeological monitor and a Native American (Kumeyaay) monitor, approved by the City of Solana Beach (City), to monitor ground-disturbing activities associated with the proposed project, including but not limited to grading, excavation, brush clearance, and grubbing. The archaeological and Native American monitors shall conduct preconstruction cultural resources worker sensitivity training to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with the City" (DEIR page 3.5-12). With implementation of mitigation measure CUL-1, the concern regarding sacred sites of the Viejas Tribe is adequately addressed, and Viejas would be informed through the arranged monitor.</p> <p><b>VB-3</b> All applicable state and federal regulations are being followed, and per response to comment VB-2, with implementation of mitigation measure CUL-2, a Native American (Kumeyaay) monitor would be present on site during ground-disturbing activities.</p> <p><b>VB-4</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the</p>
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	<p>decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Comment Letter AS

RECEIVED

JUL 11 2018

Community Development Dept.  
City of Solana Beach



San Diego County Archaeological Society, Inc.

Environmental Review Committee

7 July 2018

To: Mr. Joseph Lim, AICP, Director  
Community Development Department  
City of Solana Beach  
635 South Highway 101  
Solana Beach, California 92075-2215

Subject: Draft Environmental Impact Report  
Solana Highlands Revitalization Project

Dear Mr. Lim:

I have reviewed the cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the the DEIR and its Appendix G, we have the following comments:

1. We agree with the impact analysis and the mitigation measures included in Section 3.5.5 of the DEIR.
2. While it does not affect the adequacy of the impact analysis and mitigation measures, the discussion of the Historic Period in Section 3.5.1 and Appendix G is almost entirely a generalized "boiler plate" overview of the entire region. Its sole reference to Solana Beach is a superficial, single sentence added at the end: "The City of Solana Beach was incorporated in 1986 (see Appendix G)." There rightly should be a discussion of the development of the city and, before it, that portion of the county.

Thank you for including SDCAS in the public review of this project's environmental documents.

Sincerely,

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

cc: ASM Affiliates  
SDCAS President  
File

Response to Comment Letter AS

San Diego Archeological Society

James Royle Jr.

July 11, 2018

AS-1

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

AS-2

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

AS-1  
AS-2  
AS-3  
AS-4  
AS-5

	<p><b>AS-3</b> The text in Section 3.5.1 of the DEIR addresses the pre-development history of the region. Please see response to comment AS-4. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>AS-4</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. In response to the comment, the following text has been added to Chapter 3 of the FEIR, Errata:</p> <p>“The area of Solana Beach was originally known as Lockwood Mesa and was first settled in 1886 by the family of George Jones. The area was used to farm grain and lima beans. After the completion of Lake Hodges Dam and the creation of the Santa Fe Irrigation District in 1918, development in the area increased significantly. Agriculture was a mainstay of the area at that time. In 1922, Colonel Ed Fletcher, an early community leader and developer, purchased 201 acres at \$200 per acre from George Jones to develop the town of Solana Beach. Solana Beach grew rapidly, paralleling the development of the entire county during the 1924–29 period. On March</p>
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	<p>5, 1923, Fletcher filed the original subdivision map of Solana Beach. The community has since grown from an agricultural community to a developed urban area. (City of Solana Beach 2015).”</p> <p><b>AS-5</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter BDH

BETTE D. HOFFMAN  
 455 Bay Meadows Way  
 Solana Beach, CA 92075

Cell: 858 997 7616  
 E-Mail: [BetteDell@AOL.com](mailto:BetteDell@AOL.com)

August 31, 2018

Joseph Lim, AICP  
 Community Development Director  
[SolanaHighlandsEIR@cosb.org](mailto:SolanaHighlandsEIR@cosb.org)

RE: Structure Development Permit Request  
 Project File No./APN no.: DRP/SDP 17-14-29, APN 298-260-33, 298-281-10 & 298-164-22

I bought my townhome in the Turfwood Community in 2003. The community is peaceful, serene and filled with loving and kind neighbors - we are, in the truest sense of the word, a community. FYI, your documents refer to the Turfwood Community as apartments, we are a community of townhome condominiums.

An adjacent "new residential development zoned High Density of 260 units with 525 parking onsite parking units will create traffic problems, noise problems and erode the peaceful ambience of our neighborhood. I am requesting that you consider your neighbors - understand our concerns regarding density, traffic and lack of privacy and adjust your plans to benefit all of us in Solana Beach.

I support my7 Turfwood neighbors and share special concerns regarding the following:

The buildings are still very close to the bluff on Bay Meadows Way. I am grateful that the plan reduces the units in this area to 2 stories instead of 3. However, with these buildings so close to the bluff, these units will look directly down on Turfwood's green area which we use as a park for community activities. My concern is the noise level and invasion of privacy

The noise during construction: a 7:00 AM to 7:PM work day is completely unacceptable. Turfwood is a community of all ages, infants through senior citizens. We deserve and demand peace and quiet in the early morning and during the dinner time.

I join my neighbors in Turfwood with a plea to compromise the EIR proposal to meet our concerns. Our HOA president is Joe Cufiello – he can respond to any questions you may have ([Joe@Cufiello.com](mailto:Joe@Cufiello.com))

Thank you

Bette Hoffman  
 455 Bay Meadows Way

copy via email: Joe Cariello

BDH-1

BDH-2

BDH-3

BDH-4

BDH-5

Response to Comment Letter BDH

Private Individual  
 Bette Hoffman  
 August 2, 2018

**BDH-1** The City understands that Turfwood Condominiums is correct and is predominantly referred to as such in the DEIR. This error has been corrected and included in the FEIR in Chapter 3, Errata. This revision does not change the outcome of any significance determination made in the DEIR. No further response to this comment is required.

**BDH-2** The topics identified are addressed in DEIR Sections 3.12, Traffic and Circulation; 3.10, Noise; 3.1, Population and Housing; and 3.9, Land Use.

Regarding the comment's concern for lack of privacy. After the initial NOP was released, the applicant conducted further public engagement, including as part of the City's View Assessment process and additional efforts to get input into the proposed project design. In response to those activities, the applicant made revisions to the proposed

project and submitted a revised site plan to the City. The revised site plan is the proposed project that is addressed in this DEIR. In response to the public's concern for public and private views, the applicant decreased the height of the project. However, to accommodate for the decrease in height, the project would increase grading of the site, which could not be feasibly achieved without the removal of native trees. However, as stated in Section 3.3, Biological Resources, and Section 3.9, Land Use and Planning, a Tree Protection Plan shall be completed to the satisfaction of the City of Solana Beach. Additionally, BIO-1 requires the applicant to ensure maturity and viability of the root zone, as outlined in the Tree Protection Plan. The Tree Protection Plan shall ensure maturity and viability of the root zone of the 5 California sycamore trees and 10, 84-inch box coast live oak trees along the southern edge of the site. As such, the replacement trees would not create an adverse loss in trees, tree size, or health. The Landscape Concept Plan depicts that more than half of the site (7.5 acres of the 13.4 acres), when developed will remain be landscaped or remain as open space. Changes in privacy is not considered an environmental impact required to be analyzed under CEQA.

As stated in Section 3.1, Aesthetics, the installation of mature (boxed) trees would reduce visual and aesthetic effects from the loss of the existing vegetation on site. Larger shade trees would include approximately 10 84-inch box coast live oaks along the southern edge of the site and approximately 60 trees that would be a mix of coast live oaks, Aleppo pines, and California sycamores, in 24-

inch boxes throughout the site. Additionally, the exterior lighting regulations of the City of Solana Beach Municipal Code (SBMC) are intended to minimize light pollution, prevent trespassing, and regulate development within dark sky areas.

Additionally, proximity concerns such as light and noise are adequately addressed in DEIR Section 3.1, Aesthetics and Section 3.10, Noise. The closest distance from the proposed buildings to the Bay Meadows Way is 58 feet on the west and 126 feet on the east. As stated in the DEIR, lighting features would consist of energy-efficient lighting that would be shielded and directed downward to minimize light trespass onto surrounding properties. Additionally, the proposed project would comply SBMC regulations related to lighting. As stated in the DEIR (page 3.1-65), impacts from new sources of light and glare would be less than significant.

The issue of noise from operation of the proposed project is addressed in Section 3.10, Noise, which identifies that noise levels from the HVAC units could potentially result in exceedance of acceptable noise levels and provides mitigation measure NOI-8 to reduce impacts to below significant. As stated in Section 3.10.4, none of the private exterior use areas (patios or balconies) or the common outdoor use areas would exceed the City's 65 dB community noise equivalent level (CNEL) noise standard. Future-with-project building facades and patio and balcony noise exposures are predicted to range from 55 dB CNEL to 60 dB

	<p>CNEL (page 3.10-18). As such, the proposed project, including the proposed balconies along the southern portion of the site, would not result in a significant impact related to the proposed balconies. Increasing the project setback is not necessary or warranted.</p> <p><b>BDH-3</b> Please see response to comment BDH-2.</p> <p><b>BDH-4</b> As stated in DEIR Section, 3.10, Noise, construction activities are permitted by the City's Noise Ordinance between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. through 7:00 p.m. on Saturday. The proposed project would be required to comply with the City's Noise Ordinance. This information is also summarized as requirements under NOI-2, which is also stated in the Executive Summary of the DEIR. These times express the hours during which construction can occur, or outside of which construction activities cannot occur. As discussed in Section 3.2, Air Quality, air quality model inputs are intended to approximate overall project averages specific to the duration of operations of emission-generating equipment use, which may occur only within the permitted hours. Therefore, for modeling and analysis purposes, the analysis generally assumed that heavy construction equipment would be operating at the site for approximately 8 hours per day, 5 days per week (22 days per month) during project construction (DEIR pages 3.2-17 and 3.2-18). The air quality modeling parameters are inputs used, whereas the referenced noise hours are limits prescribed by the</p>
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	<p>City that cannot be exceeded. The proposed project would comply with the City’s Noise Ordinance Limits.</p> <p><b>BDH-5</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter BE

From: Bill Evans <wae726@aol.com>  
Date: August 1, 2018 at 4:44:00 AM PDT  
To: <dzito@cosb.org>, <jedson@cosb.org>, <jhegenauer@cosb.org>, <lheebner@cosb.org>, <pzahn@cosb.org>  
Subject: Approval of Fenton Project on S. Nardo Ave  
Dear Council Members,

My wife, Kaaren, and I have lived at 726 S. Nardo Ave since 1986, and we have seen the incredible new amount of parking along Nardo, and up Fresca and streets beyond, as more cars come into the area from home owners and particular Solana Highlands apartments among other apartments in the area.

I am requesting that Fenton, in their development plans, be required to NOT charge their tenants for any on-site parking as a condition of the projects approval. I also request that in the proposed project, which will have 233 garage spaces, which people tend to use for personal storage rather than parking vehicles. There must be a requirement that Fenton inspects these garages and makes sure they are being used for vehicle parking. Condominium complexes (The Villas) do these type of garage inspections on a regular basis.

Please hear our cries. The other day we were watching old family videos from our front yard and it was amazing how few cars where parked along Nardo. I am not requesting a return to the "good old days" but I am requesting that going forward to intelligently plan for parking spaces in the future by putting restrictions on Fenton.

Thank you and bless your work,  
Bill Evans

BE-1  
BE-2  
BE-3

Response to Comment Letter BE

Private Individual  
Bill Evans  
August 1, 2018

BE-1 The project would provide 525 parking spaces, which is 30 more spaces than the 495 spaces required per the City's parking standards and 210 spaces more than exists today (315 spaces). If the existing complex were developed today, required parking on site would range from 348-396. Each proposed one bed unit would have a dedicated parking space, and each two bedroom unit would have two parking spaces. A Parking Management Plan would be included as a Condition of Approval, which would manage available parking to meet the needs of residents and avoid widespread resident use of adjacent street parking. The Parking Management Plan would manage available parking to meet the needs of residents and avoid widespread resident use of adjacent street parking. The Parking Management Plan shall allocate spaces depending on the number of bedrooms. Storage that impedes the ability to park an automobile in the garage is not allowed. When the number of automobiles exceed the assigned spaces for that unit, additional automobiles

listed on the rental agreement would be issued a parking permit and have the ability to either:

- 1) park in any additional parking spaces available on a first-come, first-served basis with a parking permit visibly on the vehicle; or
- 2) rent an additional assigned parking space, carport, or garage if available.

Additionally, the Parking Management Plan assigned garages must be used for car parking, nothing may be stored at any time that precludes the use of the assigned space for automobile parking. The Parking Management Plan would allow garages to be inspected periodically. Storage that impedes the ability to park an automobile in the garage is not allowed. As such, on-site parking limitations would not impact adjacent and nearby roadways.

On-street public parking is available to residents in the area, not just those of Solana Highlands. A loss of those parking spaces may end up in unintended consequences and increase parking in other residential areas. As stated in Section 3.12 Traffic and Circulation, the proposed project would improve vehicular, pedestrian, and bicycle safety by reducing the existing four complex driveways down to two. Additionally, traffic-calming improvements have been included in the proposed project to reduce existing safety hazards on site and in the immediate vicinity.

	<p><b>BE-2</b> The comment expresses concern for adequate proposed parking. Please see response to comment BE-2.</p> <p><b>BE-3</b> This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter BH

**Bruce Headley**  
**269 West Norman Avenue**  
Arcadia, California 91007

June 18, 2018  
H.G. Fenton Company  
7575 Mission Valley Road  
San Diego, CA 92018

To Whom It May Concern:

Re: Fenton Co Revitalizing Solana Beach

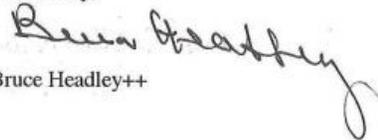
I own the Solana Beach property at 606 South Nardo on the corner of Nardo and Nardito.

Today I received a letter from the above about your above plans to change my neighborhood. It looks like a street would come up behind my property and there would be a loss of my backyard.

Please inform me of the complete and direct impact to my property by this project

I look forward to your immediate response.

Yours truly,

  
Bruce Headley++

BH-1

Response to Comment Letter BH

**Private Individual**  
**Bruce Headley**  
**June 18, 2018**

**BH-1**

This is not a comment on the scope or adequacy of the DEIR but rather a response to a notice regarding the story poles installed on site. City staff contacted the commenter directly to address their concerns. As shown in Figure 2-4 on page 2-13 in Chapter 2, Project Description, the proposed project would not include construction of any additional off-site roadways. The proposed project would not occur on adjacent properties, or otherwise result in the loss of any private property including that of the commenter. No further response to this comment is required.

Bruce Headley  
Page 2

Exhibit



BH-2

**BH-2** Please see response to comment BH-1.

Comment Letter CG

**From:** Candace Goldstein [mailto:candacegoldstein@gmail.com]  
**Sent:** Monday, July 23, 2018 4:07 PM  
**To:** SolanaHighlands EIR  
**Subject:** Re: Joseph Lim/timelines

Joseph Lim:

Please accept this letter expressing my concerns regarding the Solana Highlands redevelopment project at Stevens and Nardo. I will personally be dramatically affected by the project, displaced from my home at 821 Stevens Ave.

The nature of my concerns has to do with the affordability index for our city of Solana Beach. Solana Highlands is the last, "somewhat affordable" large apartment complex in our community. Most of the residents there are young or old, and are barely able to afford any place at all in the city of Solana Beach. These residents are our service workers, myself included. We wait on you at local restaurants, care for our community's children, mow the lawns, and check your groceries. Eliminating the last affordable apartment complex will displace hundreds of people.

While I respect HG Fenton's right to rennovate and update their property, I do wonder why a remodel, instead of a demo/rebuild plan cannot be executed. The phenomenon of upscaling is happening all over coastal California, and we see what it does to the marginally compensated employees, an increase in homelessness, people living in cars, and i think we have to ask ourselves if we want to become another Santa Barbara, with no place for their civil servants to live. This includes affordable housing for teachers, medical persons (of which I am one), firefighters, etc.

Logistically I also am concerned about the increase in traffic flow at Stevens and Nardo. Having lived at that intersection for 6 years I can tell you the incidence of car accidents and car break ins have risen dramatically, with increased attendance at the fair, the races and Kaaboo. I cannot imagine even more auto traffic at this intersection. Additionally I am observing a real uptick in homelessness in this section of Solana Beach and the fairgrounds vicinity, and I expect this will increase as housing becomes even more expensive.

Please accept my concerns regarding the project,  
 Sincerely,  
 Candace Goldstein  
 821 Stevens Ave. #3  
 Solana Beach, Ca 92075

CG-1  
 CG-2  
 CG-3  
 CG-4  
 CG-5  
 CG-6

Response to Comment Letter CG

Private Individual  
 Candice Goldstein  
 July 23, 2018

**CG-1** The comment expresses concern for housing displacement. As stated in EIR Section 3.11, Population and Housing (pages 3.11-7 through 3.11-9), the conclusion that less-than-significant impacts would result is based on the fact that the project would not displace a substantial number of people, relative to the significance threshold. This is because the proposed project would result in a net increase in the local housing supply (+62 housing units including 32 senior affordable housing units) over the long term. Additionally, Section 3.11, Population and Housing, states additional rental apartments are available throughout San Diego County. Although, there is a low vacancy rate of approximately 3.25% (Department of Numbers 2015), there is sufficient capacity to accommodate those temporarily displaced by the proposed project in the event that the existing residents do not move back to the site following completion of construction (DEIR page 3.11-9).

According to the housing agreement with the City, the first priority for occupancy of the Affordable Senior

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Units shall be provided to Eligible Households who were displaced from the Property due to development of the Project. Second priority shall be provided to Eligible Households with a member who is either a resident of the City of Solana Beach or employed within the City limits.

The DEIR does not identify permanent displacement of residents and discloses the short-term displacement appropriately (page 3.11-9), and notes that when completed, the project would include a net increase in 62 units in the City, including 32 dedicated for senior affordable housing units. As stated in Section 3.11, Population and Housing, the net result of the project is an overall increase in available housing units including affordable units supporting local, regional, and statewide housing goals and affordable housing targets consistent with local 2018 Regional Housing Needs Allowance (RHNA). Phased construction would allow a significant portion of residents to remain as residents of Solana Highlands during construction, and relocate to new apartments on site without interruption. During phases 1 and 2 of construction, 72 of the original Solana Highlands homes would remain in operation. New apartments in Phase 1 would open prior to the demolition of the 72 original apartments that would occur in phase 3. Residents would have the option to relocate on site on a space available basis.

Over the past five years, an average of 44% of the apartments (87 of the 198 units) have vacated on an

	<p>annual basis, with a high of 52% turnover in 2014 and 42% year to date (annualized). Accordingly, the remaining 72 apartments are anticipated to meet the majority of demand – based on historical move-out averages – of residents who wish to remain on the property. In addition, to the extent there are current residents who wish to remain at Solana Highlands but cannot (including if the proposed project is built in a single phase, necessitating the relocation of all current residents), sufficient housing exists in the North County area to accommodate such residents (please see response to comment CG-2), so that replacement housing would not be required to be built for the construction stage. (The project, once complete, would increase the supply of apartment units in the area by a total of 62 units). As such, the proposed project would not have a significant impact on displaced residents.</p> <p>Current project residents would have the first opportunity to move into the new community when it reopens. The City does not regulate rental rates. Under existing conditions rental rates can be increased by any private property owner according to market conditions of supply and demand. The proposed project would not alter this existing condition in the future.</p> <p><b>CG-2</b> The comment expresses concern for affordability under the proposed project. The City understands the concern, and, as stated in Section 3.11, Population and Housing, the net result of the project is an overall increase in available housing units including affordable units</p>
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supporting local, regional, and statewide housing goals and affordable housing targets consistent with local 2018 Regional Housing Needs Allowance.

CoStar provides a comprehensive survey of apartment availability and rental rates. Within the Coastal North County market (from Del Mar north to Carlsbad), CoStar identified and surveys 16,087 apartment units and an additional 1,314 apartments under construction. The five-year average vacancy rate is 4.5%, and current vacancy rate is 3.9% (626 vacant apartments of the 16,087 surveyed). Average reported asking rent rates are \$1,853 for one-bedroom apartments, and \$2,343 for two-bedroom apartments, below the current asking rent at Solana Highlands of \$1,975-\$2,080 for one-bedrooms, and \$2,395-\$2,425 for two-bedrooms. The 626 vacant apartments within the competitive market area provide sufficient alternative housing at equivalent or lower rents for residents who relocate from Solana Highlands. In addition, current project residents would have the first opportunity to move into the new community when it reopens.

As discussed in Chapter 2, Project Description, the proposed project would include 32 new affordable senior units that would satisfy the affordable housing requirements for the project. Pursuant to SBMC Section 17.70.045, the City Council has the discretion and authority to modify affordable housing requirements in order to meet the housing needs identified in the General Plan. The applicant would seek City Council approval of a

	<p>modification of the affordable unit mix in order to achieve the goal of creating additional affordable senior housing in the City.</p> <p>The City does not regulate rental rates and under existing conditions rental rates can be increased by any private property owner, as such the proposed project would not alter this condition.</p> <p><b>CG-3</b> The potential for remodel rather than the proposed project is contemplated in DEIR Chapter 4, Alternatives, as a possible outcome/scenario under the No Project Alternative. Such a renovation would not necessarily add any affordable housing units to the City, nor achieve most of the basic project goals and objectives of the project including sustainability features of the provision of internal circulation.</p> <p><b>CG-4</b> Please see response to comment CG-1 and CG-2.</p> <p><b>CG-5</b> Traffic flow at the intersection of Stevens Avenue and South Nardo Avenue is analyzed in Section 3.12, Traffic and Circulation, of the DEIR. As discussed in Section 3.12, the intersection of Stevens Avenue and South Nardo Avenue was identified as a key study intersection for the analysis included in the Traffic Impact Analysis (TIA) and the Supplemental Traffic Assessment Memorandum (appendices M and N to the DEIR). As discussed in Section 3.12.4, Impact Analysis, under all the conditions analyzed (Existing Plus Project, Near Term 2020, and Horizon Year 2035), this intersection would remain at an</p>
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	<p>acceptable level of service (LOS), thus remaining at a level below significant.</p> <p><b>CG-6</b> The DEIR Section 3.12, Traffic and Circulation, identifies that all intersections and roadway segments would operate acceptably through Horizon Year (2035) Conditions, without and with the project. Special conditions such as fair and racetrack travel are also addressed. The proposed project is not expected to add more than 20 peak-hour trips to the on- or off-ramps to northbound and southbound Interstate (I-) 5, nor result in any significant impacts to the surrounding roadway network under Fair Conditions, which are considered the most extreme. Analysis including counts during fair and racehorse seasons are included in the DEIR (pages 3.12-8 through 3.12-11, 3.12-23, and 3.12-36). Further, traffic counts and analysis are presented for normal peak days, including collection of data during the school term (pages 3.12-6 through 3.12-9 and 3.12-21 through 3.12-40). Furthermore, it should be noted that the TIA and Section 3.12, Traffic and Circulation, address a worst-case scenario assuming an addition of 66 residential units, which omits the fact that the 4 existing multi-family units immediately east of the existing Solana Highlands complex would also be absorbed, and as such (and stated in Chapter 2, Project Description), the increase in units is actually 62 residences.</p> <p>As stated in Section 3.12, the traffic study demonstrated that under existing, project opening year, and horizon year conditions, the intersection of</p>
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	<p>Stevens Avenue and South Nardo Avenue operates at acceptable LOS without and with the project. A review of collision data from 2010 to 2017 indicates there was one collision reported within 200 feet of the intersection. This collision was a result of a DUI and involved a driver colliding with a series of parked vehicles. Traffic counts for typical conditions were conducted in January 2014, and additional counts to measure special event traffic also occurred in July 2014 (one day of counts for fair season), August 2014 (one week plus one additional day for race season), November 2014 (one week of daily counts for fall race season), and June 2015 (one week of daily counts for fair season), as provided in Appendix N to the DEIR.</p> <p>The project would not contribute to the commenters observed homelessness.</p>
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Comment Letter DF

July 30, 2018

Dana Flach  
 401 Bay Meadows Way  
 Solana Beach California 92075  
 858 735 9270  
[sunflac@aol.com](mailto:sunflac@aol.com)



Turfwood Concerned Citizens Group

To: The City of Solana Beach/Joseph Lim  
 635 South Highway 101  
 Solana Beach, California 92075

Hello,

My name is Dana Flach and I have owned my home at 401 Bay Meadows Way in Turfwood for over 23 years. In response to the Draft EIR for the Solana Highlands project I have many concerns, the most important are listed below.

As you may recall I was one of many who filed a view claim - heard in September 2015. I did not file another claim this time as my view claim, along with the majority of others filed, were upheld. While some minor changes have been made to the Solana Highlands proposed project very few of the concerns from those view claims have been addressed in this draft EIR so those should still be taken into consideration.

First and foremost I would like to **request a revision/addendum to this EIR** as it is not complete or accurate. Policy 3.A- 3.D of the EIR addresses Key Observation Points (KOP) – some places it notes 9, some note 10. However the entire South Border of the proposed project, which is Bay Meadows Way and the community of Turfwood along with Del Mar Legends, is not addressed or noted as a KOP in this EIR. (Figure 3.1-7). Key Observation points 1-9/10 are much further away than Turfwood/Bay Meadows Way is from this proposed project. Why is the closest KOP not addressed at all? This is not a complete EIR without all sides of the proposed project being taken into consideration.

**Southern Border:** The EIR states the “Southern Border” is noted as the separate 4 units. However the southern border of this project is Bay Meadows Way and Turfwood – and this needs to be addressed. In addition we are noted as “apartments” (page 375), when we are privately owned homes. That was brought up to Fenton in 2015, they still have not changed it.

**Cumulative Effects** In Chapter 4 it states “No cumulative projects are located within a 0.25 mile vicinity of the proposed project. Therefore, the proposed project’s contribution of noise from long-term operations would not be cumulatively considerable.” This is simply not true and again does not take Turfwood or Bay Meadows Way homes into consideration. My home and all of Turfwood are well with .25 miles of this project and this must be addressed by the EIR. This applies to noise and the other concerns.

**Height Waiver** – Fenton is asking for a height waiver. If this is granted, where does it end in Solana Beach. Other developments will than use the Solana Highlands project as precedent to ask for height waivers forever changing the landscape of Solana Beach. We choose to live here for the characteristics of our town and neighborhood – this project as proposed may fit in high density places like Mission Valley, it does not fit in our coastal community of Solana Beach.

DF-1  
 DF-2  
 DF-3  
 DF-4  
 DF-5

Response to Comment Letter DF

Private Individual  
 Dana Flach  
 July 31, 2018

DF-1

The proposed project site plan has been substantially modified compared to the previously proposed project evaluated in 2015 to reduce the heights of the buildings across the entire site. The following is a summary of changes that were made since 2015:

- Building pads were dropped across the site from 3 feet to 17.5 feet with the exception of buildings 5 and 10.
- The building pads were dropped because additional soil material would be excavated and exported from the site. The original proposal called for 19,500 cubic yards of export. The revised proposal calls for 153,000 cubic yards of export. The soil export would be transported to the Otay Landfill or to Fletcher Cove in Solana Beach.
- The secondary driveway off South Nardo Avenue (the driveway furthest from Stevens Avenue) has been shifted to the east by 114.5 feet, so that two buildings

	<p>(Buildings 5 and 10) that were on the east side of the driveway are now on the west side of the driveway and would be slightly higher (12 feet and 11.5 feet, respectively) than previously.</p> <ul style="list-style-type: none"> <li>• Building 3 (along South Nardo Avenue) was eliminated to create an open space/park area.</li> <li>• As a result of the driveway shift and the creation of the park area, many of the remaining buildings in the two rows along South Nardo Avenue north of the new driveway location have slightly shifted (primarily Buildings 1, 2, 4, 5, 6, 7, 9, 10, and 12).</li> <li>• Building 25 has been physically detached from the rest of the site and now has a dedicated driveway off Stevens Avenue using the existing curb cut. This building would house a 32-unit senior affordable housing community.</li> <li>• The two-story carriage unit building in the southeast corner of the site has been relocated to the current Building 24 and is now three stories.</li> <li>• Buildings 18 and 19 are now connected.</li> <li>• Buildings 20 and 23 are now connected.</li> <li>• Building 24, which was in the southeast corner, was relocated to its current location and changed to a three-story building.</li> <li>• Carriage unit Buildings 14 and 21 have increased from two to three stories.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Reduced Building 15 on the southern border of the site adjacent to Turfwood Lane from all three stories to all two stories. The roofline of Building 15 is now approximately 19 feet lower than in the original project.</li> <li>• Reduced most of Building 16 (and all of that portion that runs parallel to the southern border of the site) from three stories to two stories. The roofline of building 16 along the southern border near Turfwood Lane is now approximately 19 feet lower than in the original project.</li> <li>• Reduced the southern portion of Building 23 (that portion that fronts on the southern border of the site near Turfwood Lane) from three stories to two stories. The roofline of Building 23 along the southern border is now approximately 20 feet lower than in the original project.</li> <li>• Much of the parking along the main driveway has been reconfigured to separate it from the flow of traffic along the driveway.</li> <li>• The change in elevation of the building pads on the site has increased from 41.5 feet to 55.5 feet.</li> <li>• Building 12 lowered roof slope to reduce overall height of building.</li> </ul> <p>View assessment claims and consideration are addressed through the City's View Assessment process, which is associated with the required Structure Development Permit (SDP) process. A</p>
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	<p>decision regarding the results of the View Assessment will be made at the View Assessment Commission (VAC) meeting scheduled for October 16, 2018. Response here.</p> <p><b>DF-2</b> References in the DEIR to 9 Key Observation Points (KOPs) are in error, and as the commenter points out, 10 KOPs are presented and simulated, as clearly set out on Figure 3.1-7, Key Observation Point Map.</p> <p>As stated in Section 3.1 Aesthetics, KOPs from which to assess the anticipated visual and aesthetic changes the proposed project have been established to reflect the various views of the proposed project from adjacent public streets and public areas. The CEQA analysis, therefore, is focused on public views and scenic resources and is distinct from the City’s SDP-related view assessment process, which is focused on private views. The Turfwood Condominiums are private residences, located along Bay Meadows Drive, a private road. Therefore, a KOP was not analyzed under CEQA.</p> <p>A decision regarding the results of the View Assessment will be made at the VAC meeting scheduled for October 16, 2018. This decision and comment will be available for review and consideration by the decision makers prior to a final decision on the proposed project. Therefore, the private views from the Turfwood</p>
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	<p>community along Bay Meadows Drive were analyzed as part of the analysis provided.</p> <p>The City carefully selected KOPs based on those public vantages that currently afford views across the project site. As stated in Section 3.1, Aesthetics (page 3.1-22), views towards the project site from Turfwood Condominiums, which are along Bay Meadows Way, are privately owned, not public. The City does not consider private views under CEQA, rather they are addressed through the City of Solana Beach’s View Assessment process. Furthermore, despite not being included as a public roadway KOP, the project has been redesigned to lower both the site elevation and the buildings adjacent to Turfwood from 3 stories to 2 stories in direct response to concerns raised by Turfwood residents. The DEIR analysis is adequate. No further response is required.</p> <p><b>DF-3</b> The commenter is correct. The southern border of the proposed project site is the Turfwood Condominiums; any reference to separate four units being at the south of the site is incorrect. However, the comment does not identify where the error occurs in the DEIR (no page reference was provided), and the document consistently identifies the area to the south as the Turfwood community. To clarify, the four units are located adjacent to the eastern portion of the site. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional</p>
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	<p>environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>DF-4</b> The Turfwood Condominiums and the homes along Bay Meadows Way are included as part of the existing conditions in the DEIR. CEQA Guidelines Section 15355 states that a cumulative impact consists of an impact that is created as a result of the combination of the past, present, and reasonably foreseeable projects evaluated in the EIR. Although the Turfwood Condominiums and homes along Bay Meadows Way are adjacent to, and thus, within 0.25-mile vicinity of the project, the noise levels of the Turfwood Condominiums are existing operational noises considered in the baseline for the cumulative noise analysis. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR. As such, Chapter 4, Cumulative Effects, states the reasoning behind identifying projects that could potentially result in cumulative effects in conjunction with the proposed project. As stated in Section 4.3.10, Noise, the baseline for assessing cumulative noise impacts includes the noise sources associated with other projects within 0.25 miles of the proposed project that could be constructed and/or operated at the same time as the proposed project. As such noise levels from Turfwood Condominiums or Bay Meadows Way are accounted for in the baseline, to which is added the noise generated by the project and noise from any other cumulative project not included in the baseline.</p>
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	<p><b>DF-5</b> As stated in Chapter 2, Project Description, in Section 2.5.5, Density Bonus, a Development Agreement between the applicant and the City of Solana Beach is proposed that would require a percentage of the apartments to be deed-restricted at specific affordability levels. In conjunction with the SBMC Affordable Housing Ordinance, Section 17.70.025(B)(2) and California Law, the provision of the affordable apartments allows the applicant to receive a bonus in the project's density, allowing additional market-rate apartments to also be constructed. After applying the slope-adjusted density, the proposed project's permitted maximum allowable density would be 206.6 units, rounded up under state density bonus law to 207 units. As stated in DEIR Chapter 2, Section 2.5.6, Proposed Waiver of Development Standards, SBMC Section 17.20.050 and California state law allows for the waiver of development standards for projects applying for a density bonus. Grading of the site is intended to achieve the proposed density and number of units that would allow for the inclusion of 32 affordable housing units and related density bonus.</p> <p>With approval of the Development Agreement, the project would require a building height waiver to increase the height limit from 30 feet to 47.1 feet. The actual buildings would be a maximum of two or three stories and up to 38 feet 3 inches in height; however, the City measures "height" as the difference between the existing or proposed grade and the building height,</p>
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and is therefore including the grade change in the "height" calculation. Grading for the project was designed to lower the project site for new pad elevations, as shown on Figure 2-9, Preliminary Grading Plan. Although this results in taller buildings on down-slope or lower elevations because of the way height is measured by the City, lowering the building pads also lowers the perceived visible height of project buildings as viewed from off site. Additionally, there are existing three-story buildings in the City including those along Stevens Avenue just north of the project site. If future projects in the City of Solana Beach applied for a height waiver, the applicant would be evaluated based on the merits of that application.

Any affordable housing projects proposed in the future that request eligible waivers will be subject to the characteristics of those specific sites and will be granted pursuant to applicable City and state laws. The project qualifies for waivers of development standards as supported by state and local laws because the project includes affordable housing on site.

<p><b>Traffic</b> – not taking into consideration the traffic and delays from 3 + years of construction traffic and only looking at the the resulting traffic which the EIR states will add 496- 528 roundtrips (approximately 40 cars per hour if using 12 hour days) is a significant impact to traffic. The EIR claims there will be "traffic calming" measures and therefore no significant impact. What are these measures and how does adding this many cars result in no impact?? . Turfwood Lane -which intersects Jimmy Durante just before Valley - is again omitted and not mentioned in any of the traffic studies. Current wait times, not including during Summer or special events, can be 10-15 minutes to turn right, and longer to turn left from Turfwood Lane onto Jimmy Durante as traffic can back up to Via De La Valle and up past Nardo. It seems this intersection was left out of the study even though this is the only entrance-exit to Turfwood and a major/2<sup>nd</sup> point of use for Ocean Crest Apartments. Yet Solana Circle entering Via de La Valle, which is not near the proposed project nor will it be affected by the proposed project is taken into consideration in the EIR Traffic Study. And this study was done in 2014, 4 years ago and approximately 7 years earlier than the proposed completion of the proposed project. This does not appear to be a full or accurate traffic study.</p>	<p>DF-6 DF-7 DF-8</p>	<p><b>DF-6</b> DEIR Section 3.12, Traffic and Circulation, and Appendices M and N include analysis of construction activity. Traffic impacts were analyzed consistent with SANTEC/ITE Traffic Study Guidelines and SANDAG’s “(Not So) Brief Guide to Vehicular Traffic Generation Rates.” Thresholds of significance are based upon the change in average delay at intersections and the change in volume to capacity (V/C) ratio for roadway segments. As shown in the traffic study, the addition of project trips does not result in a change of LOS from acceptable to deficient at any study intersection or roadway segment.</p>
<p><b>Discrimination in Rental Policy</b> The section of policy LU 3.2 states “<b>Redevelopment of the existing site would include a variety of unit styles. Additionally, the project site is within proximity to shopping centers and cafés, which would allow residents to work remotely and not commute</b>” Yet the project says they don’t discriminate? How can Fenton speculate that people will work remotely and not commute so that traffic, etc will have a “less than significant impact”? Or are they only planning to rent to those that work remotely? This is a very concerning statement.</p>	<p>DF-9 DF-10</p>	
<p><b>Affordable Housing/Residents Displaced</b> – Fenton is proposing to add 32 units of low income senior housing. Yet they are taking away some of the only affordable housing for current non seniors/Solana Beach residents. The EIR claims an insignificant effect on displacing people – yet those that live there now will be displaced during the construction and they will not be able to move back in afterwards as the rents will most likely be much higher than current rent and they will be unable to afford to live there. I realize Fenton has the right to build nicer units and charge more, however to say they aren’t displacing people is simply not true.</p>	<p>DF-11</p>	<p>Where intersections or roadway segments operate at deficient LOS without the project, the addition of project trips does not result in a change of delay or V/C that exceed acceptable significance thresholds. The DEIR (page 3.12-21) expressly states that throughout each phase of construction, there would be a removal of buildings that would result in a daily loss in project-related trips by residents. As the buildings are demolished, the lost resident trips would be partially replaced by construction trips as well as trips from residents as new buildings are opened. During construction a maximum of 2,050 trips would be generated under worst-case construction condition (construction and partial occupation). This is less than the analyzed trip generation of the proposed project once completed</p>
<p><b>Grading</b> – Once again the effect of the project on the Southern Border/Bay Meadows Way-Turfwood is not taken into consideration. Turfwood is the closest neighborhood to the proposed project and as such need to be addressed in the EIR in all manors. The proposed grading (3.3 and discussions of bluff erosion) will have an unknown effect on the already unstable sandstone slope along the proposed projects southern border. If/when that collapses (as it already is crumbling) who is responsible and what will be done to protect our homes? The runoff from the grading of this project along with potential hazardous materials from demolition will come into our yards and neighborhood. Without addressing the Southern Border in the EIR these are all unknowns and it is not an accurate EIR</p>	<p>DF-12 DF-13</p>	
<p><b>Tree Replacement</b> – the EIR states they will replace trees if all are removed. What type of trees, how long until they mature to the level of the current trees including the beautiful palm trees overlooking Bay Meadows Way. What happens if the new trees don’t take root. If they were to reduce the size of the units, reduce the number of units being built, reduce the unnecessary size of their leasing center, build on the existing footprint, move the setback from the bluff above Bay Meadows Ways - just some of the available alternatives- many of these old growth trees could be saved.</p>	<p>DF-14 DF-15 DF-16</p>	

	<p>(2,080 trips), which was found not to be a significant impact (DEIR pages 3.12-22 and 3.12-24).</p> <p>As proposed operational conditions would result in less-than-significant impacts, the reduced traffic generated during construction and partial occupation overlapping would result in lesser impacts and therefore, would not be significant. As such, construction would not result in an increase in traffic beyond that evaluated for operations in the DEIR.</p> <p><b>DF-7</b> The impacts the proposed project would have on traffic are addressed in Section 3.12, Traffic and Circulation, of the DEIR. The traffic analysis was performed in accordance with the SANTEC/ITE Traffic Impact Study Guidelines, which states that a study area should include all intersections where the proposed project would add 50 or more peak hour trips to a single approach. Due to the size of the proposed project, the increase in residential units does not result in a net increase of peak hour trips that exceeds the trip threshold at the intersection of Valley Avenue/Turfwood Lane. At the request of the City, the study does include the Stevens Avenue–Valley Avenue/Valley Avenue intersection just north of Turfwood Lane where the project is expected to add fewer than 20 new vehicle trips during the AM or PM peak hour.</p> <p>As stated in Section 3.12, to establish the existing traffic volumes at the study intersections, intersection</p>
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movement counts were taken on a typical weekday during AM and PM peak periods (DEIR page 3.12-6). When the additional ADT from the project are added to the existing traffic counted on roadway segments and intersections, there was no deterioration in traffic LOS during either the AM or PM peak conditions, as shown in Tables 3.12-8 and 3.12-9. The existing roadway intersections are designed for a greater capacity than they are presently handling, as shown in Table 3.12-9 under Class and Capacity. As stated in the DEIR, specific to vehicle miles traveled (VMT), the proposed project would generate the same per unit VMT as the existing conditions, approximately 19,760 VMT per unit (DEIR page 3.12-24). The proposed project would result in a net increase in 62 units beyond existing conditions. As discussed in Section 3.12, the intersection of Stevens Avenue and Valley Avenue would remain at acceptable LOS with implementation of the proposed project. Therefore, no significant impacts would occur at this intersection. As discussed on page 3.12-24 of this section, although the minimal projected increase in traffic on South Nardo Avenue due to implementation of the proposed project could potentially affect pedestrians within the surrounding neighborhoods, traffic-calming improvements are included in the project design.

The DEIR also addresses traffic hazards due to design features, and as stated in Section 3.12.4, Impact Analysis, no significant impacts would result from the proposed project to traffic hazards. Furthermore, traffic

calming improvements were included in the project design, which would reduce adverse safety conditions identified as existing concerns. The traffic calming improvements would improve pedestrian, bicycle, and vehicular safety in the project area, and would reduce effects from the additional residential units. The proposed project is not anticipated to substantially increase traffic in the project area. The concerns expressed reflect existing conditions that would not be significantly adversely impacted by the proposed project, but rather would be improved with the inclusion of the proposed traffic calming improvements (pages 3.12-37 through 3.12-39). Additional improvements and community enhancements, which may revise and/or refine the traffic calming improvements, will be considered as conditions of approval.

Additionally, as stated in Appendix M of the DEIR, given the existing sidewalks and the marked crosswalk both at the Fresca Street/South Nardo Avenue and East Solana Circle/South Nardo Avenue intersections, the surrounding area is a walkable environment with sidewalks and residential users. However, a speed table is recommended between East Solana Circle and Nardito Lane. The speed table, in conjunction with the other traffic-calming devices, would help to reduce traffic speeds between Nardito Lane and Fresca Street. An existing striped yellow school crosswalk is located on the east leg of the South Nardo Avenue/Nardito Lane intersection serving the adjacent St. James Catholic Church and School. It is recommended this crosswalk be

repainted with highlight reflective paint in order to improve the visibility of the marked crosswalk. Due to a lack of sidewalks on the north side of South Nardo Avenue, a marked crosswalk on the speed table is not recommended (Appendix M of the DEIR).

