



CITY COUNCIL AGENDA

A Regular Meeting of the La Mesa City Council

**Tuesday, November 8, 2016
4:00 p.m.**

**City Council Chambers
La Mesa City Hall
8130 Allison Avenue
La Mesa, California**

**Mark Arapostathis, Mayor
Guy McWhirter, Vice Mayor
Ruth Sterling, Councilmember
Kristine Alessio, Councilmember
Bill Baber, Councilmember**

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8130 Allison Avenue, during normal business hours.

The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in the City Council meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Human Resources Manager, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or rfreeman@ci.la-mesa.ca.us.

Hearing assisted devices are available for the hearing impaired. A City staff member is available to provide these devices upon entry to City Council meetings, commission meetings or public hearings held in the City Council Chambers. A photo i.d. or signature will be required to secure a device for the meeting.

4:00 P.M.

ROLL CALL

INVOCATION - COUNCILMEMBER BABER

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

COMMUNITY BULLETIN REPORTS

PRESENTATION

POLICE CHIEF'S QUARTERLY CRIME REPORT

Documents:

ADDITIONS AND/OR DELETIONS TO THE AGENDA

PUBLIC COMMENTS - (TOTAL TIME - 15 MINUTES)

NOTE: In accordance with state law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the City Council will not be able to discuss or take any action on the item at this meeting. If appropriate, the item will be referred to Staff or placed on a future agenda.

CONSENT CALENDAR

(Items 1 through 8)

The Consent Calendar includes items previously considered by the Council. Unless discussion is requested by members of the Council or audience, all Consent Calendar items may be approved by one motion.

1. APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING

2. RATIFICATION OF TENTATIVE TRACT MAP TTM 14-01 (FLYING DOG TRUST) AND NEGATIVE DECLARATION – A 10-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT AMERICAN AVENUE AND RIVIERA DRIVE, INCLUDING AN EXISTING SINGLE FAMILY RESIDENCE AT 3860 AMERICAN AVENUE, LOCATED IN THE R1S-NP2 (SUBURBAN RESIDENTIAL / NEIGHBORHOOD PLAN OVERLAY NO. 2) ZONE

Staff Reference: Ms. Dick

Documents:

[ITEM 2.PDF](#)

3. RATIFICATION OF THE DESIGN REVIEW BOARD’S APPROVAL OF DRB 14-14 (CHARCOAL HOUSE RESTAURANT) – A PARTIALLY ENCLOSED OUTDOOR SEATING AREA FOR AN EXISTING RESTAURANT AT 9566 MURRAY DRIVE IN THE CN-D (NEIGHBORHOOD COMMERCIAL/URBAN DESIGN OVERLAY) ZONE

Staff Reference: Ms. Dick

Documents:

[ITEM 3.PDF](#)

4. RESOLUTION TEMPORARILY CLOSING PORTIONS OF LA MESA CITY STREETS FOR THE “HOLIDAY IN THE VILLAGE” SPECIAL EVENT SPONSORED BY THE LA MESA VILLAGE ASSOCIATION

Staff Reference: Ms. Garrett

Documents:

[ITEM 4.PDF](#)

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA APPROVING AND ADOPTING AMENDMENTS TO THE BODY AND APPENDIX OF THE CITY’S AMENDED LOCAL CONFLICT OF INTEREST CODE

Staff Reference: Ms. Kennedy

Documents:

[ITEM 5.PDF](#)

6. RESOLUTION AUTHORIZING THE ALLOCATION OF \$13,000 FROM THE DOWNTOWN PARKING FUND TO ACCOUNT CIP 3051720T AND THE RE-APPROPRIATION OF \$7,380 IN THE TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM FUND (302) TO CIP 3051720T FOR DOWNTOWN VILLAGE MUNICIPAL PARKING LOT MAINTENANCE

Staff Reference: Ms. Dick

Documents:

[ITEM 6.PDF](#)

7. RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR BID 15-04, THREE SIGNALS IMPROVEMENT PROJECT TO SERVITEK SOLUTIONS, INC.

Staff Reference: Mr. Humora

Documents:

[ITEM 7.PDF](#)

8. RESOLUTION ACCEPTING THE BID AND AWARDING A CONSTRUCTION CONTRACT FOR BID 16-07, KING STREET PEDESTRIAN AND BICYCLE IMPROVEMENT PROJECT TO PORTILLO CONCRETE, INC.

Staff Reference: Mr. Humora

Documents:

[ITEM 8.PDF](#)

COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

AB 1234 REPORTS (GC 53232.3(D))

CITY ATTORNEY REMARKS

ADJOURNMENT



La Mesa Police Department Quarterly Operations Report 3rd Quarter - 2016



Walt Vasquez
Chief of Police

Law Enforcement Operations and Statistics

Part 1 Crimes and Statistics

The 3rd quarter of 2016 concluded with 33.1 crimes per thousand residents compared to 32.7 crimes per thousand in the 3rd quarter of 2015, which represents an 1.2% increase in the number of crimes.

Violent Crimes decreased by 1.3% year-to-date compared to the same period in 2015. There were 155 incidents at the end of the 3rd quarter of 2016 compared to 157 in 2015. Robberies maintained with a 0% change year-to-date. There were 8 robberies in the 3rd quarter of 2016 compared to 17 in 2015.

Property Crimes increased by 1.6% year-to-date compared to the same period in 2015. At the end of the 3rd quarter of 2016, there were 1305 property crimes reported compared to 1285 at the end of the 3rd quarter of 2015. The following three categories make up the category of Property Crime: Burglary, Theft and Auto Theft. Burglary increased 32.4%, Theft decreased 5.2% and Auto Theft decreased 0.6%. This category also includes a 38.1% increase in vehicle burglaries and a 34.6% increase in residential burglaries.

As noted earlier, Robberies have neither increased nor decreased year-to-date compared to 2015. Detectives continue to attend regional robbery meetings and collaborate with allied agencies. Four (4) of the eight (8) robberies in the 3rd quarter have been closed by arrest. The following are some of the significant robbery clearances from the 3rd quarter:

- On July 2, 2015, the “Hipster Bandit” approached the teller at the US Bank inside the La Mesa Albertson’s and presented a demand note. The teller complied with the suspects demands. No weapons were seen. Over a year later, in July 2016, the FBI identified the “Hipster Bandit” as William Conn Robertson II and arrested him for our case as well as nine (9) additional cases from San Diego, Temecula, and Orange counties.
- On June 30, 2016, a victim met the suspect to purchase an electronic item he found on the website OfferUp.com. They conducted the transaction in front of the victim’s residence. After the suspect handed the victim a box of which was supposed to contain the electronics, he assaulted the victim with a stun baton and fled the area with the victim’s \$100 bill. The victim later discovered there was a bag of sugar inside the box that the suspect gave him. The suspect was identified after a search warrant was served on OfferUp.com. On September 7, 2016, he was arrested for the robbery. During the arrest, he was in possession of 21.5 grams of methamphetamine.

There have been several notable burglary arrests during the 3rd quarter of 2016:

- On May 22, 2016, a witness saw two unknown male suspects tampering with the victim's trailer on Vetter Place. The suspects forced entry into the trailer and stole over \$1,000 worth of items. The suspects fled the scene. Officers located fresh blood on the trailer door handle. On August 22, 2016, the results came back on the blood and a suspect was identified. The suspect was located and arrested for vehicle burglary.
- On July 16, 2016, an unknown suspect was captured on video surveillance burglarizing a vehicle at the Best Western Motel. Detectives sent out a "Be on the Look Out" flyer to surrounding agencies. Multiple Detectives from various agencies identified the suspect. On August 10, 2016, LMPD SIU Detectives were able to locate the suspect in El Cajon. He was arrested for vehicle burglary.
- On July 20, 2016, officers received a radio call of a possible caser at Grossmont Center Mall. Officers located a subject matching the suspect's description on Jackson Drive. The subject was found to have a felony warrant for his arrest. During a search, officers located stolen items from a vehicle which was just burglarized at Grossmont Center Mall. The same suspect was possibly responsible for two (2) other vehicle burglaries which occurred in the area the same day. He was arrested for the outstanding warrant and for vehicle burglary.
- On August 18, 2016, officers received a radio call of two (2) possible casers on bicycles in the 8200 block of Fletcher Parkway. Officers contacted a subject matching the description of one of the suspects at 7800 Parkway Drive. The subject fled from officers on his bicycle. Officers were able to apprehend him at 5200 Baltimore Drive. During a search of the subject, officers located stolen items from a vehicle that was just burglarized on Fletcher Parkway. He was arrested for vehicle burglary. The suspect was possibly responsible for four (4) other vehicle burglaries which occurred in the area the same day.
- On June 29, 2016, three (3) male suspects attempted to burglarize Fine Firearms located at 8701 La Mesa Boulevard by crashing a stolen Ford Ranger into the front of the business. When the suspects were unable to gain entry, they left in another Ford Ranger with a camper shell. A LMPD Detective created a "Be on the Lookout" flyer and distributed it to the surrounding law enforcement agencies. On July 6, 2016, a detective from another agency contacted LMPD and told him that one of the suspects looked familiar. The LMPD Detective positively identified him as one of the suspect's in this case. He was booked (already in custody by a different agency) for this case and is awaiting trial.

- On July 9, 2016, a male forcefully broke into the coin operated laundry machines located on King Street and Waite Drive. The suspect and his vehicle were caught on surveillance video. The LMPD Crime Analyst located a “Be on the Lookout” flyer from SDPD where the suspects committed similar crimes. As she researched the suspects in SDPD’s cases, she located an associate and was able to positively identify him as the suspect in our cases. He was arrested and is awaiting trial for our cases.
- On July 01, 2016, a female selected several items from a store and placed them in a shopping cart. She then exited the store without paying for the merchandise. The total loss was \$897.94. A LMPD Detective distributed a “Be on the Lookout” containing the suspect’s photo. Another agency’s detective contacted LMPD and identified the suspect in this case. According to the detective, she committed several similar thefts in their jurisdiction. She was charged in this case and is awaiting trial.

Transient Enforcement

The Police Department responded to a total of 449 contacts related to transients during the 3rd quarter of 2016 compared to 417 contacts during the 2nd quarter of 2016. The top 3 areas where transients were contacted were as follows:

- 14 contacts were made at 5255 Baltimore Drive
- 12 contacts were made at 5500 Grossmont Center Drive
- 8 contacts were made at 8300 Parkway Drive

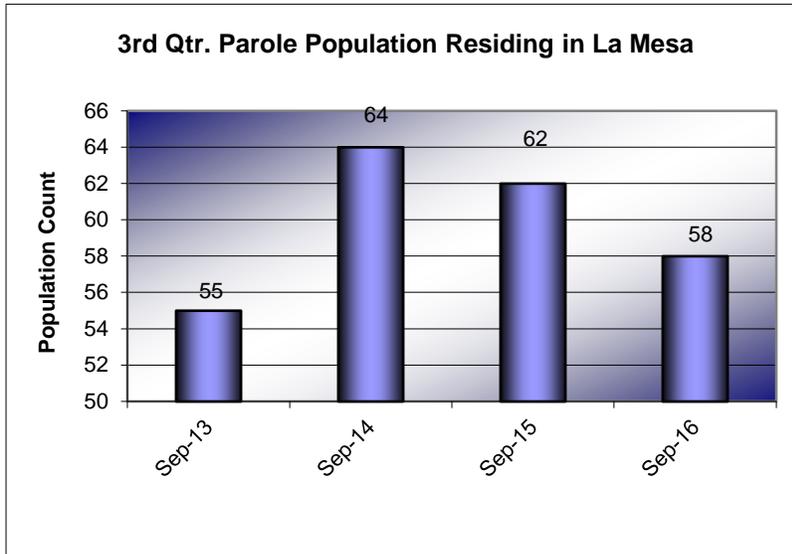
Special Investigations Unit (SIU)

SIU 3rd Quarter Activity

Activity	3rd Quarter 2016	3rd Quarter 2015
Arrests	49	33
Field Interviews	4	18
Citations	14	6
Vehicle Impounds	0	3
Probation Searches	52	47
Parole Searches	4	15
Traffic Stops	37	53
Pedestrian Stops	41	123

Parolees and Probationers

Below is a graph representing the number of individuals on Parole that have resided in La Mesa over the last four years. Please note that the below graph does not include Post-Release Offenders (AB109).



AB109- Public Safety Realignment

The California criminal justice system had a fundamental shift on October 1, 2011 as the result of Assembly Bill 109, the Public Safety Realignment Act. The law changes a number of ways Law Enforcement monitors these offenders. Felons who have committed non-violent, non-serious, and non-sex offenses will be housed in county jail. Those released from state prison, known as Post Release Offenders (PRO), will be supervised by the Probation Department. Probation violations by the PRO population will be served in county jail and will be limited to 180 days.

According to the San Diego County Probation Department, La Mesa currently houses twenty-five of the Post Release Offenders.

Gang Issues and Enforcement

Based on CAL-Gangs, there are 105 documented gang members living in La Mesa as of the end of the 3rd Quarter of 2016. This number can fluctuate due to the transient nature of some gang members.

Registered Sex Offenders

There are currently 72 active registrants in the City.

Traffic Collisions/Citations/Enforcement Operations

During the 3rd Quarter, the top reported collision areas were the Spring Street corridor between University Avenue and Lemon Avenue, and the Fletcher Parkway corridor between Baltimore Drive and Jackson Drive. During this quarter, there were no fatal collisions.

DUI Information:

DUI Arrests & Collisions Summary 2012-2016

Year	Arrests	Collisions
2012	226	51
2013	250	62
2014	143	64
2015	95	34
2016 YTD	95	38

Enforcement Operations 3rd Quarter 2016

During the 3rd Quarter, the Traffic Unit participated in the below listed additional activities:

- Teaching at La Mesa Driving School.
- Provided traffic control for pedestrians at the Journey Church "Walk to the Movies" Day.
- Motorcycle officers competed in the 2016 Terry Bennet Motorcycle Skills competition and training.
- Officers presented at the La Mesa Safety Fair on the effects and consequences of driving under the influence of alcohol and drugs.
- Assisted as evaluators for the "Best in the West" Police Explorer competition.

Community Resource Activities and Information

Graffiti Tracker

ACTIVITY	1st qtr- 2016	2nd qtr- 2016	3rd qtr- 2016	4th qtr- 2016	YTD Total
Reported Graffiti	157	201	145		503
Photographed	138	198	118		454
Cleaned	157	201	145		503

We continue to proactively patrol city streets looking for graffiti as the reported hits of graffiti accounts for less than 15% of the actual graffiti removed.

School Resource Officers

During the 3rd quarter of 2016, the SRO gave a total of four (4) classroom presentations on “Bullying,” “Being a good Citizen,” and “Internet Safety.” The SRO made seven (7) home visits for truancy issues, two (2) home visits reference kids causing a disturbance, and taught three (3) Juvenile Law Classes for the County Juvenile Diversion Program. SRO assisted with three (3) practice school lockdown/evacuation drills, making sure teachers and facility members followed Emergency Response procedures, and worked three (3) security details at the Helix High School home football games.

The SRO assisted with three (3) “SART” meetings, where school officials, parents, and students were present, attended one (1) Juvenile District Attorney SRO meeting, assisted with the La Mesa Police Department’s Youth Leadership Camp, the Joan and Ray Kroc Center’s Summer Camp, the City of La Mesa’s Safety Fair, and participated with the Helix High School LIT Program where police and students work on ways to communicate better.

During the 3rd quarter, the SRO continued to conduct interviews with families of students who have made bad decisions at school, which were considered school violations but not criminal in nature, and where no formal police report was necessary. In all of these incidents, a formal plan was made to make a positive change in the student’s behavior.

The SRO continued to combat vehicle / pedestrian traffic surrounding all ten (10) schools, at times with the help of CSO’s and Motor Units, in an effort to keep everyone safe.

Crime Prevention/Emergency Preparedness

There are currently 140 Neighborhood Watch groups in the City; Sixteen (16) groups contain at least one Community Emergency Response Team member. The Nextdoor.com social media neighborhood watch is gaining interest with approximately 4,475 La Mesa citizens participating. The LMPD Facebook page has been up since September 2015 and has 1004 followers.

Neighborhood Watch Meetings	9
Community Presentations	7
Residential Security Inspections	3
Commercial Security Inspections	0

La Mesa Police Department

Quarterly Crime Statistics - 3rd Quarter 2016

Violent Crime

	2015				2016			2016 YTD	2015 YTD	YTD % Change
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr			
Homicide	0	2	0	1	0	0	0	0	2	-100.0%
Cleared	0	2	0	1	0	0	1	1	2	-50.0%
Rape	5	3	5	2	11	3	4	18	13	38.5%
Cleared	0	0	3	0	3	2	0	5	3	66.7%
Robbery	14	14	17	18	20	17	8	45	45	0.0%
Cleared	8	7	7	9	7	6	4	17	22	-22.7%
Aggravated Assault	28	27	42	18	27	43	22	92	97	-5.2%
Cleared	14	21	28	3	17	17	14	48	63	-23.8%

Property Crime

	2015				2016			2016 YTD	2015 YTD	YTD % Change
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr			
Residential	40	54	42	49	66	70	47	183	136	34.6%
Commercial	30	20	24	17	31	26	38	95	74	28.4%
Burglary Total	70	74	66	66	97	96	85	278	210	32.4%
Cleared	19	11	6	4	14	4	12	30	36	-16.7%
Car Prowl (Included in Theft)	72	86	52	96	74	127	89	290	210	38.1%
Theft > \$400	107	86	95	134	103	142	107	352	288	22.2%
Theft \$400 or less	208	200	202	202	172	171	156	499	610	-18.2%
Theft Total	315	286	297	336	275	313	263	851	898	-5.2%
Cleared	70	54	71	59	70	34	40	144	195	-26.2%
Auto Theft	51	62	64	53	75	56	45	176	177	-0.6%
Cleared	2	2	7	1	1	4	0	5	11	-54.5%

Totals

	2015				2016			2016 YTD	2015 YTD	YTD % Change
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr			
Total Violent	47	46	64	39	58	63	34	155	157	-1.3%
Cleared*	46.8%	65.2%	59.4%	33.3%	46.6%	39.7%	55.9%	45.8%	57.3%	-20.1%
Total Property	436	422	427	455	447	465	393	1305	1285	1.6%
Cleared*	20.9%	15.9%	19.7%	14.1%	19.0%	9.0%	13.2%	13.7%	18.8%	-27.2%
FBI Index	483	468	491	494	505	528	427	1460	1442	1.2%
Cleared*	23.4%	20.7%	24.8%	15.6%	22.2%	12.7%	16.6%	17.1%	23.0%	-25.6%

Violent Rate per 1000 Pop.

Property Rate per 1000 Pop.

Index Rate per 1000 Pop.

3.5/K	3.6/K
29.6/K	29.2/K
33.1/K	32.7/K

La Mesa Police Department

Robbery and Theft - 3rd Quarter 2016

Robbery

	2015				2016			2016 YTD	2015 YTD	YTD % Change
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr			
Street/Highway	5	5	4	8	10	9	4	23	14	64.3%
Commercial	7	7	11	4	5	5	3	13	25	-48.0%
Gas or Service Station	1	0	1	1	0	0	0	0	2	-100.0%
Chain Store	0	0	0	1	1	1	1	3	0	N/C
Residential	1	2	0	2	1	1	0	2	3	-33.3%
Bank	0	0	1	1	3	1	0	4	1	300.0%
Miscellaneous	0	0	0	1	0	0	0	0	0	N/C
Robbery Total	14	14	17	18	20	17	8	45	45	0.0%
Cleared	8	7	7	9	7	6	4	17	22	-22.7%
YTD Clearance Rate	38%									

Theft

	2015				2016			2016 YTD	2015 YTD	YTD % Change
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr			
Pocket-Picking	1	2	0	0	1	2	0	3	3	0.0%
Purse Snatching	2	3	3	6	4	6	2	12	8	50.0%
Shoplifting	78	73	78	71	59	40	39	138	229	-39.7%
From Motor Vehicles	114	113	100	146	119	164	130	413	327	26.3%
Motor Vehicle Parts & Acc.	18	17	24	17	26	21	17	64	59	8.5%
Bicycles	21	19	19	9	4	11	13	28	59	-52.5%
From Buildings	47	40	51	62	55	48	45	148	138	7.2%
From Coin Operated Mach.	0	1	1	0	2	0	0	2	2	0.0%
All Others	34	18	21	0	5	21	17	43	73	-41.1%
Theft Total	315	286	297	336	275	313	263	851	898	-5.2%
Cleared	70	54	71	59	70	34	40	144	195	-26.2%
YTD Clearance Rate	17%									

La Mesa Police Department

Patrol Statistics - 3rd Quarter 2016

	2015				2016			2016	2015	YTD
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	YTD	YTD	% Change
Primary Officer Initiated	5373	5648	6701	5491	5766	5362	5787	16915	17722	-4.6%
	3186	2613	2701	2787	3539	3785	3601	10925	8500	28.5%
Reports Taken	549	631	675	845	733	762	1221	2716	1855	46.4%
Arrests Made	416	413	472	452	503	637	662	1802	1301	38.5%
5150 Detentions	131	120	126	97	112	145	108	365	377	-3.2%
Citations	1111	1032	772	692	879	744	414	2037	2915	-30.1%
Parking/ Muni Code Citations	28	107	63	130	223	185	261	669	198	237.9%
Field Interviews	136	167	176	111	96	137	109	342	479	-28.6%

La Mesa Police Department

Robbery Statistics - 3rd Quarter 2016

Reported Robberies	Year to Date Totals		
	2016	2015	% Change
Street/Highway	23	14	64.3%
Commercial	13	25	-48.0%
Gas or Service Station	0	2	-100.0%
Chain Store	3	0	N/C
Residential	2	3	-33.3%
Bank	4	1	300.0%
Miscellaneous	0	0	N/C
Robbery Total	45	45	0.0%
Cleared	17	22	-22.7%

Reported Robberies	2016 Totals		
	Reported	Solved	% Solved
Street/Highway	23	7	30.4%
Commercial	13	5	38.5%
Gas or Service Station	0	0	N/C
Chain Store	3	1	33.3%
Residential	2	2	100.0%
Bank	4	2	50.0%
Miscellaneous	0	0	N/C
Total	45	17	37.8%

La Mesa Police Department

Communications - 3rd Quarter 2016

	2016									2016 YTD	2015 YTD	YTD % Change
	January	February	March	April	May	June	July	August	September			
9-1-1	2151	1969	2066	2002	1941	2086	2072	2054	2017	18358	N/A	N/C
7 Digit Emergency Number	604	517	478	560	481	575	512	557	507	4791	N/A	N/C
Non-Emergency Number	5948	5638	5762	5430	6386	5947	5712	5986	5971	52780	N/A	N/C
Ringdown ¹	96	83	128	84	93	77	118	84	96	859	N/A	N/C
Total Incoming	8799	8207	8434	8076	8901	8685	8414	8681	8591	76788	N/A	N/C
Outgoing Calls	1514	1052	1151	1113	1373	1430	1246	1440	1396	11715	N/A	N/C
Total Incoming and Outgoing Calls	10313	9259	9585	9189	10274	10115	9660	10121	9987	88503	N/A	N/C
9-1-1 Answer Time ²	87%	86%	84%	86%	90%	91%	91%	90%	92%	89%	N/A	N/C
Calls For Service ³	6012	5702	5704	5766	6139	5994	6035	6685	6197	54234	N/A	N/C

¹ Ringdown are calls rerouted from Heartland Fire.

² 9-1-1 Answer Time indicates the average percentage of 9-1-1 calls answered within 10 seconds or less.

³ Calls for Service include all calls that generate agency response and officer initiated contact including, assisting citizens, traffic stops, pedestrian stops, front counter contacts, extra patrol, etc.

Communications data reporting began 2nd Quarter 2016.

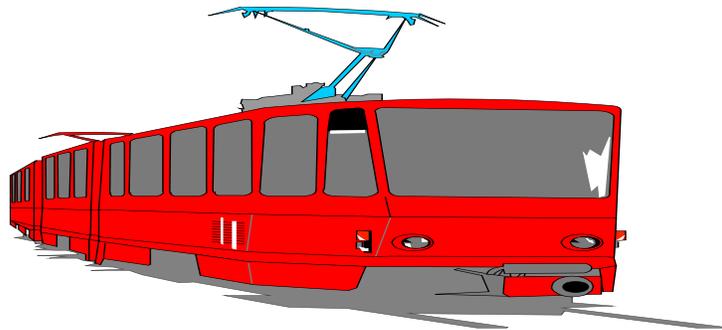
MTS Trolley Crime Report

YTD 3rd Quarter 2016

Part I Crimes		YTD 3rd Quarter 2016	YTD 3rd Quarter 2015	% Change
VIOLENT	Homicide	0	0	N/C
	Rape	0	0	N/C
	Robbery	1	6	-83%
	Aggravated Assault by Vic. Cnt	3	6	-50%
PROPERTY	Res. Burglary	0	0	N/A
	Comm. Burglary	0	0	N/C
	Burglary Total:	0	0	N/C
	Theft	7	5	40%
	Car Prowls (included in Theft Totals)	2	1	100%
	Theft Total:	7	6	17%
	Auto Theft	1	3	-67%
TOTAL VIOLENT:		4	12	-67%
TOTAL PROPERTY:		8	9	-11%
FBI INDEX:		12	21	-43%

Location Addresses

7255 Alvarado Road
 9100 Amaya Ct
 8601 Fletcher Py
 8248 La Mesa Bl
 4250 Spring St.



N/A = Not Applicable
 N/C = Not Calculable

Compiled from ARJIS Data

Note: MTS advises that their statistics "do not include incidents that occurred outside the immediate station area. The total number of incidents and arrests will not equal those reflected on other reports."

La Mesa Trolley Locations

Part I Crimes Reported to La Mesa Police

YTD 3rd Quarter 2016

2015

Station Name	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Vehicle Theft	Arson	Total	Location Address	Larceny / Car Prowl
Alvarado Road	0	0	0	2	0	1	1	0	4	7255 Alvarado Road	1
Amaya Ct.	0	0	1	0	0	0	1	0	2	9100 Amaya Ct	0
Grossmont Center	0	0	3	1	0	0	0	0	4	8601 Fletcher Py	0
La Mesa Blvd	0	0	0	1	0	2	1	0	4	8248 La Mesa Bl	0
Spring St	0	0	0	0	0	2	0	0	2	4250 Spring St.	0
TOTAL	0	0	6	6	0	5	3	0	21		0

2016

Station Name	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Vehicle Theft	Arson	Total	Location Address	Larceny / Car Prowl
Alvarado Road	0	0	0	0	1	0	0	0	1	7255 Alvarado Road	1
Amaya Ct.	0	0	0	1	0	2	0	0	3	9100 Amaya Ct	0
Grossmont Center	0	0	0	2	0	2	1	0	5	8601 Fletcher Py	1
La Mesa Blvd	0	0	0	0	0	0	0	0	1	8248 La Mesa Bl	0
Spring St	0	0	1	0	0	2	0	0	3	4250 Spring St.	0
TOTAL	0	0	1	3	1	6	1	0	12		2



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Ratification of Tentative Tract Map TTM 14-01 (Flying Dog Trust) and Negative Declaration – A 10-lot single-family residential subdivision at American Avenue and Riviera Drive, including an existing single family residence at 3860 American Avenue, located in the R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2) zone. Assessor Parcel Numbers: 499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00

ISSUING DEPARTMENT: Community Development

SUMMARY:

Issues:

1. Is the proposed project consistent with the La Mesa General Plan?
2. Does the proposed Tentative Tract Map meet the required findings for approval under the City's Subdivision Ordinance and State Subdivision Map Act?

Recommendation:

Staff recommends that the City Council ratify the Planning Commission's approval of TTM 14-01 as set forth in Planning Commission Resolution PC-2016-19, subject to conditions in **Attachment F**.

Fiscal Impact:

There would be no impact to the General Fund related to this project. City of La Mesa policy is to recover 100% of the cost of staff time through discretionary application and building permit fees. The City would collect increased property tax revenue from the project upon completion of the subdivision and new homes.

Environmental Review:

After conducting an initial study in compliance with the California Environmental Quality Act (CEQA), staff concluded that the project would not have the potential to create significant adverse impacts to the environment. A Negative Declaration (ND) has been approved by the Planning Commission and is attached for your reference (**Attachment E**). The ND was initially published for a public review period starting on September 15, 2016 and ended on October 5, 2016. No comments were received on the ND.

BACKGROUND:

The property owner Dan Brophy (Flying Dog Trust) is proposing to subdivide four existing parcels into ten lots for future single-family residential development, located north of Riviera Drive, east of Rojo Tierra Road and Belvue Drive, and west of American Avenue (private road) and Quarry Road (**Attachment A**). Development plans for future homes are not proposed at this time. The subject tentative tract map application was submitted in November 2014 and has gone through several reviews to address requirements related to lot layout, size, setbacks, access, easements, and emergency vehicle turnarounds.

Site improvements to be installed prior to final map approval will include: grading, site walls, a public road with emergency vehicle access and turnaround, storm water improvements, parkway, and sidewalk, curb, and gutter. The applicant has submitted tentative tract map plans that establish proposed building pads, pad elevations, grade slopes and elevations, setbacks, retaining walls, driveway access, road and storm water improvements.

The subject property is an irregularly shaped parcel that is part of the American Homes neighborhood (**Attachment B**). An existing gravel road extends along the east side of the site. There is a cluster of eucalyptus trees around the center of the property with other existing trees including pepper trees, palms, and shrubs primarily around the northwest entry off Rojo Tierra Road and off of the northerly edge of the subject site. The property is located in an established neighborhood surrounded by existing single-family residences, roads and freeways, and railway. North of the site is an existing railway right-of-way and federally owned hillside property. South of the site is City right-of-way and Caltrans right-of-way, State Routes 94 and 125 interchange and roadway.

Existing grade elevations range from 510 feet above mean sea level and down to 462 feet along the American Avenue Street frontage. Grading is proposed to accommodate street improvements, driveway access to each proposed lot, and retaining walls for building pads.

General Plan and Zoning:

The subject property is designated in the La Mesa General Plan (p. LD-30) for "Suburban Residential" land use, which is assigned to suburban neighborhoods with lots of 10,000 square feet or larger, and which result in lower density developments with space between residences and relatively large yards with up to 4 dwelling units per acre. Development in this category is limited to minor infill resulting from the subdivision of existing lots. General Plan Goal LU-2 promotes residential neighborhoods with strong character and cohesion. General Plan Policy LU-2.1.2 states "Support infill development and subdivision proposals that reinforce neighborhood strengths and benefit neighborhood identity". The subject site, including the three existing vacant parcels (APNs: 499-171-26-00, 499-171-28-00, 499-171-34-00), is identified as a site for future residential development in the La Mesa General Plan Housing Element Sites Inventory Map.

The site is zoned R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2). The R1S zone is intended for those areas affected by moderate to severe hillside conditions and accommodates development up to four dwelling units per acre. It is intended that development conditions including structure locations will be variable in order to achieve maximum allowable density without adversely affecting the hillside environment. Minimal grading, which leaves natural appearing land forms, is required in the development of these areas.

The Neighborhood Plan Overlay No. 2 (NP2) zone, Section 24.14.040 of the La Mesa Municipal Code, establishes development standards for private streets, setbacks, fencing, public sewer, dedication and improvements and access in the American Avenue neighborhood and surrounding area. This overlay zone allows development and subdivisions to proceed in accordance with improvements on the State Route 94 and 125 interchange which is now complete. This area includes all lots north of Highway 94, south of the San Diego Eastern Railway and west of Payson Road and east of Grove Place.

