



# City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Kathleen A. Garcia, Planning and Community Development Director  
Via Scott W. Huth, City Manager

DATE: January 4, 2016

SUBJECT: Certification of the City Hall/Town Hall Project Environmental Impact Report as Adequate and Complete and Adoption of the Statement of Findings of Fact in Support thereof and a Mitigation Monitoring and Reporting Program

## REQUESTED ACTION/RECOMMENDATION:

Receive the report; receive public testimony; and adopt the proposed resolution (Attachment A) which certifies the City Hall/Town Hall Project (Project) Final Environmental Impact Report (EIR) (EA 15-002, SCH#2015051067) as adequate and complete and adopts the Findings of Fact and Mitigation Monitoring and Reporting Program (Exhibit A to Attachment A). The proposed resolution also includes the adoption of findings addressing the issues analyzed in the Final EIR (Section 1), a range of Project alternatives considered (Section 2), and general California Environmental Quality Act (CEQA) findings (Section 3).

## DISCUSSION/ANALYSIS:

On April 6, 2015, the City Council directed staff to prepare an EIR for the City Hall/Town Hall Project (Project) and authorized a contract with RECON Environmental Inc. (RECON) to prepare the document. RECON has prepared the Final EIR, as required by CEQA. The EIR analyzed the proposed City Hall, Town Hall, Civic Plaza, parking, and associated site development as well as the temporary relocation of existing City Hall functions to the Shores property during construction.

The scope of this EIR analysis was determined by the City as a result of initial Project review and consideration of agency and public comments received in response to the Notice of Preparation (NOP) circulated for 30 days on May 21, 2015 and a scoping meeting held on June 1, 2015.

The Final EIR analyzed the following components and found them to not have significant impacts:

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## City Council Action:

- air quality
- greenhouse gas emissions
- land use
- traffic
- agriculture and forestry resources
- biological resources
- hazards and hazardous materials
- mineral resources
- geology and soils
- hydrology and water quality
- population and housing
- public services
- recreation
- utilities and service systems

The Final EIR found that the proposed Project could have a significant impact and require mitigation in the following areas (further described in Section 1 of the Attachment A):

- Cultural Resources: Project Site and Temporary Relocation (Driveway Construction)
- Noise: Construction and Operation at both Project Site and Temporary Relocation Site
- Aesthetics: Project Site Landscaping, Project Site with Near-term Construction, Building Features (e.g., Trellis and Plaza Perimeter Wall), Buildout of Project Site with all Expansion Areas, Light and Glare

The Final EIR outlines Project alternatives that would reduce significant impacts from the Project (further described in Section 2 of Attachment A):

- No Project Alternative: Required by CEQA; No redevelopment or new development onsite
- Reduced Project Alternative: Removal of parking spaces along western perimeter in surface lot; no Expansion Area A

It also includes Project alternatives that would reduce significant impacts from the temporary relocation of City Hall and Town Hall activities (further described in Section 2 of Attachment A):

- Public Hearings at Powerhouse Park Community Building or Other Meeting Rooms
- Public Hearings at the Winston School Auditorium
- Temporary Facilities Placed on the Upper Shores Park Property
- Commercial Properties for Administrative Offices

The Draft EIR was released on September 11, 2015 for a 45-day public review and comment period. A public meeting took place on September 28, 2015 at 6:00 PM which discussed the Draft EIR and received comments from participants. Fifteen (15) comment letters were submitted in writing during the public review period that concluded on October 26, 2015. Following the public review period, RECON prepared the Response to Comments and made text revisions to the Final EIR.

The Final EIR and response to comments was made available for public review on December 16, 2015 and can be downloaded online at [www.delmar.ca.us/cityhall](http://www.delmar.ca.us/cityhall). Additionally, hard copies have been made available at City Hall and the Del Mar Library to review. Technical studies (found in the Appendices) have been prepared for visual impact, historic building survey, traffic impact, greenhouse gas, noise, geotechnical and hazardous materials.

The Final EIR's Executive Summary and Responses to Comments can be found in Attachment B. This summary does not contain the extensive background and analysis found in the full EIR and its Appendices. Readers should review the entire document to fully understand the Project and its environmental consequences.

As summarized in Table S-1 of Attachment B, the environmental analysis determined that the proposed Project would result in potentially significant impacts associated with the issues of aesthetics, cultural resources and noise. Mitigation measures are identified to avoid or reduce these significant effects to less than significant. Likewise, cumulative impacts would be less than significant for all issues. Therefore, with the incorporation of mitigation measures, the Final EIR determined that the proposed Project will not result in any significant and unavoidable impacts, and that all potential impacts identified in the Final EIR are reduced to a level below significance (further described in Section 1 of Attachment A).

The Findings of Fact and alternatives analysis has been provided in Attachment A. The Mitigation Monitoring and Reporting Program (MMRP) can be found as Exhibit A to Attachment A and is also included in the full EIR.

As part of this action, the City Council will need to determine whether the impacts of the proposed Project have been adequately disclosed and mitigation measures would be feasible for reducing or avoiding the impacts.

#### CORRESPONDENCE:

One item of correspondence was received on December 23, 2015 from Everett DeLano, on behalf of Steven Mack (Attachment C), requesting the City Council reject the Project and Final EIR as currently proposed and require certain specific limits on the uses of the site.

#### FISCAL IMPACT:

The City Hall Project efforts to date, including design and EIR, are funded in the adopted FY 2015 - 2016 and 2016 – 2017 Operating and Capital Budget. The construction budget of \$12,946,828 may need to be increased based on the increased mitigation measures.

#### ENVIRONMENTAL IMPACT:

This action is certification of the Final EIR, pursuant to the regulations of the California Environmental Quality Act (CEQA) and adoption of the MMRP.

PRIOR CITY COUNCIL REVIEW:

On April 6, 2015, the City Council initiated the Design phase of work and authorized RECON Environmental, Inc. to prepare the EIR for the City Hall/Town Hall Project. On September 21, 2015, the City Council conducted an Informational Update during the 45-day Public Review Period on the Project's Draft EIR.

ATTACHMENTS:

- Attachment A – Proposed Resolution and Mitigation Monitoring and Reporting Program (Exhibit A of Attachment A)
- Attachment B – Executive Summary and Response to Comments
- Attachment C – Correspondence

*Please note that the full Final EIR is available online at [www.delmar.ca.us/cityhall](http://www.delmar.ca.us/cityhall) or available at City Hall and the Del Mar Library.*

# Attachment A - Proposed Resolution

## RESOLUTION NO. 2016-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EA15-002/SCH#2015051067) FOR THE DEL MAR CITY HALL/TOWN HALL PROJECT AS ADEQUATE AND COMPLETE AND ADOPTING A STATEMENT OF FINDINGS OF FACT IN SUPPORT THEREOF AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on April 6, 2015, the City Council authorized the City Manager to execute a task order with RECON Environmental, Inc. for preparation of an Environmental Impact Report (EIR) for the proposed City Hall/Town Hall Project (City reference file Environmental Assessment EA15-002); and

WHEREAS, on May 21, 2015, the City published a Notice of Preparation (NOP) and Scoping Meeting for the Draft EIR. The 30-day circulation period ran from May 21, 2015 through June 22, 2015. The NOP was also sent to the Governor's Office of Planning and Research (OPR) which distributed the document to state reviewing agencies under State Clearinghouse SCH#2015051067 for a 30-day public review period from May 21, 2015 through June 22, 2015; and

WHEREAS, on June 1, 2015, the City held a public scoping meeting regarding the preparation of the EIR; and

WHEREAS, through these scoping activities, the Project was determined to have the potential to result in the following significant environmental impacts: Aesthetics, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Land Use, Noise, and Transportation/Traffic; and

WHEREAS, on September 10, 2015, a Notice of Availability (NOA) for a Draft EIR was published in a newspaper of general circulation within the City of Del Mar (Del Mar Times) for a 45-day public review and comment period from September 11, 2015 through October 26, 2015; and

WHEREAS, on September 11, 2015, the NOA was posted at City Hall, on the City's website, and with the County of San Diego Recorder/County Clerk; provided to all requesting interested parties and organizations on-file; and mailed to all property owners within 300 feet of the City Hall site (APNs 300-093-02, 300-093-03 located at 1050 Camino del Mar) and the Shores Park parcel (APN 300-200-01 located east of Stratford Court and south of 9th Street). The NOA also included information for a public meeting to be held by the City on September 28, 2015 to receive comments on the Draft EIR; and

WHEREAS, on September 11, 2015, the City and Governor's Office of Planning and Research distributed the Draft EIR (SCH#2015051067) to interested parties and state

agencies for a 45-day public review and comment period from September 11, 2015 through October 26, 2015. Hard copies of the Draft EIR and technical appendices were made available at City Hall and the Del Mar Library, and a digital copy was made available on the City's website. The Draft EIR analyzed all components of the Project, including demolition, construction and operation of the proposed new City Hall/Town Hall; and proposed improvements; placement/removal, utility connects, and uses of temporary relocation facilities; and associated entitlements. The City solicited comments on the environmental analysis contained within the Draft EIR, such as identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project could be avoided or mitigated; and

WHEREAS, during the 45-day public review and comment period, the City received fifteen comment letters on the Draft EIR. No comments were received from state agencies; and

WHEREAS, on September 28, 2015, the City held a public meeting to receive comments on the Draft EIR; and

WHEREAS, from September 29, 2015 through December 16, 2015, the City worked with the EIR consultant to prepare the Final EIR. The Final EIR responds to the comments received on the Draft EIR and proposes text revisions to the Draft EIR. The Final EIR concludes that all potentially significant impacts identified in Chapter 4.0, Environmental Analysis, of the EIR resulting from the proposed Project, including the temporary relocation site, can be reduced to below a level of significance with the mitigation measures identified in the respective sections of Chapter 4.0; and

WHEREAS, on December 16, 2015, the Final EIR was made available to the public and the Responses to Comments received were circulated to all who submitted comments on the Draft EIR. No comments were received from state agencies; and

WHEREAS, pursuant to the City's Supplemental California Environmental Quality Act (CEQA) Guidelines, the City Council is the certifying body for the EIR and the issuing authority for the associated entitlements since the entitlements depend upon the certification of the EIR; and

WHEREAS, on December 24, 2015, the City published a Notice of a City Council public hearing in a newspaper of general circulation within the City of Del Mar (Del Mar Times). A notice of the public hearing was mailed to all occupants and property owners within 300 feet of the City Hall site and Shores Park parcel and sent to all requesting interested parties and organizations on-file; and

WHEREAS, on January 4, 2016, the City Council of the City of Del Mar held a public hearing to consider the certification of the Final EIR (EA15-002 / SCH#2015051067) for the proposed Project as adequate and complete, to adopt a Statement of Findings of Fact in support thereof and a Mitigation Monitoring and

Reporting Program. The hearing was duly noticed and at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Final EIR, Mitigation and Monitoring and Reporting Program and associated documentation prepared by RECON Environmental, Inc.
- b. Written information included in the preparation of the EIR and other information in the record associated with EA15-002.
- c. Oral testimony from staff and the public.
- d. Staff report, dated January 4, 2016, which is incorporated by this reference, as though fully set forth herein.
- e. Additional information submitted during the hearing; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar hereby certifies the Final EIR for the City Hall/Town Hall Project based on the following Statement of Findings of Fact and adopts the Mitigation Monitoring and Reporting Program (MMRP), attached as Exhibit A to this Resolution.

The City Council further finds that the MMRP meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of the project mitigation measures set forth herein, which mitigate the identified significant impacts associated with the Project and are fully enforceable through permit conditions, agreements, these findings, and other measures.

Section 1. Adoption of Findings Addressing the Issues Analyzed in the Final EIR.

The City Council hereby finds that the Final EIR for the City Hall/Town Hall Project and associated entitlements identifies and discloses project-specific impacts and cumulative project impacts. The Final EIR concludes that the project will have no significant impacts and require no mitigation measures with respect to the following issues:

1. Air Quality
2. Greenhouse Gas Emissions
3. Land Use
4. Traffic
5. Agriculture and Forestry Resources
6. Biological Resources
7. Hazards and Hazardous materials
8. Mineral Resources
9. Geology and Soils
10. Hydrology and Water Quality
11. Population and Housing
12. Public Services

13. Recreation
14. Utilities and Service Systems

The Final EIR concludes that implementation of the Project would result in significant impacts that would be mitigated to below a level of significance with respect to the following issues:

1. Aesthetics (Threshold AE-1: Views; Threshold AE-4: Light and Glare)
2. Cultural Resources (Threshold CUL-2: Archeological Resources; Threshold CUL-3: Paleontological Resources)
3. Noise (Threshold NOS-1: Exceedance of Noise Standards)

No impacts would remain significant and unavoidable.

Environmental impacts identified in the Final EIR, findings, and facts in support of findings are herein incorporated as Findings required by CEQA, and are as follows:

#### **A. Impacts Mitigated to Less-Than-Significant Levels**

##### **1. Aesthetics**

###### *Thresholds of Significance AES-1: Views*

Pursuant to Threshold AES-1, a significant impact would occur if the proposed project resulted in the majority of an existing scenic view to be blocked.

###### *Impacts*

The City places a high importance on the preservation of scenic views (including views of “blue water”) from private residences and public views (City of Del Mar Municipal Code Section 23.51.010C). Public views include on-site public spaces, along Camino del Mar, and at the east-west view corridors of 10th and 11th streets. As shown in Final EIR, protected private residential views could be blocked by components of the proposed Project including landscaping, the Town Hall Terrace above the parking structure and the Town Hall Overlook. The blockage of these views by Project components, including landscaping would be a significant impact (Impact AES-1).

Additionally, Project elements such as the low wall proposed at the western edge of the civic plaza space and the proposed trellis if overcome with vegetation, could block public viewing spaces on the Project site and along the Camino del Mar frontage as a result of initial development of the project, without construction of expansion areas. The blockage of these views by Project elements including decorative walls and trellis, would be a significant impact (Impact AES-2).

With respect to the proposed expansion areas, future development of expansion areas A, B, and C, could include a building site that would largely block views of the ocean from the north end of Camino del Mar. Overall, construction of expansion areas A, B, and C could further constrain views from Camino del Mar. to nearly 90 percent (approximately 315 feet) of the entire parcel frontage along Camino del Mar (see Final EIR Figure 4.2-9). The blockage of views by future construction of the expansion areas would be a significant impact (Impact AES-3).

### *Explanation*

The aesthetic analysis determined that significant impacts could occur due to the Project's encroachment on public and private views. With respect to views from within the Project site, Final EIR Figures 4.2-19 through 4.2-21, the existing scenic views from within the northern portion of the project site are partially obstructed. The proposed Project would result in new designated public spaces for scenic views within the northern portion of the Project site that would improve scenic and "blue water" views.

Overall, it is the height of structures and the ultimate height and density of proposed landscaping that are the primary factors to affect views toward the Pacific Ocean. Specifically, proposed landscaping could result in a significant impact to views if it is dense or exceeds an elevation of 142 feet AMSL. Landscaping would be used as a tool for screening and to enhance the visual environment; however, overgrown or improper landscape could block ocean views from private residential views as well as onsite public views, and views along 10th Street, 11th Street, and Camino del Mar.

The proposed Project is required to adhere to the City's Design Review and Scenic View Protection Ordinances which requires additional design review and subsequent permitting of the future development of the expansion areas to assure the protection of the City's most scenic resources. The Project also includes design considerations to assure compliance with height, bulk and scale regulations such as a maximum 14-foot limit above the continuous curb elevation along Camino del Mar and the 26-foot height limit along 10th and 11th streets. However, while the proposed Project design features would reduce the severity of the significant effect, the potential for the proposed Project to block existing scenic views would remain. Therefore, the following mitigation measures are proposed.

### *Mitigation*

**MM-AES-1:** To mitigate Impact AES-1, final landscaping plans shall consider the view corridors and either select plant material that are at or less than the building height (153–157 feet AMSL) on the Town Commons, Entry Garden, or Ocean View Terrace; or, if taller, strategically placed to minimize view impacts. Landscape in the western portion of the site should not exceed 142 feet AMSL in height; or if taller, strategically placed to minimize view impacts. The final landscaping plan shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the plan adequately meets the intent of this mitigation measure.

**MM-AES-2:** To mitigate Impact AES-2, the City shall implement the following design criteria on the Project site: The final plans shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the following conditions are met.

- a. The safety wall along the western and northern edge of the civic plaza shall be made of a transparent or semi-transparent (50 percent transparency) material, such as a wall or planter on the bottom, with open railing on the top, to allow for open views to the west.
- b. Trellis landscaping shall not be permitted in the area north of the City Hall building that is within the view corridor, unless the vegetation adheres to the structure (i.e., vines) and with continued maintenance by the City so that the open views throughout the trellis are maintained.
- c. No permanently erected shade structures shall be permitted in any of the designated on-site public viewpoints (refer to Figure 3-4 added). Shade structures that can be opened (e.g., umbrellas) for shade may be located in these areas. Further, art installations that may result in the provision of shade are permitted.

**MM-AES-3:** To mitigate Impact AES-3, the City shall implement the following design criteria on the Project site to ensure build-out of the Project is mitigated. The final plans for any expansion area building shall be reviewed by the DRB to ensure that these conditions are met.

- a. Provide the Town Hall Overlook to ensure continued scenic views to the southwest and approximately 50 percent toward the west.
- b. Limit new structures, public furniture, and public art to achieve approximately 50 percent or more of the Ocean View Terrace (refer to Figure 3-4 added) to ensure continued scenic views to the west, including to the southwest and northwest.
- c. Use of open and transparent materials shall be used to the greatest extent practicable in the upper (eastern) portion of the site, within expansion area A and B, where new structures are being constructed for on-site use.
- d. Limit the roofline of expansion area B to not exceed the height of the roofline of the adjacent City Hall structure as constructed.
- e. Site buildings associated with expansion area A in a manner such that view access from Camino del Mar is approximately 50 percent of the length from the northeastern corner of City Hall to the northern property line. Such design considerations may include open patios, outdoor cafes, transparent wall materials, and open interior treatments.
- f. The roofline of expansion area A shall be variable to provide horizontal and vertical relief, and to maintain views across the site to the greatest extent practicable.
- g. A view corridor between the northern edge of City Hall and the exterior elevator structure shall be protected. Placement of permanent structures shall be low profile, and may include bike storage and maintenance facilities, trash/recycling receptacles, and planter boxes.
- h. Maintain on-site landscaping to ensure landscaping is healthy and within the height limits outlined in the adopted landscape plan and associated plant palette.

- i. Maintain existing and proposed onsite landscaping to ensure overgrowth onto 10th and 11th streets does not block existing views westward.
- j. Reduce and maintain the ground cover landscaping (trees excepted) within the median of Camino del Mar, between 9th Street and 11th Street, to not exceed 24 inches in height, to expand views westward for northbound vehicle occupants and pedestrians on the east side of Camino del Mar.

### *Finding*

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level that is less than significant. Specifically, mitigation measures MM-AES-1, MM-AES-2 and MM-AES-3 are feasible and shall be required as a condition of approval and made binding on the City.