The intersections included Stevens Avenue–Valley Avenue/Via de la Valle and Stevens Avenue/Valley Avenue, which are located either side of the Turfwood driveway, and the roadway segment of Stevens Avenue (/Valley Avenue) from South Nardo Avenue to Via de la Valle, which runs past the Turfwood driveway. The DEIR identified no changes in LOS at those intersections or along that roadway segment and no significant impact (Section 3.12 pages 3.12-29 through 3.12-35). At the Stevens Avenue/Valley Avenue intersection just north of the Turfwood driveway, the project is expected to add fewer than 20 new vehicle trips during the AM or PM peak hour. Thereby, it can be extrapolated that the impacts to the Turfwood driveway would not be significant from the traffic generated by the proposed project. Page 60 of the Traffic Study provided as Appendix M also describes a field assessment of the sight line at Turfwood Lane and suggests that restriping Stevens Avenue in advance of the Stevens Avenue/Valley Avenue intersection could improve the line of sight for vehicles waiting to exit Turfwood Lane. These improvements are not used to support any conclusions of less than significant for any impacts as inferred in the comment.

	<p>Additionally, Appendix N, Supplemental Traffic Impact Analysis, addresses safety concerns from Turfwood Lane as follows: “Although the Solana Highlands project would not directly affect the access to and from the driveway at the Turfwood Community [(Turfwood Lane)], a field assessment was conducted to determine existing access issues at the Turfwood Community Driveway.” The field assessment revealed that line-of sight concerns would be resolved through restriping Stevens Avenue in advance of the Stevens Avene/Valley Avenue intersection could improve the line of sight for vehicles waiting to exit Turfwood Lane. As shown on Figure 2 of Appendix N, the proposed driveways would have stop signs prior to exiting the site. In conjunction with the public improvement drawings for the new project driveways, a line of sight analysis would be conducted prior to construction. A clear line of sight would be required to be provided, which may result in a modification/restriction to on-street parking at/near driveway locations, and facilitating right-in/right-out access.</p> <p>As a community enhancement the City will condition the approval to address the concerns associated with existing traffic conditions.</p> <p><b>DF-8</b> The intersection the commenter is referring to is correctly identified in the DEIR as Turfwood Lane and Valley Avenue. The commenter refers to this intersection as Turfwood Lane and Jimmy Durante, likely because Jimmy Durante Boulevard turns into Valley Avenue north of Via</p>
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	<p>De La Valle. Therefore, the intersection the commenter is referring to is included in the analysis of Section 3.12, Traffic and Circulation, and Appendices M and N of the EIR. Please see response to comment DF-7.</p> <p>The commenter incorrectly states that the intersection of Solana Circle and Via De La Valle is analyzed in the DEIR, however, it is not included. The East Solana Circle and South Nardo Avenue intersection is addressed (not the Solana Circle/Via De La Valle intersection), because it is close to the development and represents the first intersection heading west out of the project site.</p> <p><b>DF-9</b> The City confirmed the traffic analyses were representative of existing conditions prior to release of the DEIR as no significant changes had occurred in the area since the original analyses were conducted.</p> <p>The traffic study evaluated existing conditions (2014), project opening year conditions (2017), and horizon year 2035 conditions. In 2017, a technical memorandum was prepared (Appendix N to the DEIR) that extended the project opening year from 2017 in the original traffic study to 2020. The analysis provided in Appendix N is based on the most recent cumulative projects list and includes a 2% annual growth rate in traffic in the City and region to account for new development.</p>
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	<p><b>DF-10</b> DEIR Section 3.9, Land Use and Planning, provides consistency analysis with the City's General Plan, which states that the project site is in proximity to shopping centers and cafés, which would allow residents to work remotely and not commute. However, the TIA, provided in Appendix M, does not assume future tenants would work from home. Please see the project trip generation (page 9) in Appendix M for details on assumptions for vehicle trips, including commute trips. The referenced language is not used to determine significance of any impacts, but rather reflects the geographic and temporal context of the project.</p> <p><b>DF-11</b> As stated in Section 3.11, Population and Housing, the conclusion that less-than-significant impacts would result is based on the fact that the project would not displace a substantial number of people, relative to the significance threshold. This is because the proposed project would result in a net increase in the local housing supply (+62 housing units include 32 senior affordable housing units) over the long term. The DEIR does not assert no displacement of residents and discloses the displacement appropriately (page 3.11-9).</p> <p>In conjunction with the issuance of tax-exempt bonds for the property in June 1995, 39 of the apartments were restricted to qualified Very Low Income tenants. Those restrictions expired June 27, 2010. Qualified residents whose incomes remain below 140% of Area Median Income may continue to reside in the project</p>
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at affordable rents until June 27, 2025, or until owner pays relocation assistance and benefits to the qualified tenants as provided in Section 7264(b) of the California Government Code.

Currently 13 qualified Very Low Income tenants continue to occupy Solana Highlands. Those who meet the age qualifications of the new senior housing would have the opportunity to continue their residency in the new affordable housing units. Seven of the existing households are expected to meet the age qualification and could remain in housing at Solana Highlands at below-market rents.

The remaining six affordable households would receive relocation benefits under Section 7264(b) of the California Government Code. And once the project is complete, there would be 32 affordable units, an increase of 17 affordable units over the existing supply at the site. Accordingly the proposed project would not displace substantial numbers of residents of affordable units and there is no significant impact on population and housing.

As stated in Section 3.11, Population and Housing, the net result of the project is an increase in available housing units. Therefore, the commenter's concerns are addressed in the DEIR. Please also see responses to comments CG-1 and CG-2.

	<p><b>DF-12</b> As part of the Geotechnical Report (Appendix H), a field investigation was performed on August 12 and 13, 2014. The field investigation consisted of drilling 16 exploratory borings to depths of up to 31 feet. As shown in Figure 2 of Appendix H, there were six borings drilled along the southern portion of the project site, which is the location about which the commenter has expressed concerns. The soil conditions encountered in the borings were examined and logged in accordance with American Society for Testing and Materials (ASTM). For those six borings drilled along the southern edge of the site, old terrace deposits were encountered that were identified as medium dense to very dense. Based on laboratory test results, the old terrace deposits possess low expansion and low compressibility characteristics and is suitable for support of additional fill and structural loading. DEIR Appendix H, Geotechnical Report, identifies the existing soil and geologic conditions of that area of the site as previously placed fill; as such, the existing 25% slope is not naturally occurring. As stated in Section 3.1, Aesthetics, the project site does not contain areas that are located within the Hillside Overlay Zone (HOZ) (DEIR page 3.1-53). Section 3.6 incorrectly states on page 3.6-10 that a portion of the project site is subject to the HOZ. This correction is included in Chapter 3, Errata, of the FEIR.</p> <p>As stated in DEIR Appendix H, as part of the recommended grading specifications, drainage of surface water shall be controlled to avoid damage to</p>
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adjoining properties or to finished work on the project site. The contractor shall take remedial measures to prevent erosion of freshly graded areas until such time as permanent drainage and erosion control features have been installed. Areas subjected to erosion or sedimentation shall be properly prepared in accordance with the specifications prior to placing additional fill or structures. Prior to grading, a geotechnical consultant shall show substantial conformance with the Geotechnical Report and these specifications. These recommended grading specifications shall be used in conjunction with the Geotechnical Report as a part of the earthwork and grading specifications. Therefore, the proposed project would not adversely affect the stability of the southern border of the site.

An Updated Slope Stability Analysis is included in the FEIR as Attachment 2. The Updated Slope Stability Analysis was added for informational purposes to provide further information regarding the slope stability along the southern boundary under the proposed project conditions. The DEIR Section 3.6 Geology and Soils evaluates the stability of the site conditions and summarizes the Geotechnical Report prepared for the project. The original Geotechnical Report (Appendix H of the DEIR) was prepared in August 2014 and analyzes the Originally Proposed Project (also known as Alternative 6). Because the Originally Proposed Project was proposed on a greater slope than the proposed project due to the absence of

	<p>major grading, the August 2014 Geotechnical Report is still applicable to the proposed project. However, in response to comments received regarding the concern for the southern boundary’s slope stability, an Updated Slope Stability Analysis has been provided to supplement the 2014 Geotechnical Report. As discussed in the Updated Slope Stability Analysis, the proposed development does not adversely impact the existing slope condition because the proposed building at the top of the slope is set back approximately 35 feet from that portion of the slope. The City has considered the Updated Slope Stability Analysis, which draws the same conclusion as the August 2014 Geotechnical Report, and does not change the conclusions of the DEIR regarding an environmental effect or severity of effect, or result in a new mitigation measure or consideration of a new alternative. As a result, the City does not consider the Updated Slope Stability Analysis to represent significant new information, rather it further supports and clarifies the information contained in the DEIR. The DEIR analysis is sufficient, and no further analysis is needed.</p> <p><b>DF-13</b> Runoff from the site is addressed in DEIR Section 3.8, Hydrology and Water Quality, and Appendices J (Preliminary Hydrology Report) and K (Water Quality Technical Report), address water quality, hydrology, and drainage. The surface drainage would be directed away from the top of slopes into swales or other controlled drainage devices, and roof and pavement drainage would be directed into conduits that carry</p>
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runoff away from proposed structures. The proposed runoff would be conveyed to the Hydromodification Management Plan biofiltration basins which would provide pollutant control treatment, hydromodification flow control, and detention of the 100-year storm event peak discharge to ensure that it does not exceed the existing condition.

As stated in Section 3.8.4, Impact Analysis, and Appendices J (Preliminary Hydrology Report) and K (Water Quality Technical Report), "While there would be an increased potential for water quality impacts during construction, the proposed project would be required to comply with all stormwater discharge and urban runoff requirements established in the City's [Standard Urban Stormwater Mitigation Plan] SUSMP and other relevant guidance documents prior to issuance of grading permits. Implementation of these requirements would include but is not limited to: the inclusion of [low impact development] LID features that conserve natural features, set development back from natural water bodies, minimize imperviousness, maximize infiltration, and retain and slow runoff; implementation of source control [best management practices] BMPs; and compliance with requirements for construction-phase controls of sediment and other pollutants, including the preparation of an erosion control plan and installation of construction BMPs" (DEIR pages 3.8-15 and 3.8-16). The implementation of site-design BMPs (i.e., bioretention basins/flow through planters and landscape design would be connected

hydrologically to the on-site storm drain system via edge inlets) would minimize runoff from directly connected impervious surfaces and would promote infiltration of surface runoff. In addition to bioretention basins, existing City regulations require high priority residential projects (such as the proposed project) to comply with designated minimum BMPs, including the installation and maintenance of erosion control, LID street and road design, LID landscaping design, and minimizing erosion from slopes. Please refer to Figure 3.8-3 Proposed Condition Hydrology Map, for the location of the proposed bioretention BMP areas.

The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems and would reduce sources of polluted runoff compared to that which currently exists on site.

As identified in Section 3.6, Geology and Soils (pages 3.6-11 through 3.6-12), and Section 3.8, Hydrology and Water Quality (pages 3.8-19 through 3.8-20), the proposed project would be required to implement BMPs during construction and LID and design BMPs as part of the permanent development to avoid erosion in accordance with the City’s NPDES and MS4 drainage system requirements. The updated requirements for erosion control would result in improved conditions and reduced erosion potential compared to existing conditions, reflective of the older regulations in effect at the time the existing

	<p>development was constructed. Permanent operations would include LID bioretention and detention basin that would not increase the peak 100-year storm event peak discharge rate, and would improve the proposed condition runoff and provide additional pollutant control treatment (DEIR page 3.8-21).</p> <p>As discussed in the Updated Slope Stability Analysis (Attachment 2 of the FEIR), the proposed development does not adversely impact the existing slope condition because the proposed building at the top of the slope is set back approximately 35 feet from that portion of the slope. The City has considered the Updated Slope Stability Analysis, which draws the same conclusion as the August 2014 Geotechnical Report, and does not change the conclusions of the DEIR regarding an environmental effect or severity of effect, or result in a new mitigation measure or consideration of a new alternative. The DEIR analysis is sufficient, and no further analysis is needed.</p> <p><b>DF-14</b> As discussed in Chapter 1, Introduction, the public has historically been very involved in progression of the proposed project. After the initial Notice of Preparation (NOP) was released, the applicant conducted further public engagement, including as part of the City’s View Assessment process and additional efforts to get input into the proposed project design. In response to those activities, the applicant made revisions to the proposed project and submitted a revised site plan to the City.</p>
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The revised site plan is the proposed project that is addressed in the DEIR. In response to the public's concern for public and private views, the applicant decreased the height of the project. However, to accommodate for the decrease in height, the project would increase grading of the site, which could not be feasibly achieved without the removal of native trees. It would therefore be infeasible to achieve the affordable housing objective, while accommodating the public's concern for private views and avoiding tree removal. Therefore, it is infeasible to avoid native tree removal, while accommodating the public's concern for private views. As stated in DEIR Section 3.1, Aesthetics, the project would, however, include the installation of mature (boxed) trees to reduce visual and aesthetic effects from the loss of the existing vegetation on site.

The trees on site were all planted in approximately 1970s, when the site was graded to accommodate the current development on site, making them approximately 40 years old and not, technically speaking, part of an old-growth forest such as coast redwoods or giant sequoias that are hundreds of years old.

As stated in Section 3.3, Biological Resources, and Section 3.9, Land Use and Planning, a Tree Protection Plan shall be completed to the satisfaction of the City of Solana Beach. Additionally, mitigation measure BIO-1 requires the applicant to ensure maturity and viability of the root zone, as outlined in the Tree Protection Plan. The Tree Protection Plan shall ensure

	<p>maturity and viability of the root zone of the 5 California sycamore trees and 10, 84-inch box coast live oak trees along the southern edge of the site. Additionally, BIO-1 imposes a 5-year monitoring and reporting period to insure the health of replacement trees and a requirement for replacement of any trees that fail to survive, as outlined in the Tree Protection Plan. As such, the replacement trees would not create an adverse loss in trees, tree size, or health. As discussed in Section 3.3, Biological Resources, per Solana Beach Land Use Plan (LUP) Policy 3.52, the proposed project must replace native trees on a 1:1 ratio. With implementation of BIO-1 and BIO-2 the proposed project would not conflict with the LUP.</p> <p>The DEIR also includes Figure 2-6, Proposed Landscape Concept Plan, which provides detail on the type, location, and size of vegetation that would be planted on site as part of the proposed project. The Landscape Concept Plan depicts that more than half of the site (7.5 acres of the 13.4 acres), when developed would remain landscaped or as open space. As such, the proposed project would not have a significant adverse effect on the existing visual character and quality of the surrounding neighborhood. The comment expresses concern for decrease in visual character as a result of tree removal.</p> <p><b>DF-15</b> The comment asks what if the replacement trees do not take root. Please see response to comment DF-14.</p>
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	<p><b>DF-16</b> The trees on site were all planted in approximately 1970s, when the site was graded to accommodate the current development on site, making them approximately 40 years old and not, technically speaking, part of an old-growth forest such as coast redwoods or giant sequoias that are hundreds of years old.</p> <p>The design considerations identified do not address the adequacy of the DEIR. A range of reasonable alternatives to the proposed project was evaluated in the DEIR. Reducing the size including ceiling height of many, if not all, units or reducing the square footage of the leasing center, reducing the number of units, or maintaining the current footprint would be considered as an alternative if it would significantly reduce the number of trees removed. However, as discussed in Chapter 1, Introduction, the public has historically been very involved in progression of the proposed project. After the initial NOP was released, the applicant conducted further public engagement, including as part of the City's View Assessment process and additional efforts to get input into the proposed project design. In response to those activities, the applicant made revisions to the proposed project and submitted a revised site plan to the City.</p> <p>The revised site plan is the proposed project that is addressed in this DEIR. In response to the public's concern for public and private views, the applicant decreased the height of the project. However, to accommodate for the decrease in height, the project would increase grading of the site, which could not be</p>
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feasibly achieved without the removal of native trees. It would therefore be infeasible to achieve the affordable housing objective, while accommodating the public's concern for private views and avoiding tree removal. Therefore, it is infeasible to reduce the size of the units, while accommodating the public's concern for private views, and avoiding tree removal. Therefore, tree removal is unavoidable, and reducing the size of units would not avoid or reduce a significant impact.

As discussed in Chapter 6, Alternatives, reducing the proposed density was considered in response to community concerns associated with the number of units proposed to be developed on site. A developer, however, may acquire the right to develop at a specific density under California law (Government Code Section 65915) and SBMC Section 17.20.050(D)) in exchange for an agreement to construct affordable housing units on site. The applicant has agreed to construct 32 affordable units as a part of the project. As a result, the applicant has a right to develop up to 263 units on site, beyond the 260 units it has proposed, under state law and the SBMC. Because the City may not legally require a reduced number of units, and the applicant is permitted to construct above the 260 units proposed, a reduced density alternative is not a feasible alternative. Furthermore, this alternative would not meet most of the project objectives and would be speculative.

As discussed in the Updated Slope Stability Analysis (Attachment 2 of the FEIR), the proposed development

**Noise and Light** – Once again, Bay Meadows Way/Turfwood/Del Mar Legends are not addressed. Noise and light from the balconies currently facing Bay Meadows Way is already too loud and too bright at times. The proposed project brings these balconies/apartments much lower and closer so the impact will be significant.

DF-17

**Additional Proposed Revisions And Changes to Solana Highlands Project** - In September 2015 when our view claims were upheld Fenton said it was not feasible to make any changes. Obviously that is not the case as they can and have made changes. There are still many changes they can and should be able to make especially if they are proposing to demolish and rebuild completely. If they truly want to be "good neighbors" as they say some of the things that could be considered are:

DF-18

- 1) Reduce the size including ceiling height of many, if not all, units.
- 2) Reduce the overall number of units being built
- 3) Reduce the unnecessary size of their overwhelming, leasing center
- 4) Build on the existing footprint
- 5) Move the setback from the bluff above Bay Meadows Way back

**401 Bay Meadows Way:** I am in the now unfortunate position of being the closest home to this project as my home at 401 Bay Meadows Way is located in the very southwest corner directly below Pad 84/94 as shown in Fig 2-4. While the revised proposal now has become 2 stories instead of 3 stories the lowered balcony looks directly into my master bedroom window from less than 50 yards away so it's just as bad as it was before. I have come up with 2 options to the current proposal that would mitigate the effect of this project on my home. Either option would take the balcony and that section of the proposed project out of my direct line of sight. This would remove the invasion of my privacy and the help to remove the negative effect of the noise and light – all of which as proposed will have a negative effect on my home value.

DF-19

- A) As shown in Figure 2-3, the existing plan - angle Pad 84/94 as they are currently built so the building angles away from 401 Bay Meadows Way, which is what it does now. So it would be built closer to the existing footprint. This would also set the building further off the bluff causing less potential damage to that section of the hillside.
- B) Take the far southwest corner section of that building and remove it completely by making some of the other units smaller (there by keeping the same amount of units). Or move it back so it sits between Building 103.4 and Building 106 (move it back and north) or move that section between building 103.4 and 95D (to the East). And again move the entire building pad back/north by approximately 50-75 feet off the bluff.

DF-20

DF-21

DF-17

does not adversely impact the existing slope condition because the proposed building at the top of the slope is set back approximately 35 feet from that portion of the slope. Therefore, moving the setback is not necessary or warranted, nor would it avoid or reduce a significant project impact.

The comment expresses concern for additional noise and light from the proposed project. The issue of noise from operation of the proposed project is addressed in Section 3.10, Noise, noise associated with the operation of the proposed project would be less than significant with the exception of that generated by the HVAC systems, which would be reduced to less-than-significant levels through mitigation measure NOI-8 (DEIR page 3.10-25). Mitigation measure NOI-8 would require the project to either install sound barriers or require that the HVAC units installed for the project do not exceed a sound pressure level of 45 A-weighted decibels (dBA) at a distance of 25 feet, on or off site. This would ensure operational impacts would remain below significant levels (DEIR page 3.10-25 and 3.10-26). DEIR Section 3.10, Noise, indicates that the HVAC units for the residences would be located at ground level, adjacent to the buildings. The noise from specific behaviors of groups or individuals is sporadic, unpredictable, analytically speculative, and falls under the auspices of the City's enforcement of existing noise regulations for nuisance noise that applies to all residences within the City, present and future.

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Appendix L, Noise Measurements and Calculations, provides noise measurements and modeling calculations which guided the analysis included in the DEIR. In Section 3.10, Noise, mitigation measures NOI-1 through NOI-7 are used in conjunction to reduce levels below significant. To quantify these measures, as stated in Section 3.10.6, the effectiveness of NOI-1 through NOI-7 would vary from several dBs, which in general is a relatively small change, to 10 or more dBs, which would be perceived as a substantial change, depending on the specific equipment and the original condition of that equipment, the specific locations of the noise sources and the receivers, and other factors. Installation of a noise barrier, for example, would vary in effectiveness depending upon the degree to which the line of sight between the source and receiver is broken, and typically ranges from 5 dB to 10 dB. Installation of more effective silencers could range from several dBs to well over 10 dBs. Reduction of idling equipment could reduce overall noise levels from barely any reduction to several dBs. The mitigation measures also include the performance criteria and include monitoring, inspection, and complaint response program to ensure that levels do not exceed those stated.

This issue of light is addressed in DEIR Section 3.1, Aesthetics. The closest distance from the proposed buildings to the Bay Meadows Way is 58 feet from the west and 126 feet from the east. The proposed project would comply with SBMC regulations related to night-time and outdoor lighting. Impacts from new sources of light and glare would be less than significant and no

	<p>mitigation is required (page 3.1-65). As stated in Section 3.1, Aesthetics, of the DEIR, lighting features would consist of energy-efficient lighting that would be shielded and directed downward to minimize light spillover onto surrounding properties including the Turfwood Condominiums.</p> <p><b>DF-18</b> Please see response to comment DF-16.</p> <p><b>DF-19</b> The design considerations identified do not address the adequacy of the DEIR. A range of reasonable alternatives to the proposed project was included in the DEIR; please see response to comment DF-16. The comment expresses concern for a lack of privacy; please see response to comment BDH-2. The comment also expresses concern for additional noise and light from the proposed project; please see response to comment DF-17.</p> <p><b>DF-20</b> Please refer to response to comment DF-16 regarding Alternatives and the suggested design considerations. As discussed in the Updated Slope Stability Analysis (Attachment 2 of the FEIR), the proposed development does not adversely impact the existing slope condition because the proposed building at the top of the slope is set back approximately 35 feet from that portion of the slope. The closest distance from the proposed buildings to the Turfwood residences is 58 feet from the west and 146 feet from the west. The City has considered the Updated Slope Stability Analysis, which draws the same conclusion as the August 2014 Geotechnical Report and does not change the conclusions of the DEIR</p>
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	<p>regarding an environmental effect or severity of effect, or result in a new mitigation measure or consideration of a new alternative. The DEIR analysis is sufficient, and no further analysis is needed.</p> <p><b>DF-21</b> The design considerations identified do not address the adequacy of the DEIR, nor would they lessen one or more of the identified potentially significant environmental impacts. The purpose of an alternatives analysis per CEQA is to identify alternatives that reduce environmental impacts while attaining most of the basic project objectives. The design modifications proposed by the commenter are site specific private view concerns of the commenter which are not within the purview of CEQA consideration by the City. The City of Solana Beach View Assessment process addresses private view concerns. Please see response to comment DF-16.</p>
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**In Conclusion:** These are just some of my many concerns in reading the draft EIR. This project as proposed destroys our neighborhood and community character. I am not opposed to the redevelopment of the Solana Highlands; I am opposed to the destruction of the character of our neighborhood and community. This project is being called a "revitalization" – Solana Beach is a very vital community and one of the most desired places to live in all of San Diego County, Solana Beach does not need to be "revitalized"! This project as now proposed has not been changed enough and as such still seeks to alter and destroy our neighborhood and community character. It sets a negative and unacceptable precedent for future development in Solana Beach. I sincerely hope City Council will work with HG Fenton to allow them to remodel in a way that saves the character of Solana Beach and keeps us from turning into just another area of urban sprawl!

Thank you very much for your time and I look forward to your response.

Sincerely

Dana Flach 401 Bay Meadows Way Solana Beach CA 92075 858 735 9270

[Dana.flach@ski.com](mailto:Dana.flach@ski.com) [sunflac@aol.com](mailto:sunflac@aol.com)

DF-22

**DF-22**

This is not a comment on the adequacy of the DEIR. Rather, this is comment on the proposed project design and objectives.

To clarify, the project as proposed is a site revitalization project, not a Solana Beach citywide revitalization effort.

The proposed project's impact on visual character is addressed in DEIR Section 3.1, Aesthetics, and impacts in the context of adopted planning and land use documents that include policies reflective of community character are addressed in Section 3.9, Land Use and Planning (Table 3.9-1, pages 3.9-20 through 3.9-55). As evaluated in these DEIR sections, the proposed project would not result in significant adverse impacts to visual character or conflict with adopted planning policies, plans, and regulations with the adoption of mitigation measures to address impacts to loss of mature trees (mitigation measure BIO-1) and noise (mitigation measures NOI-1 through NOI-8).

Comment Letter EL

To: The City of Solana Beach/Joseph Lim  
635 South Highway 101  
Solana Beach, California 92075

Hello,  
We own 409 Bay Meadows Way in Turfwood and we have been a part of the Turfwood community for over 14 years. In response to the Draft EIR for the Solana Highlands project we have many concerns, the most important are listed below.

We participated in the VAC meeting back in September 2015 and spoke to express concern regarding the excessive height and size of the project and to support our neighbors who filed view claims.

We are still concerned that very few of the view claims were addressed in this draft EIR.

Specifically we would like to request a revision to this EIR as it is not complete or accurate. Policy 3.A- 3.D of the EIR addresses Key Observation Points (KOP) – some places it notes 9, some note 10. However the entire South Border of the proposed project, which is Bay Meadows Way and the community of Turfwood along with Del Mar Legends, is not addressed or noted as a KOP in this EIR. (Figure 3.1-7). Key Observation points 1-9/10 are much further away than Turfwood/Bay Meadows Way is from this proposed project.

Why is the closest KOP not addressed at all??

Southern Border: The EIR states the “Southern Border” is noted as the separate 4 units. However the southern border of this project is Bay Meadows Way and Turfwood – and this needs to be addressed.

In addition we are noted as “apartments” (page 375), when we are privately owned homes. That was brought up to Fenton in 2015, they still have not changed it.

Cumulative Effects In Chapter 4 it states “No cumulative projects are located within a 0.25 mile vicinity of the proposed project. Therefore, the proposed project’s contribution of noise from long-term operations would not be cumulatively considerable.” This is NOT TRUE and does not take Turfwood or Bay Meadows Way homes into consideration.

Our home and all of Turfwood is within .25 miles of this project and this must be addressed by the EIR. This applies to noise and the other concerns!

Height Waiver – Fenton is asking for a height waiver. If this is granted, where does it end in Solana Beach. Other developments will then use the Solana Highlands project to ask for height waivers forever changing the landscape of Solana Beach.

We choose to live here for the characteristics of our town and neighborhood – this project as proposed may fit in high density places like Mission Valley, it does NOT fit in our coastal community of Solana Beach.

Traffic – not taking into consideration the traffic and delays from 3 + years of construction traffic and only looking at the the resulting traffic which the EIR states will add 496- 528 roundtrips (approximately 40 cars per hour if using 12 hour days) is a significant impact to traffic. The EIR claims there will be “traffic calming” measures and therefore no significant impact. What are these measures and how does adding this many cars result in no impact??

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- EL-3
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- EL-6
- EL-7
- EL-8

Response to Comment Letter EL

**Private Individual  
Emily Lindley  
August 1, 2018**

**EL-1**

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**EL-2**

View assessment claims and consideration are addressed through the City's View Assessment process which is associated with the required SDP process. A decision regarding the results of the View Assessment will be made at the VAC meeting scheduled for October 16, 2018. This decision and comment will be available for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**EL-3**

References in the DEIR to 9 KOPs are in error, and as the commenter points out, 10 KOPs are presented and simulated, as clearly set out on Figure 3.1-7, Key Observation Point Map. Please also see response to comment DF-2.

	<p><b>EL-4</b> The commenter is correct: the southern border of the proposed project site is the Turfwood Condominiums; any reference to separate four units is incorrect. However, the comment does not identify where the error occurs, and the document consistently identifies the area to the south as the Turfwood community.</p> <p><b>EL-5</b> The comment identifies that the EIR erroneously refers to the Turfwood Condominiums as Turfwood Apartments. Please see response to comment BDH-1.</p> <p><b>EL-6</b> The comment expresses concern for the cumulative effects of noise. Please see response to comment DF-4.</p> <p><b>EL-7</b> The comment expressed concern for the proposed building heights. Please see response to comment DF-5.</p> <p><b>EL-8</b> The comment expresses concern for the proposed project’s effect on traffic during construction and operation. Please see responses to comments DF-6 and DF-7.</p>
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<p>Turfwood Lane - which intersects Jimmy Durante just before Valley - is again omitted and not mentioned in any of the traffic studies. Current wait times, not including during Summer or special events, can be 20 minutes to turn right, and longer to turn left from Turfwood Lane onto Jimmy Durante as traffic can back up to Via De La Valle and up past Nardo. It seems this intersection was left out of the study even though this is the only entrance-exit to Turfwood and a major/2nd point of use for Ocean Crest Apartments. Yet Solana Circle entering Via de La Valle, which is not near the proposed project nor will it be affected by the proposed project is taken into consideration in the EIR Traffic Study. And this study was done in 2014, 4 years ago and approximately 7 years earlier than the proposed completion of the proposed project This does not appear to be a full or accurate traffic study</p>	<p>EL-9</p>	<p><b>EL-9</b> The comment expresses concern regarding the intersections evaluated in the DEIR and TIA. Please see response to comment DF-8</p>
<p>Discrimination In Rental Policy The section of policy LU 3.2 states "Redevelopment of the existing site would include a variety of unit styles. Additionally, the project site is within proximity to shopping centers and cafés, which would allow residents to work remotely and not commute" Yet the project says they don't discriminate? How can Fenton speculate that people will work remotely and not commute so that traffic, etc will have a "less than significant impact"? Or are they only planning to rent to those that work remotely? This is a very concerning statement!</p>	<p>EL-10</p>	<p><b>EL-10</b> The DEIR, Section 3.9, Land Use and Planning, provides consistency analysis with the City's General Plan, which states that the project site is within proximity to shopping centers and cafés, which would allow residents to work remotely and not commute. However, the TIA, provided in Appendix M, does not assume future tenants would work from home. Please see project Trip Generation (page 9) in Appendix M for detail on assumptions for vehicle trips including commute trips. The referenced language is not used to determine significance of any impacts; rather, it simply reflects the geographic and temporal context of the project. Please also see response to comment DF-11.</p>
<p>Grading – Once again the effect of the project on the Southern Border/Bay Meadows Way-Turfwood is not taken into consideration. Turfwood is the closest neighborhood to the proposed project and as such need to be addressed in the EIR in all manors. The proposed grading (3.3 and discussions of bluff erosion) will have an unknown effect on the already unstable sandstone slope along the proposed projects southern border. If/when that collapses (as it already is crumbling) who is responsible and what will be done to protect our homes? The runoff from the grading of this project along with potential hazardous materials from demolition will come into our Turfwood yards and neighborhood. Without addressing the Southern Border in the EIR these are all unknowns and it is not an accurate EIR</p>	<p>EL-11</p>	
<p>Tree Replacement – the EIR states they will replace trees if all are removed. What type of trees, how long until they mature to the level of the current trees including the beautiful palm trees overlooking Bay Meadows Way. What happens if the new trees don't take root. If they were to reduce the size of the units, reduce the number of units being built, reduce the unnecessary size of their leasing center, build on the existing footprint, move the setback from the bluff above Bay Meadows Ways - just some of the available alternatives- many of these old growth trees could be saved.</p>	<p>EL-12</p>	<p><b>EL-11</b> The comment expresses concern for erosion and stability of the bluff along the southern boundary. Please see response to comment DF-12. Additionally, the comment expresses concern for the effects of runoff from the proposed project. Please see response to comment DF-13.</p>
<p>Noise and Light – Once again, Bay Meadows Way/Turfwood/Del Mar Legends are not addressed. Noise and light from the balconies currently facing Bay Meadows Way is already too loud and too bright at times. The proposed project brings these balconies/apartments much lower and closer so the impact will be significant.</p>	<p>EL-13</p>	<p><b>EL-12</b> The comment expresses concern for decrease in visual character as a result of tree removal. Please see responses to comments DF-14 and DF-16.</p>
<p>If Fenton Solana Highlands project truly wants to be "good neighbors" as they say some of the things that could be considered are:</p> <ol style="list-style-type: none"> <li>1) Reduce the size including ceiling height of many, if not all units.</li> <li>2) Reduce the overall number of units being built</li> </ol>	<p>EL-14</p>	<p><b>EL-13</b> The comment expresses concern for additional noise and from the proposed project. Please see response to comment DF-17.</p>

<p>3) Reduce the unnecessary size of their overwhelming, leasing center</p> <p>4) Build on the existing footprint</p> <p>5) Move the setback from the bluff above Bay Meadows Way back</p> <p>In Conclusion: These are just some of our many concerns in reading the draft EIR. This project as proposed destroys our neighborhood and community character. We are not opposed to the redevelopment of the Solana Highlands; We are opposed to the destruction of the character of our neighborhood and community. This project is being called a "revitalization" – Solana Beach is a very vital community and one of the most desired places to live in all of San Diego County, Solana Beach does not need to be "revitalized"! This project as now proposed has not been changed enough and as such still seeks to alter and destroy our neighborhood and community character. It sets a negative and unacceptable precedent for future development in Solana Beach. We sincerely hope City Council will work with HG Fenton to allow them to remodel in a way that saves the character of Solana Beach and keeps us from turning into just another area of urban sprawl!</p> <p>Thank you very much for your time and we look forward to your response.</p> <p>Sincerely</p> <p>Emily &amp; Marty Lindley          409 Bay Meadows Way Solana Beach CA 92075          858 232 4851  <a href="mailto:enlindley@gmail.com">enlindley@gmail.com</a></p>	<div style="display: flex; align-items: center; justify-content: center;"> <div style="text-align: center; margin-right: 10px;">  <p>EL-14 Cont.</p> </div> <div style="text-align: center; margin-right: 10px;">  <p>EL-15</p> </div> <div style="width: 100%;"> <p><b>EL-14</b>      The comment provides design suggestions and concern regarding the slopes adjacent to the project site. Please see responses to comments DF-14 and DF-16.</p> <p><b>EL-15</b>      The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> </div> </div>
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Comment Letter GL

**From:** Gary Lynes [<mailto:garylynes@rocketmail.com>]  
**Sent:** Tuesday, July 17, 2018 9:32 PM  
**To:** SolanaHighlands EIR  
**Subject:** EIR report for Solana Highlands

I'm hoping that my concerns will be addressed and considered in light of the Solana Beach philosophy about keeping the area lush, green, peaceful and country-like. First, I understand why there is a request for such a large increase in the number of units. However, clear-cutting the entire site of 50+ year old trees doesn't seem to fit the city's philosophy. Dust and noise abatement (particularly from 7:00 AM to 7:00PM on Mon. through Sat.) can be a huge concern for surrounding neighborhoods and the nearby school.

The project is also requesting a 57% increase in the building height (30 - 47.1 feet). If a waiver is granted to the existing code, how many other such requests will occur in the future and point to this one.

There is a 100% increase in the height of the walls and fences (6 - 12 feet). Staggered walls will be 18.5 feet above ground level, with 16.5 feet visible. That is about one and a half stories high! The report states that all walls will be screened with plants, but which side, or both? The report also states that trees will be planted at the base of the walls to hide them. How large will the trees be and how many years will it take for the growth to cover them. Most importantly, what will the view of the project look like from the Turfwood side, particularly along Bay Meadows Way?

The slope from Bay Meadows Way up to the Solana Highlands property line is pretty steep, and the soil appears fairly sandy. Has the soils report addressed this from the perspective of both Solana Highlands and Turfwood?

The developer stated that each unit would have a garage to be used for parking, but what happens when those garages become storage and cars then crowd existing spaces and nearby neighborhoods? What type of parking regulations have been contemplated?

What are the impact projections for the local public schools?

I trust you are also weighing in on the concerns of the existing property owners and residents of Solana Beach as you look at those of future residents.

Thank you for time and energy as you review the EIR and the responses, and I look forward to many mutually agreeable solutions as the project moves forward.

Sincerely,

Gary Lynes and Sherry Lynes 471 Bay Meadows Way

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Response to Comment Letter GL

**Private Individual**  
**Gary and Sherry Lynes**  
**July 17, 2018**

- GL-1** The City acknowledges the comment. A landscape concept plan has been prepared and was include in the DEIR as Figure 2-6 on page 2-19, Chapter 2, Project Description. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. No further response is required. Please see response to comment DF-14.
- GL-2** The comment expresses concern for decrease in visual character as a result of tree removal. Please see responses to comments DF-14 and DF-16.
- GL-3** Impacts associated with air quality including dust are addressed in Section 3.2, Air Quality, of the DEIR, and impacts associated with noise are addressed in Section 3.10, Noise. As discussed in Section 3.2, Air Quality, the proposed project is subject to San Diego Air Pollution Control District (SDAPCD) Rule 55, Fugitive Dust Control. This rule requires that the project take steps to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) that may be generated during grading and

	<p>construction activities. Best management practice (BMP) AQ-1 identifies practices by which fugitive dust generated by construction activities are kept to a minimum (DEIR page3.2-32).</p> <p>Additionally, as stated in Section 3.10, Noise, to control construction noise levels to a level consistent with the City’s Noise Ordinance, construction mitigation measures NOI-1 through NOI-7 shall be implemented (DEIR page 3.10-17). This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>GL-4</b> The comment expresses their concern for proposed building heights. Please see response to comment DF-5.</p> <p><b>GL-5</b> As discussed in Chapter 1, Introduction, after the initial NOP was released, the applicant conducted further public engagement, including that required by the City’s View Assessment process, to get input into the proposed project design. In response to those activities, the applicant made revisions to the proposed project and submitted a revised site plan to the City, which included a decrease in the height of the project. However, to accommodate the decrease in height, the project would increase grading of the site by lowering the pad elevation of most of the buildings on the site.</p>
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As stated in Chapter 2, Project Description, retaining walls are proposed to facilitate the lowering of the existing grade to the proposed pad elevations primarily along South Nardo Avenue at the most northwestern corner of the project site.

The waiver requests a maximum of up to 15 feet to accommodate areas just beyond the building footprints of Buildings 9, 10, 11, 12, 13, 15 and 16. These buildings incorporate a 15 foot-tall internal retaining wall to create a split level building. A retaining wall matching that height is proposed to extend out enough to create pedestrian access to the sides of the building at both the upper and lower levels. The majority of retaining walls are internal to the site and partially screened by proposed buildings and landscaping, not visible from key observation points or from surrounding property to the south.

The increased height in retaining walls is necessary to accommodate the proposed site elevation drop in relation to adjacent grade elevations. As stated in Chapter 2, Project Description, retaining walls are proposed to facilitate the lowering of the existing grade by up to 17.5 feet to the proposed pad elevations primarily along South Nardo Avenue at the most northwestern corner of the project site. To soften the effect of the wall height, the longest wall would be broken into three segments and staggered to allow planting at each level. The majority of retaining walls are internal to the site and partially screened by

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proposed buildings and landscaping, not visible from KOPs or from surrounding property to the south.

The wall height waiver request is undertaken consistent with the City and state regulations, and as identified in Table 3.9-3, is necessary to accommodate the reshaping of the project site (pad elevation reduction) as the slopes and grade changes and avoidance of private view effects has resulted in the configuration proposed, necessitating taller walls to accommodate lower building pads requested by community stakeholders to avoid potential view impacts. By facilitating the lowering of existing grade, implementation of retaining walls support the project objective of providing a system of internal and interconnected paths. The retaining walls also assist the project in meeting the City's requirements of useable open space, because they allow for greater usable surface area. Additional design constraints that lead to additional retaining wall height include the project objective of creating a system of internal and interconnected paths within the property that are compliant with Americans with Disabilities Act (ADA) regulations, the City of Solana Beach requirement for usable open space, the provision of 32 affordable senior (density bonus) units on site, and the desire to significantly increase on-site parking and to place vehicles within enclosed garages. Accomplishing these zoning requirements and

	<p>project objectives necessitates internal retaining walls to achieve the project and meet existing grade at the property boundaries.</p> <p>The majority of retaining walls are internal to the site and partially screened by proposed buildings and landscaping, not visible from key observation points or from surrounding property to the south. The DEIR includes Figure 2-6, Proposed Landscape Concept Plan, which identifies the intended landscaping associated with the project, locations of trees, and species. (See also responses to comments DF-14 and DF-16.) To soften the effect of the wall height, the longest wall would be broken into three segments and staggered to allow planting at each level. By facilitating the lowering of existing grade, implementation of retaining walls support the project objective of providing a system of internal and interconnected paths. The retaining walls would be screened with plants as part of the Landscape Plan included as Figure 2-6, Proposed Landscape Concept Plan. Please refer to Figure 2-6 for tree sizes along the retaining wall sites. No further response to this comment is required.</p> <p><b>GL-6</b> This comment expresses concern regarding views form Turfwood Condominiums; please see response to comment DF-2.</p>
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	<p><b>GL-7</b> The comment expresses concern for slope stability on the southern boundary of the project site. Please see response to comment DF-12.</p> <p><b>GL-8</b> This comment expresses concern for adequate proposed parking. Please see response to comment BE-1.</p> <p><b>GL-9</b> This issue is addressed in DEIR Section 3.14, Public Services. As stated in Section 3.14.4, Impact Analysis, with the net addition of approximately 147 residents/62 units to the current development, the anticipated number of students generated by the proposed project would be 12 middle and high school students and 13 elementary school students. As outlined in Section 3.14.2, the proposed project would be subject to SB 50 school financing and mitigation requirements to offset any indirect impacts to students generated by new residents with school-age children who relocate to the school districts. Additionally, the proposed project would be required to pay all applicable school impact fees as set forth by the Solana Beach and San Dieguito School Districts. Because of the existing availability within the serving school districts, including schools that are currently under capacity, as well as the project applicant’s requirement to pay all associated school impact fees, the project would not require the construction of new school facilities, and impacts would be less than significant (DEIR page 3.14-31).</p> <p><b>GL-10</b> As discussed in Section 3.11, Population and Housing, the construction and revitalization of existing facilities</p>
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	<p>would have the potential to attract more people and increase the population in the area due to the additional 62 units. However, the construction and revitalization of Solana Highlands is intended to update the existing site and accommodate affordable senior housing within the City. The addition of 147 people to the City would not exceed local population projections and is not considered a substantial increase. Furthermore, this increase in people as a result of the proposed project is a conservative number, as the 32 new affordable senior units are likely to house fewer than 2.36 persons per household (DEIR pages 3.11-6 and 3.11-7).</p> <p><b>GL-11</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response is required.</p>
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**Comment Letter GL2**

**Response to EIR for Solana Highlands Project  
July 30, 2018**

Dear Committee:

After reading the EIR in its entirety (all 668 pp), I am taking the time and making the effort to add more comments and concerns to our already-submitted email letter of July 17, 2018.