Circulation and Traffic:

The subject site is designated in the La Mesa General Plan for residential use. Access to the proposed lots is provided by a new public street from Riviera Drive and American Avenue, a private road. The City Engineer has reviewed the proposed subdivision design and has determined that the project meets the demands of the development consistent with City standards. The proposed emergency vehicle turnarounds have been accepted by the Fire Department.

According to regional trip generation estimates prepared by the San Diego Association of Governments (SANDAG), the daily trip generation rate for single family residential is ten trips per dwelling unit. With a total of ten single family residences proposed within the subdivision, 100 daily trips would result. Eighty daily trips will be generated from the eight street fronting lots off Riviera Drive. Twenty daily trips will be generated from the two street fronting lots along American Avenue, an existing private road off Quarry Road to the east of the subject site. Riviera Drive is classified as a local collector in the Circulation Element of the La Mesa General Plan. This 0.6 mile stretch of Riviera Drive is bounded by the City of Lemon Grove to the west, and Gateside Road and Spring Street to the east.

The American Homes neighborhood is an existing established single family residential neighborhood. Based on a 2012 City of La Mesa Speed and Volume Data, the counts on this stretch of road along Riviera Drive to Gateside Road and Spring Street show 1,804 daily trips (Level of Service (LOS A)). Level of Service A represents the best operating conditions from a traveler's perspective, while LOS F is the worst. Level of Service A indicates low traffic volumes and speed not restricted by other vehicles. Level of Service F indicates long queues of traffic, unstable traffic flows, and travel speeds that can drop to zero. The subject project upon buildout is forecasted to generate 100 additional daily trips to the current daily trips along Riviera Drive. With the addition of the project, this stretch of Riviera Drive will generate less than 2,500 average trips per day (Level of Service A, General Plan EIR Table 4.13-2) in the vicinity of the subject property.

Based on the Level of Service criteria for local collector roadway segments, the traffic volume on Riviera Drive would need to get to 7,500 vehicles in order to reach LOS E. This means that nearly 5,696 trips would need to be added to this segment of Riviera Drive before an impact requiring traffic mitigation could occur. The proposed project will not impact or conflict with the City of La Mesa General Plan and La Mesa Municipal Code in relation to traffic and circulation.

On September 21, 2016, the City received a letter from a property owner at 3740 Riviera Drive concerning the subject project and related traffic and circulation patterns in the neighborhood (**Attachment D**). The letter suggests that the traffic pattern along Riviera Drive is too fast and that the project warrants the installation of stop signs to slow traffic along this street. Although a stop sign is not warranted, City staff and its traffic consultant have conducted a speed advisory analysis and determined that a speed advisory sign is not warranted to address speed along Riviera Drive. As discussed in this section, traffic mitigation is not warranted along Riviera Drive.

Parking Requirements:

The proposed subdivision includes a new public street. Eight proposed lots will front the new public street accessed from Riviera Drive and two lots will front the private road, American Avenue. The City of La Mesa Parking Ordinance, Section 24.04.030, provides provisions for off-street parking requirements for residential uses. The lots fronting the new public street will require two enclosed parking spaces per single family residence and two new easement access lots will require five parking spaces, including two enclosed garage spaces. The project upon buildout will provide 26 off-street parking spaces. As conditioned, a new garage shall be required at 3860 American Avenue that will replace the existing garage that is planned to be demolished. The subdivision and its future development are required to conform to City of La Mesa parking requirements and standards. Based on the proposed subdivision concept, the project will meet City development standards in relation to parking and driveway requirements.

Proposed grading and retaining walls:

Earthwork quantities consisting of 965 cubic yards of export, including 5,415 cubic yards of cut and 6,380 cubic yards of fill, are proposed to accommodate building pads that will meet lot area and dimension standards. The project will include flow-through planters at lot 8, which will be maintained through a joint maintenance agreement. Each new lot will have its own storm water design at the time of development. The proposed improvements as part of the subdivision include a street storm drain system and the road side flow-through planter with curb openings.

Regarding site retaining walls, La Mesa Municipal Code Section 24.05.030.I, cites that Planning Commission approval may be required if fences or walls within the minimum front setback for future residential development of the subject site exceeds four feet in height. Fences or walls in any other location shall not exceed six feet in height. Fences or walls of greater height may be allowed by special permit, where topographic or other conditions reduce the effectiveness of normal height fences for privacy. Retaining walls within any required minimum front, rear or side yard setback shall not exceed a height needed to retain (i) a fill of three feet or (ii) a cut of six feet. Proposed maximum wall heights will not exceed three feet when measured at the midpoint between finished grades. A proposed building pad with a maximum cut of 11 feet is proposed on lot 6 and is not proposed to include site walls. Off-site grading is not proposed as part of this project. Proposed site walls conform to City of La Mesa standards.

Steps in Processing:

On September 12, 2016, the Development Advisory Board recommended approval of the subject project including conditions which are shown in **Attachment F**. On October 5, 2016, the Planning Commission approved the subject project, subject to conditions of approval, including the Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA). The project was duly noticed and neighbors were present at the hearing. The Planning Commission heard neighbor concerns regarding project density, traffic and future development of the site. City Council ratification of the tentative tract map is required upon approval by the Planning Commission.

DISCUSSION:

Tentative Tract Map findings:

According to County Assessor Records, the subject property is approximately 3.4-acres in size or 149,411 square feet. The proposed tentative tract map cites a gross site area of 151,206 square feet, which was derived from grant deeds. Actual lot areas are determined at the time of survey and monumentation. The proposed lots would each meet or exceed the minimum requirements for width (80 feet), depth (80 feet) and size (10,000 square feet) in the R1S-NP2 zone, and are being subdivided for the purpose of creating ten lots.

The following table includes proposed lot size, depth and width of each lot. The proposed subdivision complies with the minimum R1S zone requirements related to lot size, depth and width.

Proposed Lot Area and Requirements				
Lot Number	Net Lot Area (square feet / street fronting lots- 10,000 square feet minimum)	Lot Depth (feet / minimum 80 feet)	Lot Width (feet / minimum 80 feet)	Complies
1	10,174	80	127	Yes
2	10,754	80	134	Yes
3	12,711	80	176	Yes
4	10,240	103	119	Yes
5	10,000	112	85.4	Yes
6	14,193	122	87	Yes
7	10,411	108	107	Yes
8	10,065	112	86	Yes
9	15,769 (easement access lot- minimum 15,000 s.f.)	103	98	Yes
10	20,439 (easement access lot- minimum 20,000 s.f.)	119	89	Yes
Estimated Total Net Lot Area	124,756 square feet			
Source: Proposed Tentative Tract Map TTM 14-01 Sheet 2 of 4- Lot Development Data				

Utility providers and school districts were sent copies of the tentative tract map for review. Helix Water District and the San Diego Metropolitan Transit System (MTS) provided comments (**Attachment C**). The applicant has provided technical reports including a preliminary drainage study, storm water quality technical report and geotechnical investigation.

In reviewing a proposal for a major subdivision, the following findings must be made:

1. Is the proposed map consistent with applicable general and specific plans?

Yes. The proposed map is consistent with the La Mesa General Plan land use designations, goals and policies. The La Mesa General Plan goals and policies generally encourage infill development that is compatible with surrounding uses. The proposed tentative tract map is consistent with the land use designation because the allowed land use for this area is "Suburban Residential" land use, is assigned to suburban neighborhoods with lots of 10,000 square feet or larger, which result in lower density developments with space between residences and relatively large yard with up to 4 dwelling units per acre. Development in this category is limited to minor infill resulting from the subdivision of existing lots. General Plan Goal LU-2 promotes residential neighborhoods with strong character and cohesion. General Plan Policy LU-2.1.2 states "Support infill development and subdivision proposals that reinforce neighborhood strengths and benefit neighborhood identity". The subject site, including the three existing vacant parcels (APNs: 499-171-26-00, 499-171-28-00, 499-171-34-00), is identified as a site for future residential development in the La Mesa General Plan Housing Element Sites Inventory Map. The proposed subdivision is consistent with this finding.

2. Is the design or improvement of the proposed subdivision consistent with the applicable general and specific plans?

Yes. The proposed subdivision, together with its design and improvements to the property, is consistent with the La Mesa General Plan. General Plan Goal LU-2 promotes residential neighborhoods with strong character and cohesion. The infill project is a single family residential subdivision in keeping with the allowed density and building intensity in the existing single family residential neighborhood. General Plan Policy LU-2.1.2 states "Support infill development and subdivision proposals that reinforce neighborhood strengths and benefit neighborhood identity". The proposed subdivision design and related improvements is required to meet City development standards. Project conditions of approval must be satisfied by the applicant consistent with City policies established by the General Plan.

3. Is the site physically suitable for the type of development?

Yes. The site is physically suitable for the type of development because it is zoned for single-family residential and is located in a suburban neighborhood along an established local collector street. The proposed subdivision will provide new housing with access to services, consistent with surrounding land uses that include single-family residential development. The site has no physical constraints that would prohibit the proposed type of development. There are no physical constraints that would prohibit the subdivision for future residential development. The site is considered suitable for development by the geotechnical investigation submitted by the applicant.

4. Is the site physically suitable for the proposed density of development?

Yes. The site is physically suitable for the proposed density of development because the density is consistent with that permitted by the Zoning Ordinance and General Plan land use designation. The La Mesa General Plan allows up to 4 dwelling units per acre and the density proposed by the applicant is 2.9 dwelling units per acre (10 dwelling units on 3.4-acres). The proposed project conforms to the City's land use plans, as well as the

corresponding R1S-NP2 zone density limitations. The site has no physical constraints that would prohibit the proposed density of development.

5. Would the design of the subdivision or the proposed improvements be likely to cause substantial environmental damage or injure fish or wildlife in their habitat?

No. The subject property is not identified as a biologically significant site within the City of La Mesa Subarea Habitat Conservation Plan area, and substantial environmental damage would not occur because the site has no environmentally significant vegetation, fish or wildlife habitat. The site is within an existing suburban area in an existing established single-family residential neighborhood. Future residential development of the subdivision will conform to the City of La Mesa Zoning Ordinance.

6. Would the design of the subdivision or type of improvements be likely to cause serious health problems?

No. Future residential development on the site would be required to be connected to the public sewer. No health problems are anticipated due to the design of the subdivision.

7. Would the design of the subdivision or type of improvements conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision?

No. The design of the proposed subdivision and improvements will not conflict with any existing or proposed easements. All appropriate utility providers have been requested to comment, and no conflicts have been identified with the proposed subdivision.

CONCLUSION:

Staff recommends that the City Council ratify the Planning Commission's approval of TTM 14-01, as shown on the attached Planning Commission Resolution PC-2016-19 (**Attachment F**).

Reviewed by:

Respectfully submitted by:



Yvonne Garrett
City Manager



Carol Dick
Director of Community Development

- Attachments:
- A. Vicinity and aerial map
 - B. Site photographs
 - C. Correspondence- Helix Water District and MTS comments
 - D. Correspondence- Letter from Property Owner at 3740 Riviera Drive
 - E. Initial Study and Negative Declaration
 - F. Planning Commission Resolution and conditions of approval
 - G. Tentative Tract Map TTM 14-01



**Tentative Tract Map
TTM 14-01**

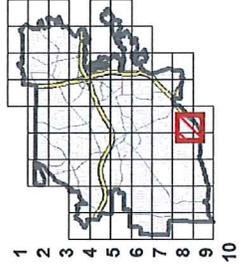
PROPERTY INFORMATION

Applicant	Dan Brophy
Site Address	3860 American Ave/ Riviera Dr La Mesa, CA 91941
APN	499-171-26-00, 499-171-28-00 499-171-34-00, 499-191-37-00
Lot Size	3.4 acres
General Plan	Suburban Residential
Zoning	R1S-NP2 Suburban Residential; Neighborhood Plan Overlay Zone #2

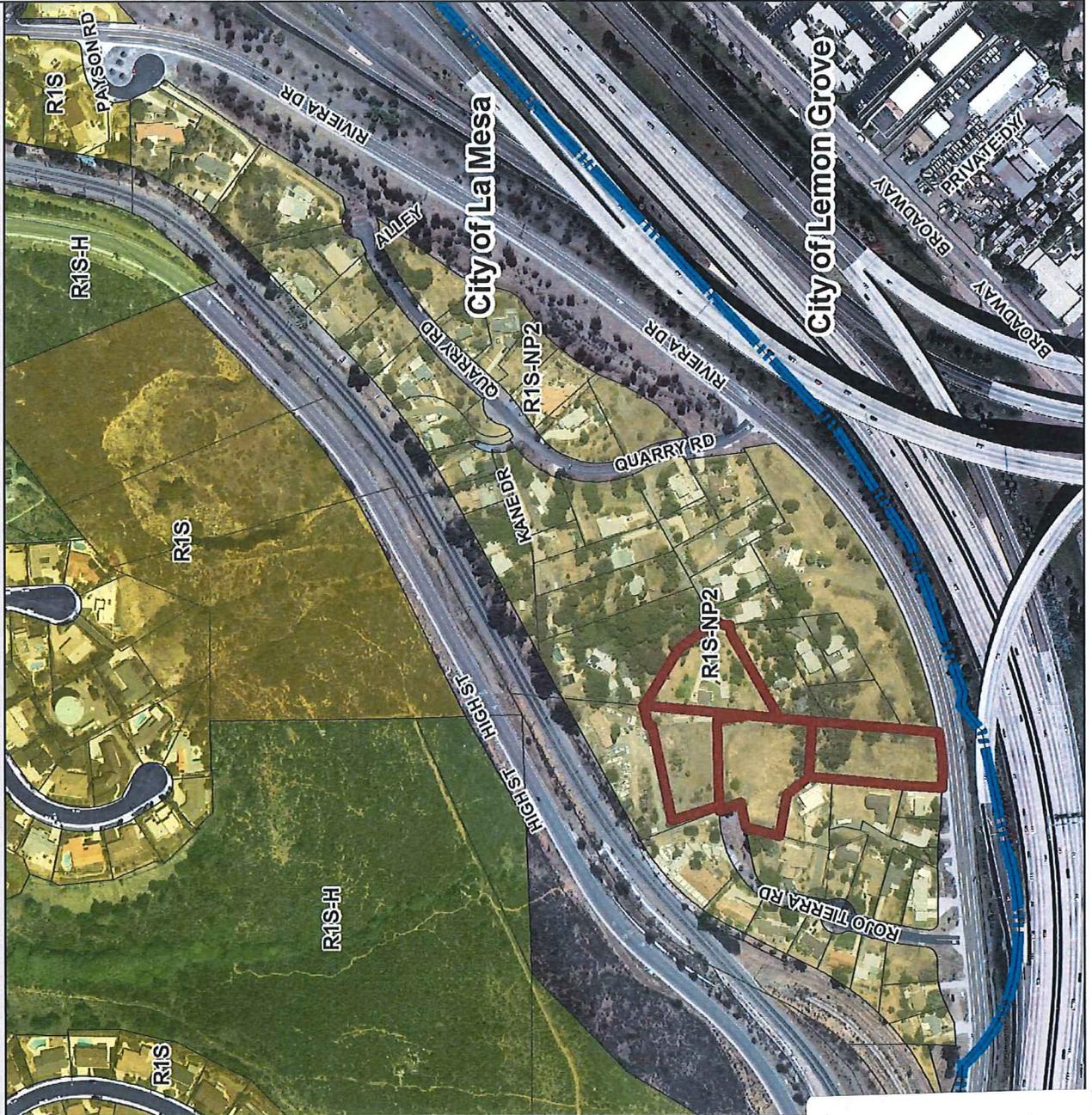


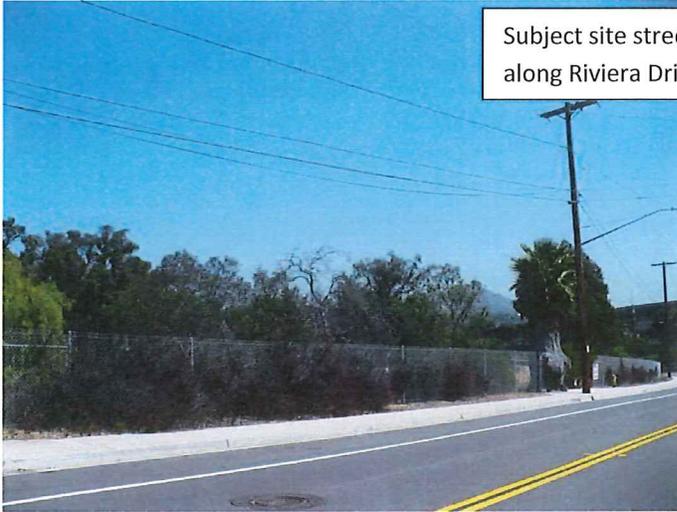
DATA SOURCES:
City boundary, SanGIS, 2011
Roads, SanGIS, 2011

A B C D E F G H I

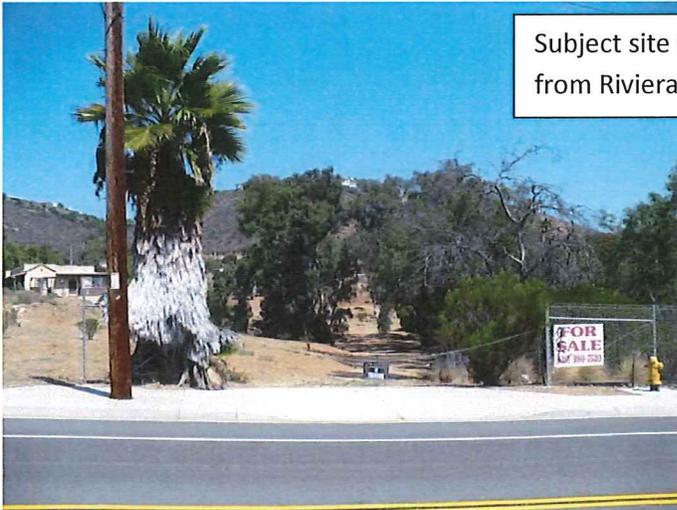


Location Map and Aerial

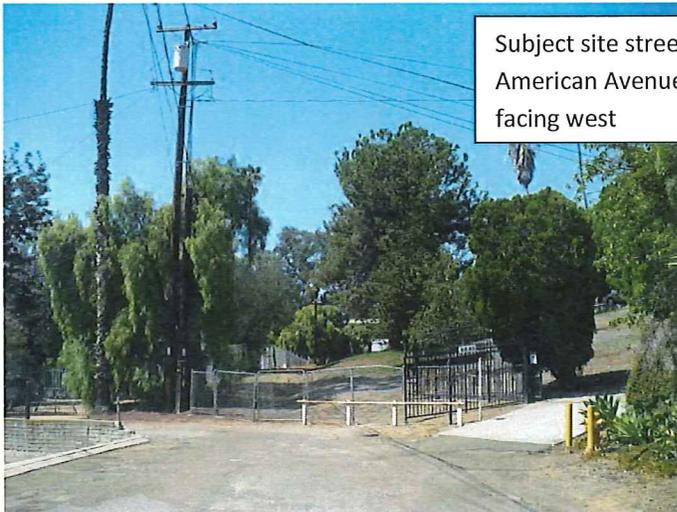




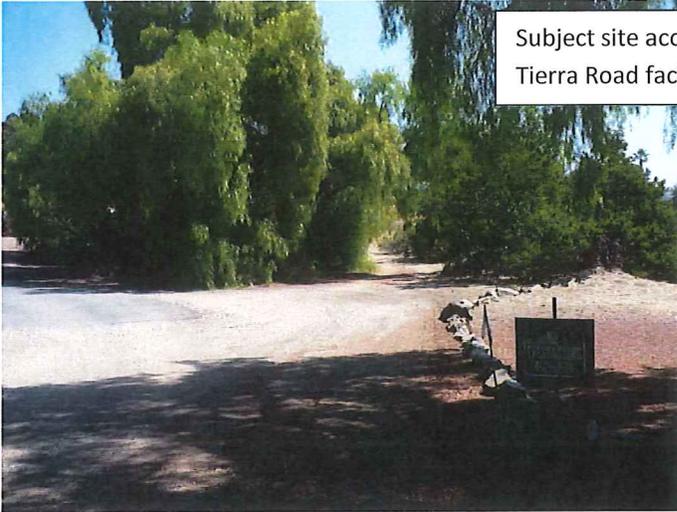
Subject site street frontage
along Riviera Drive facing east



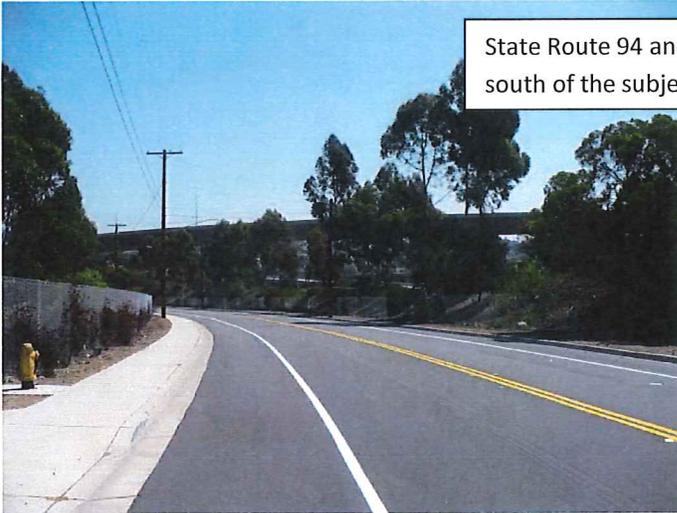
Subject site facing north
from Riviera Drive



Subject site street frontage along
American Avenue (private road),
facing west



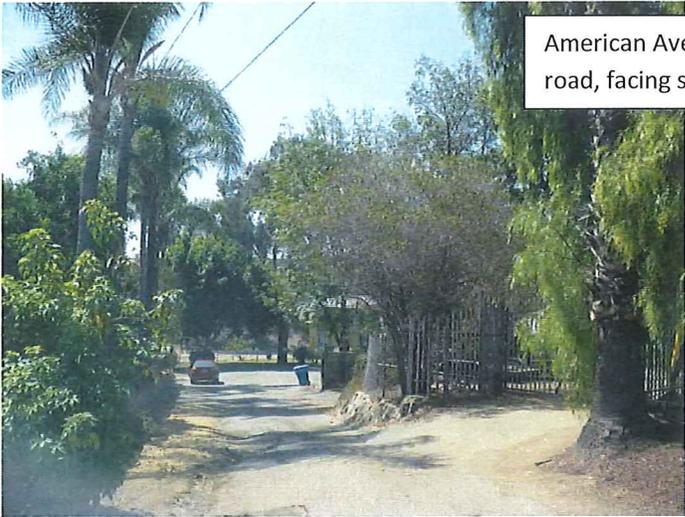
Subject site access from Rojo
Tierra Road facing east



State Route 94 and 125 interchange
south of the subject site



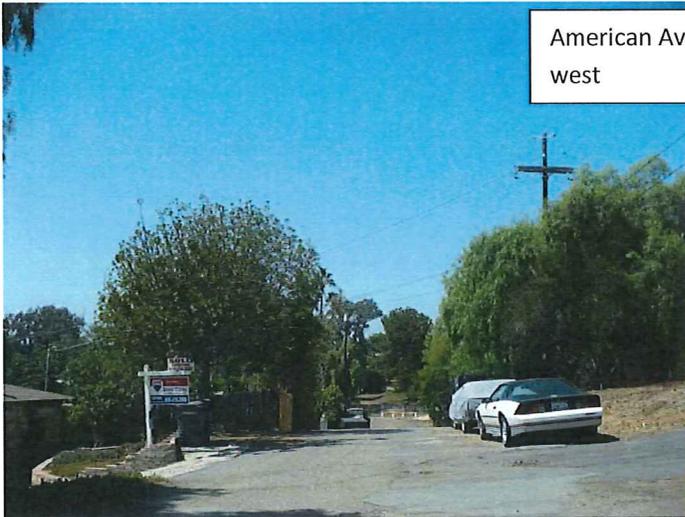
3860 American Avenue, driveway access
to existing single family residence



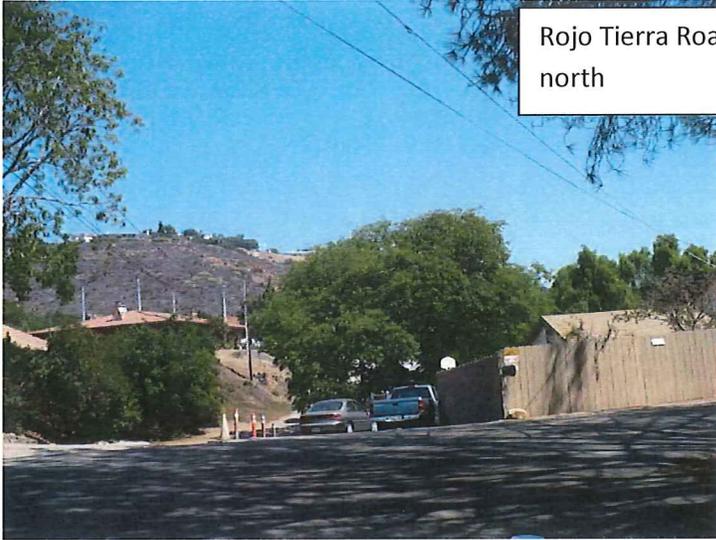
American Avenue, private road, facing south



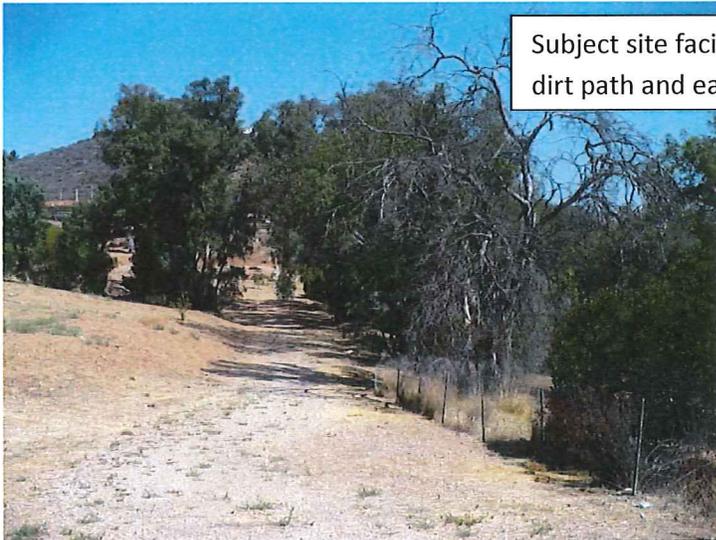
3851 American Avenue, facing south



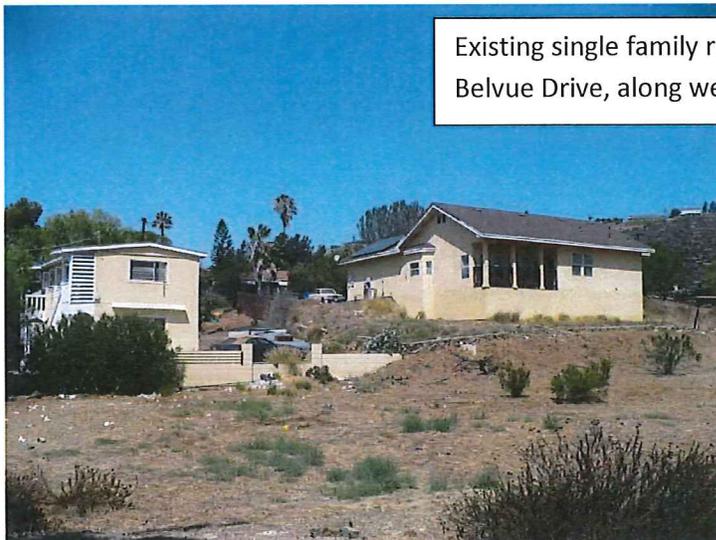
American Avenue, facing west



Rojo Tierra Road facing north



Subject site facing north along dirt path and easterly edge



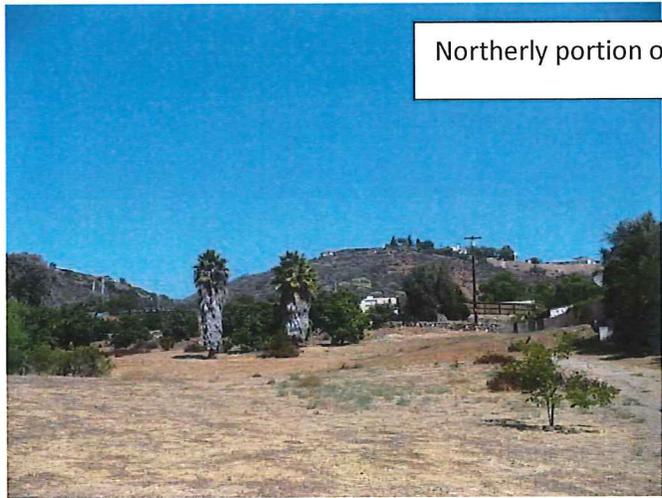
Existing single family residences, fronting Belvue Drive, along westerly edge.



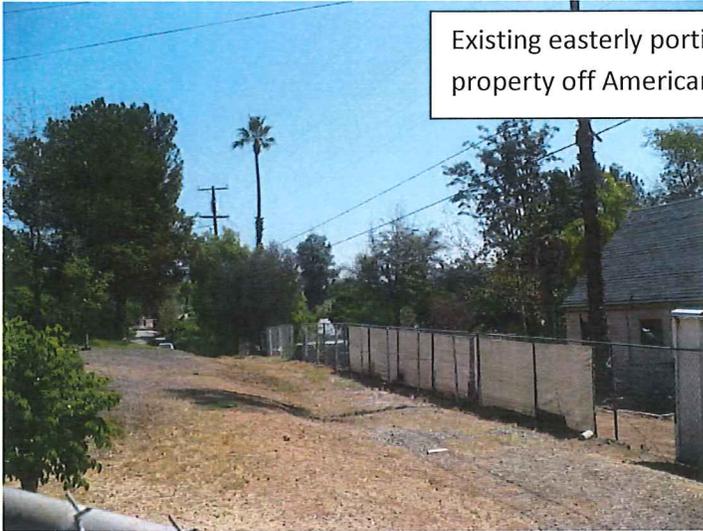
Existing trees on the subject site.



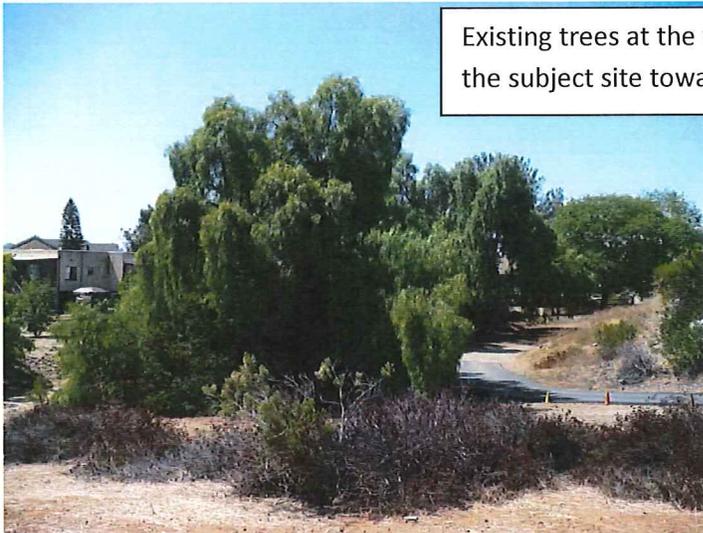
Existing trees on the subject site.