Implementation of these mitigation measures would reduce significant direct impacts related to the blockage of public views onsite and along 10th Street, 11th Street, and Camino del Mar, as well as protected private residential views, because the measures assure that the selection of landscape materials are sensitive to the view corridors. Additionally, the measures assure that construction materials will be used at select locations to reduce any impediment of views of the Pacific Ocean. For these reasons, implementation of these mitigation measures would reduce significant impacts related to specified views to a less-than-significant level.

### *Reference*

Final EIR Chapter 4.2, Aesthetics

### *Thresholds of Significance AES-4: Light and Glare*

Pursuant to Threshold AES-4, a significant impact would occur if the proposed Project resulted in a new source of light or glare which would adversely affect day or nighttime views in the area.

### *Impact*

Light and glare from the proposed Project site could emanate during construction and operation, affecting surrounding residential properties. Specifically, security lighting during construction could create a new, albeit temporary, source of light or glare on adjacent residential properties. The construction lighting's effect on nighttime views would be a significant impact (Impact AES-4).

Additionally, light and glare from activity at the temporary relocation site could adversely affect surrounding properties resulting in a significant impact (Impact AES-5).

*Explanation*

Temporary construction lighting would be required for building and parking security. Nighttime views could be adversely affected as a result of light and glare emanating from the security lights onto nearby residential properties. The proposed Project includes design features that would require the placement of security lighting in a manner that would orient the lighting downward to shield the light from the adjacent properties.

Indoor lighting from proposed structures (both at the completed project site and at the temporary location) could be visible from surrounding properties. Upon project completion, the City Hall operating hours would continue to be from 8:00 a.m. to 5:30 p.m. and the Town Hall would be open until midnight to accommodate public meetings. Indoor lighting would be visible due to proposed large window walls along the west side of the structure, particularly in the winter when sunset is earlier in the day, and if kept on through late night meetings. The proposed expansion areas would also likely emit a noticeable increase in on-site lighting.

The proposed Project includes a variety of outdoor lighting within the project opens spaces as designated in Figure 3-4 of the Final EIR, and in the surface parking lot and the parking structure. While lighting requirements of the city's Zoning Ordinance would provide some parameters for proper placement and design of outdoor lighting, lighting could still spill onto adjacent residential properties. The open wall along the western edge of the parking structure has been revised to include a solid wall which would prevent light from vehicle headlights to escape.

The proposed Project would be required to comply with the City's Design Review Ordinance that prohibits projects that "adversely affect the lighting of the local neighborhood." On-site lighting at the proposed Project site and the temporary relocation site would comply with applicable lighting regulations, including the glazing and exterior lighting requirements in the City's Zoning Ordinance. However, while the proposed Project design features and compliance with City ordinances would reduce the severity of the significant effect, the potential for the proposed Project to create new source of light or glare which would adversely affect day or nighttime views would remain. Therefore, the following mitigation measure for both the Project site and temporary relocation site are proposed.

*Mitigation*

**MM-AES-4:** To mitigate Impacts AES-4 and AES-5, indoor/outdoor lighting, including during construction, the City shall implement the following design criteria at both the Project site and temporary relocation site.

### Project Site

- a. Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.
- b. Louvers or other screening mechanisms along the western side of the parking garage shall be implemented to minimize light spill to residential properties.
- c. Windows materials shall be absorptive of light or made of anti-reflective materials.
- d. Security lighting (illuminated dusk to dawn) erected during construction shall be placed below the height of the proposed noise attenuation barrier (see, MM-NOS-1) and oriented downward and away from adjacent residential properties during all phases of construction.
- e. Bollard or low wall lighting shall be used in the surface parking lot, and placed below the height of the proposed noise wall (see, MM-NOS-3).
- f. Plaza lighting shall include low lighting, facing downward and away from residential areas and located on solid surfaces, or within low-profile lighting structures such as bollard lighting or step lighting.
- g. Parking structure lighting shall be placed on the interior of solid or screened walls, facing inward toward the center of the parking structure.

### Temporary Relocation Site

- a. Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.
- b. Windows materials shall be absorptive of light or made of anti-reflective materials.
- c. The parking area within the Shores Park lower parking lot shall be restriped to orient cars in the easterly or northerly direction, or cars shall be required to back in along the western property boundary.
- d. Maintain existing vegetation along the western perimeter of the Shore Park lower parking lot, adjacent to the fenceline.

### *Finding*

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. Specifically, mitigation measure MM-AES-4 is feasible and shall be required as a condition of approval and made binding on the City.

Implementation of this mitigation measure would reduce significant direct impacts related to adverse day and nighttime view resulting from a new source of light and glare because the measure requires the use of specific screening and construction materials. The use of these materials would absorb or redirect light away from sensitive locations. Additionally, the measure requires use of low lighting that is directed away, or below the level of sensitive areas. For these reasons, implementation of this mitigation measures would reduce significant impacts related to specified views to a less-than-significant level.

*Reference*

Final EIR Chapter 4.2, Aesthetics

**2. Cultural Resources**

*Threshold of Significance CUL-2: Archaeological Resources*

Pursuant to Threshold CUL-2, a significant impact would occur if the proposed Project resulted in a substantial adverse change in the significance of an archaeological resource as defined in the CEQA Guidelines Section 15064.5.

*Impact*

Due to the location of the Project site and temporary relocation site in an area of prehistoric and historic use, there is potential for subsurface archaeological deposits to exist on-site and at the temporary location. These resources could be adversely affected by project grading resulting in significant impacts (Impacts CUL-1 and CUL-2).

*Explanation*

The Project site has been graded in the past as part of the construction of the existing buildings and parking lots. The eastern one-half of the property has been cut down below original grade to create the building pad and upper parking lot, making the potential for subsurface archaeological deposits in this area low. However, due to the location of the Project site, there is potential for subsurface archaeological deposits to exist on the western one-half of the property, where grading has been less extensive. Therefore, construction of the proposed Project has the potential to destroy prehistoric/historic archaeological resources through grading activities.

Additionally, grading activities would be required at the temporary relocation site including the improvement of two-way driveway access at the southwestern corner of the property and installation of temporary utilities. While only minor grading is required, ground disturbing activities could destroy prehistoric/historic archaeological resources.

*Mitigation*

**MM-CUL-1:** To mitigate Impacts CUL-1 and CUL-2, a qualified archaeological monitor and a Native American monitor shall be present during project-related ground-disturbing activities for both the proposed City Hall/Town Hall site development and the driveway improvements at the Shores Park temporary relocation site. The monitors would have the authority to stop and/or divert grading, trenching, or excavating if an archaeological resource is encountered. The qualified archaeologist, and Native American monitor if the discovery is prehistoric, shall evaluate the significance of the discovery. If it is significant, a data recovery program would be implemented in order to mitigate impacts to the resource

*Finding*

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. Specifically, mitigation measure MM-CUL-1 is feasible and shall be required as a condition of approval and made binding on the City.

Implementation of this mitigation measure would reduce significant direct impacts related to adverse impacts to archeological resources because the measure requires the presence of a qualified archaeological monitor and a Native American monitor at all grading activities. These specialists would ensure that if an artifact is discovered, it is evaluated and steps are taken to document or otherwise preserve the importance of the discovery. For these reasons, implementation of this mitigation measures would reduce significant impacts related archeological resources to a less-than-significant level.

*Reference*

Final EIR Chapter 4.3, Cultural Resources

*Threshold of Significance CUL-3: Paleontological Resources*

Pursuant to Threshold CUL-3, a significant impact would occur if the proposed Project resulted in the direct or indirect destruction of a unique paleontological resource or site or unique geologic feature.

*Impact*

The Project site is primarily underlain by the Bay Point Formation and thus has a high sensitivity for paleontological resources. These resources could be adversely affected by project grading resulting in a significant impact (Impact CUL-3).

*Explanation*

The proposed Project may result in excavation of previously undisturbed deposits of the Bay Point Formation. This disturbance would have the potential to significantly impact subsurface paleontological resources.

*Mitigation*

**MM-CUL-2:** To mitigate Impact CUL-3, a qualified paleontological monitor shall be on-site during grading at the Project site that cuts into the Bay Point Formation, a fossil-bearing formation. The monitor would have the authority to stop and/or divert grading, trenching, or excavating if a significant paleontological resource is encountered. An excavation plan would be implemented to mitigate the discovery. Excavation would include

the salvage of the fossil remains (simple excavation or plaster-jacketing of larger and/or fragile specimens); recording stratigraphic and geologic data; and transport of fossil remains to laboratory for processing and curation.

### *Finding*

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. Specifically, mitigation measure MM-CUL-2 is feasible and shall be required as a condition of approval and made binding on the City.

Implementation of this mitigation measure would reduce significant direct impacts related to unique paleontological resources because the measure requires the presence of a qualified paleontological monitor at all grading activities that cuts into Bay Pointe Formation. This specialist would ensure that if any fossil remains are discovered, it is evaluated and steps are taken to document or otherwise preserve the importance of the discovery. For these reasons, implementation of this mitigation measures would reduce significant impacts related to unique paleontological resources.

### *Reference*

Final EIR Chapter 4.3, Cultural Resources

## **3. Noise**

### *Threshold NOS-1: Exceedance of Noise Standards*

Pursuant to Threshold NOS-1, a significant impact would occur if the proposed Project resulted in significant noise impacts if it would generate or expose persons to noise levels in excess of applicable standards.

### *Impact*

Construction activities at the proposed Project site would generate, and expose persons, to noise levels in excess of applicable standards resulting in a significant impact (Impact NOS-1). Construction of the proposed driveway improvements at the temporary relocation site would likewise generate, and expose persons, to noise levels in excess of applicable standards (Impact NOS-2).

Modeling results indicate operational noise (mechanical equipment, stand-by generator, parking activities, and special events with an amplified sound system) associated with the refined conceptual site plan design, as well as either design option for 1050 Camino del Mar, would be generated along the the lower surface parking lot exposing persons, to noise levels in excess of applicable standards during the nighttime hours of 10:00 p.m. and

7:00 a.m. representing a significant impact (Impact NOS-3). Likewise, operational noise at the temporary relocation site would generate, and expose persons, to noise levels in excess of applicable standards at the residence to the south and residences to the west across Stratford Court, during the nighttime hours of 10:00 p.m. and 7:00 a.m. (Impact NOS-4).

#### *Explanation for Construction Noise Impacts*

The noise levels from construction equipment associated with the refined conceptual site plan, as well as the two design options were modeled and are shown in the Final EIR. Noise levels were then calculated for identified receivers placed at designated locations in proximity to the Project site. As shown in Final EIR Table 4.7-6, noise levels from construction of the project site would reach up to 80 dB(A) Leq with maximum noise levels of up to 82 dB(A) Lmax. Similarly, noise levels from construction activity at the temporary relocation site would reach up to 83 dB(A) Leq with maximum noise levels of up to 87 dB(A) Lmax. These noise levels would exceed the City 75 dB(A) Leq noise level limit for construction. The exceedance of applicable construction noise standards represents a significant impact.

#### *Explanation for Operational Noise Impacts*

Upon completion of project construction, the on-site noise sources would include mechanical ventilation equipment, a standby generator, parking activities, and the amplified sound system. Of these operational noise sources, the parking activities (e.g., doors and trunks opening and closing, cars starting, accelerating, and stopping, tires squealing, etc.) are potentially the loudest with noise levels ranging from a sound power level (Lpw) of 84 to 98 (see, Final EIR Appendix G-1).

For an assessment of operation noise levels, all on-site noise sources were combined and modeled under a worst-case scenario where all spaces within the parking lot and structure have a vehicle either parking or leaving, and all mechanical equipment is operating at maximum output during the same hour. Also modeled was a special event scenario with amplified noise in the Del Mar Town Commons area, as well as persons talking (assembly of people) and parking in the parking garage and surface lot. While this is an unlikely scenario, 13 noise receivers were placed as shown in Final EIR Table 4.7-2, and noise level contours were modeled and illustrated to show the sound level at the designated receiver sites in the Final EIR. As shown therein, noise levels at the nearest residential property lines would not exceed the allowable daytime limits of 55 dB(A) Leq, but would exceed the nighttime property line limit of 45 dB(A) Leq due to activities in the lower surface parking lot and the garage exhaust system also located on the western side of the parking garage. The exceedance of applicable nighttime noise standards represents a significant impact.

The following mitigation measures are proposed.

*Mitigation*

**MM-NOS-1:** To mitigate Impact NOS-1 (Construction- Project Site), during all phases of construction that would require equipment to be used outdoors, a noise barrier shall be erected along the entire length of the western property line of the project site. The top of the noise barrier shall be 10 feet above the existing grade measured from the interior side of the barrier from the finished surface elevations of the western parking lot. The barrier may be constructed of any a material with a minimum weight of 2 pounds per square foot. Noise barriers must not have any gaps or perforations and may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, the permanent barrier identified in MM-NOS-3 may be constructed to replace a temporary noise attenuation barrier during construction at 10 feet above grade of finished surface elevation of the western parking lot, in lieu of the construction of a temporary barrier.

**MM-NOS-2:** To mitigate Impact NOS-2 (Construction-Temporary Relocation Site), during construction of the proposed driveway improvements at the temporary relocation site, the City shall monitor noise levels during construction, and if noise levels exceed 75 dB(A) Leq at the property line on 717 Stratford Court (Receiver 14), a noise barrier shall be erected beginning at the edge roadway and extending east 20 feet along the southern property line. The noise barrier shall be 10 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, a portion of the temporary barrier may be shortened if erected atop the permanent barrier identified in MM-NOS-4, if the minimum height of 10 feet above grade of the construction site is maintained.

**MM-NOS-3:** To mitigate Impact NOS-3 (Operational- Project Site), depending on the project plan selected (e.g., refined conceptual site plan, internal garage connection (no change in mechanical), or internal garage connection with mechanical relocation), a noise barrier shall be erected as shown in Figures 4.7-14a (added) and 4.7-14b (added), Figures 4.7-15a (added) and 4.7-15b (added), or 4.7-16a (added) and 4.7-16b (added), reflective of the design option selected (Note: the mitigation is the same in both the a and b figure as coupled for each design option; the mitigation is presented overlaid onto the two modeling scenarios for informational purposes). The top of the noise barrier shall be measured from the finished surface elevation of the western parking lot. The barrier shall be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, glass or plastic bricks, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the barrier continues to perform to the minimum requirements

**MM-NOS-4:** To mitigate Impact NOS-4 (Operational Temporary Relocation Site), noise barriers shall be erected along the western property line of the temporary relocation site, west of the proposed surface parking lot, and for a length of 160 feet along the southern property line, beginning at the edge of the sidewalk (southeastern corner) and extending easterly, at the temporary relocation site. The top of the noise barriers shall be a minimum of 6 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of “tongue and groove” construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the fencing continues to perform to the minimum requirements. Upon completion of the project, and removal of all structures and temporary uses from the site, the noise barrier may be removed, or if it is to remain, no further maintenance would be required for mitigation purposes as outlined above. If nighttime activities do not occur at this site (e.g., hearings or workshops that would run past 9:30 p.m. allowing for departure of all attendees and staff before 10:00 p.m.), this noise attenuation barrier would not be required.

*Finding*

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. Specifically, mitigation measures MM-NOS-1, MM-NOS-2, MM-NOS-3, and MM-NOS-4 are feasible and shall be required as a condition of approval and made binding on the City.

Implementation of mitigation measures (MM-NOS-1 and MM-NOS-2) would reduce significant direct impacts related to excessive noise generation during construction because the measures require construction of a noise barrier of specified size and materials that would shield sensitive receptors from the impacts of construction noise. The barriers would reduce the noise levels at these locations to a less than significant level. With respect to the temporary relocation site, the measures requires the City to monitor noise levels at the property line on 717 Stratford Court (Receiver 14), and if necessary a noise barrier would be erected to reduce the noise at this location. The noise barriers would absorb and block unwanted noise. For these reasons, implementation of these mitigation measures would reduce significant construction noise impacts to a less-than-significant level.

Implementation of mitigation measures (MM-NOS-3 and MM-NOS-4) would reduce significant direct impacts related to excessive noise generation during project operations because the measures require construction of a noise barrier of specified size and materials along the area around the surface parking lot as illustrated in the referenced figures for the respective design (e.g., refined conceptual site plan, internal garage

connection, and internal garage connection with mechanical relocated). The barrier would reduce the noise levels at sensitive receptors to a less than significant level. With respect to the temporary relocation site, the measures requires erection of a noise barrier of specified size and materials along the western property line of the temporary relocation site, west of the proposed surface parking lot, and for a length of 160 feet along the southern property line, beginning at the edge of the sidewalk (southeastern corner) and extending easterly. The noise barriers would absorb and block unwanted noise. For these reasons, implementation of these mitigation measures would reduce significant operational noise impacts to a less-than-significant level.

### *Reference*

Final EIR Chapter 4.7, Noise

## **B. Significant and Unavoidable Impacts**

The project would not result in any impacts that would remain significant and unavoidable.

### Section 2. Alternatives Analysis.

Based upon the testimony and other evidence in the record, and upon studies and investigation made for the Project, the City Council further finds that the Final EIR analyzes a reasonable range of project alternatives. The alternatives are fully evaluated in Chapter 7 of the Final EIR and include the No Project (No Development/Existing Condition) Alternative and a Reduced Project Alternative. Also analyzed within this section are alternatives for the proposed temporary relocation. They include Public Hearings at Powerhouse Park Community Building or Other Meeting Rooms; Public Hearings at the Winston School Auditorium; Temporary Facilities Placed on the Upper Shores Park Property; and Commercial Properties for Administrative Offices. This approach would allow for flexibility, where all facilities would not be required to be at a single site, and could be separated into multiple locations based on facilities sizing and availability. The feasible alternatives in the Final EIR are discussed below.

### **S.5.1 No Project (No Development/Existing Condition) Alternative**

The No Project (No Development/Existing Condition) Alternative is addressed to compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the Project is approved.

#### **S.5.1.1 Description of the No Project (No Development/Existing Condition) Alternative**

The No Project (No Development/Existing Condition) Alternative is required by CEQA to be included to illustrate the environmental effects of the existing on-site uses and structures compared to the environmental effects of the proposed Project, and as updated,

with the Refined Conceptual Site Plan. The No Project Alternative would involve the continued use of the City Hall site without any substantial improvements or modifications to the site or buildings. City administrative services would continue to be housed in the buildings on-site, including the portable buildings on the upper and lower pads. The abandoned building, immediately south of City Hall, would remain and continue to be unusable due to previous determinations on the building structural safety. City Council, committee and public meetings would continue to be held in the hearing building, along with television studio operations. Under the No Project Alternative there would be no need for temporary relocation to another site. As a result, the proposed improvements to the driveway access and Shores Park fencing along the southern and western property boundaries would not occur.

#### **S.5.1.2 Conclusion**

Because no development would occur, no “impacts,” as defined pursuant to CEQA would occur. However, the No Project Alternative would result in the continued use of aged buildings and the existing abandoned building, which no access is permitted due to potential hazardous conditions, would not be removed. The buildings have far exceeded their useful life and have deteriorated such that major reconstruction is the only long-term solution. With the No Project Alternative, which would involve the continued use of the City Hall site without any substantial improvements or modifications to the site or buildings, proper removal and containment of these hazardous building materials known to occur within the abandoned building would not be accomplished. See Appendix I for copies of the reports.