First, I will address points that I see have been omitted from the EIR. Second, I will voice concerns over information presented in the report which is unclear or incorrect.

**OMISSIONS:**

1. Key Observation Point [#11] from the perspective of Bay Meadows Way, south side of project does not exist in the report. All streets bordering the project have been provided with before (photos) and after (artist's renderings) views so the neighborhoods can see what the project will look like from their perspective. The Turfwood neighborhood has not been provided these important views. ( see page 101, Fig. 3.1-7)

2. The potential for erosion is not addressed in the soils report regarding the bluff along Bay Meadows Way. (see point 3.3)

3. Goals of the City state that a slope of 25% or more is considered at risk for development, a place where the developer wants to build huge buildings and very tall walls. This % incline is not addressed in the report.

4. Turfwood Condominiums are erroneously referred to as Turfwood Apartments. This should be omitted or changed to the correct terminology. (see p. 375)

**CONCERNS:**

1. Some of the buildings along Bay Meadows Way have been reduced to 2-story, which is a positive factor; however, they are still very close to the bluff and the Turfwood neighborhood. With this close proximity, my concern is the new source of light from outside lighting at night.

2. I am concerned about the noise factor from all the new buildings so close to Bay Meadows Way.

3. Solar panels are to be installed on the buildings along the south side of the project. These can create substantial glare for surroundings neighbors as building are so close.

4. As a result of tree removal and proximity to the south bluff, the project will substantially degrade the existing visual character and quality the the surrounding neighborhood.

5. Regarding retaining walls, (Fig. 2-4 and 3.1-5), I do not understand why the walls must go from 6' to 18.5'.

GL2-1

GL2-2

GL2-3

GL2-4

GL2-5

GL2-6

GL2-7

GL2-8

GL2-9

GL2-10

**Response to Comment Letter GL2**

**Private Individual  
Gary and Sherry Lynes 2  
July 31, 2018**

- GL2-1** The City acknowledges the comment, which is an overview of the contents of the letter. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response is required.
- GL2-2** The comment expresses visual concern from Bay Meadows Way of the proposed project. Please see response to comment DF-2.
- GL2-3** The comment expresses concern for erosion and stability of the bluff along the southern boundary. Please see response to comment DF-12.
- GL2-4** The comment expresses concern for slope stability on the southern boundary of the project site. Please see response to comment DF-12.
- GL2-5** The comment identifies that the EIR erroneously refers to the Turfwood Condominiums as Turfwood Apartments. Please see response to comment BDH-1.

	<p><b>GL2-6</b> This comment expresses concern regarding light from the proposed project; please see response to comment BDH-2.</p> <p><b>GL2-7</b> DEIR Section 3.10, Noise, identifies Bay Meadows Way as a noise measurement and study location. Please see responses to comments BDH-2, BDH-4, and DF-17.</p> <p><b>GL2-8</b> As discussed in Section 3.1, Aesthetics (page 3.1-65), of the DEIR, although the proposed solar panels have the potential for glare during sunlight hours, solar panels are generally designed to absorb light, not reflect it, and typically generate glare only at acute angles. Further, solar panels would be located on southerly facing rooftops, which would minimize the potential for glare to nearby views and would not result in glare that would be experienced from any roads, including Bay Meadows Way as it is at a lower elevation relative to the proposed project.</p> <p><b>GL2-9</b> The comment expresses concern for decrease in visual character as a result of tree removal. Please see response to comment DF-14.</p> <p><b>GL2-10</b> The comment expresses concern for the height of the proposed retaining walls. See response to comment GL-5.</p>
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<p>6. The City wants to discourage stair-stepping of building pads, yet this may be happening on the south side. The City wants to preserve prominent ridge lines, yet the ridge line above Bay Meadows Way will be taken away by the proposed building so close to Bay Meadows Way.</p> <p>7. Where will the HVAC systems be located- inside or outside? This could be a noise concern for buildings so close.</p> <p>8. Another noise factor is during construction - it states within the report in the first two chapters that the work will go on Monday through Friday 7 AM to 7 PM, and Saturdays 8 AM to 7 PM. However, 3.2-17 states that it is assumed construction would be 8 hours a day, 5 days a week. This is not clear, and I protest the intrusion of construction so late in the evening.</p> <p>9. Regarding drainage of water, where will the new drainage system be located - above or below ground?</p> <p>10.The report states that the project will use reclaimed water for landscaping: where will the holding tank and pump be located? This could be a potential noise factor.</p> <p>11.What safety and traffic-calming measures are being taken to address the increase of residents coming and going in the South Nardo/Stevens/Valley intersection where there will be more risk for drivers entering and exiting Turfwood Lane on the left turns?</p> <p>12. I still do not understand the rational for the building heights, and calling for a waiver. The City put into place height limits in its City Plan for a reason (see Mission statement for Solana Beach). Why is it so necessary in this new development to have 3-story buildings, which go contrary to the overall City Plan? If these are amended for this project, (i.e. waiver), my concern is that it sets a precedent for future buildings in Solana Beach. On page 368, Table 3.9-3, I do not see where reshaping the ground is consequential to getting a waiver.</p> <p>Again, thank you for the time energy as you review the EIR and the responses. I recognize the great amount of work that has been put into the EIR by the developer, and appreciate all points that have been addressed in the report. It is a huge effort! I look forward to mutually agreeable solutions.</p> <p>Sincerely,</p> <p>Sherry and Gary Lynes 471 Bay Meadows Way</p>	<p>GL2-11</p> <p>GL2-12</p> <p>GL2-13</p> <p>GL2-14</p> <p>GL2-15</p> <p>GL2-16</p> <p>GL2-17</p> <p>GL2-18</p> <p>GL2-19</p> <p>GL2-20</p> <p><b>GL2-11</b> The existing topography of the site requires internal changes in elevation to address differences in existing grade of over 110 feet across the site. As a result of the extensive public input process, the applicant is proposing cut along the south edge of the property to reduce the perceived height of buildings facing the south boundary. Additional constraints affecting the site design include the project objective of creating a system of internal and interconnected paths within the property that are compliant with ADA regulations, the City of Solana Beach requirement for usable open space, the provision of 32 affordable senior (density bonus) units on site, and the desire to significantly increase on-site parking and to place vehicles within enclosed garages.</p> <p>The proposed project achieves objectives stated in Chapter 2, Project Description, page 2-2, which targets reducing driveways and maximizing on-site circulation. This is best achieved through the grading proposed that allows for more even elevations within the site.</p> <p>An Updated Slope Stability Analysis is included in the FEIR as Attachment 2. The Updated Slope Stability Analysis was added for informational purposes to provide further information regarding the slope stability along the southern boundary under the proposed project conditions. The original Geotechnical Report (Appendix H) was prepared in August 2014 and analyzes the Originally Proposed</p>
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	<p>Project (also known as Alternative 6). Because the Originally Proposed Project was proposed on a greater slope than the proposed project due to the absence of major grading, the August 2014 Geotechnical Report is still applicable to the proposed project. However, in response to comments received regarding the concern for the southern boundary's slope stability, an Updated Slope Stability Analysis has been provided to supplement the 2014 Geotechnical Report. As discussed in the Updated Slope Stability Analysis, the proposed development does not adversely impact the existing slope condition because the proposed building at the top of the slope is set back approximately 35 feet from that portion of the slope. The City has considered the Updated Slope Stability Analysis, which draws the same conclusion as the August 2014 Geotechnical Report, and does not change the conclusions of the DEIR regarding an environmental effect or severity of effect, or result in a new mitigation measure or consideration of a new alternative. As a result, the City does not consider the Updated Slope Stability Analysis to represent significant new information. Rather it further supports and clarifies the information contained in the DEIR.</p> <p><b>GL2-12</b> The proposed project site is not located on a prominent ridge line. The top of the slope referred to by the reader is on private property and is internal to the proposed project adjacent to the</p>
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	<p>Turfwood Condominiums. The closest distance from the proposed buildings to the Turfwood residences is 58 feet from the west and 146 feet from the east. The project's impacts on scenic vistas and resources were analyzed in the DEIR (see Section 3.1.4, pages 3.1-55 through 3.1-56). As discussed in this section, the proposed project site is not within nor adjacent to an identified view corridor within the City, and views from and immediately surrounding the project site are not designated scenic vistas or scenic resources.</p>
	<p><b>GL2-13</b> The comment expresses concern for noise from proposed HVAC systems. Please see response to comment DF-17.</p>
	<p><b>GL2-14</b> This comment expresses a perceived inconsistency between the hours of construction identified in the Noise and Air Quality sections of the DEIR; please see response to comment BDH-4</p>
	<p><b>GL2-15</b> As described in DEIR Section 3.8.4, Hydrology and Water Quality, page 3.8-16, bioretention basins/flow through planters and landscape design would be connected hydrologically to the on-site storm drain system via edge inlets and in conformance to the City's requirements. Therefore, the new drainage system would include components that are both below grade and those that area located at grade.</p>

	<p><b>GL2-16</b> Reclaimed water for landscaping would be used via connecting to the existing reclaimed water supply “purple pipe” system located beneath Stevens Avenue, which delivers water under pressure. No additional reclaimed water pumps or tanks are required or proposed.</p> <p><b>GL2-17</b> The comment expresses concern for the proposed project’s effect on traffic. Please see response to comment DF-7.</p> <p><b>GL2-18</b> The comment expresses concern for proposed building heights. Please see response to comment DF-5.</p> <p><b>GL2-19</b> The comment expresses concern for precedent of a height waiver. See responses to comments DF-5 and GL-5.</p> <p><b>GL2-20</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter GW

Response to Comment Letter GW

Private Individual  
 Gayle and Mark Wells  
 August 2, 2018

August 2, 2018

Attention:  
 David Zito, Mayor  
 Jewel Edson, Deputy Mayor  
 Judy Hegenauer, Councilmember  
 Lesa Heebner, Councilmember  
 Peter Zahn, Councilmember

RECEIVED  
 AUG 02 2018  
 CITY OF SOLANA BEACH  
 CITY MANAGER'S OFFICE

Re: Public review of the Solana Highlands Draft Environmental Impact Report (DEIR) prepared by the City of Solana Beach

For the past 6 years we have been strongly opposed to the H. G. Fenton proposal to redevelopment the Solana Highlands Apartment complex. Our home, that we have owned for 20 years, is directly across the street from the apartment complex.

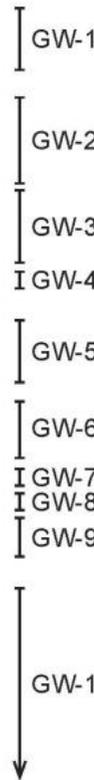
We are opposed for the following reasons:

1. With the density bonus the complex will increase from 194 to 260 units. This will impact our neighborhood with increased traffic, vehicle pollution and additional automobiles parking on Nardo and Fresca.
2. Fenton has charged their residents a fee for additional parking spaces forcing Nardo to become a parking area for the apartment residents. This leaves no parking for guests coming to our home throughout the day and night, especially on the weekends.
3. Street sweepers can't effectively do their job due to all of the cars parked on Nardo.

Suggestions to mitigate the effect on our neighborhood:

1. Apartment tenants must use the garage for parking cars, not for storage. Fenton should not charge their tenants for additional on-site parking spaces.
2. Significant traffic calming measures should be a requirement. Automobiles typically speed along Nardo without any ramifications. There is a need for raised crosswalks with flashing lights at Fresca and St. James Church.
3. Proper bike lanes should be included in the final plans.
4. No parking on Nardo during street sweepings hours.
5. No parking along the curved side of Nardo up from Stevens. Cars are routinely parked right up to driveways making it almost impossible to see traffic coming up or down Nardo.

For over 6 years, the H. G. Fenton Company has tried to ruin our neighborhood and line their pockets with a redevelopment of their property known as Solana Highlands Apartments. It's really a great property and they don't need to do anything with it except maybe update the units. Their proposed re-development is just too big for the neighborhood. Fenton is using the California mandate for cities to build affordable housing as a temptation to the city's politicians as a way to meet the affordable housing state mandate. 80% of the cities in California have not and cannot comply with that state mandate. Any city in San Diego County and west of the 5 freeway can't build affordable housing; the real estate is just too expensive and already too



**GW-1** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**GW-2** The comment addresses traffic and air quality, which received extensive analysis in Sections 3.12, Traffic and Circulation, and 3.2, Air Quality of the DEIR. No significant impacts have been identified associated with the proposed project to Traffic and Circulation or Air Quality. The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.

**GW-3** The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.

	<p><b>GW-4</b>      The existing conditions for South Nardo Avenue include street sweeping on the fourth Tuesday of every month prior to 7:00 a.m., with a soft enforcement plan in place.</p> <p>Please contact the City's Public Works Department on how to request routine street sweeping. Section 3.8, Hydrology and Water Quality, of the DEIR addresses impacts to water quality resulting from the proposed project. Changes to on street public parking are City controlled and not within the remit of the proposed project. Bioretention basins would be constructed to ensure that pollutants in surface runoff are removed and would address runoff volumes and velocities anticipated during operation of the proposed project. Implementation of the recommendations in Section 6.10 of the geotechnical investigation would be made a condition of approval if the project is approved. The implementation of site-design BMPs (i.e., bioretention basins/flow through planters and landscape design would be connected hydrologically to the on-site storm drain system via edge inlets) would minimize runoff from directly connected impervious surfaces and would promote infiltration of surface runoff. As such, water quality impacts would be reduced to less-than-significant levels with implementation of these measures. The proposed project would not be required to implement off-site mitigation for water quality impacts.</p> <p><b>GW-5</b>      The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.</p>
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	<p><b>GW-6</b> As shown in Figure 3.12-2, traffic calming improvements are included in the project design. See pages 3.12-37 through 3.12-39 for specific details on the traffic calming improvements. As stated in Appendix M of the DEIR, given the existing sidewalks and the marked crosswalk both at the Fresca Street/South Nardo Avenue and East Solana Circle/South Nardo Avenue intersections, the surrounding area is a walkable environment with sidewalks and residential users. However, a speed table is recommended between East Solana Circle and Nardito Lane. The speed table, in conjunction with the other traffic-calming devices, will help to reduce traffic speeds between Nardito Lane and Fresca Street. An existing striped yellow school crosswalk is located on the east leg of the South Nardo Avenue/Nardito Lane intersection serving the adjacent St. James Catholic Church and School. It is recommended this crosswalk be repainted with highlight reflective paint in order to improve the visibility of the marked crosswalk. Due to a lack of sidewalks on the north side of South Nardo Avenue, a marked crosswalk on the speed table is not recommended (Appendix M of the DEIR). Although the particular traffic-calming measure the commenter is requesting is not in the DEIR, other measures are to be implemented along South Nardo Avenue to reduce speeds for safety purposes.</p> <p><b>GW-7</b> As stated in Section 3.12, Traffic and Circulation, there are no proposed bike lane updates associated with the project due to the limited increase in units over the existing Solana</p>
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	<p>Highlands residences (62 additional units); the existing bicycle facilities would adequately accommodate the proposed project’s residents. As stated in Appendix M, the proposed project is not expected to substantially increase the biking, walking, or transit demand to a level where it could not be accommodated by existing or planned facilities, nor is the project anticipated to conflict with any local or regional policies related to bicycle, pedestrian, or transit activity. As such, the project would not conflict with public transit, bicycles, or pedestrian facilities, and would not decrease the performance or safety of these facilities. Please also see response to comment SD-2 regarding CATS implementation.</p> <p><b>GW-8</b> This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities. Please see response to comment GW-4.</p> <p><b>GW-9</b> As stated in Section 3.12, Traffic and Circulation, no significant impacts are anticipated as a result of the proposed project; therefore no mitigation measures are required. As such, the City is not required to restrict parking on South Nardo Avenue. However, implementation of traffic calming improvements identified in Section 3.12 would reduce speeds on South Nardo Avenue. Additionally, in conjunction with the public improvement drawings for the new project driveways, a line of sight analysis would be conducted prior to construction. A clear line of sight would be required to be</p>
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dense. I suggest the state mandate for affordable housing will be modified in the future. Our state government can't even figure out how to help the construction industry build more housing units of any kind much less affordable housing. It's just impossible and impracticable.

Right now, the tenants of Solana Highlands use all of the available street parking on Nardo Ave. and Fresca. We can't even invite friends for dinner; there is no place to park on the street after 5:00pm. Traffic on Nardo is heavy right now. Nardo was designed by the city as a feeder to the freeway and a method to reduce the pressure on Lomas Santa Fe and Via de la Valle during commute times. Vary rarely is Nardo policed by the sheriff's office. Fenton's request for a Project Density Bonus which would allow Fenton to build 66 additional units when the property is zoned for only 207 units maximum would compound the current problems. The current heavy traffic on Nardo creates a great danger to children at the poorly designed crosswalk on Nardo at Fresca. Adding 66 more units would magnify and compound an already deplorable situation.



Mark and Gayle Wells  
 662 S. Nardo Ave.  
 Solana Beach, CA 92075  
 (619) 454-2687

↑ GW-10  
 Cont.

↓ GW-11

provided, which may result in a modification/restriction to on-street parking at/near driveway locations.

**GW-10** The comment expresses the opinion that affordable housing cannot be built west of I-5. Please see responses to comments CG-2 and DF-11 for context regarding the proposed project and affordable housing. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**GW-11** The comment expresses concern for the adequacy of the proposed parking; please see response to comment BE-1. The comment also expresses concern for public safety on the nearby roadways; please see response to comment DF-7.

Comment Letter JB

August 2, 2018

Joseph Lim, AICP  
 Community Development Director  
[SolanaHighlandsEIR@cosb.org](mailto:SolanaHighlandsEIR@cosb.org)

RE: EIR Comments Solana Highlands Redevelopment Project

Dear Mr. Lim,

My husband and I have lived in Solana Beach since 2006 and purchased a townhome in the Turfwood community in December 2013. We have been following the proposed Solana Highlands Redevelopment project closely. While the developer has made changes to the project based on community input, the EIR seems to completely omit the impact to the Turfwood community on the south side of the development.

JB-1

We ask that you consider the following points:

Ridgeline/Slope Stability/Setbacks

With the amount of grading the developer is planning to do, the ridgeline and slope on the south side bordering Bay Meadows Way will change significantly. The buildings will be much closer to the Turfwood community. Increasing the setbacks on the south side of the project would help significantly. The developer was able to do this successfully for the senior affordable housing building on the south east side but the remaining building setbacks on the south side are still much closer in the current plans.

JB-2

In addition, slope stability is still a concern with the setbacks so close to the ridgeline. Increasing the setbacks would likely mitigate a lot of these concerns.

JB-3

Traffic

The increased number of units and re-direction of traffic mainly onto Stevens will have an impact on the Turfwood community. We currently experience dangerous traffic situations on a daily basis already. It is nearly impossible to turn left out of the Turfwood community. The timing of the traffic lights and the speed of the oncoming traffic, creates a dangerous situation. This needs to be further investigated and proper measures need to be implemented to ensure the safety of the Turfwood community residents and their visitors.

JB-4

Noise Concerns

The balconies of the buildings on the south side of the projects will be facing the Turfwood community. The way the community is situated already creates noise issues when residents of Solana Highlands are partying on their balconies. Increasing the setbacks and planting tall vegetation will help create a buffer that is esthetically pleasing for residents of both communities and enhances privacy.

JB-5

Landscaping/Fences/Walls

It is not clear what type of landscaping the developer proposes on the south side of the community. It is important to have a clear understanding of the type and size of the trees and

JB-6

Response to Comment Letter JB

Private Individual  
 Joe and Emily Behrmann  
 August 2, 2018

**JB-1** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**JB-2** As discussed in Chapter 1, Introduction, after the initial NOP was released, the applicant conducted further public engagement, including the City’s View Assessment process to get input into the proposed project design. In response to those activities, the applicant made revisions to the proposed project and submitted a revised site plan to the City, which included a decrease in the height of the project. However, to accommodate the decrease in height, the project would increase grading of the site by lowering the pad elevation of the site. Please also see responses to comments BDH-2, DF-14, and DF-16.

**JB-3** The comment expresses concern for slope stability; please see response to comment DF-12.

	<p><b>JB-4</b> The comment expresses concern for traffic under proposed project conditions. Please see responses to comments BE-1, CG-6, and DF-7.</p> <p><b>JB-5</b> As stated in Section 3.10.4, none of the private exterior use areas (patios or balconies) or the common outdoor use areas would exceed the City’s 65 dB community noise equivalent level (CNEL) noise standard. Future-with-project building facades and patio and balcony noise exposures are predicted to range from 55 dB CNEL to 60 dB CNEL (page 3.10-18). As such, the proposed project, including the proposed balconies along the southern portion of the site, would not result in a significant impact related to the proposed balconies. Increasing the project setback is not necessary or warranted.</p> <p><b>JB-6</b> Please refer to Section 2.5.3 of the Project Description, Landscape Concept Plan; Section 3.3, Biological Resources; and Figure 2-6, Landscape Concept Plan, for the types of landscaping used on the south side of the community.</p> <p>As discussed in Section 3.1, Aesthetics, the size of the retaining walls would be up to 18.5 feet on an incline to create a split-level building. Two types of retaining walls are proposed: masonry walls and plantable keystone walls. All walls would be screened with plants (or planted, in the case of the keystone walls) as part of the Landscape Concept Plan. Visible portions of retaining walls would range in height from 3 to 16.25 feet (18.5 feet for staggered walls on an incline) from existing and proposed grades.</p>
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landscaping the developer plans to put in. We also would like to know the sizes of any walls and fences that will be installed on the south side and the materials used.

Construction Schedule

The proposed construction schedule of 39 months in three phases seems excessive. We would like to see if there is a shorter schedule possible. What is the reason for this project to be completed in three phases? Is it possible to complete it all at once?

We appreciate the opportunity to comment on the EIR. With additional changes, we believe that this project could be a successful addition to the Solana Beach community but there still are a number of concerns from neighbors that need to be addressed. Including concerns from our neighbors in Turfwood and neighbors in other surrounding communities.

Sincerely,

Joe & Emily Behrmann  
437 Bay Meadows Way  
Solana Beach, CA 92075

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(858) 525-3133

[emily@emilybehrmann.com](mailto:emily@emilybehrmann.com)  
Phone (619) 993-6089

↑ JB-6  
Cont.

JB-7

JB-8

**JB-7**

Plantable keystone walls would range from 2 to 7 feet in height. Figure 3.1-5 depicts proposed wall construction for the different phases and wall elevation. Additionally, the project applicant seeks a waiver that would apply outside the building setbacks (interior of property) to allow a maximum of 25 feet, to consist of a 6-foot-tall fence on top of 19 feet of fill (page 3.1-4).

As discussed in Chapter 6, Alternatives, the Single Phase Construction Alternative – Alternative 7 would result in the same type and extent of development as the proposed project, but construction would be completed within a single phase of approximately 24 months rather than the 3-phase, 39-month construction period of the proposed project. This alternative is intended to substantially reduce the potentially significant impacts of the proposed project due to construction noise and the period of exposure to environmental effects on air quality, noise, and traffic within the surrounding neighborhood by limiting the duration of the construction period. The City believes the DEIR has complied with the CEQA Guidelines requirement of providing a reasonable range of alternatives that would be feasibly attainable.

**JB-8**

The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

Comment Letter JV

Response to EIR for Solana Highlands Project

The City of Solana Beach/Joseph Lim  
635 South Highway 101  
Solana Beach, California 92075

Dear Committee:

I am the property owner at 419 Bay Meadows Way in the Turfwood Community which sits directly below the intended Solana Highlands project. I am one of the closest units to the site since I sit immediately opposite of the slope to the Solana Highlands project and am one of the highest units in the Turfwood Community. I am very concerned by this development, and its direct impact on my property and that of my neighbors.

As I have come to learn a number of issues remain unaddressed or just plain incorrect in this report. One of the most egregious omissions is how the development will impact the Turfwood Community which is a direct neighbor sitting directly below the project.

- **Key Observation Point [#11]** from the perspective of Bay Meadows Way, south side of project has been completely omitted from the report. All streets bordering the project have been provided with before photos and after artist's renderings so the neighborhoods can see what the project will look like from their perspective. Yet, the Turfwood neighborhood has not been provided these important views. Why have these been omitted? The EIR is incomplete until these are provided, and the Turfwood Community has had an opportunity to review them.
- **Potential Erosion of the already unstable bluff.** There is a bluff along Bay Meadows Way (the southern border of the project) and the potential for erosion of this bluff has not been discussed (see point 3.3). The EIR also does not include comment on the % incline of the slope where the developer is planning to build very tall walls. And, the proposed grading (3.3) will have an unknown effect on homes along Bay Meadows Way. The bluff is eroding already. Who knows what the potential the construction and runoff from demolition will do on its way down into our streets and homes. Without addressing the southern border, the EIR continues to be incomplete.
- **Cumulative Effects** -the EIR it states, "No cumulative projects are located within a 0.25 mile vicinity of the proposed project. Therefore, the proposed project's contribution of noise from long-term operations would not be cumulatively considerable." This is flat out wrong. The Turfwood Community is within the .25 mile vicinity of the project. It was not included in this consideration, and in fact, there will be a lot of noise from not only short term construction but also "long-term operations." Even in the current state, my neighbors and I, in particular, hear parties and noise from tenants living in Solana Highlands all the time. This will only be compounded with the proposed additional 66 units.
- **Turfwood Community incorrectly characterized.** The EIR report refers to the Turfwood Community as an apartment complex. I can see how this characterization would benefit the developer in glossing over a number issues; however, Turfwood is not an apartment



Response to Comment Letter JV

Private Individual  
Johanna Visuri  
August 1, 2018

- JV-1** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.
- JV-2** The comment expresses visual concern from the Turfwood Condominiums of the proposed project. Please see response to comment DF-2.
- JV-3** The comment expresses concern for erosion and stability of the bluff along the southern boundary. Please see response to comment DF-12. Additionally, the comment expresses concern for the effects of runoff from the proposed project. Please see response to comment DF-13.
- JV-4** The comment expresses concern for the cumulative effects of noise. Please see response to comment DF-4.
- JV-5** The comment identifies that the DEIR erroneously refers to the Turfwood Condominiums as Turfwood Apartments. Please see response to comment BDH-1.

<p><u>complex</u> but rather a planned unit development (PUD/ townhomes/condos). Each of the 64 units are privately owned including the land which the unit stands upon. This needs to be corrected in EIR.</p> <ul style="list-style-type: none"> <li>• <b>Incomplete traffic considerations.</b> There is only one way in and out of Turfwood and that is Turfwood Lane which intersects with Stevens/Valley. As it is now, it is very difficult to turn left without getting hit by a car going too fast south on Stevens/Valley. There are times when it can take up to 20 minutes to turn out of Turfwood Lane. Adding 66 additional units will only make the situation worse. The developers assertion that many of the new tenants for Solana Highlands will work home and therefore traffic impact will be insignificant boggles the mind. How can they possible know that their future tenants will work from home – will this be a criteria in their tenant application process? Furthermore, the Turfwood Community was not even considered in this traffic study, but the Solana Circle community which enters Via de La Valle and is much further away is considered. Traffic calming measures are mention for this area but not specified. The other traffic item not taken into consideration is the errant traffic that Turfwood receives from cars trying to find S. Nardo Ave and the entrance to Solana Highlands. Even today this is a constant issue. Since I am the end unit I witness at least 3-4 cars per day driving all the up Bay Meadows Way and then promptly turning around when they discover it is not a through street. I can only imagine what this will be like when 66 new units go in and their visitors get lost. Given the above two facts, the traffic study is clearly NOT comprehensive or accurate on what the impact will be for Turfwood.</li> <li>• <b>Planned tree removal.</b> The EIR report states that certain trees and other plants will be removed, however, it does not specify what kind of trees and plants will replace the removed ones. There is also no mention of a plan to care for these news trees or replacing them if they do not root. This is especially concerning for me because the Solana Highland units look directly onto my property. The planned lower level development (where there are currently garages and storage) will be in the immediate vicinity of my property. This is a <u>huge change in privacy</u> for my property and will have an impact on not only on my quality of life, but also my home’s future market value. I would like to know how this will be mitigated.</li> <li>• <b>Additional noise and light impact.</b> There is the long-term noise and light impact of an additional 66 units, placement of those units closer to the bluff overlooking the Turfwood Community (currently there are tennis courts), and on lower levels Solana Highlands (where there are currently garages and storage) which are even closer. These will have a great impact on noise and light levels for our community especially since the Solana Highlands project is building new units with occupants in areas where there is currently storage or tennis courts. This will be further exacerbated by the potential placement of the HVAC systems and the noise population from them. There is also the glare from the proposed solar panels that will impact the surrounding areas. Short-term noise issues stemming from construction is even more concerning given the proposed schedule. There also seems to be a discrepancy in the report itself regarding the schedule. In the first two chapters, the report states that work will be from 7 AM-7 PM Monday-Friday and Saturdays 8 AM - 7 PM. Yet, later in the report in section 3.2-17, it states it is assumed construction would be only 8 hours a day 5 days a week. So why</li> </ul>	<p>JV-5 Cont.</p> <p>JV-6</p> <p>JV-7</p> <p>JV-8</p> <p>JV-9</p> <p>JV-10</p> <p>JV-11</p> <p>JV-12</p>	<p><b>JV-6</b> The comment expresses concern for the proposed project’s effect on traffic. Please see responses to comments BE-1, CG-5 and DF-7.</p> <p><b>JV-7</b> The comment expresses concern for decrease in visual character as a result of tree removal. Please see responses to comments DF-14 and DF-16.</p> <p><b>JV-8</b> The comment expresses concern for privacy and property value. Please see response to comment BHD-2. The intent of CEQA is to protect the environment as a whole, not individual parcels. As such, CEQA does not require evaluation of the fiscal effects on property values. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. No further response to this comment is required.</p> <p><b>JV-9</b> The comment expresses concern for additional noise and from the proposed project. Please see response to comment DF-17.</p> <p><b>JV-10</b> The comment expresses concern for noise from proposed HVAC systems. Please see response to comment DF-17.</p> <p><b>JV-11</b> As discussed in Section 3.1, Aesthetics (page 3.1-65), of the DEIR, although the proposed solar panels have the potential for glare during sunlight hours, solar panels are generally designed to absorb light, not reflect it, and typically generate glare only at acute angles. Further, solar panels would be located on southerly facing rooftops, which would minimize the</p>
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<p>are 12hr days for Monday through Friday and an additional work day on Saturday initially listed in the report?? <b>Those extra evening hours and full day on the weekend is just plain unacceptable.</b> Several of us in Turfwood work out of our homes and the noise and disruption will be a large intrusion for 8 hours a day Mon-Fri let alone having a 12 hour per day construction schedule Mon-Sat. We gain no benefit from the construction in our community but have to suffer through this kind of noise and disruption for what could be several months or years!!</p> <p>I understand that this study has been an environment impact report. However, given all of the above concerns and conclusions in the report, these large changes in our community are sure to have financial impact on the market value of the properties in and around the planned Solana Highlands project. This will be most severe during the construction period which may last several months or even years as thing inevitably get delayed. For many property owners the value of their home and property is their greatest asset. Since the developer is sure to make a profit on the project, it seems only fair that the financial impact on property values of neighboring communities be study so we can better understand what the ultimate cost will be for everybody. If this study already exists, please share forthwith.</p> <p>I appreciate the committee’s time to review all the EIR response and hope that we can find a mutually agreeable solution to all of the concerns highlighted above.</p> <p>Sincerely,          Johanna Visuri          419 Bay Meadows Way          Solana Beach, CA</p>	<p style="text-align: center;">↑ JV-12 Cont. ↓</p> <p><b>JV-12</b> This comment expresses a perceived inconsistency between the hours of construction identified in the Noise and Air Quality sections of the DEIR; please see response to comment BDH-4.</p> <p><b>JV-13</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p style="text-align: center;">↓ JV-13 ↓</p>
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Comment Letter JW

July 31, 2018

Attention:  
 Davit Zito, Mayor  
 Jewel Edson, Deputy Mayor  
 Judy Hegenauer, Councilmember  
 Lesa Heebner, Councilmember  
 Peter Zahn, Councilmember

RECEIVED  
 AUG 01 2018  
 CITY OF SOLANA BEACH  
 CITY MANAGER'S OFFICE

**Re: Public review of the Solana Highlands Draft Environmental Impact Report (DEIR) prepared by the City of Solana Beach.**

Having lived directly across the street from the current dog park area of the Solana Highlands Apartments on South Nardo for over 30 years, I am very familiar with the existing property, the proposed "Revitalization" project and the developer, HG Fenton. In fact, my view assessment claim in 2014 was upheld by the View Assessment Committee, contributing to the denial of the Fenton application at that time. Even after many direct discussions with HG Fenton representatives assuring that they would design around my view claim issues, the current story poles in place today, again significantly block my view of the Del Mar Racetrack, Fairgrounds and San Dieguito Lagoon & wetlands. Thus, I have again been forced to file a view assessment claim to protect my view.

In my direct discussions with HG Fenton's John LaRaia and Mike Neil over the past 6 years to explore common ground and compromise, I have found them to be extremely arrogant and entitled as they seem to feel empowered by the city's desire for adding affordable living units as trumping the reasonable desires of the local community to protect the character of our neighborhood, our quality of life, reasonable traffic volume and safety on our public streets and the overall impact this oversized project and significant construction timeline will have on our property values.

As evidence of this I think it is important to point out that throughout the various proposed project designs, the plans continuously call for 260 units, a net increase of 62 residential units. Most of my concerns with the environmental impact of the project have to do with this density increase which seems unnecessary, in my opinion. Why does the project need to go from 190 to 260 units? Why can't there be for instance, 207 units, as the property is currently zoned, to limit the size, scale and overall impacts of the project, including potentially disastrous issues associated with traffic volume and parking impacts to local streets.

**1. Project Density Bonus:**

I am bringing up the density bonus aspect of the project with respect to how it relates to public street parking problems. In the Solana Highlands Draft EIR, it states the project is requesting a 26% density bonus. This density bonus is allowed under the city's Affordable



Response to Comment Letter JW

**Private Individual  
 John Wilson III  
 August 1, 2018**

JW-1

As discussed in Section 3.1, Aesthetics of the DEIR, views from KOP 9, which overlooks the current dog park area from South Nardo Avenue, would be neither enhanced nor substantially degraded (DEIR page 3.1-63). View assessment claims and consideration are addressed through the City's View Assessment process, which is associated with the required SDP process. A decision regarding the results of the View Assessment will be made at the VAC meeting scheduled for October 16, 2018. This decision along with this comment will be made available for review and consideration by the decision makers prior to a final decision on the proposed project.

JW-2

The comment does not identify any specific environmental issue or relate to the adequacy of the DEIR, therefore, no further response is possible. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

Housing Ordinance and will increase the number of units from the current 194 to 260. **Without the density bonus the project is zoned for 207 units.** The additional 63 residential units will bring significant impact to the neighborhood, traffic and parking on public streets, regardless of what the EIR draft states.

**2. Current and Proposed Parking:**

Within the Draft EIR Appendices, pdf page 88, Solana Highlands currently has 311 on-site parking spaces and the proposed project will increase the on-site parking to 525 spaces. The breakdown is 233 garage spaces, 22 covered spaces, and 270 uncovered spaces. The proposed on-site parking may be adequate, even with the proposed density bonus, provided Fenton incentivizes usage of garages and parking spaces, allowing their tenants to use the spaces without charging a premium. Otherwise, traffic will spill out onto Nardo, Fresca, etc., where we have seen a history of dangerously blocking driving sight lines and disregard for property over the years as evidenced by trash and broken bottles, vomit etc., on sidewalks, streets and front yards/private driveways.

**3. Fenton’s History on Parking:**

In the past, based on friends and former tenants at Solana Highlands, Fenton has demonstrated a history of providing one parking space per unit, then charging their tenants for additional on-site parking spaces. We have seen that most tenants choose not to pay for the additional spaces and park on the public streets instead. This policy by Fenton, has likely been a major cause of the public street parking congestion around the Solana Highlands. If this Fenton parking policy were to continue, with the proposed increased density bonus, our local public street parking will become a disaster. Fenton has demonstrated they are here to make money and if they can make a profit by charging for onsite parking, we can expect them to do so.

**4. Tenants using garages for storage**

The proposed project will have 233 garage spaces, which people tend to use for personal storage rather than parking vehicles, which also leads to the impact of parking and disruptions on public streets.

**5. Need for significant traffic calming measures**

Anyone who spends any time on South Nardo Avenue realizes how dangerous the street is, particularly between Solana Circle and Fresca, where cars routinely speed at up to 50mph in the 25mph “school zone” near St James. Significant traffic calming should be a requirement minimally at 3 locations, at St. James, at Fresca and the area between the two. The only dependable way to truly force cars to slow is by installing raised sidewalk crossing areas with flashing light capabilities. This issue will only get worse with increased density at the project. The EIR does not address the possibility of someone being struck and potentially killed which may happen one day, in my opinion, if not truly addressed.

JW-4  
Cont.

JW-5

JW-6

JW-7

JW-8

JW-3

JW-4

JW-5

JW-6

JW-7

JW-8

The comment expresses concern regarding the project density bonus application. Please see response to comment DF-5. The comment also expresses concern for adequate proposed parking; please see response to comment BE-1.

The comment expresses concern for the project’s density bonus application and the effect on public safety on nearby roadways. Please see responses to comments CG-5, DF-5, and DF-7.

The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.

The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.

The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.

The comment expresses concern for public safety on nearby roadways. Please see response to comment DF-7 and GW-6.

**6. Bike Lanes/Sharrows**

Similar to the rationale for the Lomas Santa Fe Corridor Improvement Project, as our city seeks to promote safe bike riding, proper bike lanes or Sharrows should also be included on South Nardo in the final design as a condition of approval

**7. No Parking during Street Sweeping Hours:**

Due to the consistent bumper to bumper usage of public streets for parking by Solana Highlands tenants, it is basically impossible for city street sweepers to clean the streets properly.

**Please strongly consider for the best interests of our community and neighborhood As a condition of the projects approval** as it relates to traffic and parking impact reviewed in the EIR draft:

- Carefully analyze the density bonus being granted to determine if a smaller number of new net residential units is more appropriate due to all of the concerns raised over the years, associated with this project
- Solana Highlands should be PROHIBITED from charging their tenants for any on-site parking to promote usage of all onsite parking
- There must be a requirement that garages are continuously inspected to make sure they are being used for vehicle parking only, not being utilized as storage units or living spaces. Condominium complexes (The Villas for example) do these type of garage inspections on a regular basis.
- The streets need to be marked "no-parking" for the hours during street sweeping. They can alternate different sides of the street on different days. This has been done for some time by Sierra Condominiums and the streets around Solana Highlands see even more vehicle traffic than they do.
- Significant traffic calming and safe bike lanes should be included in the final plan

Lastly, I hope the Council takes a serious look at the proper net number of new units being approved with the project and why an increase of 62 net new units is necessary. Limiting the total number of units to the proper amount to protect the quality of the neighborhood can help mitigate many of the concerns I and my neighbors are most fearful of.

Thank you,



John A. Wilson III  
654 South Nardo Ave  
Solana Beach, CA 92075  
(858) 531-6823

JW-9  
JW-10  
JW-11  
JW-12  
JW-13  
JW-14  
JW-15  
JW-16

**JW-9**

As stated in Appendix M, given the existing sidewalks and the marked crosswalk both at the Fresca Street/South Nardo Avenue and East Solana Circle/South Nardo Avenue intersections, the surrounding area is a walkable environment with sidewalks and residential users. Sidewalks or pedestrian paths are provided throughout allowing for improved connections throughout the site, including to the clubhouse and residences. In addition, the project includes bike racks spread throughout the project. Therefore, the project's impacts to bicycle, pedestrian, and transit facilities are considered less than significant (Appendix M). Please see response to comment SD-2 for CATS implementation. As stated in Section 3.12.4, "The project would include sidewalks and pedestrian paths throughout the project site to allow for improved connections to surrounding neighborhoods and sidewalks. However, it is not anticipated that implementation of the project would substantially increase use of pedestrian, bicyclist, or transit facilities, to a level where it could not be accommodated by existing or planned facilities. Although the minimal projected increase in traffic on South Nardo Avenue due to implementation of the proposed project could potentially affect pedestrians within the surrounding neighborhoods, traffic calming improvements are included in the project design" (DEIR page 3.12-24)

	<p><b>JW-10</b> This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities. Please see response to comment GW-4.</p> <p><b>JW-11</b> The comment expresses concern for the project’s density bonus application and the effect on public safety on nearby roadways. Please see responses to comments CG-5, CG-6, DF-7, and GW-6 and DF-8.</p> <p><b>JW-12</b> The comment also expresses concern for adequate proposed parking; please see response to comment BE-1.</p> <p><b>JW-13</b> The comment also expresses concern for adequate proposed parking; please see response to comment BE-1.</p> <p><b>JW-14</b> This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities. Please see response to comment GW-4.</p> <p><b>JW-15</b> The comment reiterates a previous statement. Please refer to response to comment JW-9.</p> <p><b>JW-16</b> The comment reiterates a previous statement. Please refer to responses to comments JW-3 and JW-4.</p>
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Comment Letter MF

August 2, 2018

The City of Solana Beach/ Joseph Lim  
Community Development Director  
[SolanaHighlandsEIR@cosb.org](mailto:SolanaHighlandsEIR@cosb.org)

Dear Mr. Lim

Upon reading the EIR and trying to understand the intricacies of the document and the effects of the project, below are some concerns that I'm not aware were either noted or addressed.