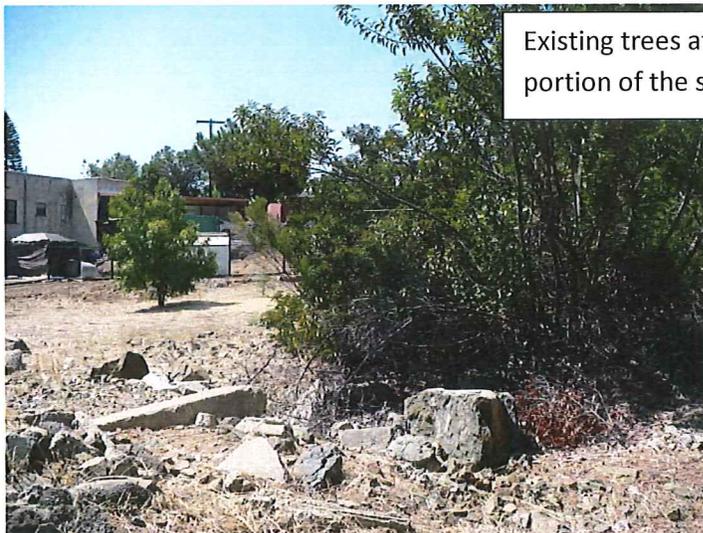
Northerly portion of the subject site.



Existing easterly portion of subject property off American Avenue



Existing trees at the westerly portion of the subject site toward Rojo Tierra Road



Existing trees at the westerly portion of the subject site



Helix Water District

Setting standards of excellence in public service

7811 University Avenue
La Mesa, CA 91942-0427

(619) 466-0585
FAX (619) 466-1823
www.hwd.com

September 6, 2016

Howard Lee
Associate Planner
City of La Mesa
8130 Allison Ave.
La Mesa, CA 91942

Subject: 3860 Americana, TTM 14-01; APN: 499-171-26, 28, 34, and 499-191-37

Dear Mr. Lee:

Thank you for the opportunity to comment on the subject project. Helix Water District (HWD) currently serves subject parcel (APN 499-191-37) with a 0.75-inch water lateral and 0.75-inch meter. Fire protection is provided by a fire hydrant with 2.5x2.5-inch outlets located at the Americana Avenue terminus. Water pressure in the area is approximately 75 psi.

Each existing and new parcels shall have its own separate water service. Backflow devices will be required for the proposed water services and shall be installed per current Water Agencies' Standards. The new backflow devices shall be tested by a certified backflow tester with a copy of the passing test results forwarded to Helix Water District attention Darrin Teisher by e-mail: crossconnection@helixwater.org. All water laterals designated for the subject parcels that will not be used will need to be abandoned by HWD at the Owner's expense. Water for multiple dwelling units or commercial/industrial fire protection systems shall be furnished to the property by facilities which are separate from the domestic water service.

This project will require a water main extension and we will therefore require improvement plans and appropriate fees per District standards and policies. These items must be submitted to Helix Water District for review, approval and signature. The location of the existing water facilities shall be brought up to current District standards. Looping of proposed water main from Riviera Drive to Rojo Tierra Road and/or High Street and/or American Avenue, and relocation of any existing facilities will be required. The project is subject to all Helix Water District requirements, policy, and standards at the time of establishing a work order and submittal of improvement plans to the District. In addition, any finished surface improvement, other than asphalt above the pipeline or underground facilities, will require an encroachment removal agreement. Permeable finished service improvements and bio-retention swales or basins are prohibited within HWD water main easement or over water facilities.

If landscaping of the parcels exceeds 5,000 square feet, a dedicated irrigation meter will be required and the property entered into our Water Conservation Program. Please contact them by e-mail: conserve@helixwater.org

Heartland Fire and Rescue may require additional or upgraded fire protection facilities for this project. All costs for new fire protection facilities shall be paid by the Owner/Developer. Easements will be required if new or existing facilities cannot be installed and maintained within existing easements or public right of way. All costs for new easements shall be paid by the Owner/Developer.

At this time, we do not foresee the proposal creating a problem for the District, nor would it cause any conflicts with the District's utility operations.

If you have any questions, please call me at (619) 667-6273.

Sincerely,

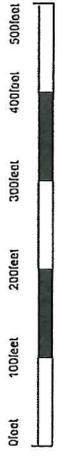

Aneld Anub
Associate Engineer

cc: Tim Ross, Carlos Perdomo, Darren Teisher

ATTACHMENT C



TTM 14-01



Scale: 1"=200'

Printed: 6/1/2015



Howard Lee

Subject: FW: TTM 14-01 (3860 American Avenue) - MTS Comments

From: Denis Desmond [<mailto:Denis.Desmond@sdmts.com>]
Sent: Thursday, April 23, 2015 12:58 PM
To: Howard Lee
Cc: Oswaldo D. Meneses; Janelle Carey;
Subject: TTM 14-01 (3860 American Avenue) - MTS Comments

Hi Howard,

Thank you for sending the plans for TTM 14-01 at 3860 American Avenue, La Mesa. Janelle Carey is out of the office, so I'm providing a response in her absence.

The proposed project has no impacts to MTS services or facilities.

Our only comment is to note that the site has no existing or planned nearby transit service. The closest transit service would be just under a mile away in either direction, either at Spring Street in La Mesa or at Broadway in Lemon Grove. While MTS has no specific plans to implement service in the area at this time, any future new service in the area would require pedestrian infrastructure improvements to ensure safe access and ADA compliance. These include sidewalks on both sides of any streets served (such as Riviera Drive), bus stop locations sized to ADA requirements, and safe and accessible crossing locations (crosswalks, signals, etc.).

Please let me know if you have any questions.

Thank you Howard,
Denis

Denis Desmond
Manager of Planning
San Diego Metropolitan Transit System
1255 Imperial Ave., Suite 1000
San Diego, CA 92101
(619) 515-0929
denis.desmond@sdmts.com

Ellen Heigert
3740 Riviera Drive
La Mesa, CA 91941

Howard Lee
City of La Mesa
8130 Allison Avenue
La Mesa, CA 91942



Dear Mr. Lee:

I am taking this opportunity to request traffic mitigation due to the development of the 10-lot single family residential subdivision at American Avenue and Riviera Drive.

Since this subdivision will add *at minimum*, 20 more cars on our street, it is the perfect rationale to place stop signs at the top of the grade on Riviera and Belvue (or on Riviera and Quarry) to slow the traffic.

Years ago the City's capitulation to a small group of complaining impatient drivers resulted in a drastic increase in speed limit on Riviera Drive. The department's justification for this speed increase was the lack of traffic from feeder streets and they dismissed as inconsequential the difficulty in leaving driveways that feed directly onto Riviera Drive.

Since that change, drivers have been using this street instead of the parallel freeway and *many* of them treat it as a freeway by driving 55-65 miles per hour (based on comparing their speed with cars on the easily visible freeway). I am certain the Traffic Division knows that whatever speed is posted, impatient Southern Californians will drive 10 mph above that. Add to that drivers whose phones matter more than the road. The addition of the further Eastridge housing development has already resulted in more traffic and more speeding. And more than once, neighbors and I have witnessed impatient people crossing double yellow lines, and on a *blind hill curve*, to whip around drivers who were going the sufficiently rapid posted limit of 45 mph.

The gist is: Riviera Drive is a dangerous street. Not only will these new residents add to the traffic and speeding problem, their presence increases their own chances of getting hit as they attempt to ingress and egress Riviera. They will be unable to gain sufficient speed to enter the flow of traffic while encountering cross-drivers in both directions and also unable to see if vehicles are approaching over the blind curving hill.

Even if no action is taken on my request, at the very least, please pass on this information to the police department – the City could collect a nice chunk of revenue in speeding citations on Riviera Drive, especially at peak hours.

Thank you.

ATTACHMENT D

**CITY OF LA MESA
COMMUNITY DEVELOPMENT DEPARTMENT
NEGATIVE DECLARATION**

Project Title: Riviera Drive Ten-Lot Subdivision

Lead Agency Name and Address: City of La Mesa
Community Development Department
8130 Allison Avenue
La Mesa, CA 91942

Contact Person and Phone Number: Howard Lee, Associate Planner
619-667-1185

Project Location: Residential property off Riviera Drive, east of Rojo Tierra Road and Belvue Drive, and west of American Avenue (private road) and Quarry Road, existing single-family residence at 3860 American Avenue, City of La Mesa, California 91942, County of San Diego; Assessor Parcel Numbers (APN): 499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00

La Mesa General Plan Land Use Designation: Suburban Residential

Applicant Names and Addresses:
Dan Brophy (property owner), 1150 Anchorage Lane #101, San Diego, CA 92106 / Rick Turner (project engineer), Kappa Surveying and Engineering, Inc., 8707 La Mesa Blvd., La Mesa, CA, 91942.

Zoning: R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2)

Assessor Parcel Numbers: 499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00

Project Description:

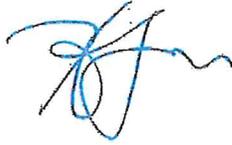
A request by Dan Brophy to subdivide four contiguous lots, totaling 3.4 acres (149,411 square feet), into a ten lot subdivision to construct detached single family dwellings. Per the Subdivision Map Act, tentative tract map approval is required. Lot sizes vary from 10,000 square feet to 20,440 square feet in size. Site improvements will include: grading, site walls, a public road with emergency vehicle access and turnaround, storm water treatment basins, parkway, and sidewalk, curb, and gutter. Access to the proposed lots is provided by a public street from Riviera Drive and American Avenue, a private road.

The site is designated by the La Mesa General Plan for "Suburban Residential" land use and is zoned R1S- NP2 (Suburban Residential/ Neighborhood Plan Overlay No. 2). City of La Mesa Case File Number is Tentative Tract Map TTM 14-01.

An initial study in compliance with the California Environmental Quality Act (CEQA) has been prepared to determine whether the project may have a significant adverse effect on the environment. There is no substantial evidence that the project would have a significant adverse effect on the environment. A Negative Declaration has therefore been prepared and can be adopted for this project.

COMMUNITY DEVELOPMENT DEPARTMENT DETERMINATION:

On the basis of the initial environmental study prepared for the proposal, it has been determined that the proposed project would not have an adverse impact on the environment.



September 15, 2016

Howard Lee, Associate Planner
Community Development Department, City of La Mesa

Date

**Environmental Initial Study
Riviera Drive Ten-Lot Subdivision
City of La Mesa, County of San Diego, CA**

Lead Agency:

**City of La Mesa
8130 Allison Avenue
La Mesa, CA 91942
619-667-1185
Contact: Howard Lee**

September 2016

Project Title:	Ten-Lot Single-Family Residential Subdivision
Lead Agency Name and Address:	City of La Mesa Community Development Department Planning Division 8130 Allison Avenue La Mesa, CA 91942
Lead Agency Contact Person and Phone Number:	Howard Lee, Associate Planner, 619-667-1185
Project Location: (Address and/or general location description)	Residential property off Riviera Drive, east of Rojo Tierra Road and Belvue Drive, and west of American Avenue (private road) and Quarry Road, existing single-family residence at 3860 American Avenue, City of La Mesa, California 91942, County of San Diego
Applicant's Name and Address:	Dan R. Brophy / Flying Dog Trust (owner), 8030 La Mesa Boulevard, La Mesa, CA 91942, 619-563-1111, Rick Turner (consultant), Kappa Surveying and Engineering, Inc., 8707 La Mesa Blvd., La Mesa, CA, 91942, 619-465-8948
General Plan Land Use Designation:	Suburban Residential
Zoning:	R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2)
Assessor Parcel Numbers:	499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00
Project Description:	<p>A request by Dan Brophy to subdivide four contiguous lots, totaling 3.4 acres (149,411 square feet), into a ten lot subdivision to construct detached single family dwellings. Per the Subdivision Map Act, tentative tract map approval is required. Lot sizes vary from 10,000 square feet to 20,440 square feet in size. Site improvements will include: grading, site walls, a public road with emergency vehicle access and turnaround, storm water treatment basins, parkway, and sidewalk, curb, and gutter. Access to the proposed lots is provided by a public street from Riviera Drive and American Avenue, a private road.</p> <p>The site is designated by the La Mesa General Plan for "Suburban Residential" land use and is zoned R1S-NP2 (Suburban Residential/ Neighborhood Plan Overlay No. 2). City of La Mesa Case File Number is Tentative Tract Map TTM 14-01.</p>
Surrounding Land Uses:	
North:	Single family residential / California & Arizona Eastern Railway Company right-of-way / Federally owned property
South:	Single family residential / City right-of-way / Caltrans right-of-way / City of La Mesa City limits, north of City of Lemon Grove
East:	Single family residential / American Avenue (private road)
West:	Single family residential / City right-of-way

Site Features and Setting:	<p>The subject property is an irregularly shaped parcel of land that is part of the American Homes neighborhood, located north of Riviera Drive, east of Rojo Tierra Road and Belvue Drive, and west of American Avenue (private road) and Quarry Road. The neighborhood is an established single family residential neighborhood. Access to the site is from Riviera Drive, a public street and American Avenue, a private road. North of the site is an existing railway right-of-way and federally owned hillside property. South of the site is City right-of-way and Caltrans right-of-way, State Routes 94 and 125 interchange and roadway. The site currently has one single-family residence, which will be maintained and subdivided into one of the ten proposed lots. Existing grade elevations range from 510 feet above mean sea level and down to 462 feet along the American Avenue Street frontage. The site would be graded to accommodate street improvements, driveway access to each proposed lot and include retaining walls for future building pads.</p>
Other Agencies Whose Approval is Required:	N/A



ENVIRONMENTAL INITIAL STUDY

The Environmental Review Checklist below is used by staff to evaluate whether a Project has the potential to cause significant environmental impacts. The purpose of the checklist is to assist in the determination of whether an Environmental Impact Report (EIR) should be prepared for the Project. If it is determined that no EIR is needed to identify potential environmental impacts from a Project, a Negative Declaration will be adopted. A Negative Declaration does not mean that a Project will have no effect; it is documentation that a Project will not have the potential to cause "significant" environmental impacts that need a complete EIR to properly evaluate. Once the proper level of environmental analysis has been established utilizing the checklist below, the Project itself will be evaluated based upon a separate analysis of compliance with ordinances, policies, standards, and required findings established for review of the Project by the City.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics.				
<i>Would the Project:</i>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **No impact.** Vistas and panoramic views are identified in the City's Urban Design Program. The Urban Design Program describes vistas as occurring along streets, corridors, or groves that open on to scenic views. The proposed residential subdivision is sited north of the State Routes 94 and 125 freeways and interchange. The freeway segment in this vicinity is not designated as a scenic highway to the south of the subject property. The project is a single family residential subdivision located in an established single family residential neighborhood. The development would have no impact upon the function of the highway corridor. The development would not create a significant adverse impact on the SR-94 and SR-125 due to topographic differences, setbacks, and anticipated architectural and landscape amenities related to future development. There would be no impact to scenic vistas along the street and highway corridors.

- b) **No impact.** The subject property is located in an established single family residential neighborhood, north of a freeway interchange and city right-of-way. The proposed project is infill development in an area that is surrounded by existing development and disturbed land. The site will be graded to establish the building pads for development purposes. The project would not substantially damage scenic resources such as natural features or historic buildings within a scenic highway because the site is not located along a scenic highway. No impact would occur.
- c) **No impact.** See sections I.a and I.b) above. The project is subject to review and approval by the City of La Mesa Development Advisory Board and Planning Commission, which will review the project for conformance with the City's Development Standards. No adverse aesthetic impact would occur.
- d) **No impact.** Existing lighting sources for this site include exterior building lighting and streetlights typically found in single family residential neighborhoods. The proposed project will include exterior building lighting and site lighting. Outdoor lighting is required to be located and arranged in a manner consistent with City ordinance requirements, to promote public safety, and also minimize unnecessary light and glare effects to the surrounding community. Therefore, impacts related to light and glare are less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forest Resources. <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board.</i> Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

a-e) **No impact.** The City of La Mesa is comprised of urbanized and suburban neighborhoods designated for residential and commercial uses, and contains no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The City has no agricultural zoning designations and no Williamson Act Contract lands. There are no forest lands or timber resources within the City. There are no farmland areas or sites designated for agricultural use nor are there any nearby agricultural sites that could be affected by the project. No impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation:

a) **No impact.** Air quality plans applicable to the San Diego Air Basin (SDAB) include the San Diego Regional Air Quality Strategy (RAQS) and applicable portions of the State

Implementation Plan (SIP). The RAQS outlines the San Diego County Air Pollution Control District's (APCD) plans and control measures designed to attain the state air quality standards for ozone (O₃). The APCD also has developed the SDAB's input to the SIP, which is required under the federal Clean Air Act for areas that are classified as non-attainment areas. Non-attainment areas are those that do not meet the National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS) for a particular pollutant. The SDAB is currently classified as a non-attainment area under CAAQS for O₃ and respirable particulate matter (PM₁₀ and PM_{2.5}), and for O₃ (eight-hour) and PM_{2.5} under NAAQS. The RAQS and SIP rely on information from the California Air Resources Board (CARB) and the San Diego Association of Governments (SANDAG), including mobile and area source emissions, as well as information regarding projected growth in the County, to project future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. The CARB mobile source emission and SANDAG growth projections are based on population and vehicle trends and land use plans developed by cities and the County. As such, projects that propose development consistent with growth anticipated by applicable general plans would be consistent with the RAQS and SIP. The subject use is consistent with applicable land use plans including the City of La Mesa General Plan and La Mesa Municipal Code zoning ordinances. Project development would, therefore, not conflict with or obstruct the implementation of the RAQS or SIP, and no impact would occur.

- b) **Less than significant.** In general, air quality impacts are the result of emissions from motor vehicles and short-term construction associated with development projects. During Project construction, emissions associated with fugitive dust, heavy construction equipment and construction personnel commuting to and from the site would be generated for approximately 15 to 18 months. The amount of fugitive dust generated during construction activities would be minimal because development of the proposed Project would result in normal construction emissions that alone would not be sufficient to cause a violation of air quality standards. The City's standard grading requirements serve to minimize fugitive dust and air pollutant emissions during the temporary construction period. Operational emissions generated by the Project would mainly be attributed to Project-generated traffic. The Project has been accounted for in the City's General Plan and applicable regional air quality plans (see response III.a), above. Furthermore, the Project consists of a ten-lot single family residential subdivision that is not anticipated to result in substantial new emissions. A less than significant impact would occur.
- c) **No impact.** See response III.a), above. Projects that propose development consistent with growth anticipated by applicable general plans were considered in, and therefore are consistent with, the RAQS and SIP. The existing use is consistent with applicable land use plans including the City of La Mesa General Plan and La Mesa Municipal Code zoning ordinances. Therefore, development of the Project site has been accounted for in these region-wide air quality plans. No impact would occur.
- d) **Less than Significant Impact.** Sensitive receptors in the Project vicinity include existing single family residential development. State Routes 94 and 125 are located to the south. The Project, consisting of a ten-lot single family residential subdivision, would not generate substantial additional pollutant concentrations beyond those already occurring, and anticipated to occur in the area. Existing pollutants in the vicinity include traffic emissions on surrounding surface streets and State Routes 94 and 125. A less than significant impact would occur.
- e) **Less than Significant Impact.** The Project consists of a ten-lot single family residential subdivision and would not include uses that would be considered sources of nuisance odors

during either construction or use of the site because odors would be contained. The project will not introduce any new use that would generate new objectionable odors. The project site is located in an established single family residential neighborhood and surrounded by streets and major highways. Approval of the residential project is required prior to issuance of building permits and certificates of occupancy. Therefore, potential odor impacts would be less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources.				
<i>Would the Project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **No Impact.** The City of La Mesa Habitat Conservation Plan (also referred to as the City of La Mesa Sub-area of the Multiple Species Conservation Plan [MSCP]) vegetation mapping identifies coastal sage scrub as the only sensitive natural habitat within the City limits. There is a cluster of eucalyptus trees around the center of the subject site with other existing trees

including pepper trees, olive trees, ficus trees, ash trees, junipers, pines, palms, fruit trees and other shrubs and grasses primarily around the northwest entry off Rojo Tierra Road and around the northerly half of the subject site. The site is located in an established neighborhood surrounded by existing single-family residences, roads and freeways, and railway. No habitat for listed species or protected habitat are present or expected to occur in the proposed development footprint area. The proposed development site is disturbed. The site is not located within an MSCP Multi-Habitat Planning Area or Core Biological Resource Area. Therefore, no impact would occur.

- b) **No Impact.** The proposed development site is disturbed. The site is located in an established neighborhood surrounded by existing development, roads and freeways, and railway. No listed species or protected habitat is expected to occur on the site. Furthermore, due to the urbanized nature of the neighborhood, the site would not be considered a sensitive biological resource. The proposed project would not have the potential to create a substantial adverse effect on riparian habitat or other sensitive natural community because the site was previously graded. Therefore, no impact would occur.
- c) **No Impact.** In Section 404 of the Clean Water Act, wetlands are defined as areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are areas where the frequent and prolonged presence of water at or near the soil surface drives the natural system meaning the kind of soils that form, the plants that grow and the fish and/or wildlife communities that use the habitat. Swamps, marshes and bogs are well-recognized types of wetlands. However, many important specific wetland types have drier or more variable water systems than those familiar to the general public. Some examples of these are vernal pools (pools that form in the spring rains but are dry at other times of the year), playas (areas at the bottom of undrained desert basins that are sometimes covered with water) and prairie potholes.

The proposed development site is disturbed. The site is located in an established neighborhood surrounded by existing development, roads and freeways, and railway. This area has not been classified as wetlands; no jurisdictional delineation has been conducted in this area. Construction of the Project would not result in a substantial adverse effect on a wetland. Therefore, no impact would occur.

- d) **No Impact.** The MSCP does not identify any wildlife movement corridors on or within the vicinity of the Project site. The site is not located within a wildlife corridor or near a wildlife nursery site. Therefore, no impact would occur.
- e) **No Impact.** Apart from the City of La Mesa Habitat Conservation Plan, the only City document that addresses biological resources is the Conservation and Open Space Element of the La Mesa General Plan, which contains specific policies and objectives for preserving biological resources. As there are no threatened or protected biological resources on the Project site, the Project would not conflict with any of the policies contained in the MSCP or the Open Space Element of the City of La Mesa General Plan. No impact would occur.
- f) **No Impact.** There are no other applicable conservation plans in addition to those listed in a) and e) above. No impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources.				
<i>Would the Project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code § 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **No impact.** This project is a single-family residential subdivision. The proposed development site is disturbed. The site is located in an established neighborhood surrounded by existing development, roads and freeways, and railway. There is one existing single family residence at 3860 American Avenue built in 1937 that will remain. The site and existing building is not on the City of La Mesa Historic Resources Inventory or within a designated historic district. The project will not cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 because the house will remain on the single family lot. There is no evidence that the property is associated with events important in California's history or with the lives of historically important persons. Therefore no impact to historical resources is anticipated.
- b) **No Impact.** The site is not known to have, or suspected to yield, archaeological resources. The proposed project includes grading and earthwork to create new pads for future residential development. Impacts to archeological resources are not expected to occur due to the depth of excavation proposed on the development site. The site is not an identified site on the City's archeological survey map. As conditioned, a note shall be placed on the building plans stating that should any archeological (cultural) or paleontological (fossil) resources or human remains be discovered during construction-phase ground-disturbing activities, all work in the immediate vicinity must stop and the project applicant shall notify the City of La Mesa immediately. A qualified professional shall be retained to evaluate the finds and recommend appropriate action. Therefore, no impact would occur.
- c) **No Impact.** The City of La Mesa General Plan EIR (p. 4.10-5) cites that a paleontological records search identified 34 fossil localities. The site is not known to have, or suspected to yield, paleontological resources.

The City of La Mesa General Plan EIR (p. 4.10-5) cites that a unique geological feature may be the best example of its kind locally or regionally, it may illustrate a geologic principle, it may provide a key piece of geologic information, it may be the "type locality" of a fossil or formation, or it may have high aesthetic appeal. Unique geologic features may be exposed

or created from natural weathering and erosion processes, or from human excavations. These unique geologic features provide aesthetic, scientific, educational, or recreational value. Unique geological features in the San Diego region were documented in the 1975 San Diego County General Plan (amended April 2002), No unique geological features are listed in the City of La Mesa. The proposed project includes grading and earthwork. The maximum cut on the subject site is proposed to be approximately 11 feet at proposed lot 6. Impacts to paleontological resources are not expected to occur due to the depth of excavation proposed on the previously disturbed and developed site. Therefore, no impact would occur.

- d) **No Impact.** There are no known human remains on the subject property and there is no record of use of the property as a cemetery or burial ground. As conditioned, regarding human remains, the applicant shall notify the County Coroner. For human remains determined to be of Native American origin, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. The applicant shall ensure, to the satisfaction of the City and the Native American Heritage Foundation, if applicable, that appropriate measures are undertaken prior to resuming any project activities that may affect such resources. Therefore, no impact would occur.
- e) **No Impact.** There are no known tribal cultural resources on the subject property and there is no record of use of the property by tribes. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Geology and Soils.				
<i>Would the Project:</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) i) **No impact.** Although the City is located within a seismically active region, no active or potentially active faults are known to exist on the site or within City limits and the site is not situated within an Alquist-Priolo Earthquake Fault Zone (CA Department of Conservation 2007). Therefore, no impact would occur.
- ii) **Less than significant impact.** As is the case in all southern California, Some risk of earthquake does occur at the Project site. The closest known active faults to the site are the Rose Canyon Fault and Newport-Inglewood Fault, located approximately 9 miles west of the site. The site is subject to moderate to severe ground shaking in the event of a major earthquake on any of the referenced faults or other faults in Southern California. With respect to seismic shaking, the site is considered comparable to the surrounding developed area. However the Seismic design of the project structures should be evaluated in accordance with the California Building Code (CBC) guidelines adopted by the City of La Mesa, a less than significant impact would occur.
- iii) **No impact.** The site is anticipated to be underlain with stable bedrock, "Mesozoic-aged undivided, metasedimentary and meta-volcanic bedrock" (Mzu), generally not considered susceptible to seismically induced liquefaction. Liquefaction typically occurs when a site is located in a zone with seismic activity, onsite soils are cohesion-less, groundwater is encountered within 50 feet of the surface, and soil densities are less than about 70 percent of the maximum dry densities. The potential for liquefaction at the site is considered to be negligible due to the dense formational material encountered, remedial grading recommended to remove fill soil, and lack of shallow groundwater condition. Therefore there is no impact as cited from the geotechnical investigation prepared by C.W. La Monte Company, Inc., received by the City on November 24, 2014.
- iv) **No impact.** The proposed project is a single-family residential subdivision. The site consists of ten-single-family lots on 3.4 acres including a new public road, emergency vehicle access and turnaround, landscape areas and is underlain by stable bedrock, "Mesozoic-aged undivided, metasedimentary and meta-volcanic bedrock" (Mzu). No evidence of landslide deposits was encountered at the site during the geotechnical investigation prepared by C.W. La Monte Company, Inc., received by the City on November 24, 2014. There is no impact.

- b) **No impact.** The site is underlain by undocumented fill that is unsuitable in its present condition and will require remedial grading where improvements are planned. Soil found on the site is underlain with stable bedrock, generally not considered susceptible to seismically induced liquefaction or settlement. There is no impact.
- c) **Less Than Significant Impact.** The site is not mapped in the vicinity of geologic hazards such as landslides, liquefaction areas, or faulting (CA Department of Conservation 2007). No evidence of landslide deposits were encountered at the site during the geotechnical investigation as stated in the report prepared by C.W. La Monte Company, Inc., received by the City on November 24, 2014. The potential for liquefaction at the site is considered to be negligible due to the dense formational material encountered, remedial grading recommended, and lack of a shallow groundwater condition. Furthermore, construction activities would be subject to review and approval of the Building Official and City Engineer. Therefore, a less than significant impact would occur.
- d) **Less than significant.** Expansive soils are generally high in clays or silts that shrink or swell with variation in moisture. Moisture occurs in a number of ways, including absorption from the air, rainfall, groundwater fluctuations, lawn watering, or broken water or sewer lines. "Mesozoic-aged undivided, metasedimentary and meta-volcanic bedrock" (Mzu) is generally overlain with slope wash and top soils consisting of silty and sandy silts as evidenced by exposures on the site. Weathering of the bedrock can vary and sometimes develops residual clay and therefore have a low to medium expansion potential. The Project would incorporate standard engineering techniques in accordance with the California Building Code and City Municipal Code to avoid adverse effects of expansive soils. With mandatory implementation of standard building requirements, on-site soils would be adequately stabilized to accommodate the proposed development. Furthermore, construction activities are subject to review and approval of the Building Official and City Engineer. The project site is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. Therefore, a less than significant impact would occur.
- e) **No impact.** The Project is a ten-lot single family residential subdivision. No Septic tanks or alternative wastewater disposal systems are proposed. Existing public sanitary systems are in place within the public right of way on Riviera Drive south of the project site. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Greenhouse Gas Emissions.				
<i>Would the Project:</i>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation:

- a) **Less than significant impact.** As discussed in Section 15064.4 of the State CEQA Guidelines, the determination of the significance of greenhouse gas (GHG) emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make good faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from the Project. Although the City of La Mesa has not yet set a goal, many other lead agencies have set a goal to reduce GHG emissions by a certain amount to demonstrate consistency with Assembly Bill 32 (AB 32). Different agencies and studies estimate different goals for reduction of emissions to achieve 1990 levels by the year 2020, as set forth in AB 32. Most local governments in California with adopted targets have targets of 15 to 25 percent reductions under 2005 levels by 2020.

In 2014, the City prepared a Greenhouse Gas Emissions Inventory, which summarizes greenhouse gas emissions for 2010, 2011 and 2012. The inventory identifies transportation and energy accounting for 59 percent and 31 percent, respectively, of greenhouse gas emissions.

The principal source of emissions generated by the Project would come from traffic trips generated by the project. The daily trip generation rate from SANDAG trip generation rate for single family residential is 10 trips per dwelling unit totaling 100 daily trips. The total daily trips for the 10 total dwelling units are 100.

Since the City has not adopted emission-based thresholds for GHG emissions under CEQA, the GHG analysis conducted for the Project utilized guidance established by the County of San Diego in their Recommended Approach to Addressing Climate Change in CEQA Documents (County 2015). If a proposed project exceeds the County's significance threshold for GHG emissions (900 metric tons [MT] of carbon dioxide equivalent [CO₂e] per year), then that project would be required to provide a full GHG emission analysis and implement emission reduction measures. This emission level is based on the number of vehicle trips, the typical energy and water use, and other factors associated with projects. The following table identifies typical project types and sizes that are expected to emit approximately 900 MT CO₂e per year and would generally require additional analysis and mitigation.

Project Sizes that Would Typically Require a Climate Change Analysis	
Project Type	Project Size Equivalency
Single Family Residential	50 units or more
Apartments/Condominiums	70 units or more
General Commercial Office Space	35,000 square feet or more
Retail Space	11,000 square feet or more
Supermarket/Grocery Space	6,300 square feet or more

Screening thresholds have been published by the California Air Pollution Control Officers Association (CAPCOA) for determining the need for additional analysis and mitigation for GHG related impacts under CEQA. The annual 900 metric ton carbon dioxide equivalent (MT CO₂e) screening level is referenced in the CAPCOA white paper (<http://www.capcoa.org/wpcontent/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>) as a conservative criterion for determining the size of projects that would require further analysis and mitigation with regard to climate change. The screening level assumes that the project does not involve unusually extensive construction activities and does not involve operational characteristics that would generate unusually high GHG emissions. The CAPCOA white paper reports that the 900 metric ton screening level would capture more than 90% of development projects, allowing for mitigation towards achieving the State's GHG reduction goals. The project is a ten-lot single-family residential subdivision, smaller than the project size listed in the table above. Hence, the project is presumed that the construction and operational GHG emissions for the project would not exceed 900 MT CO₂e per year, and there would be a less-than-cumulatively considerable impact. The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The impact is less than cumulatively considerable.