No permits or other discretionary actions would be required for this alternative, and the continued operation of the site would not result in any conflicts with existing Public Facilities (PF) land use designation and zoning. The existing visual landscape and public on-site views, and right-of-way and private views through the site would not be altered with the No Project Alternative. No changes to the existing circulation within the area, specifically driveways and parking on-site, would occur under the No Project Alternative.

The existing condition has view blockages related to the City Hall buildings on the upper pad and landscaping on-site. The No Project Alternative would not change these obstructed views. The significant and mitigated impacts to scenic views and light and glare associated with the proposed Project (as refined) would be avoided with this alternative, as the impacted views already exist. This alternative would not result in the new on-site public viewing areas proposed in the Civic Plaza and on the south side of City Hall.

Air and greenhouse gas emissions associated with construction of the proposed Project would be avoided; however, the energy efficiencies that would be gained from the development of new City facilities would not be realized with the No Project Alternative. Noise associated with construction would be avoided with this alternative; however, the existing operational noise (e.g., HVAC, traffic and parking) would remain at the same level as currently exists. Under the No Project Alternative, the buildings would continue to

attenuate existing vehicular noise that is generated on Camino del Mar for some of the residential properties to the west. The grading and excavation associated with the proposed Project would be unnecessary, and therefore, the potential impacts to cultural resources, specifically subsurface historic, prehistoric, and paleontological, would be avoided with the No Project Alternative.

As stated above, with the No Project Alternative, relocation of City administrative operations to another site would not be necessary. Therefore, all potential impacts, including those that would be less than significant, would not occur to the temporary relocation site at the Shores Park.

## **S.5.2 Reduced Project Alternative**

### **S.5.2.1 Description of the Reduced Project Alternative**

The Reduced Project Alternative would reduce the potential for development of the future expansion areas to expansion area B, located immediately south of City Hall, and expansion area C, located in the southwestern corner of the project site, approximately 4,500 square feet. This alternative would omit expansion area A in the northeastern portion of the site in the plaza. Under this alternative, the total expansion area would be approximately 7,200 square feet. See Figure 7-1 for the conceptual site plan for the Reduced Project Alternative.

Additionally, the parking stalls located in the surface parking lot, facing westward (approximately 28 spaces) would be removed from the proposed Project. The remaining parking would be approximately 132 spaces between the parking garage and the eastern facing parking row within the surface parking lot. The removed parking stalls would have been overflow parking for public and commercial use, as well as for public events, and would not be required to meet the Del Mar Municipal Code for parking on-site.

The temporary relocation to the Shores Park would still be required for the Reduced Project Alternative.

The Reduced Project Alternative would reduce the potential for development of the future expansion areas to expansion area B, located immediately south of City Hall, and expansion area C, located in the southwestern corner of the project site, approximately 4,500 square feet. This alternative would omit expansion area A in the northeastern portion of the site in the plaza. Under this alternative, the total expansion area would be approximately 7,200 square feet. See Figure 7-1 (revised) for the refined conceptual site plan without expansion area A for the Reduced Project Alternative.

Additionally, the parking stalls located in the surface parking lot, facing westward (approximately 28 spaces) would be removed from the proposed Project. The remaining parking would be approximately 132 spaces between the parking garage and the eastern facing parking row within the surface parking lot. The parking stalls removed would have

been for overflow parking for public and commercial use, as well as for public events, and would not be required to meet the Del Mar Municipal Code for parking on-site.

The temporary relocation to the Shores Park would still be required for the Reduced Project Alternative.

### **S.5.2.2 Conclusion**

This alternative would be consistent with the existing land uses and zoning for the site, and would meet the goals and policies for development of the proposed City Hall and Town Hall. The reduced project would not require any additional permits.

The Reduced Project Alternative would decrease the total building square footage that could be developed on the site, thereby potentially reducing the effects on both public right-of-way and private residential views that would be impacted by the development of expansion area A under the proposed Project. As previously stated, the refined Project design developed in response to public input has resulted in more design details allowing for a refined analysis of impacts, as well as comprehensive mitigation that would reduce the impact to below a level of significance. With the Reduced Project Alternative, the changes in public on-site and adjacent scenic views would not occur, and those mitigation measures related to the future development of expansion area A would no longer be applicable to the proposed Project.

Impacts to public and private views and from light and glare, identified for the proposed Project (as refined, refer to Figure 3-2 and 3-4) would be slightly reduced with this alternative (Impacts AES-1, AES-2, AES-3, and AES-4). The recommended mitigation measures shall be incorporated into the Reduced Project Alternative (MM-AES-1, MMAES-2, MM-AES-3, and MM-AES-4).

As with the proposed Project, the Reduced Project Alternative would still require the same grading and excavation for site development and could directly or indirectly impact cultural resources, including subsurface historic, archaeological, and paleontological resources (Impacts CUL-1, CUL-2, and CUL-3). Implementation of the mitigation measures recommended for the proposed Project (MM-CUL-1 and MM-CUL-2) shall be incorporated with this alternative if it is adopted.

The Reduced Project Alternative would have the same construction noise impacts as identified for the proposed Project. Grading and construction activities would be the same; therefore, noise impacts at the northern, western, and southern property boundary (Impact NOS-1) would result from this alternative. Since this alternative would not include the parking in the lower surface lot, facing westward along the western property boundary, impacts would be reduced but would still be significant (Impact NOS-3). Implementation of the mitigation measures recommended for the proposed Project at the project site (MM-NOS-1 and MM-NOS-3) shall be incorporated into this alternative if it is adopted.

Air quality and greenhouse gas emissions, while they do not exceed the thresholds for significance and are not considered significant, would be lessened due to the reduction of building area, and in turn energy and materials. It is anticipated that the traffic associated with the Reduced Project Alternative would be generally the same as that of the proposed Project, since the proposed Project, including the expansion areas, would not generate traffic but accommodate the public accessing City facilities and commercial businesses in proximity to the project site.

This alternative would result in the same significance determination for issue areas addressed in Chapter 6.0, Effects Found Not to be Significant, which include agriculture and forestry resources, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services, recreation, and utilities and service systems.

Relocation of City administrative operations to another site would still be necessary. Assuming the temporary relocation would be at the lower parking area of the Shores Park, all potential impacts at this site would occur as part of the Reduced Project Alternative. Those impacts would be associated with construction of the proposed driveway improvements on subsurface resources (Impacts CUL-1 and CUL-2) and construction and operational noise (Impacts NOS-2 and NOS-4) on adjacent sensitive receptors. Therefore, implementation of the mitigation measures MM-CUL-1, MM-NOS-2, and MM-NOS-4, recommended to reduce these impacts for the proposed project shall be incorporated into this alternative if it is adopted.

### **S.5.3 Temporary Relocation Alternatives**

#### **S.5.3.1 Description of the Temporary Relocation Alternatives**

To allow for consideration of temporary relocation options, the City has considered alternatives to allow for placement of City operations, including public hearings and workshops, and television studio operations, at various locations. The alternatives proposed for the temporary relocation are discussed below.

#### **Public Hearings at Powerhouse Park Community Building or Other Existing Meeting Rooms**

This temporary relocation alternative would locate the City administrative offices and the television studio operations on the Shores Park property, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located at the Powerhouse Park Community Building or other existing meeting rooms, such as schools or auditoriums. Driveway improvements at Stratford Court would still be required at the Shores Park site. No improvements to community meeting facilities would be necessary to accommodate public hearings at these sites, as they are designed for large public gatherings.

### **Public Hearings at the Winston School Auditorium**

Under this alternative, the proposed City administrative offices and television studio operations would still be located on the lower pad, south of the Winston School, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located within the Winston School auditorium. The driveway improvements at Stratford Court would be included. No other improvements to Winston School would be necessary.

### **Temporary Facilities Placed on the Upper Shores Park Property**

This temporary relocation alternative would locate the proposed City administrative offices and additional temporary portables for the hearing room and television studio operations on the upper Shores Park site. Temporary restroom facilities would be provided on the Shores Park property for both the administrative office space and public meeting space as part of this alternative. The same driveway improvements at Stratford Court would be necessary with no additional improvements required to access the upper lot. No trees in the upper lot would be removed for this alternative, and limited, shallow trenching for utilities connections would be required.

### **Commercial Properties for Administrative Offices**

This alternative would allow for specific administrative offices to be located at rented or leased commercial properties within the City at a smaller square footage than considered above under Section 7.1.3.3, Alternatives Considered but Rejected. Under this reduced square footage, civic services could be separated into smaller leased facilities for the 30 month relocation period, thereby reducing the level of operation on the Shores Park site. The temporary relocation facilities at the Shores Park could be reduced or eliminated if another alternative scenario is also selected such as alternative use of Powerhouse Park or the Winston School Auditorium for public hearings. The driveway improvements at Stratford Court to allow for both ingress and egress would only be constructed if remaining services were proposed at the Shores Park property.

### **S.5.3.2 Conclusion**

#### **Public Hearings at Powerhouse Park Community Building or Other Existing Meeting Rooms**

This alternative would result in the same impacts as the Shores Park site with respect to grading impacts to cultural resources (CUL-1 and CUL-2) and construction noise (NOS-2). However, because the City administrative offices would close at 5:30 p.m., noise level limits associated with the public hearings scheduled in the evening, specifically the nighttime hours (10:00 p.m. to 7:00 a.m.) would not occur. Therefore, the recommended mitigation measures CUL-1 and NOS-2 would still be required for this relocation alternative.

With respect to the public hearings at Powerhouse Park Community Building or other existing facilities, traffic conditions near Powerhouse Park and other community meeting facilities include regular use of these meeting rooms for special events and were considered at the time the Powerhouse Park Community Building and other public meeting spaces were approved and constructed. The traffic activity generated by a public hearing would be no greater than a similar public event and would not create any unforeseen traffic or parking conditions near the community center. It should be noted, that parking for this site, would be limited to the paid public parking; however, this is not an issue that must be considered under CEQA.

Noise levels and air quality and greenhouse gas emissions would not exceed those already contemplated for the facilities upon approval of permits and entitlements.

### **Public Hearings at the Winston School Auditorium**

Under this alternative the proposed City administrative offices would still be located on the lower pad, south of the Winston School, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located within the Winston School Auditorium. The driveway improvements at Stratford Court to allow for both ingress and egress would be included, and would still result in impacts to cultural resources (CUL-1 and CUL-2) and construction noise (NOS-2). No other improvements to Winston School would be necessary.

Noise levels associated with persons attending and congregating outside meetings and hearings would be attenuated by the Winston School auditorium. However, the noise associated with people dispersing following a meeting after 10:00 p.m. would still occur with this relocation alternative (NOS-4). Therefore, the recommended mitigation measures CUL-1, NOS-2, and NOS-4 would still be required for this relocation alternative.

### **Temporary Facilities Placed on the Upper Shores Park Property**

The proposed City administrative offices and additional temporary portables for the hearing room and television studio operations would be located on the upper Shores Park site. Temporary restroom facilities would be provided on the Shores Park property for both the administrative office space and public meeting space as part of this alternative. The driveway improvements at Stratford Court would be necessary to allow for both ingress and egress to the site, and would still result in impacts to cultural resources (Impacts CUL-1 and CUL-2) and construction noise (Impact NOS-2). The driveway to the upper lot would not be improved and no trees in the upper lot would be removed for this alternative. Limited, shallow trenching for utility connections would be required. See Figure 7-2 for approximate site location on the upper lot.

Should this alternative be selected, the analysis provided for the proposed Project would adequately reflect the traffic patterns that would occur under this alternative as parking and access would be the same.

Because the City administrative offices would close at 5:30 p.m., noise level limits associated with public hearings during nighttime hours (10:00 p.m. to 7:00 a.m.) would not occur. Under this alternative, the noise levels associated with persons attending and congregating outside meetings and hearings will be located further away for the sensitive receptors identified for the proposed project. Impact NOS-4 would be avoided under this alternative.

With respect to the visual effects of this alternative on public right-of-way and private residential views, as illustrated in the attached photos in Figures 7-3a and 7-3b, the upper lot is well below Camino del Mar. The first-floor roofline of the existing development on the site is representative of the height of the portable structure that would be placed on this site, which would be single-story. Additionally, the vegetation on the site would further screen the addition of this building from the roadway. No “blue water” views would be lost with the placement of the Town Hall buildings on the upper lot. Similar to the proposed temporary relocation site, this alternative would not result in any significant impacts related to aesthetics and visual quality.

### **Commercial Properties for Administrative Offices**

This alternative would allow for specific administrative offices to be located at rented or leased commercial properties within the City at a smaller square footage than required for all components of the Project as discussed above under Section 7.2, Alternatives Considered but Rejected. Under this reduced square footage, civic services could be separated into smaller leased facilities for the 30-month relocation period, thereby reducing the level of operation on the Shores Park site. The temporary relocation facilities at the Shores Park could be reduced, or if another alternative scenario is selected that would relocate the public hearings to another site could avoid use of the Shores Park altogether under this alternative. The driveway improvements at Stratford Court to allow for both ingress and egress would only be constructed if remaining services were proposed at the Shores Park property, and as such impacts to cultural resources (Impacts CUL-1 and CUL-2) and construction noise (Impact NOS-2) would still occur. Should City Hall administrative services be placed in commercial buildings within the City, they would replace similar office-related uses that would generate similar traffic-related trips. Therefore, there would be no unforeseen changes in traffic conditions as a result of this alternative. However, City operations would be impacted by not maintaining the departments together.

### **S.5.5 Environmentally Superior Alternative**

CEQA Guidelines section 15126.6(e)(2) requires that an EIR identify the “environmentally superior” alternative based on the evaluation of the Plan and its alternatives. The No

Project (No Development/Existing Condition) Alternative would avoid all impacts and would be the environmentally superior alternative. However, pursuant to the CEQA Guidelines (Section 15126.6 (e)(2), if the No Project Alternative is determined to be the most environmentally superior project, then another alternative among the alternatives evaluated must be identified as the environmentally superior project. The project itself may not be identified as the environmentally superior alternative.

The Reduced Project Alternative is identified as the environmentally superior alternative as it would reduce the significant and mitigated impacts (as analyzed under the refined project design, refer to Figure 3-2 and 3-3) to scenic views resulting from construction of expansion area A. Additionally, this alternative would reduce the proposed project impacts associated with operational noise in the western portion of the project site. While air quality and greenhouse gas emissions would not exceed the thresholds for significance with the proposed project, the Reduced Project Alternative would reduce these impacts. The Reduced Project Alternative would also attain most of the proposed project's objectives

### Section 3. General CEQA Findings.

Based upon the testimony and other evidence received, and upon studies and investigation conducted for the Project, the City Council finds:

A. Pursuant to CEQA Guidelines sections 15050 and 15051, the City is the "Lead Agency" for the proposed Project; and

B. The Draft EIR and Final EIR were prepared in compliance with CEQA, CEQA Guidelines, and any City Significance Determination Thresholds; and

C. The City has independently reviewed and analyzed the Draft EIR and Final EIR, and these documents reflect the independent judgment of the City as Lead Agency; and

D. An MMRP has been prepared for the proposed Project, which the City has adopted or made a condition of approval of the proposed Project. That MMRP is incorporated herein by reference and is considered part of the Record of Proceedings for the proposed Project; and

E. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures. The City will serve as the MMRP Coordinator; and

F. In determining whether the proposed Project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and CEQA Guidelines Section 15901(b); and

G. The impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the Final EIR; and

H. The City reviewed the comments received on the Draft EIR and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts associated with the proposed Project. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Final EIR; and

I. The responses to comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR; and

J. The City has made no decisions that constitute an irretrievable commitment of resources toward the proposed Project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed Project;

K. Copies of all the documents incorporated by reference in the Draft EIR and/or Final EIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials; and

L. Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the proposed Project and finds as stated in these Findings; and

M. The Final EIR for this Project is adequate, complete, and has been prepared in accordance with CEQA; and

N. The City Council has reviewed and considered the Final EIR in reaching its conclusion; and

O. In accordance with CEQA Guidelines Sections 15091 and 15093, the EIR includes a description of each potentially significant impact and rationale for finding that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as detailed in Section 3; and

P. In accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15091, changes and alterations have been required and incorporated into the City Hall/Town Hall Project and related entitlements which avoid or substantially lessen the significant environmental effect because feasible mitigation measures included in the MMRP, Exhibit A to this resolution, are made conditions of approval for this Project; and

Q. The Final EIR reflects the City's independent judgment and analysis.

PASSED AND ADOPTED by the City Council of the City of Del Mar, this 4<sup>th</sup> day of January 2016 by the following vote:

\_\_\_\_\_  
SHERRYL PARKS, MAYOR  
City of Del Mar

APPROVED AS TO FORM:

\_\_\_\_\_  
Leslie E. Devaney  
City Attorney

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Andrew Potter, Administrative Services Director/City Clerk of the City of Del Mar, California DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2016-\_\_\_\_, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 4<sup>th</sup> day of January, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Andrew Potter, Administrative Services Director/City Clerk  
City of Del Mar

## Exhibit A

### Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act (CEQA). It is the intent of this program to: (1) verify satisfaction of the required mitigation measures of the EIR; (2) provide a methodology to document implementation of the required mitigation measures; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) utilize existing review processes wherever feasible.

This MMRP describes the procedures that will be used to implement the mitigation measures adopted in connection with the approval of the project and the methods of monitoring such actions. This MMRP takes the form of a table that identifies the responsible entity for monitoring each mitigation measure and the timing of each measure.