- **26% Density Bonus** – This bonus increases the currently zoned number of units from 207 to 260 which will have a significant affect on traffic and the surrounding neighborhoods for parking. There was probably good reason why this area was originally zoned for 207 units not 260. I encourage you to not lose sight of this important point.
- **Parking** - The proposed on-site parking looks to be adequate but ONLY if the garages are used for cars. I believe it is essential that any current or future owners of Solana Highlands require their tenants to NOT use their garages for storage but for car use only. Near by HOA communities are starting to have to enforce this rule to help with parking issues. HG Fenton has a history of charging their tenants for additional on-site parking spaces. Them making money over the city maintaining the roads and area for nearby neighborhoods should not take precedence.
- **Traffic Calming Measures** – What are they? I didn't see where the traffic study included the Turfwood Community and its only way in and out of the community onto Stevens/Valley. Currently it can be dangerous to turn left or right out of Turfwood Ln do to the speed of cars and short visibility of the cars driving south around a bend in the road. Further investigation is necessary to insure the safety of the Turfwood residents and visitors.
- **Key Observation Point** - The south side of the project bordering Bay Meadows Way doesn't appear to exist in the report. Where is the study for the soil/bluff erosion that borders Bay Meadows Way?
- **Landscaping** – It's not clear what type of trees, size when planted, size when fully grown and how they will help with bluff erosion and noise concerns along Bay Meadows Way. Please provide more details. What will be the material used and size of walls and fences?
- **Timeframe of Construction** – 39 months with three phases. Please provide why it needs to be completed in three phases and if there is an alternative for shortening the construction time.
- **Affordable Units** - Does the project meet the City's municipal code with regard to the designation of affordable units? The developer proposals 32 affordable units, 12 studios,



Response to Comment Letter MF

**Private Individual**  
**Molly Fleming**  
**August 2, 2018**

- MF-1** The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.
- MF-2** The comment expresses concern for the project's density's effect of traffic and parking. Please see responses to comments BE-1, CG-6, and DF-7 for a response regarding these issues.
- MF-3** The comment expresses concern for adequate proposed parking. Please see response to comment BE-1.
- MF-4** As stated in Section 3.12, Traffic and Circulation, "To ensure pedestrian and bicyclist safety in the project area and the compatibility of the project with the surrounding residential community, the project design includes several traffic-calming measures" (DEIR page 3.12-37). Traffic-calming measures are design features that act as safety mechanisms to slow traffic on roadway segments where traffic speeds are

<p>15 one-bedroom and 5 two-bedroom units. The municipal code, at Sec. 17.70.035 requires affordable units to be proportional to the mix of market-rate units in terms of bedrooms. The project proposes 12 studio apartments, 128 one-bedroom units and 120 two-bedroom units total, including the affordable and market-rate units.</p> <p>We look forward to the developer improving this area within Solana Beach. It's important they do so in a way to keep the character of the neighborhood that allows those of us that live here today and future generations to enjoy this great town! By overbuilding and not being conscientious of the long-term effects of doing so, we could easily make mistakes that will ultimately harm instead of enhance our area. I appreciate the work involved and responding to my response about this project and I thank you for your diligence and hard work.</p> <p>Sincerely,</p> <p>Molly Fleming          510 Turfwood Ln          Solana Beach, CA 92075          760-994-9047          MollyRealtor@gmail.com</p>	<div style="display: flex; align-items: center; justify-content: center;"> <div style="margin-right: 10px;">↑</div> <div style="text-align: center;">MF-9 Cont.</div> </div> <div style="display: flex; align-items: center; justify-content: center; margin-top: 20px;"> <div style="margin-right: 10px;"> </div> <div style="text-align: center;">MF-10</div> </div> <p>a potential hazard. Traffic-calming improvements were developed to ensure pedestrian and bicyclist safety in the project area and the compatibility of the project with the surrounding residential community; therefore, they apply to the roadways and intersections in the immediate vicinity. Additionally, please see response to comment DF-7.</p> <p><b>MF-5</b> The comment expresses visual concern from Bay Meadows Way of the proposed project. Please see response to comment DF-2. This letter included numerous attachments that may have exceeded the reasonable mailbox or server file size settings. The DEIR analysis is adequate. No further response to this comment is required.</p> <p><b>MF-6</b> The comment expresses concern for erosion and stability of the bluff along the southern boundary. Please see responses to comments DF-12 and DF-13.</p> <p><b>MF-7</b> Please This comment expresses concern regarding the landscaping along the slope to Bay Meadows Way; see response to comment JB-6.</p> <p><b>MF-8</b> This comment expresses concern regarding the duration of construction; please see response to comment JB-7.</p> <p><b>MF-9</b> The comment expresses concern for affordable units under the proposed project. Please see responses to comments CG-1, CG-2, and DF-11.</p>
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	<p><b>MF-10</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter MW

Response to Comment Letter MW

**Private Individual  
Mitch Williams  
July 31, 2018**

July 30, 2018

Joseph Lim  
City of Solana Beach  
Community Development Department

Dear Mr. Lim,

We, the community of the Del Mar Legends Homeowners Association, have reviewed in detail the EIR report for the Solana Highlands Revitalization project. Attached are our concerns regarding several of the points outlined in the EIR report.

We ask that the approving authorities carefully review our concerns. The residents immediately adjacent to and around Solana Highlands will be greatly impacted by this project. Many of the residents have lived in this area for a long time. The last thing anyone wanted was a project of this scope in our backyards. Traffic, noise pollution, dust, etc., for 39 months is grossly unfair to the long-time residents in the area. A good many of the residents are elderly and would likely face health consequences from a project taking 39 months. Fenton should be mandated to start and finish this project in a very strict timeline.

The extreme density of this project is the largest in Solana Beach, and will change the surrounding neighborhood in scale, size, height and topography. It differs greatly from developments in surrounding communities (Del Mar, Cardiff, Encinitas, Luecacia, Carlsbad, and Rancho Santa Fe). The proposed revitalization project must conform in scale and size to existing developments such as Solana Mar and Ocean Crest apartments. Fenton uses low income senior housing as an excuse for the increased density of the project.

The approving authorities should put no emphasis on Fenton's desire to maximize their profits at the expense of resident's well-being; as well as protecting the financial aspects of home ownership.

Sincerely,



Mitch Williams  
President – Del Mar Legends Homeowners Association  
868 Del Mar Downs Rd.  
Solana Beach, CA 92075

[rmwil@yahoo.com](mailto:rmwil@yahoo.com)  
619 312-7173

MW-1

MW-2

MW-3

MW-4

**MW-1**

This is an introductory comment and is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**MW-2**

The comment expresses concern for the project's request for a density bonus. Please refer to response to comment DF-5.

Additionally, the comment expresses concern for traffic, noise pollution, dust in result of the proposed project construction duration. The DEIR discloses the timeline and impacts associated with the topics identified in the comment: Section 3.2, Air Quality, addresses pollution, dust, and health risk affects during construction; Section 3.10, Noise, addresses construction noise; and Section 3.12, Traffic and Circulation, addresses construction traffic. Chapter 6, Alternatives, includes Alternative 7 - Single Phase

	<p>Construction, which addresses an expedited construction duration of 24 months. It should be noted that the issues identified by the commenter associated with construction of the project for traffic from an environmental perspective are not necessarily reduced through the shortening of the time frame as they are related to daily intensity levels (traffic during peak hours, dust in pounds per day, daily noise level standards, etc.).</p> <p><b>MW-3</b> The comment expresses concern with the project’s density; please see response to comment DF-5.</p> <p>Additionally, the proposed project’s impact on visual character is addressed in DEIR Section 3.1, Aesthetics, and impacts in the context of adopted planning and land use documents that include policies reflective of community character are addressed in Section 3.9, Land Use and Planning (Table 3.9-1, pages 3.9-20 through 3.9-55). As evaluated in these DEIR sections, the proposed project would not result in significant adverse impacts to visual character or conflict with adopted planning policies, plans, and regulations with the adoption of mitigation measures to address impacts to loss of mature trees (mitigation measure BIO-1) and noise (mitigation measures NOI-1 through NOI-8).</p> <p><b>MW-4</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the</p>
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<p>July 22, 2018</p> <p><b>TO:</b> Joseph Lim City of Solana Beach Community Development Department</p> <p><b>RE:</b> Draft EIR for Proposed Solana Highlands Revitalization Project</p> <p>Mr. Lim,</p> <p>We have completed a review of the Draft Environmental Impact Project for the proposed Solana Highlands Revitalization Project. Our understanding is that the new proposed project with key modifications to meet neighborhood communities view assessment claims is the project to be approved by the City of Solana Beach. However, the first project plan is considered an alternative.</p> <p>Here are our concerns from the EIR:</p> <ol style="list-style-type: none"> <li><b>Revised Project Plan stays in effect for City Approval as recommended after original plan was denied by the View Assessment Committee</b>  Deny Original project plan or vote no project plan (policy LU.1.1). Deny revised plan due to too high of a density for the area. Approving authorities should direct the developer to revitalize the current space as now configured.</li> <li><b>Proposed Plan Three Phase Construction (39 months of construction)</b> Unreasonable time frame for neighborhood safety, environmental hazards, lifestyle  On proposed 39 month plan, only 74 of 194 units remain for rental apartments. Most likely renters would pay reduced rent due to construction. H. G. Fenton Company will save more dollars by reducing 15 months of construction and offend fewer residents in the surrounding neighborhoods. An Elementary or High School for 3,500 students can be built in 12 to 24 months within the state of California. These are larger sites, more buildings, libraries, science labs, kitchens, auditoriums, and sports facilities to be built with very strict buildings codes.  We are requesting use of Alternative 7 (Single Phase Construction Plan – 24 Months) A shorter construction period improves safety concerns, environmental hazards, noise, traffic and congestion, and disruption to the resident’s daily lives by 15 months. Why should residents suffer for 39 months while Fenton is constructing the site? It is not our concern as to how much money Fenton makes on this project. Make certain the construction period is at a minimum.</li> <li><b>Traffic Circulation 3.12 Report – Study done 12/23/14 from 1:50pm to 5:30pm</b> S. Nardo Drive, Fresca St, Solana Circle  An unreasonable time frame was chosen for the study. No school in session, no fair or race track traffic, and no normal traffic so close to Christmas. A more realistic time for the study <u>should be demanded</u> by the City. The city must direct the developer to conduct a traffic plan that is more current than a study taken over three years ago.</li> </ol>	<p>proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>MW-5</b> The commenter is correct, the originally approved project is included in the DEIR as an alternative (Alternative 6). The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>MW-6</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. Please see response to comment DF-16.</p> <p><b>MW-7</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. Please see response to comment DF-5.</p>
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	<p><b>MW-8</b> The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. Please see response to comment DF-5.</p> <p><b>MW-9</b> As discussed in Section 3.12, Traffic and Circulation, the additional residential units as a result of the proposed project would not result in a significant impact related to traffic, specifically, during peak traffic times. The commenter is incorrect regarding traffic counts. Traffic counts for typical conditions were conducted in January 2014, and additional counts to measure special event traffic also occurred in July 2014 (one day of counts for fair season), August 2014 (one week plus one additional day for race season), November 2014 (one week of daily counts for fall race season), and June 2015 (one week of daily counts for fair season). Please see response to comment CG-6.</p>
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<p>6. <b>View Assessment Committee November 2015 Review Complete with Recommendation to City Council and current Revised Project Plan by H. G. Fenton with revisions to original plan reviewed through Draft Environmental Impact Report.</b></p> <p>We are requesting the original project be denied as planned. The proposed revised plan should also be denied unless changes to height, construction time line, density, additional traffic study, removal of trees and too little green space are made.</p>	<p style="text-align: center;">  MW-14  </p> <p><b>MW-14</b> any increase in the use of existing neighborhood parks is not expected to result in substantial deterioration or adverse effects to the existing parks.</p> <p>View assessment claims and consideration are addressed through the City's View Assessment process, which is associated with the required SDP process. Please see response to comment DF-2.</p>
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Comment Letter NS

Nancy Stern

445 Bay Meadows Way • Solana Beach, CA 92075-2447  
 Phone E+ Fax 858.792.2768 • Email nancy@nancystern.com

July 31, 2018

**Response to EIR for Solana Highlands Project**

The City of Solana Beach/Joseph Lim  
 635 South Highway 101  
 Solana Beach, California 92075

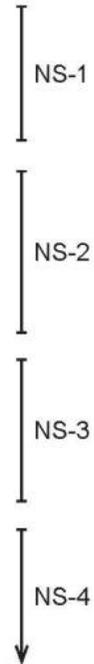
Hello,

The Turfwood Community has been actively engaged in the Solana Highlands Project since 2015 when we looked at the original drawings. At that time and at other times since then, we told Fenton (John LaRaia) that Turfwood is **NOT an apartment complex** but rather a planned unit development (PUD/Condo complex) where each of the 64 units is privately owned. Yet, here we are three years later and we are still being referred to as apartments (see p.375) and we have been ignored throughout the EIR. Please fix this in the next and final versions of any and all reports going forward.

**Turfwood is not listed as a Key Observation Point (#11)** from the perspective of Bay Meadows Way which borders the development along the entire south side. All of the other streets that border the development show *before* photos and *after* renderings so neighbors will be able to see what it will look from their vantage point. Turfwood **has not been** provided this vital information (see page 101, Fig. 3.1-7). **We must be included in the EIR.** This error makes all of us shake our heads as we had numerous meetings with the developer, filed several upheld view claims and have been actively engaged in making our concerns known. Therefore, the EIR is **incomplete** and must be revised to include Turfwood.

There is a bluff along Bay Meadows Way (the southern border of the project) and the potential for erosion of this bluff has not been discussed (see point 3.3). The EIR also does not include comment on the % incline of the slope where the developer is planning to build very tall walls. And, the proposed grading (3.3) will have an unknown effect on homes along Bay Meadows Way. The bluff is eroding already and we fear the construction and run-off from demolition will find its way into our streets and homes. Without addressing the southern border, the EIR continues to be incomplete.

Regarding Cumulative Effects, in Chapter 4 of the EIR it states, *"No cumulative projects are located within a 0.25 mile vicinity of the proposed project. Therefore, the proposed project's contribution of noise from long-term operations would not be cumulatively considerable."* This is false! Again, the Turfwood community, which is within the .25 mile vicinity listed, **was not included** in this and in fact, there will be a lot of noise from "long-term operations." As it is now, we hear parties and noise from tenants living in Solana Highlands all the time and with the proposed additional 66 units, it will only get worse in



Response to Comment Letter NS

Private Individual  
 Nancy Stern  
 July 31, 2018

- NS-1 The comment identifies that the DEIR erroneously refers to the Turfwood Condominiums as Turfwood Apartments. Please see response to comment BDH-1.
- NS-2 The comment expresses view concerns from the Turfwood Condominiums of the proposed project. Please see response to comment DF-2.
- NS-3 The comment expresses concern for erosion and stability of the bluff along the southern boundary. Please see response to comment DF-12. Additionally, the comment expresses concern for the effects of runoff from the proposed project. Please see response to comment DF-13.
- NS-4 The comment expresses concern for the cumulative effects of noise. Please see response to comment DF-4. The comment also expresses concern for additional noise and light (including form solar panels) under the proposed project; please see responses to comments DF-17 and GL2-8.

<p>additional noise and light. The proposed Solar Panels installed on the south side (the Turfwood side along Bay Meadows Way) will likely also add glare, especially given how close the buildings are to Bay Meadows Way.</p> <p>Let's talk about TRAFFIC now. There is only one way in and out of Turfwood and that is Turfwood Lane which intersects with Stevens/Valley. As it is now, it is nearly impossible to turn left without getting hit by a car going too fast south on Nardo/Stevens/Valley. During certain times it can take up to 20 minutes to turn right out of Turfwood. Add traffic from 66 additional units and it only gets worse (how do they know people will work from home which is one reason given for a less significant impact). Again, Turfwood is not even considered in this but Solana Circle entering Via de La Valle, which is not as close as Turfwood is to the project, is considered. Traffic calming is mention but not specified. <b>This is clearly NOT a full and accurate traffic study.</b></p> <p>The planned tree removal does not specify what kind of trees will be replaced, how mature they will be, and how that will impact the existing visual character and the surrounding community? There is nothing mentioned about contingencies if the new trees do not root.</p> <p>We appreciate that some of the buildings along Bay Meadows Way have been reduced to two-story however the proximity of these buildings is still very close to the bluff and Turfwood units.</p> <p>Regarding retaining walls (Fig 2-4 and 3. 1-5) why must they be three times as tall, going from 6 feet to 18.5 feet?</p> <p>Regarding additional noise issues...Where will the HVAC systems be located? How far away from Bay Meadows Way? Inside or outside? There is also some confusion regarding construction noise. The report states in the first two chapters that work will be from 7 AM-7 PM Monday-Friday and Saturdays 8 AM - 7 PM. Yet, later in the report in section 3.2-17, it states it is assumed construction would be only 8 hours a day 5 days a week. <b>Those extra hours and day is too much of an intrusion, especially going into the evening hours.</b> Several of us in Turfwood work out of our homes and the noise and disruption will be enough to handle for 8 hours a day M-F let alone 12 hours M-Sat.</p> <p>Please let us know where the drainage system will be located. We often get run-off from the current apartments. Additionally, where will the reclaimed water pump and tank be located? This could be a potential noise issue for us as well.</p> <p>As you can see, Turfwood must be considered and a revised EIR needs to be completed to include us.</p> <p>Thank you,</p> <p>Nancy Stern</p>	<p>↑ NS-4 Cont.</p> <p>NS-5</p> <p>NS-6</p> <p>NS-7</p> <p>NS-8</p> <p>NS-9</p> <p>NS-10</p> <p>NS-11</p> <p>NS-12</p>	<p><b>NS-5</b> The comment expresses concern for the proposed project's effect on traffic. Please see response to comment DF-7.</p> <p>Additionally, the commenter incorrectly states that the intersection of Solana Circle and Via De La Valle is analyzed in the EIR, however, it is not included. The East Solana Circle and South Nardo Avenue intersection is addressed (not the Solana Circle/Via De La Valle intersection) because it is close to the development and represents the first intersection heading west out of the project site.</p> <p><b>NS-6</b> The comment expresses concern for decrease in visual character as a result of tree removal. Please see responses to comments DF-14 and D F-16.</p> <p><b>NS-7</b> Please also see responses to comments DF-2 and DF-12 regarding proximity to Turfwood Condominiums. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>NS-8</b> The comment expresses concern for retaining wall heights. Please see response to comment GL-5.</p> <p><b>NS-9</b> The comment expresses concern for noise from proposed HVAC systems. Please see response to comment DF-17.</p>
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	<p><b>NS-10</b> This comment expresses a perceived inconsistency between Noise and Air Quality section of the DEIR with regards to construction hours; please see response to comment BDH-4.</p> <p><b>NS-11</b> The comment expresses concern for the effects of runoff from the proposed project. Please see response to comment DF-13.</p> <p>Additionally, reclaimed water for landscaping would be used via connecting to the existing reclaimed water supply “purple pipe” system located beneath Stevens Avenue, which delivers water under pressure. No additional reclaimed water pumps or tanks are required or proposed.</p>
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Comment Letter PW

542 Turfwood Lane  
Solana Beach, CA 92075  
August 1, 2018

Response to EIR for Solana Highlands Project  
The City of Solana Beach, Joseph Lim  
635 South Highway 101  
Solana Beach, CA 92075

To Whom it may concern,

I am writing this letter as a resident of 29 years in Turfwood. Much of the community consists of long term residents, concerned residents related to the Solana Highlands Project. (Please note these are NOT APARTMENTS but private residences.)

There are numerous concerns, such as erosion of the bluff along Bay Meadows Way, privacy, noise, pollution from cars, traffic, greenery, and drainage systems, to name a few.

In addition, it appears that the information reported all along the way, from 2015 has been incorrect. Yet when attention has been drawn to make the changes, they have not been made. How is it possible to even consider a corporation's professionalism when they are informed of what changes need to be made?

Please carefully read the detailed letters written by my neighbors at Turfwood and know that they represent the majority, if not all, of the community of Turfwood.

Considering how misinformed information has been for this project, let me clearly state that I too am opposed to the Solana Highlands Project. Turfwood must be considered and EIR revised to present an honest, realistic view, so both parties may come to a possible solution.

Sincerely,  
*Paula Warren*  
Paula Warren

RECEIVED

AUG - 6 2018

Community Development Dept.  
City of Solana Beach

- I PW-1
- I PW-2
- I PW-3
- I PW-4
- I PW-5
- I PW-6

Response to Comment Letter PW

Private Individual  
Paula Warren  
August 6, 2018

- PW-1** This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.
- PW-2** The comment identifies that the EIR erroneously refers to the Turfwood Condominiums as Turfwood Apartments. Please see response to comment BDH-1.
- PW-3** The comment expresses general concern for erosion; please see response to comment DF-12. This comment expresses a general concern regarding privacy; please see response to comment BDH-2.  
  
Noise is analyzed in the DEIR, Section 3.10, Noise. The City acknowledges the comment. Air pollution from cars and all emissions sources is analyzed in the DEIR, Section 3.2, Air Quality, and Section 3.4, Greenhouse Gas Emissions. Traffic is addressed in the DEIR in Section 3.12, Traffic and Circulation. Tree removal and tree replacement is addressed in Section

	<p>3.3, Biological Resources, and landscaping was described in Chapter 2, Project Description, and depicted in Figure 2-6, Landscaping Plan.</p> <p>Drainage is addressed in the DEIR in Section 3.8, Hydrology and Water Quality.</p> <p><b>PW-4</b> The comment expresses a general concern regarding unspecified incorrect information. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. Because the comment does not identify any portion of the DEIR that contains incorrect information, no further response to this comment is possible.</p> <p><b>PW-5</b> This comment requests the City carefully consider comments submitted. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>PW-6</b> This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter RH

RECEIVED

JUL 30 2018

Planning-Comm Dev Dept  
City of Solana Beach

July 27, 2018

City of Solana Beach  
635 S. HWY 101  
Solana Beach, CA 92075

Subject: Solana Highlands Revitalization Project

I support many aspects of the proposed project, including the proposed additional supply of low and moderated income housing and the accompanying increase in residential density. However, as mitigation for the increase in residential density and the associated increase in traffic and demand for public services, the project developer should be required to provide public street improvements and other additional public benefits for both the nearby residents as well as for the residents of the City of Solana Beach. The two areas of mitigation intended to lessen project impacts and provide additional public benefits involve public traffic safety and increased stormwater runoff water quality.

Public Safety

The tight curves and steep slope of South Nardo Avenue, combined with the on-street parking of cars, SUVs and trucks, limit sight distance to a dangerous level. Public safety is further threatened with the traffic conflicts created by;

- the numerous single-family homes, multi-family dwellings and St. James Church that have driveway access onto South Nardo Avenue,
- the poor sight distance making the turning movements and use of the pedestrian crosswalk at the Fresca Street intersection dangerous,
- illegal and dangerous pedestrian crossing across South Nardo Avenue by Solana Highlands residents,
- opening of doors from parked cars into the travel lane,
- lack of sidewalks along the north side of South Nardo Avenue, and
- the increase in turning movements at the two access points for the proposed project.

Mitigation of this increased impact to public safety created by the increased traffic on South Nardo Avenue should consist of the elimination of on-street parking on the south side of South Nardo Avenue along the project frontage. This would increase traffic and pedestrian safety by enhancing sight distance and provide space within the existing right-of-way for the project developer to construct a sidewalk along the north side of South Nardo Avenue and design adequate traffic calming measures.

Water Quality

The increase in traffic created by additional dwelling units and continuing to allow on-street parking will contribute more pollutants to stormwater runoff from public streets. Elimination of on-street parking will reduce this source of stormwater pollution. This would also provide the opportunity to implement passive stormwater treatment measures, enhance the pedestrian environment and provide additional area for landscape improvements along the project frontage now used for on-street parking.

RH-1

RH-2

RH-3

RH-4

Response to Comment Letter RH

Private Individual

Russell Hunt

July 30, 2018

**RH-1**

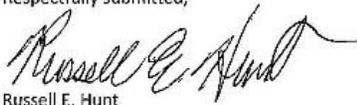
The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.

**RH-2**

The proposed project includes traffic calming improvements along South Nardo Avenue along the northwestern frontage of the project site (see DEIR Chapter 2, Project Description, and Section 3.12, Traffic and Circulation). In addition, by complying with the updated stormwater requirements adopted by the City, the project would result in improved drainage conditions (see DEIR Chapter 2, Project Description, and Section 3.8, Hydrology and Water Quality). Please also see response to comment DF-7.

**RH-3**

The comment expresses concerns for the proposed project's effect on public safety along nearby streets. Please see response to comment DF-7.

<p><u>Conclusion</u>          Approving the proposed project with the changes described above would</p> <ul style="list-style-type: none"> <li>• increase public safety by enhancing sight distance,</li> <li>• provide space within the existing right-of-way to design effective traffic calming measures,</li> <li>• reduce the deposition of pollutants from on-street parking of vehicles while providing opportunities for passive stormwater treatment facilities,</li> <li>• enhance the pedestrian environment in this high pedestrian traffic area, and</li> <li>• provide additional space for landscape improvements within the area now used for on-street parking.</li> </ul> <p><u>Request</u>          I have had several constructive conversations with representatives of H.G. Fenton and I believe that they would positively consider these changes to the proposed project. However the City would need to support these concepts because they affect the public right-of-way. I have previously requested that a "No On-street Parking Alternative" be considered and analyzed in the EIR. I still believe that the City consider requiring the improvements to public pedestrian and traffic safety, decrease in stormwater degradation, pedestrian enhancements and additional landscape improvements made possible with the elimination of on-street parking described in this letter.</p> <p>I have been assured that H.G. Fenton believes that they have provided adequate on-site resident and guest parking. Requiring the security gates to be kept open during the day and early evening would assure convenient use of the on-site parking. This would make on-street parking along the proposed project frontage of South Nardo Avenue unnecessary. Single-family residences along the north side of South Nardo Avenue will still be able to use the on-street parking in front of their residences.</p> <p>Thank you for your consideration to this constructively offered input. I would welcome the opportunity to discuss these ideas further with both City staff and H.G. Fenton representatives.</p> <p>Respectfully submitted,</p>  <p>Russell E. Hunt          436 S. Nardo Avenue          (858) 755-2517  <a href="mailto:russhuntrushunt@gmail.com">russhuntrushunt@gmail.com</a></p> <p>cc Mayor and Council Members</p>	<p>RH-4 This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities and water quality. Please see response to comment GW-4.</p> <p>RH-5 This comment expresses concern with regard to the proposed changes along South Nardo. Please see responses to comments DF-7, RH-2, GW-4 and GW-6.</p> <p>RH-6 As stated by the commenter, the stipulation of no on-street parking is a City consideration. As an alternative, no on-street parking would not reduce or avoid any significant impacts of the proposed project and as such is not required to be evaluated in the DEIR. Please also see response to comment GW-4 and DF-7.</p> <p>RH-7 The comment expresses concern for public safety along nearby roadways; please see responses to comments DF-7 and GW-6. The comment also expresses concern regarding the need for on-street parking; please see response to comment GW-4 and BE-1.</p>
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Comment Letter SAS

Response to Comment Letter SAS

Private Individual

Scott and Angelique Sorensen

August 1, 2018

City of Solana Beach Council Members/City Staff:

Please consider the following written comments on the recent Draft Environmental Impact Report (EIR) release for the Solana Highland's Revitalization project, as the email address provided: [solanahighlandsEIR@cosb.org](mailto:solanahighlandsEIR@cosb.org) is not a viable email address and our email continues to be returned. Please forward as necessary.

SAS-1

\* South Nardo Implementation of neighborhood pedestrian and bicycle access paths: Traffic calming measures as outlined in the Draft Solana Highlands Revitalization project Environmental Impact Report Appendices are limited to South Nardo only, beginning at Solana Circle and S.Nardo continuing to Stevens Avenue. It makes no mention of the implementation of neighborhood pedestrian or bicycle access paths. How will Fenton improve/create pedestrian and bicycle accessibility for this section of South Nardo? Currently, there are no bicycle accessibility paths on Nardo Avenue. This is made worse by the excessive street parking occupied by the tenants of Solana Highland Apartments. Street parking eliminates Bicycle Access. South Nardo is a high stress area for pedestrians and bicyclists alike.

SAS-2

\* Nardo and East Solana Circle Bicycle Need Model/ Active Travel Need: Please consider installation of traffic calming measures, pedestrian and bicycle access paths through the length of Nardo and East Solana Circle prior to the approval/completion of the Solana Highland Revitalization Project. According to The City of Solana Beach Comprehensive Active Transportation Strategy (CATS) report pg. 76, Nardo Avenue is already listed as a focus area for "Bicycle Facility Prioritization", second in priority to larger corridors such as Lomas Santa Fe Drive and the like. CATS report pg.53-55 includes Nardo Avenue and East Solana Circle Drive as having "Active Travel Need" and includes a "Bicycle Need Model" (see attachments). How does the city plan to address this plan prior to approval and/or completion of the Solana Highlands Revitalization Project? What plans does the city have in place to address this CATS report as it pertains to Nardo Avenue?

SAS-3

\* 3-way Stop at South Nardo and Fresca Street: Consider installation of a 3-way Stop at South Nardo and Fresca Streets along with the proposed curb extensions to help slow the speed of cars coming down the South Nardo slope.

SAS-4

\* Speed/Parking on South Nardo Avenue Slope: The slope of South Nardo encourages increased driver speed. Speed, traffic, parking hazards currently create safety concerns. Many accidents occur and go unreported. (See attached photo example of a recent accident related to speed on S.Nardo. Many similar incidents not photographed.) The density of Solana Highlands Revitalization Project promises to add to this problem. Without strong improvements and traffic calming measures, the increased street parking and traffic will only exacerbate the safety of our pedestrians and bicyclists along this stretch.

SAS-5

\* Fenton's History on Parking: In the past, Fenton has provided only one parking space per apartment. Fenton would then charge their tenants for additional on-site parking spaces. Most tenants choose not to pay for the additional space and park on the public streets instead. This Policy, by Fenton, is a major cause of the current public street parking congestion around the Solana Highlands Apartments. If this Fenton parking policy continues with the proposed increased density bonus, our local public street parking will become a disaster.

SAS-6

\* Solana Highlands Revitalization Project Proposed Parking: (See attached Draft Solana Highland Revitalization Project Environmental Impact Report Appendices 1.2.1) Because 233 of the 525 parking

SAS-1

The City tested the email address, and it functioned correctly throughout the comment period and via which the City received approximately 15 comment emails, including ultimately the commenters'. This letter included numerous attachments that may have exceeded the reasonable mailbox or server file size settings.

SAS-2

The commenter is correct in stating that there are no marked bicycle facilities adjacent to the project site on South Nardo Avenue, and that South Nardo Avenue lacks sidewalks on both sides of the street between East Solana Circle and Lomas Santa Fe Drive (as stated in Section 3.12.1, Existing Conditions). However, as stated in Section 3.12.4, "The project would include sidewalks and pedestrian paths throughout the project site to allow for improved connections to surrounding neighborhoods and sidewalks. However, it is not anticipated that implementation of the project would substantially increase use of pedestrian, bicyclist, or transit facilities, to a level where it could not be accommodated by existing or planned facilities. Although the minimal projected increase in traffic on South Nardo Avenue due to implementation of the proposed project could potentially affect

	<p>pedestrians within the surrounding neighborhoods, traffic calming improvements are included in the project design" (DEIR page 3.12-24). As such, the commenter's concern was addressed in the DEIR. Please also see response to comment DF-7.</p> <p><b>SAS-3</b> The City has reviewed and considered the commenter's concern for pedestrian and bicycle access on South Nardo Avenue and East Solana Circle. Traffic-calming improvements are included in the project design that promote pedestrian and bicycle use consistent with the City's CATS program. Please also see response to comment SD-2 regarding CATS implementation.</p> <p><b>SAS-4</b> As discussed in Section 3.12, the intersection of South Nardo Avenue and Fresca Street was identified as a key study intersection for the analysis included in the TIA and the Supplemental Traffic Assessment Memorandum. As discussed in Section 3.12.4, Impact Analysis, under all the conditions analyzed (Existing Plus Project, Near Term 2020, and Horizon Year 2035) this intersection would remain at an acceptable LOS, thus remaining at a level below significant. As such, the City cannot require the project to implement traffic improvements at this intersection. Appendix M provides details on pedestrian safety improvements along South Nardo Avenue from Solana Circle to Fresca Street. Based on traffic volume through the intersection, the All-Way Stop warrants were not met, and the applicant</p>
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<p>spaces proposed are garage spaces, and 22 are covered parking spaces, Fenton is likely to offer these specialized parking spots at an additional COST to tenants. As a result, 255 parking spaces of the total 525 will then become potential 'Street Parkers' - tenants pushed onto the neighboring streets for free parking! To limit on-street parking, Solana Highlands must be required to have OPEN PARKING similar to that required of the Zephyr Project at Highway 101 and Dahlia Street in Solana Beach. In addition, Solana Highlands must create policy to include, at minimum, bi-annual inspections that strictly enforce garages are being used for parking of cars only, and not for storage of household items. For example, if a two-car garage is assigned/rented, Solana Highlands' staff must regularly enforce that two cars can park in that garage at all times. Fenton must be required to NOT charge their tenants for ANY on-site parking as a condition of this project's approval.</p> <p>* Posted No street parking on street sweeping days: Nardo and Fresca should have posted "No street parking during Street Sweeping days." Such as is posted along the length of South Sierra Avenue in Solana Beach. This will largely reduce the litter created by tenants of Solana Highlands who park on the street and leave their trash. (See litter photos attached.) Help us reduce pollution runoff into our water ways.</p> <p>* Del Mar Fairgrounds: During events at the Del Mar Fairgrounds, Nardo, Fresca, Sonrisa, Solana Circle and Nardito streets experience larger than normal street parking by people looking to avoid parking costs on-site at the Del Mar Fairgrounds and along Del Mar streets (metered parking). These folks then Uber/Lyft to the venue. These events increase neighborhood dangers, hazards and trash exponentially, adding to the already troublesome Solana Highland tenant street parking and littering. Please consider more street parking limitations/solutions.</p> <p>* Current traffic volume increase: Prior to approval of this project, please consider the current traffic volume increase at East Solana Circle and Nardo Avenue as a result of drivers avoiding Stevens Avenue and short-cutting their way to Via de la Valle, and the reverse to Lomas Santa Fe Drive. Add to this the projected increase in traffic ultimately created by the Solana Highlands Revitalization Project.</p> <p>* During events at the Del Mar Fairgrounds and some local school events, traffic on Nardo Avenue and East Solana Circle Drive increases exponentially. (See attached photos taken during the Del Mar Fair June 1 - July 4, 2018.) On this day in June, it was difficult to enter South Nardo at Fresca, as S. Nardo was backed up with cars to St. James Church. Southbound Stevens Ave. was backed up to Lomas Santa Fe Drive. The intersection of South Nardo and Stevens Ave. had cars blocking passage through the intersection for both entering vehicles and pedestrians! This scenario occurs now on multiple occasions with any large event in the area.</p> <p>* Construction directors of traffic: Require Solana Highlands to provide professionally trained 'directors of traffic' to encourage positive traffic flow during construction. With the already noticeable increase in traffic on Nardo and East Solana Circle, construction vehicles/personnel must limit further delay, inconveniences and pedestrian hazards for residents of this area.</p> <p>* Construction pedestrian and bicycle safe passage: During construction safe pedestrian and bicycle passage must be created for residents to safely navigate the area.</p> <p>* Construction building demolition: The buildings being demolished should be tested prior to demolition for environmental materials that can be harmful to humans, animals and the environment (air). And thus, proper disposal of such may be implemented.</p>	<p>SAS-6 Cont.</p> <p>SAS-7</p> <p>SAS-8</p> <p>SAS-9</p> <p>SAS-10</p> <p>SAS-11</p> <p>SAS-12</p>	<p>recommended the other traffic calming improvements – including curb extensions – to address the conditions at this intersection. Therefore, other measures were considered to help improve the walking environment along South Nardo Avenue (Appendix M, page 59).</p> <p><b>SAS-5</b> The comment expresses concern for public safety along nearby roadways; please see response to comment DF-7. The comment also expresses concern for the increased demand on street parking; please see response to comment BE-1.</p> <p><b>SAS-6</b> The comment expresses concern for adequate proposed parking and the effect on street parking. Please see response to comment BE-1.</p> <p><b>SAS-7</b> This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities. Please see response to comment GW-4.</p> <p><b>SAS-8</b> The comment identifies existing problems generated by other projects and thus is an enforcement matter, not an environmental issue re the proposed project. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. Please also see responses to comments BE-1 and GW-4.</p>
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	<p><b>SAS-9</b> East Solana Circle, South Nardo Avenue, and Lomas Santa Fe Drive were analyzed as key roadway segments in the traffic analysis, included in Section 3.12, Traffic and Circulation, of the DEIR. All three of these roadway intersections would continue to operate at an acceptable LOS with implementation of the project. Also please see responses to comments DF-7 and DF-8.</p> <p><b>SAS-10</b> As discussed in Section 3.12, Traffic and Circulation, the proposed project is not expected to add more than 20 peak-hour trips to the on- or off-ramps to northbound and southbound I-5, nor result in any significant impacts to the surrounding roadway network under Fair Conditions, which are considered the most extreme. The City has reviewed and considered the cited photographs attached to the comment letter. As such, the commenter's concern was addressed in the DEIR, and no further response is necessary.</p> <p><b>SAS-11</b> As stated in Section 3.12, Traffic and Circulation, some lane closures would occur during certain times, but there would not be any complete closure of streets. Trench plates would be used to cover work areas, which would allow full use of affected streets when construction is not occurring. According to the City Engineer, the proposed project would require a professionally designed traffic control plan to be prepared by the applicant to the satisfaction of the City Engineer for any work completed on South Nardo Avenue and/or Stevens Avenue. The City requires the traffic control plan as part of its construction plans, grading, and public improvement</p>
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	<p>plans, and the traffic control plan is not required until the start of construction. The City has requirements for Traffic Control Plans that are consistent with the measures to be deployed.</p> <p><b>SAS-12</b> As stated in Section 3.7, Hazards and Hazardous Materials, a Phase I Environmental Site Assessment (ESA) was completed for the project site in July 1998 that concluded there was no evidence of hazardous materials on the project site. However, because of the potential for asbestos within the existing structures to be demolished, mitigation measure HAZ-1 for asbestos disposal is required to address potential impacts associated with project demolition. In addition, the potential for lead-based paint or other hazardous materials removal to occur during the demolition phases of the project has also triggered a need to include HAZ-2 to ensure that potential hazardous materials are handled in compliance with local, state, and federal regulations for any necessary removal and disposal of such materials. Therefore, impacts associated with the reasonably foreseeable accidental release of hazardous materials during construction would be potentially significant, and mitigation measures HAZ-1 and HAZ-2 would be required to reduce impacts to less-than-significant levels (DEIR pages 3.7-16 through 3.7-18).</p>
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<p>The City of Solana Beach has placed much importance and effort on the installation of traffic calming measures and the increase of bicycle and pedestrian access paths throughout the City of Solana Beach. We residents of this southwest corridor of Solana Beach have the added burden of accommodating the events of the Del Mar Fairgrounds and multiple local schools and yet, there is seemingly little discussion of roadway improvements through our neighborhoods. In the face of the Solana Highland Revitalization project, we are overwhelmingly concerned with the additional traffic through our neighborhoods and our pedestrian and bicycle safety. We have a desperate need for improvements. We strongly encourage the city to consider this prior to their approval of the Solana Highlands Revitalization Project.</p> <p>Further, during the summer of 2017, Stevens Avenue received much needed improvements that include many traffic calming measures, designated bike lanes and sidewalks. While the reduction of Stevens Avenue to a single lane is a great improvement for the safety of our pedestrians and bicyclists, it has prompted many motorists to find alternate routes/shortcuts. As a result, we have experienced an increase in traffic through our neighborhood along the length of Nardo Avenue and East Solana Circle. Increased traffic in our neighborhood is a huge safety concern for our residents. The proposed Solana Highlands Revitalization project stands to make matters worse for us. Therefore, it is our opinion, that if the city is going to allow for such a project to be built in our neighborhood, the city should implement extended traffic calming measures and bicycle and pedestrian access along the length of Nardo Avenue and East Solana Circle Drive prior to this project's completion.</p> <p>Lastly, we challenge Council Members, City Staff and Fenton Executives to have an updated traffic study done, especially during the busy summer months and during local school events to further validate our concerns. Or, simply spend some time walking along our streets. Experience for yourselves our safety concerns. Witness the increase in traffic and in speed; the excessive street parking and trash. See how difficult it is for our pedestrians and bicyclists to maneuver around, remain and feel safe on our own neighborhood streets. Then, consider the impact that the proposed Solana Highlands Revitalization Project will have without considerable street improvements and parking limitations.</p> <p>While we agree that the Solana Highland Apartments are over-due for 'Revitalization', substantial traffic and parking concerns remain with this proposed project. Consideration for our neighborhood's overall safety and quality of life should take precedence above all else. We appreciate your consideration.</p> <p>Respectfully,</p> <p>Scott &amp; Angelique Sorensen Sonrisa St. Solana Beach</p> <p>Photos attached</p>	<p>SAS-13</p> <p>SAS-14</p> <p>SAS-15</p> <p>SAS-16</p>	<p><b>SAS-13</b> The comment expresses concern for public safety on nearby roadways. Please see response to comment DF-7. The comment also expresses concern for additional traffic during fair and race season. Please see response to comment CG-6 regarding fair and race season traffic. Please also see response to comment SD-2 regarding CATS implementation.</p> <p><b>SAS-14</b> The commenter expresses their opinion as to possible increase traffic calming improvements. The City will include the comment as part of the FEIR for review and consideration by the decision makers prior to a final decision on the project.</p> <p><b>SAS-15</b> The comment expresses concern for public safety on nearby roadways; please see response to comment BE-1. The comment also expresses concern for the proposed project's effect on street parking and litter; please see response to comment GW-4.</p> <p><b>SAS-16</b> The City acknowledges the comment and notes that it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required. The City has reviewed and considered the cited photographs attached to the comment letter.</p>
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Comment Letter SJ



August 2, 2018

Mr. Lim,

We appreciate the opportunity to comment on the draft EIR for the Solana Highlands Re-development project. As you should be aware, our community has expressed concerns with the developer about the effect this redevelopment will have on the Saint James Community. Our comments on the Draft EIR highlight some of these concerns.

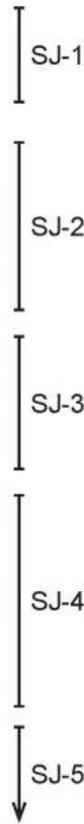
**1. Air Quality**

The Saint James Community utilizes the outdoor open space areas of our institutional campus for sports activities, recess, student lunches and snacks, weddings, funerals, and other community gathering events within the constraints of our use permit. It is therefore imperative that the air quality on and around the campus be maintained at safe levels for the children and other community members. The City has determined through the EIR process that the project will have a potentially significant effect on Air Quality but have determined the effect to be reduced to Less Than Significant with Mitigation Measures. We believe the determination of the minimized impact has not considered all relevant factors and alternates.

a. Calculations for Estimated Maximum Daily Construction Emissions for the phased construction does not consider that the existing facilities will also be simultaneously contributing to emissions. (Only during Phase 3 will all existing buildings be removed and all existing activities cease.) The existing facility plus the construction emissions must be a consideration. In addition, the existing facilities already show an exceedance of thresholds for VOCs. **Please explain how exceedances after mitigation can be considered less than significant and why the total emissions were not considered.**

b. SDAPCD Rule 55, Section d),1) states; "Airborne Dust Beyond the Property Line: No person shall engage in construction or demolition activity subject to this rule in a manner that discharges visible dust emissions into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60 minute period." While the EIR states dust control measures will be implemented amounting to watering construction areas two times daily and resulting in a 55% reduction of particulate matter, the EIR does not adequately address how this measure will ensure conformance with the SDAPCD rule and the EIR seems to suggest 45% of the particulate matter can leave the site and this be a less than significant impact to the environment. **Please provide quantitative support for compliance with SDAPCD Rule 55 and explain how 45% of particulate matter leaving the site has no significant environmental impact.**

c. The grading schedule implies demolition activities and grading activities to occur only in the months of June through September across the span of three years. While this coincides with reduced populations on the Saint James Campus there is no guarantee the construction schedule will not change. In addition, these activities create the most air quality impact and do overlap with school and church activities. **Was the alternate considered to completely**



Response to Comment Letter SJ

**Saint James Church  
Peter Hodson et al.  
August 2, 2018**

- SJ-1** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.
- SJ-2** Please see responses to comments SJ-3 through SJ- 7. The comment does not raise any specific issue regarding the air quality analysis; therefore, no additional response can be provided. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.
- SJ-3** The CEQA significance thresholds used in the DEIR are from the San Diego Air Pollution Control District

(SDAPCD), which provides guidelines on implementing CEQA for development projects proposed within the County. The SDAPCD thresholds represent screening-level thresholds that can be used to evaluate whether project-related emissions could cause a significant impact on air quality. Emissions below the screening-level thresholds would not cause a significant impact.