- b) **Less Than Significant Impact.** The City of La Mesa participates in the San Diego Regional Climate Protection Initiative. Applicable plans, policies and regulations either adopted or supported by the City of La Mesa include the 2010 California Green Building Standards, SANDAG Climate Action Strategy, and the U.S. Conference of Mayor's Climate Protection Agreement.

The City has not yet adopted a qualified plan, policy, or regulation to reduce GHG emissions. Therefore, the most applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions is AB 32, which codified the state's GHG emissions reduction targets for the future. Executive Orders S-3-05 and B-30-15 are also policies for reducing GHG emissions. The County of San Diego has adopted a 2,500 MT CO₂e per year threshold that is being used as criteria for determining which projects require further analysis and mitigation under CEQA. As discussed above, construction-related GHG emissions would not exceed the 2,500 MT CO₂e per year threshold.

Therefore, Project construction and operations would support implementation of AB 32 and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. This impact is considered less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Hazards and Hazardous Materials.				
<i>Would the Project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a Project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation:

a-b) **Less Than Significant Impact.** Future construction activities on the Project site would involve the transport of gasoline and other materials to the site during construction. Relatively small amounts of commonly used hazardous substances, such as fossil fuels, lubricants, and solvents would be used on site for construction and maintenance. These materials would be transported and handled in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or environment. Once construction is complete, the transport, use or disposal of hazardous materials would be limited to common hazardous materials typical of residential uses. Although limited quantities of these hazardous materials (e.g., cleaning agents, paints and thinners, fuels, insecticides, herbicides, etc.) can be found in most residential and commercial buildings, uses generally do not entail the use of such substances in quantities that would present a significant hazard to the environment or the public at large. Accidents and spills that may involve small quantities of these materials would not create a significant hazard to the public or the environment. Therefore, a less than significant impact would occur.

c) **Less Than Significant Impact.** See response VIII.a), above. The site is a previously graded and disturbed site; there is one existing single family residence that will remain on

site. Hence, there would not be potential to encounter lead-based paint (LBP) and/or asbestos containing materials (ACM) during construction of the project.

The site has disturbed soil / undocumented fill across the property comprised of slivers of fill placed on the site and associated with an existing dirt road grading and development of adjacent properties to the west (C.W. La Monte, Geotechnical Investigation, November 2014). The fill has not been imported on-site from off-site fill sources; therefore, any existing undocumented fill was likely generated from on-site material during previous grading operations. This disturbed soil/undocumented fill is not considered an environmental concern for the site. Therefore, a less than significant impact would occur.

- d) **No Impact.** There are no known or suspect recognized environmental conditions (RECs), historical RECs, controlled RECs, and de minimis environmental conditions on the subject property. Therefore no impact would occur.
- e) **No Impact.** The City of La Mesa is located approximately 7 miles southwest of Gillespie Field Airport, and approximately 11 miles southeast of the Montgomery Field Airport. Both airports are subject to Airport Land Use Compatibility Plans that promote compatibility between the airports and the land uses that surround them. The compatibility plans address four types of airport impacts: noise, safety, airspace protection and overflight. The airspace protection area flights are mapped at approximately 1,300 feet above mean sea level. Therefore, no impact would result due to the project because the maximum height of the R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2) is 20 feet.
- f) **No Impact.** The only private airstrip near the project area is a heliport located at Grossmont Hospital. The project would not disturb the operation of the heliport, or result in a hazard for people in the project area due to the heliport. Therefore, no impact would occur.
- g) **Less Than Significant Impact.** The proposed Project would not interfere with the City's Emergency Plan, which provides a comprehensive emergency management system for response to natural and human-made disasters. Construction of the Project would not hinder access to the site or immediate environs by emergency vehicles because the construction phasing plan would be reviewed by the Fire Department. Project staging and equipment storage would occur on site in order to avoid hindering any access along the public right-of-way. The Project also would not result in any long-term effects on emergency access, as existing intersections in the Project area would not be substantially affected by Project-generated traffic. Adequate emergency access would be provided to the site and additional measures required by the Fire Department as part of Project approval (if any) would further ensure that safety issues for the proposed Project have been addressed. During construction of the proposed Project, adequate emergency access would be maintained to existing development for access. Therefore, a less than significant impact would occur.
- h) **Less Than Significant Impact.** The Project site is located in a developed area surrounded by urban development. No large open space or wildland areas are located adjacent to the property. The Project would be required to comply with fire standards and regulations contained in the Uniform Fire Code and the La Mesa Municipal Code with respect to access, building material and design, building occupancy, adequate fire flows, hydrants, and fire sprinklers. Therefore, a less than significant impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hydrology And Water Quality.				
<i>Would the Project:</i>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **Less Than Significant Impact.** The existing site is mostly undeveloped, disturbed and has relatively gentle slopes. There is an existing single family residence at the northeast corner of the site, which will remain. A new public street will be installed with a knuckle style cul-de-sac. Slopes will be created to maintain a positive flow to drainage features, low impact

design elements, and Hydromodification Management Plan (HMP) improvements. The project site currently drains off-site to the northeast and into the City of La Mesa maintained storm drain system in Riviera Drive. There are no known, anticipated or hazardous soils within the project area. The project will require that all the soil on the site be compacted to some extent in order to meet lot requirements. As conditioned, this project shall comply with the City of La Mesa hydromodification management requirements, including the City of La Mesa BMP Design Manual, prior to the issuance of building and grading permits. The project will include flow-through planters. Each new lot will have its own storm water design at the time of development. The proposed improvements as part of the subdivision include the street storm drain system and the road side flow-through planter (Kappa Surveying & Engineering, Inc., Preliminary Water Quality Technical Report, February 2016).

The operation of the project would not violate any water quality standards or waste discharge requirements because storm drain facilities are in place. The City of La Mesa is subject to a Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) permit issued to San Diego County, the Port of San Diego, and 18 cities (co-permittees) by the San Diego Regional Water Quality Control Board (Regional Board). This permit requires the development and implementation of a program addressing urban runoff pollution issues in development planning for public and private projects. The primary objectives of the urban runoff program are to ensure that discharges from municipal urban runoff conveyance systems do not cause or contribute to a violation of water quality standards, to prohibit non-storm water discharges in urban runoff, and to reduce the discharge of pollutants from urban runoff conveyance systems to the maximum extent practicable. The project is subject to water quality standards and waste discharge requirements. Therefore, the project would not violate water quality standards or discharge requirements and the effect is less than significant.

b) **No Impact.** The project does not require the use of groundwater resources; there is no impact.

c-d) **No Impact.** Implementation of the project would not result in substantial changes to absorption rates, drainage patterns, or the rate and amount of surface water runoff as compared to existing pre-project conditions. Slopes will be created to maintain a positive flow to drainage features, low impact design elements, and Hydromodification Management Plan (HMP) improvements. The project site currently drains off-site to the northeast and into the City of La Mesa maintained storm drain system in Riviera Drive. The proposed drainage condition would result in storm water generated by the proposed project, surface flowing to a storm drain conveyance network consisting of curb cuts, inlets and gutters. This network routes flows to an on-site roadside flow through planter where the water will be treated, detained, and then discharged into the existing storm drain network.

The proposed grading does not significantly alter the existing site topography or overall drainage patterns. The project will include flow through planters. Each new lot will have its own storm water design at the time of development. The proposed improvements as part of the subdivision include the street storm drain system and the road side flow-through planter. The project will not discharge concentrated flows to Riviera Drive (Kappa Surveying & Engineering, Inc., Preliminary Water Quality Technical Report, February 2016). In addition, no stream or river courses would be altered by the project. No impact would occur.

e-f) **Less Than Significant Impact.** See IX.a) above. The project would not significantly affect the capacity of the storm water drainage system. The following table shows pervious and impervious areas before and after construction.

Site Information	
Parcel Area	149,411 square feet (3.4 acres)
Area to be disturbed by the project	133,355 square feet (3.06 acres)
Project impervious area before construction	7,594 square feet (0.17 acres)
Project impervious area after construction	29,842 square feet (0.68 acres)
Source: (Kappa Surveying & Engineering, Inc., Preliminary Water Quality Technical Report, February 2016)	

The project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The impact on storm water drainage runoff and water quality is less than significant.

g-j) **No Impact.** The Project site is not located within a 100-year floodplain, and does not propose the placement of any housing or other structures within the 100-year floodplain. Therefore, no impact would occur.

Although the Project site is approximately 2.6 miles southeast of Lake Murray, the Project site is not located downstream of the lake's dam. Therefore, the risk associated with inundation hazard due to flooding as a result of a failure of a levee or dam is considered low. Therefore, no impact would occur.

The Project site is not located near the ocean, or downstream of a large body of water, and therefore, there are no risks associated with inundation hazard due to seiche or tsunami. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Land Use and Planning.				
Would the Project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

a) **No Impact.** The Project site is located in an area within the City of La Mesa currently developed with residential and non-residential development. Construction of the proposed

Project, therefore, would constitute infill development and would help maintain continuity within the existing neighborhood. In addition, no public roadways or other structures or facilities are proposed that would disrupt or divide physical arrangements of an established community. Therefore, the Project would not physically divide an established community, and no impact would occur.

- b) **No Impact.** The City of La Mesa General Plan designates the property for "Suburban Residential" land use. The proposed development does not conflict with specific plan or master plan policies or the La Mesa General Plan. The project is consistent with the La Mesa Zoning Ordinance and Subdivision Ordinance which permits single family residential development. The La Mesa General Plan allows up to 4 dwelling units per acre and the density proposed by the applicant is 2.9 dwelling units per acre, or 10 dwelling units on 3.4-acres. Based on these General Plan land use and zoning designations, the proposed Project would be consistent with and not be in conflict with the City of La Mesa General Plan and Zoning Ordinance. Therefore, no impact would occur.
- c) **No Impact.** The project would not conflict with applicable environmental plans, including the regional Multiple Species Conservation Program and the City of La Mesa Subarea Habitat Conservation Plan as described in section IV a)-f). The Project site is not located within or near any area proposed for preservation under these plans. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Mineral Resources.				
Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

a-b) **No Impact.** The City of La Mesa General Plan has not identified any important mineral resources and there are no known mineral resources of value located on the property. This project would not result in any increased loss of availability of mineral resources. Therefore, there is no impact to mineral resources.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Noise.				
Would the Project result in:				

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a Project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

a-b) **Less than significant.** The project is an infill residential subdivision in an existing residential neighborhood. South of the site is City right-of-way and Caltrans right-of-way, State Routes 94 and 125 interchange and roadway. North of the site is an existing California & Arizona Eastern Railway Company right-of-way, which includes freight activity. According to the La Mesa General Plan Noise Element, 2030 Projected Noise Contours, Figure NS-2, the subject site is located in existing noise contours of approximately 65 and 70 dBA. Construction noise is considered temporary, and construction activities would be required to comply with City construction noise requirements and hours of operation. Upon completion, stationary-source Project noise sources would consist of those typical to residential uses, such as the operation of appliances, home maintenance equipment, and people going about their daily activities. As these noise sources are consistent with those of the surrounding single-family residential community, a significant increase in the ambient noise level of the area is not anticipated.

Mobile-source noise would be generated by vehicular travel in and around the Project vicinity. The City of La Mesa General Plan Noise Element considers 60 day-night (Ldn) dB to be a normally acceptable noise level in single-family residential areas, and 65 Ldn dB to be a conditionally acceptable noise level when necessary noise insulation features are included in the Project design.

La Mesa General Plan Objective NS-1.2 states: Ensure that interior noise levels do not exceed 45 dBA CNEL for single-family and multi-family residential land uses. General Plan Policy NS-1.2.2 states: Ensure that an acoustical analysis be performed for all new single-

family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below. An interior noise analysis will be required for new residential development located in areas where future noise levels would exceed 60 dBA CNEL. The interior noise analysis should evaluate the proposed building shell (exterior wall, windows, and doors) to ensure that interior noise levels will not exceed 45 dBA CNEL. The analysis should be performed prior to obtaining a building permit. As conditioned, the applicant shall submit an exterior-to interior noise analysis as required by the California Building Code and the City of La Mesa to determine building features necessary to reduce interior noise levels to 45 CNEL or less in residential spaces. Noise impacts to residents on the project site and to off-site receivers are expected to be controlled such that they will remain in compliance with City of La Mesa noise regulations and will be less than significant.

- c) **Less than significant.** The dominant current and future source of noise would be traffic noise from surrounding roadways, with most of the traffic noise coming from State Routes 94 and 125 interchange and roadway. The project will not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Therefore the impact is less than significant.
- d) **Less than significant.** As per City of La Mesa requirements, noise levels at outdoor use areas of the project site should be 65 CNEL or less. The project will not result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project because the temporary construction noise is subject to the City Noise Ordinance. Construction noise is considered temporary, and construction activities would be required to comply with City construction noise requirements and hours of operation. Upon completion, stationary-source Project noise sources would consist of those typical to residential uses, such as the operation of appliances, home maintenance equipment, and people going about their daily activities. As these noise sources are consistent with those of the surrounding single-family residential community, a significant increase in the ambient noise level of the area is not anticipated. Therefore the impact is less than significant.
- e-f) **No Impact.** The subject property is not located within an airport land use plan, is not located within two miles of a public airport or public use airport, and is not within the vicinity of a private airstrip. The project site is located approximately 9 miles southwest of Gillespie Field Airport, and approximately 12 miles southeast of the Montgomery Field Airport. Both airports are subject to Airport Land Use Compatibility Plans that promote compatibility between the airports and the land uses that surround them. The project affects urban and developed areas of the City and would not introduce people to new airport noise.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Population and Housing.				
<i>Would the Project:</i>				

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **Less than significant.** The proposed project would directly induce population growth, as it would provide additional housing within the City of La Mesa. Construction of 9 single-family residential units would not result in substantial growth inducement, however, because: (1) no obstacles to population growth would be removed, such as provision of an essential public service or access to a previously inaccessible area; (2) the Project would not induce further growth through the expansion or extension of existing services, utilities or infrastructure. The Project site is partially developed, located in a development area currently served by existing infrastructure and surrounded by residential development; and (3) the proposed Project is consistent with the existing land use and zoning designations of the site. Thus, the proposed Project would be considered in-fill development within an existing urban area. A less than significant impact would occur.
- b) **No Impact.** The Project proposes development of 9 single-family residences, while one existing single family residence would remain on the site. The Project does not involve displacing any existing residential development. Therefore, no impact regarding displacement of housing would occur.
- c) **No Impact.** The Project proposes development of a new residential subdivision on an infill property and would not result in the displacement of any people or residences. The site has one existing single family residence that will remain and its development would not necessitate the construction of replacement housing elsewhere. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Public Services.				
<i>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:</i>				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **Less Than Significant Impact.** The Project site is located in a developed neighborhood currently served by existing public services, including fire protection. The Heartland Fire and Rescue Department provides fire protection and emergency medical services to the City and would provide such services associated with the proposed Project. The Fire Department operates out of three stations: Station No. 11, located at 8034 Allison Avenue (approximately 1.7 miles away [driving distance]); Station No. 12, located at 8844 Dallas Street (approximately 4.4 miles away [driving distance]); and Station No. 13, located at 9110 Grossmont Boulevard (approximately 2.5 miles away [driving distance]). Implementation of the Project would result in an increase in demand for fire protection and emergency medical services; however, buildout of the Project site at an intensity consistent with the Project proposal has been anticipated in the City's General Plan and related long-term emergency services planning efforts. Therefore, a less than significant impact would occur.
- b) **Less Than Significant Impact.** Police protection services are provided by the La Mesa Police Department, which operates out of the La Mesa Police Station at 8085 University Avenue (approximately 1.7 miles away [driving distance]). Implementation of the proposed Project would not result in substantial adverse physical impacts related to police protection services. Buildout of the Project site at an intensity consistent with the Project proposal has been anticipated in the City's General Plan and related long-term emergency services planning efforts. Therefore, a less than significant impact would occur.
- c) **No Impact.** The closest schools to the Project site are Helix Charter High School, La Mesa Middle School, and La Mesa Dale Elementary School, and Learning Choice Academy located approximately 0.2 to 0.5 miles away. Construction of 9 single-family residential units would generate additional students to be served by local school districts. Payment of school impact fees would be required as part of Project development to help school districts offset the cost of accommodating new students. Therefore, no impact would occur.
- d) **No Impact.** Maintenance of public facilities and demand for other governmental services (i.e., public parks, libraries, child care centers, utility systems) may incrementally increase due to Project development. Increases resulting from the development of 9 new single-family residences, on a site planned for such use, has been anticipated in the City's General Plan and related long-term facilities planning efforts. Project-related increases would not be substantial and would not require new or expanded facilities. Payment of applicable impact fees also would be required to offset any associated impacts. Therefore the project would not increase the need for new parks in the area because the General Plan anticipated this development. No impact would occur.
- e) **No Impact.** See response XIV.d), above.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Recreation.				
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the Project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation:

- a) **Less Than Significant Impact.** Development of 9 residential units would result in an increase in the City's population, which would create an increased demand for neighborhood or regional parks. The City maintains a total of 14 local parks and several additional recreational facilities that would be available to Project residents. Several of these parks are located in the Project vicinity, including Highwood Park (8.0 acres), located approximately 2.3 miles to the northwest of the Project site, and Collier Park (7.7 acres), located approximately 0.9 miles northeast of the Project site. Additionally, the City operates one municipal pool and numerous lighted tennis courts. According to the Conservation and Open Space Element of the *La Mesa General Plan*, the ratio of parkland within the City should be one Neighborhood Park (3 to 7 acres) per 5,000 residents, and one Community Park (15 to 30 acres) per 20,000 residents. In order to provide parkland at these ratios, the City charges park in-lieu fees to offset the cost of park development due to new residential development in the City. Payment of required park in-lieu fees ensures impacts related to park facilities are less than significant.
- b) **Less than significant.** See responses XIV.d) and XV.a), above. Maintenance of public facilities and demand for other governmental services such as parks may incrementally increase due to Project development. In order to provide parkland at required ratios, the City charges park in-lieu fees to offset the cost of park development due to new residential development in the City. Payment of required park in-lieu fees would ensure impacts related to park facilities are less than significant. Therefore, a less than significant impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Transportation/Traffic.				
<i>Would the Project:</i>				

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

a) **Less than significant.** According to regional trip generation estimates prepared by the San Diego Association of Governments (SANDAG), the daily trip generation rate for single family residential (3-6 dwelling units per acres) is 10 trips per dwelling unit totaling (10 single family dwelling units) 100 daily trips. 80 daily trips will be generated from the eight street fronting lots off Riviera Drive. 20 daily trips will be generated from the two street fronting lots along American Avenue, an existing private road off Quarry Road to the east of the subject site. Riviera Drive is classified as a local collector in the Circulation Element of the La Mesa General Plan. Currently there are about 120 residential units, predominantly single-family residential dwellings, including seven two-family units in the American Homes neighborhood all zoned R1S-P (Suburban Residential/ Neighborhood Plan Overlay No. 2) zone. Riviera Drive is bounded by the City of Lemon Grove City Limit line to the west, and Gateside Drive and Spring Street to the east. Based on a 2012 City of La Mesa Speed and Volume data, this stretch along Riviera Drive to Gateside Drive and Spring Street was counted to have 1,804 daily trips (LOS A). The subject project would generate 100 daily trips in addition to the current daily trips along Riviera Drive. The American Homes neighborhood is an existing established single family residential neighborhood and the Project generates less than 2,500 average trips per day (LOS A, General Plan EIR Table 4.13-2) in the vicinity of the subject property. The subject site is designated in the La Mesa General Plan for residential use. Based on the level of service criteria for local collector roadway segments, the traffic volume

on Riviera Drive would need to get to 7,500 vehicles in order to reach LOS E. This means that nearly 5,696 trips would need to be added to this segment of Riviera Drive before an impact could occur. To determine the Project impacts to roadway segments and intersections, the Circulation Element identifies local streets and street counts show LOS A. Therefore, there is no impact or conflict with the City of La Mesa General Plan, La Mesa Municipal Code or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

In terms of parking, the proposed development will provide 26 off-street parking spaces. The project generates a demand for 26 spaces from residents (2 enclosed parking spaces per single family residential dwelling on street fronting lots and 5 parking spaces for easement access lots). The Project will be required to meet minimum parking requirements consistent with this approval. The existing street frontage along Riviera Drive has an existing Class 2 bike lane (40' curb-to-curb with 8' striping already installed). According to the City of La Mesa Bicycle Facilities and Alternative Transportation Plan, proposed alignment would include two 11' motor vehicle lanes, 5' bike lanes, 8' parking lane on north side. The nearest bus route/stop is along Spring Street, about 0.8 of a mile from the subject site. The MTS Spring Street Trolley Station is about one mile from the subject site. Therefore, there is a less than significant impact as the project is a residential infill development project within an established single family residential neighborhood; the project will not conflict with the City of La Mesa General Plan, Zoning Ordinance, or other policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

- b) **No Impact.** The City of La Mesa collects Regional Transportation Congestion Improvement Program fees on behalf of the San Diego Association of Governments (SANDAG), which uses the funds to ensure that new development directly invests in the region's transportation system to offset the negative impacts of growth on congestion and mobility. The project will not conflict with the regional congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the San Diego Association of Governments for designated roads or highways because the subject property is located in a residential neighborhood and is sited near roadways that have an acceptable Level of Service as discussed in XVI.a) above. Therefore, no impact would occur.
- c) **No Impact.** The closest airports to the Project site are County of San Diego-owned Gillespie Field in El Cajon, located approximately nine miles northeast of the Project site, and Montgomery Field, located approximately 12 miles northwest of the Project site. The Project site is not located within the Airport Influence Area for Gillespie Field (ALUC 2010a). The Project site is identified as falling within Review Area 2 of the Airport Influence Area for Montgomery Field, and within the Part 77 (Federal Aviation Regulations) Airspace Protection Area (ALUC 2010b). However, the site is outside of Montgomery Field's Federal Aviation Administration Height Notification Boundary. The latitude and longitude of the subject site is 32° 44' 56.27" N, 117° 1' 12.77" W and requires filing with the Federal Aviation Administration, in accordance with Code of Federal Regulations Title 14, Part 77.9. Notice must be filed with the FAA at least 45 days prior to construction.

The Project is a residential subdivision that does not change air traffic patterns. Therefore, no impact would occur.

- d) **No Impact.** The Project would not include the construction of any hazards (e.g., sharp curves or dangerous intersections), and would not result in incompatible uses with the surrounding developed area. Proposed street improvements would conform to City and regional standards. Therefore, no impact would occur.
- e) **Less Than Significant Impact.** Construction of the proposed Project would not hinder access to the site or immediate environs by emergency vehicles. A Traffic Control Plan would be required by the City for all work in the Riviera Drive right-of-way (sidewalks, approaches, driveways, utilities, etc.). Staging areas and equipment storage would occur on site so that access would be maintained along Riviera Drive. The Project also would not result in long-term effects on emergency access. The Fire Department has accepted the Project driveway design for emergency vehicle access. Any additional measures such as signage or painted curbs, required by the City Engineering Department and/or Fire Department as part of Project approval, would further ensure that safety issues for the proposed Project have been addressed. Therefore, a less than significant impact related to emergency access would occur.
- f) **No Impact.** The Project site is located in an area developed with single-family residential, commercial and institutional uses. No transit facilities are located in the immediate Project vicinity; however, bus and trolley service is provided in the general area. The Project does not propose any changes to existing bus stops or transit routes. Implementation of the Project would not conflict or interfere with policies contained in the Circulation Element of the La Mesa General Plan regarding alternative transportation modes. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Utilities and Service Systems.				
<i>Would the Project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation:

- a) **Less Than Significant Impact.** See discussion of Issue IX, *Water Quality and Hydrology*, above. The Project is required to comply with the requirements of the City, subject to review and approval by the City Engineer. The Project is also required to comply with the requirements of the applicable municipal storm water permits issued by the Regional Water Quality Control Board (RWQCB). Therefore, a less than significant impact would occur.
- b) **Less Than Significant Impact.** The Project site is located within a developed area currently served by existing utilities and utility infrastructure. Project development would be consistent with levels anticipated in the City's General Plan. It would not require the construction or expansion of water or wastewater treatment facilities. Therefore, a less than significant impact would occur.
- c) **Less Than Significant Impact.** See discussion of Issue IX, *Water Quality and Hydrology*, above. Storm water discharges from the site into an existing storm drain conveyance network at two locations: one on the north side of the property and one on the south side of the property at Riviera Drive. The project site currently drains off-site to the northeast and into the City of La Mesa maintained storm drain system in Riviera Drive. Both conveyance systems drain toward the east and eventually discharge to the San Diego River which outlets at the Pacific Ocean.
- Storm water facilities are proposed to adequately capture, convey, and contain post-development runoff quantities and volumes from the site. Therefore, a less than significant impact would occur.
- d) **Less Than Significant Impact.** The Helix Water District provides residential water service to the City of La Mesa. Project development would not require access to new supplies of water or the construction of new water treatment or storage facilities. Therefore, a less than significant impact would occur.
- e) **Less Than Significant Impact.** Refer to response XVI.b), above.
- f) **Less Than Significant Impact.** Solid waste disposal and recycling services in the City of La Mesa are contracted through EDCO Disposal Corporation. Solid waste is transported to the EDCO Station, located approximately 2.2 miles to the north of the Project site at 8184 Commercial Street. The EDCO Station is a 4.1-acre large volume transfer and processing

facility with a permitted capacity of 1,000 tons of solid waste per day (CalRecycle 2011). Trash is processed at this station and hauled to regional landfills. The Project would generate an incremental increased demand for solid waste disposal, which would be accommodated at the station and receiving landfills. As the Project is consistent with the existing General Plan land use designation, solid waste generation resulting from Project implementation has been anticipated in the City's General Plan and related long-term solid waste planning efforts. Therefore, a less than significant impact would occur.

- g) **No Impact.** Construction and maintenance of the Project would be required to conform to all applicable state and federal solid waste regulations. Therefore, no impact would occur.

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Mandatory Findings Of Significance.				
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the Project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation:

- a) **No Impact.** Based on evaluation and discussions contained in this Initial Study, the project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history. Therefore, no impact would occur.
- b) **No Impact.** The project does not have the potential to incrementally contribute to cumulative impacts because it is not growth inducing and would not contribute to population growth. The project would be consistent with the General Plan because the subject property was anticipated to be a development site. The project would be subject to federal, state and local regulations to ensure that potential adverse impacts are minimized. Therefore, no cumulatively considerable impact would occur.

- c) ***Less than Significant Impact.*** As discussed in this Initial Study, the proposed project would result in less than significant impacts associated with aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards & hazardous materials, hydrology / water quality, land use/ planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities/ service systems. The project is consistent with the City's General Plan and would be subject to federal, state and local regulations. These regulations ensure that potentially adverse impacts are minimized. Therefore, the impact is less than significant.

Environmental Factors That Could Result in a Potentially Significant Impact

The environmental factors checked below would be potentially affected by this Project, involving a least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Services Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed Project could not have a significant effect on the environment, and a **Negative Declaration** will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. **A Mitigated Negative Declaration** will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an **Environmental Impact Report** is required.
- I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signed



Howard Lee, Associate Planner

Date



9/15/16

Attachments:

Exhibit A: Regional Location Map

References:

Technical Reports

February 2016, Kappa Surveying & Engineering, Inc., Preliminary Water Quality Technical Report.

November 2014, C.W. La Monte Company, Inc., Geotechnical Investigation.

California Air Pollution Control Officers Association (CAPCOA)

2008 CEQA and Climate Change. Available at: <http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>. January 2008.

California Department of Resources Recycling and Recovery (CalRecycle)

2011 Facility/Site Summary Details: EDCO Station (37-AA-0922). Available at: <http://www.calrecycle.ca.gov/swfacilities/directory/37-aa-0922/detail/>. October 4.

City of La Mesa (City)

2005 La Mesa Municipal Code. As amended.

2012 2012 General Plan.

1988 Subarea Habitat Conservation Plan/Natural Community Conservation Plan.

Federal Aviation Administration FAA Noticing Criteria Tool - <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp>

Institute of Traffic Engineers (ITE)

2012 Trip Generation Manual, 9th Edition

San Diego Association of Governments (SANDAG)

2013 Demographic & Socio Economics Estimates, La Mesa. Available at: <http://profilewarehouse.sandag.org/profiles/est/city9est.pdf>. February 26.

San Diego County Airport Land Use Commission (ALUC)

2010a Gillespie Field Airport Land Use Compatibility Plan. As amended December 2010.

2010b Montgomery Field Airport Land Use Compatibility Plan. As amended December 2010.

GENERAL PLAN

VICINITY MAP

Legend

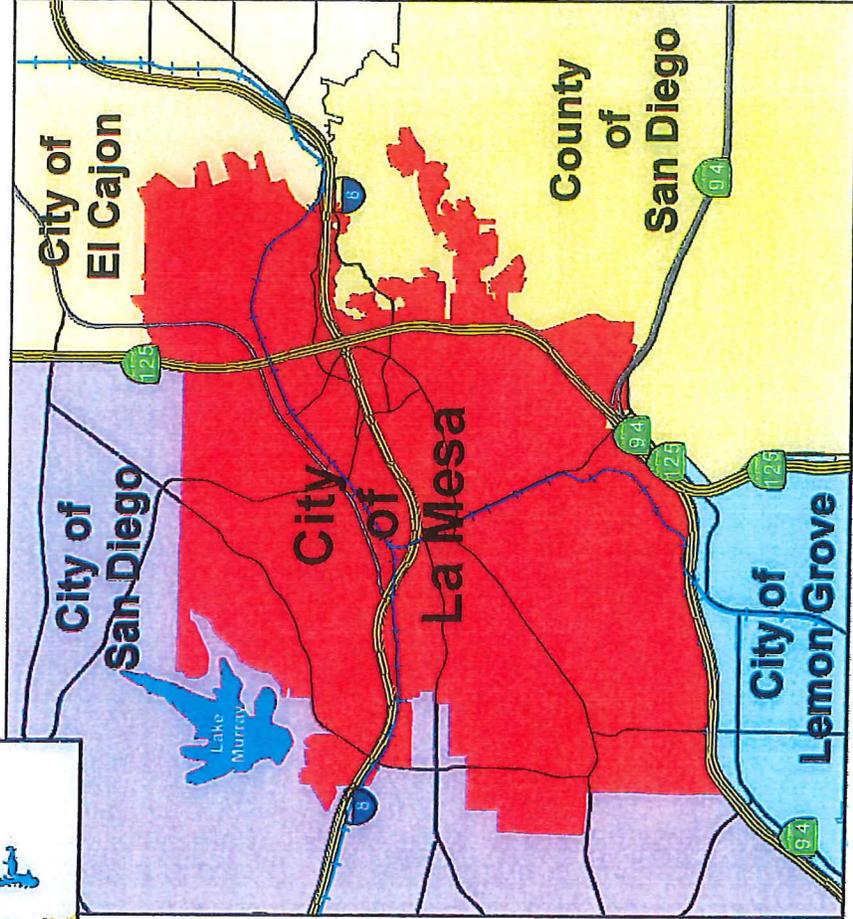
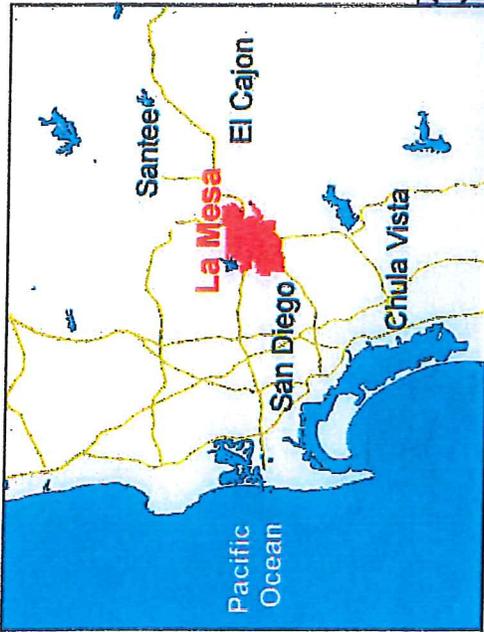
-  San Diego Region
-  City of La Mesa
-  City of San Diego
-  City of El Cajon
-  City of Lemon Grove
-  County of San Diego
-  Oceans / Lakes
-  Freeways
-  Highways
-  Light Rail Transit
-  Major Road



Data Sources:
 SanGIS
 City of La Mesa

Figure LD-1

City of La Mesa's Location in San Diego County



RESOLUTION NO. PC-2016-19

RESOLUTION APPROVING TENTATIVE TRACT MAP TTM-14-01 (FLYING DOG TRUST) - A REQUEST FOR A 10-LOT SUBDIVISION AT AMERICAN AVENUE AND RIVIERA DRIVE LOCATED IN THE R1S-NP2 (SUBURBAN RESIDENTIAL / NEIGHBORHOOD PLAN OVERLAY NO. 2) ZONE.