Mitigation Monitoring and Reporting Program			
Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
<p><b>AESTHETICS</b></p> <p>Improper selection and placement of landscaping, particularly larger specimen trees could block ocean views from private residential views as well as public views along 10th Street, 11th Street, and Camino del Mar. These impacts would not likely occur in the short term, but would occur as landscaping matures if vegetation is dense or exceeds an elevation of 142 feet AMSL. Ocean views from the east of the project site could be obstructed which would result in a significant impact (Impact AES-1).</p> <p>Public views northbound along the segment of Camino del Mar immediately adjacent to the project are blocked by existing vegetation. Southbound public views from Camino del Mar would be maximized through the project design; however, certain project features could unnecessarily block ocean views resulting in a significant impact to scenic views (Impact AES-2)</p> <p>Construction of the expansion areas A, B, and C would result in the obstruction of some views southbound along Camino del Mar. Thus, buildout construction of the project site would result in a significant impact to ocean views when compared to the existing condition (Impact AES-3).</p>	<p><b>MM-AES-1:</b> To mitigate Impact AES-1, final landscaping plans shall consider the view corridors and either select plant material that are at or less than the building height (153–157 feet AMSL) on the Town Commons, Entry Garden, or Ocean View Terrace; or, if taller, strategically placed to minimize view impacts. Landscaping in the western portion of the site should not exceed 142 feet AMSL in height; or if taller, strategically placed to minimize view impacts. The final landscaping plan shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the plan adequately meets the intent of this mitigation measure.</p> <p><b>MM-AES-2:</b> To mitigate Impact AES-2, the City shall implement the following design criteria on the project site. The final plans shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the following conditions are met.</p> <ul style="list-style-type: none"> <li>The safety wall along the western and northern edge of the civic plaza shall be made of a transparent or semi-transparent (50 percent transparency) material, such as a wall or planter on the bottom, with open railing on the top, to allow for open views to the west.</li> <li>Trellis landscaping shall not be permitted in the area north of the City Hall building that is within the view corridor, unless the vegetation adheres to the structure (i.e., vines) and with continued maintenance by the City so that the open views throughout the trellis are maintained.</li> <li>No permanently erected shade structures shall be permitted in any of the designated on-site public viewpoints (refer to Figure 3-4 added). Shade structures that can be opened (e.g., umbrellas) for shade may be located in these areas. Further, art installations that may result in the provision of shade are permitted.</li> </ul> <p><b>MM-AES-3:</b> To mitigate Impact AES-3, the City shall implement the following design criteria on the project site to ensure build-out of the project is mitigated. The final plans for any expansion area building shall be reviewed by the DRB to ensure that these conditions are met.</p> <ul style="list-style-type: none"> <li>Provide the Town Hall Overlook to ensure continued scenic views to the southwest and approximately 50 percent toward the west.</li> <li>Limit new structures, public furniture, and public art to achieve approximately 50 percent or more of the Ocean View Terrace (refer to Figure 3-4) to ensure continued scenic views to the west, including to the southwest and northwest.</li> <li>Use of open and transparent materials shall be used to the greatest extent practicable in the upper (eastern) portion of the site, within expansion area A and B, where new structures are being constructed for on-site use.</li> <li>Limit the roofline of expansion area B to not exceed the height of the roofline of the adjacent City Hall structure as constructed.</li> </ul>	<p>As part of project design, prior to approval of final design and landscaping plans.</p> <p>As part of project design, prior to approval of final design and landscaping plans.</p> <p>As part of project design, prior to approval of final design and landscaping plans.</p>	<p>City of Del Mar</p> <p>City of Del Mar</p> <p>City of Del Mar</p>

Mitigation Monitoring and Reporting Program		
Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation
<p>Onsite lighting at the project site and the temporary relocation site would comply with applicable lighting regulations, including the glazing and exterior lighting requirements in the City's Zoning Ordinance. Even with compliance with regulations, significant impacts from light and glare could occur at the City Hall site due to indoor lighting, vehicle headlights in the parking structure, and outdoor lighting. Similarly, light and glare impacts could occur at the temporary relocation site. Thus, a potentially significant light and glare impact would occur at both the City Hall site (Impact AES-4) and the temporary relocation site (Impact AES-5).</p>	<ul style="list-style-type: none"> <li>Site buildings associated with expansion area A in a manner such that view access from Camino del Mar is approximately 50 percent of the length from the northeastern corner of City Hall to the northern property line. Such design considerations may include open patios, outdoor cafes, transparent wall materials, and open interior treatments.</li> <li>The roofline of expansion area A shall be variable to provide horizontal and vertical relief, and to maintain views across the site to the greatest extent practicable.</li> <li>A view corridor between the northern edge of City Hall and the exterior elevator structure shall be protected. Placement of permanent structures shall be low profile, and may include bike storage and maintenance facilities, trash/recycling receptacles, and planter boxes.</li> <li>Maintain on-site landscaping to ensure landscaping is healthy and within the height limits outlined in the adopted landscape plan and associated plant palette.</li> <li>Maintain existing and proposed onsite landscaping to ensure overgrowth onto 10th and 11th streets does not block existing views westward.</li> <li>Reduce and maintain the ground cover landscaping (trees excepted) within the median of Camino del Mar, between 9th Street and 11th Street, to not exceed 24 inches in height, to expand views westward for northbound vehicle occupants and pedestrians on the east side of Camino del Mar.</li> </ul> <p><b>MM-AES-4:</b> To mitigate Impact AES-4 and AES-5, indoor/outdoor lighting, including during construction, the City shall implement the following design criteria at both the project site and temporary relocation site:</p> <p><i>Project Site</i></p> <ul style="list-style-type: none"> <li>Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.</li> <li>Louvers or other screening mechanisms along the western side of the parking garage shall be implemented to minimize light spill to residential properties.</li> <li>Windows materials shall be absorptive of light or made of anti-reflective materials.</li> <li>Security lighting (illuminated dusk to dawn) erected during construction shall be placed below the height of the proposed noise attenuation barrier (MM-NOS-1) and oriented downward and away from adjacent residential properties during all phases of construction.</li> <li>Bollard or low wall lighting shall be used in the surface parking lot, placed below the height of the proposed noise wall (MM-NOS-3)</li> <li>Plaza lighting shall include low lighting, facing downward and away from residential areas and located on solid surfaces or within low-profile lighting structures such as bollard lighting or step lighting.</li> </ul>	<p>City of Del Mar</p>
		<p>As part of project design, prior to approval of final design and landscaping plans.</p>

Mitigation Monitoring and Reporting Program		
Potential Significant Impact	Mitigation Measure	Monitoring, Enforcement, and Reporting Responsibility
	<p>Timeframe of Mitigation</p>	
	<p>Parking structure lighting shall be placed on the interior of solid or screened walls, facing inward toward the center of the parking structure.</p> <p><i>Temporary Relocation Site</i></p> <ul style="list-style-type: none"> <li>Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.</li> <li>Windows materials shall be absorptive of light or made of anti-reflective materials.</li> <li>The parking area within the Shores Park lower parking lot shall be restriped to orient cars in the easterly or northerly direction, or cars shall be required to back in along the western property boundary.</li> <li>Maintain existing vegetation along the western perimeter of the Shore Park lower parking lot, adjacent to the fence line.</li> </ul>	
<b>CULTURAL RESOURCES</b>		
<p>Due to the location of the project site in an area of prehistoric and historic use, there is potential for subsurface archaeological deposits to exist on the western one-half of the property, where there has been limited prior grading of the site. Thus, construction of the proposed project has the potential to destroy prehistoric/historic archaeological resources through grading, representing a significant impact (Impact CUL-1).</p> <p>With respect to the temporary relocation of the existing administrative operations to portable structures on the Shores Park site, site preparation activities would include the grading for improved two-way driveway access at the southwestern corner of the property. Impacts to archaeological resources from the improvements to the driveway access, temporary relocation has the potential to destroy prehistoric/historic archaeological resources through grading, representing a significant impact (Impact CUL-2).</p> <p>The project site is primarily underlain by the Bay Point Formation and thus has a high sensitivity for paleontological resources. The proposed project may result in excavation of previously undisturbed deposits of the Bay Point Formation. This disturbance would have the potential to significantly impact subsurface paleontological resources, representing a significant impact (Impact CUL-3).</p>	<p><b>MM-CUL-1:</b> To mitigate Impacts CUL-1, a qualified archaeological monitor and a Native American monitor shall be present during project-related ground-disturbing activities for both the proposed City Hall/Town Hall site development. The monitors would have the authority to stop and/or divert grading, trenching, or excavating if an archaeological resource is encountered. The qualified archaeologist, and Native American monitor if the discovery is prehistoric, shall evaluate the significance of the discovery. If it is significant, a data recovery program would be implemented in order to mitigate impacts to the resource.</p> <p><b>MM-CUL-2:</b> To mitigate Impacts CUL-2, a qualified archaeological monitor and a Native American monitor shall be present during project-related ground-disturbing activities for the driveway improvements at the Shores Park temporary relocation site. The monitors would have the authority to stop and/or divert grading, trenching, or excavating if an archaeological resource is encountered. The qualified archaeologist, and Native American monitor if the discovery is prehistoric, shall evaluate the significance of the discovery. If it is significant, a data recovery program would be implemented in order to mitigate impacts to the resource.</p> <p><b>MM-CUL-3:</b> To mitigate Impact CUL-3, a qualified paleontological monitor shall be onsite during grading that cuts into the Bay Point Formation, a fossil-bearing formation. The monitor would have the authority to stop and/or divert grading, trenching, or excavating if a significant paleontological resource is encountered. An excavation plan would be implemented to mitigate the discovery. Excavation would include the salvage of the fossil remains (simple excavation or plaster-jacketing of larger and/or fragile specimens); recording stratigraphic and geologic data; and transport of fossil remains to laboratory for processing and curation.</p>	<p>Prior to start of grading, and prior to the first pre-construction meeting.</p> <p>Prior to start of grading, and prior to the first pre-construction meeting.</p> <p>Prior to start of grading, and prior to the first pre-construction meeting.</p>
		<p>City of Del Mar or authorized contractor</p> <p>City of Del Mar or authorized contractor</p> <p>City of Del Mar or authorized contractor</p>

Mitigation Monitoring and Reporting Program			Monitoring, Enforcement, and Reporting Responsibility
Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	
<p><b>NOISE</b></p> <p>Noise from construction would expose sensitive noise receivers adjacent to the western property line to noise levels up to 79 dB(A) <math>L_{eq}</math> with maximum noise levels of up to 82 dB(A) <math>L_{max}</math>. These noise levels would exceed the City 75 dB(A) <math>L_{eq}</math> noise level limit for construction, representing a significant impact. Construction practices would be the same under any of the design options and would generate, and expose persons, to noise levels in excess of applicable standards during construction, representing a significant impact (Impact NOS-1).</p>	<p><b>MM-NOS-1:</b> To mitigate Impact NOS-1 (Project Site), during all phases of construction that would require equipment to be used outdoors, a noise barrier shall be erected along the entire length of the western property line of the project site. The top of the noise barrier shall be 10 feet above the existing grade, measured from the interior side of the barrier from the finished surface elevations of the western parking lot. The barrier may be constructed of any material with a minimum weight of 2 pounds per square foot. Noise barriers must not have any gaps or perforations and may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, the permanent barrier identified in MM-NOS-3, may be constructed to replace a temporary noise attenuation barrier during construction at 10 feet above grade of the finished surface elevation of the western parking lot, in lieu of the construction of a temporary barrier.</p>	<p>Prior to the start of any construction or grading activities on the City Hall/Town Hall site.</p>	<p>City of Del Mar or authorized contractor</p>
<p>Demolition and construction of the project driveway at the temporary relocation site would generate noise levels at the nearest receiver (717 Stratford Court) of up to 83 dB(A) <math>L_{eq}</math> with maximum noise levels of up to 87 dB(A) <math>L_{max}</math>. These noise levels would exceed the City 75 dB(A) <math>L_{eq}</math> noise level limit for construction and would expose persons to noise levels in excess of applicable standards, representing a significant impact (Impact NOS-2).</p>	<p><b>MM-NOS-2:</b> To mitigate Impact NOS-2 (Temporary Relocation Site), if the proposed driveway construction is selected for the project, during construction of the proposed driveway improvements at the temporary relocation site, the City shall monitor noise levels during construction, and if noise levels exceed 75 dB(A) <math>L_{eq}</math> at the property line on 717 Stratford Court, a noise barrier shall be erected beginning at the edge roadway and extending east 20 feet along the southern property line. The noise barrier shall be 10 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, a portion of the temporary barrier may be shortened if erected atop the permanent barrier identified in MM-NOS-4, if the minimum height of 10 feet above grade of the construction site is maintained.</p>	<p>Prior to the start of any construction or grading activities on the temporary relocation site.</p>	<p>City of Del Mar or authorized contractor</p>
<p>Noise levels at the southern and western property line would not exceed the allowable daytime limits of 55 dB(A) <math>L_{eq}</math> but would exceed the nighttime property line limit of 45 dB(A) <math>L_{eq}</math> due to activities in the lower surface parking lot. Thus, operation of the project would generate, and expose persons, to noise levels in excess of applicable standards during the nighttime hours of 10:00 p.m. and 7:00 a.m., representing a significant impact. Impacts would be the same under any of the design options, exposing persons to noise levels in excess of applicable standards during the nighttime hours. (Impact NOS-3).</p>	<p><b>MM-NOS-3:</b> To mitigate Impact NOS-3, (Project Site), depending on the project plan selected (e.g., refined conceptual site plan, internal garage connection (no changes in mechanical), or internal garage connection with mechanical relocation), a noise barrier shall be erected as shown in Figures 4.7-14a (added) and 4.7-14b (added), Figures 4.7-15a (added) and 4.7-15b (added), or 4.7-16a (added) and 4.7-16b (added), reflective of the design option selected (Note: the mitigation is the same in both the a and b figure as coupled for each design option; the mitigation is presented overlaid onto the two modeling scenarios for informational purposes). The top of the noise barrier shall be measured from the finished surface elevation of the western parking lot. The barrier shall be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, glass or plastic bricks, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the barrier continues to perform to the minimum requirements.</p>	<p>Prior to final inspection of the building permit and occupancy of the City Hall/Town Hall site.</p>	<p>City of Del Mar</p>

Mitigation Monitoring and Reporting Program		
Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation
<p>Operational noise from the temporary relocation site parking lot would not exceed the daytime noise level limits of 55 dB(A) <math>L_{eq}</math> at any receiver; however, noise levels would exceed the nighttime noise level limit of 45 dB(A) <math>L_{eq}</math> at the properties immediately south of the relocation site and across Stratford Court from the parking area, representing a significant impact. Impacts of the refined conceptual site plan would be the same as that analyzed in the original site plan, as detailed above. (Impact NOS-4).</p>	<p><b>MM-NOS-4:</b> To mitigate Impact NOS-4 (Temporary Relocation Site), noise barriers shall be erected along the western property line of the temporary relocation site, west of the proposed surface parking lot, and for a length of 160 feet along the southern property line, beginning at the edge of the sidewalk (southeastern corner) and extending easterly, at the temporary relocation site. The top of the noise barriers shall be a minimum of 6 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the fencing continues to perform to the minimum requirements. Upon completion of the project, and removal of all structures and temporary uses from the site, the noise barrier may be removed, or if it is to remain, no further maintenance would be required for mitigation purposes as outlined above. If nighttime activities do not occur at this site (e.g., hearings or workshops that would run past 9:30 p.m. allowing for departure of all attendees and staff before 10:00 p.m.), this noise attenuation barrier would not be required.</p>	<p>Prior to final inspection of the building permit and occupancy of the temporary relocation site.</p>
		<p>Monitoring, Enforcement, and Reporting Responsibility City of Del Mar</p>



*An Employee-Owned Company*

Excerpts (full document can be found at [www.delmar.ca.us/cityhall](http://www.delmar.ca.us/cityhall))



**Final Environmental Impact Report for the  
Del Mar City Hall/Town Hall Project  
Del Mar, California / SCH #2015051067**

*Prepared for*  
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1050 Camino del Mar  
Del Mar, CA 92014  
858.755.9313

*Prepared by*  
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RECON Number 7786  
December 16, 2015



**Final Environmental Impact Report  
for the Del Mar City Hall/Town Hall  
Project  
Del Mar, California  
SCH #2015051067**

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December 16, 2015

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# Del Mar City Hall/Town Hall Project Final Environmental Impact Report

## Errata

### Introduction

The Del Mar City Hall/Town Hall Project is a City-initiated proposal to redevelop the existing City buildings at 1050 Camino del Mar, within the City of Del Mar. This project is an example of a project design in tandem with the environmental review process, whereby the design is informed by not only the public outreach and involvement, but also environmental analysis. Where design can be refined to reduce or avoid impacts, this concurrent process allows for such improvements in the plan without significant cost that accompanies late-in-design changes or the associated delays. With the tandem efforts, the intent of CEQA to disclose the potential environmental effects, and identify mitigating measures to reduce the impacts, is met while making the changes both practical and feasible through early design. This Errata has been prepared for the Final EIR to summarize the refinements to the proposed project, and to document the City's review and determination with respect to whether recirculation would be required under CEQA.

### Refinement of Proposed Project

The City Council voted on March 2, 2015, to move forward with the project which includes the construction of new City administration facilities (City Hall) to accommodate the existing civic functions within an approximately 9,250-square-foot City Hall facility, an approximate 3,200-square-foot Town Hall meeting room that can accommodate up to 150 persons, with an expansion ability to accommodate up to 250 persons using a breezeway, an approximately 15,000-square-foot outdoor public plaza, and parking for up to 160 parking spaces. Also included were expansion areas within the site to accommodate up to 20,000 square feet of future public facilities, to be determined at a later date with further environmental review as necessary.

The Draft EIR (DEIR) was prepared by the City to analyze the potential environmental impacts of the proposed project as conceptually designed. The DEIR was circulated for a 45-day public review period, from September 11, 2015, through October 26, 2015. During that time, fifteen letters of public comment were received on the project. No letters were received from any state or local agencies.

Due to the concurrent design process and environmental review, the project has been refined from not only public involvement, but also from the environmental analysis conducted for the proposed project. The Refined Conceptual Site Plan has been included as Figures 3-2 and 3-3. The following is a summary of the refinements to the project since the circulation of the DEIR:

- Refinement of grading elevations for the lower parking lot and Expansion Area C;
- Designation and labeling of open areas as public viewing spaces within the plaza area (see Figure 3-4 of the Final EIR);
- Design of rooflines consistent with City Zoning and Municipal Code;
- Reduction in square footage for the City Hall along the northern end of the building;
- Relocation of the elevator to the north side of City Hall;
- Design of Town Hall;
- Conceptual Landscape Plan with trellis relocation, planting areas, exterior furniture, and plant palette options,
- Access stairs and ramps,
- Options for the location of the parking garage exhaust fan on either the western side or southern side of the parking garage,
- Design option for an internal driveway along the western side of the garage to provide connection between the surface parking lot and the parking garage,
- Design option to install a gated access at the north end of the surface parking lot to limit access to oversized or emergency vehicles only, and
- Design option to reduce the usable area associated with the Town Hall Terrace to a gated approximately 300 square-foot area with an access walkway and either screening or removal of the remaining structural area for a recessed access for the parking garage ingress on 10<sup>th</sup> Street.

Public comments received on the analysis and refinements to the project design have resulted in revisions to sections of the Final EIR. Further information, photographs and exhibits, and modeling have been included in analysis to reflect the refinements of the conceptual site plan that have been incorporated into the Final EIR. The conclusions of significance are the same for all impacts, with the exception of impacts to scenic views at build-out of the project with expansion areas A, B, and C (see Impact AES-3), which has been reduced to less than significant with mitigation (see MM-AES-3). The refined details included in the refined conceptual site plan, including building architecture, rooflines, and materials, as well as new designated

public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered, along with additional mitigation. Refer to Section 4.2, Aesthetics, of the Final EIR for the detailed analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed. No new or more severe impacts were identified for the refined conceptual site plan or the design options.

Responses to the public comments received during public review of the DEIR have been prepared in a side-by-side format to track the comment with the City response and included in the Final EIR. Where changes in the text have been made in response to comments on the DEIR, such changes are noted in the responses. The changes to the Final EIR have been made in ~~strikeout~~ and underline (e.g., ~~Old Text~~ Revised Text).

## Recirculation Determination

The standards for recirculation as defined in CEQA Statutes Section 21092.1, and CEQA Guidelines Section 15088.5, require that if changes may result in new or increased levels of environmental impacts, or if “significant new information” is added to the DEIR in response to comments, the EIR may be required to be recirculated for additional review and comments.

*The Laurel Heights Improvement Assn. v. Regents* (1993) 6 Cal 4th 1112 case, known as “Laurel Heights II”, provides that new information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project, or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement.