The SDAPCD has separate significance thresholds for construction emissions and operational emissions and does not set forth thresholds for combined construction and operational emissions. In accordance with the SDAPCD thresholds, the significance of construction and operational emissions were evaluated separately for the project. Under the SDAPCD thresholds, if a project exceeds an adopted threshold, the project would be required to implement feasible mitigation to reduce the project's impact.

The existing operations at Solana Highlands are part of the baseline. The analysis evaluates whether the contribution of the proposed project emissions would exceed established lbs/day thresholds levels, which are set as the level at which a project's contribution would result in potential impacts considering the existing ambient conditions in the air basin in relation to the state and federal ambient air quality standards. Thereby, the overlap of existing operations continuing while construction is under way is captured in the construction analysis.

	<p>Reducing existing volatile organic compounds (VOCs) by 64% (Table 3.2-7 of the DEIR) results in a reduction in the maximum operational VOC emissions of 113.57 lbs/day; the maximum daily construction VOC (Table 3.2-6 of the DEIR) under the phased scenario is 65.64 lbs/day, so construction is a reduction over the existing condition. Furthermore, adding the remaining operational VOC emissions (36% = 42.29) plus the construction emissions (65.64) is 107.93 lbs/day, below the emission threshold of 137 lbs/day.</p> <p>The required mitigation is identified based on the pollutants that would exceed the thresholds and the activities that would generate the pollutants in exceedance. Because emission sources are different for construction and operational activities, typical mitigation strategies that reduce emissions associated with construction and operation are also different. As such, the combined total emissions of construction and operational emissions are not intended to be compared to a single threshold.</p> <p><b>SJ-4</b> As discussed in Section 3.2, Air Quality, construction of the proposed project would result in a temporary addition of pollutants to the local air basin caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials. The proposed project is subject to SDAPCD Rule 55, Fugitive Dust Control. This rule requires that the project take steps to restrict visible emissions of fugitive dust beyond the</p>
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	<p>property line. Construction BMPs would be implemented to further limit exposure of sensitive receptors to criteria pollutants, consistent with SDAPCD Rule 55 (DEIR pages 3.2-17, 3.2-18, and 3.2-32). As Rule 55 is an existing required regulation, the proposed project must comply with the rule, and the use of standard BMPs as described in the DEIR are effective at realizing compliance and through enforcement by the SDAPCD and other agencies have become normal construction practices.</p> <p>The evaluation in Section 3.2, Air Quality, determined that the project would not result in a significant impact with the watering twice a day reducing dust by 55% as it would not exceed the lbs/day threshold (note Rule 55 is not the threshold). The section further provides BMP-AQ-1 that identifies eight measures to reduce dust and the performance criteria of retaining dust on-site, per Rule 55. BMP-AQ-1 will be included in the Mitigation Monitoring and Reporting Program (MMRP) and implementation enforced by the City accordingly.</p> <p><b>SJ-5</b> As stated in Section 3.2, Air Quality, all emissions for criteria pollutants would be below the SDAPCD thresholds. The SDAPCD thresholds represent screening-level thresholds that can be used to evaluate whether project-related emissions could cause a significant impact on air quality. The existing operations at Solana Highlands are part of the baseline. The analysis evaluates whether the contribution of the proposed project emissions would exceed established lbs/day thresholds levels, which are set as the level at</p>
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which a project's contribution would result in potential impacts considering the existing ambient conditions in the air basin in relation to the state and federal ambient air quality standards. Therefore, the overlap of existing operations, on and off site, continuing while construction is under way is captured in the construction analysis. The construction schedule identified modeling assumptions, and is not a restriction on grading timing. The single-phase alternative assumes grading occurring during a broader seasonal window.

As stated in Chapter 6, Alternatives, according to the CEQA Guidelines, when addressing alternatives, the feasibility of alternatives, such as environmental impacts; site suitability as it pertains to various land use designations; economic viability; and availability of infrastructure, regulatory limitations, and jurisdictional boundaries shall all be taken into account.

An alternative that avoids school and church outdoor activities, or a fixed construction schedule alternative would not reduce or avoid a significant impact identified in the DEIR. As stated in Section 3.2, Air Quality, the construction-related impacts would be reduced to below levels of significance through AQ-1. Therefore, no alternative would be necessary to reduce significant impacts related to toxic air contaminant (TAC) emissions from construction. Additionally, an alternative that avoids school and church outdoor activities would be infeasible as it would prolong construction activities

exponentially, thus increasing potential impacts related to noise, hazards and hazardous material, and hydrology and water quality due to increased exposure to construction equipment. Therefore, these alternatives would be rejected from further analysis.

The No Project Alternative would avoid construction entirely, thus avoiding potential impacts to school and church activities. However, the No Project Alternative does not meet any of the project objectives. The Single Phase Construction Alternative – Alternative 7 would result in the same type and extent of development as the proposed project, but construction would be completed within a single phase of approximately 24 months rather than the 3-phase, 39-month construction period of the proposed project. This alternative is intended to substantially reduce the potentially significant impacts of the proposed project due to construction noise and the period of exposure to environmental effects on air quality, noise, and traffic within the surrounding neighborhood by limiting the duration of the construction period.

The project objectives do not include to avoid school and church activities during construction. As discussed in the Air Quality Technical Report, Appendix D of the DEIR, the mass daily emissions of the project and the Single Phase Construction Alternative did not exceed the SDAPCD thresholds. With mitigation, both the project and the Single Phase Construction Alternative did not exceed the significance thresholds for health risk

during construction. It should also be noted that the health risk assessment only evaluated TAC emissions during construction. Although there is overlap between construction and operation, there are no TAC emissions during operation, so there was no omission.

Additionally, as discussed in the Health Risk Assessment (HRA) (Appendix C of the Air Quality Technical Report (Appendix D of the DEIR)), for conservative modeling purposes, all receptors (on site and off site) were assumed to be residential and began exposure during the third trimester of pregnancy, due to their high sensitivity to TACs.

As stated in Appendix D, with implementation of AQ-1, the emissions of diesel particulate matter (DPM) are significantly reduced compared to the unmitigated scenario. The detailed emissions assumptions and model outputs using the California Emissions Estimator Model (CalEEMod) are provided in Appendix A and B. Table 15 in Appendix D shows the results of the HRA after implementation of AQ-1 for the proposed project and the Single Phase Construction Alternative. The mitigated results shown in Table 15 demonstrate that the construction mobile sources exhibit maximum individual cancer risks (MICR) below the 10 in a million threshold and chronic hazard indices (HIC) less than 1. AERMOD and HARP2 outputs are contained in Appendix C of Appendix D. The thresholds used for construction mobile sources are included in The Air Toxics Hot

Spots Program Guidance Manual for Preparation of Health Risk Assessments, adopted by the Office of Environmental Health Hazard Assessment (OEHHA).

The No Project Alternative presents an alternative analysis that results in zero impacts. The CEQA Guidelines do not require further analysis of alternatives that may further reduce impacts. The DEIR has complied with the CEQA Guidelines requirement of providing a reasonable range of alternatives that would be feasibly attainable.



avoid school and church activities or even outdoor activities to prevent increased exposure to students and others? Additionally, was an alternate considered to require grading and demolition activities occur only during a fixed construction schedule to prevent unnecessary exposure?

d. The results of the HRA indicate increased risk of cancer almost six times the threshold for off-site receptors and higher for the compressed construction schedule. The Saint James campus is home to very sensitive receptors (ages 3yrs and up) for a large portion of the day when construction activities will occur. The EIR noted a potentially significant impact and mitigation is required but insufficient data was provided to determine if the proposed mitigation (MM-AQ-1) is adequate. Even if cancer risk is below some arbitrarily placed CEQA threshold, the risk is elevated. **Please explain how Saint James leadership should explain the increased cancer risk to their children and families. Should a higher incidence rate of cancer be experienced by members of the Saint James community who is to blame? The Developer or the City who approved the EIR? What alternates in addition to MM-AQ-1 were considered to lower the exposure to none? What compliance method would be utilized to ensure only Tier 4 equipment will be utilized as required by the mitigation?**

**2. Noise**

a. Mitigation measures are noted and are believed to be in good faith however there appears to be no quantitative support that the measures will be adequate. **Please provide quantitative support that the measures presented are adequate for maintaining noise levels at or below a significant impact.**

b. The mitigation measures are structured in such a manner as to imply noise exceedances of a significant impact will occur on a frequent if not regular basis. While the process to assess and abate is appreciated, noise that affects student learning or religious celebrations should not occur on a frequent or regular basis. By the time the complaint is made and corrective action taken the effect of the noise on the student or activity has already occurred and cannot be reversed. **What consideration was given in the mitigation assessment to prevent frequent and regular noise from occurring?**

c. Section 7.34.140.B.9 of the Solana Beach Municipal Code states; "Schools, Libraries, Churches, Hospitals. The creation of any noise on any street, sidewalk or public place adjacent to any school, institution of learning (except recreational areas of schools), church or library, while the same are in use; or adjacent to a hospital, rest home, or long-term medical or mental care facility which noise interferes with the workings of such institution or which disturbs or annoys patients in the hospital, rest home or long-term medical or mental care facility, provided conspicuous signs are displayed in such streets, sidewalks or public places indicating the presence of a school, institution of learning, church, library, rest home or long-term medical or mental care facility, is prohibited. This provision seems to be in conflict with the SBMC Section 7.34.100.A cited in the Draft EIR. **Please explain how construction activities in close proximity to the school/church can be allowed during the hours of 7am and 7pm daily and not create a disturbance. Was a modification to the construction schedule to perform noise generating activities outside of school/church hours considered?**

SJ-5  
Cont.  
SJ-6  
SJ-7  
SJ-8  
SJ-9  
SJ-10

**SJ-6**

As discussed in the HRA (Appendix C of the Air Quality Technical Report (Appendix D of the DEIR)), for conservative modeling purposes, all receptors (on site and off site) were assumed to be residential and began exposure during the third trimester of pregnancy, due to their high sensitivity to TACs. With mitigation, the impacts of the project are less than significant. The No Project Alternative presents an alternative analysis that results in zero impacts. The CEQA Guidelines do not require further analysis of alternatives that may further reduce impacts.

As stated in Appendix D, with implementation of AQ-1, the emissions of DPM are significantly reduced compared to the unmitigated scenario. The detailed emissions assumptions and model outputs using CalEEMod are provided in Appendices A and B of Appendix D. Table 15 in Appendix D shows the results of the HRA after implementation of AQ-1 for the proposed project and Single Phase Construction Alternative. The mitigated results shown in Table 15 demonstrate that the construction mobile sources exhibit MICR below the 10 in

	<p>a million threshold and HIC less than 1. AERMOD and HARP2 outputs are contained in Appendix C of Appendix D. Therefore, the DEIR provides adequate data that articulates the effectiveness of AQ-1.</p> <p><b>SJ-7</b> Mitigation measure AQ-1 provides a performance criteria that must be demonstrated by the applicant to the City's satisfaction and could include a range of construction equipment mixes of equipment type, driven by what is available and improvements in technology between the time of the DEIR preparation and commencement of construction. Any mix of construction equipment must demonstrably result in emissions below the performance criteria, specifically ensuring that emissions would not result in a health risk greater than 10 in one million. Enforcement would be undertaken by the City, both vetting any supplemental study, and site inspections during construction to confirm identified equipment is in use. In addition, construction BMPs would be implemented to further limit exposure of sensitive receptors to criteria pollutants, consistent with SDAPCD Rule 55.</p> <p>As discussed in Chapter 6, Alternatives, the DEIR analyzes Alternative 8, the No Project Alternative, which would lower the exposure to TAC from construction diesel exhaust emissions. However, none of the project objectives would be met under this alternative, and no affordable housing would be developed on site.</p>
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	<p><b>SJ-8</b> According to the CEQA Guidelines, mitigation shall either avoid, minimize, rectify, reduce, or compensate for an environmental impact. Mitigation can be accomplished in more than one specific way. Appendix L, Noise Measurements and Calculations, provides extensive quantitative modeling, and analysis was performed which guided the analysis included in the DEIR. In Section 3.10, Noise, mitigation measures NOI-1 through NOI-7 are used in conjunction to reduce levels below significant. To quantify these measures, as stated in Section 3.10.6, the effectiveness of NOI-1 through NOI-7 would vary from several decibels (dBs), which in general is a relatively small change, to 10 or more dBs, which would be perceived as a substantial change, depending upon the specific equipment and the original condition of that equipment, the specific locations of the noise sources and the receivers, and other factors. Installation of a noise barrier, for example, would vary in effectiveness depending upon the degree to which the line of sight between the source and receiver is broken, and typically ranges from 5 dB to 10 dB. Installation of more effective silencers could range from several dBs to well over 10 dBs. Reduction of idling equipment could reduce overall noise levels from barely any reduction to several dBs (DEIR pages 3.10-25 and 3.10-26). The mitigation measures include performance criteria and include monitoring, inspection, and complaint response program to ensure that levels do not exceed those stated.</p> <p>With mitigation, the impacts of the project are less than significant. The proposed mitigation measures are all</p>
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	<p>quantifiable and enforceable in some way. NOI-1 and NOI-6 are quantifiable by distance; NOI-2 by time; and NOI-3, NOI-4, NOI-5, NOI-7 and NOI-8 are quantifiable by noise levels. Enforcement is proposed through requiring noise monitoring and field inspections. The No Project Alternative presents an alternative analysis that results in zero impacts. The CEQA Guidelines do not require further analysis of alternatives that may further reduce impacts.</p> <p><b>SJ-9</b> According to the CEQA Guidelines, mitigation measures are not required for impacts identified as less than significant. As stated in Section 3.10.4, Impact Analysis, to control construction noise levels to a level consistent with the City’s Noise Ordinance, NOI-1 through NOI-7 shall be implemented. Mitigation measures NOI-1 through NOI-7 provide clear noise requirements, and an inspection and enforcement protocol that addresses noise impacts from construction noise. Construction hours would be limited to those allowed by the SBMC, per mitigation measure NOI-2. Please see response to comment DF-17 regarding operational noise from proposed HVAC systems.</p> <p><b>SJ-10</b> Section 7.34.140.B.9 of the SBMC addresses the creation of noise from public places, including adjacent sidewalks and streets. This code section does not apply to activities undertaken on private property, such as the proposed construction and operational activities of the project. The proposed project would comply with the SBMC section 7.34.100, which was cited in the DEIR. Section 7.34.100 includes a max 75</p>
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**3. Hazards and Hazardous Materials**

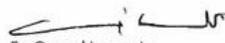
Mitigation is proposed for removal of lead based paint and asbestos. Was scheduling of demolition activities during non-school hours or when school is not in session considered for mitigation?

**4. Traffic and Circulation**

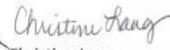
- a. Peak periods were not monitored in the afternoon. The afternoon Peak period in this Area of Solana Beach is between 230pm and 6pm. This accounts for school traffic from Skyline, Santa Fe Christian, Saint James, and Earl Warren. Traffic volumes should be considered with these adjusted times. It is anticipated that LOS will decrease during the hours of school dismissal.
- b. Traffic calming measures on South Nardo and Stevens are welcomed however the proposed calming measure locations need to be further evaluated. The location of the speed table and choking sections appear to be in conflict with regular traffic flow into and out of the Saint James Campus.
- c. The EIR determined less than significant impacts for traffic and circulation. Logic would indicate however that construction on Nardo Avenue as well as construction of the apartment complex would cause significant additional construction traffic as well as construction activities impeding traffic flow. Approximately 50% of the traffic into the Saint James campus occurs from Nardo Avenue. If this connector is out of service there would be potentially significant impact to the Saint James community. Please reconcile the data with the obvious and provide mitigation.

Thank you for considering our comments and questions. We would like to continue our support of this redevelopment. However, the safety and health of our community members is of utmost importance. Please feel free to contact any of us listed below.

Sincerely,

  
Fr. Gerard Lecomte  
Pastor, St. James-St. Leo  
858-755-2545

  
Dcn. Peter Hodsdon  
Business Manager  
858-755-2545

  
Christine Lang  
Principal  
858-755-1777  
619-405-3139

SJ-11  
SJ-12  
SJ-13  
SJ-14  
SJ-15

**SJ-11**

dB average over 8 hours during any 24-hour period designed to be cognitive of both the need for construction and the peaceful enjoyment of all properties, citizens, and guests within the City and is intended to address different noise generators.

As stated in Section 3.7, Hazards and Hazardous Materials, impact HAZ-1, if asbestos is located during the survey, an abatement work plan shall be prepared by the applicant and approved by the County Department of Environmental Health (DEH) in compliance with local, state, and federal regulations for removal of such materials. The work plan shall include specifications for the proper removal and disposal of asbestos. In addition, the project applicant shall comply with all SDAPCD and California Occupational Safety and Health Administration (Cal/OSHA) notification requirements pertaining to the disturbance of asbestos-containing materials. HAZ-2 states, prior to demolition, a lead-based-paint survey shall be performed by a Certified Lead Inspector/Assessor. If lead-based paint is located during the survey, an abatement work plan shall be prepared by the applicant and approved by the County DEH in compliance with local, state, and federal regulations for any necessary removal of such materials. The work plan shall include specifications for the proper removal and disposal of lead-based paint. The lead-based-paint abatement work plan shall include a monitoring plan to be conducted by a qualified consultant during abatement activities. The work plan shall include provisions for construction worker training, worker protection, and conducting exposure assessments as needed.

	<p>Implementation of HAZ-1 and HAZ-2 would reduce any potential impact on nearby sensitive receptors to less-than-significant levels (DEIR pages 3.7-16 through 3.7-18).</p> <p><b>SJ-12</b> As discussed in Section 3.12, Traffic and Circulation, the TIA (Appendix M) concluded that 66 (which is a conservative assumption, as the proposed project is anticipated to result in 62 additional units) additional residential units as a result of the proposed project, would not result in a significant impact related to traffic. Traffic operations at intersections were analyzed in the AM (7:00 a.m. to 9:00 a.m.) and PM (4:00 p.m. to 6:00 p.m.), and roadway segments were analysis based on daily traffic volumes, consistent with the state of practice. The daily traffic count sheets were reviewed during the 2:30 to 4:00 p.m. period mentioned by the commenter. The AM and PM peak hour volumes evaluated in the traffic report were found to be similar to the peak period identified by the commenter. The peak conditions identified by the commenter are common near schools and represent a third potential peak condition at some locations within the study area, particularly those located nearest the schools. In addition, the school peak tends to be most apparent along lower volume roads, which is consistent with the daily traffic count worksheets included with the TIA. Residential properties tend to peak in the morning and afternoon period, similar to peak traffic conditions identified in the TIA, not during the school peak period.</p>
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	<p>As the proposed project would not result in significant impacts during peak traffic times, identified by the City, it is assumed that the proposed project would not result in significant impact during off-peak traffic times. The TIA, Appendix M of the DEIR, provides the traffic counts taken at the study intersections and identifies the PM peak hour as 4:30 p.m. to 5:30 p.m.. However, for conservative modeling purposes 4:00 p.m. to 6:00 p.m. was used in the analysis. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p> <p><b>SJ-13</b> The locations of the traffic calming improvements have been evaluated. No impacts are identified as a result of the proposed traffic calming improvements, and no impact determinations were affected by their inclusion. In response to this comment, however, the City and Applicant will continue to evaluate the locations of traffic calming improvements and refine the design features to avoid these concerns.</p> <p><b>SJ-14</b> As discussed in Section 3.12 Traffic and Circulation, although the minimal projected increase in traffic on South Nardo Avenue due to implementation of the proposed project could potentially affect pedestrians within the surrounding neighborhoods, traffic calming improvements are included in the project design. Additional improvements and community enhancements, which may revise and/or refine the traffic calming improvements, will be considered as conditions of approval. As discussed in Appendix M,</p>
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	<p>it is anticipated that construction traffic would not result in any additional impacts to the study area.</p> <p>The commenter does not provide any further supporting analysis to support this claim. The City is reliant on the data and determination made in the TIA and DEIR.</p> <p><b>SJ-15</b> The City acknowledges the comment and notes that it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the DEIR. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. The comment does not raise new or additional environmental issues concerning the adequacy of the DEIR. No further response to this comment is required.</p>
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Comment Letter SS

Response to Comment Letter SS

**Private Individual**  
**Steve Scott**  
**July 22, 2018**

In reviewing the Solana Highlands DEIR I have a few comments and questions as noted below:  
 1) Grading- Per the DEIR @154,000 cubic yards will be exported. As stated 22,000 one way trips will be generated (also means there will be the return trip for a total of 44,000 trips through the community) during the grading phase(s). Roughly 1 truck load every 2 minutes. Given the volume where will the trucks queue and what is the export route?

What traffic management plans will be in place? What street maintenance will occur and the frequency thereof? What street restoration will occur after 39 months of construction? Also mentioned is the need for 19' of fill. Given the level of export why the need for 19' of fill? If this could be addressed through better balancing the site, it would reduce/eliminate the need for fill and the corresponding request for non-conforming height variance. It would be helpful if the applicant could provide a project alternative reducing the need for export and better balancing the site.

2)Retaining walls- The applicant is seeking variances to the height of retaining walls. Given the level of grading export, if the export were reduced the retaining wall heights could be reduced. This approach could realistically reduce the requested 18' retaining wall height to 10' to 12'. Why has this approach not been presented in the project alternatives? Also the building grade level at the corner of Nardo and Stevens for the revitalized project is projected/illustrated to be much higher than the existing condition. Given the level of export why would this increase in grade elevation occur? This increase also generates a much bulkier building mass than is necessary. Again the project alternative(s) should present this type of alternative. Staff should request the applicant to assess viability of the lower finished pad level in this site location to address building scale and neighborhood compatibility.

3) Phasing- The DEIR describes the 3 phases but does not incorporate the street improvements and modifications that will occur on Nardo and Stevens. The phasing plan should clearly describe the scope, timing and duration of the street improvements and the corresponding impairments that will occur during the construction of these improvements. Mitigation measures should also be described and the timing thereof. If these improvements are defined as community benefits the Applicant should construct and deliver these improvements concurrently with the first phase of the project, especially since the construction duration will span more than 3 years... why should the community wait for more than 3 years to receive community benefits?

4)Construction- Please provide the location of the project staging areas for each phase, the construction crew parking areas, construction crew and suppliers site ingress/egress. The DEIR has understated the average construction crew trip generation. For a project of this size, dollar investment, complexity and the phasing the applicants GC and subcontractors will average about double what has been illustrated/modeled in the TIA. The TIA should be corrected to reflect a more accurate construction crew ADT generation.

5)Traffic- Does the Project TIA analyze and incorporate the LSF corridor improvements? If so please reference the tables and schedules that reflect these improvements, capacity reductions etc. If this analysis does not exist staff should request the applicant to revise the Project TIA to reflect the correct levels of service, mitigation required and that it will be less likely that residents of the Project will "adjust path of travel" due to events such as the Fair, Races etc. The LSF corridor improvements, through lane reduction in some areas along with the elimination of the left hand turn at Granados and LSF will shift significantly more trips to Nardo and Rios. There will be an increase in trip generation in both directions on Nardo and it appears the TIA has failed to account for these additional trips and to provide mitigation. Lastly, given the nature of multi-family apartment complexes, that cater to a more transient customer, that the increase in VMT from 3.9m to 5.1M is understated and does not accurately reflect GHG generation nor the

SS-1

SS-2

SS-3

SS-4

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SS-7

SS-8

SS-9

SS-10

SS-1

As stated in DEIR Section 3.12, Traffic and Circulation, with 154,000 cubic yards (cy) of export, a total of 22,000 one-way truck trips would be required (154,000 cy divided by 14 cy/truck, multiplied by two one-way trips). As such, the 22,000 trips includes return trips. As shown in Table 3.12-7, Project Trip Generation Per Stage of Construction, the haul trips would bring exported materials to the Sycamore landfill during demolition and to the Otay Landfill during grading of the project. During the time of construction, construction vehicles will be parked on site with existing tenants and will not interfere with the existing on-street parking. Should haul trucks need to queue off site if they cannot be accommodated on site, queuing would occur in the median along Stevens Avenue.

SS-2

The comment requests information regarding traffic management and street maintenance; please see response to comment DF-7. The commenter also expresses concern for construction-related traffic; please also see response to comment DF-6.

SS-3

As stated in DEIR Section 3.6, Geology and Soil, grading would involve approximately 176,000 cy of cut and 22,000 cy of fill, with 154,000 cy of export. As discussed in DEIR Chapter 6, Alternatives, the Original Proposed (Reduced

Export) Alternative would reduce the severity of significant impacts to air quality and noise during construction compared to the proposed project, while achieving most of the basic project objectives. This alternative was analyzed because it was considered feasible, reduces environmental impacts, and achieves most of the objectives. However, in response to the public's concern for public and private views, the applicant decreased the height of the project, which requires an increase grading of the site. The City asserts that the DEIR has complied with the CEQA Guidelines requirement of providing a reasonable range of alternatives that would be feasibly attainable.

As stated in Appendix N, with 154,000 cy of export, a total of 22,000 one-way truck trips would be required (154,000 cubic yards divided by 14 cy/truck, multiplied by two one-way trips), or an increase of 21,186 haul trips over the total of three phases. Spreading the 22,000 haul trips over the 90-day total export period, amounts to 244 trips per day, an increase of approximately 220 haul trips per day over the 19,500 cy haul scenario evaluated in the TIA. This comparison in Appendix N demonstrates the increased export scenario would not cause significant traffic impacts and do not need additional analysis. Additionally, as discussed in Section 3.2, Air Quality, AQ-1 would reduce potential impacts from construction activities to below significant levels. Because there are no significant impacts from the increase in soil export, an alternative analyzing reduced soil exports is not warranted.

	<p><b>SS-4</b>      The comment expresses concern for retaining wall heights. Please see response to comment GL-5.</p> <p>Additionally, as discussed in response to comment SS-3, the Original Proposed (Reduced Export) Alternative would reduce the severity of significant impacts related to exported soil quantities, while achieving most of the basic project objectives. This alternative would not require retaining walls to the height and extent of the proposed project, due to the reduction in grading activities. This alternative was analyzed because it was considered feasible, reduces environmental impacts, and achieves most of the objectives. However, in response to the public's concern for public and private views, the applicant decreased the height of the project, which requires an increase grading of the site. As such, this Alternative is not the preferred Alternative. The City asserts that the DEIR has complied with the CEQA Guidelines requirement of providing a reasonable range of alternatives that would be feasibly attainable. Please refer to response to comment SS-3 regarding the Reduced Export Alternative.</p> <p><b>SS-5</b>      The view that the commenter is referring to is addressed as KOP 5 in the DEIR. As discussed in Section 3.1 Aesthetics, “The loss of mature vegetation, combined with increased building pad elevations for the proposed buildings would result in greater visibility of the new buildings in comparison to existing conditions at least until the new landscaping matures. The vegetated slope fronting the elevated building pad would result in a substantial visual change compared to existing</p>
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conditions, as the building setback is substantially increased thereby minimizing any sense of change in scale or massing as viewed from this KOP increased. Although the change to the mass and scale of buildings would be apparent from a distance and would represent a change in the existing visual character of the site, the proposed building heights would not surpass the height of the existing tree line and would generally be consistent with the existing views of a multi-family residential project. Implementation of the proposed project would not block any background views from this point, as none are currently afforded from this KOP.”

The proposed project results in the lowering of pad elevations to reduce building height and the raising of this particular elevations to allow for adequate circulation and public safety vehicle (fire) access.

Given the significant pad elevation reductions over the entire site, the overall building profile and massing has been significantly reduced. The site can only be reduced so much without compromising adequate vehicular (particularly public safety), pedestrian, and ADA access.

An alternative that results in a building grade similar to existing grade level at the corner of South Nardo Avenue and Stevens Avenue was considered. As discussed in Chapter 6 of the DEIR, two modified site designs (Alternative 3 – Existing Topography Alternative A, and Alternative 4 – Existing Topography Alternative B) were considered that use the approximate existing site topography

	<p>throughout the majority of the site, retaining its downward slope from north to south. These alternatives may be considered out of character with the neighborhood of single-family homes to the north compared to the proposed project. Under Alternative 4, the eastern portion of the site would have a separate entrance and would be isolated from the remainder of the project site and recreation facilities to accommodate the steep existing grade running north to south on the eastern portion of the site. These alternatives also fail to meet important project objectives and would potentially increase, rather than avoid or reduce, aesthetic and land use impacts, thus eliminating it from further analysis.</p> <p><b>SS-6</b> As the proposed project would not result in significant impacts during peak traffic times, as shown in the DEIR Section 3.12-29 through 3.12-35, it is assumed that the proposed project would not result in significant impact during off-peak traffic times. Therefore, no mitigation measures are associated with Traffic And circulation of the proposed project.</p> <p>The traffic improvements would be completed once an engineering permit is obtained by the City for the traffic calming improvements, which typically occurs as part of the final phase of construction to avoid impacts from construction vehicle traffic on the improvements. As indicated in Chapter 8, the traffic calming improvements are anticipated to occur prior to project operations. All public improvements will be required to be bonded prior to issuance of the first building permit. Traffic calming improvements would be constructed as directed by the</p>
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	<p>City. The City may direct the installation of traffic calming improvements at any time, earlier than proposed.</p> <p><b>SS-7</b> Staging areas are considered in Section 3.10, Noise, which states vehicle staging areas and stockpiling shall be located as far as is practicable from existing nearby noise sensitive uses (DEIR page 3.10-23). The estimates provided in the 2017 Traffic Analysis Memorandum prepared by Fehr and Peers (Appendix N of the DEIR), are based on reasonable estimates provided by the applicant's engineers drawing from past project examples and which the City considers to be reasonable. Table 3.12-7 of the DEIR provides construction trip generation estimates. Section 3.10 determined that the proposed project would not cause significant construction traffic impacts as the daily trips would be less than upon operation. Please also see response to comment SS-2.</p> <p><b>SS-8</b> The Loma Santa Fe (LSF) corridor improvements mentioned; through lane reduction in some areas along with the elimination of the left hand turn at Granados and LSF are no longer under consideration after the September 26, 2018 City Council Meeting.</p> <p>The DEIR Section 3.12, Traffic and Circulation, identifies that all intersections and roadway segments would operate acceptably through Horizon Year (2035) Conditions, without and with the project. Special conditions such as fair and racetrack travel are also addressed. The Lomas Santa Fe Corridor improvements are addressed in the cumulative analysis. Therefore, the Lomas Santa Fe</p>
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	<p>Corridor improvements and the effects of those improvements were factored into the existing conditions, or baselines, for each traffic scenario analyzed. The implications of the undertaking of the LSF corridor improvements mentioned by the commenter do not affect the impacts of the proposed project. Please also see response to comment DF-7 regarding traffic improvements, and response to comment CG-6 regarding increased traffic during fair and race seasons.</p> <p><b>SS-9</b> Traffic and traffic safety issues are analyzed in DEIR Section 3.12, Traffic and Circulation. Additional trip generation from the project was evaluated in the existing, project year (2020), and horizon year (2035) condition and found not to have a significant impact. Please also see responses to comments CG-5 and DF-7.</p> <p><b>SS-10</b> The DEIR and technical appendices use accepted default VMT modeling values from the state's published CalEEMod software. The City acknowledges the comment. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. No further response to this comment is required.</p>
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<p>project trip generation and the corresponding LOS which may unfortunately result in a significant impact.</p> <p>6) Nardo street improvements- Given the project's proposed improvements to increase on site parking (372 existing spaces increasing to 525 spaces, driveway reduction, speed table, chokers and raised medians coupled with the Applicant's desire to provide a more walkable, safe and sustainable environment for the community why is there street parking on Nardo ( fronting the project)? This on street parking should be eliminated and the applicant should include non contiguous sidewalks which would enhance the walkability plus enhance the visual appeal of the project elevation given the landscaping would be pulled closer to the drivers view corridor, plus it would provide greater separation from the pedestrians and vehicles resulting in a more walkable and desirable pedestrian experience. No street parking coupled with non contiguous sidewalks with mature landscaping would be an excellent community benefit.</p> <p>7)Ingress/egress- The proposed Stevens avenue driveway is to close and will be in conflict with the Nardo/Stevens 3 way intersection. The proposed driveway should be located further away from the existing intersection and there should be dedicated right in/right out lane. This will improve the public's safety given the primary tenants within this area of the project. On Nardo, there should be a dedicated right turn lane into each gated driveway, thereby improving safety, eliminating conflicts and maintaining a superior level of service within this street segment.</p> <p>8) Project Alternatives- Please reference the proposed project alternatives that would reduce density to approximately 500 units, reduce the dirt export ( which would reduce project costs...i.e economic feasibility), reduce height variances and the overall project height.</p> <p>9) Project height. How tall is the roof top equipment and parapet along with the parapet dimensions? It would be helpful so the public can better visualize and understand overall height and massing.</p> <p>10) Occupancy- What occupancy restrictions will be incorporated in the tenant lease agreements or development agreement or deed restriction to ensure overall occupancy density is not exceeded. By way of example four or more people occupying a 2 bedroom. How is the Applicant going to manage occupancy density to prevent off site parking issues etc.?</p> <p>11) Community benefits. In addition to non contiguous sidewalks, dedicated right turn lanes on Nardo and Stevens, no on street parking on Nardo and to improve traffic on these two major community thorough fares and to better tie in to the LSF corridor improvements, Applicant should upgrade all signalized intersections on Stevens and Lomas with a synchronized state of the art traffic management system. This system will improve LOS and emergency response times as well as lower GHG emissions.</p> <p>I look forward to staff's response.</p> <p>Steve Scott 524 South Granados Ave Solana Beach, Ca. 92075 858 204 5214</p>	<p>↑ SS-10 Cont.</p> <p>SS-11</p> <p>SS-12</p> <p>SS-13</p> <p>SS-14</p> <p>SS-15</p> <p>SS-16</p> <p><b>SS-11</b> The commenter expresses their concern for the project's effect on parking and public safety on nearby roadways. Please see response to comment DF-7 and BE-1.</p> <p><b>SS-12</b> As indicated in Appendix M, the proposed driveway from Stevens Avenue would be located at the exact location as the existing driveway from Stevens Avenue. City engineering staff shall review driveway line of sight hazards as a part of processing the City Engineering Permit. As indicated in Table 3.12-8, the intersection of Stevens Avenue and South Nardo Avenue would operate at LOS B during AM and PM peak hour Existing Plus Project conditions. As such, no significant impact would occur at this intersection. Similarly, no significant impact would occur under Near Term 2020 conditions and Horizon Year 2035 conditions.</p> <p>Additionally, as stated in Section 3.12.4, Impact Analysis, the proposed project would improve vehicular and pedestrian and bicycle safety by reducing the existing four complex driveways on South Nardo Avenue down to two. In conjunction with the public improvement drawings for the new project driveways, a line of sight analysis would be conducted prior to construction. A clear line of sight would be required to be provided, which may result in a modification/restriction to on-street parking at/near driveway locations, and facilitating right-in/right-out access. Controlled access to the site would be provided with queuing</p>
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	<p>space to avoid hazards associated with vehicles queuing across pedestrian paths and bikeways. The Stevens Avenue driveway is existing and not proposed. Increased trip generation from this driveway is analyzed in the Supplemental Traffic Memorandum included as Appendix N. The driveway is shown to operate at acceptable LOS with no change when compared to existing conditions.</p> <p>To ensure pedestrian and bicyclist safety in the project area and the compatibility of the project with the surrounding residential community, the project design includes several traffic calming improvements. Please also see response to comment DF-7. No further response to this comment is required.</p> <p><b>SS-13</b> The comment concern for affordability of housing under the proposed project. Please see responses to comments CG-1, CG-2, and DF-11. Additionally, the DEIR identified significant impacts related to biological resources, cultural resources, hazards and hazardous materials, noise, and tribal cultural resources.</p> <p>Chapter 6, Alternatives analyzes an Originally Proposed Project (Reduced Export) Alternative as it would result in reduced severity of short-term or temporary construction related impacts associated with the removal of less soil (air quality, GHG, traffic and noise impacts). The proposed project would not result in significant impacts associated with building heights see Section 3.1 Aesthetics), and hauling of export material would not result in significant traffic impacts (see Section 3.12 Traffic and Circulation),</p>
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	<p>air quality impacts (see Section 3.2) or any other impacts identified in the DEIR. However, the Originally Proposed Project (Reduced Export) Alternative would result in affects to private views.</p> <p>Additionally, reducing the proposed density was considered as an alternative in response to community concerns associated with the number of units proposed to be developed on site. A developer, however, may acquire the right to develop at a specific density under California law (Government Code Section 65915) and SBMC Section 17.20.050(D)) in exchange for an agreement to construct affordable housing units on site. The applicant has agreed to construct 32 affordable units as a part of the project. As a result, the applicant has a right to develop up to 263 units on site, beyond the 260 units it has proposed, under state law and the SBMC. Because the City may not legally require a reduced number of units (Government Code Section 65915), the applicant is permitted to construct above the 260 units proposed; therefore, a reduced density alternative is not a feasible alternative. Furthermore, this alternative would not meet most of the project objectives and would be speculative.</p> <p><b>SS-14</b> As discussed in Section 3.1, Aesthetics, residential buildings would range in height from two to three stories, reaching up to 47.1 feet above existing grade.</p> <p>All buildings facing South Nardo Avenue would be no closer to the street, and rooflines would not exceed height of the rooflines of any current street-facing buildings, with taller buildings located toward the southern portion of the</p>
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	<p>site (DEIR page 3.1-5). The project architecture features sloped roofs with no parapets, with flat roofs at select locations to minimize potential view impacts. The project would not include any rooftop mechanical equipment. Please refer to Figures 3.1-1 through 3.1-3 for the architectural design of each neighborhood.</p> <p><b>SS-15</b> Occupancy concerns are the subject of Fair Housing Laws and other considerations beyond the control of the applicant. Occupancy is included in the DEIR as an assumption used for modeling purposes. For air quality modeling purposes, it is assumed all residences would be occupied during operations of the project, and per bedroom.</p> <p>The comment also expresses concern for adequate proposed parking; please see response to comment BE-1.</p> <p><b>SS-16</b> This comment expresses a general concern about increased parking along streets in the vicinity of the proposed project. Please see response to comment BE-1. This comment is included in the FEIR for review and consideration by the decision makers prior to a final decision on the proposed project. Because the comment does not identify any environmental issues concerning the adequacy of the DEIR, no further response to this comment is required.</p>
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Comment Letter TK

**Project Density Bonus Relating to Public Street Parking:**

I am bringing up the density bonus aspect of the project with respect to how it relates to public street parking problems. In the Solana Highlands Draft EIR, it states the project is requesting a 26% density bonus. This density bonus is allowed under the city's Affordable Housing Ordinance and will increase the number of units from the current 194 to 260. Without the density bonus the project is zoned for 207 units.

TK-1

**Current and Proposed Parking:**

Solana Highlands currently has 311 on-site parking spaces and the proposed project will increase the on-site parking to 525 spaces. The breakdown is 233 garage spaces, 22 covered spaces, and 270 uncovered spaces. The proposed on-site parking, to my untrained eye, looks to be adequate, even with the proposed density bonus, provided Fenton allows their tenants to use the spaces without charging a premium. Fenton representatives have stated that they will have adequate street parking and will not need to use public street parking.

TK-2

**Fenton's History on Street Parking:**

In the past, Fenton has provided only one parking space per apartment. I know this was their policy in 2012/2013 because we looked into renting a 2-bedroom apartment for my wife's niece. At the time, Fenton would charge their tenants for additional on-site parking spaces, but most tenants would choose not to pay for the additional spaces and park on the public streets instead. I suspect this policy, by Fenton, has been a major cause of the public street parking congestion around the Solana Highlands. I know it wasn't nearly as bad with the prior owners. If this Fenton parking policy were to be exercised with the proposed increased density bonus, our local public street parking will become a disaster. Fenton are in business to make money and, if they can make a buck by charging for onsite parking, we can expect them to do so.

TK-3

**What to Do?**

I am requesting that Fenton be required to NOT charge their tenants for any on-site parking as a condition of the projects approval. Also, the proposed project will have 233 garage spaces, which people tend to use for personal storage, rather than parking vehicles. There must be a requirement that Fenton inspects these garages and make certain they are being used for vehicle parking. Condominium complexes (The Solana Villas) do these type of garage inspections on a regular basis.

TK-4

**Street Sweeping and Controlling Discharge Pollutants to our Lagoons, Beaches, and Oceans:**

As a direct result of Fenton being allowed to abuse Solana Beach public street parking, the street sweeper is unable to access the curbs and must drive directly down the center of Nardo. As a result, he gutters on Nardo are always full of trash, dirt, dog droppings, motor oil, and debris making them a source of discharge pollutants that end up in our lagoons, beaches, and ocean water. Solana Beach

TK-5

Response to Comment Letter TK

**Private Individual  
Thomas Kaiser**

- TK-1** The comment expresses concern for the proposed project's density bonus; please see response to comment DF-5. The comment also expresses concern for on street parking; please see response to comment BE-1.
- TK-2** The comment expresses concern for parking under proposed project conditions. Please see response to comment BE-1.
- TK-3** The comment expresses concern for parking under proposed project conditions. Please see response to comment BE-1.
- TK-4** The comment expresses concern for parking under proposed project conditions. Please see response to comment BE-1.
- TK-5** This comment expresses concern regarding the effects of on-street parking along nearby streets on street sweeping activities. Please see response to comment GW-4.

needs to be better than this and follow the intent Clean Water Act in actual practice and not simply drive a street sweeper down an overparked street. South Sierra Avenue has scheduled no-parking times (alternating between the West and East side) to allow the street sweeper to gain access to the gutters. South Nardo is busier than South Sierra and badly needs to have a similar no-parking schedule during street sweeping times to effectively be able to clean the gutters and reduce discharge pollutants into our waters.

Thank you,

Thomas Kaiser

858-337-9060

↑  
TK-5  
Cont.