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on October 5, 2016, and accepted public testimony in considering Tentative Tract Map TTM-14-01, a request of a Tentative Tract Map TTM 14-01 (Flying Dog Trust) to subdivide four contiguous lots, totaling 3.4 acres, into a ten lot single-family residential subdivision. The site is located in the R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2) zone. Assessor Parcel Numbers: 499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00;

WHEREAS, the Planning Commission did consider an Initial Study and Draft Negative Declaration prepared in accordance with the California Environmental Quality Act;

WHEREAS, the Planning Commission did receive and consider a staff report on the proposal;

WHEREAS, the approximately 3.4-acre subject property is currently improved with one single family residence addressed as 3860 American Avenue, and is located in a neighborhood developed with other single family residences;

WHEREAS, the overall density of the proposed project is 2.9 dwelling units per acre, and the maximum density permitted in the Suburban Residential Zone is 4 dwelling units per acre;

WHEREAS, the subject property is designated in the La Mesa General Plan for "Suburban Residential" land use, which permits 4 dwelling units per acre;

WHEREAS, the new dwellings proposed as part of TTM 14-01 will help satisfy demand for needed housing in the City of La Mesa;

WHEREAS, the proposed project will not violate regional water quality requirements for waste discharge because each dwelling will be required to connect into the public sanitary sewer system, and the project will be required to observe all City ordinance requirements during project construction; and

WHEREAS, the proposed map does provide for future natural heating and cooling opportunities as required by the Subdivision Map Act, because the lots and the development on the lots will receive sunlight and natural breezes as configured.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

1. Is the proposed map consistent with applicable general and specific plans?

Yes. The proposed map is consistent with the La Mesa General Plan land use designations, goals and policies. The La Mesa General Plan goals and policies generally encourage infill development that is compatible with surrounding uses. The proposed tentative tract map is consistent with the land use designation because the allowed land use for this area is "Suburban Residential" land use, is assigned to suburban neighborhoods with lots of 10,000 square feet or larger, which result in lower density developments with space between residences and relatively large yard with up to 4 dwelling units per acre. Development in this category is limited to minor infill resulting from the subdivision of existing lots. General Plan Goal LU-2 promotes residential neighborhoods with strong character and cohesion. General Plan Policy LU-2.1.2 states "Support infill development and subdivision proposals that reinforce neighborhood strengths and benefit neighborhood identity". The subject site, including the three existing vacant parcels (APNs: 499-171-26-00, 499-171-28-00, 499-171-34-00), is identified as a site for future residential development in the La Mesa General Plan Housing Element Sites Inventory Map. The proposed subdivision is consistent with this finding.

2. Is the design or improvement of the proposed subdivision consistent with the applicable general and specific plans?

Yes. The proposed subdivision, together with its design and improvements to the property, is consistent with the La Mesa General Plan. General Plan Goal LU-2 promotes residential neighborhoods with strong character and cohesion. The infill project is a single family residential subdivision in keeping with the allowed density and building intensity in the existing single family residential neighborhood. General Plan Policy LU-2.1.2 states "Support infill development and subdivision proposals that reinforce neighborhood strengths and benefit neighborhood identity". The proposed subdivision design and related improvements is required to meet City development standards. Project conditions of approval must be satisfied by the applicant consistent with City policies established by the General Plan.

3. Is the site physically suitable for the type of development?

Yes. The site is physically suitable for the type of development because it is zoned for single-family residential and is located in a suburban neighborhood along an established local collector street. The proposed subdivision will provide new housing with access to services, consistent with surrounding land uses that include single-family residential development. The site has no physical constraints that would prohibit the proposed type of development. There are no physical constraints that would prohibit the subdivision for future residential development. The site is considered suitable for development by the geotechnical investigation submitted by the applicant.

4. Is the site physically suitable for the proposed density of development?

Yes. The site is physically suitable for the proposed density of development because the density is consistent with that permitted by the Zoning Ordinance and General Plan land use designation. The La Mesa General Plan allows up to 4 dwelling units per acre and the density proposed by the applicant is 2.9 dwelling units per acre (10 dwelling units on 3.4-acres). The proposed project conforms to the City's land use plans, as well as the corresponding R1S-NP2 zone density limitations. The site has no physical constraints that would prohibit the proposed density of development.

5. Would the design of the subdivision or the proposed improvements be likely to cause substantial environmental damage or injure fish or wildlife in their habitat?

No. The subject property is not identified as a biologically significant site within the City of La Mesa Subarea Habitat Conservation Plan area, and substantial environmental damage would not occur because the site has no environmentally significant vegetation, fish or wildlife habitat. The site is within an existing suburban area in an existing established single-family residential neighborhood. Future residential development of the subdivision will conform to the City of La Mesa Zoning Ordinance.

6. Would the design of the subdivision or type of improvements be likely to cause serious health problems?

No. Future residential development on the site would be required to be connected to the public sewer. No health problems are anticipated due to the design of the subdivision.

7. Would the design of the subdivision or type of improvements conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision?

No. The design of the proposed subdivision and improvements will not conflict with any existing or proposed easements. All appropriate utility providers have been requested to comment, and no conflicts have been identified with the proposed subdivision.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The Planning Commission adopts the Negative Declaration and approves

Tentative Tract Map TTM-14-01 as shown on the submitted plans and subject to the conditions as listed on Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 5th day of October, 2016, by the following vote, to wit:

AYES: Chairman Newland and Commissioners Alvey, Hottel, Kanavel, Podeswik, and Torpey.

NOES:

ABSENT: Commissioner Hurd-Glenn.

ABSTAIN:

I, Howard Lee, Deputy Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2016-19, duly passed and adopted by the Planning Commission.



Howard Lee, Deputy Secretary
La Mesa Planning Commission



October 6, 2016

Dan Brophy
3874 American Avenue
La Mesa, CA 91941

Rick Turner
Kappa Surveying and Engineering, Inc.
8707 La Mesa Blvd.
La Mesa, CA, 91942

Re: Tentative Tract Map TTM 14-01: 10-lot Residential Subdivision
3860 American Avenue (existing single family residence)
Assessor Parcel Numbers: 499-171-26-00, 499-171-28-00, 499-171-34-00, 499-191-37-00

Dear Mr. Brophy:

Enclosed please find Planning Commission Resolution PC-2016-19, approving Tentative Tract Map TTM 14-01 (Flying Dog Trust), to subdivide four contiguous lots, totaling 3.4 acres, into a ten lot single-family residential subdivision. The site is located in the R1S-NP2 (Suburban Residential / Neighborhood Plan Overlay No. 2) zone.

This approval becomes final 10 working days after the Commission's action, unless an appeal is filed. If an appeal is filed, you will be notified immediately and a new hearing will be scheduled for the next available City Council meeting. This appeal period ends on October 20, 2016. If no appeal is filed, City Council ratification of the Planning Commission action is scheduled for Tuesday, November 8, 2016 at 4:00 p.m. The item will be on the Council's consent calendar and may be approved without discussion. However, it is recommended that someone representing the project be present in case the item is pulled for discussion. The staff report and agenda will be available online at <http://www.cityoflamesa.com> on Friday, November 4, 2016.

In accordance with the California Environmental Quality Act (CEQA), a Notice to Determination (NOD) has been prepared. Please provide a check for \$2,260.25 (\$2,210.25/Negative Declaration Filing Fee + \$50/County Clerk Processing Fee- See Attachment) payable to the County of San Diego Clerk. The fee must be submitted to the Community Development Department if you wish to record the Notice of Determination. Payment of this fee and recording the NOD reduces the challenge period on the environmental determination from 180 days to 35 days as established by section 15062 of the California Government Code.

You will need an approved City of La Mesa building permit prior to commencing construction. Please contact me at 619.667.1185 or hlee@ci.la-mesa.ca.us if you have any questions regarding this matter.

Sincerely,

Howard Lee, AICP
Associate Planner

Attachment- California Department of Fish and Wildlife, CEQA Environmental Filing Fees

cc: File

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**EXHIBIT A
TENTATIVE TRACT MAP TTM 14-01
CONDITIONS OF APPROVAL**

A. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO RECORDATION OF THE FINAL MAP RELATED TO TTM 14-01:

Planning

1. A note shall be placed on the building plans stating that existing plant material shall not be removed from the site during general avian nesting season (February 15 - August 31) and/or raptor breeding season (January 15 – August 31) unless a pre-construction survey has been completed to determine whether active nests are present and if found, what avoidance measures are necessary to protect nesting birds, as required by the Migratory Bird Treaty Act and California Department of Fish and Game Code Section 3503.
2. The proposed garage at 3860 American Avenue shall be constructed prior to final map approval.

Engineering

3. The applicant shall submit a Final Map prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying. The Final Map shall be prepared in accordance with the approved Tentative Map, the Subdivision Map Act and La Mesa Development Code titled Major Subdivisions, Chapter 22.02.030, and shall be subject to approval by the Director of Community Development and the City Engineer.
4. The applicant shall get the final map signed by all individuals or parties with record title interest in the property.
5. The applicant shall provide an updated Title report, Subdivision Guarantee and Tax Clearance Certificate from the County of San Diego before the final map is released for recordation.
6. All easements of record shall be plotted on the Final Map. The applicant shall provide plat and legal descriptions to prepare any easement documents and lien agreements. The documents shall be recorded and recording information shall be shown on the Final Map.
7. The applicant shall quitclaim any existing easements in conflict with the proposed development.
8. Landscaping plans for trees, shrubs, walls, fences or other structures at or near driveway and street intersections must conform to the sight distance standards. These plans must be submitted to and approved by the City Engineer prior to the

approval of the Final Map, for any such structures or the implementation of landscape improvements.

9. Rojo Tierra Road, a 1-lane Local Yield street; 40-foot right-of-way improved with a 30-foot wide street section, curb to curb. Improvements shall be full width with AC paving, monolithic concrete type G-2 curb and gutter, and a 4½-foot minimum width PCC sidewalk on the west. The entire street shall be dedicated as an emergency access, sewer, and public utility easement. Connection of the new street shall be made with Rojo Tierra Road at the north end to improve street connectivity and circulation.
10. The applicant shall provide letters from the utility companies for the availability of utilities for the proposed development and/or that the financial arrangements have been made to extend or install new services for the proposed development.
11. The applicant shall provide a monumentation bond for deferred monumentation. The engineer or land surveyor shall provide a letter stating the cost of monumentation.
12. The applicant shall make a cash deposit of \$1,000 to be released after the applicant provides the City with a photo Mylar of the recorded map within thirty (30) days after its recordation. The City reserves the right to use the deposit to purchase a photo Mylar of the recorded map including a \$100 administrative fee which will be charged against the deposit.

Fire

13. Private residential and public residential fire access roads shall provide an access roadway with a minimum unobstructed width of 20 feet wide and a minimum 13'-6" vertical clearance. Additional width requirements may be applied to individual projects as determined by the Fire Marshal. Following review of this project the required minimum width has been determined to be 20 feet wide and a minimum 13'-6" vertical clearance.
14. Roadways shall be extended to within one hundred and fifty feet (150) feet of all portions of the exterior walls as measured by an approved path of travel. An approved turn around shall be provided when the roadway exceeds one hundred and fifty (150) feet as directed by Heartland Fire & Rescue. Fire Department turn around requirements shall be installed as directed.
15. Grades for driveway and fire apparatus access roads shall not exceed 10%. Fire Department approval and additional conditions are required for grades up to 20 % maximum. Angle of approach and departure for driveways shall not exceed 5 degrees. Grades exceeding 12% shall be concrete with a deep broom finish perpendicular to the access roadway.
16. Heartland Fire & Rescue at time of plan or permit submission shall charge certain fees for plan review and inspections. Fees shall be determined at time of plan

review and/or inspections.

17. Heartland Fire & Rescue at time of operational permit will charge certain fees for permit issuance which will have, at a minimum, annual fees charged. Failure to pay required annual fees will be cause to issue a "Cease and Desist" order.
18. Water improvement plans shall be approved by Heartland Fire & Rescue prior to recordation. The Developer shall furnish Heartland Fire & Rescue with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor. On-site private fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes maybe required to meet required fire flow requirements. Fire hydrants shall provide one 4" port and 2- 2 ½ ports and must be an approved fire hydrant type.

NOTE TO FINAL MAP: THE CITY WILL ACCEPT FINAL MAP MYLARS FOR APPROVAL ONLY AFTER ALL THE CONDITIONS HAVE BEEN MET OR SATISFIED.

B. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO THE ISSUANCE OF BUILDING AND GRADING PERMITS:

Planning

1. A note shall be placed on the building plans stating that should any archeological (cultural) or paleontological (fossil) resources or human remains be discovered during construction-phase ground-disturbing activities, all work in the immediate vicinity must stop and the project applicant shall notify the City of La Mesa immediately. A qualified professional shall be retained to evaluate the finds and recommend appropriate action. For human remains, the applicant shall notify the County Coroner. For human remains determined to be of Native American origin, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. The applicant shall ensure, to the satisfaction of the City and the Native American Heritage Foundation, if applicable, that appropriate measures are undertaken prior to resuming any project activities that may affect such resources.

Building

2. The applicant shall submit an exterior-to interior noise analysis as required by the California Building Code and the City of La Mesa to determine building features necessary to reduce interior noise levels to 45 CNEL or less in residential spaces. Plan details and mitigation measures identified in the noise analysis shall be provided in the building plans for review.

Engineering

3. The applicant shall complete all conditions of the Tentative Tract Map, and a complete Final Map shall be submitted for review and approval and be recorded

prior to issuance of any building or grading permits for new structures. All easements of record shall be plotted on the Final Map. A photo mylar of the recorded subdivision map shall be provided.

4. The applicant's engineer shall ensure that the design and construction of all improvements shall be in accordance with standard plans and specifications of the City of La Mesa, and subject to the approval of the City Engineer.
5. The applicant shall submit plans and supporting documents concurrently for plan check and approval as required for all sewer, water, street, and sidewalk improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer. All street dedications, alignments, widths, and geometrics shall be as approved by the City Engineer.
6. A precise grading, drainage and erosion control plan shall be prepared by a Registered Civil Engineer in accordance with the City of La Mesa Grading Ordinance Title 14.05 showing all buildings, access roads, parking, driveways, landscaping, and drainage. The grading and erosion control plans shall be submitted for plan check and approval of the City Engineer and Planning Division prior to approval of the Grading and Building Permits
7. Where off-site improvements are proposed to be constructed (including, but not limited to, slopes, public utility, and drainage facilities); the applicant shall obtain all necessary easements or other interest in real property, at their own expense and shall dedicate the same to the City as required.
8. Off-site improvements within the public right of way beyond the parcel boundary may be required to be installed as determined by the City Engineer to provide proper transition to the street and sidewalk, and to address drainage.
9. Sight distance requirements at all street, common drive, and/or driveway intersections shall conform to the intersectional sight distance criteria provided in the California Department of Transportation (CalTrans) Highway Design Manual and section 24.05.030.N of the City of La Mesa Municipal Code
10. Fences, walls or cut banks running parallel with a driveway which exceed a height of thirty-six (36) inches shall not be permitted within a distance of five (5) feet from the property line at the street.
11. The applicant shall install street trees equal to 1 tree for every 35 feet of property frontage along American Avenue. (Refer to SDRSD L4 and LMSD LS1 through LS3.)
12. The applicant shall comply with Storm Water Pollution Control Ordinance (City of La Mesa Municipal Code Chapter 7.18) and NPDES permit: Statewide General Storm Water Permit, most current edition. The applicant shall show evidence that a Notice of Intent (NOI) has been applied for and fees paid to the State Water Resources Control board prior to issuance of a grading permit. A Standard Urban Storm Water Management Plan (SUSMP) and Storm Water Pollution Prevention Plan (SWPPP) shall be provided.

13. This project shall comply with the City of La Mesa hydro-modification management requirements. For more information please refer to the City of La Mesa website at <http://www.cityoflamesa.com/stormwater>, on the Development Requirements tab.
14. Site operations shall comply with City of La Mesa Municipal Code Chapter 7.18 Storm Water Management and Discharge Control Program. A completed City of La Mesa storm water management permit application shall accompany grading plan submittal.
15. Prior to grading of any part of the project, a comprehensive soils and geologic investigation shall be conducted of the geologic formations, soils, and slopes of the site. A soils investigation report verifying that the site is suitable for the proposed development shall be prepared by a licensed civil or geotechnical engineer. All necessary measures shall be taken and implemented to ensure slope stability, erosion control, and soil integrity.
16. The applicant/developer shall provide adequate erosion control devices at the completion of each phase of grading. This shall include landscaping and temporary irrigation systems on exposed slopes. Such temporary measures shall be subject to the approval of the City Engineer.
17. The method of disposing of surface water from the site shall be submitted and approved to assure that the site will drain to the street or to a natural watercourse. New drainage facilities, and private maintenance agreements or covenants may be required.
18. A hydrology report prepared by a registered Civil Engineer shall be furnished to establish the adequacy of the drainage system and the base flood elevation of the 100-year storm. Report must support the design and sizing of any water quality BMPs to treat the 85th percentile storm in perpetuity.
 - a) Hydrologic and Hydraulic analyses shall be based on the County of San Diego Hydrology and Drainage Design Manuals, most current editions.
 - b) Report must clearly address pre-development and post development offsite discharge, and erosion potential. Any post-development increases in offsite discharge, and erosion potential must be minimized, justified and mitigated to the satisfaction of the City Engineer.
19. The development plan(s) shall clearly show compliance with the criteria of the City of La Mesa Storm Water Standards Manual for Priority Development Projects. Each component requiring maintenance shall be perpetually maintained by the property owner and located on private property. These include the following:
20. A post-construction Water Quality Management Plan and recorded maintenance agreement pursuant to Title 7.18 of the La Mesa Municipal Code shall be required. Perpetual maintenance requirements should be considered when selecting appropriate BMPs.

- a) Compliance requires post-development BMPs. Each (BMP) component requiring maintenance shall be properly sized to treat the 85th percentile storm, perpetually maintained by the property owner and located on the private property.
 - b) Creation of off-street parking in excess of the minimums set forth in the City Zoning ordinance shall utilize porous pavement alternatives. All parking areas shall drain to a dry well filter which filters runoff through sand and crushed rock or a cyclone type filter before infiltration.
 - c) Drain impermeable rooftops, sidewalks, walkways, and patios through adjacent landscaping or other pervious surfaces to maximize infiltration and provide vegetative filtration.
 - d) Trash enclosures shall be covered to prevent rainwater intrusion or otherwise designed to prevent offsite migration of contaminants.
21. Water improvements are separately approved by and bonded with the Helix Water District prior to approval of the grading plan. Please submit with Helix Water District concurrently to avoid project delays. The following are project conditions cited in a Helix Water District letter dated September 6, 2016.
- a) Existing and new lots shall have its own separate water service.
 - b) Backflow devices shall be required for the proposed water services and shall be installed per current Water Agencies' Standards.
 - c) The new backflow devices shall be tested by a certified backflow tester with a copy of the passing test results forwarded to the Helix Water District, attention to Darrin Teisher by email: crossconnection@helixwater.org.
 - d) All water laterals designated for the subject lots that will not be used shall be abandoned by the Helix Water District and the property owner's expense.
 - e) The location of the existing water facilities shall be brought up to current Helix Water District standards.
 - f) Looping of the proposed water main from Rojo Tierra Road and/or High Street and/or American Avenue, and relocation of any existing facilities shall be required.
 - g) Any finished surface improvement, other than asphalt above the pipeline or underground facilities will require an encroachment removal agreement. Permeable finished service improvements and bio-retention swales or basins are prohibited within the HWD water main easement or over water facilities.
 - h) The project shall be subject to all Helix Water District requirements, policy, and standards at the time of establishing a work order and submittal of improvement plans with the Helix Water District.

- i) If landscaping of the lots exceeds 5,000 square feet, a dedicated irrigation meter shall be required and the property entered into the HWD Water Conservation Program. Please contact the Program by email: conserve@helixwater.org.
 - j) Heartland Fire and Rescue may require additional or upgraded fire protection facilities for the subject project. All costs for new fire protection facilities shall be paid for by the owner/developer. Easements shall be required if new or existing facilities cannot be installed and maintained within existing easements or public right-of-way. All costs for new easement shall be paid by the owner/developer.
22. The applicant shall show the following information on the site plan and/or add a note to the plans:
- a) The sanitary sewer main, sewer service lateral and property line clean out shall be identified. A clean out and back water valve shall be installed if one does not exist.
 - b) The rim elevation of the nearest upstream sewer manhole on the sewer main and the lowest finish floor or lowest waste water fixture unit shall be identified. If the lowest finish floor elevation or lowest waste water fixture unit is less than or equal to the top of the manhole elevation PLUS two feet, then a backwater valve shall be installed.
23. The applicant shall pay the current Sanitary Sewer Connection Fee as determined by the City's current fee structure.
24. The applicant shall obtain an Encroachment Permit prior to beginning any proposed work within the City right of way.
25. Prior to obtaining a Building Permit, the applicant shall pay the Regional Transportation Congestion Improvement Program (RTCIP) development impact fee, as determined by the City's current fee structure, for each newly constructed residential unit.
26. Improvement and/or grading security shall be posted with the City of La Mesa prior to improvement and/or grading plan approval to guarantee the construction of all the required street improvements, drainage, grading, erosion control, monumentation, landscaping, irrigation, and sewer improvements. The security shall include all onsite and offsite grading and improvements. The amount of security shall be determined by the City Engineer based upon an estimate furnished to the City taken from approved plans submitted by the engineer of work. The engineer's cost estimate should include an estimate of utility relocation, if applicable.
27. The applicant shall provide a letter from EDCO showing that trash service is available to serve each proposed residence. The applicant shall provide an area for the storage of trash receptacles outside the front setback area. All trash shall be stored in weather-protected containers and screened from view. If a dumpster is

proposed to serve common areas, it shall be enclosed to the satisfaction of the Community Development Director.

28. Building and grading permits for the development of the project shall be issued concurrently.

Building

29. The applicant shall pay "Parkland Dedication In-Lieu Fee", according to Chapter 9.20, of the La Mesa Municipal Code. This "Parkland Dedication In-Lieu Fee", is in addition to the Park Improvement Impact Fee to be paid with the Building Permit Fees.
30. The applicant shall prepare and submit plans in conformance with the approved exhibits and conditions of approval for the project. A note shall be placed on the building plans stating that prior to final inspection sign off and release of electrical service, the site and buildings shall be inspected for substantial conformance to the approved exhibits and conditions. The exact materials and colors of all proposed structures shall be prominently noted on all plans and exhibits.

Fire (conditions required prior to lumber drop)

31. Roadways shall be extended to within one hundred and fifty feet (150) feet of all portions of the exterior walls as measured by an approved path of travel. An approved turn around shall be provided when the roadway exceeds one hundred and fifty (150) feet as directed by Heartland Fire & Rescue. Fire Department turn around requirements shall be installed as directed and shall be inspected and approved prior to lumber drop.
32. All fire apparatus access roadways shall be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions.
33. Prior to combustible construction, grades for driveway and fire apparatus access roads shall not exceed 10%. Fire Department approval and additional conditions are required for grades up to 20 % maximum. Angle of approach and departure for driveways shall not exceed 5 degrees. Grades exceeding 12% shall be concrete with a deep broom finish perpendicular to the access roadway.
34. All required fire apparatus access roads, fire lanes, fire department turn-around and entry/exit drives shall have a minimum 28 foot or 34 foot turning radius for fire apparatus depending on size, location and type of project. Site plans shall provide a fire department turning radius template along the access roadway or within a detail confirming that the radius meets Heartland Fire & rescue requirements.
35. Fire Apparatus Access roads (all roads in project) shall be usable (paved), accessible and fire hydrant(s) shall be capable of flowing required GPM and shall be tested/accepted by Fire Dept. prior to dropping any lumber for construction.

36. Roadway design features (speed humps, bumps, speed control dips, etc.) which may interfere or delay emergency apparatus responses shall not be installed or allowed to remain on the emergency access roadways.
37. The required fire flow shall be 1,000 GPM for a 2 hour duration at 20 PSI residual operating pressure. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow documentation shall be provided showing financial arrangements have been made and water system improvement plans have been submitted and approved by Heartland Fire & Rescue and the water purveyor to upgrade the existing system prior to release of building permits.
38. Prior to combustibles being brought to the site, the developer shall provide written certification from the Water purveyor, dated within the last thirty days, that:
 - a) All public fire hydrants required of the project have been installed, tested, and approved by the water Purveyor, and
 - b) Are permanently connected to the public water main system, and
 - c) Are capable of supplying the required fire flow as required by Heartland Fire & Rescue.
39. Group R-3 and U Occupancies: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 400 feet (122 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required flow shall be provided when required by the Fire Code official. The size of fire hydrant outlets shall be a minimum of one 4 inch and one 2-½ inch NST outlet or greater as required by the Fire Code official.
40. Fire hydrants shall be painted per Heartland Fire & Rescue and the local water purveyor standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.
41. Public and private water utility mains must provide the level of reliability/redundancy determined necessary by Heartland Fire & Rescue and the local Water Purveyor Engineer.
42. If any fire hydrant is taken "OUT OF SERVICE" – Heartland Fire & Rescue shall be notified immediately and the hydrant marked, bagged, or otherwise identified as OUT OF SERVICE as directed by the Fire Marshal.
43. All flammable vegetation shall be removed from each building site with slopes less than 15% at a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less.

C. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO THE ISSUANCE OF THE FINAL OCCUPANCY PERMIT FOR THE FIRST DWELLING UNIT TO BE CONSTRUCTED:

Engineering

1. All existing continuous overhead utility lines and all new extension services for the development of the project, including electrical and telephone, shall be constructed in accordance with the City of La Mesa's Underground Ordinance. If it is determined by the City Engineer to be impractical to perform the undergrounding operation at this time, the applicant shall execute a Lien Agreement guaranteeing the placement of overhead public utilities along Riviera Drive frontage below ground.
2. Traffic control during the construction of streets which have been opened to public travel shall be in accordance with construction signing, marking and other protection as required by the State Department of Transportation (CalTrans) Traffic Manual.
3. All street and drainage improvements shall be completed and accepted by the engineering inspector prior to occupancy.

Fire

4. Fire lane designations shall be required for all fire access roadways as determined by Heartland Fire & Rescue. Posted signs which state "FIRE LANE, NO PARKING" shall be installed every 50 feet. Curbs shall be painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by Heartland Fire & Rescue. All Fire lanes shall be marked and identified prior to Certificate of Occupancy.
5. Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-D Standard for Automatic Fire Sprinkler Systems-Single Family Dwelling. Three sets of plans, hydraulic calculations, and material specification's sheets for all equipment used in the system shall be submitted by a State of California Licensed C-16 Contractor for review, approval, and permits issued prior to commencing work.
6. Permanent residential three-dimensional street numbers, minimum 4-inches in height, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
7. Provide plans on AutoCAD (any release) for pre-fire planning use by fire department. Information shall include locations of all exits, stairwells and roof access. Also, gas, electrical, water, fire sprinkler and standpipe valves and shutoffs, and elevator and electrical equipment rooms, fire alarm panels, remote annunciators and RTU/HVAC detectors.

D. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO THE ACCEPTANCE OF IMPROVEMENTS AND FILING OF THE NOTICE OF COMPLETION:

Engineering

1. The applicant shall install street trees according to the approved landscaping plan.
2. Street name signs, street lighting, and traffic control devices shall be built to City standards and as required and approved by the City Engineer and the Traffic Engineer. The applicant shall pay all applicable fees, energy charges, and/or assessments and shall privately maintain said lights.
3. Certification of the as-built elevations of the structures shall be furnished to the City Engineer prior to release of bonds.
4. The exact limits of pavement and sidewalks shall be approved by the City Engineer. Street structural sections shall have a gravel equivalent of a minimum of 4" AC over 8" CL-2AB with a T.I. of 6.0. Geotechnical tests of the existing pavement are subject to approval of the City Engineer in the field during project inspection. Existing public improvements will be repaired to good condition and proper alignment, as may be required for proper tie-in.
5. Landscaping for trees, shrubs, walls, fences, cut/fill slopes or other structures at or near driveway and street intersections shall conform to the intersectional sight distance criteria as provided by the California Department of Transportation (CalTrans) Highway Design Manual. Any obstructions which exceed a height of thirty-six (36) inches shall not be permitted within a distance of five (5) feet from the property line at the street.
6. The applicant shall place 3 ornamental street light(s) (100 Watt Broad Spectrum Lighting) along the public right of way, interior to the development at locations designated by the City Engineer. All lighting fixtures shall be ornamental and shielded.
7. The applicant shall complete grading in one operation. All Best Management Practices (BMPs) and improvements shown on grading and site development plans shall be installed.
8. The applicant shall install standard street centerline monuments (well monuments) within the subdivision boundary monumentation at the following locations; intersection of Rojo Tierra Rd and Riviera Drive, beginning and end of curves and at the center of the knuckle.
9. The applicant shall set 2" iron pipe with disk (monuments) along the State Highway right of way or as directed by the Department of Transportation/Caltrans.

10. All monumentation shall be verified in the field by the Engineering Inspector to ensure conformance to the Final Map. Any survey monuments removed or damaged as a result of construction shall be replaced at the owner's expense.