In accordance with these Guidelines, the refinements to the project design and the comments received on the DEIR do not result in the need to recirculate the EIR. The revisions to the Final EIR merely clarify the analysis to reflect the refined project design, and do not result in any new significant impacts or significant impacts of greater extent; nor does the additional analysis result in any mitigation measures or alternatives for which the City is declining to adopt.

The project analyzed within the DEIR was complete and with sufficient detail to provide adequate review. The refinements are focused on specific design features that were contemplated in the original conceptual site plan project description, have been further developed to address impacts and community concerns with respect to planning and design review. The new information and refinements is not significant and would not deprive the public of a meaningful opportunity to comment, as they existed previously without the design refinements (i.e., architecture, materials, landscaping) and would not result in increased or new impacts not previously identified. Therefore, recirculation of the DEIR is not required.

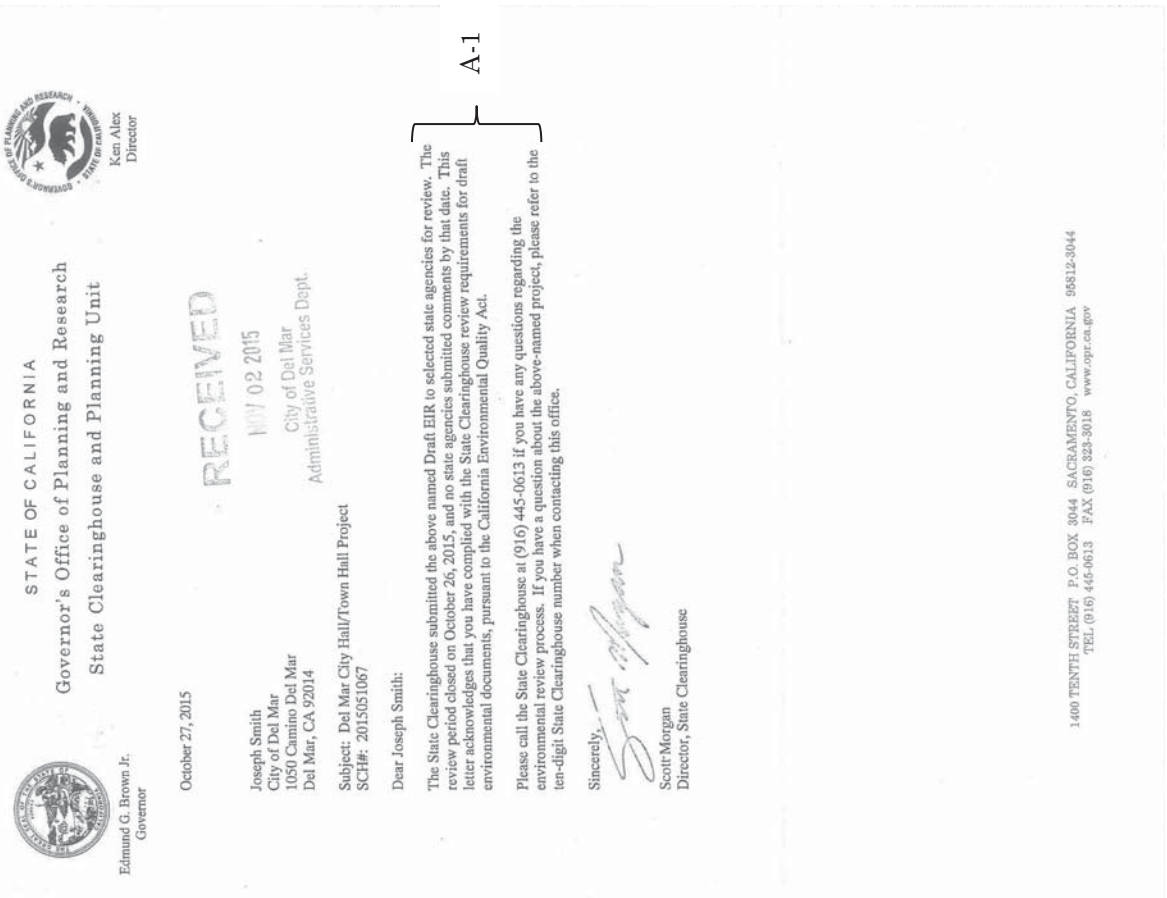
## DEL MAR CITY HALL/TOWN HALL PROJECT FINAL EIR LETTERS OF COMMENT AND RESPONSES

The following letters of comment were received from during the public review period (September 11 to October 26, 2015) of the Draft EIR. With the exception of the State Clearinghouse letter to document receipt and compliance, no letters of comment were received from any state or local agencies. All comment letters were received from interested persons, including residents and business owners, or their representatives.

A copy of each comment letter along with corresponding staff responses is included here. Some of the comments did not address the adequacy of the environmental document; however, staff has attempted to provide appropriate responses to those comments where information may have been gleaned from the EIR. Comment letters are numbered based on the order received, with the exception of the letter from the State Clearinghouse. Some of the comments received resulted in changes or additional information to further clarify the analysis contained within the EIR. These changes are indicated by ~~strikeout~~ (deleted) and underline (inserted) markings in the Final EIR.

Letter	Author	Format	Date
<b>STATE AGENCIES</b>			
A	State Clearinghouse, Scott Morgan, <i>SCH Compliance</i>	Letter	10/27/15
<b>INDIVIDUALS/ORGANIZATIONS</b>			
B	Kit Leeger	Letter	9/20/15
C	Julie Maxey-Allison and Brad Allison	Letter	9/24/15
D	Paul Rael	Email	9/24/15
E	Suren Dutia	Email	9/29/15
F	Jim Watkins and Kit Leeger	Email	10/02/15
G	Jerry Rost	Email	10/04/15
H	Patricia Tastad	Email	10/05/15
I	Charley and Marilyn Wheeler	Email	10/11/15
J	Dr. David and Lyn Zanders	Letter	10/13/15
K	Betty Wheeler	Email	10/24/15
L	Don Ellis	Email	10/24/15
M	Tom Seymour	Email	10/26/15
N	Everett DeLano	Letter	10/26/15
O	Joy and Rick Ehrenfeld	Email	10/26/15
P	Paul J. Rael	Comment Card	10/27/15

Letter A



A-1

A-1 No response needed. This letter confirms receipt of the document and distribution to appropriate agencies.

Document Details Report  
State Clearinghouse Data Base

**SCH#** 2015051067  
**Project Title** Del Mar City Hall/Town Hall Project  
**Lead Agency** Del Mar, City of

**Type** EIR **Draft EIR**

**Description**  
The City proposes to upgrade and expand the City's administration center (City Hall) to accommodate the existing civic functions within an approximately 9,250-sf City Hall facility, an approximately 3,200-sf Town Hall meeting room that can accommodate up to 150 persons, an approximately 15,000-sf outdoor public plaza, and parking for up to 160 parking spaces. Among the uses proposed within the initial phase of the City Hall development would be the offices, public counters, conference rooms, and restrooms. The Town Hall would accommodate the City Council chambers, community meeting space, and Del Mar TV studio and network offices. Also included in the project is a future expansion of planned City Hall, Town Hall, or plaza or other uses to support public facilities as consistent with the City's Zoning Ordinance. During construction the City operations that currently exist on-site, including the City Hall public functions and City Council and other committee hearings, will be relocated. The options for the temporary relocation will also be analyzed in the EIR.

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**Project Location**

**County** San Diego  
**City** Del Mar  
**Region**  
**Lat./Long** 32° 57' 17.3447" N / 117° 15' 50.3861" W  
**Gross Streets** 10th Street and 11th Street  
**Parcel No.** 300-093-02 and 300-093-03  
**Township** 14S **Range** 4W **Section** 26 **Base**

**Proximity to:**

**Highways** I-5  
**Airports**  
**Railways** NCTD Coaster, AMTRAK Pacific Sur  
**Waterways** Pacific Ocean, San Dieguito River  
**Schools** Winston School  
**Land Use** Public Facilities

**Project Issues**

Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Cumulative Effects; Other Issues

**Reviewing Agencies**

Resources Agency, California Coastal Commission; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Air Resources Board; Regional Water Quality Control Board, Region 9; California Energy Commission; Native American Heritage Commission; Public Utilities Commission

**Date Received** 09/11/2015 **Start of Review** 09/11/2015 **End of Review** 10/26/2015

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

Letter B

September 20, 2015

LEEGER ARCHITECTURE

Honorable Mayor and City Council members,

Thank you for the work you and the Planning Department have done getting a new Civic Center this far. We are closer than we have been in 20 years! Your collaboration with the residents via the community workshops, survey and open forums have provided opportunities for the residents to let you know what they want - and are willing to pay for.

This my alarm when I read the draft EIR report.

There are some serious flaws in the Draft EIR report. There are inaccurate statements within the Project Overview and the Project Objectives that have led to unacceptable conclusions. From the report, section

51.2 PROJECT OVERVIEW

Paragraph 5: "A future expansion area for an additional 20,000 square feet of public facility uses consistent with the Public Facilities designation of the City's Zoning Ordinance as part of the project."

No, the project programming is for additional space for commercial uses. Uses such as a restaurant or café that could enliven the Plaza for all to enjoy. Not to repeat the previously failed attempts to approve massive government buildings!

From section

51.3 PROJECT OBJECTIVES

Bullet #7: "Provide for future expansion areas within the project site consistent with the existing land use and zoning regulations."

Again, it was always understood, by the voters at least, that there would be required modifications to the existing land use and zoning regulations. It was by that agreement that the residents approved the government building design phase to get underway. That way there would be no further delay in providing safe and necessary accommodations for our city staff members. The residents are expecting zoning modifications to follow.

The unacceptable conclusion:

From section

55.2.1 REDUCED PROJECT ALTERNATIVE

Paragraph 1: "This alternative would omit expansion area A in the northeastern portion of the site in the plaza.

Paragraph 2: "Additionally, the parking located in the surface lot, facing westward (~28 spaces) would be removed from the proposed project.

760-815-4718 415-633-7819  
P.O. BOX 2610 P.O. BOX 26473  
DEL MAR, CA 92014 SAN FRANCISCO, CA 94126



B-1

No response needed.

B-2

The EIR reflects the proposed project description as approved by the City Council on March 2, 2015, to be used as the basis of the EIR. The City Council only approved uses in the expansion area consistent with the Public Facilities zone. Since the Public Facilities zone does not allow commercial uses, a rezone to Central Commercial would be required to allow the types of commercial uses on the project site as described by the commentator. Subject to Measure B, a rezone would also require a public vote as a ballot measure. While the EIR does not address commercial uses, future expansion area for commercial uses could occur at a later date pending subsequent environmental review, approval of a rezone, and passage of a ballot measure. This comment has been identified for communication by City staff to the decision making body for information and consideration.

B-3

See response to comment B-2.

B-4

The commentator disagrees with the EIR determination of "significant and unmitigable" for scenic views as compared to the existing condition. The EIR analysis of the potential environmental impact associated with blockage of "blue water" views, as detailed in Section 4.2, was developed on the baseline of the existing condition, which includes the existing City hall buildings, portable structures, hearing chambers and television studio, surface parking areas, and mature landscaping. The scenic view impacts are described in terms of changes from the existing condition in both a near-term (construction of the proposed City Hall and Town Hall facilities, along with the parking structure, surface parking lot, and landscaping) and long-term (buildout of the site with the three expansion areas) conditions to allow for the understanding of the project as whole.

However, as noted in the Errata, and as described and illustrated within Chapter 3.0, Project Description, the proposed project has been refined in response to public comments and through input at hearings and workshops on the proposed City Hall/Town Hall Project. As a result, further analysis, photographs and exhibits, and information clarifying the existing condition, the proposed project



LEEGER ARCHITECTURE

This conclusion will doom the City's chances for getting voter approval, if they feel they are being cheated out of the project they agreed to!

The environmental issue stated as the grounds for deeming the expansion as "significant and unmitigable" (Table 7-1, page 7-3) is "scenic vistas". And yet, by the reports own admission,

"...this view blockage would be similar to the existing condition due to the existing structures at the north east corner of the site..." (Table S-1, Aesthetics: Threshold AES-1: Views)

I would argue that compared to what is there, pretty much anything will improve the view! It is unreasonable to argue, that during the interim between demolition and construction, that there will be new views to lose. In that case the decision for "No Project" makes just as much sense, tear the whole thing down and move into an already built office building.

State mandates have long been overreaching their voter-given authority. CEQA is a perfect example. Del Mar residents have spent \$300,000 for a 231 pages, repetitive report, to tell you not to do what the voters asked you to do. Be reminded that the CEQA report is a "guideline". It is still the City Council decision. CEQA Guidelines Section 15021(d) states:

"...a public agency has an obligation to balance a variety of public objectives, including economic, environmental and social factors..." The project as a whole has significant economic and social benefits. Take a stand for the residents of Del Mar and reject this divisive conclusion.

I will reiterate what I said at the last City Council meeting. The sitting City Council should finish the job they started. Having carried it this far, make the Resolution to fulfill the residents vision for Del Mar's new Civic Center.

Sincerely,

*Kit Leeger*  
Kit Leeger

Cc: ACorti@delmar.ca.us  
DMosier@delmar.ca.us  
SParks@delmar.ca.us  
TSinnott@delmar.ca.us  
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B-4 (cont.)

design, and potential significance of impacts, have been incorporated into the Final EIR, including Section 4.2, Aesthetics.

The impact to scenic views was identified at the project site due to the potential view blockage that could occur as proposed landscaping matures, blocking views from public spaces to the east (Impact AES-1). This determination did not change with the analysis of the refined project design. With respect to buildout of the project, refined details on the project design, including building architecture, rooflines, and materials, as well as new designated public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered for the analysis of the refined conceptual site plan. View corridors along 10th and 11th streets would still be maintained. Public views northbound along the segment of Camino del Mar immediately adjacent to the project are blocked by existing vegetation. Southbound public views from Camino del Mar would be maximized through the project design associated with the development of the City Hall and Town Hall buildings (open public plazas, low-profile structures, and glass façades); however, certain project features could result in an unreasonable blockage of views, resulting in a significant impact to ocean views (Impact AES-2), consistent with the impact identified in the Draft EIR.

Additional mitigation was identified as a result of refined project design and public input, and is included as the new MM-AES-3 (MM-AES-4 addresses project impacts associated with light and glare). With the implementation of the mitigation, including future Design Review of the expansion areas, the incorporation of Town Hall Overlook, the limitation of new structures to achieve approximately 50 percent or more of the Ocean View Terrace, the use of open and transparent materials to the greatest extent practicable in the upper (eastern) portion of the site, limiting the roofline of expansion area B to not exceed the height of the roofline of the adjacent City Hall structure as constructed, and the siting of the future development of expansion area A in a manner such that view access from Camino del Mar is approximately 50 percent of the length from the northeastern corner of City Hall to the northern property line, and reduce and maintain the ground cover

B-4  
cont.

B-5

B-6

B-4 (cont.)

landscaping (trees excepted) within the median of Camino del Mar, between 9th Street and 11th Street, to not exceed 24 inches in height, to expand views westward for northbound vehicle occupants and pedestrians on the east side of Camino del Mar, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

The alternative to move into existing commercial/office buildings in the area is a separate alternative that was considered but rejected by the City Council for this project.

B-5

The EIR is an informational document for disclosure of the potential environmental effects associated with the project and any feasible alternatives. The commentor is correct, in that the City Council will make the final decision on the project at a public hearing. The City Council has the discretion of approving the project as proposed, approving a project alternative, or voting to deny the project.

However, as mentioned above in response to comment B-4, the Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

B-6

The commentor has provided a recommendation for the City Council, and does not specifically raise an issue related to the adequacy of the analysis contained within the EIR other than what was previously discussed in Comment B-2. This comment has been identified as a planning matter for communication by City staff to the decision making body for information and consideration.

Letter C

September 24, 2015

RE: CITY HALL DEVELOPMENT

10TH Street, the first Main Street of Del Mar (since 1885), has developed into a quiet residential street with an eclectic design of homes, with neighbors co-existing easily with each other and City Hall.

Having City Hall as a neighbor proves a challenge at times with the Saturday Farmers' Market and the occasional informal meeting carried out in the street away from the 11th Street buildings. For the most part, all is tranquil. There is not much noise overflow, over-lighting, except for the intermittent police car emergency lights.

With the projected building of a new City Hall, whatever plans are eventually initiated, we want to be sure the following items are avoided by any and all planners:

The years of Construction:

- Construction vehicle and equipment are keep off 10th Street
- Working hours are prescribed by city ordinance and adhered to
- Demolition and construction: Noise, dust, debris are contained
- Security lighting is non invasive

Post construction:

- All City Hall property buildings are accessed from within the space, not from 10th Street
- 10th Street is repaved (it has been years since the last maintenance) and converted to a non through street cut off west of the City Hall property
- 10th Street is landscaped
- Noise from all buildings is contained
- Property lighting is non invasive

We also request that 10th Street be respected and refinished as the historic street it is with original houses unique to Del Mar.

Julie Maxey-Allison and Brad Allison

C-1

C-2

C-2a

C-2b

C-2c

C-2d

C-3

C-4

C-1 This comment is a characterization of the community of the project area, specifically in the vicinity of 10th Street, and sets the stage for the comments that follow. It does not raise an issue related to the adequacy of the analysis contained within the EIR.

C-2 This comment provides an introduction to the commentor's recommendations for construction practices and requirements during construction. Each item is responded to individually in the subsection below. Although these recommendations do not address the adequacy of the EIR, this comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

C-2a Since the EIR does not identify any significant impacts related to construction vehicle and equipment, there is no required mitigation in the form of a prohibition of construction vehicle and equipment storage on 10th Street. A construction and staging area plan will be prepared prior to construction activities and will contain measures to minimize the use of Stratford Court, 10th and 11th Streets in the residential zone to the greatest extent practicable.

C-2b As detailed in Section 4.7.1.2c, the EIR analysis states that the construction activities would comply with the Noise Ordinance included within the City's Municipal Code, including the limitation of construction to be limited to Monday through Friday between 7:00 a.m. and 7:00 p.m.; Saturdays between 9:00 a.m. and 7:00 p.m.; and no construction on Sundays or City holidays.

C-2c The analysis contained within the EIR identifies potential impacts associated with demolition and construction activities that would generate noise (Section 4.7), fugitive dust (Section 4.5), and demolition materials (Section 6.10). The analysis contained within the EIR identifies potential impacts associated with demolition and construction activities that would generate noise (Section 4.7), fugitive dust (Section 4.5), and demolition materials (Section 6.10).

With respect to the noise, as discussed in Section 4.7 of the EIR, potential construction impacts at the western property line were identified. To mitigate these impacts, a temporary 10-foot tall noise attenuation barrier was required during all phases of construction along the entire western property line of the project site.

C-2c (cont.)

Construction would result in the generation of fugitive dust from demolition and grading. However, as discussed in Section 4.5 of the EIR, construction operations would be subject to the San Diego Air Pollution Control District rules and regulations for containment and minimization of fugitive dust emissions.