<p><b>Traffic Analysis:</b></p> <p>The traffic analysis uses a daily trip count of 8 trips per day per unit to be built. In my experience, the standard is normally 10 trips, and this may have resulted, in some degree, to a determination that no significant impacts are likely to arise from the development.</p> <p>The traffic analysis opines that, during the construction of the new development, the property will actually generate fewer trips than the existing Solana Highlands community. This may be true, though it does not speak to the qualitative difference between passenger vehicles and heavy trucks hauling over 176,000 cubic yards of dirt out and 22,000 cubic yards of dirt back into the project to grade the site. Expect that the construction period, and especially the early phases of excavation and grading are likely to result in substantial roadway slowing as these slow-moving vehicles move through the surrounding area on their way to/from sand and gravel pits.</p> <p><b>Solana Beach Affordable Designation of Affordable Units:</b></p> <p>The project does not appear to meet the City's municipal code with regard to the designation of affordable units. Namely, where the developer proposes 32 affordable units, 12 are studios, 15 are one-bedroom units and 5 are two-bedroom units. The municipal code, at Sec. 17.70.035, requires affordable units to be proportional to the mix of market-rate units in terms of bedrooms. The project proposes 12 studio apartments, 128 one-bedroom units and 120 two-bedroom units total, inclusive of affordable and market-rate units. It is fairly clear on its face that the developer has skewed the affordably-designated units to the smaller, cheaper-to-build end of the spectrum.</p> <p><b>Developers Request for Waiver of Development Fees:</b></p> <p>The developer is requesting an incentive in the form of a discount or complete waiver of certain City development fees. The City of Solana Beach is not bound to give up money in this manner.</p> <p><b>Other Waivers and Requested Incentives by the Developer:</b></p> <p>The developer is proposing to use the waivers and incentives afforded by the density bonus program as follows:</p> <ol style="list-style-type: none"> <li>It has requested a waiver of the 30' maximum building height to 47.1 feet. The actual maximum height of the buildings will be 38' 3", with the roughly 9' difference made up by filling in low areas in the current site with dirt, resulting in a revised "grade" for the development.</li> <li>As immediately above, retaining wall heights in the front and street-side yards of up to 18.5 feet are being requested notwithstanding a 3.5 foot maximum in normal circumstances. The actual face height of the largest retaining wall is proposed to be 16.25 feet.</li> <li>And the final waiver requested is to allow fences built in the buildable area of the proposed buildings' setbacks to be 25 feet tall, as opposed the normal 16-foot restriction. It appears the developer is proposing up to 19 feet of fill with 6 feet of fencing on top in one or more locations on the site.</li> </ol>	<p><b>TK-6</b></p> <p>Section 3.12, Transportation and Circulation, Appendix M, and Appendix N evaluate the traffic impacts associated with operation and construction of the project. Appendix N, Supplemental Traffic Impact Analysis, conducted in 2014, provides traffic counts including existing daily trip counts and concludes that the number of construction-related daily trips falls within the number of daily trips currently generated by the site, which is approximately 1,552 trips per day. The standard trip generation rates were identified using SANDAG's "(Not So) Brief Guide of Vehicular Traffic Generation Rates For the San Diego Region" to calculate the project's trip generation, as vetted by the City's engineer. The trip generation for a single family dwelling is 10 per unit, whereas for multi-family developments it is 8 per unit. Furthermore, according to the analysis included in Appendix A of Appendix M, 24-hour traffic counts were taken at the existing Solana Highlands apartments, which resulted in 1,259 trips for the 194 existing apartments served by the existing four driveways. This equates to 6.49 trips a day per apartment. Thereby, the 8 trips/day used in the traffic generation models is conservative compared to the existing traffic generation.</p> <p>Rather than qualitative analysis the TIA provided quantitative analysis, identifying the construction trips generated (2,050) and accounting for a passenger car equivalent (PCE) at rate of 2.5 for each truck. The export of 154,000 cubic yards of material was evaluated assuming a total of 3 months of demolition and 6 months of grading (approximately 90 days</p>
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	<p>of material export), for an average of 1 month of demolition and 2 months of grading for each phase.</p> <p>The proposed project would require a professionally designed traffic control plan to be prepared by the applicant to the satisfaction of the City Engineer for any work completed on South Nardo Avenue and Stevens Avenue. However, the traffic control plan is not required until the start of construction. The City requires the traffic control plan as part of its construction plans, grading, and public improvement plans (Appendix M). During the time of construction, construction vehicles would be parked on site with vehicles belonging to existing tenants and would not interfere with existing on-street parking (DEIR page. 3.12-23).</p>
	<p><b>TK-7</b> The comment expresses concern for the affordability of housing under the proposed project. Please see responses to comments CG-1, CG-2 and DF-11.</p>
	<p><b>TK-8</b> The City acknowledges the comment and notes that it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the DEIR; therefore, no further response is required or provided.</p>
	<p><b>TK-9</b> The comment expresses concern for proposed building and wall heights. Please see responses to comments DF-5 and GL-5.</p>

<p>These requests for incentives and waivers, by the developer, must be carefully reviewed and understood by the City Council and the Community.</p> <p>Thank you, Thomas Kaiser 858-337-9060</p> <p>Attached please find a pdf file of a Grant of Open-Space Easement granted to San Diego Count by the Turf Club (now Solana Highlands) apartment owners. This Open Space Easement designates any land not currently covered by buildings or car ports as open space which cannot graded or built upon. This Open Space Easement would have been transferred to the City of Solana Beach at the time of incorporation. Based on a quick records search, I have found no additional documents affecting this grant of open space easement. The City of Solana Beach and the developer, as part of the Draft EIR need to address this Grant of Open Space Easement.</p> <p>Grant of Open Space Easement attached.</p> <p>Thank you, Thomas Kaiser 858-337-9060</p>	<p style="text-align: center;">↑ TK-9 Cont.</p> <p style="text-align: center;">TK-10</p> <p><b>TK-10</b> Pursuant to the terms of the Open Space Easement, the restrictions of the easement apply except as Special Use Permit No. P 68-187 may from time to time be amended, or as the Grantee may authorize, to permit additional grading or excavation activity. The proposed Project would create more useable open space than exists currently. Accordingly, the applicant would seek a modification of Special Use Permit No. P 68-187, or authorization from the City, to permit grading and excavation activity consistent with the proposed new site plan as a part of its entitlements for the project.</p>
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## CHAPTER 3 ERRATA AND CHANGES TO THE DEIR

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### 3.1 INTRODUCTION

As provided in Section 15088(d) of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.), responses to comments may include revisions to a draft environmental impact report (EIR) or may be a separate section in the FEIR. This section acts a separate section in the EIR that provides changes to the DEIR presented in strikethrough text (~~strikethrough~~) signifying deletions and underline text (underline) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the proposed project since the release of the DEIR related to factual or typographic errors, as required by Section 15132 of the CEQA Guidelines. The corrections and additions do not raise important new issues related to significant effects on the environment. Such changes are “insignificant,” as the term is used in CEQA Guidelines Section 15088.5(b).

### 3.2 CHANGES TO THE DRAFT ENVIRONMENTAL IMPACT REPORT

Changes to the DEIR are provided in this section. Page numbers correspond to the DEIR page numbers. After the location or locations of the changes (by page number), a brief explanation of the nature of the change is provided in *italics*, followed by the text from the DEIR with changes shown in ~~strikethrough~~ and underline. Additionally, after the changes to the DEIR are presented, an explanation of the change is included in *italics* to provide the reader context for the DEIR revision.

#### **Section ES.2, Summary of the Proposed Project (Page ES-4 of the Executive Summary Chapter)**

*Text describing the required approvals for the proposed project*

The proposed project would involve a phased construction plan designed to enable partial occupancy of the site for approximately 39 months. The phased construction plan would consist of three phases, which are anticipated to have varying durations with some phases being longer in duration and others shorter. ~~Required Requested permits–approvals~~ for the proposed project ~~would~~ include: Development Review Permit (DRP), Structure Development Permit (SDP), Affordable Housing Plan, Density Bonus and Waiver of Development Standards, Sewer Easement Abandonment Permit, Development Agreement, ~~Adjustment Plan/Tentative–Ministerial~~ Parcel Map, Approval of a Fee Waiver, and permits that may be required by other agencies including a Coastal Development Permit ~~and a signed development agreement with the City for the proposed density bonus.~~

Revisions were made to the Executive Summary to appropriately reflect the requested approvals for the proposed project. These revision are non-substantive and are provided for disclosure purposes based on the City’s approval process.

**Section 2.5, Project Description (Pages 2-7 through 2-9 of the Project Description chapter)**

*Text describing the types of units provided at market rate and the maximum building heights.*

Residential buildings would range in height from two to three stories and would have a total of 12 studio apartments, 128 one-bedroom units and 120 two-bedroom units. The three-story affordable senior portion would contain all 12 of the studio apartments, 15 of the one-bedroom units, and 5 of the two-bedroom units, with the balance of the project comprised of 113 one-bedroom and 115 two-bedroom units. Table 2-1a shows the mix of units in terms of market rates in the proposed project. All units would have private outdoor space in the form of balconies (for upper-floor units) or patios (for ground-floor units), laundry facilities, storage space, a parking garage, and surface parking. The proposed project includes 525 on-site parking spaces, as indicated in Table 2-1, Existing and Proposed Development Characteristics, below. The tallest on-site building will be Building ~~2225~~, reaching up to ~~35-38~~ feet and ~~9-3~~ inches. Project amenities on site would include a recreation facility/clubhouse building and associated recreation facilities such as a pool, spa, barbecue areas, walking paths, and passive usable open space.

**Table 2-1  
Existing and Proposed Development Characteristics**

Existing Feature	Quantification	Proposed Feature	Quantification
<i>Development Area</i>			
Complex – Impervious/Paved Area	292,292 square feet	Complex – Impervious/Paved Area	354,735 square feet
Complex – Pervious/Unpaved Area	291,902 square feet	Complex Pervious/Unpaved Areas	228,969 square feet
Lot Size	584,192 square feet	Lot Size	584,192 square feet
<i>Open Space</i>			
Open Space Total	318,541 square feet	Open Space Total	256,355 square feet
Useable Open Space	45,329 square feet	Useable Open Space	65,434 square feet
<i>Structures</i>			
Apartment Buildings	16	Apartment Buildings	23
Clubhouse	1	Clubhouse	1
Multi-Family Off-Complex Buildings	3 Buildings	Multi-Family Off-Complex Buildings	0
Maximum Building Height	18.4 feet above existing grade	Maximum Building Heights	47.1 feet above existing grade <del>46-38</del> feet, <del>3</del> inches above proposed grade*

**Table 2-1**  
**Existing and Proposed Development Characteristics**

Existing Feature	Quantification	Proposed Feature	Quantification
<i>Parking Spaces</i>			
Complex Parking Spaces	311 Spaces	Complex Parking Spaces	525 Spaces
Multi-Family Off-Complex	4 Units	N/A	0
<i>Residential Units</i>			
Studio Apartments	0 Units	Studio apartment (1 bath)	12 Units
1 Bedroom (includes 1-bath "Torrey" and "Foxtail")	84 Units	1 Bedroom (includes 1 bath)	128 Units
2 Bedroom (includes 1 bath "Cypress" and 2 bath "Monterey")	102 (44 and 58, respectively)	2 Bedroom (includes 2 bathrooms)	120 Units
3 Bedroom (2 bath "Ponderosa")	8 Units	3 Bedroom	0 Units
Total	194 Units	Total	260
Multi-Family Off-Complex	4 Units	N/A	0
Combined Total	198 Units	Combined Total	260 Units

**Table 2-1a**  
**Solana Highlands Project Market Rate Unit Mix**

<u>Bungalow Neighborhood</u> <u>two- and three-story buildings*</u>		<u>Lifestyle Neighborhood</u> <u>three-story buildings</u>		<u>Valley View Neighborhood</u> <u>two- and three-story buildings</u>	
<u>Original</u> <u>(Alternative 6)</u>	<u>New* (Proposed</u> <u>Project)</u>	<u>Original</u> <u>(Alternative 6)</u>	<u>New* (Proposed</u> <u>Project)</u>	<u>Original</u> <u>(Alternative 6)</u>	<u>New* (Proposed</u> <u>Project)</u>
<u>22 one-bedroom</u>	<u>23 one-bedroom</u>	<u>46 one-bedroom</u>	<u>49 one-bedroom</u>	<u>45 one-bedroom</u>	<u>41 one-bedroom</u>
<u>44 two-bedroom</u>	<u>43 two-bedroom</u>	<u>33 two-bedroom</u>	<u>30 two-bedroom</u>	<u>38 two-bedroom</u>	<u>42 two-bedroom</u>
<u>66 units</u>	<u>66 units</u>	<u>79 units</u>	<u>79 units</u>	<u>83 units</u>	<u>83 units</u>
<u>228 market rate units + 32 affordable senior units = 260 units</u>					

Note:

\* Unit mix changes due to modifications made during SDP/view assessment process to Buildings 12, 13, and 10. The Bungalow Neighborhood will contain 1 three-story building (Building 10). The parking requirements under SBMC 17.52.040(A) do not change as the overall site rental unit mix remains the same (i.e., 113 one-bedroom units and 115 two-bedroom units).

*Revisions were made to the project description to correct the maximum proposed building height and the building number on the site plan. As described in Chapter 2, Response to Comments, of this FEIR, there have been no new environmental impacts identified, no substantial increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

*To further clarify the mix of units in terms of market rates in the proposed project and as originally proposed (Alternative 6), Table 2-1a was added to the EIR. The addition of the table and*

*information contained therein is non-substantive and is provided for disclosure purposes based on the view assessment/SDP permit process.*

### **Section 2.5.5, Density Bonus (Pages 2-17 and 2-18 of the Project Description chapter)**

*Text describing the density bonus request for the proposed project.*

The project proposes to ~~enter into a Development Agreement with the City of Solana Beach requiring include 32 senior units a percentage of the apartments to be deed-restricted at specific affordability levels to low-income households. In conjunction with City of Solana Beach municipal code and~~ Under California's density bonus law, the provision of the affordable apartments allows the applicant to receive a bonus in the project's density, allowing additional market-rate apartments to also be constructed. The following steps outline the proposed project's density bonus request and provide details as to how the number of dwelling units being proposed was derived (also see Table 2-2):

- **Step 1:** The project site is zoned HRd, which provides for a maximum allowable density of 13 to 20 dwelling units per acre.
- **Step 2:** SBMC Section 17.20.030(B)(4) requires an adjustment to the maximum allowable density for multiple-dwelling-unit projects located in or in proximity to sensitive land, such as steep slopes. A majority of the project site is located on slopes of 0% to 25%. Table 2-2 identifies the number of acres on site located on a slope and the corresponding density adjustment that applies to those acres. As shown in Table 2-2, after applying the slope-adjusted density, the proposed project's permitted maximum allowable density would be 206.6 units, rounded up under state density bonus law to 207 units.
- **Step 3:** The project ~~proposes to enter into a Development Agreement with the City, as permitted by the SBMC Affordable Housing Ordinance, Section 17.70.025(B)(2), and would provide 15.5% of the permitted 207 units as affordable units senior housing affordable to low-income households (32 affordable low-income units).~~
- **Step 4:** ~~Compliance with the City's Affordable Housing Ordinance allows the project to qualify for a density bonus.~~ State law and SBMC Section 17.20.050 would entitle the project to a density bonus of 27.5%. Therefore, the project's actual permitted maximum allowable density is 264 units ( $0.275 \times 207$  permitted units = 56.93 additional units, rounded up to 57;  $207 + 57 = 264$ ). (California Government Code, Section 65915).
- **Step 5:** Although the project would be allowed to build 264 units with the 27.5% density bonus, the project is proposing to construct 260 units, which is a density bonus of 26%. Although a density bonus of 26% would only require 29 affordable housing units, 32 affordable units would be provided. The 32 affordable units would be senior ~~designated affordable low-income units rented to persons 62 years of age and older and containing the~~

elements required for senior housing under California Civil Code Section 51.2(d), such as accessible paths of travel and grab bars. They ~~and~~ would be subject to a rent regulatory agreement with a term of 55 years, and would be rented to individuals or couples ~~qualified pursuant to California Civil Code Section 51.3~~ at affordable rents as required by SBMC Section 17.70.025(C)20.050 and state density bonus law: (~~CGC~~ Government Code Section 65915(c)(1)).

**Table 2-2  
Project Density Overview**

Progressive Calculation	Site Density Factor	Dwelling Units per Acre				Site DU
		Slope	Acres	Allowable Density	Dwelling Units	
Step 1	HRd Zone	13–20 dwelling units per acre				268
Step 2	Slope-Adjusted Density	0%–25%	9.79	20 DU/acre	195.8	206.6
		25%–40%	1.08	10.8 DU/acre	10.8	
		40% +	2.54	0.0 DU/acre	0.0	
		Total	13.41	—	206.6	
Step 3	City Affordable Housing Requirements	Applicant proposes 32 on-site affordable housing units; 15.5% of the total housing units would be affordable units				206.6
Step 4	SBMC Section 17.70.02520.050(D) Density Bonus	Project is eligible for a density bonus				+54
Step 5	Total Number of Units Proposed	Proposed project				260

HRd = High Residential; DU = dwelling unit; SBMC = Solana Beach Municipal Code; DU/acre = dwelling units per acre

*To further clarify the project description, the revisions reiterate that the low-income households proposed are senior housing, to be rented to persons 62 years of age and older. The addition of the table and information contained therein is non-substantive and is provided for disclosure purposes.*

**Subsection 2.5.6 Proposed Waiver of Development Standards and City Fees (Pages 2-25 through 2-27)**

*Text describing the development standard and fee waiver processes.*

**Development Standards Waivers**

SBMC Section 17.20.050 and California State density bonus law ~~allows for the waiver of~~ require waiver of development standards for projects applying eligible for a density bonus if the development standards would physically preclude construction of the project with the density bonus.

Grading of the site is intended to achieve the proposed density and number of units that would allow for the inclusion of 32 affordable housing units and related density bonus. The City requires that height standards be measured from the lower of existing grade or proposed grade. Therefore, in some areas, fill would be placed below proposed buildings, walls, or fences and is included as part of the proposed height calculation.

For example, one of the waivers being sought pertains to maximum height allowed between the front, rear, and side yard setbacks. The applicant has requested a waiver to the allowable 16-foot height standard to allow for a 25-foot height standard. The proposed breakdown of the 25 foot height includes 19 feet of fill material and a 6-foot-tall fence, so the proposed fence would be shorter than the allowed 16 feet. However, since City code (SBMC 17.20.040) requires proposed heights to be measured from the lower of existing or proposed grade, the waiver being proposed is for 25 feet.

The applicant is requesting waivers of the following development standards under density bonus law:

1. Waiver to SBMC Section 17.20.040(G), Maximum Building Height, which sets standards for the maximum allowable building height.
  - a. SBMC Section 17.20.040(G)(2) sets a 30-foot maximum building height for MHR [Medium-High Residential] and HR [High Residential] zones pursuant to a development review permit.
    - i. The project proposes a building height waiver to increase the height limit from 30 feet to 47.1 feet. The actual buildings will be a maximum of two or three stories and up to 38'feet 3 inches in height; however the City measures "height" as the difference between the existing or proposed grade and the grade change is therefore included in the "height" calculation. Grading for the project was designed to lower the project site for new pad elevations, as shown on Figure 2-9, Preliminary Grading Plan. Although this results in taller buildings on down-slope or lower elevations because of the way height is measured by the City, lowering the building pads also lowers the perceived visible height of project buildings as viewed from off site.

[...]

3. ~~Fee w~~Waivers SBMC Section 14.70.045, Incentives, which allows for the City Council, at its sole discretion, to discount City fees, expedite the application process, or provide other assistance to certain types of affordable housing developments.
  - a. ~~The project proposes a fee waiver pursuant to the City's Affordable Housing Ordinance (SBMC Section 17.70.025(B)(2)), which allows the City to waive its fees when the waiver is needed to meet housing needs identified in the Housing Element that otherwise would not be met.~~

*Revisions were made to the project description to most accurately describe the waivers requested for the proposed project. The revisions further explain how the density bonus law requires the project to seek a Development Standards Waiver. These revisions are non-substantive and are provided for disclosure purposes.*

**Section 2.7, Approvals (Page 2-29 of the Project Description chapter)**

*Text describing the approvals required for the proposed project.*

This DEIR is intended to provide environmental documentation pursuant to CEQA to evaluate the potential environmental effects associated with the proposed project. As such, the DEIR covers all discretionary permits proposed as part of the project.

The following ~~permits~~ approvals ~~are required~~ have been requested from the City for the proposed project:

- Development Review Permit
- Structure Development Permit
- Affordable Housing Plan
- Density Bonus and Waiver of Development Standards: Building Height and Wall, Fence, and Retaining Wall Height Waiver (interior of property, as well as front, side, and rear yard setbacks)
- Approval of a Fee Waiver (~~Affordable Housing Fee~~)
- Sewer Easement Abandonment Permit
- Development Agreement
- ~~Adjustment Plat/Tentative Ministerial~~ Parcel Map
- Permits that may be required by other agencies, including a Coastal Development Permit from the California Coastal Commission

*Revisions were made to the project description to most accurately describe the approvals requested for the proposed project. These revisions are non-substantive and are provided for disclosure purposes.*

### Section 3.1.2 Regulatory Setting (Pages 3.1-53 and 3.1-54 of the Aesthetics chapter)

*Text describing the development standards approval process and what development standards are requested to receive a waiver.*

#### Development Regulations

The regulations for development within the residential zones of the City are set out in Section 17.20.030 of the City’s Municipal Code. Section 17.20.050 of the City’s Municipal Code ~~allows~~ requires the waiver of development standards for projects ~~applying~~ eligible for a density bonus if the development standards would physically preclude construction of the project with the density bonus. The applicant has requested a waiver from the following development standards under density bonus law:

1. SBMC Section 17.20.040(G), Maximum Building Height, which sets standards for the maximum allowable building height.
  - a. SBMC Section 14.20.040(G)(2) sets a 30-foot maximum building height for MHR [Medium-High Residential] and HRd [High Residential] zones pursuant to a development review permit.
2. SBMC Section 17.20.040(O), Fences, Walls, and Retaining Walls, which states that no fence or wall that exceeds the allowable height limits above the pre-existing grade shall be constructed.
  - a. SBMC Section 17.20.040(O)(1) sets a height limit of 42 inches for front and street-side yards.
  - b. SBMC Section 17.20.040(O)(2) sets a height limit of 6 feet for rear and interior yards.
  - c. SBMC Section 17.20.040(O)(3) sets a height limit of 16 feet within the buildable area (between the front, rear, and side yard setbacks).

~~3. The developer has also requested a fee waiver under SBMC Section 14.70.045, Incentives, which allows for the City Council, at its sole discretion, to discount City fees, expedite the application process, or provide other assistance to certain types of affordable housing developments. a. The project proposes a fee waiver pursuant to the City’s Affordable Housing Ordinance, which allows the City to waive its fees when the waiver is needed to meet housing needs identified in the Housing Element that otherwise would not be met.~~

*Revisions were made to the Aesthetics chapter to most accurately describe the requested density bonus’s role in the development standard waiver process. These revisions are non-substantive and are provided for disclosure purposes.*

### **Section 3.5.1 Existing Conditions (Page 3.5-3 of the Cultural Resources chapter)**

*Text providing historical context of the project setting.*

The subsequent American period (1846 to present) witnessed the development of San Diego County. This period includes the rapid dominance over California culture by Anglo-Victorian (Yankee) culture and the rise of urban centers and rural communities. A Frontier period from 1850 to 1870 saw the region’s transformation from a feudal-like society to a capitalistic economy in which American entrepreneurs gained control of most large ranchos and transformed San Diego into a merchant-dominated market town. Between 1870 and 1930, urban development established the Cities of San Diego, National City, and Chula Vista, while a rural society based on family-owned farms organized by rural school district communities also developed, especially in the northern region of the County. The U.S. Army and Navy took an increased interest in the San Diego harbor between 1900 and 1940. The U.S. Army established coastal defense fortifications at Fort Rosecrans on Point Loma, and the U.S. Navy developed major facilities in San Diego Bay. The 1920s brought a land boom that stimulated development throughout the City of San Diego (City) and the County, particularly in the Point Loma, Pacific Beach, and Mission Beach areas. Development stalled during the depression years of the 1930s, but World War II ushered in a period of growth based on expanding defense industries. The area of Solana Beach was originally known as Lockwood Mesa and was first settled in 1886 by the family of George Jones. The area was used to farm grain and lima beans. After the completion of Lake Hodges Dam and the creation of the Santa Fe Irrigation District in 1918, development in the area increased significantly. Agriculture was a mainstay of the area at that time. In 1922, Colonel Ed Fletcher, an early community leader and developer, purchased 201 acres at \$200 per acre from George Jones to develop the town of Solana Beach. Solana Beach grew rapidly, paralleling the development of the entire county during the 1924–1929 period. On March 5, 1923, Fletcher filed the original subdivision map of Solana Beach. The community has since grown from an agricultural community to a developed urban area (City of Solana Beach 2015). The City of Solana Beach was incorporated in 1986 (see Appendix G).

*In response to comment AS-3, further historical context was provided in the Existing Conditions Section of the Cultural Resources Chapter of the EIR.*

### **Section 3.6.4, Impact Analysis (Page 3.6-10 of the Geology chapter)**

*Text stating the Hillside Overlay Zone applies to the project site.*

~~A portion of the project site (approximately 3.5 acres of slopes exceeding 25%) is subject to the HOZ.~~ The proposed project site design includes substantial grading activities, which would regrade all of the existing slopes. The site grading is designed to promote stable foundations for proposed structures and retaining walls, and slopes on site would be designed and constructed

according to the applicable requirements of the 2016 CBC or latest version of the CBC, which would minimize any potential risks associated with landslides.

*In response to comment GL2-4 and JB-3, revisions were made to the Geology chapter to correctly reflect the project site. As stated in Appendix H of the DEIR, the existing soil and geologic conditions of that area of the site as previously placed fill, as such the existing 25% slope is not naturally occurring. Therefore the Hillside Overlay Zone does not apply to the proposed project site.*

### **Section 3.9.4, Impact Analysis (Pages 3.9-15 and 3.9-16 of the Land Use and Planning chapter)**

*Text describing the requested density bonus in relation to the municipal code.*

#### **Municipal Code Consistency**

The proposed project would be consistent with the requirements in the City’s Affordable Housing Ordinance. As outlined in Chapter 2, Section 2.5.5 of this DEIR, the proposed project would qualify for a density bonus pursuant to ~~the state density bonus law (Government Code Section 65915) and SBMC Section 17.70.025(B)(2), 17.20.050 Affordable Housing (Density Bonus Ordinance, and State Law (Health & Safety Code Section 50079.5).~~ SBMC Section 17.20.030(B)(4) requires an adjustment to the maximum allowable density for multiple dwelling unit projects located in or in proximity to sensitive land, such as steep slopes. A majority of the project site is located on slopes of 0%–25%. On site, 13.41 acres is located on a slope and has a corresponding density adjustment that applies to those acres. After applying the slope-adjusted density, the proposed project’s permitted maximum allowable density would be 206.6 units.

~~The applicant proposes to comply with the Affordable Housing Ordinance as permitted in SBMC Section 17.70.025(B)(2), the applicant proposes to by entering into a Development Agreement with the City to provide 15.5% (32 units) of the permitted 206 units as units affordable to low-income households, as defined in Health & Safety Code Section 50079.5. State law would entitle the project to a density bonus of 27.5%. Therefore, the project’s actual permitted maximum allowable density is 263 units (0.275 x 207 permitted units = 56.93 additional units; 207 + 56.93 = 263.65/264 rounded up).~~ The project would be allowed to round up to 264, ~~per the Density Bonus Law Roundup~~ as required by state density bonus law (California Government Code, Section 65915). Although the project would be allowed to build 264 units with the 27.5% density bonus, the project is proposing to construct 260 units, which is actually a density bonus of 26%.

Although a density bonus of 26% would only require 29 ~~affordable~~ low income housing units, 32 affordable units would be provided as ~~affordable~~ low income senior housing units. The affordable units would be subject to a rent regulatory agreement with a term of 55 years, and would be rented to low-income seniors (ages ~~62~~55 years and older) at affordable rents, as required by SBMC

Section 17.70.025 (C). The proposed project would provide three more affordable units than needed to qualify the project for the requested density bonus (SBMC Section 17.70.025 (D)).

The project applicant has requested waivers under density bonus law for wall and fence heights, retaining wall heights, and building heights at the interior of the property and beyond the building setbacks. Table 3.9-3, below, provides the rationale for the three requested waivers, comparing existing standards to proposed standards. The City is required to grant the waivers if the development standards would physically preclude development of the property with the density bonus.

*Revisions were made to the Land Use and Planning chapter to further clarify how the density bonus would include low-income senior housing and would require development standards waivers. These revisions are non-substantive and are provided for disclosure purposes.*

**Table 3.9-1, Project’s Consistency with City of Solana Beach General Plan (as Amended through 2014) (Pages 3.9-21, 3.9-24, 3.9-30, and 3.9-31 of the Land Use and Planning chapter)**

*Text included in the ‘Project’ column, which describes how the proposed project would or would not be consistent with the associated General Plan policy.*

**Policy LU-1.2:**

The project is a revitalization of existing apartment homes. The proposed project would provide 32 units of affordable housing and is eligible for ~~a~~the requested density bonus of 26% to allow a total of 260 dwelling units.

**Policy LU-5.2:**

The proposed project would include a density bonus of 26% to allow a total of 260 dwelling units, with 32 units set aside for rental to low-income, senior households at affordable rents for a 55-year term, as required by Solana Beach Municipal Code (SBMC) Section 17.70.025 (C), and the applicant ~~would~~ has proposed to enter into a development agreement with the City, as permitted by the Affordable Housing Ordinance (SBMC Section 17.70.025 (B)(2)), ~~which would obligate the developer to provide the affordable rental units as proposed.~~

**Policy LU-6.7:**

The project applicant has requested waivers for wall and fence heights, retaining wall heights, and building heights at the interior of the property and beyond the building setbacks. As described in Section 3.1, waivers regarding building and wall heights are sought to accommodate lowering the existing grade of the pad elevations and to allow the proposed walls and fence heights. Without the proposed waivers, pad elevations required to fulfill the proposed design goals would not be feasible. The proposed project satisfies the requirements for obtaining the density bonus, and the

approval of waivers is consistent with ~~land use procedures~~; the requirements of state density bonus law and the City’s Density Bonus Ordinance ~~the City does not have discretion to reject the requested waivers (Development Review Permit, Structure Development Permit, and Density Bonus Agreement).~~

**Policy H-3.6:**

The proposed project would provide 32 of the 260 units for low-income households at affordable rents for a 55-year term. Affordable housing covenants applicable to t~~The existing apartment complex does not include designated affordable housing units~~ have expired, although residents of 13 units are permitted to remain at affordable rents until they vacate the units. The project will replace these 13 units with 32 units required to be affordable for 55 years.

*Revisions were made to the Land Use and Planning general plan consistency analysis to accurately describe the requested density bonus and development standard waivers. These revisions are non-substantive and are provided for disclosure purposes.*

**Section 3.10.1, Existing Environment (Page 3.10-5 of the Noise chapter)**

*Revisions were made to Figure 3.10-1, Project Location Map to correctly identify the nearby Turfwood community and the Turfwood Condominiums, not Turfwood Apartments.*

**Section 3.11, Regulatory Setting (Page 3.11-3 of the Population and Housing chapter)**

*Text describing the State’s requirement for sufficient housing to support population growth.*

***Affordable Housing Law (Government Code Sections 65580–65589.8)***

The State of California requires ~~affordable housing by law, as that~~ all cities in California ~~must~~ provide sufficient housing opportunities for the state’s growing population. Because of this law, SANDAG develops a new Regional Housing Allocation Plan (RHNA) every 8 years ~~Therefore, if local jurisdictions make any changes to their housing plans as a result of this RHNA allocation, changes will be reflected in the next~~ based on a Regional Transportation Plan and associated regional growth forecast.

*Revision of the Population and Housing chapter were made to accurately depict the State’s Affordable Housing Law, and SANDAG’s approach to meet the State’s requirements. These revisions are non-substantive and are provided for disclosure purposes.*

**Section 3.11, Regulatory Setting (Page 3.11-5 and 3.11-6 of the Population and Housing chapter)**

*Text describing the relevant goals and policies of the City of Solana Beach General Plan, related to population and housing.*

- **Policy H-6.6:** Require construction projects to recycle construction debris and promote the use of recycled materials as part of new construction or renovations, including the reuse of existing building shells/elements.

The project site is shown in the Housing Element as suitable for 260 units, as proposed, with the increased units (estimated as 66 units in the Housing Element) able to be built at densities suitable for lower income housing. Thirty-two of the additional 62 units will be actually affordable to lower income households.

***San Diego Forward: The Regional Plan***

San Diego Forward: The Regional Plan combines the region’s two most important existing planning documents: the Regional Comprehensive Plan (RCP), and the Regional Transportation Plan and its Sustainable Communities Strategy (RTP/SCS). The RCP, adopted in 2015, laid out key principles for managing the region’s growth while preserving natural resources and limiting urban sprawl (SANDAG 2015). The RCP covers policy areas including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity. These policy areas were addressed in the 2050 RTP/SCS and are now fully integrated into San Diego Forward.

***City of Solana Beach Affordable Housing Ordinance***

The City’s Affordable Housing Ordinance stipulated in the Solana Beach Municipal Code (SBMC) Chapter 17.70 requires that housing developers of five or more units or five or more lots for sale for residential purposes, provide 15% of the total units in the development for very-low and low-income households. Affordable units are subject to a rent regulatory agreement with a term of 55 years and rented to low-income households at affordable rents as required by SBMC Section 17.70.025(C). Rental projects must either pay an affordable housing impact fee ~~unless the developer offers to~~ or provide affordable rental units consistent with the Costa-Hawkins Rental Housing Act (California Civil Code, Section 1954.50 et seq.). Because the entire City is located within the coastal zone, the Affordable Housing Ordinance also satisfies the requirement of California Government Code Section 65590(d), which requires that new housing developments within the coastal zone provide housing for low- or moderate-income households where feasible and that local government assist in providing affordable housing by offering density bonuses or other incentives, including modification of zoning and subdivision requirements.

The ~~proposed project would~~ applicant proposes to provide the affordable units on site and enter into a Development Agreement with the City, as permitted by the SBMC Affordable Housing Ordinance, Section 17.70.025(B)(2), and would provide 15.5% of the permitted 206 units as affordable units (32 affordable units).

*The revision were included to further provide how the City’s General Plan applies to the proposed project. Additionally, corrections were made to accurately describe the affordable housing impact fee process. The revision is non-substantive and is provided for disclosure purposes.*

**Section 3.12.4, Impact Analysis, (Page 3.12-22 of the Traffic and Circulation chapter)**

*Text describing the total vehicle trips under project buildout conditions.*

As shown in Table 3.12-7, with 154,000 cy of export, a total of 22,000 one-way truck trips would be required (154,000 cy divided by 14 cy/truck, multiplied by two one-way trips). Spreading the 22,000 haul trips over the 90-day total export period, amounts to 244 trips per day. The highest number of total trips during construction, according to the TIA analysis, would be during Phase 3 construction as daily trips from construction activities (workers and haul trips) would occur at the same time as trips generated by completed apartment units. During this time the total number of daily trips to/from the site would be 2,050 trips (866 construction related and 1,184 operations related). This is below the 2,080~~2080~~ total trips that is ~~generated under existing conditions.~~projected for buildout conditions.

*Revisions were made to the Traffic and Circulation chapter to correct ~~the~~what conditions under which the 2,080~~2080~~ total trips would occur under. This was accurately reflected in the Traffic Impact Analysis; however, it was incorrectly denoted in the DEIR. As described in Chapter 2, Response to Comments, of this FEIR, there have been no new environmental impacts identified, no substantial increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

**Section 3.12.4, Impact Analysis, (Page 3.12-23 of the Traffic and Circulation chapter)**

*Text describing the number of additional units under the proposed project.*

The traffic analysis was therefore based on these ~~6266~~ 62 additional units and their associated trips as a worst-case scenario, and it is anticipated that construction traffic will not result in any additional impacts to the study area.

*Revisions were made to the project description to correct the number of additional units under the proposed project. There have been no new environmental impacts identified, no substantial*

*increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

**Section 3.14.4, Impact Analysis, (Pages 3.14-34 and 3.1-35 of the Public Services, Utilities, Service Systems, and Energy chapter)**

*Text describing the equivalent dwelling units regarding wastewater and Appendix identifier.*

The existing residential development on site consists of 194 apartment units and four multi-family units, which is equivalent to 176.4 ~~gallons per~~ EDU ~~of wastewater~~. The project proposes 260 multi-family units, which is equivalent to 234 ~~gallons per~~ EDU. The resultant increase in sewer discharge from the site is equivalent to 57.6 ~~gallons per~~ EDUs, which converts to 0.0624 cubic feet per second after applying a peaking factor of 3.5 and converting to cubic feet per second. The projected wastewater from the proposed project would, however, be adjusted to account for water conservation due to Title 24 requirements and low-water-use appliances. The typical maximum proportional depth of flow (d/D)<sup>1</sup> value for public sewer design is 0.5 d/D, which is the indicator that shows a sewer main is flowing at half full. With the additional flows generated by the proposed project, the sewer main would flow at 0.39 d/D (Appendix ~~N~~ O). Therefore, the proposed additional flow from the project would not over-burden the existing sewer system.

As stated above in Threshold A, the proposed project would be served by the Santa Fe Irrigation District, and wastewater would be treated at the SEWRF, which has a treatment facility capacity of 5.25 mgd. The treatment facility capacity of 5.25 mgd is allocated between the City of Encinitas and the City of Solana Beach, split equally. However, approximately 0.25 mgd is distributed to the Rancho Santa Fe Community Services District; thus, approximately 2.5 mgd is allocated to the City of Encinitas and approximately 2.5 mgd to the City of Solana Beach. The current flow per day for SEWRF is approximately 2.5 mgd, leaving a current remaining capacity of approximately 2.75 mgd (Trees, Pers. Comm. 2016). SEWRF has available resources to serve the anticipated 14,735,485 gallons of wastewater annually, or 40,327 gallons per day from the entire proposed project. Treated wastewater would be either sent for additional treatment for use as recycled water or discharged into the ocean outfall. Therefore, the sewer main would not operate at or be over capacity with implementation of the proposed project. The proposed additional flow from the proposed project would not overburden the existing sewer system pumped to the SEWRF. The specific calculations for these generation rates are outlined in detail in Appendix ~~N~~ O.

*Revisions were made to the Public Services, Utilities, Service Systems, and Energy chapter to correctly denote the units used for wastewater generation and the Appendix referenced. As*

<sup>4</sup> Ratio of fluid depth to pipe diameter, which demonstrates capacity.

*described in Chapter 2, Response to Comments, of this FEIR, there have been no new environmental impacts identified, no substantial increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

**Section 4.2.1, Cumulative Projects List, (Pages 4-2 and 4-3 of the Cumulative Effects chapter)**

*Figure 4-1, Cumulative Projects, was replaced in the Cumulative Effects chapter to correctly depict the cumulative projects analyzed in Chapter 4. Table 4-1, Cumulative Projects List, correctly identifies the list of cumulative projects analyzed; however, an incorrect figure was used to illustrate the cumulative projects. As described in Chapter 2, Response to Comments, of this FEIR, there have been no new environmental impacts identified, no substantial increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

**Section 6.5.2, Alternative 7 Single Phase Construction, (Pages 6-55 of the Alternatives chapter)**

As shown in Table 6-4, this alternative would result in comparable impacts to the proposed project, above the health risk threshold of ~~one-ten~~ in ~~ten-one~~ million without mitigation.

*Revisions were made to the Alternatives chapter to correctly denote the threshold used to determine a significant impact under the Single Phase Alternative. This threshold was correctly identified in Attachment B; however, it was incorrectly used in the DEIR. As described in Chapter 2, Response to Comments, of this FEIR, there have been no new environmental impacts identified, no substantial increase in any of the environmental impacts, and no additional project alternative or mitigation measures have identified. Therefore, in accordance with CEQA Guidelines Section 15088.5(a), recirculation of the EIR is not required.*

**Section 3.10, Existing Environment (Page 3.10-5 of the Noise Chapter)**

*Figure 3.10-1, Project Location Map erroneously refers to the Turfwood Condominiums as Turfwood Apartments. The revision was made to the Figure to correctly refer to them as Condominiums.*



 Project Site



8607

SOURCE: BING Maps 2015.

Solana Highlands Revitalization Project

**FIGURE 3.10-1**  
**Project Location Map**

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- Project Boundary
  - Cumulative Projects
- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>1 - The Pearl</li> <li>2 - San Andres Drive Median Improvements</li> <li>3 - Ocean Ranch Estates</li> <li>4 - 330. S. Cedros Mixed Use</li> <li>5 - North Bluff Resort</li> <li>6 - Stevens Ave. CATS Project</li> <li>7 - Lomas Santa Fe Corridor Study</li> <li>8 - Feather Acres 7- lot residential subdivision</li> <li>9 - Skyline Elementary School Reconstruction</li> <li>10 - Earl Warren Middle School Reconstruction</li> <li>11 - Harbaugh Trails Public Open Space and Trails Project.</li> </ul> | <ul style="list-style-type: none"> <li>12 - Santa Fe Christian School Master Plan Update</li> <li>13 - 1-5 North Coast Corridor</li> <li>14 - Del Mar Surfside Race Place</li> <li>15 - Watermark Project</li> <li>16 - El Camino Real Bridge Road Widening</li> <li>17 - Solana Beach NCTD Train Station Redevelopment Project</li> <li>18 - Via de la Valle Underground Utilities District for Utilities</li> <li>19 - Roadway and Sidewalk Improvements</li> <li>20 - Del Mar City Hall/Town Hall Project</li> <li>21 - Del Mar Village Specific Plan</li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

SOURCE: Dudek, 2017

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## **CHAPTER 4**

### **MITIGATION MONITORING AND REPORTING PROGRAM**

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The following table addresses requirements identified in CEQA Guidelines Section 15091(d) and 15097 that Lead Agencies, such as the City of Solana Beach, adopt a program for reporting and monitoring the implementation of mitigation measures identified in an EIR as project conditions of approval. For each mitigation measure identified in the EIR, the following monitoring components are identified: action required; timing of implementation; and enforcement agency responsible for monitoring measure implementation.

These Mitigation Monitoring and Reporting Program (MMRP) commitments have been incorporated into the project and are to be implemented before construction, during construction, and/or operation of the Project in accordance with the Draft EIR.

Mitigation measures, as described below in Table 4-1, were identified for the environmental resource topics of Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Tribal Cultural Resources, and Noise.

Project design features identified in the project description or that were relied upon for evaluations of impact significance are also included as part of this MMRP relative to Biological Resources, Sustainability Components, and Traffic Calming Measures and are anticipated to be formal conditions of approval for the proposed project. Project design features are provided in Table 4-2, below.