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DESIGNER OF WORK FOR THIS PRELIMINARY PLOT PLAN
 MAPP R.A. NUMBER 11, PLS 7444
 EXP. 12/31/2018

TTM 14-01 CONCEPTUAL PLOT PLAN

RIVERA DRIVE, LA MESA, CA

SHEET
 2 OF 4

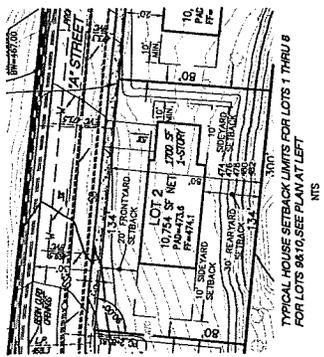
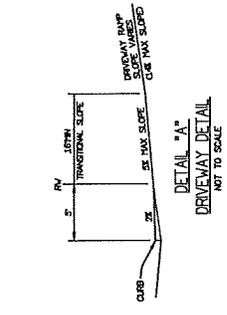
- ABBREVIATIONS**
- MH MANHOLE
 - TELECO TELEPHONE COMPANY
 - WM WATER METER
 - DATY CABLE TELEVISION
 - APN ACCESSORS PARCEL NUMBER
 - W WATER
 - SAN DIEGO GAS AND ELECTRIC SOME
 - PCV POLYETHYLENE GLYCOL PIPE
 - RCF REINFORCED CONCRETE PIPE

- LEGEND**
- DOTTED CENTERLINE
 - DOTTED CURB
 - DOTTED SIDEWALK
 - DOTTED DRIVEWAY
 - DOTTED WATER
 - DOTTED SANITARY SEWER
 - DOTTED SANITARY SEWER
 - DOTTED PROPERTY LINE
 - DOTTED DRIVEWAY
 - DOTTED CENTERLINE
 - FLY THROUGH PLASTER ROAD
 - BOUNDARY SETBACK LINE

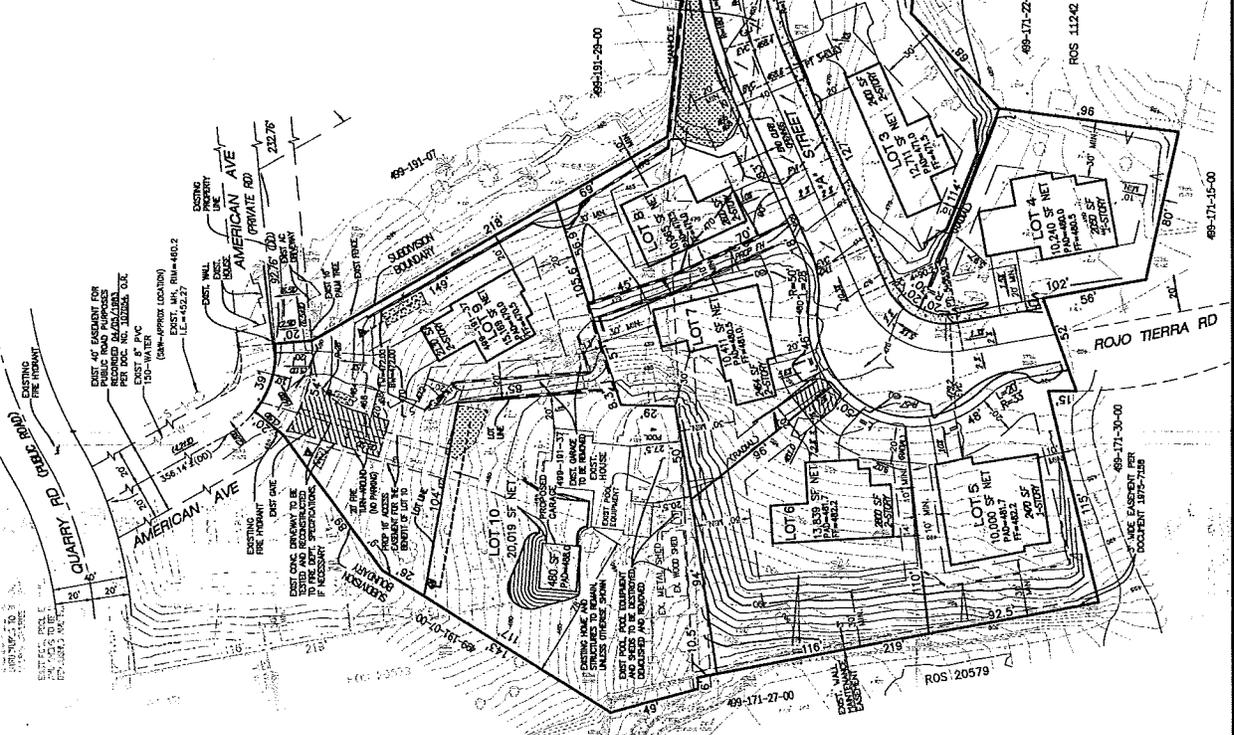
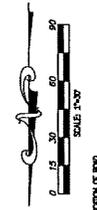
NOTES:

- ALL DIMENSIONS ARE CONCEPTUAL & ARE SHOWN ON THIS PLAN FOR INFORMATION ONLY. ANY DIMENSIONS SHOWN ON THIS PLAN FOR INFORMATION ONLY. ANY DIMENSIONS SHOWN ON THIS PLAN FOR INFORMATION ONLY.
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RESIDENTIAL DEVELOPMENT STANDARDS	
BUILDING SETBACK FOR LOTS 1-9	R1S
FRONT	20'
REAR	10'
SIDE	5'
BUILDING SETBACK FOR LOT 10	
FRONT, SIDE AND REAR SETBACK	20'



FOR ROAD SECTIONS 'A-A' AND 'B-B', SEE SHEET NO. 1



LOT DEVELOPMENT DATA			
LOT NO.	LOT SIZE-LINE IN/LOT (SQ. FT.)	DEPTH-LINE IN/LOT (FEET)	LOT WIDTH-LINE IN/LOT (FEET)
1	10,174	100.00	80
2	10,174	100.00	80
3	10,174	100.00	80
4	10,174	100.00	80
5	10,174	100.00	80
6	10,174	100.00	80
7	10,174	100.00	80
8	10,174	100.00	80
9	10,174	100.00	80
10	10,174	100.00	80



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Ratification of the Design Review Board's approval of DRB 14-14 (Charcoal House Restaurant) – A partially enclosed outdoor seating area for an existing restaurant at 9566 Murray Drive in the CN-D (Neighborhood Commercial/Urban Design Overlay) zone.

ISSUING DEPARTMENT: Community Development

SUMMARY:

Issues:

1. Does the proposal meet the intent of the Urban Design Program?
2. Is the project consistent with the policies and objectives of the General Plan?

Recommendation:

Staff recommends that the City Council ratify the Design Review Board's approval of DRB 14-14 as set forth in the Certification of Action (**Attachment E**).

Fiscal Impact:

There would be no impact to the General Fund related to this project. City of La Mesa policy is to recover 100% of the cost of staff time through discretionary application and building permit fees. The City would collect increased property tax revenue from the project upon completion.

Environmental Review:

The project is Categorically Exempt from review under the California Environmental Quality Act Section 15303, Class 3. Class 3 exemptions apply to new construction or conversion of small structures, including accessory structures such as patios.

BACKGROUND:

The Charcoal House restaurant is located on the north side of Murray Drive, just north of I-8, between Loren Drive and Water Street (**Attachment A**). Surrounding development is commercial, including a hotel to the west, an indoor sports arena to the north, and a multi-tenant building to the east that shares a common parking lot with the

subject property. The 7,000 square-foot restaurant is situated near the center of its 0.68-acre site, with the westerly building wall abutting the west side property line and parking area at the rear. A two-way driveway runs along the east side of the building, with five additional parking stalls near the entry. Prior to 2013, a 60-foot by 50-foot space in front of the restaurant was an open landscaped area featuring a rock and palm tree element as a focal point and a limited number of picnic tables.

In 2011, Dallo Restaurant Group, Inc. acquired the business and started implementing operational changes and physical improvements. In 2013, the landscape area at the front of the building was enclosed with a plywood fence and a series of connected shade canopies were installed inside the enclosure (**Attachment B**). This work, along with several interior tenant improvements, was completed without permits. Initial code enforcement actions were unsuccessful and the City chose to file a lawsuit to compel compliance.

Since this action, the applicant has begun working closely with the City to legalize work completed both on the interior and exterior of the restaurant and also to legalize use of the outdoor patio as a seating area. Earlier this year the interior alterations were permitted and inspected. On October 19, 2016, the Planning Commission conducted a noticed public hearing and approved a Special Permit for the outdoor dining area, which includes a new 10-foot high perimeter wall and covered arcade around an open central courtyard (**Attachment F**). In an effort to resolve the matter without further legal proceedings, the Planning Commission's conditions of approval include a strict timeline to ensure that the existing plywood fencing and connected shade enclosures are removed and all new improvements are permitted and inspected (**Attachment C**).

In addition to the new perimeter wall, landscaping and irrigation is proposed. The redesigned outdoor seating area within the enclosure accommodates approximately 112 patrons. The restaurant's anticipated operation of the outdoor dining area is described in **Attachment D**.

The Design Review Board (DRB) initially considered the project on July 25, 2016 and issued a Certificate of Action to recommend approval after a second review on September 12, 2016 (**Attachment E**).

DISCUSSION:

COMMUNITY IMAGE:

This project is subject to design review for its location within the Urban Design Overlay zone. The goal of the Urban Design Program is to enhance community character and sense of place through projects that build upon positive design. Design review considers site and architectural design, with emphasis on site suitability, neighborhood compatibility, landscaping, building form, finishes, and details. Specific guidelines from the Urban Design Program relevant to this project include the following:

Form and Texture: Incorporate variety in surface planes, forms, and textures into the exterior elevations. Long expanses of unbroken wall tend to be out of

proportion to human scale and lack variety or interest. Good form can be accentuated through the use of pilasters, deep reveals, staggering of wall surfaces in plane, and variations in texture.

Consistency: Provide architectural consistency and continuity between all building elevations, including a consistent use of colors, materials, and detailing.

Entries: Create a focus or sense of entry for the structure through the use of wall recesses, roof overhangs, canopies, arches, signs and similar architectural features.

DESIGN ANALYSIS:

As shown on **Attachment F**, a decorative 10-foot high stucco wall encloses the patio around the front of the property and is the back wall of the proposed courtyard arcade. The stucco wall includes a trim cap along the top and stone clad pilasters around the exterior at regular intervals, interspersed with recessed arches. Down-directed wall sconces are installed on alternate pilasters, above the stonework.

At the initial DRB meeting, the appearance of the proposed stucco wall was discussed. The visibility of the enclosure from the pedestrian's experience, from the adjacent street, from neighboring properties to the east and particularly the west, and to a lesser extent from I-8, were cited as reasons for encouraging a more inviting wall treatment. It was suggested that the exterior allude to and be inspired by the welcoming interior. In response to those comments, the applicant enhanced the street-facing wall with varying wall heights. The stucco wall will have a light beige color with a brown trim cap at the top and stone veneer pilasters.

The west property line wall was also discussed. For equal treatment and balance, a consistent level of articulation on all sides of the enclosure was desired. The DRB suggested incorporating decorative features from the front wall, to the extent feasible, within the limited space along the property line. In response, accent trim in a contrasting color to replicate the arches across the front was added. A portion of the extending wall that extends to the sidewalk will be cut back to the return behind the fire riser.

Existing landscaping includes a row of shrubs in the parkway area between the sidewalk and the wall, one mature street tree, palm trees at the center of the courtyard, and a small amount of interior landscaping. To enhance the project and provide a buffer between the street and adjacent properties, a black metal trellis screen for bougainvillea was added to the recessed areas of the walls on the south and west sides. In addition, proposed ground plantings (sheet SP.3) of Red New Zealand Flax, yellow kangaroo paw, and blue chalk stick provide a colorful palette against the bougainvillea background. The existing mature pine tree near the sidewalk will remain, as well as the two palm trees at the center of the courtyard. An inspiration board depicting light fixtures, plant material, screening, and colors was provided by the designer.

There was discussion about the possible need to increase the wall height along the west property line beyond ten feet to incorporate a 30-inch parapet for fire separation.

The applicant has opted instead to provide fire separation by enhancing the roofing type, which eliminates the need for a parapet. In addition, a penetration in the property line wall, consisting of a door between the restaurant and hotel parking lot, has been removed.

CURRENT STATUS:

As of November 3, 2016, the applicant has substantially demolished the unapproved construction on the site. Staff anticipates completion within or near the established time frame. The applicant indicated that a request for a final inspection will be filed on November 3, 2016. Once an inspection of the demolition permit has been signed-off by the Building Department, the code enforcement file will be closed on this matter.

CONCLUSION:

Staff recommends that the City Council ratify the Design Review Board's approval of DRB 14-14, as shown on the attached Certification of Action (**Attachment E**).

Reviewed by:



Yvonne Garrett
City Manager

Respectfully submitted by:



Carol Dick
Director of Community Development

- Attachments:
- A – Location map/aerial photograph
 - B – Site photographs
 - C – Planning Commission Resolution PC-2016-20
 - D – Correspondence
 - E – Design Review Board Certification of Action
 - F – Proposed development plans



Design Review
DRB 14-14
Special Permit
SP 16-03

PROPERTY INFORMATION

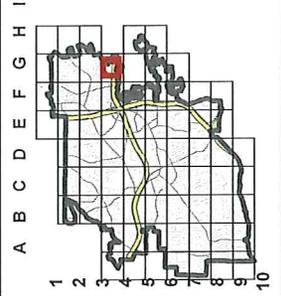
Applicant	Charcoal House Restaurant
Site Address	9566 Murray Drive La Mesa, CA 91942
APN	486-840-06-00
Lot Size	.68 acres
General Plan	Regional Serving Commercial
Zoning	CN-D Neighborhood Commercial; Urban Design Overlay Zone

Legend

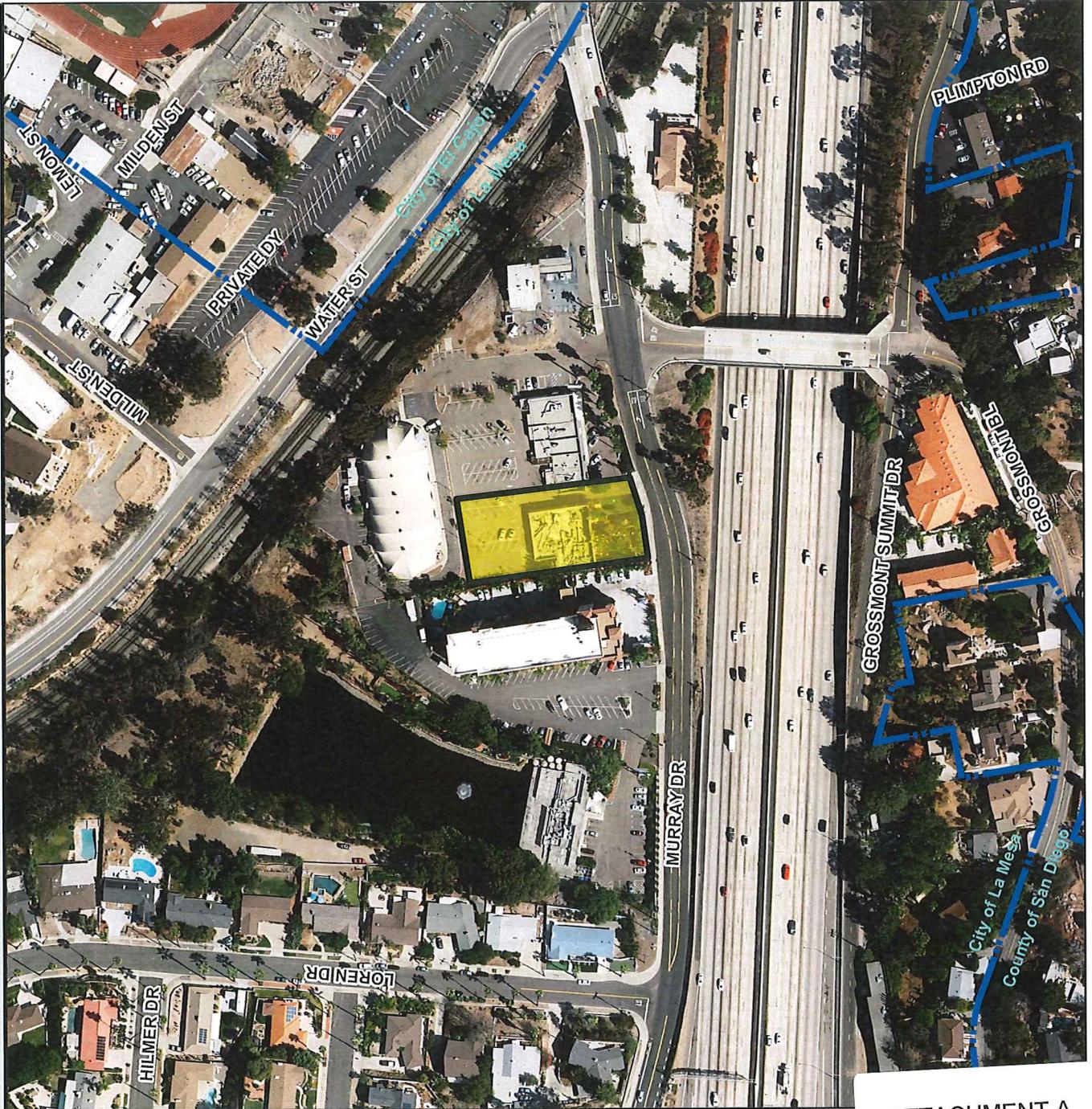
Project Site La Mesa Boundary



DATA SOURCES:
 City boundary, SanGIS, 2011
 Roads, SanGIS, 2011



Aerial Map





Current street view of subject property from the street looking northwest



Current street view of subject property from the street looking northeast



Charcoal House street frontage 2011



Charcoal House current frontage

DRB-14-14 and SP-16-03 9566 Murray Drive

RESOLUTION NO. PC-2016-20

RESOLUTION APPROVING SPECIAL PERMIT SP-16-03 (CHARCOAL HOUSE RESTAURANT) FOR AN OUTDOOR SEATING / DINING AREA AT 9566 MURRAY DRIVE IN THE CN-D ZONE

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on October 19, 2016, and accepted public testimony in considering SP-16-03, a request for a Special Permit for a proposed outdoor seating and dining area at 9566 Murray Drive in the CN-D (Neighborhood Commercial/Urban Design Overlay) zone;

WHEREAS, the project site is surrounded by commercial uses and Interstate 8;

WHEREAS, the property owner wishes to have an outdoor dining area accessory to an existing restaurant;

WHEREAS, this project is categorically exempt from review under the California Environmental Quality Act Section 15303, Class 3; and

WHEREAS, the Planning Commission did receive and consider a staff report and public testimony on the proposal.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

1. That the location and characteristics of the outdoor dining area and its use would not impact unfavorably upon adjacent properties. There is adequate off-street parking available and vehicle circulation on adjacent streets would not be altered. There are no residential properties immediately abutting the site. The outdoor dining area is subject to the City's Noise Ordinance. No live entertainment is planned. All exterior lighting will be required to be down-lit and shaded to avoid shining directly onto adjacent properties.
2. That the project, as conditioned, is consistent with the design objectives established as a policy of the City Council. The City's established Outdoor Seating Design Objectives include provisions to ensure safety, architectural compatibility, accessibility, and property maintenance. All work associated with the project is required to comply with the Uniform Building Code. An accessible path of travel will be maintained to the storefront entrance. The project was reviewed by the Design Review Board for consistency with the Urban Design Program.
3. That the proposal is consistent with Section 24.02.050 of the La Mesa Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The Planning Commission approves Special Permit SP-16-03, subject to the following conditions:
 - A. The special permit shall apply only to the outdoor dining area as shown on the submitted plans dated August 22, 2016.
 - B. The outdoor dining area is approved as an accessory use to a restaurant.
 - C. The applicant shall obtain a demolition permit and complete the demolition of the existing unpermitted plywood fencing and connected shade enclosures currently located in the outdoor patio area by November 3, 2016.
 - D. Outdoor dining activities shall cease until new improvements have been completed and final inspections obtained. Building permits are required.
 - E. The outdoor dining area shall be closed by 2:00 a.m. daily.
 - F. Outdoor tables and chairs shall be properly maintained.
 - G. No live entertainment is allowed in the outdoor dining area unless a conditional use permit is first obtained.
 - H. Outdoor amplification shall be limited to ambient music and TV only and consistent with La Mesa Municipal Code Section 10.80.170 Regulations as noted below. Speakers shall not be used for announcements.

The commercial and non-commercial use of sound amplifying equipment shall be subject to the following regulations:

- (a) The only sounds permitted shall be either music or human speech, or both.
- (b) Sound level emanating from sound amplifying equipment shall not exceed fifteen (15) decibels above the ambient base noise level.
- (c) Notwithstanding the provisions of subsection (c) of this section, outdoor operation of sound amplifying equipment shall not be within two hundred feet of churches, schools, hospitals, or city or county buildings unless otherwise authorized by the city council in conjunction with a validly issued special event permit.
- (d) In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing, or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

- I. The applicant shall maintain the outdoor dining area in good condition and repair.
- J. Exterior lighting shall be down-lit and shaded, and shall not directly shine onto adjacent properties.
- K. If the outdoor dining area should create a nuisance to surrounding properties, staff may schedule a public hearing before the Planning Commission to evaluate the operation of the outdoor dining area. If the Planning Commission finds that the use is creating a nuisance, the Commission may then impose additional restrictions on the outdoor dining area.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 19th day of October, 2016, by the following vote, to wit:

AYES: Chairman Newland and Commissioners Hurd-Glen, Podeswik, and Torpey.
NOES: Commissioner Kanavel.
ABSENT: Commissioners Alvey and Hottel.
ABSTAIN: None.

I, Allyson Kinnard, Deputy Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2016-20, duly passed and adopted by the Planning Commission.



Allyson Kinnard, Deputy Secretary
La Mesa Planning Commission

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City of La Mesa

JUL 12 2016

COMMUNITY DEVEL. DEPT.

Allyson Kinnard
Associate Planner
8130 Allison Avenue
La Mesa, CA 91941

RE: SP 16-04 and DRB 14-14, 9566 Murray Drive (Charcoal House Restaurant)

Allyson Kinnard:

Charcoal House, located at 9566 Murray Drive La Mesa, CA 91942 business model is to provide family styled meals and services in a festive environment. Charcoal House is family owned and operated with many years of collective experience in the restaurant industry. Over time, Charcoal House has been recognized as priding itself on offering a full-dining experience to all customers. Whether ordering from its premier steakhouse menu or Mediterranean cuisine, customers are encouraged to pair their meal with a beverage from the full service bar. They can also enjoy a more relaxing evening in the outdoor lounge and order any item off the tobacco menu. In all, Charcoal offers a unique dining experience for all members of the community.

Charcoal House has an existing usage plan for its outdoor seating area and intends to retain a similar floor plan with commercial rated structures. When dining outdoors, Charcoal House only offers food services in combination with selling beverages, providing tobacco services and presenting nontheatrical entertainment. Customers can enjoy lounging on Mediterranean styled couches or on any of the rectangular tables. Adding to the outdoor experience are six 30in - 50in video entertainment screens with audio originating from fourteen speakers strategically placed to minimize noise pollution to neighboring businesses. At this time, Charcoal House does not plan on expanding its auditory and visual fixings and does not provide "performance entertainment" as defined in LMMC 24.01.100 in its outdoor areas. However, if the circumstances deem necessary then Charcoal House will apply for the appropriate permits.

The Charcoal House's hours of operation are limited to the evening hours when the majority of customers dine at the restaurant. Charcoal House itself operates only on Tuesday through Saturday and opens at 4:00 PM and closes at 12:00am during the weekday and 1:30AM on the weekends. The outside seating area is open to customers during all hours of operation, however, the busiest time of the day is anywhere from late evening until closing. Charcoal House does not intend on expanding its business hours at this time.

I hope this addresses this summary of the planned use of the outdoor seating area. If you have any additional questions please do not hesitate to contact me.

ATTACHMENT D



CERTIFICATION OF DESIGN REVIEW BOARD ACTION

FILE: DRB 14-14 (Charcoal House)

MEETING DATE: September 12, 2016

SUBJECT: Review and recommendation to the City Council of a partially enclosed outdoor seating area for an existing restaurant at 9566 Murray Drive in the CN-D (Neighborhood Commercial/Urban Design Overlay) zone.

DETERMINATION: After reviewing the proposal, the Board made a motion to recommend approval of DRB 14-14 based on plans dated August 22, 2016 and a finding that the project is consistent with the City's Urban Design Program.

The vote on the motion was as follows:

Aye: Chairman Soutowood, Board members Dick, Hulitt, Jacobs, and McCullough.

Nay: None.

Absent: None.

Abstain: None.

ATTEST:

Allyson Kinnard
Associate Planner

E:\cp2016\Resolutions\DRB\DRB-14-14.doc

ATTACHMENT E

OWNER / PROJECT ADDRESS

CHARCOAL HOUSE RESTAURANT
9566 MURRAY DRIVE
LA MESA, CALIFORNIA 91942

BUILDING DEPT. NOTES

THIS PROJECT SHALL COMPLY WITH:
THE 2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CAL GREEN)
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA FIRE CODE
2013 EDITION CALIFORNIA ENERGY EFFICIENCY STANDARDS

COMPANY:
TYPE OF CONSTRUCTION: 16-SPRINKLER
USE REGULATIONS:
ZONING: CD-D ZONE NEIGHBORHOOD COMMERCIAL
LOT SIZE: 0.68 ACRE
BUILDING TYPE: 7,000 SQ. FT. RESTAURANT (EXISTING)
HEIGHT: ONE STORY

LEGAL & A.P.N.

(EX HWY) PAR A DDC13032386C70 IN LOT 1 BLK 29 TR 593
486-840-00-00

BUILDING DATA

LOT AREA: 0.68 ACRE 29,621 SQ. FT.

SCOPE OF WORK

SPECIAL PERMIT APPLICATION:
1. NEW EXTERIOR PATIO CORNER/EXT. WALL TO REPLACE (E)
NON-COMPLYING RESIDENTIAL RATED STRUCTURES.
2. NEW EXTERIOR DOWN-DIRECTED LIGHTING ON EXTERIOR WALL
3. NEW BROUGHT RESISTANT LANDSCAPING
4. NEW LOUNGE AND DINING SEATING PER PLAN.

DISABLED ACCESS:
1. ACCESSIBLE PARKING TO REMAIN AT FRONT OF PARKING LOT.
STRIPES PER STANDARD DETAILS.
2. PARKING AREA TO HAVE MAXIMUM SLOPE OF 2% IN ALL DIRECTIONS
EXTING: DISABLED ACCESS PATH OF TRAVEL.

PARKING SUMMARY

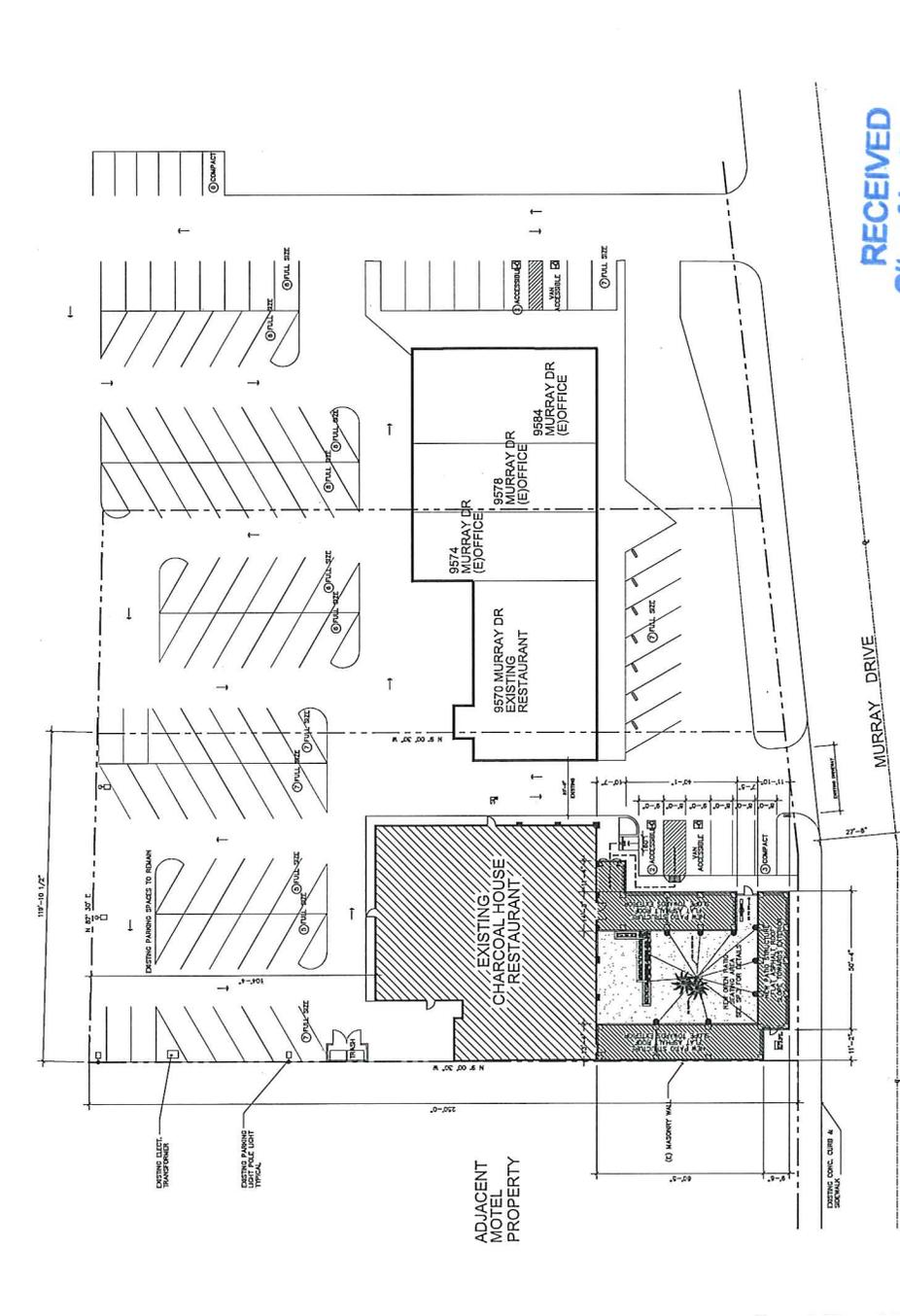
REQUIRED PARKING = 92 SPACES
EXISTING PARKING = 100 SPACES
(SEE PARKING ANALYSIS ABOVE SITE PLAN)
NOTE: OUTDOOR DINING FOR THIS LOCATION OCCURS PRINCIPALLY
BETWEEN THE HOURS OF 5:00 PM AND 2:00 AM WEDNESDAY THRU
SATURDAY. ALL OUTDOOR DINING AREAS AND PATIO AREAS FOR
BUSINESSES ARE CLOSED SO THERE IS LITTLE IF ANY IMPACT. SHARED
PARKING IN TRUE PRACTICE.