Demolition of the existing on-site building and surface materials would result in construction debris. The removal and disposal of the construction debris would be required to comply with state and City Municipal Code requirements for recycling of construction materials to the greatest extent feasible. Furthermore, if materials contain hazardous materials, such as lead based paint or asbestos, the City is required to comply with state regulation for materials containment and disposal; therefore, the City's compliance with all applicable regulations would reduce impacts to less than significant.

C-2d

As discussed in Section 4.2 of the EIR, the proposed project was analyzed for potential impacts related to light and glare. Significant impacts on the project site were identified and mitigation measure MM-AES-4 includes recommendations for lighting placement and orientation. Construction lighting would be similar to, or less than the on-site lighting associated with the existing City Hall facilities with respect to building and parking security. However, to further clarify this point, and to ensure no new sources of light occur associated with construction site security, the Final EIR was updated to include a requirement that security lighting erected during construction shall be placed below the height of the proposed noise attenuation barrier (MM-NOS-1) and oriented downward and away from adjacent residential properties during all phases of construction. For work in the upper portion of the site, the downward orientation and focused lighting away from the residential properties to the west shall be required.

C-3

The commenter has provided recommendations for post-construction practices and requirements related to limitation of access on 10th Street; paving of 10th Street and converted to a dead end at the project site western property line; landscaping of 10th Street; containment of noise from all on-site buildings; and non-invasive lighting.

C-3 (cont.)

With respect to 10th Street access and improvements, the project as proposed would have access limited to ingress (entry) into the parking garage from 10th Street only. No additional ingress or egress is proposed on 10th Street. The EIR does not identify any significant impacts related to 10th Street and therefore no mitigation in the form of precluding access from 10th Street, repaving and landscaping are required. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

With respect to noise, as noted in the Errata, and as described and illustrated within Chapter 3.0, Project Description, the proposed project has been refined in response to public comments and through input at hearings and workshops on the proposed City Hall/Town Hall Project. As a result, further analysis of the refined conceptual site plan, as well as two design options – the first, to install a driveway connecting the surface lot with the parking garage, which would allow for the consideration of a gated access at the north end of the surface parking lot to limit direct access off 11th Street to oversize and emergency vehicles or for special events, and the parking garage exhaust fan would be located immediately adjacent to the internal driveway connecting, on the western wall of the parking garage. The second, would be the installation of a driveway connecting the surface lot with the parking garage, which would allow for the consideration of a gated access at the north end of the surface parking lot to limit direct access off 11th Street to oversize and emergency vehicles or for special events, and the relocation of the garage exhaust fan to a shaft located at the southeastern side of City Hall.

No additional impacts associated with noise would occur with the refined conceptual site plan or either of the two design options. All impacts would be similar to the original conceptual site plan, for exceedance of nighttime noise level standards at the nearest adjacent residential property lines. The impacts would be mitigation to below a level of significance with the installation of the noise attenuation barriers as described in MM-NOS-3, and illustrated in

C-3 (cont.)

shown in Figures 4.7-14a (added) and 4.7-14b (added), Figures 4.7-15a (added) and 4.7-15b (added), or 4.7-16a (added) and 4.7-16b (added), reflective of the design option selected. See Section 4.7, Noise, of the Final EIR for detailed analysis and mitigation measures related to noise impacts.

With respect to lighting, as discussed in Section 4.2 of the EIR, the proposed project was analyzed for potential impacts related to light and glare. Significant impacts at the project site were identified and mitigation measures include recommendations for lighting sensors, screening of the western side of the parking garage, and placement of both exterior and interior lighting, all of which would mitigate lighting impacts to adjacent residential properties. See Section 4.2, Aesthetics, of the Final EIR for detailed analysis and mitigation measures related to light and glare impacts.

C-4

The commenter provides a request with regard to 10th Street and does not specifically raise an issue related to the adequacy of the analysis contained within the EIR.

Letter D

**Subject:** DMCH RE: 234, 10th Street

**From:** Staysels [mailto:staysels@aol.com]  
**Sent:** Thursday, September 24, 2015 11:14 AM  
**To:** Kathleen A. Garcia  
**Subject:** 234, 10th Street

Morning,

I wanted to find out if you have a plan from the architect as to where you plan to put the brick wall dividing the city and my property? We are doing a large driveway, project/pool and Stacey & I want to ensure you will not need access to my property once our new stone driveway etc gets constructed.

Would it be possible to get this wall in place ahead of the contractor starting demolition in January as it will provide noise mitigation/dust screen and security to Rick and my family?

Chat soon,  
Paul

} D-1

} D-2

D-1

The commentor is inquiring about the location of the proposed construction and operational noise attenuation barrier required along the western project site property line. The construction noise attenuation barrier would be located around the perimeter of the project site, and with respect to the western boundary, at the top of the slope, approximately 10 feet to the east from the western property line to ensure construction noise levels are reduced to City standards at the property line. Following construction, the permanent noise attenuation barrier would be 8 feet tall, located at the top of the slope, approximately 10 feet from the western property line, adjacent to the lower surface parking lot. Upon completion of the final grading plans, a focused noise evaluation will be conducted to determine the precise location of the wall to ensure mitigation of noise impacts.

The design of the both the construction and permanent noise attenuation barriers are under a concurrent design process, and will be considered by the Design Review Board and the City Council. The commentor may contact City staff to view the most current design plans for the noise attenuation barriers.

D-2

The commentor has requested that the wall be constructed prior to the start of demolition to mitigate noise and dust, and provide security for the residences to the west. As detailed in MM-NOS-1, the 10-foot tall noise attenuation barrier is required as a mitigation measure to be erected prior to the start of demolition and construction. A permanent 10 foot noise attenuation barrier along the western edge of the surface parking lot will be in place prior to certificate of occupancy, as described in MM-NOS-3, and illustrated in shown in Figures 4.7-14a (added) and 4.7-14b (added), Figures 4.7-15a (added) and 4.7-15b (added), or 4.7-16a (added) and 4.7-16b (added), reflective of the design option selected. See Section 4.7, Noise, of the Final EIR for detailed analysis and mitigation measures related to noise impacts.

Letter E

From: [azam.dulla@delmarcity.com](mailto:azam.dulla@delmarcity.com)  
 To: [CityHallCOO@delmarcity.com](mailto:CityHallCOO@delmarcity.com)  
 Cc: Kathleen A. Garcia, Joseph Smith, Shaan McElhannon, [imobility@delmarcity.com](mailto:imobility@delmarcity.com), [jas@delmarcity.com](mailto:jas@delmarcity.com)  
 Subject: Comments on the Draft EIR - Adverse Impact of Traffic on the 11th Street  
 Date: Tuesday, September 29, 2015 5:54:26 PM

Dear Sir/Madam:

In response to the Draft EIR for the Del Mar City Hall/Town Hall Project, I am writing this to formally express my **serious** concerns about the section on Traffic and strongly disagree with the author's presumptuous conclusion that it "would not have significant impacts." My position is that unless actions are taken to mitigate likely problems resulting from traffic movement on 11th street, it will have significant adverse impact on those residents who reside in the vicinity of the proposed City Hall/Town Hall Project and on the 11th street. Unfortunately, no time was spent last night by the presenters in explaining how "ingress" and "egress" would work. Further, as of today, I have not seen any comparative information about the placement of "entrances" and "exits" on Camino Del Mar, 10<sup>th</sup> and 11<sup>th</sup> streets and there appears to be a bias or predisposition for routing great deal of traffic to the 11<sup>th</sup> street versus studying this issue carefully and examining options that would minimize adverse impact and distribute traffic more equitably. In fact, the section on traffic is amateurish with very little conclusive data. While I am a strong support of the proposed City Hall, I am bothered by the fact that last night little, if any, time was devoted to explaining how traffic movement on the 11<sup>th</sup> street will impact the current residents. I spoke with two persons who sat through discussion on EIR and they also told me that there was hardly any mention of traffic movement and how it would impact the neighborhood. It is my belief that this topic of traffic and its impact is glossed over in the Draft EIR and could be a very serious source of conflict and schism with the immediate neighbors involving the proposed Del Mar City Hall/Town Hall Project.

Let me share some of my comments and concerns. While I have had some discussion with Kathae and Joseph as well the architect Mike Jobs about the challenges of providing effective ingress and egress to the parking facilities, I was advised to wait and look at the EIR section dealing with traffic. Now that I have seen the Draft EIR analysis, I am alarmed. Last night, our Mayor summarized his comments and mentioned that impact of traffic needs be looked at. We remain **greatly** concerned about the **ingress and egress** involving the parking structure as well as the surface parking. A lot more thought and study is needed before finalizing mechanisms for egress and ingress to the parking facilities that are currently proposed or considered.

I feel that the cost of making 10th Street more functional and reducing heavy reliance and adverse impact on 11th Street should be considered. I especially would like to bring to your attention one more relevant fact that has not been mentioned in a meaningful way in any discussion (as far as I know) and certainly not in the Draft EIR analysis. It involves the use of 11th Street corridor for entering the commercial alley across the City Hall. Although I had suggested that as the parking study is being conducted, the person involved in this aspect of the EIR take into consideration the access route to the commercial alley across the City Hall. Please note that there are five commercial buildings in the commercial alley with 36 surface parking slots and 15 spaces underground with a total of 51 parking spaces. What is even more important is that bulk of the traffic into the commercial alley uses 11th Street to enter and occupy these parking spaces during the week.

E-1

E-2

E-3

E-4

E-5

E-6

E-1

This comment provides an introduction to the commentor's concerns regarding impacts associated with ingress and egress on 11th Street which affects residents on 11th Street. The proposed ingress and egress were developed for the proposed project based on the existing street network around City Hall, site parking design, the surrounding topography, and flow of circulation within the parking garage. The proposed access is also directly related to the existing four-way stop-controlled intersection at 11th Street and Camino del Mar; whereas the median along Camino del Mar and 10th Street requires a northbound driver to proceed north to make a left-turn and access the site. The placement of egress onto 11th Street is based on access to Camino Del Mar at 11th Street being safer, as four-way control intersection provide an environment for controlled turn movements than the access at Camino Del Mar and 10<sup>th</sup> Street which requires drivers to yield until the flow of traffic breaks.

The distance between the surface lot driveway and the parking garage driveway is a function of site design. Due to the proximity and visibility of the parking structure access on 11th Street to Camino del Mar, it is anticipated that this entrance would attract a higher portion of trips compared to the surface parking lot entrance. The surface parking lot entrance is forecast to attract a greater number of trips traveling to the site from the west primarily due to its proximity to Stratford Court and the lack of access restrictions at this driveway. The access into the parking structure would restrict left turns from the structure to reduce potential trips into the neighborhood. The surface parking lot has no turn restrictions and is therefore more accessible for residents west of Camino del Mar.

With respect to access along 10th Street, the proposed ingress was developed to address the current left-turn restriction at Camino del Mar and 11th Street between 3:00 p.m. and 6:00 p.m., in place to detour cut through traffic on Stratford Court during the PM peak hours. An egress was considered on 10th Street, however, the steep topography at 10th is a less desirable exit, as cars, even in the current condition, must judge the traffic flow and speed to exit off 10th Street onto Camino del Mar. Furthermore, as stated above, a four-way controlled intersection provides a safer environment for drivers over a yielded turn scenario. Please refer to response to comment E-1.

E-1 (cont.)

It should be noted that as noted in the Errata, and as described within Chapter 3.0, Project Description, in addition to the refinement of the conceptual site plan, design options have been considered, including the installation of a driveway connecting the surface lot with the parking garage, which would allow for the consideration of a gated access at the north end of the surface parking lot to limit direct access off 11th Street to oversize and emergency vehicles or for special events. No additional impacts associated with traffic would occur with this design options, as the trips associated with the surface parking lot already exist along 11th Street. The internal access would simply shift those trips east to the parking garage driveway. See Section 4.4, Transportation and Traffic, of the Final EIR for detailed analysis of this design option.

E-2

The proposed project was designed with ingress and egress at these locations based on considerations of existing traffic circulation and site constraints. Current ingress and egress to the site is at two driveways on 10th Street (entrance and exit) and a single driveway on 11th Street (entrance and exit). The proposed project would have two ingress and egress points on 11th Street (entrance and exit) and a single ingress only into the parking garage on 10th Street. As stated above in response to E-1, the project access proposed was limited by existing topography and site development design, as well as existing circulation limitations along Camino del Mar.

With respect to an alternative access on Camino del Mar, establishing a driveway directly off of Camino del Mar for either ingress or egress would have been infeasible due to the elevation of the roadway and the interior elevations for the parking garage. A driveway access would interfere with the usable space for the siting of the buildings and the development of an open civic plaza adjacent to Camino del Mar.

Furthermore, it is the general policy and preference of the City to avoid additional cur cuts on Camino del Mar due to traffic safety concerns associated with traffic flow, and pedestrian access and bicycle circulation, along this primary roadway. Complete Street legislation (SB375) aims to balance all modes of travel along corridors and focuses on improving safety, access and mobility for all

E-2 (cont.)

modes. Providing a new driveway midway between 10th Street and 11th Street on Camino del Mar would introduce a new conflict point for pedestrians and bicycles along a key pedestrian and bicycle corridor in the City, which is directly in conflict with Complete Streets objectives. Access driveways on the lower volume, lower speed 10th and 11th Streets provide for slower speed turns into and out of the driveways, fewer conflicts due to lower traffic volumes, and lower pedestrian and bicycle activity when compared to the volume and level of activity along Camino del Mar. In response, the City limits ingress and egress for new development to the side streets (east-west) providing access to Camino del Mar at existing intersections.

As stated above, ingress and egress along 10th Street is also limited by the steep topography. Due to the existing roadway grades, access is limited to a one-way ingress to allow for internal circulation at required elevations and grades within the parking garage. Furthermore, due to turn restrictions at the Camino de Mar and 11th Street intersection during the PM Peak hours (3:00 p.m. to 6:00pm), the ingress driveway access on 10th Street is necessary.

As stated above, providing a break in the median along Camino del Mar to provide access into and out of City Hall would result in an increase in delay at the Camino del Mar and 10th Street intersection as well as an increase in overall travel time and delay for through vehicles along Camino del Mar. This increase in intersection and corridor delay is anticipated to result in a negative impact for the project in the future.

E-3

A comprehensive Traffic Impact Analysis was prepared for by a qualified traffic engineer, STC Traffic, Inc., for the City Hall/Town Hall project. This report is included in the EIR as Appendix D and is the basis for the Transportation and Traffic section of the EIR. This section of the EIR also identifies the thresholds for determining significance in accordance with the California Environmental Quality Act (CEQA).

E-3 (cont.)

As stated in the EIR, the traffic engineer conducted an analysis of the surrounding circulation network, including the proposed ingress and egress onto 10th and 11th streets. To further refine the analysis, the traffic engineer conducted on-site intercept surveys that included observations of the parking and access, such as documenting timing of use during both a single weekday and a City Council meeting, parking user destinations which included interviews, through vehicular traffic, and existing circling traffic. These activities were integrated into the traffic distribution model to provide for a better understanding of the existing traffic and circulation and how it would apply to the proposed project.

A supplemental analysis of the adjacent private parking access easement (north side of 11th Street, parallel with Camino del Mar) was conducted as part of this response to comments. Volumes entering and exiting the parking access easement ranged from 10 vph in the AM peak to 9 vph in the PM peak. The field observations revealed that 90% of the trips made into and out of the parking access easement originated or were destined for a parking space. Approximately 10% of the trips in the parking access easement, all observed during the PM peak, passed through the parking access easement from 11th Street to 12th Street.

The existing traffic patterns along 10th and 11th streets demonstrate that there are approximately 700 vehicles per day on 11th Street and 200 vehicles per day on 10th Street adjacent to the City Hall property. The difference in volume is primarily due to restricted access and limitation of a right-turn in and out only from 10th Street due to the raised median on Camino Del Mar, and for 11th Street, the presence of the all-way STOP at Camino del Mar. Peak hour volumes on 11th Street are as follows:

- Existing AM: 67 vehicles per hour (1 veh / 55 seconds)
- Existing PM: 85 vehicles per hour (1 veh / 43 seconds)
- Existing Plus Project AM: 179 vehicles per hour (1 veh / 20 seconds)
- Existing Plus Project PM: 138 vehicles per hour (1 veh / 26 seconds)

E-3 (cont.)

The gap in traffic between successive vehicles is sufficient for vehicles entering and exiting the garage to do so without queues forming on 11th Street regardless if the vehicles are turning left into the alley or into City Hall. The presence of turning vehicles and the shortening of gaps between successive vehicles will also help to manage traffic speeds along 11th Street between Camino del Mar and the City Hall parking lot driveways. Decelerating vehicles turning either into the parking access easement or into the parking garage will help control through traffic speeds. This behavior was observed during the December 1, 2015 field assessment. The friction between turning vehicles and decelerating through vehicles will help maintain the desired 25 mph speed along 11th Street that is appropriate for a residential street. This additional analysis is included in the Supplemental Traffic Assessment included as Appendix D-2 of the EIR.

While it is acknowledged that some traffic patterns could change with the project, impacts to project area roadways, including 11th Street would not be so severe as to exceed the threshold of significance. Thus, the EIR concludes that there would be no significant impacts resulting from access to the project.

E-4

The proposed project ingress and egress have been analyzed and the results are detailed in the Traffic Impact Analysis (See Appendixes D-1 and D-2 to the EIR) and summarized in Section 4.4 of the EIR. See response to comments E-1, E-2 and E-3 above.

E-5

This comment contains a suggestion that the City should alter 10th Street to make it functional as an access equal to 11th Street. This comment has been identified for communication by City staff to the decision making body for information and consideration. Refer to response to comments E- 1 and E-2.

E-6

This comment addresses concerns regarding use of 11th Street for entering the commercial parking access easement across (to the north) from City Hall. The commercial parking access easement across from the project site is located on private property, and thereby is a private driveway. As stated above in response to comment E-3, intercept surveys that included observations of the existing traffic circulation and parking in the project vicinity were conducted as part of the refinement of the analysis included in the Supplemental Traffic Assessment included (see Appendix D-2 of the EIR).

The supplemental assessment of the parking access easement was conducted on December 1, 2015 to further document existing traffic patterns along 11th Street and the parking access easement. Traffic into and out of the parking access easement is low and would have little to no impact on the operations to the access into or out of the parking garage. Results of the June field observations and December field observations were compared and found there was relative little to no change in traffic volumes on 11th Street between the two observation periods. Traffic from the parking access easement and the trips associated with this driveway onto 11th Street were included in traffic counts and observational refinements. The proposed project ingress and egress would not alter, remove, or restrict the existing access for the easement and would not result in an increase in delay that exceeds the threshold of significance along this corridor. The increase in traffic as a result of the City Hall parking garage would not result in a condition where queues will form on 11th Street that would affect access to, or from, the parking access easement.