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<i>Air Quality</i>			
<p>AQ-1 To reduce the potential for health risks as a result of construction of the project the Applicant shall:</p> <p>A. Prior to the start of construction activities, the project applicant, or its designee, shall ensure that all diesel-powered excavators, forklifts, paving equipment, rollers, rubber tired dozers, scrapers, and tractors/loaders/backhoes, are powered with CARB certified Tier 4 Interim engines, except where the project applicant establishes to the satisfaction of the City that Tier 4 Interim equipment is not available.</p> <ul style="list-style-type: none"> <li>• All other diesel-powered construction equipment will be classified as Tier 3 or higher, at a minimum, except where the project applicant establishes to the satisfaction of the City that Tier 3 equipment is not available.</li> </ul> <p>In the case where the applicant is unable to secure a piece of equipment that meets the Tier 4 Interim requirement, the applicant may upgrade another piece of equipment to compensate (from Tier 4 Interim to Tier 4 Final). Engine Tier requirements in accordance with this measure shall be incorporated on all construction plans. As the construction fleet details assumed for this analysis were based on best available data at the time of preparation (June 2018), construction fleet and operating scenarios may change once a contractor is selected prior to construction anticipated to be mid-2020.</p> <p>B. Prior to the commencement of any demolition, grading or construction activity on the project site, if the applicant makes any changes to the fleet construction, the applicant will conduct a supplemental health risk assessment (HRA) to ensure that the health risk associated with the construction scenario at the time of construction is no greater risk than the 10 in one million as stated in the EIR.</p>	<p>Establish construction fleet in accordance with measure and/or demonstrate health risk of less than 10 in one million if construction fleet differs from that.</p>	<p>Prior to construction</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>All emissions for criteria pollutants would be well below the SDAPCD thresholds. In addition, construction best management practices (BMPs) would be implemented to further limit exposure of sensitive receptors to criteria pollutants, consistent with SDAPCD Rule 55. Construction BMPs are as follows:</p> <p>BMP AQ-1: Consistent with San Diego Air Pollution Control District (SDAPCD) Rule 55, the project applicant shall ensure that fugitive dust generated by grading and construction activities shall be kept to a minimum with a goal of retaining dust on the site, by following the dust control best management practices listed below:</p> <ul style="list-style-type: none"> <li>a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, the project applicant shall use water trucks or sprinkler systems to prevent dust from leaving the site and to create a <b>crust after each day's activities cease.</b></li> <li>b. During construction, the project applicant shall use water truck or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas at least twice per day, later in the morning and after work is completed for the day, and whenever winds exceed 15 miles per hour.</li> <li>c. The project applicant shall ensure that soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation.</li> <li>d. The project applicant shall post signs on-site to limit speeds on unpaved roads to not more than 15 miles per hour.</li> <li>e. The project applicant shall halt all grading and excavation operations when wind speeds exceed 25 miles per hour.</li> <li>f. The project applicant shall ensure that dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday.</li> </ul>	<p>Implement BMPs consistent with SDAPCD Rule 55</p>	<p>During construction</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>g. The project applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be tarped and maintain a minimum 2 feet of freeboard.</p> <p>h. The project applicant shall, at a minimum, at each vehicle egress from the project site to a paved public road, install a pad consisting of washed gravel (minimum-size: 1 inch) maintained in a clean condition.</p> <p>BMP AQ-2: The project applicant shall implement the following best management practices during construction to reduce volatile organic compound (VOC) and oxides of nitrogen (NOx) emissions from construction equipment to the extent feasible:</p> <p>a. The engine size of construction equipment shall be the minimum size necessary to accomplish the task for which it is used.</p> <p>b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practicable number is operating at any one time.</p> <p>c. Construction equipment shall be maintained in tune per the <b>manufacturer's specifications</b>.</p> <p>d. Electric equipment shall be utilized in lieu of diesel-powered equipment, where feasible.</p> <p>e. Delivery or haul truck idling time shall not exceed 5 minutes at any <b>single location per the California Air Resources Board's (CARB) Airborne Toxic Control Measure 13 (13 California Code of Regulations Section 2485)</b>, unless additional time is required for safety reasons, per <b>engine manufacturers' specifications or reasons stated in the Final Regulation Order of 13 California Code of Regulations Section 2485</b>.</p>			

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<i>Biological Resources</i>			
<p>BIO-1: Prior to certificate of occupancy, the applicant shall complete, to the satisfaction of the City of Solana Beach, a Tree Protection Plan. As required by Policy 3.53 of the Land Use Plan, the applicant shall replace all native trees (five sycamores) at a 1:1 ratio, and shall ensure maturity and viability of the root zone. Further, based on the removal of other trees on site as a result of <b>development, and as outlined in the project's Tree Inventory and Protection Plan</b>, the applicant shall provide an arborist's <b>certification that the replacement trees are in good health and thriving</b>. Monitoring will occur three times during year 1, twice during year 2, and annually during years 3 through 5. Following each monitoring inspection, a monitoring report will be provided by the arborist as notification to the City of Solana Beach that the trees are healthy and establishing. The final monitoring report will provide certification that the trees are healthy and established. Should any of the trees die during the monitoring period, they will be replaced by a minimum 72-inch box tree and will be monitored for the remainder of the 5 year period. Declining trees will be provided appropriate measures to improve health or structural condition, or the tree(s) will be replaced.</p>	<p>The applicant shall complete and submit for approval a Tree Protection plan which depicts existing trees potential left in place or relocated, as well as all proposed new and replacement native trees on site. Monitoring of replacement trees over a 5 year period is required. At the completion of the monitoring period, the applicant shall submit a final monitoring report.</p>	<p>The Tree Protection plan shall be completed prior to certificate of occupancy. Monitoring of replacement trees shall occur three times during year 1, twice during year 2, and annually during years 3 through 5.</p>	<p>City of Solana Beach</p>
<p>BIO-2: The project biologist shall conduct pre-construction surveys in the proposed project impact area and a 500-foot buffer around the impact area no earlier than 7 days prior to any on-site grading and construction activities that would occur during the nesting/breeding season of special-status birds or birds protected under the Migratory Bird Treaty Act. Pre-construction surveys shall be conducted between January 1 and September 15, or as determined by the project biologist. The purpose of the pre-construction surveys shall be to determine whether occupied nests are present in the impact zone or within 500 feet of the impact zone boundary. In addition, surveys shall be conducted every 2 weeks for sensitive nesting birds during the breeding season.</p>	<p>Conduct pre-construction surveys in order to determine whether occupied nests are present in the impact zone or within 500 feet of the impact zone boundary. If occupied nests are found, then the limits of construction to avoid occupied nests shall be established by the project biologist.</p>	<p>No earlier than 7 days prior to any on-site grading and construction activities that would occur during the nesting/breeding season of special-status birds or birds protected under the Migratory Bird Treaty Act.</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>If occupied nests are found, then the limits of construction to avoid occupied nests shall be established by the project biologist in the field with flagging, fencing, or other appropriate barriers (e.g., 300 to 500 feet), and construction personnel shall be instructed about the sensitivity of nest areas. If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified, and the project biologist shall serve as a weekly construction monitor during those periods when construction activities are to occur near active nest areas (i.e., within 100 feet of setback) to avoid inadvertent impacts to nests. The project biologist may adjust the 250-foot or 500-foot setback at his or her discretion depending on the species and the location of the nest (e.g., if the nest is well protected in an area buffered by dense vegetation). Once the nest is no longer occupied for the season, construction may proceed.</p>		<p>Pre-construction surveys shall be conducted between January 15 and September 15, or as determined by the biologist.</p> <p>Surveys shall be conducted every 2 weeks for sensitive nesting birds during the breeding season.</p>	
<i>Cultural Resources</i>			
<p>CUL-1: Prior to the start of any ground-disturbing activity, the project applicant shall retain an archaeological monitor and a Native American (Kumeyaay) monitor, approved by the City of Solana Beach (City), to monitor ground-disturbing activities associated with the proposed project, including but not limited to grading, excavation, brush clearance, and grubbing. The archaeological and Native American monitors shall conduct preconstruction cultural resources worker sensitivity training to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with the City.</p>	<p>A qualified archaeological monitor and Kumeyaay Native American monitor shall be retained by the project applicant and approved by the City to monitor ground-disturbing activities. Preconstruction cultural resources worker sensitivity training shall be conducted by the approved monitors. If cultural resources are unearthed during ground-disturbing activities, the monitors, in consultation with the City shall develop a treatment plan.</p>	<p>Prior to the start of any ground-disturbing activity, the applicant shall retain qualified archaeologist and Native American monitors.</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>Initially, all ground-disturbing activities associated with the proposed project shall be monitored. However, the qualified archaeologist, based on observations of soil stratigraphy or other factors, and subject to the approval of the City, may reduce the level of monitoring as warranted. In the event that cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall have the authority to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. If the find is determined to be potentially significant, the archaeologist, in consultation with the City and appropriate Native American monitor and group(s) (if the find is a prehistoric or Native American resource), shall develop a treatment plan. Construction activities shall be redirected to other work areas until the treatment plan has been implemented or the qualified archaeologist determines that work can resume in the vicinity of the find.</p>			
<p>CUL-2: Prior to the start of any ground-disturbing activity, the project applicant shall retain a qualified paleontologist (an individual with an MS or PhD in paleontology or geology who is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County (County), and who has worked as a paleontological mitigation project supervisor in the County for a least 1 year) who shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A paleontological monitor (an individual who has experience in the collection and salvage of fossil materials, working under the direction of a qualified paleontologist) shall be on site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (e.g., Quaternary terrace and landslide deposits correlative with the Bay Point Formation and Torrey Sandstone) to inspect exposures for contained fossils.</p>	<p>The project applicant shall retain a qualified paleontologist for full-time monitoring on site during the original cutting of previously undisturbed deposits.</p> <p>In the event that paleontological resources are discovered or unearthed during project subsurface activities, all earth-disturbing work within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. If avoidance of the resource(s) is not feasible, the paleontologist shall prepare and submit to the City an excavation plan prior to implementation.</p>	<p>Prior to the start of any ground-disturbing activity, the project applicant shall retain a qualified paleontologist.</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>In the event that paleontological resources are discovered or unearthed during project subsurface activities, all earth-disturbing work within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the City to determine procedures that should be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the proposed project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval prior to implementation.</p>			
<p>CUL-3: In the event of accidental discovery of any human remains during construction of the proposed project, the applicant is responsible for the discovery and shall contact the County coroner immediately. Construction activities shall be halted in accordance with Section 15064.4(e)(1) of the California Environmental Quality Act Guidelines and Section 7050.5 of the California Health and Safety Code. If the remains are found to be Native American, California Health and Safety Code, Section 7050.5(c), and California Public Resources Code, Section 5097.98 (as amended by Assembly Bill 2641), shall be followed by the City.</p>	<p>The applicant shall contact the County coroner immediately in the event of a discovery of human remains during construction. Construction activities shall comply with applicable regulations of the California Environmental Quality Act Guidelines and the California Health and Safety Code.</p>	<p>During construction</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<i>Hazards and Hazardous Materials</i>			
<p>HAZ-1: Prior to the start of demolition, an asbestos survey shall be performed by the County of San Diego (County) Department of Environmental Health (DEH), Occupational Health Program (OHP) for all on-site structures that will be disturbed by demolition activities in accordance with County Administrative Manual Asbestos Policy 0050-01-9. The survey shall cover the entire building to be demolished, document the location and types of asbestos found, and determine whether any on-site abatement of asbestos-containing materials is necessary. If asbestos is located during the survey, an abatement work plan shall be prepared by the applicant and approved by County DEH in compliance with local, state, and federal regulations for removal of such materials. The work plan shall include specifications for the proper removal and disposal of asbestos. The County DEH, OHP, or its designee will monitor project <b>applicant's implementation</b> of the asbestos work plan to ensure that proper controls are implemented and to ensure compliance with the work plan requirements and abatement contractor specifications. Any necessary asbestos sampling and abatement shall be done by a California Occupational Safety and Health Administration (Cal/OSHA)-certified asbestos consultant/contractor and all costs associated with such sampling and abatement shall be paid for by the project applicant.</p> <p>In addition, the project applicant shall comply with all San Diego Air Pollution Control District and Cal/OSHA have notification requirements pertaining to the disturbance of asbestos-containing materials. When applicable, the project applicant shall make these notifications prior to the activity as follows:</p> <ol style="list-style-type: none"> <li>a. 10-day notification to the San Diego Air Pollution Control District for renovation/demolition activities. (Note: These are 10 working days; asbestos activities can start on the 11th day. Working days means Monday through Friday, including holidays that fall on these days.)</li> <li>b. 24-hour notification to Cal/OSHA.</li> </ol>	<p>An asbestos survey shall be performed for all on-site structures that would be disturbed by demolition activities in accordance with County Asbestos Policy. If asbestos is located during the survey, an abatement work plan shall be prepared by County DEH in compliance with local, state, and federal regulations for removal of such materials.</p>	<p>Prior to the issuance of a Demolition or Grading Permit.</p> <p>If applicable (if asbestos-containing materials is identified), the following notification is required:</p> <ul style="list-style-type: none"> <li>• 10-day notification to the San Diego Air Pollution Control District for renovation/demolition activities.</li> <li>• 24-hour notification to Cal/OSHA.</li> </ul>	<p>City of Solana Beach County of San Diego DEH County of San Diego OHP</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>HAZ-2: Prior to the start of demolition, a lead-based-paint survey shall be performed by a Certified Lead Inspector/Assessor as defined in Title 17, California Code of Regulations, Section 35005, approved by the City and paid for by the project applicant, for all on-site structures that will be disturbed by demolition activities in accordance with local, state, and federal regulations. The survey shall cover the entire building to be demolished, document the location and types of lead-based paint found, and determine whether any on-site abatement of lead-based paint is necessary. If lead-based paint is located during the survey, an abatement work plan shall be prepared by the County DEH in compliance with local, state, and federal regulations for any necessary removal of such materials. The work plan shall include specifications for the proper removal and disposal of lead-based paint. The project applicant shall implement the work plan and shall be responsible for payment of all fees and costs associated with preparation and implementation of the work plan. The County DEH, OHP, or its designee will monitor project <b>applicant's implementation</b> of the lead-based paint work plan to ensure that proper controls are implemented and to ensure compliance with the work plan requirements and abatement contractor specifications.</p> <p>The applicant shall retain a California-licensed lead-based-paint abatement contractor, approved by the City, for the removal work and proper removal methodology as outlined by Cal/OSHA (8 CCR 1529), and all other applicable federal, state, and local regulations regarding the removal, transport, and disposal of lead-containing material shall be applied. The lead-based-paint abatement work plan shall include a monitoring plan to be conducted by a qualified consultant during abatement activities to ensure compliance with the work plan requirements and abatement contractor specifications. The work plan shall include provisions for construction worker training, worker protection, and conducting exposure assessments as needed. As part of the work plan, construction contractors shall consult federal OSHA regulations (29 CFR</p>	<p>A lead-based-paint survey shall be performed by a Certified Lead Inspector/Assessor. If lead-based paint is located during the survey, an abatement work plan shall be prepared by the County DEH. The applicant shall retain a California-licensed lead-based-paint abatement contractor for the removal work and proper removal methodology.</p>	<p>Prior to the issuance of a Demolition or Grading Permit</p>	<p>City of Solana Beach County of San Diego DEH Count of San Diego OHP</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
1926.62) and Cal/OSHA regulations (8 CCR 1532.1) regarding lead in construction standards for complete requirements. Demolition plans and contract specifications shall incorporate any necessary abatement measures for the removal of materials containing lead-based paint to the satisfaction of the City of Solana Beach Planning and Building Department. The measures shall be consistent with the abatement work plan prepared for the project and conducted by a California-licensed lead/asbestos abatement contractor.			
<i>Noise</i>			
NOI-1: During all phases of construction, vehicle staging areas and stockpiling shall be located as far as is practicable from existing nearby noise sensitive uses.	Construction compliance with City Noise Ordinances.	Throughout construction	City of Solana Beach
NOI-2: In compliance with the City of Solana Beach Municipal Code Noise Ordinance, the applicant shall require that construction activities be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, with the exception of legal holidays during which time construction will not be permitted.	<b>Project compliance with the City's Municipal Code Noise Ordinance</b>	Throughout construction	City of Solana Beach
NOI-3: Prior to issuance of any demolition or grading permit, the applicant shall establish a noise complaint response program subject to the approval of the City and shall respond to any noise complaints received for this project by measuring noise levels at the affected receptor site. The noise complaint response program shall require that all residences and noise-sensitive land uses within 50 feet of construction site shall be notified of the construction. The notification will describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure. Additionally, as part of the noise complaint response program, the <b>applicant shall designate a "Construction Liaison" who will be responsible for notifying the City and Engineer and responding to any local complaints about construction noise. The liaison will determine the cause of the noise complaints</b>	The applicant shall establish a noise complaint response program subject to the approval of the City and shall respond to any noise complaints received for this project by measuring noise levels at the affected receptor site.  The applicant shall designate a <b>"Construction Liaison" who will be responsible for responding to any local complaints about construction noise.</b>	Prior to the issuance of a Demolition or Grading Permit	City of Solana Beach

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>(starting too early, bad muffler, etc.) and institute reasonable measures, approved by the City Engineer, to correct the problem within 48 hours after receiving a complaint.</p> <p>If a noise complaint is registered that cannot be resolved by the Construction Liaison, then the applicant shall retain a Qualified Noise Consultant to conduct noise measurements at the location where the complaint was registered. If the noise level exceeds an Leq(8) of 75 A-weighted decibels (dBA; i.e., more than 75 dBA for more than 8 hours during any 24-hour period when measured at or within an adjacent residential property), the applicant shall implement noise reduction measures, such as portable sound attenuation walls, use of quieter equipment, shift of construction schedule to avoid the presence of sensitive receptors, etc., to reduce noise levels, to the satisfaction of the City Engineer. The determination of appropriate resolutions to noise complaints shall be sent to the complainant and City Engineer within 48 hours after the receipt of a complaint.</p>	<p>If a noise complaint is registered that cannot be resolved by the Construction Liaison, then the applicant shall retain a Qualified Noise Consultant to conduct noise measurements at the location where the complaint was registered.</p>		
<p>NOI-4: The applicant shall require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections during construction activities, by a qualified noise consultant, retained by the project applicant and approved by, to the satisfaction of the City Engineer.</p>	<p>All construction equipment shall be operated at appropriate noise levels <b>identified in the City's Municipal Code Noise Ordinance.</b></p>	<p>Throughout construction.</p>	<p>City of Solana Beach</p>
<p>NOI-5: Prior to the issuance of a Demolition or Grading Permit, the applicant shall provide a written and signed letter to the Director of Community Development, stating that a Qualified Noise Consultant has been hired to conduct noise monitoring during the demolition and grading phases of construction. The Qualified Noise Consultant shall periodically monitor noise levels to ensure compliance with the Solana Beach Municipal Code Noise Ordinance sections dealing with construction noise and shall notify the City in writing within 24 hours of any exceedance of the Noise Ordinance.</p>	<p>The applicant shall hire a qualified noise consultant to conduct noise monitoring during the entire demolition and grading phases of construction to ensure <b>compliance with the City's Municipal Code.</b> <b>The City's Director of Community Development</b> must receive a written and signed letter of documentation.</p>	<p>Prior to the issuance of a Demolition or Grading Permit</p>	<p>City of Solana Beach</p>

**Table 4-1  
Mitigation Monitoring and Reporting Program  
Solana Highlands Revitalization Project Draft EIR**

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>NOI-6: The following measures are required of all construction activities implemented under the proposed project:</p> <ul style="list-style-type: none"> <li>• Stationary noise-generating equipment shall be located as far as reasonable from sensitive receptors when sensitive receptors adjoin or are within 50 feet of the construction site.</li> <li>• Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited.</li> </ul>	<p>The project applicant shall comply with construction regulations specific to construction activities within 50 feet of sensitive receptors, set forth by the City.</p>	<p>Throughout construction</p>	<p>City of Solana Beach</p>
<p>NOI-7: In the event construction noise levels are exceeded, the applicant shall immediately alter construction activities to achieve compliance instance. Compliance shall be achieved through the installation of temporary noise barriers around construction areas adjacent to, or within 50 feet off, residences, schools or other noise-sensitive land uses along the north, west, and south sides of the project site. Where required to reduce noise levels in compliance with City regulations, temporary noise barriers shall be constructed of material with a minimum weight of 3 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 0.625-inch plywood, 0.625-inch oriented strand board, or hay bales. These barriers shall be a minimum of 8 feet in height and shall extend the full length of the demolition, grading or construction area. Monitoring of compliance shall also be required following installation of any required noise barriers.</p>	<p>The project applicant shall comply with construction regulations specific to construction activities within 50 feet of sensitive receptors, set forth by the City.</p>	<p>During all active construction phases if noise levels exceed City thresholds.</p>	<p>City of Solana Beach</p>
<p>NOI-8: Prior to final inspection the project applicant shall establish to the satisfaction of the City Engineer that through either the installation of sound barriers or the specifications of the heating, ventilating, and air conditioning (HVAC) units installed for the project, that the HVAC units do not exceed a sound pressure level of 45 dBA at a distance of 25 feet, on or off site. An example of an HVAC unit producing less than 45 dBA at a distance of 25 feet is the Trane 4DCY4024.</p>	<p>Ensure all HVAC units to not exceed a sound pressure level of 45 dBA at a distance of 25 feet.</p>	<p>Prior to operation of the project</p>	<p>City of Solana Beach</p>

**Table 4-2  
Project Design Features**

Project Design Feature	Action Required	Timing	Enforcement Agency
<i>Biological Resources – Project Design Features</i>			
If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified and an appropriate disturbance set-back will be determined and imposed until the young-of-the-year are no longer reliant upon the nest. The set-back or buffer shall be no less than 100 feet.	CDFW shall be notified in nesting sensitive birds are detected at the project site or in the immediate surrounding area during the breeding season. An appropriate set-back or buffer shall be determined by the qualified project biologist.	Prior to Demolition / Construction	Contractor/Applicant/ City of Solana Beach
The proposed preliminary Landscape Concept Plan (see Draft EIR Figure 2-5) includes the use of indigenous and/or drought-tolerant plant material, where feasible. No invasive or potentially invasive species would be used.	<b>The City shall review and approve the applicant's</b> Landscape Concept Plan and confirm inclusion of drought-tolerant plant material	Prior to issuance of Building Permit	Contractor/Applicant/ City of Solana Beach
Per Solana Beach Municipal Code (SBMC) Section 17.20.040(J), the proposed project is required to meet a minimum of 250 square feet per unit of usable open space. Therefore, 260 units would require a minimum of 65,000 square feet of usable open space. As shown in Draft EIR Figure 2-6, the project would provide 65,065 square feet of usable open space (250 square feet per unit).	The City shall review final project site plans to confirm the incorporation of required useable open space.	Prior to issuance of Building Permit	Contractor/Applicant/ City of Solana Beach

**Table 4-2  
Project Design Features**

Project Design Feature	Action Required	Timing	Enforcement Agency
<i>Sustainability Related Project Design Features</i>			
<p>In addition to the measures that are part of Title 24, the project would include the following energy-efficiency measures in its design:</p> <ul style="list-style-type: none"> <li>• Electric vehicle charging stations for residents and guests</li> <li>• Photovoltaic panels</li> <li>• Low water use appliances, in-home fixtures, and irrigation</li> <li>• Low VOC (volatile organic compound) paints</li> <li>• Community recycling program</li> <li>• Energy Star appliances</li> <li>• Energy-efficient LED lighting, appliance, and heating, ventilation, and air conditioning (HVAC) design</li> <li>• Saltwater pool with solar heating</li> <li>• Building insulation elements installed under the inspection of the Home Energy Rating System (HERS) rating agency</li> <li>• Drought-tolerant landscaping</li> <li>• Possible reclaimed water use for irrigation</li> <li>• Walking paths and bicycle lockers to promote more sustainable lifestyles for residents, employees, and guests.</li> </ul>	<p>The applicant shall incorporate the identified and approved energy-efficiency measures into project design.</p>	<p>Final list of sustainable design features approved prior to issuance of Building Permit. All design features shall be incorporated prior to project operation.</p>	<p>Contractor/Applicant/ City of Solana Beach</p>

**Table 4-2  
Project Design Features**

Project Design Feature	Action Required	Timing	Enforcement Agency
<i>Traffic Calming Measures</i>			
<p>Traffic calming devices off-site along South Nardo Avenue from Solana Circle-Nardito Lane to Stevens Avenue, are proposed as part of the project and include:</p> <ul style="list-style-type: none"> <li>• Installation of a 10-foot raised median and striping on South Nardo Avenue just west of Stevens Avenue, which would create a left-turn pocket for vehicles entering the project site.</li> <li>• Installation of curb extensions on the northwest and northeast corners of the Fresca Street/ South Nardo Avenue intersection, which would narrow the street, reduce speeds, and make pedestrians more visible.</li> <li>• Installation of chokers, including a 6-foot center median and 5-foot medians on either side of the street, on South Nardo Avenue approximately 230 feet west of Fresca Street, and approximately 360 feet east of Nardito Lane, which would narrow the street and reduce speeds along a long stretch of South Nardo Avenue.</li> <li>• Installation of a speed table on South Nardo Avenue between Nardito Lane and Solana Circle to reduce turning speeds through the intersections.</li> </ul> <p><u>Additional improvements and community enhancements, which may revise and/or refine the traffic calming improvements, will be considered as conditions of approval.</u></p>	<p>Implementation of traffic calming measures identified by the applicant and approved by the City</p>	<p>Prior to project operation</p>	<p>Contractor/Applicant/City of Solana Beach</p>

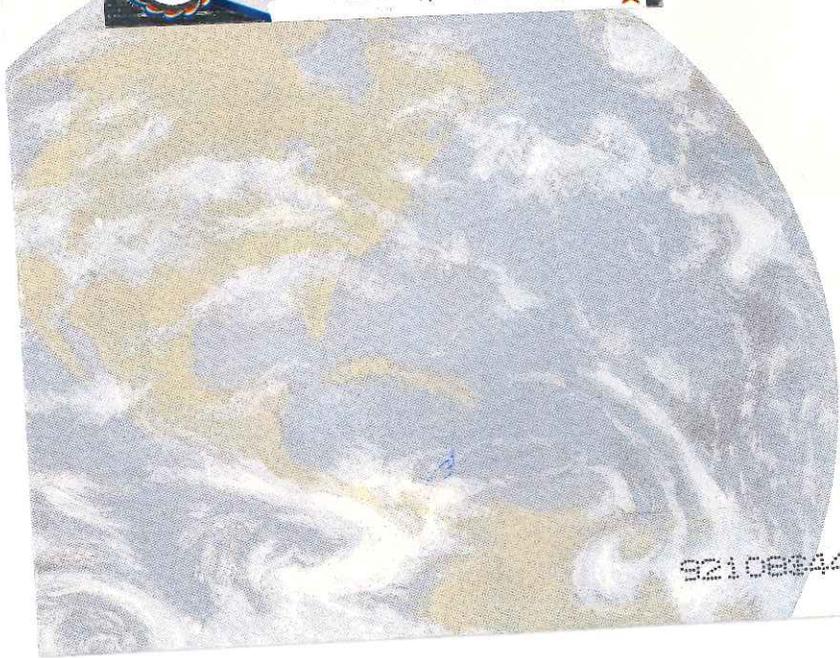
ATTACHMENT 1  
*Bruce Headley Letter Package*



 Aase Headley  
269 W Norman Ave  
Arcadia, CA 91007

SANTA CLARITA, CA 913

25 JUN 2018 PM 2 L



H G Fenton Company  
7575 Mission Valley Rd.  
San Diego  
CA 92018

9210834429 0019



**Bruce Headley**  
**269 West Norman Avenue**  
Arcadia, California 91007

June 18, 2018  
H.G. Fenton Company  
7575 Mission Valley Road  
San Diego, CA 92018

To Whom It May Concern:

Re: Fenton Co Revitalizing Solana Beach

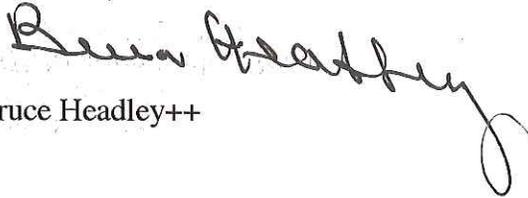
I own the Solana Beach property at 606 South Nardo on the corner of Nardo and Nardito.

Today I received a letter from the above about your above plans to change my neighborhood. It looks like a street would come up behind my property and there would be a loss of my backyard.

Please inform me of the complete and direct impact to my property by this project

I look forward to your immediate response.

Yours truly,



Bruce Headley++



**TRUST, SERVICE AND INNOVATION SINCE 1906**

June 28, 2018  
Bruce Headley  
269 West Norman Ave.  
Arcadia, CA 91007

Mr. Headley,

Thank you for your letter regarding your property at 606 South Nardo. I want to be unequivocally clear that there would NOT be a new street built adjacent to, behind, or on your property.

I have reviewed the letters that were sent to neighbors including yourself, and am unclear as to what was in the letter that caused concern about a new street being built behind your property.

The Revitalizing Solana Highlands Project ([www.revitalizingsh.com](http://www.revitalizingsh.com)) will be built on the property currently occupied by the Solana Highlands Apartments with the address of 701 South Nardo, Solana Beach, 92075. The Solana Highlands Apartment property is completely separated from your property by South Nardo Avenue.

Please see the attached exhibit showing your property highlighted in green, and our property highlighted in blue.

Thank you for reaching out regarding the Revitalizing Solana Highlands project, and I would be pleased to give you more information about the project at your convenience. My cell phone number is 619-607-7079, and my office line is 619-400-0120.

Thank you,

A handwritten signature in black ink, appearing to read "John La Raia". The signature is fluid and cursive, with a long horizontal stroke at the end.

John La Raia  
Vice President

**Exhibit**



ORIGIN ID:MYFA (619) 400-0120  
MILTON TURNER  
HG FENTON  
7577 MISSION VALLEY ROAD

SHIP DATE: 28JUN18  
ACTWGT: 1.00 LB  
CAD: 5625598/INET3980

SAN DIEGO, CA 92108  
UNITED STATES US

BILL SENDER

TO **BRUCE HEADLEY**

**269 WEST NORMAN AVENUE**

**ARCADIA CA 91007**

(619) 400-0120

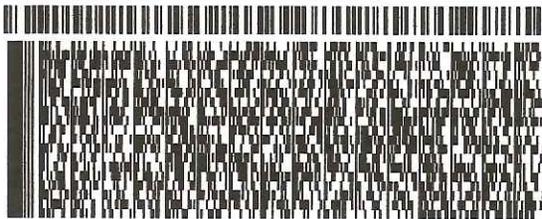
REF: KRISTA BOSSI

INV:

PO:

DEPT:

552.12/83DFDCA5



J181118012001ur

**FRI - 29 JUN 8:00P**

**STANDARD OVERNIGHT**

TRK#  
0201

**7725 9566 8347**

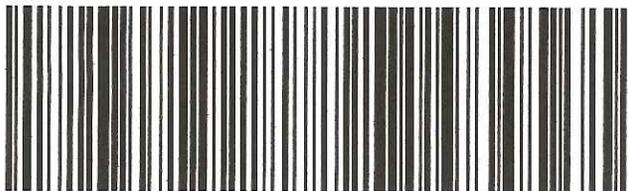
RES

**91007**

CA-US

**BUR**

**WZ WHPA**



**After printing this label:**

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2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.**

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ATTACHMENT 2  
*GEOCON Updated Slope Stability Analyses*



**UPDATED SLOPE  
STABILITY ANALYSES**

---

**SOLANA HIGHLANDS  
SOLANA BEACH, CALIFORNIA**



**GEOCON**  
INCORPORATED

GEOTECHNICAL  
ENVIRONMENTAL  
MATERIALS

PREPARED FOR

**H. G. FENTON COMPANY  
SAN DIEGO, CALIFORNIA**

**AUGUST 16, 2018  
REVISED SEPTEMBER 5, 2018  
PROJECT NO. G1198-42-04**



Project No. G1198-42-04  
August 16, 2018  
Revised September 5, 2018

H. G. Fenton Company  
7577 Mission Valley Road, Suite 200  
San Diego, California 92108

Attention: Mr. David Gatzke

Subject: UPDATED SLOPE STABILITY ANALYSES  
SOLANA HIGHLANDS  
SOLANA BEACH, CALIFORNIA

- References:
1. *Updated Slope Stability Analyses, Solana Highlands, Solana Beach, California*, prepared by Geocon Incorporated, revised date August 16, 2018 (Project No. G1198-42-04).
  2. *Slope Stability Analyses, Solana Highlands, Solana Beach, California*, prepared by Geocon Incorporated, revised date August 6, 2015 (Project No. G1198-42-04).
  3. *Preliminary Grading Plan, Revitalizing Solana Highlands, Sheets G2.1, G2.11, and G2.12, Solana Beach, California*, prepared by Pasco Laret Suiter & Associates, dated June 9, 2018.

Dear Mr. Gatzke:

In accordance with your request, we have prepared this letter to present the results of the slope stability analyses for the slope located along the southern portion of the subject project. We performed the slope stability analyses using the referenced plan dated June 9, 2018.

The results of our analyses indicate that the southern slope within the property limits of the project exceeds the standard of care with respect to slope stability. The slope is currently performing adequately within the proposed project area. Additionally, the proposed project does not adversely affect the stability of any adjacent slopes located outside of the project limits.

### **EXISTING SLOPE CONDITIONS**

The southern slope is comprised of native Old Paralic Deposits. A minor amount of fill overlies the Old Paralic Deposits within the upper approximately 5 feet of the slope in some areas. The slope ranges from approximately 30 to 40 feet in height, with a lower section (south of the property line) that has an inclination ranging from approximately 0.75:1 (horizontal to vertical) to 2:1. The steepest portion of the slope is located at the western end of the site and appears to have been cut to create access for the

adjacent Bay Meadows Way south of the property. The upper portion of the slope (within Solana Highland's property limits) has an inclination that ranges from approximately 1.5:1 to 3:1.

## **STABILITY ANALYSIS**

We performed stability analyses on 6 cross sections within the southern slope on the subject property identified as 1-1' through 5-5'. The locations of cross sections are shown on Figure 1. The analyses were performed using the computer program SLOPE/W (2018) distributed by Geo-Slope International. This program uses conventional slope stability equations and a two-dimensional limit-equilibrium method to calculate the factor of safety against deep-seated failure. For our analysis, Spencer's Method with a circular failure mode was used. Spencer's Method satisfies both moment and force equilibrium.

The computer program searches for the critical failure surface based on parameters used. The critical failure surface for each analysis is shown on the computer-generated outputs (Figures 2 through 13). The factor of safety is shown on each figure directly above the failure surface. The most critical failure surface is shown as the hatched area on each figure.

Figures 2, 4, 6, and 7 show the slope stability for existing site conditions. Figures 3, 5, 8, and 9 through 13 show analyses for proposed conditions. Based on our analyses, the proposed project does not adversely impact the stability of the existing slopes. At cross section locations 1 and 2 the factor of safety for proposed conditions is 1.5 or greater, which is the standard of care in San Diego County with respect to slope instability. At cross section location 3, the factor of safety for the proposed condition is less than 1.5.

As planned grading consists of cuts at the top of the slope to reach building pad grade, the overall slope condition is improved as a result of soil being removed from the top of the slope, thereby reducing driving forces within the slope zone (see Figures 5, 8, and 9). The factor of safety for the slope increases as a result of the planned grading. With respect to building loading, the buildings are set back at a sufficient distance (at least 1:1 plane from footing to slope face) so imposed loads from the building foundation fall outside of the slope failure plane and do not impact the slope or impose loading within the slope zone.

With respect to the lower steepened portion of the slope south and outside of the property line at the western end of the site (cross section location 3, see Figure 6), the existing slope has a global factor of safety below 1.5. However, the proposed project does not affect this slope. As shown on Figures 6 and 8, the factor of safety remains unchanged between the existing and proposed conditions. The building is set back a horizontal distance of at least 35 feet from the top of the slope, which is a sufficient distance that building foundation loads do not project into the slope failure zone, and thereby, do not impact the existing slope. The failure plane that represents a factor of safety of 1.5 is located approximately 18 feet

from the property line (see Figure 9). The building is set back 17 feet from this theoretical failure plan, and therefore, slope instability, if it were to occur on the steep slope, should not impact the building.

To analyze the approximate limits of the portion of the steep slope that has a factor of safety less than 1.5, we analyzed cross sections 4, 4a, and 5. The results of the stability analysis is presented on Figures 10 through 13. Based on these results, we have identified the slope area that exhibits a factor of safety less than 1.5. This area is shown on Figure 1. We understand the City of Solana Beach will require a structure setback in this area. The northern edge of the setback line is set at the location where the stability analysis indicates a factor of safety of 1.5.

### SUMMARY

Based on our slope stability analyses, the proposed development does not adversely impact the stability of the existing slope within the Solana Highlands property located along the southern property line. The factor of safety for the stability of this slope is 1.5 or greater, which meets the standard of care for slope stability in San Diego County. Additionally, grading proposed for the project results in cuts from the top of a portion of the slope increasing the overall slope stability factor of safety.

A segment of the western portion of the existing slope has a calculated factor of safety less than 1.5. However, this portion of the slope is outside of the H. G. Fenton property and the proposed Solana Highlands development does not encroach onto the steep slope or impact the existing slope condition. The proposed building is located beyond the top of the slope, and beyond the edge of the failure surface where a factor of safety of 1.5 exists. However, we understand the City of Solana Beach is requiring a structure setback within the slope area where the factor of safety is less than 1.5. The limit of the structural setback, based on our stability analyses, is shown on Figure 1. All of the proposed buildings for the planned project fall outside of the set-back limits.

Should you have any questions regarding this letter, or if we may be of further service, please contact the undersigned at your convenience.