SHEET INDEX

SP.1 TITLE SHEET W/ SITE PLAN & NOTES
SP.2 PATIO EXTERIOR WALL ELEVATIONS
SP.3 PATIO FLOOR PLAN

PARKING ANALYSIS (LA MESA MUNICIPAL CODE SECTION 24.04.050)

<p>9566 MURRAY DRIVE CHARCOAL HOUSE RESTAURANT HOURS: 4 PM-12:00 AM INTERIOR (APPROXIMATE) GLA= 3140 SF /250 = 13 SPACES DINING/BAR SEATING= 114 SEATS /3 = 38 SPACES EXTERIOR GLA= 750 SF /250 = 3 SPACES DINING SEATING=112 SEATS /3 = 38 SPACES</p>	<p>9574 MURRAY DRIVE THE ORIGIN HIP R&B DANCE STUDIO HOURS: 10 AM-9PM INTERIOR (APPROXIMATE) GLA= 1700 SF /300 = 6 SPACES</p>	<p>9578 MURRAY DRIVE HEALING THERAPIES OFFICE HOURS: 11AM-5:30PM & CLOSED SUN INTERIOR (APPROXIMATE) GLA= 1700 SF /300 = 6 SPACES</p>	<p>9584 MURRAY DRIVE WESTERN INT'L SECURITIES OFFICE HOURS: 9AM-5PM & CLOSED SAT-SUN INTERIOR (APPROXIMATE) GLA= 2350 SF /300 = 8 SPACES</p>
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SITE PLAN

SCALE: 1" = 20'-0"

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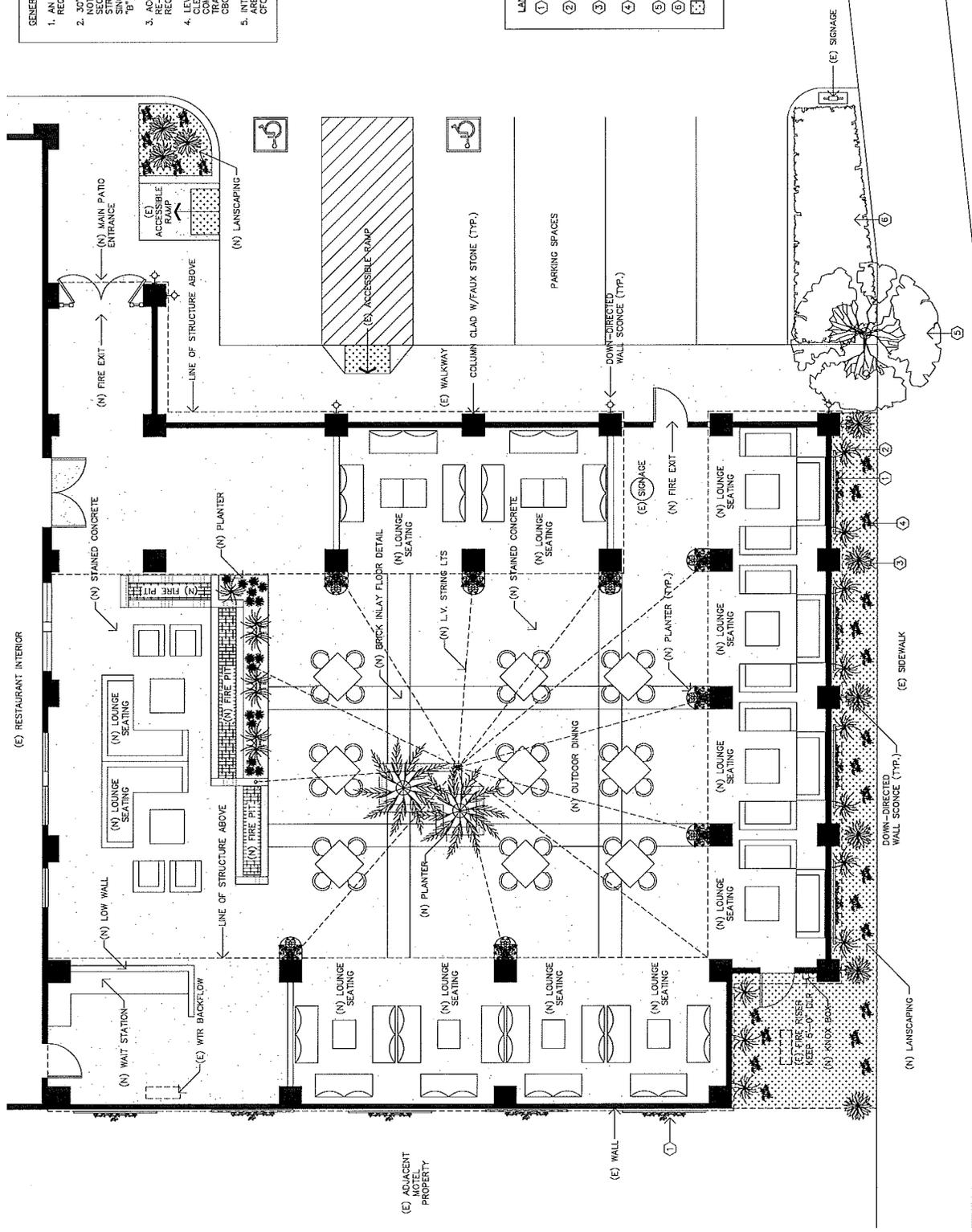
AUG 22 2016

COMMUNITY DEVEL. DEPT.

GENERAL NOTES

1. AN AUTOMATIC SPRINKLER SYSTEM IS REQUIRED FOR PATIO STRUCTURES.
2. 30" HIGH PARAPET AT WEST WALL IS NOT REQUIRED PER CALIF. CBC. ROOF STRUCTURE TO BE DURO-LAST SINGLE PLY ROOF MEMBRANE (CLASS "B").
3. ACCESSIBLE PARKING TO BE RE-GRADED TO MEET ACCESSIBILITY REQUIREMENTS.
4. LEVEL LANDINGS AND MINIMUM CLEARANCES ARE REQUIRED TO COMPLY WITH ACCESSIBLE PATH OF TRAVEL EXISTING REG. PER 2013 CBC SEC 11B.
5. INTERIOR COURTYARD FIRE FEATURES REG. TO COMPLY WITH THE 2013 CBC.

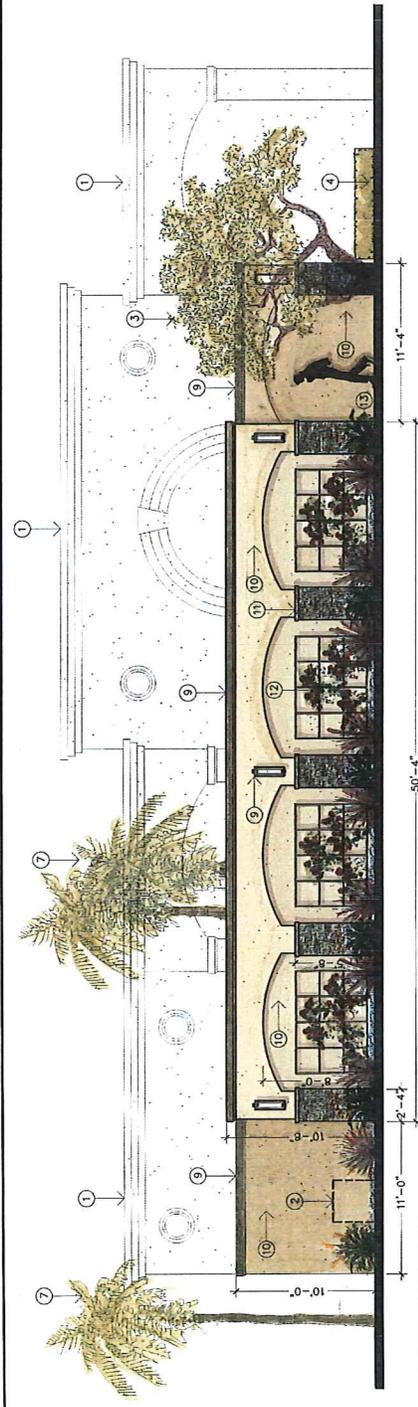
- LANDSCAPING KEY**
- 1 RED BOUGAINVILLEA VINE (BOUGAINVILLEA SPECTABILIS)
 - 2 RED NEW ZEALAND FLAX (PHORMIUM TENAX)
 - 3 YELLOW KANGAROO PAW (ANIGDAZANTHOS)
 - 4 BLUE CHALK STICK (SENECO MANDRAUSCAE)
 - 5 (E) PINE TREE
 - 6 (E) EVERGREEN HEDGE
 - 7 NATURAL WOOD CHIP MULCH



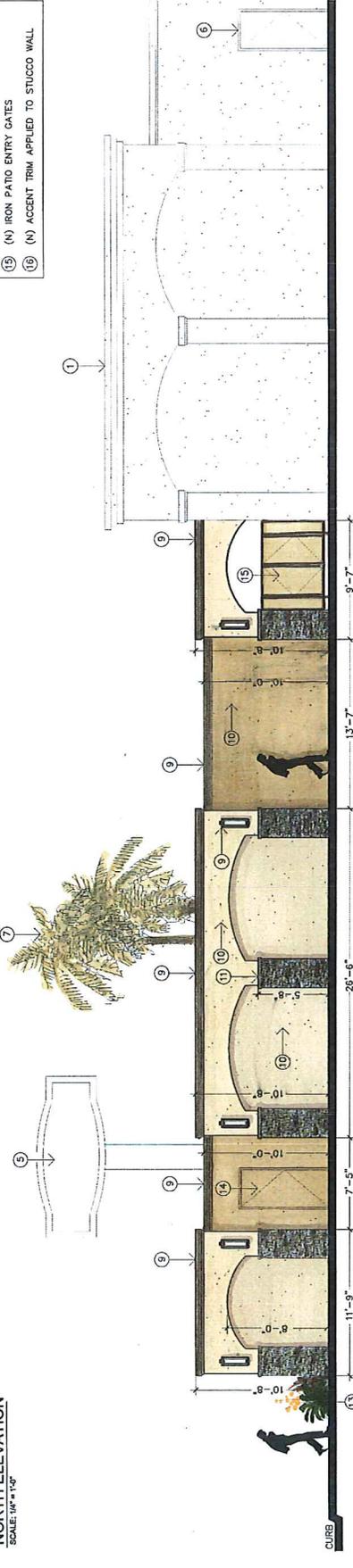
SCALE: 1/4" = 1'-0"

PATIO FLOOR PLAN

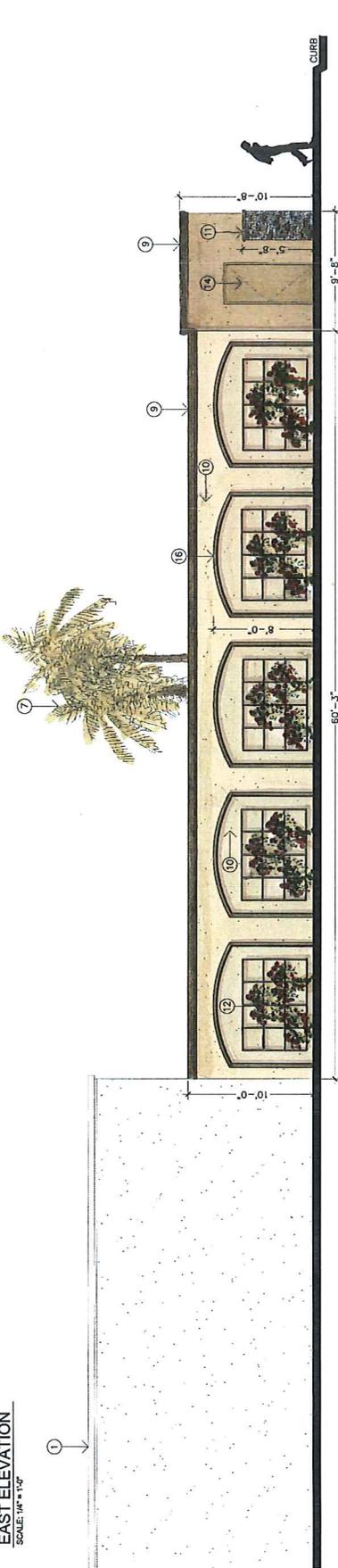
- KEY NOTES**
- 1 (E) RESTAURANT FACADE
 - 2 (E) FIRE RISER (KEEP 5'-0" CLR.)
 - 3 (E) PINE TREE
 - 4 (E) EVERGREEN HEDGE
 - 5 (E) SIGNAGE
 - 6 (E) RESTAURANT ENTRANCE
 - 7 (E) PALM TREE
 - 8 (N) LANTERN STYLE DOWNLIGHT WALL SCIENCE
 - 9 (N) STUCCO CORNICE TRIM
 - 10 (N) STUCCO EXTERIOR PATIO WALL
 - 11 (N) COLUMN WITH STONE VENEER & CONC. CAP TO MATCH
 - 12 (N) BLK MTL TRELIS W/ BOUGAINVILLEA VINE
 - 13 (N) LANDSCAPING PER PLAN
 - 14 (N) FIRE EXIT DOOR
 - 15 (N) IRON PATIO ENTRY GATES
 - 16 (N) ACCENT TRIM APPLIED TO STUCCO WALL



NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
 SCALE: 1/4" = 1'-0"



WEST ELEVATION
 SCALE: 1/4" = 1'-0"



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Consideration of a Special Event Permit application for the La Mesa Village Association's 2016 Holiday in the Village event with related street closures

ISSUING DEPARTMENT: City Manager's Office / Police Department

SUMMARY:

Issues:

1. Should the City Council approve the La Mesa Village Association's Special Event Permit for the 2016 Holiday in the Village event?
2. Should the City Council authorize the proposed street closures of portions of La Mesa Boulevard, Palm Avenue, and Third Street as requested by the La Mesa Village Association for the 2016 Holiday in the Village event?

Recommendations:

Staff recommends that the City Council:

1. Approve the Association's Special Event Permit.
2. Adopt a resolution for the proposed street closures, as described in the staff report and in Exhibit A of Attachment D.

Fiscal Impact:

The La Mesa Village Association funds this event. Public Works will provide personnel to drop off and pick up barricades and signs for this event during their normal business hours. Based on the traffic safety plan, Public Works will need to rent traffic control items with the cost being reimbursed by the Association. The La Mesa Police Department will provide RSVP volunteers and a Reserve

Police Officer at the event. The Association will provide at least twelve (12) volunteer security personnel during event hours.

BACKGROUND:

At the Council Strategic Planning Workshop in March of this year, Council directed staff to become more directly involved in Downtown Village events and promotions. This was the result of the completion of the Downtown Streetscape project and the dissolution of the former La Mesa Village Merchants Association. In keeping with that directive, the City hosted this year's La Mesa Classic Car & Bike Show and Oktoberfest events with both being well received by the community.

It has become a tradition for the Downtown Village to host an annual holiday celebration aimed at providing a festive, family-friendly environment during the holiday season. This year, the newly formed La Mesa Village Association has approached the City with a comprehensive plan to manage this year's event. The association's plan includes keeping with the past traditions of the event while expanding it to a day-long celebration. The event will be rebranded as the "Holiday in the Village: A La Mesa Tradition". This will be the first event managed by the newly-formed Association.

DISCUSSION:

The proposed date and time for the Holiday in the Village event is Saturday, December 10, 2016 from 10:00 AM to 10:00 PM. The Association submitted a Special Event Permit application on September 7, 2016, which is sixty three (63) days before the event date. La Mesa Municipal Code Section 10.50.030 requires that an applicant shall apply for a special event permit not less than ninety (90) days before the event date. However, this time limitation may be modified by the chief of police if the application is received by the city clerk not less than twenty (20) days before the event date.

There are expected to be approximately eighty (80) vendors on La Mesa Boulevard between Spring Street and 4th Street. Vendors will sell mainly crafts and holiday merchandise. To maximize the benefit to downtown restaurants and eateries, only a few food vendors at the event will sell ice cream, cotton candy, crapes, funnel cake, and snack-related items. There will be no alcohol sales or beer garden at the event.

The event will include strolling carolers, pony rides for children, face painting, a children's inflatable jumpy, and an outdoor movie screen that will play holiday movies. Three exposed fire pits will be located on La Mesa Boulevard and there will be one stage and one dance floor at the event where live entertainment will perform. The stage will be located on private property at the former Don Keating dealership at 8381 La Mesa Boulevard. The dance floor will be located midblock on La Mesa Boulevard

Report to Mayor and Council Members

Date: November 8, 2016

Page: 3 of 3

between Spring Street and Palm Avenue. Performers at these two locations will consist primarily of high school and civic bands with strolling carolers throughout the event area.

The proposed street closure plan for 2016 calls for blocking the affected streets in Exhibit A of Attachment D using signs and barricades provided by the City and vehicles provided by the Association. Public Works will post the area with restricted and no parking signs on Tuesday, December 6, 2016. The streets will be closed on Saturday, December 10, 2016 at 3:30 AM and reopened on Sunday, December 11, 2016 at 3:00 AM. Vendors will be allowed to begin setting up booths on La Mesa Boulevard at 7:00 AM on Saturday, December 10th.

CONCLUSION:

Staff recommends the approval of the plans and conditions for the Holiday in the Village Special Event Permit, as specified in the Staff Report and the Attachments A-D. There have been no significant issues raised in previous Holiday in the Village events.

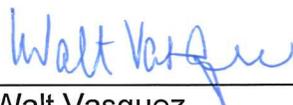
Staff Reference: Lyn Dedmon / Lieutenant Greg Runge

Reviewed by:

Respectfully submitted by:



Yvonne Garrett
City Manager



Walt Vasquez
Chief of Police

Attachment A: Special Event Permit application

Attachment B: Fire safety conditions

Attachment C: Event map

Attachment D: Resolution for the closure of City streets and attached Exhibit A



APPLICATION FOR SPECIAL EVENT

July 1, 2016 – June 30, 2017

CITY CLERK USE ONLY

- Originally submitted 9/7/16 at 9:49 a.m.
 - Amended 10/19/16 at 5:00 p.m.
 Revised

Applicant Name:

(Please Print) AARON ODAN FOR LA MESA VILLAGE ASSOCIATION

Address: 9374 ALLISON AVE #B City: LA MESA State: CA Zip: 91942

Home Phone: _____ Work Phone: 619 784 6372 Cell Phone: 619 787 1719

E-Mail Address: AARON@MESAVL.COM

Organization

(Please Print) LA MESA VILLAGE ASSOCIATION

Address: SAME AS ABOVE City: _____ State: _____ Zip: _____

Phone: 619 787 1719

E-Mail Address: _____

Date(s): DEC 10th Start Time: 4:00 am Location: _____
 End Time: MIDNIGHT SEE MAP ATTACHED

Please note: application fee is not refundable. Also, any required staffing for the event is charged at full cost recovery rates unless a specific exception has been approved by the City Council. This applies to all events.

Approximate Number of People:	FEES
<input type="checkbox"/> Parade	\$ 323
<input type="checkbox"/> 250-499	\$ 376
<input type="checkbox"/> 500-999	\$ 475 + \$1,000 refundable clean-up fee
<input type="checkbox"/> 1,000+	\$1,581 + \$1,000 refundable clean-up fee
<input type="checkbox"/> Street Closure Permit (if applicable) ..	\$ 50

In addition to the above fees, applicant must provide the following:

- A certificate of insurance in an amount specified by the City, and an Additional Insured Endorsement naming the City of La Mesa and verifying that the applicant's insurance shall be primary and any insurance or self-insurance provided by the City shall be non-contributory. (Available through the applicant's insurance carrier.)
- A hold harmless/indemnification agreement. (Available through the City Clerk's Office.)
- Applicant must submit a traffic control plan if city property/streets will be impacted and/or used for the event. **The Engineering Division must approve the traffic control plan prior to the approval of the permit.**

Detailed Description of Event: A ONE NIGHT HOLIDAY EVENT IN THE VILLAGE OF LA MESA. 70 CRAFT VENDORS, 3 FIRE PITS, KIDS AREA WITH 3 JUMP, FACE PAINTING AND MORE. EVENT FROM 10:00 am to 10:00 pm. EVENT WILL FOCUS ON FAMILIES, CRAFTS AND HOLIDAY ENTERTAINMENT.

Name of Event

Holiday IN THE VILLAGES

If a PARADE, provide the following information:

Assembly Location(s):

Dispersal Location(s):

Specific Parade Route:

NA

Plans for Assembly:

Plans for Dispersal:

Number in Parade

People:

Animals:

Vehicles:

Will any costumes, masks or unusual attire be worn?

YES

NO

On-Site Contact(s) responsible for special event or parade:

NAME

CELL/PHONE #

ADDRESS

1) AARON IBAN

619 767 1719

8374 LA MESA BLVD

2) JOHN BEDIOW

619 867 9471

8393 LA MESA BLVD

3) TERE FAURO

619 464-6666

8329 LA MESA BLVD

Total number of security persons provided by applicant:

12

Describe identification marks, badges or symbols to be worn by such persons: Full Uniform.

Security Firm,

DANCE. RUIZ / 600 619 672 4945

WHEN THE SPECIAL EVENT IS EXPECTED TO REACH 500 OR MORE PERSONS AT ANY GIVEN TIME, TO BE DETERMINED BY THE CHIEF OF POLICE OR HIS/HER REPRESENTATIVE, THE APPLICANT, IN ADDITION TO THE ABOVE, WILL PROVIDE AND ASSURE THE FOLLOWING SERVICES:

1. The applicant shall distribute handbills that have been approved by the Chief of Police, or his/her representative, to surrounding residences and businesses within 300 feet of the special event's perimeter at least 30 days before the event. Parades and runs may satisfy this requirement by posting notices along the proposed route. The applicant must attest in writing to the City Clerk that this requirement has been met.
2. Adequate potable water supply.
3. One toilet for every 250 persons in attendance. 3000 people Average / 12 TOILETS
4. Adequate lighting during nighttime events.

- 5. Adequate number of trash receptacles. *EDCO*
- 6. Adequate communications equipment for use by the monitors.
- 7. Clean-up of immediate and surrounding area properties within 24 hours of the special event.
- 8. Parking control (two hours before the start and two hours after the conclusion of the special event).
- 9. Method of regulating the number of participants. One security person for every 250 persons in attendance. Special Events utilizing La Mesa police officers, La Mesa reserve officers, and/or officers from other law enforcement agencies may be exempted from this requirement.
- 10. One copy of white background print of a map drawn to scale showing:
 - a. The location of the property concerned.
 - b. The location of all highways, streets, alleys, lots and parcels of land within 500 feet of the exterior boundaries of the proposed use.
 - c. The location of the vehicle parking area and of all other areas to be used for other uses incidental to the special event.
 - d. All interior access ways.
 - e. Access to the property.
 - f. The location and detailed plans of all buildings and structures on the premises or to be erected, including any bandstand, stage or other facility for performers.
 - g. The location of loud speakers.
 - h. The location of all toilet, medical, drinking and other facilities.
- 11. A certified check or other funds acceptable to the city in the amount of one thousand dollars shall be paid at the time of application to the City of La Mesa for clean up. If the terms of this chapter are met, the funds will be returned to the applicant within thirty days after the special event upon written request of the applicant.
- 12. Such other information as the Chief of Police may deem necessary in order to properly provide for traffic control, street and property maintenance, administrative arrangements, police and fire protection, and for the protection of public health, safety and welfare.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENTS OR INFORMATION WILL RESULT IN THE REJECTION OR REVOCATION OF MY PERMIT.



 SIGNATURE OF APPLICANT/ORGANIZATION

AARON DEAN

 PRINT NAME

9/6/16

 DATE OF APPLICATION

Name of Event

Holiday

IN THE VILLAGE

CITY OF LA MESA USE ONLY

COMMUNITY SERVICES DEPT: Facility Availability

Name of Facility:

Availability: YES NO

POLICE DEPT: Approved Denied Signature:

Comments:

Method of Noticing (for over 500 people):

PUBLIC WORKS DEPT: Approved Denied Signature:

Comments:

BUILDING DEPT: Approved Denied Signature:

Comments:

PLANNING DEPT: Approved Denied Signature:

Comments:

FIRE DEPT: Approved Denied Signature:

Comments:

ENGINEERING DEPT: Approved Denied Signature:

Comments:

RECEIPT # 02000129028

FEE AMOUNT: \$ 2,581.00
\$ 50.00 (street closure)
\$ 2,631.00

DATE PAID: 09/08/2016

PERMIT #

DATE ISSUED:

BY: Mary Kennedy, City Clerk



HEARTLAND FIRE & RESCUE

SERVING THE CITIES OF EL CAJON, LA MESA AND LEMON GROVE

Fire Safety Conditions for 2016 Holiday in the Village Event

GENERAL SAFETY

- All electric cords shall be secured to the ground or other fixed device so that trip/fall hazards are kept to a minimum. This may be accomplished with tape, covers or some other device that will reduce trip/fall hazards.
- Additional electrical outlets in each booth shall be provided by power taps with over-current protection or surge protectors, (circuit breaker reset). Multi-outlet adapters or small gauge home-style extension cords are prohibited. Two pronged extension and non-compliant extension cords are prohibited.
- All Vendors shall post "No Smoking" signs. Smoking is not allowed in any booth.
- Fire pits shall be constantly attended by an adult during the event until the fire is extinguished. A minimum of one portable fire extinguisher with a 4A rating and bucket of water shall be available for immediate use at each pit.
- Gasoline and other flammable liquids shall not be used to help ignite and keep fire lit.

TENTS, CANOPIES & PALAPAS

- Any tents, canopies, sidewalls or drops used by food vendors shall have a CA. State Fire Marshal Certificate of Flame Resistance. Any items that do not meet the CA. State Fire Marshal requirements shall be removed.
- All vendors using canopies larger than 400 sq. ft. shall obtain permit prior to installation & use.
- All vendor booths in clusters exceeding 700 square feet will require 12' separation between other canopies.
- All canopies used by food vendors shall be separated from other canopies, tents, etc. by a minimum of 20' or as directed by the Fire Marshal.
- A fire extinguisher with a minimum rating of 2A-10 BC shall be mounted at vendor booths to cover 75' travel distance.

El Cajon

100 E. Lexington Avenue
El Cajon, CA 92020
(619) 441-1601

La Mesa

8054 Allison Avenue
La Mesa, CA 91942
(619) 667-1355

Lemon Grove

7853 Central Avenue
Lemon Grove, CA 91945
(619) 825-3835



HEARTLAND FIRE & RESCUE

SERVING THE CITIES OF EL CAJON, LA MESA AND LEMON GROVE

COOKING

- Use of Portable BBQ's PROHIBITED within 20 feet of any permanent structure or on any sidewalk. This includes but is not limited to the following areas; in front of/around businesses; under overhangs; on sidewalks; streets; next to buildings, walls; windows or exit doors.
- There shall be a 2A-10BC rated fire extinguisher located near the cooking appliance (BBQ) at all times during operation. An adult shall be in attendance of the BBQ while it is in operation and shall be knowledgeable in the use of portable fire extinguishers.
- Food Vendors using cooking appliances such as: deep fat fryers, griddles, stoves, woks, or similar shall provide a Class "K" rated fire extinguisher. This requirement applies to Kettle Corn vendors also.
- Extreme caution and adult supervision is required for charcoal BBQs and/or lighter fluid usage.
- All Compressed Gas tanks shall be secured with heavy rope or chain and be stored in a safe manner away from open flame.
- Any tents, canopies, sidewalls or drops used by food vendors shall have a CA. State Fire Marshal Certificate of Flame Resistance. Any items that do not meet the CA. State Fire Marshal requirements shall be required to be removed.

FUEL POWERED EQUIPMENT

- Fuel powered equipment, such as generators, shall have a 2A-10BC rated fire extinguisher located near the equipment at all times during operation. An adult trained in the use of the fire extinguisher shall be present at all times.
- Spare fuel shall not exceed 10 gallons and shall be stored in California State Fire Marshal approved safety cans. Storage of fuel and refueling of fuel-powered equipment shall not be done within 50 feet of rides; booths; canopies or tents.

EMERGENCY VEHICLE ACCESS

- A 16' wide clear space corridor in the middle or on one side of the street for emergency vehicle access may apply.
- All street barriers must be highly visible and easily and quickly movable by an adult unless otherwise required by the city.

El Cajon

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El Cajon, CA 92020
(619) 441-1601

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HEARTLAND FIRE & RESCUE

SERVING THE CITIES OF EL CAJON, LA MESA AND LEMON GROVE

FIRE HYDRANTS

- All fire hydrants shall be kept free from vehicles and other obstructions at all times. There shall be a minimum clearance of 15' in all directions from the fire hydrant.

PARKING

- Parking shall be limited to the available marked, identified spots in a parking lot. All drive lanes/fire lanes shall be kept clear at all times.

ADDITIONAL NOTES

- Other conditions may apply based on the type and size of event.
- The Building Department, Police Department, Public Works or other City departments may mandate additional requirements or permits.

Please contact Heartland Fire & Rescue at (619) 667-1355 if you have questions regarding the above listed requirements.

El Cajon

100 E. Lexington Avenue
El Cajon, CA 92020
(619) 441-1601

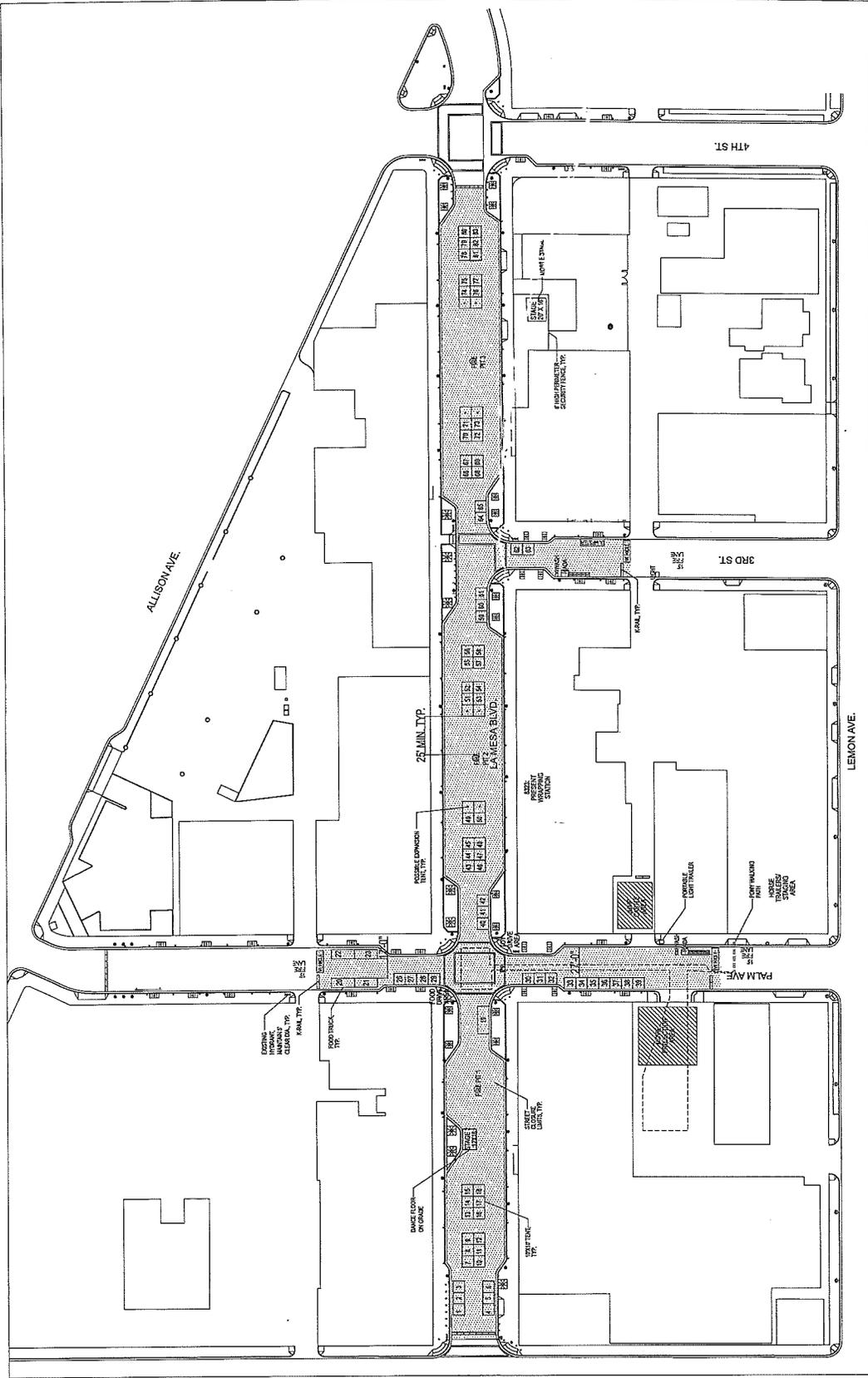
La Mesa

8054 Allison Avenue
La Mesa, CA 91942
(619) 667-1355

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7853 Central Avenue
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(619) 825-3835

ATTACHMENT C



SCALE 1" = 40'

1 SITE PLAN

SHEET NO.: 1 OF 1

DRAWN: PS

SCALE:

DATE: OCTOBER 17, 2016

LA MESA HOLIDAY IN THE VILLAGE
VENUE LAYOUT
LA MESA, CA 91942

REVISIONS

PETER SOUTHWOOD,
ARCHITECT
4019 WILSON DRIVE
LA MESA, CA 91942
TEL: 619.599.2013
p.southwood@psa.com

RESOLUTION NO. 2016-_____

RESOLUTION TEMPORARILY CLOSING PORTIONS OF LA MESA CITY STREETS FOR THE "HOLIDAY IN THE VILLAGE" SPECIAL EVENT SPONSORED BY THE LA MESA VILLAGE ASSOCIATION

WHEREAS, Vehicle Code Section 21101(e) authorizes the City Council to temporarily close a portion of any street for celebrations, parades, local special events, and other purposes; and

WHEREAS, the City Council must determine such closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and

WHEREAS, the La Mesa Village Association has made a request to have a special event involving City streets;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of La Mesa hereby finds that the closing of portions of the City streets as more specifically set forth in Exhibit "A", attached hereto and made a part hereof is necessary for the safety and protection of persons who are to use those portions of said streets during the temporary closing.