In addition to the above, my concerns are based on the following:

- 1. This (11th Street) is a heavily traveled street (known as the surf alley) and proposed approach will undoubtedly add to additional traffic and congestion
  - 2. We are requesting a careful review and better method than what appeared to be a provision for two ingress and egress on the 11<sup>th</sup> street in a very short distance. What are the options and/or alternatives?
  - 3. Based on having lived on this street almost 25 years, we are greatly concerned about the safety issues. It would be prudent that we thoroughly review this issue that could present serious challenges once we have traffic fatalities due to this design and resulting from it, likely litigation.
  - 4. I personally think that 10th street needs to be better utilized for access and exit from the parking structure
- E-7
- E-8
- E-9
- E-10
- E-11

I would welcome further dialog on options being considered for **ingress** and **egress** and how the adverse impact of traffic on the 11th street will be mitigated. Thank you for your consideration.  
Suren

Suren G. Dutia  
238 11<sup>th</sup> Street  
Del Mar, CA 92014  
858/792-9439 (O)

E-7

The trips associated with use of 11th Street as “surf alley” are included in the traffic counts used in the Traffic Impact Analysis prepared for the proposed project (See Appendix D-1 of the EIR). The proposed project was analyzed and included the redistribution of the existing City Hall trips to reflect the change in access, as well as the capture of pass-by trips associated with the parking garage. Results of the operational analysis at the project driveways indicate the vehicles entering and exiting the parking structure and surface lots for City Hall would operate at acceptable levels of service (LOS A), which indicates little to no delay to vehicles turning into and out of the driveways. Further, as detailed in Section 4.4, while impacts are not significant and mitigation is not required, in order to minimize the effect on the community during special events, special traffic control measures shall be taken to direct traffic away from the residential neighborhood surround the project site.

E-8

See response to comments E-1 and E-2.

E-9

The EIR addresses the potential impacts related to hazards including the proposed project ingress and egress along 10th and 11th streets. As discussed in response to comment E-4, the additional traffic will not create a condition where vehicles 11th Street queue to enter the parking garage. In fact, gaps of 20 seconds or more will be provided during the peak hour to allow vehicles to enter and exit the parking garage with little to no delay, as demonstrated in the Traffic Impact Analysis report for this project.

As documented in the EIR, the proposed project does not include any features that would substantially increase hazards, including off-site improvements or changes to alignments of project vicinity roadways. Furthermore, as stated in Section 4.4, Transportation and Traffic, the proposed project would comply with Municipal Code 30.86, which requires that structures be setback 20 feet from the intersection of both roadways with Camino del Mar. As a result of this requirement, the parking along City Hall frontage will be removed with exception of 2 to 3 loading/unloading spaces near Camino del Mar. The removal of the existing parking along the frontage by extending the curb to the edge of the existing parking lane will improve sight distance, reduce conflicting movements along 11th Street and will reduce the potential for vehicles to U-turn in the middle of 11th Street to access on-street parking spaces.

LETTER

RESPONSE

- E-10 Comment noted. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.
- E-11 Comment noted. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

Letter F

Joseph Smith

From: Kc Vafiadis <kvat@yahoo.com>  
Sent: Friday, October 02, 2015 11:06 AM  
To: CityHallCEQA  
Subject: Fw: EIR

To Whom It May Concern:

Throughout 2014, prior to the Community vote, my daughter Kit and I talked with well over a hundred residents from all segments of the Community for their input on what they wanted for their Civic Center.

The 2 to 1 choice was for a vibrant interactive Civic Center as a gathering place for all residents, designed around a public plaza for multiple social and cultural uses, plus space for future options. By far the most requested future option was for a restaurant to activate the plaza and historic Alvarado House.

My only goal is for our Civic Center to achieve the objective of what the Community voted for, as a gathering place for all the community. It was not for just a City Hall used by a few. A big reason for the 2 to 1 vote was for the options that could add life and services to the Civic Center.

At this point my concern is not what those options will be, that will be determined by the Community in the future. My concern is that the way I read the EIR, it states future options are unacceptable and unmitigable. This would prevent achieving the stated goals of our Community and result in a serious backlash for the Civic Center and to justify its cost.

The EIR states "future uses are unmitigable". If approved, the City would only be allowed to utilize less than 20% of the total site (a 18.3% FAR) which would restrict the City from achieving the stated goals of the Community. What is the possible justification for the EIR's position that would be so detrimental to the City and the Community goals for their Civic Center?

Jim Watkins  
858-755-3991

Kit Leeger  
858-755-3991

F-1

Comment noted. This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR but has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

F-2

In accordance with the California Environmental Quality Act (CEQA), the EIR is informational to provide disclosure of the potential environmental effects associated with a project and any feasible alternatives. While the Draft EIR concluded that impacts to scenic views at buildout would be significant and unmitigable, refined details on the project design, including building architecture, rooflines, and materials, as well as new designated public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered for the analysis of the refined conceptual site plan. The Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Additional mitigation was also identified as a result of refined project design and public input, and is included as the new MM-AES-3 (MM-AES-4 addresses project impacts associated with light and glare). Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

F-3

As mentioned above in response to comment F-2, the Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the

F-3 (cont.)

proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

As stated in Chapter 1.0, Introduction, and Chapter 3.0, Project Description, any future development of the expansion areas would need to be reviewed for compliance with the existing land use and zoning, design review, and the analysis contained within this EIR. Any proposal which is not consistent with existing land use and zoning would require further analysis under CEQA and consideration of land use or zoning amendments as applicable.

Letter G

**From:** Jerry Rost <jerry@jresources.com>  
**Sent:** Sunday, October 04, 2015 12:04 PM  
**To:** cityhallceqa@delmar.ca.us  
**Cc:** citymanager@delmar.ca.us; acorti@delmar.ca.us  
**Subject:** Del Mar city hall plans and solar & Post Office suggestion

I read the recent article about our city hall plans and the one thing that was clearly absent was any mention of sustainable energy or solar plans.

I have a few important points about solar:

1). If the new city hall and all community facilities there were completely solar powered or off set with solar then:

A) In time of emergency needs or longer term power outages all in Del Mar would have a safe, warm and viable place to gather and possibly stay, if a reasonable level of emergency food and water was also there it would serve all well.

B) The city could neutralize or offset much of it's electricity costs in the short run, and it could actually be a revenue source in the long run.

Another possible benefit would be if it is possible to have that solar system be part of a co-op that those of us who have too much shade to have their own solar could join? That would help offset the initial cost to the city as I believe many "shaded" home owners would pay to be part of and share in such a co-op

Lastly, has there been any conversation about having the Post Office be part of the new City Hall - Center plan? Would that be possible and a way to free up the valuable Post Office site to build a multilevel underground parking facility with public or nice retail space on top like a mini plaza? Such a site could be very appealing to a corporate partner to help finance and build like a Trader/Joes or ?????

How do I join in to this important conversation?

Jerry Rost  
 858-735-9450 mobile

Sent from my iPad

G-1

This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

G-2

The commentor has provided suggestions for the incorporation of the Post Office into the proposed project and ideas for reuse of the existing Post Office property. The relocation of the Post Office to the project site is a planning matter for the decision makers, and does not specifically relate to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

G-3

The commentor's request to be informed on the project design and decision making process has been noted. All interested parties can find materials on the City's website: [www.delmar.ca.us/cityhall](http://www.delmar.ca.us/cityhall) and can also sign up for notifications on the City's website in the "notify me" section.

G-1

G-2

G-3

Letter H

**From:** PT <lurvypops@gmail.com>  
**Sent:** Monday, October 05, 2015 9:23 AM  
**To:** CityHallCEQA@delmarcaus; blake tastad  
**Subject:** concerns

Hello,

My name is Patricia Tastad and I am a homeowner located at 131 Shippey Lane, Del Mar.

Per your proposal regarding the new city hall: I have major concerns related to the temporary relocation of the City Hall to Shores Park.

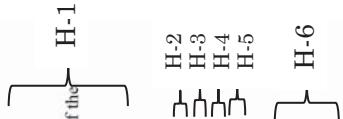
As you may know, this is already a well utilized and busy area. My concerns:

- an increase in traffic on Stratford Court
- an increase in noise level
- parking of school buses and City Hall employee/visitor parking
- lighting on the buildings

Please take into consideration the impact that this proposal has on the neighborhood community.

Many thanks for your time, and I look forward to working together to resolve these issues.

Warmly,  
Patricia Tastad



H-1

This comment provides an introduction to the commentor's concerns for the temporary relocation of City Hall to the Shores Park, and includes a statement that the area is currently well utilized and busy. This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR.

H-2

As analyzed in the Traffic Impact Analysis included as Appendix D-1 of the EIR, the temporary relocation of City Hall to the Shores Property would not add new traffic to the streets in Del Mar, but will result in a redistribution of existing trips primarily at the project ingress/egress location along Stratford Court. Existing traffic volumes on Stratford Court are currently at 786 Average Daily Trips (ADT); and the existing City Hall generates 384 ADT.

As shown in Figure 8-1 of the Traffic Impact Analysis, 14 trips would be added to Stratford Court during the AM peak hour heading south from 9th Street onto Stratford Court. In addition, 22 trips would be redistributed to Stratford Court in the AM peak hour heading north from 4th Street. In the PM peak hour, when traffic volume to and from City Hall is much lower than the AM; approximately 8 trips would be redistributed from 9th Street; and 7 trips from 4th Street to Stratford Court. The remaining trips associated with the existing City Hall site currently travel along Stratford Court and would not change their travel patterns to access the site.

At the Shores Park site, the daily traffic volume into and out of the driveway for the site is anticipated to be approximately 192 trips inbound and 192 trips outbound based on the trip generation study conducted for the existing City Hall site. It should be noted that approximately 10% of the trips associated with the existing City Hall site include visitors who park in the public parking lot and walk to adjacent businesses, residences and the beach. These visitor trips would be redistributed to the parking on the roadways in the general vicinity and would not be redistributed to the temporary relocation site.

H-3

As detailed in Section 4.7 of the EIR, the noise associated with the temporary relocation of City Hall to the Shores Park would result in short-term construction noise impacts to the residences directly to the south associated with the construction of the improved southwestern driveway, requiring a temporary noise attenuation barrier along the southern property line.

The increase in traffic on Stratford Court would not result in a perceivable change in noise associated with the traffic as it would be less than a 2 dB(A) increase, which is the threshold for a significant impact related to noise. On-site, daytime operations and noise within the parking lot would not exceed the City's daytime noise level limit of 55 dB(A) at any of the nearby residences. However, noise associated with the parking area from any potential late-night meetings (after 10:00 p.m.) would exceed the City's nighttime noise standard of 45 dB(A). As a result, a noise attenuation barrier would be required along a length of 160 feet along the southern boundary, and along the western perimeter of the parking area if the area is used for meetings past 10:00 p.m.. As noted in MM-NOS-4, if nighttime activities do not occur at this site (e.g., hearings or workshops that would run past 9:30 p.m. allowing for departure of all attendees and staff before 10:00 p.m.), this significant impact would be avoided and the noise attenuation barrier would not be required.

H-4

The proposed temporary relocation of the City Hall to the Shores Park would not affect the existing school bus circulation or parking, which currently occurs along Stratford Court, through the northwestern parking area, and onto 9th Street. Access and parking for the relocated City operations would be at the southwestern corner of the Shores Park site, and within the lower parking area.

H-5

As discussed in Section 4.2 of the EIR, while there would be minimal windows within the proposed structures and the site is surrounded by vegetative screening, the lighting associated with the temporary relocation of City Hall to the Shores Park, including car headlights within the parking lot for evening meetings would be a significant light and glare impact. The temporary relocation would be required to comply with the Design Review Ordinance and applicable lighting regulations for glazing and exterior lighting. The EIR includes mitigations measures for lighting placement. The construction of the noise wall along the western perimeter of the parking area would further mitigate potential light impacts. Based on further refinements to the proposed project, as an alternative to the construction of the noise attenuation barrier, the City may also restripe the parking area to orient the headlights from parked cars away from the western boundary.

H-6

This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

Letter I

**From:** charles wheeler <cewdelmar@yahoo.com>  
**Sent:** Sunday, October 11, 2015 2:10 PM  
**To:** CityHallCEQA@delmar.ca.us; cityhallarchitects@delmar.ca.us  
**Subject:** Comments for EIR and CPP meeting on October 21, 2015

The following comments apply to the EIR and are to be on the record for the Citizens' Participation Committee (CPP) Meeting on October 21, 2015:

- I-1 1. Future expansion of areas B and C would place undesirable bulk and mass on the 10th St. side of the project. This is not aesthetically appropriate and brings up issues such as additional light, glare, and noise. Area C is of particular concern because of its proximity to residences. Only a very small structure, such as the Alvarado House, would fit in that space. Its presence on 10th would be of great aesthetic and historical value. That is the only building that makes sense in that location. We urge the Council to commit and move forward with that plan.
- I-2 2. We fully support the traffic and parking plans as currently outlined in the EIR. Inbound access only into the parking structure for cars on 10th provides traffic relief for residents. Outbound cars on 11th allows traffic to more efficiently flow away from city buildings by using the existing 4 way stop at 11th and Camino del Mar. The surface parking lot must remain entrance/exit only from 11th. We strongly object to the Farmers Market representatives' request for a driveway on 10th. This opens 10th to truck and car traffic as well as congestion. The Farmers Market should not determine traffic flow for this entire project.
- I-3 In addition, as was mentioned to the architects on Sept. 28, 2015, it is critical that a wall with landscaping be extended along 10th St. to shield residents from the noise, headlights, traffic, and other activities on the surface parking lot. This wall should be positioned at a 60 ft. setback from the curb. After demolition of the TV studio there will be no separation from the parking lot without such a wall. Residents on 10th should have the same shield that residents on the west side of the project are provided in the EIR. Residents currently do not look at and experience the parking lot and shouldn't have to in the future.

Thank you for the opportunity to comment on this project.

Charley and Marilyn Wheeler  
 233 10th St.

Sent from my iPad

I-1

This comment expresses the commentor's concern that the future development of Expansion Area B and C would be undesirable with respect to bulk and mass along 10th Street. The future development of these areas was considered within the EIR for potential impacts associated with light and glare. The mitigation measures proposed as MM-AES-4 would be applied to the design and development of these areas at such a time the City moves forward with either of these expansion areas. With respect to noise, the development of Expansion Area B and C were included in the analysis, though were determined to not be generators of any new significant noise source. This comment has also been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

As a result of the comments received and public input at hearings, design options to reduce the size of the Town Hall Terrace to a gated 300 square feet of usable space for City employees and an access walkway, with either screening or the removal of the remaining area structurally replaced with a recessed garage access are being considered. These proposed design options would reduce the light and glare, as well as noise that could occur in this area. Additional analysis of the design options are incorporated in the Final EIR, including modeling of noise as detailed in Section 4.7, Noise, of the EIR.

I-2

This comment documents the commentor's support for the vehicular access as designed in the conceptual plan included in the EIR. This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

I-3

The EIR analyzes the potential impacts, specifically with respect to noise, and light and glare. The refined conceptual site plan was reviewed for potential impacts, and significant impacts associated with noise along the north, western, and southern edge of the surface parking lot would occur, requiring a noise attenuation barrier along the north on either side of the surface lot driveway, along the western and along the southern edge of the surface parking lot (a break in the wall for a 5-foot walking along the parking structure is permitted). With respect to vegetative screening, this would not attenuation noise and therefore would not be a mitigation measure under CEQA. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

Letter J

Dr. David and Lyn Zanders  
715 Stratford Court  
Del Mar, CA 92014

October 13, 2015

Attn: City of Del Mar Planning Department

Thank you for alerting us to the fact that the City of Del Mar is considering moving the City Operations buildings to the Shores Park parking area. We live immediately adjacent to Shores Park and are adamantly opposed to this proposal.

As you may be aware, there is already significant traffic on Stratford Court in the morning and afternoon due to Winston School buses and parent car traffic. Adding more activity will make this a traffic nightmare.

We enjoy Old Del Mar for its peace, tranquility and lack of traffic. It is simply unfair to place this type of commercial activity in our quiet neighborhood. Please consider alternative sites even if it means spreading out City offices to separate locations.

We personally contributed and supported the purchase of the Shores Park property. We are appalled that the City Council would "use" this opportunity and delay the Shores Park development. The idea of any use, other than a park, was never mentioned when funds were being solicited.

Thank you for your consideration.

Dr. David and Lyn Zanders

J-1

J-2

J-3

J-4

J-1

The commentor has noted their opposition to the temporary relocation of City Hall to the Shores Park. This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

J-2

As identified in the EIR and Traffic Impact Analysis (Appendix D), the temporary relocation of City Hall to the Shores Park would create a redistribution of traffic that accesses the existing City Hall at Camino del Mar and 10th and 11th streets. Existing traffic volumes on Stratford Court are at 786 ADT and the existing City Hall generates 384 ADT. The temporary relocation of City Hall would add approximately 43 trips in the AM peak hour and 28 trips in the PM peak hour to the Shores Park site.

A detailed trip generation and parking study was conducted for the existing City Hall site, which demonstrated that most trips to and from the site arrive between 7:30 and 8:00 a.m., remain on-site until between 4:00 and 5:00 p.m., and are associated with employee trips to and from the existing City Hall facility. Unlike the school, which has a high turnover rate during concentrated peak pick up and drop off periods, the City Hall site does not have a high turnover rate throughout the day as demonstrated in the trip generation and parking study. The Traffic Impact Analysis evaluates the impact of the redistributed City Hall trips to the Shores Property and determined there to be no significant impacts based on the California Environmental Quality Act (CEQA) thresholds for determining significance.

J-3

The commentor requests that the City consider alternative sites, including the relocation of City operations and meetings to various locations within the City. As noted in Section 7.5 of the EIR, relocation alternatives are addressed to allow for consideration of temporary relocation options, including placement of City operations at various locations.

This comment has also been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

LETTER

RESPONSE

J-4

This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

Letter K

From: Betty Wheeler [mailto:bettywheeler@gmail.com]  
Sent: Saturday, October 24, 2015 9:21 AM  
To: CityHallCEQA@delmar.ca.us  
Subject: Comments on the Draft EIR for the City Hall/Town Hall Project

Comments by Betty Wheeler  
on the Draft EIR for the City Hall/Town Hall Project  
submitted by email to [CityHallCEQA@delmar.ca.us](mailto:CityHallCEQA@delmar.ca.us)  
on 10/24/2015

**Erroneous Baseline for Assessing View Impact of Project and of Expansion Area A**

As the Draft EIR notes, the existing conditions on the site include "two buildings and a portable trailer on the upper pad at the corner of Camino del Mar and 11th streets." **Existing conditions at the time the notice of preparation is published constitute the baseline physical conditions by which the determination should be made whether an impact is significant:**

Section 15125. Environmental Setting.

(a) An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. Cal. Code Regs., tit. 14, § 15125.

At the most recent City Hall Workshop, I asked the RECON representative about the baseline reflected in the Draft EIR; she identified the baseline as the condition of Expansion Area A after demolition, rather than existing conditions. This is a non-standard definition of baseline, and there are no unusual conditions with respect to this project to support deviation from the "normal" definition of baseline. In *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority*, 57 Cal.4th 439 (2013), the court noted:

While an agency has the discretion under some circumstances to omit environmental analysis of existing conditions and instead use only a baseline of projected future conditions, existing conditions "will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." (Cal. Code Regs., tit. 14, § 15125, subd. (a).) A departure from this norm can be justified by substantial evidence that an analysis based on existing conditions would tend to be misleading or without informational value to EIR users. Here, however, the Expo Authority fails to demonstrate the existence of such evidence in the administrative record.