Very truly yours,

GEOCON INCORPORATED

  
Rodney C. Mikesell  
GE 2533



RCM:dmc

(2/del) Addressee





Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 1-1'  
 Name: 1-1 Existing (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qop - Old Terrace Deposits	130	240	32

Existing Conditions

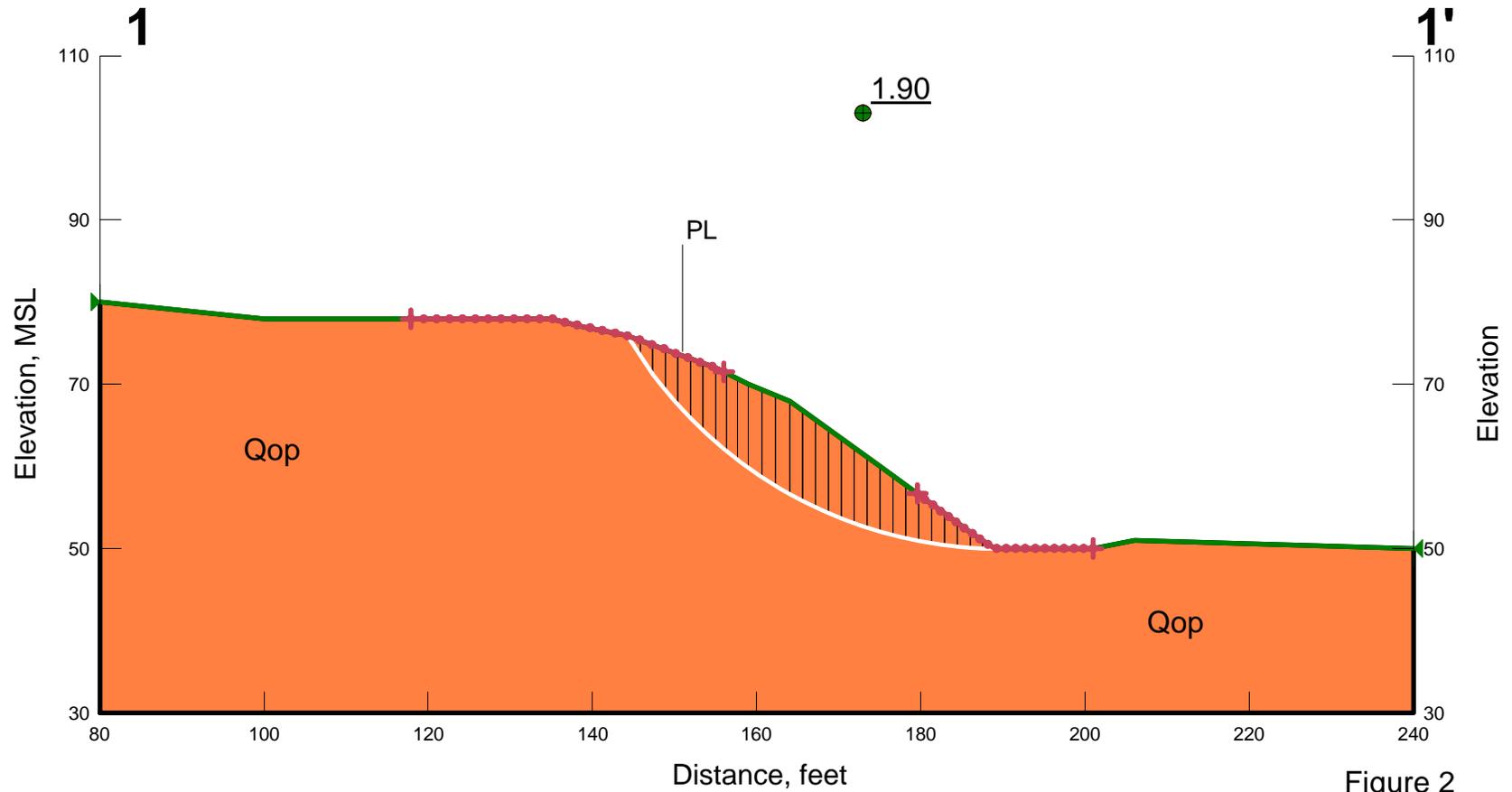


Figure 2

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 1-1'  
 Name: 1-1 Proposed\_Static (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions

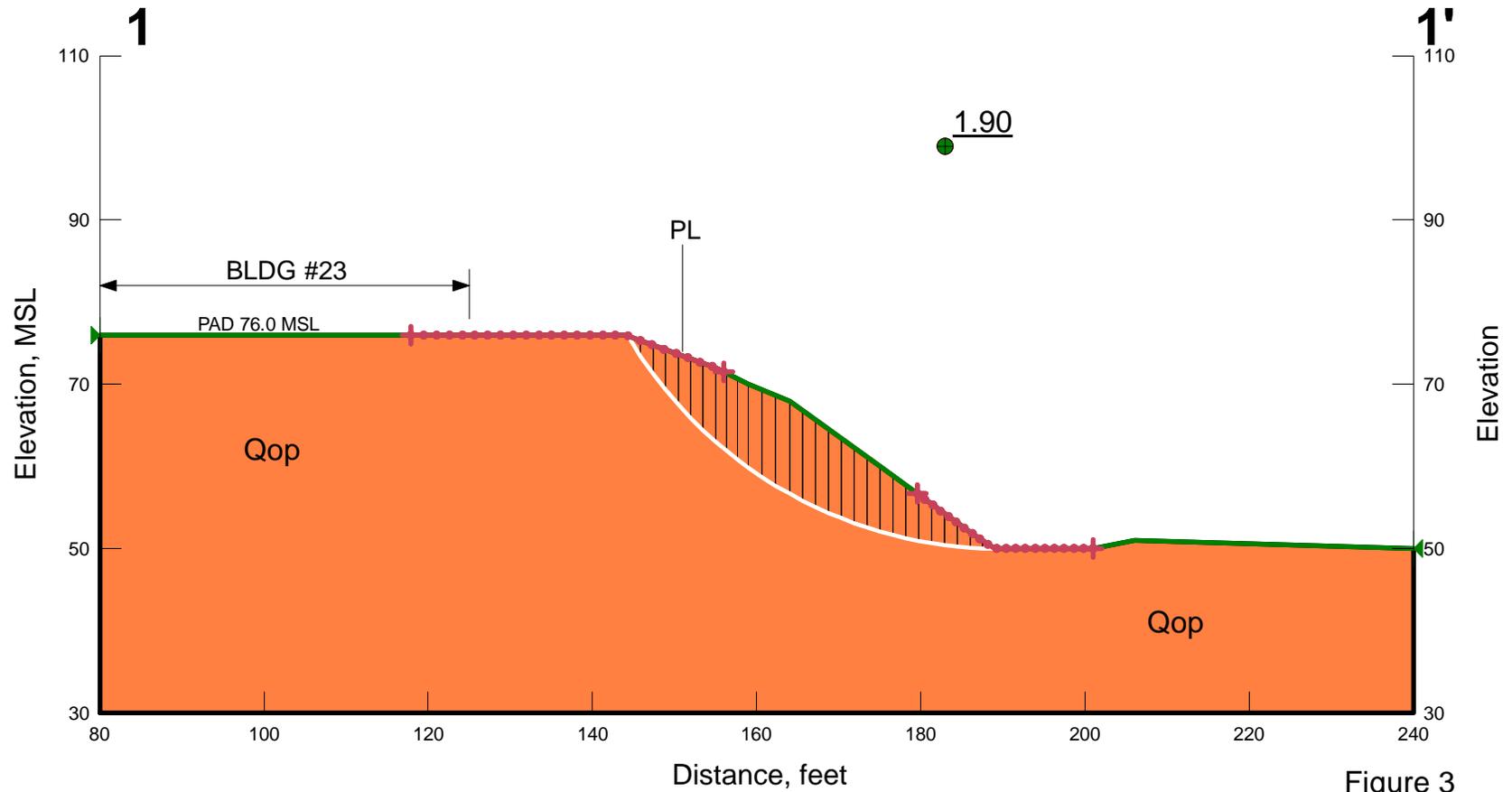


Figure 3

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 2-2'  
 Name: 2-2 Existing (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qcf - Compacted Fill	125	400	28
	Qop - Old Terrace Deposits	130	240	32

Existing Conditions

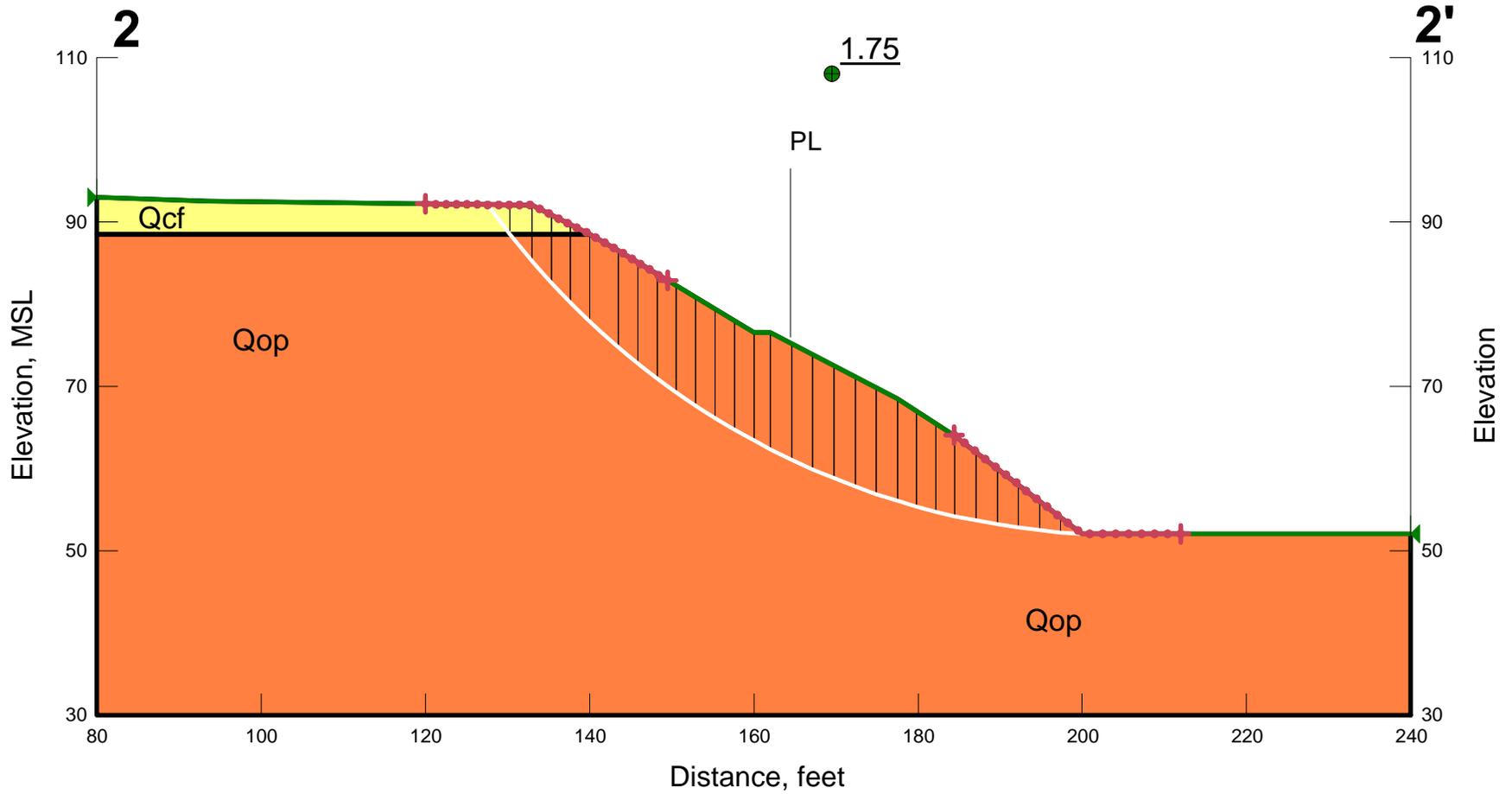


Figure 4

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 2-2'  
 Name: 2-2 Proposed\_Static (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qcf - Compacted Fill	125	400	28
	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions

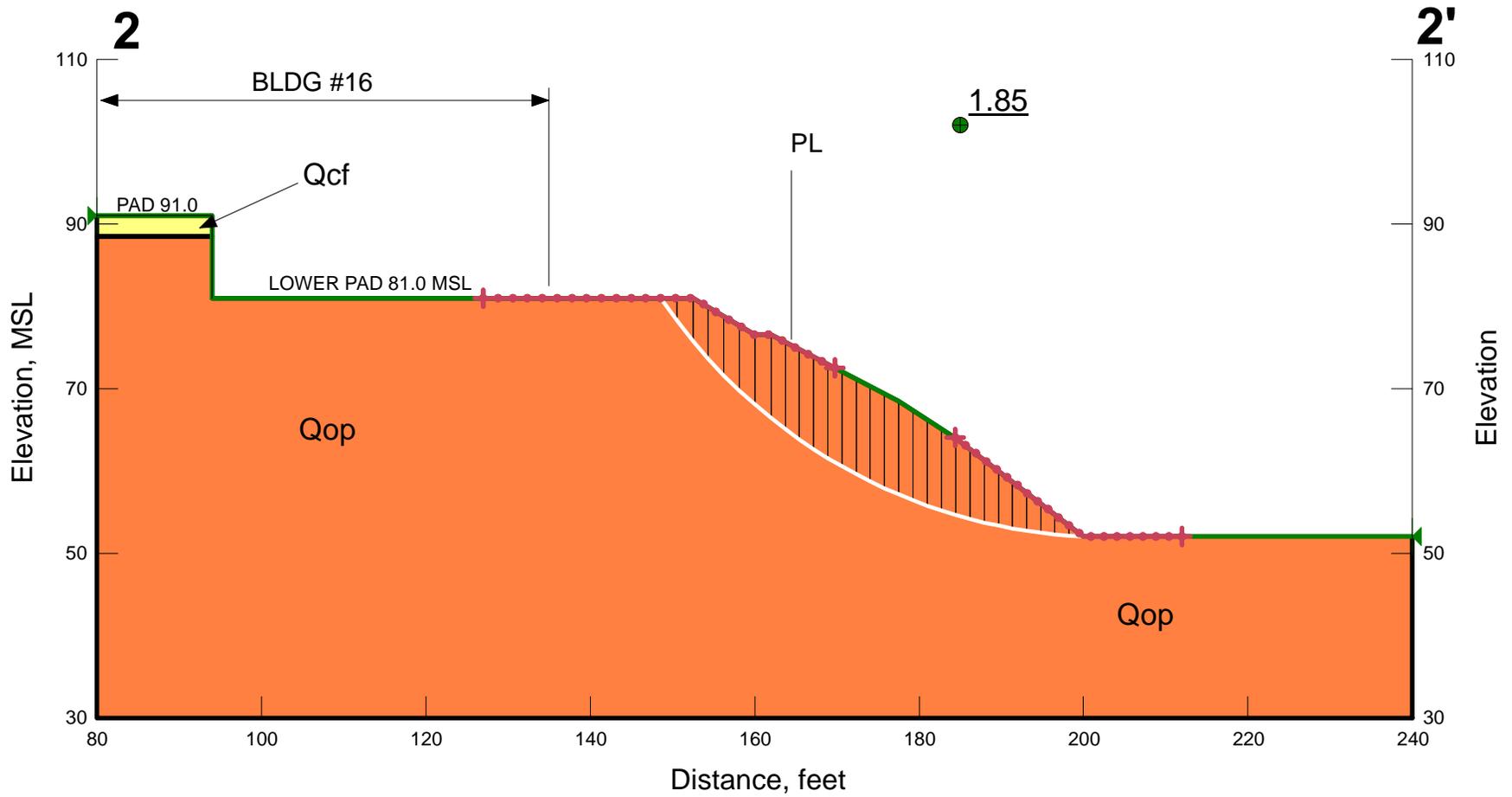


Figure 5

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 3-3'  
 Name: 3-3 Existing (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

Existing Conditions  
 (Lower Slope)

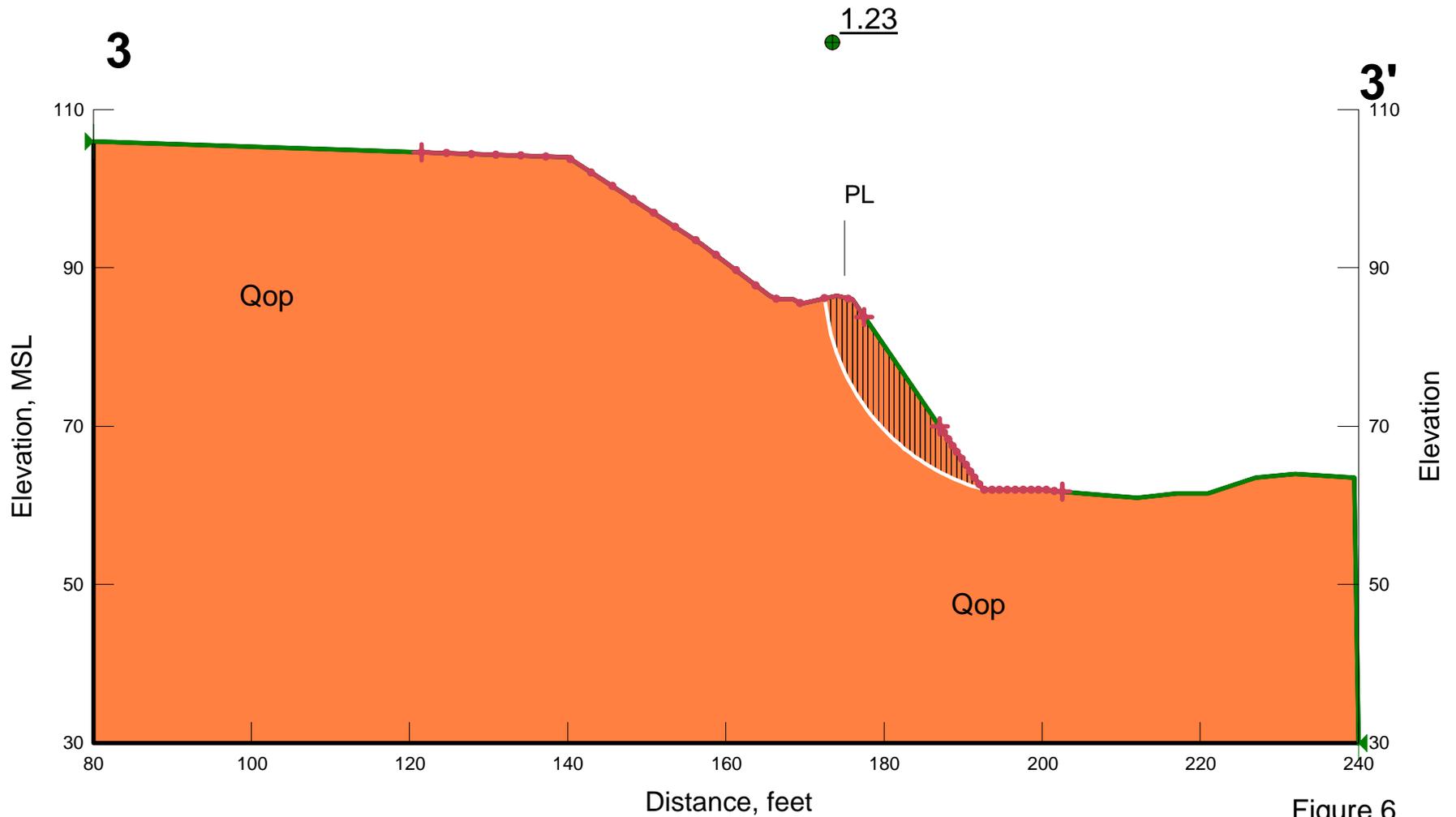


Figure 6

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 3-3'  
 Name: 3-3 Existing (Overall Slope) (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

Existing Conditions  
 (Overall Slope)

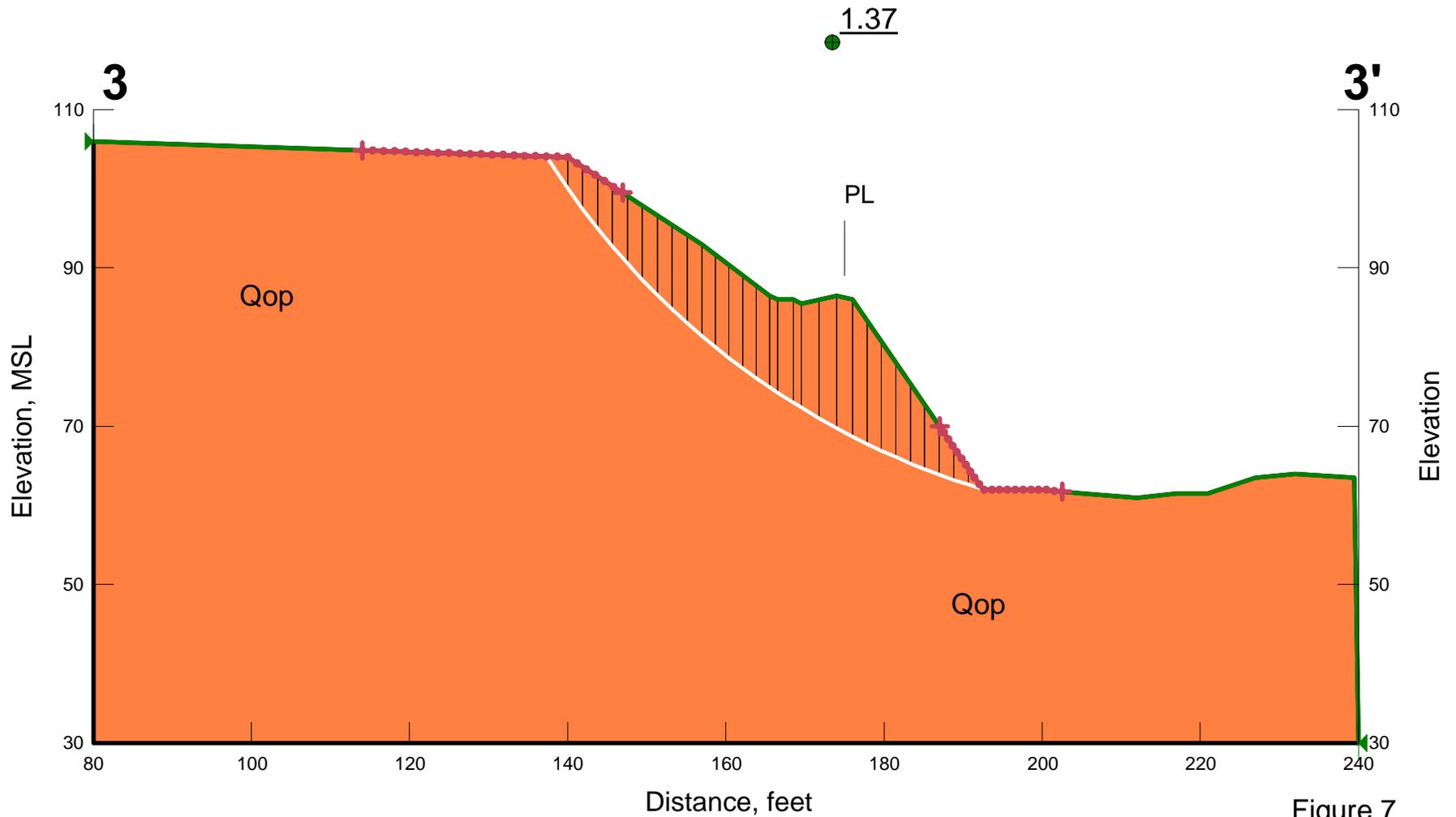


Figure 7

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 3-3'  
 Name: 3-3 Proposed\_Static (32 deg).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

## Proposed Conditions (Lower Slope)

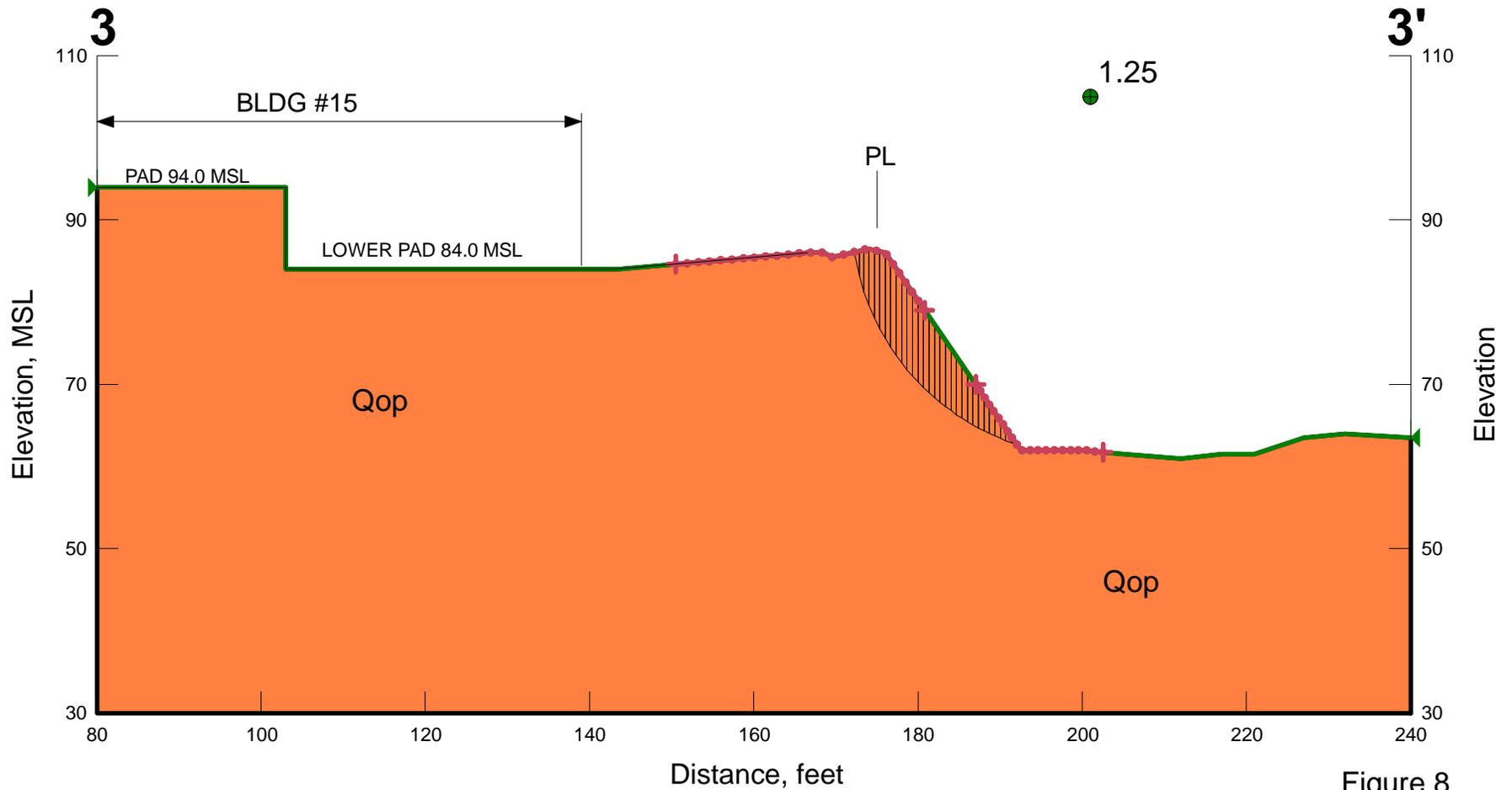


Figure 8

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 3-3'  
 Name: 3-3 Proposed\_Static (32 deg, FS =1.5).gsz  
 Date: 08/23/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions  
 (Lower Slope)

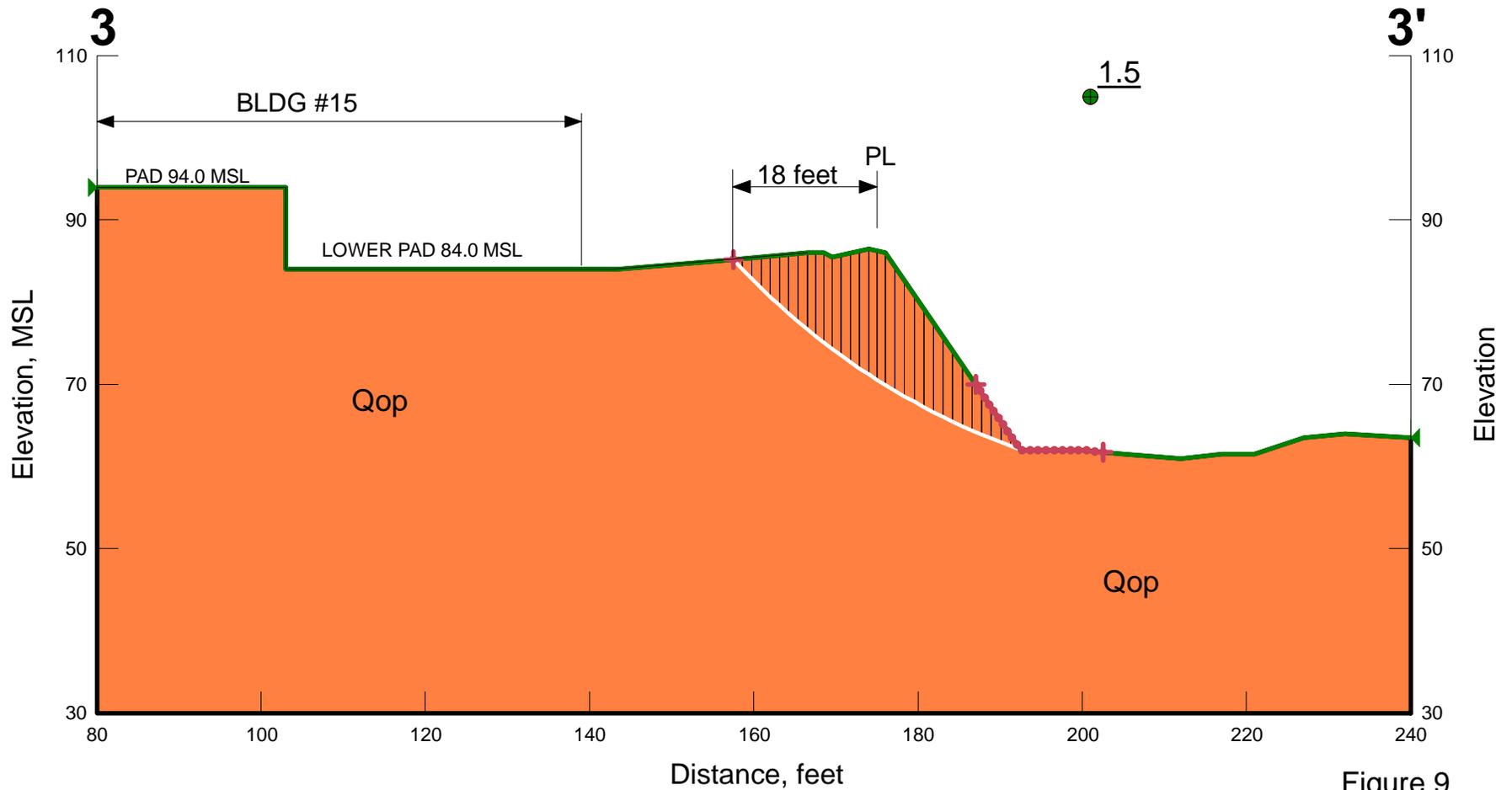


Figure 9

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 4-4'  
 Name: 4-4 Proposed\_Static (32 deg).gsz  
 Date: 08/27/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions

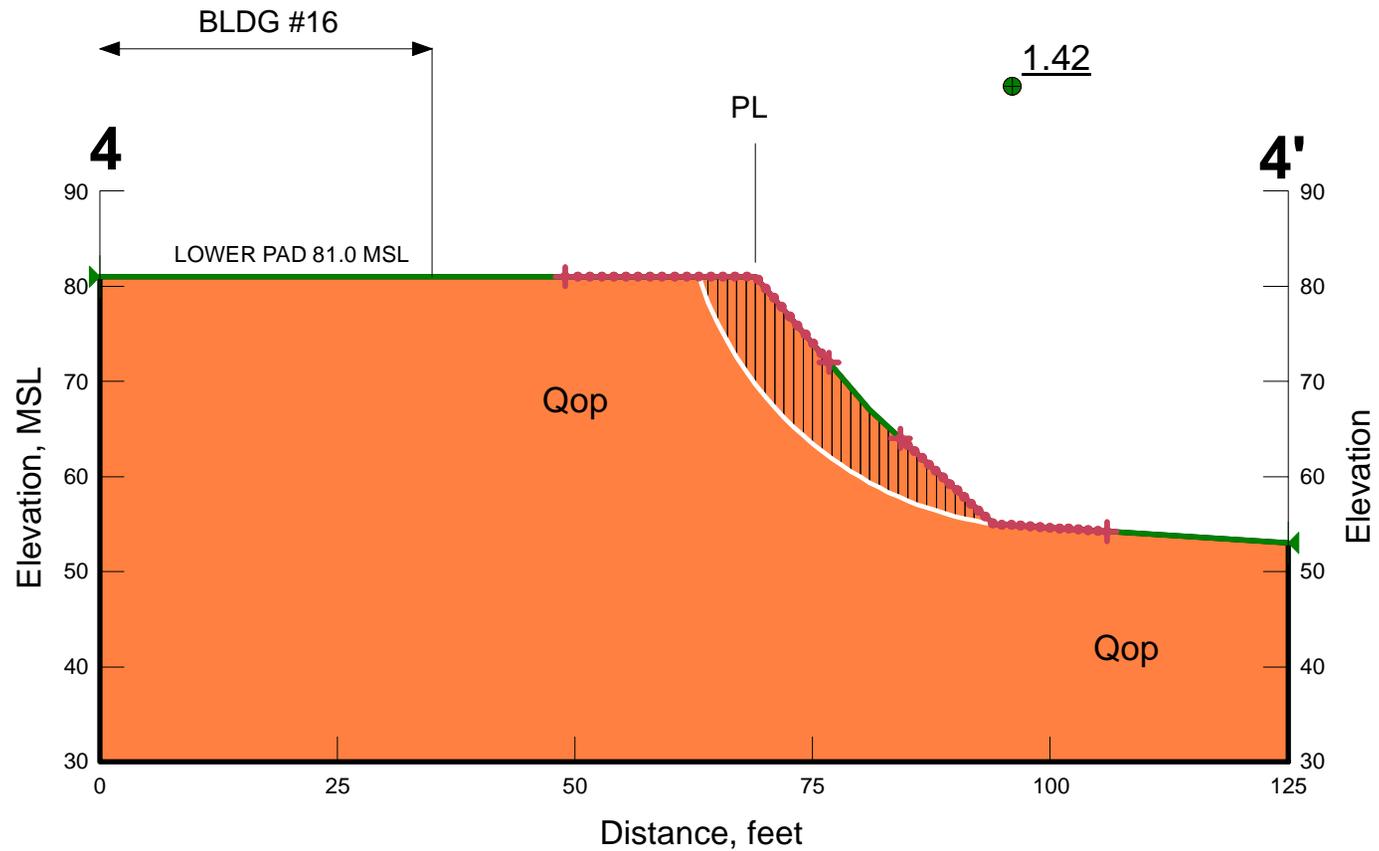


Figure 10

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 4-4'  
 Name: 4-4 Proposed\_Static (32 deg, FS = 1.5).gsz  
 Date: 08/27/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions

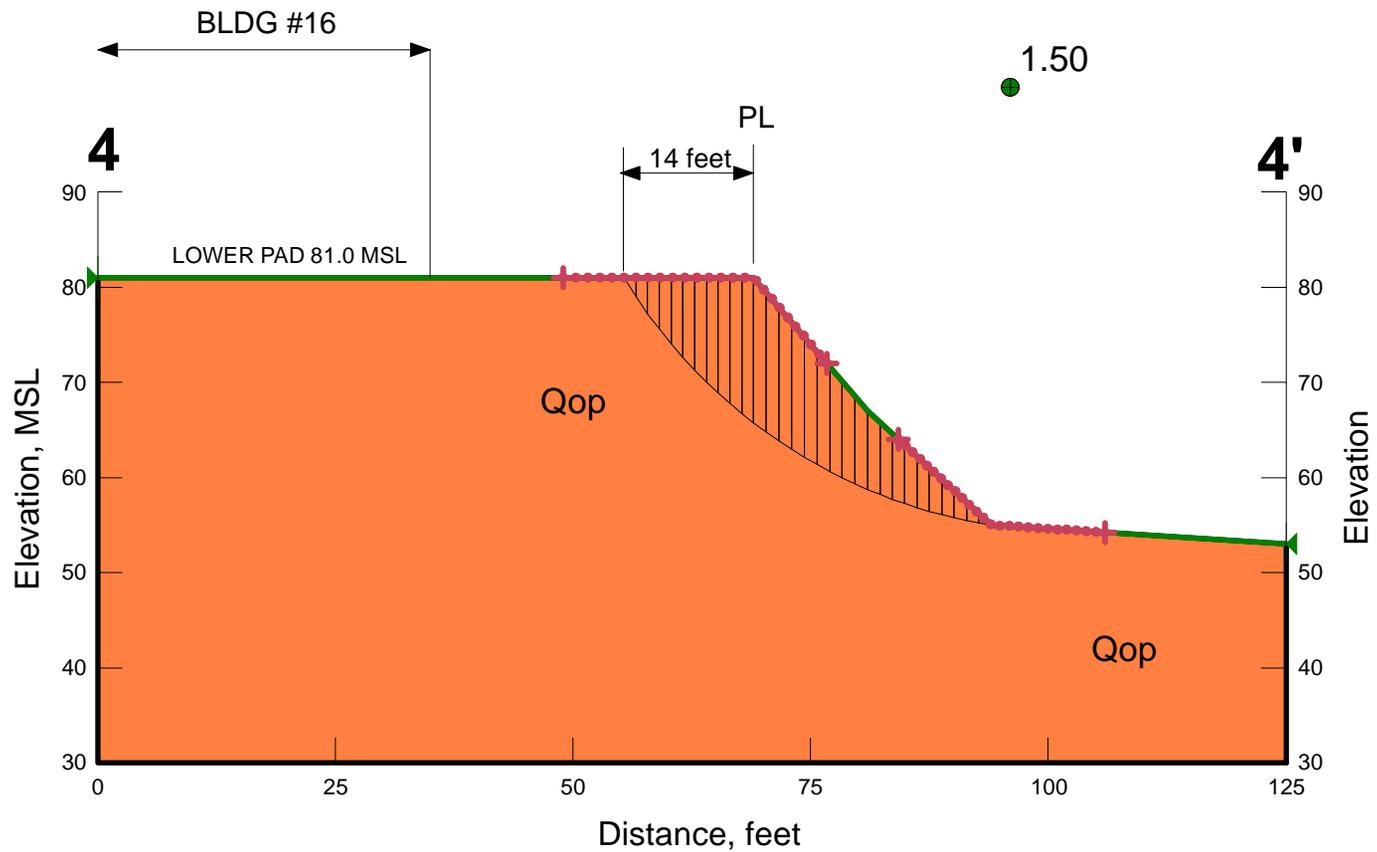


Figure 11

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 4a-4a'  
 Name: 4a-4a Proposed\_Static (32 deg).gsz  
 Date: 08/27/2018

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
	Qop - Old Terrace Deposits	130	240	32

Proposed Conditions

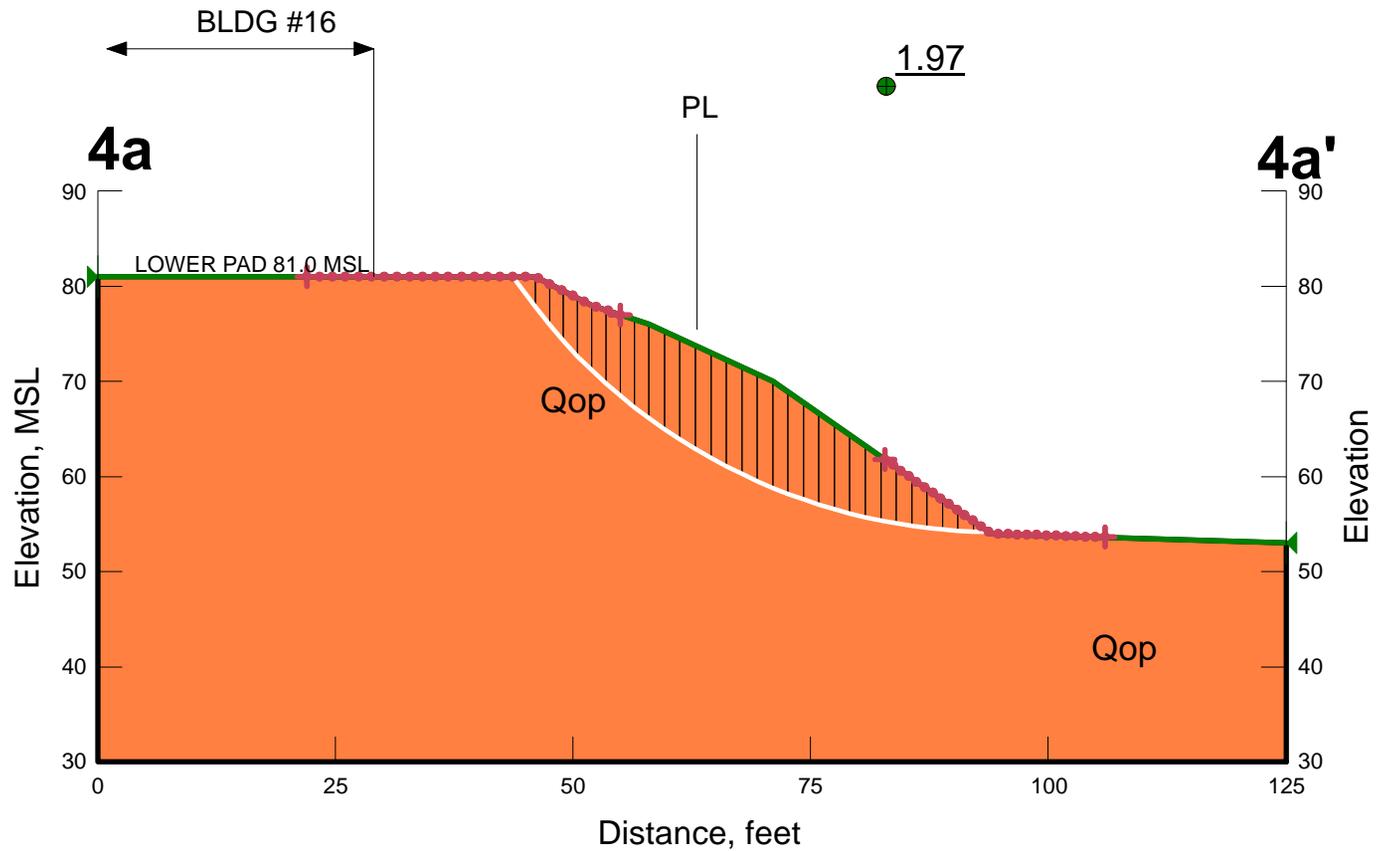


Figure 12

Project Name: Solana Highlands  
 Project No. G1198-42-04  
 Section 5-5'  
 Name: 5-5 Proposed\_Static (32 deg).gsz  
 Date: 08/27/2018

## Proposed Conditions

MATERIAL PROPERTIES:

Color	Name	Unit Weight (pcf)	Cohesion' (psf)	Phi' (°)
■	Qop - Old Terrace Deposits	130	240	32

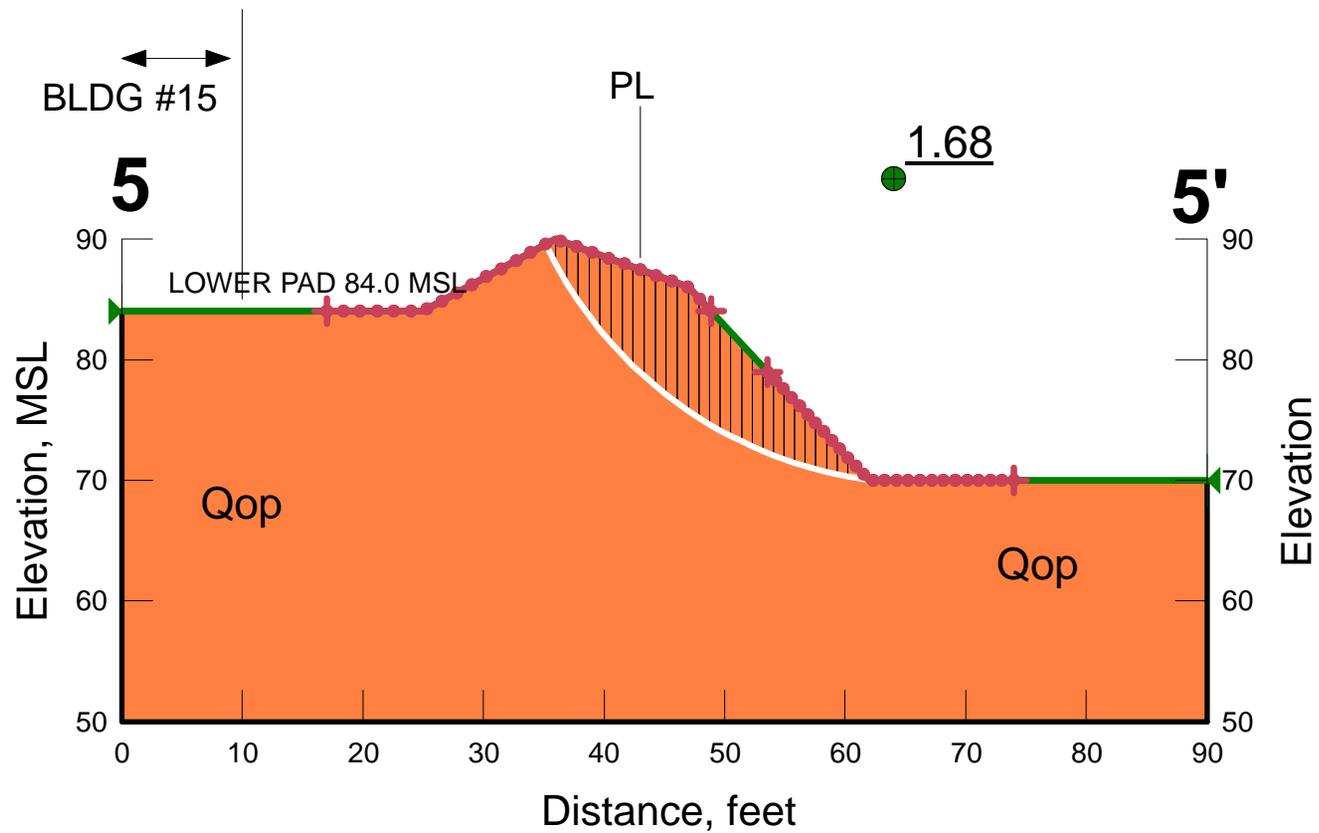


Figure 13

ATTACHMENT 3  
*GEOPACIFICA Slope Stability*



# JIM KNOWLTON

LESLEA MEYERHOFF  
Planning | City of Solana Beach |

GEOPACIFICA

JAMES KNOWLTON  
GEOTECHNICAL  
CONSULTANT

September 3, 2018

SUBJECT: Review of Geotechnical Report, Site Grading and Slope Stability Calculations, Solana Highlands, Solana Beach, California,

References:

1. Updated Slope Stability Analysis, Solana Highlands, Solana Beach, California, by Geocon, Inc., dated August 16, 2018, Revised August 28, 2018

In response to your request I have reviewed the referenced report for conformance to the requirements of the City of Solana Beach Municipal Code, I have also visited the subject site and have talked with the geotechnical consultants for the project.

Based upon my review, site visit and discussions with the geotechnical consultants for the project, Geocon, Inc, the referenced geotechnical report is approved with the following conditions:

- The Structural setback zone, shown in red on the plan included in the referenced geotechnical report, should be incorporated into the grading plan and conditioned so that no habitable structures are allowed in this zone.
- All drainage should be directed away from the top of the existing cut slope between the proposed development and existing properties.

This should help the existing stability of the slope and decrease potential erosion.