BE IT FURTHER RESOLVED, that said portions of the streets set forth on said Exhibit "A" are hereby temporarily closed for all or a portion of time from 3:30 AM on December 10, 2016 to 3:00 AM on December 11, 2016.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of La Mesa, California, held the 8th day of November 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF THE CITY CLERK

I, MARY KENNEDY, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. _____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

Mary Kennedy, City Clerk

(Seal of the City)

EXHIBIT "A"

RESOLUTION NO. 2016-_____

The following streets will be temporarily closed for all or a portion of time from 3:30 AM on December 10, 2016 to 3:00 AM on December 11, 2016 for Holiday in the Village, a La Mesa Village Association sponsored event.

<u>Street</u>	<u>Closure</u>
La Mesa Boulevard	From the east curb line of Spring Street to the west curb line of 4 th Street.
Third Street	From the south curb line of La Mesa Boulevard to the north curb line of the alley between La Mesa Boulevard and Lemon Avenue.
Palm Avenue	From the north curb line of the alley between La Mesa Boulevard and Lemon Avenue to the south curb line of La Mesa Boulevard.
Palm Avenue	From the south curb line of the alley between La Mesa Boulevard and Allison Avenue to the north curb line of La Mesa Boulevard.



DATE: November 8, 2016

TO: Mayor and Members of the City Council

FROM: Mary Kennedy, City Clerk *mk*
Glenn Sabine, City Attorney *GS*

VIA: Yvonne Garrett, City Manager *YG*

SUBJECT: Update of the Conflict of Interest Code and Appendix

The Political Reform Act requires every local agency to review its Conflict of Interest Code every even-numbered year to ensure that it is current and accurate. The City has adopted the state's standardized Conflict of Interest Code and its amendments by reference. The attached Resolution amends the City's Code to reflect the current wording of Section 18730 of Title 2 of the California Code of Regulations and updates the Appendix to bring it into conformity with current positions and titles. Recommended changes to the Appendix are as follows:

- The position of Police Lieutenant is being added. This is a management position and assumes the duties of Police Captain on an as-needed basis.
- The Building Codes Review Board is being deleted in accordance with the Council's direction to dissolve the Board.

It is recommended that the Council adopt the attached Resolution.

Attachments

RESOLUTION NO. 2016-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA APPROVING
AND ADOPTING AMENDMENTS TO THE BODY AND APPENDIX OF THE CITY'S
AMENDED LOCAL CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act requires every local government agency to review its conflict of interest code to determine if it is accurate and current or, alternatively, that the code must be amended;

WHEREAS, the City of La Mesa has adopted the State standardized Conflict of Interest Code and any State code amendments by reference; and

WHEREAS, amendments to the Appendix of the City's Code were made in order to update the positions affected.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa that:

1. The terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference; and

2. The Appendix of the Amended Local Conflict of Interest Code of the City of La Mesa is hereby amended.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 8th day of November 2016, by the following vote, to wit:

AYES:

NOES:

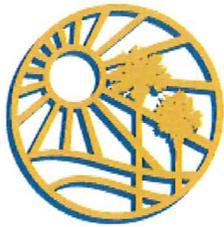
ABSENT:

CERTIFICATE OF CITY CLERK

I, MARY J. KENNEDY, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2016-___, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MARY J. KENNEDY, CMC, City Clerk

(SEAL OF CITY)



CITY OF
LA MESA
JEWEL of the HILLS

CONFLICT-OF-INTEREST CODE

Published by the Office of the City Clerk

November 2016



City of La Mesa

Conflict-of-Interest Code

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure requirements, shall constitute the Conflict-of-Interest Code of the City of La Mesa.

Individuals holding designated positions shall file their statements with the Office of the City Clerk, which will retain the statements and make the statements available for public inspection and reproduction (Gov. Code Section 81008.)

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies. ¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be

made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and

dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).

Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).

4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).

5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third

Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate

District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

APPENDIX TO THE AMENDED LOCAL CONFLICT OF INTEREST CODE
OF THE CITY OF LA MESA

The positions and categories within the City listed in this appendix are "designated positions." Any person whose position with the City is a designated position, is a designated employee. Designated employees shall disclose in the manner provided in the Amended Local Conflict of Interest Code of the City of La Mesa those financial interests that are within the categories represented by the letter following the listed position. The disclosure categories are as follows:

"A" - All investments and business positions in business entities, interests in real property, and sources of income, including gifts, loans, and travel payments; and

"B" - All investments and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

<u>Position</u>	<u>Disclosure Categories</u>
City Attorney's Office:	
General Counsel, La Mesa Public Financing Authority	A
General Counsel, La Mesa Successor Agency	A
Assistant City Attorney	A
City Clerk	A
City staff under City Manager:	
Assistant City Manager	A
Assistant Director of Public Works	A
Building Inspector I/II	B
Building Inspection Supervisor	B
Building Maintenance Supervisor	B
Building Official	A
Business License Officer	B
Code Compliance Officer I/II	B
Community Development Program Coordinator	B
Community Services Manager	B
Deputy Fire Chief	A
Deputy Fire Marshal	B
Director of Administrative Services	A
Director of Community Development	A
Director of Community Services	A
Director of Finance	A
Director of Public Works/City Engineer	A
Engineering Project Manager	B
Facilities Specialist	B

<u>Position</u>	<u>Disclosure Categories</u>
Finance Manager	A
Fire Chief	A
Fire Division Chief	B
Fire Marshal	B
Fire Inspector I/II	B
Fleet Maintenance Supervisor	B
Human Resources Manager	B
Information Systems Manager	B
Management/Senior Management Analyst	B
Park Maintenance Supervisor	B
Police Captain	B
Police Chief	A
Police Lieutenant	B
Police Services Manager	B
Public Works Crew Leader	B
Public Works Maintenance Supervisor	B
Public Works Operations Manager	B
Purchasing Officer	A
Risk Manager	A
Senior Building Inspector	B
Senior Planner	B
Storm Water Program Manager	B

City Agencies, Authorities, Boards, Commissions and Committees:

Building Codes Review Board	A
Community Services Commission	A
Design Review Board	A
Environmental Sustainability Commission	A
Historic Preservation Commission	A
La Mesa Community Parking Commission	A
La Mesa Public Financing Authority	A
Loan Committee for Real Estate Rehabilitation	A
Oversight Board of the La Mesa Successor Agency	A
Personnel Appeals Board	A
La Mesa Successor Agency	A
Traffic Commission	A
Uniform Building Code Board of Appeals	A

Consultants: A Consultant is any natural person who provides under contract information, advice, recommendation or counsel to any agency, and shall report according to category "A." However, the disclosure to be made by the consultant shall be determined on a case-by-case basis by the City Manager.

Please note: the City Council, City Manager, City Attorney, City Treasurer and Planning Commission are covered by other regulations and, therefore, are not included in the City's Conflict of Interest Code.



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Resolution Authorizing the Allocation of \$13,000 from the Downtown Parking Fund to Account CIP 305172OT and the Re-appropriation of \$7,380 in the Transportation Capital Improvement Program Fund (302) to CIP 305172OT for Downtown Village Municipal Parking Lot Maintenance

ISSUING DEPARTMENT: Community Development

SUMMARY:

Issues:

1. Should the City Council allocate \$13,000 from the Downtown Parking Fund for the purpose of Downtown Village municipal parking lot maintenance?
2. Should the City Council re-appropriate \$7,380 in the Transportation Capital Improvement Program (CIP) Fund 302 to Fund 305, account CIP 305172OT, for the purpose of Downtown Village municipal parking lot maintenance?

Recommendation:

Staff recommends the City Council allocate an additional \$13,000 from the Downtown Parking Fund and re-appropriate \$7,380 in the Transportation Capital Improvement Program (CIP) Fund 302 to Fund 305, account CIP 305172OT for the purpose of Downtown Village municipal parking lot maintenance.

Fiscal Impact:

If approved, these actions have no impact on the General Fund. The Downtown Parking Fund (DPF) is a special reserve fund for the receipt of parking-related revenue. It has a fund balance of approximately \$203,000. The \$7,380 in the Transportation Capital Improvement Program was appropriated by Council for municipal parking lot maintenance in 2010 but the line-item was erroneously

omitted from the current Capital Improvement Program. The re-appropriation will allow the funds to be used for their intended purpose.

City's Strategic Goals:

Implementation of maintenance plan for the Downtown Village area.

Environmental Review:

The repair and maintenance work is not a project under the California Environmental Quality Act (CEQA). No environmental study is required.

BACKGROUND:

The four (4) municipal parking lots located within the Parking District are scheduled to be maintained (re-sealed, re-striped) and repaired, if necessary, every four years. Parking lot maintenance and repair work was last undertaken in fall of 2010 and was scheduled to be repeated in 2014. However, the work was postponed to avoid exacerbating issues of parking availability and circulation related to the Downtown Streetscape Improvement Project, which began in the summer of 2014. It was subsequently postponed to allow the Village to return to normalcy following the completion of the streetscape project in late 2015 and then again to avoid conflicts with the resumption of the Car Show season and then Oktoberfest. Each of the four lots is in need of maintenance and the Allison Avenue Municipal Parking Lot is in need of both repair and maintenance.

DISCUSSION:

Staff requested a budget allocation of \$15,000 from the Downtown Parking Fund to fund the maintenance of the four municipal lots and this amount is included in the Fiscal Year 2016-17 CIP budget. The allocation was to be added to \$7,380 remaining in the CIP budget from the 2010 parking lot maintenance project, providing a total of \$22,380 to re-seal and re-stripe the four lots. Field inspection of the lots earlier this year revealed that approximately 12,000 square feet of the Allison Avenue Municipal Parking Lot will need to be repaired prior to re-sealing and re-striping.

The Public Works Department will perform the repair work on the Allison Lot and also remove and replace some damaged tree well rings, remove a number of in-ground steel poles seated just under the lot's surface, and remove some potential trip hazards. The labor will be contributed by Public Works but the cost of equipment and materials will be paid from project funds.

The Public Works Department issued a Request for Quotes in July 2016 for maintenance (asphalt overlay, re-sealing, and re-striping) in the four municipal lots. The bid was awarded to ABC Construction Co. in the amount of \$24,895. The additional cost of the equipment and materials for the repair work that Public Works will undertake is estimated at \$11,400, for a total project cost of \$35,295. Unfortunately, costs related to the unforeseen repair necessary in the Allison Avenue lot create a funding shortfall of \$12,915. In order to secure sufficient funding to complete the repair and maintenance work in all four municipal parking lots staff recommends that City Council approve the allocation of additional funds and also re-appropriate funds in the Transportation CIP Fund (Fund 302) that were left over from the last parking lot repair/maintenance project in 2010 but not included as a CIP project in the current CIP Plan. The allocated funds and the re-appropriated funds will be combined with \$15,000 of budgeted funds in Fund 305, account CIP 305172OT, for repair and maintenance of the municipal parking lots.

Once the repair and maintenance work is complete, the appearance of the four municipal parking lots will be greatly improved, thus complimenting and further enhancing the aesthetics of the Downtown Village. The majority of the work will be carried out on weekends to minimize impacts on the availability of parking resources during the work week.

On October 18, 2016 staff presented the funding approach to the La Mesa Community Parking Commission and the Commissioners voted, 4-0, to recommend to City Council that the funds be allocated and re-appropriated, as described above.

CONCLUSION:

Staff recommends that City Council adopt a resolution a) authorizing the allocation of \$13,000 (rounded) from the Downtown Parking Fund to Fund 305, account CIP 305172OT; and, b) authorizing the re-appropriation of \$7,380 already in Fund 302, the Transportation CIP Fund, to Fund 305, account CIP 305172OT of the CIP Plan for the purpose of Downtown Village Municipal Parking Lot Maintenance.

Reviewed by:


Yvonne Garrett
City Manager

Respectfully submitted by:


Carol Dick
Community Development Director

- Attachments:
- A. Resolution Authorizing the Reallocation of \$13,000 from the Downtown Parking Fund to Account CIP 305172OT and the Re-appropriation of \$7,380 in the Transportation Capital Improvement Program Fund (302) to the CIP 305172OT for Downtown Village Municipal Parking Lot Maintenance

RESOLUTION NO. 2016 -

RESOLUTION AUTHORIZING THE ALLOCATION OF \$13,000 FROM THE DOWNTOWN PARKING FUND TO ACCOUNT CIP 305172OT AND THE RE-APPROPRIATION OF \$7,380 IN THE TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM FUND (302) TO CIP 305172OT FOR DOWNTOWN VILLAGE MUNICIPAL PARKING LOT MAINTENANCE

WHEREAS, the La Mesa Community Parking Commission (Commission) is an advisory body to the City Council of the City of La Mesa created pursuant to Ordinance 2004-2747 and is charged with providing the Council with input on parking issues, including maintenance of parking facilities; parking meter rates, fines, permits; and enforcement of parking violations;

WHEREAS, the four municipal parking lots in Parking District 1 are important assets of the parking program and require regular maintenance;

WHEREAS, \$15,000 has been budgeted and allocated to Fund 305, account CIP 305172OT for the purpose of Downtown Village municipal parking lot maintenance;

WHEREAS, each of the four municipal parking lots in Parking District 1 are in need of maintenance and/or repair at this time;

WHEREAS, the cost of such repair exceeds the amount of funds budgeted for repair and maintenance of municipal parking lots by approximately \$13,000;

WHEREAS, in 2010 the Council appropriated funds for the repair and maintenance of municipal parking lots and there was \$7,380 of the appropriation unspent and these funds can be re-appropriated for the same purpose;

WHEREAS, during the Commission's Regular meeting of October 18, 2016 the Commission voted, 4-0, to recommend to City Council the allocation of \$13,000 from the Downtown Parking Fund and the re-appropriation of \$7,380 from the Transportation Capital Improvement Program to pay for repair and maintenance of municipal parking lots;

WHEREAS, the Downtown Parking Fund has sufficient reserves to fund the recommended allocation;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the City Council intends to approve the recommendations of the Commission and authorize the allocation of \$13,000 from the Downtown Parking Fund to account CIP 305172OT and the re-appropriation of \$7,380 from the Transportation Capital Improvement Program, Fund 302, to Fund 305, account 305172IOT, for the purpose of Downtown Village municipal parking lot maintenance.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 8th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF THE CITY CLERK

I, MARY KENNEDY, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2016 -_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MARY J. KENNEDY, CMC, City Clerk

(SEAL OF CITY)



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Resolution Awarding a Construction Contract for Bid 15-04, Three Signals Improvement Project to Servitek Solutions, Inc.

ISSUING DEPT.: Public Works

SUMMARY:

Issue:

Should the City of La Mesa award a construction contract for Bid 15-04, Three Signals Improvement Project to Servitek Solutions, Inc. for \$606,794.90?

Recommendation:

Adopt the attached resolution awarding a construction contract for Bid 15-04, Three Signals Improvement Project to Servitek Solutions, Inc. for \$606,794.90.

Fiscal Impact:

Funds for the project are available in the capital improvement project accounts 302146OT, 302162TR, and 302171TR. No general fund money will be used for this project.

City's Strategic Goals:

- Effective and efficient traffic circulation and transportation

Environmental Review:

This project is categorically exempt from the environmental review process under Section 15301 Class 1 (c) Existing Facilities of the California Environmental Quality Act, which includes existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

BACKGROUND:

The City of La Mesa was awarded a Highway Safety Improvement Program grant in 2014 to install protected left turn phases at three intersections. The three intersections are La Mesa Boulevard at Glen Street, Amaya Drive at Amaya Court, and Center Drive at Entrance #6. In addition, the project will upgrade the traffic signal and pedestrian

Report to Mayor and Council Members

November 8, 2016

Page: 2 of 2

facilities at these intersections. Safety at the intersections will be improved with the addition of protected left turn phases on the major road approaches, video detection, countdown pedestrian heads and intersection improvements including new pedestrian ramps and crosswalks.

DISCUSSION:

On September 13, 2016, a notice inviting bids was advertised and the bid documents were distributed to 16 plan holders. On October 11, 2016, 5 bids were received electronically. The low bidder was Servitek Solutions, Inc. with a bid of \$606,794.90. The selection was based on the lowest responsive and responsible bid. The contractor's references have been checked and license verified. A summary of bid results is shown in Attachment B.

Contract time for completion of the project is 90 working days. Since this is a traffic signal project, new poles are required, and the poles take from 12 to 16 weeks for delivery. The work is expected to begin in February 2017 and be completed by May 2017.

CONCLUSION:

Staff recommends that the City Council adopt the attached resolution awarding a construction contract for Bid 15-04, Three Signals Improvement Project to Servitek Solutions, Inc. for \$606,794.90.

Reviewed by:

Respectfully Submitted:



Yvonne Garrett
City Manager



Gregory P. Humora
Director of Public Works/City Engineer



Kathy Feilen
Engineering Project Manager

Attachments: A. Resolution
B. Bid Tabulation

RESOLUTION NO. 2016-_____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR BID 15-04, THREE SIGNALS IMPROVEMENT PROJECT TO SERVITEK SOLUTIONS, INC.

WHEREAS, the City of La Mesa applied for and was awarded a Highway Safety Improvement Program grant for improving safety at the intersections of La Mesa Boulevard and Glen Street, Amaya Drive and Amaya Court, and Center Drive and Entrance #6;

WHEREAS, the City of La Mesa's City Council approved a resolution accepting said grant and appropriating funds for construction for the project;

WHEREAS, the City received 5 bids on the bid opening date of October 11, 2016 and Servitek Solutions, Inc. was the lowest responsive and responsible bidder.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that:

The bid of Servitek Solutions, Inc. in the amount of \$606,794.90 for Bid 15-04, THREE SIGNALS IMPROVEMENT PROJECT, was determined to be the lowest responsive and responsible bid. Said bid is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to accept and execute a contract with Servitek Solutions, Inc. to perform the work at the prices set forth in said bid.

BE IT FURTHER RESOLVED that the Director of Public Works is authorized to approve the substitution of subcontractors.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of La Mesa, California, held the 8th day of November, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:

CERTIFICATE OF CITY CLERK

I, MARY J. KENNEDY, CMC, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2016-_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MARY J. KENNEDY, CMC, City Clerk

(SEAL OF CITY)

Bid Tabulation
October 11, 2016

Bid No. 15-04
Three Signals Improvement Project

1. Servitek Solutions, Inc.	\$606,795
2. Crest Equipment, Inc.	\$676,122
3. Just Construction, Inc.	\$698,080
4. DBX, Inc.	\$756,019
5. Palm Engineering Construction Co.	\$795,958



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: November 8, 2016

SUBJECT: Resolution Awarding a Construction Contract for Bid 16-07, King Street Pedestrian and Bicycle Improvement Project to Portillo Concrete, Inc.

ISSUING DEPT.: Public Works

SUMMARY:

Issue:

Should the City of La Mesa award a construction contract for Bid 16-07, King Street Pedestrian and Bicycle Improvement Project to Portillo Concrete, Inc. for \$718,267.50?

Recommendation:

Adopt the attached resolution awarding a construction contract for Bid 16-07, King Street Pedestrian and Bicycle Improvement Project to Portillo Concrete, Inc. for \$718,267.50.

Fiscal Impact:

Funds for the project are available in the capital improvement project accounts 302159OT and 302160CD. No general fund money will be used for this project.

City's Strategic Goals:

- Continue to improve high quality municipal services

Environmental Review:

On July 11, 2012, a Notice of Exemption was filed with the County of San Diego. The Notice cites California Environmental Quality Act (CEQA) Class 1; Section 15301 (c); Existing Facilities as the basis of the exemption. In July 2014, a Certification of Exemption was filed with HUD determining that this project is Categorical Exempt under National Environmental Policy Act (NEPA) citing Section 58.35(a).

BACKGROUND:

The City of La Mesa Parks Master Plan has established a goal of improving access to the City Parks. Project B.10 from the Parks Master Plan recommends installing sidewalks on King Street for improved connectivity to the park. Vista La Mesa Park is located on King Street between Hoffman Avenue and Waite Drive, in the west end of the City. There is a baseball field, a playground and a picnic area in the park. Little League uses the baseball field to host their practices and games. This park is also within walking distance from Vista La Mesa Academy.

King Street from Waite Drive to Hoffman Avenue serves as the access road to the park and is under-improved with no curb, gutter and sidewalk. Vista La Mesa Park drainage and easy access to the park using King Street were identified as high priority improvements during the initial park project improvement planning.

During the planning, the City has reached out to the property owners adjacent to the construction and the Little League to review the proposed improvements and address any concerns. The consensus of the owners was in support of the project. The Little League expressed a desire to maximize the on-street parking spaces. The plans were revised to include 10 additional parking spaces.

As there are no storm drain facilities in the neighborhood, a drainage study of the area was completed with a recommendation to use King Street as the drainage conveyance system for the park. Curb, gutter and cross gutters on King Street will improve the drainage of the area and construction of the sidewalk will facilitate pedestrian safety and walkability for the park users and the Little League. Three street lights are to be installed at the Park frontage for better nighttime visibility.

The King Street project has been divided into two phases, due to funding and right of way availability. The first phase was completed in 2015 and its scope included improvements at the north and south segment ends of King Street and at its intersections with Waite Drive and Hoffman Avenue. The road has been redesigned to include two travel lanes, and a new parking lane on the currently undeveloped west side of the street. The action under consideration is to award a construction contract to complete the remaining second phase of the project. This will include construction of the sidewalks, which requires the right-of-way to be graded, and retaining walls to be constructed to accommodate the sidewalk.

This project is funded by the Community Development Block Grant (CDBG) and Active Transportation Program (ATP). An element included in the ATP funding is "safe routes to schools". In addition to the King Street improvements, this project will construct bulbouts at the intersections of Violet Avenue with Pearson Avenue and Waite Drive, major student crossing points to the Vista La Mesa Academy. Bulbouts shorten pedestrian crossing distances and make the pedestrians more visible to drivers. The scope of work also includes installation of new pedestrian ramps in compliance with the American with Disabilities Act, bicycle shared-lane street markings (sharrows), new signage and striping in Vista La Mesa neighborhood.

The City will coordinate the construction effort with the school Principal and staff, in an attempt to minimize any disruption.

The bid package was divided into a base bid and an additive bid. The base bid includes new sidewalk, curb, gutter, lighting, storm drain, traffic, pavement repairs and ADA improvements. The additive alternate includes street milling and overlay, and may be added to the project depending on available funding. The contractor is selected based on base bid. The total bid amount is less than the grant amounts. Therefore, staff recommends including the additive alternative bid in the award.

DISCUSSION:

On October 11, 2016, a notice inviting bids was advertised and the bid documents were

Report to Mayor and Council Members

November 8, 2016

Page: 3 of 3

distributed to 16 plan holders. On November 1, 2016, five bids were received electronically. The responsive, responsible low bidder was Portillo Concrete, Inc. with a bid of \$718,267.50. The contractor's references and licenses have been checked. A summary of bid results is shown in Attachment B.

Contract time for the project is 80 working days for the base bid and ten working days for the additive bid. The work is expected to begin in December 2016 and be completed by May 2017.

CONCLUSION:

Staff recommends that the City Council adopt the attached resolution awarding a construction contract for Bid 16-07, King Street Pedestrian and Bicycle Improvement Project to Portillo Concrete, Inc. for \$718,267.50, which includes the base bid and the additive alternative bid.

Reviewed by:



Yvonne Garrett
City Manager

Respectfully Submitted:



Gregory P. Humora
Director of Public Works/City Engineer



Michael Kinnard
Associate Engineer

- Attachments:
- A. Resolution
 - B. Bid Tabulation
 - C. Project Map

RESOLUTION NO. 2016-_____

RESOLUTION ACCEPTING THE BID AND AWARDING A CONSTRUCTION CONTRACT FOR BID 16-07, KING STREET PEDESTRIAN AND BICYCLE IMPROVEMENT PROJECT TO PORTILLO CONCRETE, INC.

WHEREAS, one of the City of La Mesa's strategic goals is to revitalize neighborhoods and corridors;

WHEREAS, King Street is the access road to Vista La Mesa Park, a park with a baseball field for the Little League, playground and picnic area;

WHEREAS, King Street is partially improved, but lacks adequate drainage facilities and sidewalks;

WHEREAS, the total of the base and additive bid amount was within the allocated budget; and

WHEREAS, the City received five bids on the bid opening date of November 1, 2016 and Portillo Concrete, Inc. was the lowest responsive and responsible bidder.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the bid of Portillo Concrete, Inc. in the amount of \$666,867.50 for the base bid for Bid 16-07, the King Street Pedestrian and Bicycle Improvement Project, was determined to be the lowest responsive and responsible bid. Said bid is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council also accepts and awards the additive bid in an amount of \$51,400.00 for a total project cost of \$718,267.50.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to accept and execute a contract with Portillo Concrete, Inc. to perform the work at the prices set forth in said bid.

BE IT FURTHER RESOLVED that the Director of Public Works is authorized to approve the substitution of subcontractors.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of La Mesa, California, held the 8th day of November, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:

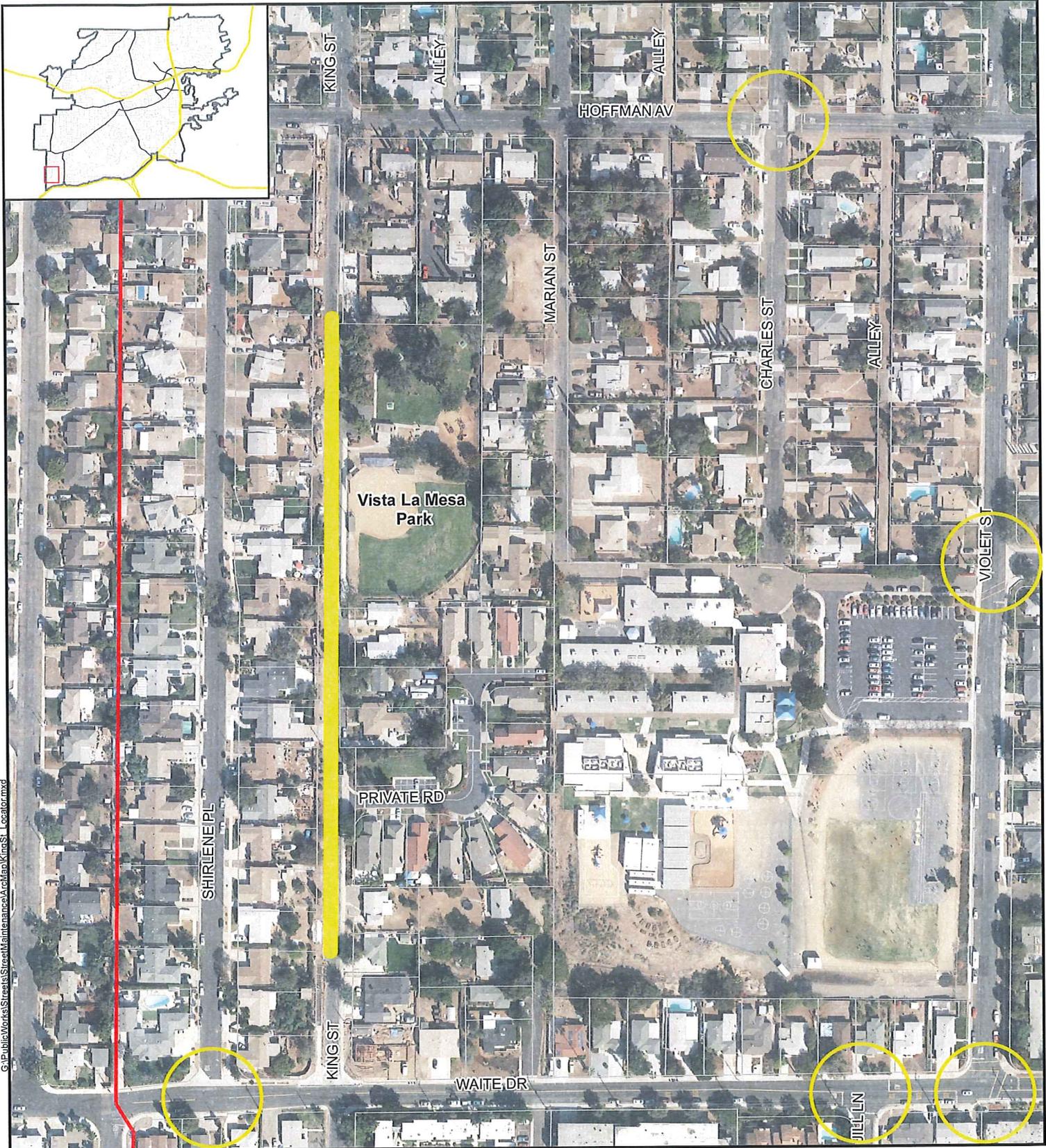
CERTIFICATE OF CITY CLERK

I, MARY J. KENNEDY, CMC, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2016-____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MARY J. KENNEDY, CMC, City Clerk

(SEAL OF CITY)

Attachment B			
King Street Pedestrian and Bicycle Improvement Project (BID 16-07)			
Bid Tabulation			
Bidder	Base Bid Amount	Additive Bid Amount	Total Bid Amount
Portillo Concrete Inc	\$666,867.50	\$51,400.00	\$718,267.50
Blue Pacific Engineering & Construction	\$833,869.28	\$55,200.00	\$889,069.28
LB Civil Construction, Inc.	\$913,862.50	\$45,720.00	\$959,582.50
Crest Equipment Inc	\$933,308.00	\$77,882.00	\$1,011,190.00
Tri-Group Construction & Development Inc	\$1,160,356.00	\$93,900.00	\$1,254,256.00

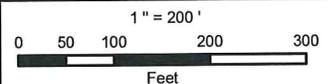


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LEGEND

- City Boundary
- Parcels
- Project Locations
- Project Locations

King Street Pedestrian & Bicycle Improvement Project (BID 16-07) Locations



Attachment C