With respect to the City Hall project, an analysis based on existing conditions is not misleading or without informational value to EIR users. Indeed, reference to the existing structure is a useful guide to the likely impact of any replacement construction on Expansion Area A. In cases where the courts have deemed it acceptable to use conditions at some future date as the baseline, that has generally been in situations "where the existing conditions themselves change or fluctuate over time" -- such as traffic, refinery emissions, and the like. See *Smart Rail* at 449.

The Draft EIR erroneously uses a baseline other than existing conditions to evaluate the view impacts of the proposed project. It is clear from the Notice of Preparation that the project under consideration includes both demolition and potential build-out of Expansion Area A. By identifying an interim, mid-

K-1

K-1

As a matter of clarification, the baseline used within the EIR for analysis of potential impacts is the existing condition at the time the Notice of Preparation was published, which includes the existing City Hall buildings, portable structures, City Council Hearing Chambers and Television Studio, surface parking areas, and landscaping. No alternative baseline was used in the EIR. All of the impacts, including view impacts, are described in terms of changes from the existing condition.

It should be noted that the proposed project was analyzed in both a near-term (construction of the proposed City Hall and Town Hall facilities, along with the parking structure, surface parking lot, and landscaping) and long-term (buildout of the site with the three expansion areas) conditions to allow for the understanding of the project as whole.

K-2

See response to comment K-1 above.

K-2

project condition as the baseline -- the temporary condition after demolition, but before construction on Expansion Area A -- the result is an analysis that ignores current conditions, and erroneously suggests that the final project (which includes potential construction on Expansion Area A) will have a view impact significantly different than existing conditions.

K-2  
cont.

**As a result of this erroneous determination of the baseline, the Draft EIR erroneously concludes that "...construction of expansion area A would result in a significant and unavoidable impact to public views of the ocean."** - Page 4.1-9. Similarly, Table 4.1-1 (page 4.1-18) erroneously notes: "The analysis concluded that significant impacts to scenic views could be mitigated to below a level of significance with the exception of impacts resulting from construction of expansion area A."

K-3

In fact, because Expansion Area A currently has a large building, it is likely that any replacement structure constructed in the future on this area would have essentially the same view impact as the current building and current conditions. Thus, construction of Expansion Area A should not be deemed to result in a significant and unavoidable impact to public views.

**Consideration of Alternatives**

CEQA requires consideration of a reasonable range of alternatives. I am not seeing, in Chapter 7 of the Draft EIR, the option of retaining the existing City Hall and renovating it (i.e., renovating all of the existing structures currently on the site). This should be included so that stakeholders can evaluate the full range of alternatives, and if this option is not considered to be a reasonable alternative, an analysis should be included of why it is not a reasonable alternative. In Section 7.2, there is a very brief mention that "the City Council was presented with other options for the development of new or updated administrative City Hall and Town Hall facilities." This extremely brief reference to "updated administrative City Hall...facilities" does not give stakeholders any analysis of why renovating the existing facilities is not a reasonable alternative.

K-4

**Evaluation of Powerhouse Community Center as a Temporary Meeting Space.**(Section 7.5.2.1)  
My comments relate to the traffic and parking issues in the Draft EIR's evaluation of using the Powerhouse Community Center as a temporary meeting space during demolition and construction of the new City Hall/Town Hall project. (The center is generally known as the Powerhouse Community Center, but is referred to in the Draft EIR as the "Powerhouse Park Community Building.")

The Draft EIR states:

With respect to the public hearings at Powerhouse Park Community Building or other existing facilities, traffic conditions near Powerhouse Park and other community meeting facilities include regular use of these meeting rooms for special events and were considered at the time the Powerhouse Park Community Building and other public meeting spaces were approved and constructed. The traffic activity generated by a public hearing would be no greater than a similar public event and would not create any unforeseen traffic or parking conditions near the community center.

K-5

I have regularly participated in events at the Powerhouse Community Center since its grand opening on December 4, 1999. In my view, over time, the traffic and parking issues in the vicinity of the Center have significantly worsened. I believe it is erroneous to rely on a 16-year-old traffic and parking analysis and conclude that this temporary use would not create any unforeseen traffic or parking conditions. Furthermore, adding a big slate of City meetings to the Powerhouse schedule would have a significant additive impact on traffic and parking, even when evaluated based on current traffic conditions, rather than those of 16 years ago. Even though parking issues themselves may not be relevant to the CEQA analysis, the common practice of people driving around and around seeking an available parking space (and avoiding the high cost of the paid parking) should be noted because of its impact on air pollution and traffic circulation. People who live in or frequent this area already perceive that traffic and parking are often nightmarish, and saying that adding a large number of additional meetings would not create problems seems factually erroneous on its face.

Finally, adding a big slate of City meetings would reduce the availability of the Community Center for current community uses (cultural events, children's and senior activities, etc.), which would either be

K-6

K-3

The EIR concludes that there would be a significant visual impact based on a review of the obstruction of "blue water" views along the entire project frontage on Camino del Mar, a City designated scenic roadway, at buildout of the project with the development of all three expansion areas. As clarified in the Final EIR, the obstruction of "blue water" views would be additive taking into consideration the near-term buildings – City Hall and Town Hall – with Expansion Areas A, B, and C.

While the Draft EIR concluded that impacts to scenic views at buildout would be significant and unmitigable, refined details on the project design, including building architecture, rooflines, and materials, as well as new designated public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered for the analysis of the refined conceptual site plan. The Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Additional mitigation was also identified as a result of refined project design and public input, and is included as the new MM-AES-3 (MM-AES-4 addresses project impacts associated with light and glare). Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

K-4

The City's consideration of the renovation of the existing on-site buildings is summarized in Chapter 3.0 of the EIR. Reference to this discussion and the basis for the rejection of this alternative have been added to Chapter 7.2 of the Final EIR to clarify that this alternative was considered but rejected.

displaced or cancelled. I am not sure the extent to which that displacement is relevant for environmental review purposes, but wanted to note it.

**Traffic issues (4.4)**  
The Draft EIR says:

As shown in Table 4.4-3, all intersections in the study area operate at an acceptable LOS C or better, with the exception of Camino del Mar at 11th Street that operates at unacceptable LOS E in the PM peak hour, and Camino del Mar and 4th Street/Del Mar Heights Road that operated at unacceptable D in the AM peak hour and LOS F in the PM peak hour.

Apparently there is a definition of "acceptable" that differs from my own. I would only note that I am regularly experiencing traffic congestion all along the full length of Camino del Mar, some of which exists even in the opposite direction of prevailing rush hour traffic. This is NOT limited to fair or race season, or times when there are special events. For instance, last week, on a day that had no special events in the area, I was stuck in my car at a crawl, from the Seaview intersection all the way down to my destination on 9th Street. I don't see a compelling analysis that convinces me that adding "a total of 558 new trips per day," even if most are already on the roadways, is "less than significant."

Thank you for your careful consideration of my comments.

Respectfully submitted,

Betty Wheeler  
1801 Seaview Ave, Del Mar, CA 92014

K-6  
cont.

K-7

K-8

K-5

Powerhouse Park is an approved public facility with seating capacity of 120 guests. Traffic associated with the public facility is limited by the capacity restrictions and the number events per day at this facility. Use of the park for community meetings would be within the allowable activities at this facility and would be subject to the same capacity limitation. Therefore, the use of this facility for community would create no measurable difference in traffic conditions compared to other events scheduled at this approved community facility.

While parking is a concern in the beach area and City Hall meetings may draw a greater number of Del Mar residents than other events, the availability of parking is not an impact to be addressed in accordance with the California Environmental Quality Act (CEQA). With respect to traffic, air quality, and greenhouse gas emissions, the use and occupancy of Powerhouse Park for events, including public hearings and workshops, was considered and analyzed with the permitting of this facility. Any City hearings or meetings would be conducted in lieu of another event booked at this facility. Therefore, no additional environmental analysis would be required for the temporary use of the site.

K-6

Comment noted. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

K-7

The EIR bases the traffic analysis on professional standards using the SANDAG/ITE thresholds for determining significance of Level of Service (LOS), with LOS A being the best and LOS F being the worst; and LOS A – LOS D are considered as "acceptable", while LOS E and LOS F are considered "unacceptable". The LOS was determined at the study intersections during the AM and PM peak hours. The existing traffic congestion along Camino del Mar occurs primarily at the all-way STOP intersections, which results in stop and go traffic along the corridor throughout the day. As summarized in Section 4.4 of the EIR, most of the intersections would continue to operate at acceptable LOS, which is LOS A – LOS D, with the addition of the project traffic (Existing Plus Project condition).

K-7 (cont.)

The intersections of Camino del Mar and 11th Street and Camino del Mar and 4th Street/Del Mar Heights Road would continue to operate at an unacceptable LOS (LOS E or LOS F), even without the construction of the proposed project. As summarized in Section 4.4 of the EIR, the addition of the project traffic would be minimal and would not meet the threshold of significance for a change, or worsening, of the intersection operations to be considered significant. Therefore, the impact would be less than significant according to CEQA.

It should be noted that as noted in the Errata, and as described within Chapter 3.0, Project Description, in addition to the refinement of the conceptual site plan, design options have been considered, including the installation of a driveway connecting the surface lot with the parking garage, which would allow for the consideration of a gated access at the north end of the surface parking lot to limit direct access off 11th Street to oversize and emergency vehicles or for special events. No additional impacts associated with traffic would occur with this design options, as the trips associated with the surface parking lot already exist along 11th Street. The internal access would simply shift those trips east to the parking garage driveway. See Section 4.4, Transportation and Traffic, of the Final EIR for detailed analysis of this design option.

K-8

As summarized in Section 4.4 of the EIR, the proposed project would not result in new trips on the roadways, as function and staffing of the facility would remain the same as its current condition. With the increase in parking there would be a redistribution of approximately 558 vehicle trips that would otherwise pass by the site from visitors to the nearby commercial or beaches. The consolidation of parking on the project site with the parking garage would actually reduce the number of trips circulating looking for parking along Camino del Mar or in the residential neighborhoods surrounding the site.

K-8 (cont)

Further, as stated in response to comment K-7 above, the analysis of the intersections utilized the LOS threshold for determining significance, where LOS A – LOS D are considered “acceptable”, and LOS E and LOS F are considered “unacceptable”. When evaluating the traffic on the roadways, the redistributed project traffic (558 trips) would be minimal and would not meet the threshold of significance for a change, or worsening, of the intersection operations to be considered significant. Therefore, the impact would be less than significant according to CEQA.

Letter L

**From:** Don Ellis <drdon1@earthlink.net>  
**Sent:** Saturday, October 24, 2015 10:23 AM  
**To:** CityHallArchitects@delmar.ca.us; CityHallCEQA@delmar.ca.us  
**Subject:** Draft EIR and City Hall Comments

Dear Honorable Mayor and Members of the City Council,  
Dear Planning Department and Staff,

I applaud all the work and efforts which have been undertaken to provide the City of Del Mar and its Citizens with a new improved and more functional Civic Center.  
What has been accomplished so far is wonderful.

Unfortunately as written the Draft EIR is incomplete and insufficient for adequate review because specifics of Landscape are not fully specified.

**"Landscape Tree Selection – The careful selection of specimen trees to be used on the project to limit height and size beyond heights of proposed City buildings or adjacent existing private buildings to minimize blockage of views toward the west. Trees should be selected based on natural growth habits that are commensurate with the maximum heights determined for each specific area on the project site."**

The number, specimen and location of trees may significantly alter views to the west from all of the three selected demonstration view locations

**There is nothing specified other than vague and easily manipulated language to protect views. It is clear and obvious that landscape if poorly chosen can have a much more significant impact on views than building construction.**

Let's continue to manage this process with adequate and due concern toward view blockage from landscape so that the forest is not overlooked or lost through the trees.  
Thank you all again for all your hard work.

Don Ellis

Don Ellis  
dirdon1@earthlink.net  
343 11th Street  
Del Mar, CA 92014  
Tel: (658) 755-6755  
Fax: (760) 454-2460

- L-1 This comment is an introduction and documents the commentor's support for the planning and design process to date.
- L-2 The proposed project is going through refinement within the concurrent design review process. That includes the landscaping plan, which specifies tree and vegetation specimen selection and location. The EIR conducted the analysis of the potential effects of landscaping on scenic views in absence of a specific landscape plan at that time and therefore as a worst case identified potential impacts and mitigation measure MM-AES-1 to ensure that the impacts to scenic views from landscaping would be minimized.
- L-3 Additional analysis of existing view blockages was conducted by the City's design team landscape architect, Spurlock Poirier, to assist in the placement of large trees so as to not result in any new view blockages. The exhibits produced for this analysis and updated information have been incorporated into Section 4.2, Aesthetics, of the Final EIR. However, a significant impact to scenic views associated with landscaping was still identified, and mitigation measure MM-AES-1 is still required for the proposed project to ensure no significant impacts to scenic views would occur. See Section 4.2, Aesthetics, for the detailed analysis and mitigation measures.

Letter M

From: Tom Seymour <tom@seymourrealtysadvisors.com>  
Sent: Monday, October 26, 2015 8:29 AM  
To: cityhallceqa@delmar.ca.us  
Cc: kgarcia@delmar.ca.us  
Subject: EIR - City of Del Mar

TO: The City of Del Mar  
City Counsel  
Design Review Board  
Miller Hull Architects

In representing the owners of Canterbury Del Mar (as a property manager) located directly across the street from the proposed new Town Hall and City Hall at 1011 Camino Del Mar, I would like to point out some concerns as previously mentioned in the Town Hall meetings conducted during this past summer as well as some discrepancies in the recently completed EIR.

Those concerns are as follows:

- 1) Even though the square footage is mentioned in both the Town Hall (3,200 sf) and City Hall (9,250 sf), no proposed dimensions are indicated. It appears in Figure 4.7-2 that the Town Hall is longer in width (running along Camino Del Mar from north to south) than its dimension along 10th Street. In another depiction, Town Hall appears to be square, indicating dimensions of approximately 57 x 57. Our concerns with the proposed Town Hall along with all those residences east of Camino Del Mar, not to mention those travelers along Camino Del Mar, are "primary views" to the Pacific. Shouldn't the views to the Pacific (view corridors) be enhanced rather than diminished? Therefore, should not the proposed Town Hall be shorter in width (along Camino Del Mar) and longer along 10th Street to allow for more views to the Pacific?
  - 2) I find it, perhaps somewhat alarming, to have the expansion space of 20,000 sf representing 160% increase of the initial proposal without defining any "not to exceed" dimensions.
  - 3) In the Visual Impact Assessment (App B) the photos of the "Key Views" #1 - #3 considered "primary scenic views" were, it appears, not taken on site. As it is, the EIR indicated that the landscaping, as it matures, could obstruct "primary scenic views" for all three residential properties, including 75% of the second story Canterbury Del Mar views.
  - 4) The EIR statement on pages 19 and 20 "The proposed buildings would be lower in elevation than the existing condition and allow views over the initial phase City Hall and Town Hall buildings", is incorrect as it pertains to "Key Views #2 and #3 and to Canterbury Del Mar since the proposed Town Hall is relocated to the SEC of the site.
  - 5) The EIR under "Mitigation Measures" did not offer any comments of how to enhance any view corridors to the Pacific. I believe I have done so here by suggesting a narrowing of the Town Hall along Camino Del Mar and perhaps moving the proposed "brezeway" to the north side of Town Hall rather than the west side as it appears now. Also by reducing the height of Town Hall, even by 4 to 6 feet would help all those property owners that now will be impacted if Town Hall is built as proposed.
- I hope these comments will assist those in further review and possible changes for the enhancement all all those who live, work and enjoy the beauty which is uniquely Del Mar.

Tom Seymour, CCIIM  
CA Broker Since 1975  
Utah Broker Since 1979  
CCIIM Since 1984  
CPM Candidate  
Seymour Realty Advisors  
CABRE # 00399863  
[tom@seymourrealtysadvisors.com](mailto:tom@seymourrealtysadvisors.com)  
858-518-1900

- M-1 This introductory comment is noted.
  - M-2 The exhibits provided within the EIR were conceptual designs and precise dimensions were not available for all images. The project design has been going through refinement within a concurrent design review process. The Final EIR has been revised to reflect the refinements in the project design, which includes a reduction in the north-south length of the City Hall building, the reduction of massing of the Town Hall and its TV Studio, an open design of the City Hall public entrance and counter area, and roofline details of both the City Hall and Town Hall. Furthermore, open spaces on-site have been identified that provide new public spaces for scenic views to both the Pacific Ocean to the west and the vegetated hillsides of Del Mar to the east. Views The analysis of the protected private residential spaces, designated public roadway corridors along Camino del Mar and the east-west 10<sup>th</sup> and 11<sup>th</sup> street corridors, and general on-site public viewpoints, has been updated to reflect the refined design and where possible, mitigation measures have been added to reduce impacts to scenic views.
  - M-3 This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR.
  - M-4 The photos for Key Views 1, 2 and 3, were taken on Tuesday, July 14, 2015, at the residential properties illustrated in Figure 5 of the Visual Impact Assessment, included as Appendix B of the EIR. The EIR concludes that mature landscaping could potentially impact views from these private residential views, as well as public views along 10<sup>th</sup> Street, 11<sup>th</sup> Street and Camino del Mar, all of which are designated as scenic roadways for their views toward the Pacific Ocean within the Community Plan.
- With respect to the commentor's reference to views from the 2<sup>nd</sup> story of the commercial building to the east, primary views from commercial property is considered private, as unrestricted public access and temporary occupancy are not allowed. These private commercial/office views are not covered by the City's Design Review Ordinance in the Del Mar Municipal Code and therefore are not considered significant under the California Environmental Quality Act (CEQA).

M-5

This statement referred to is under the analysis pertaining to the view corridors along 10th and 11th streets.

With respect to the other private key views, for Key View #2, the City Hall structure is the only building that will be slightly visible between the rooftop parapets on the adjacent Canterbury Del Mar commercial property. The proposed Town Hall and expansion areas would not be visible from Key View #2.

Key View #3 would not have views of the area where the existing City Hall stands; however, the buildings to be included in near-term, the City Hall and Town Hall buildings, civic plaza spaces, and the parking structure, would be clearly visible from this vantage point. The parking structure would be low profile to maintain views to the ocean and provide a landscaped civic plaza space on the top deck within Expansion area B until expansion in this area is pursued. As discussed in Section 4.2 of the EIR, while the view would be altered due to removed landscaping and the addition of visible structures in Expansion Areas B and C, the proposed expansion areas would not substantially reduce the amount of ocean view that is visible in the existing condition, and no unreasonable blockage of the view would occur.

As stated above in response to comment M-4, the Canterbury Del Mar commercial development is not covered by the Municipal Code for view protection and therefore view impacts are not considered significant under CEQA.

M-6

The EIR identifies impacts to scenic views related to the potential view blockage that could occur as proposed landscaping matures (Impact AES-1) and specifically views along Camino del Mar (Impact AES-2). Both of these impacts would be mitigated with the implementation of the required mitigation measures MM-AES-1, which requires the Design Review Board, and subsequently the City Council, to consider the landscape plan, specimens recommended, and location for plantings, at the same time as certifying the Final EIR.

M-6 (cont.)

While the Draft EIR concluded that impacts to scenic views at buildout would be significant and unmitigable, refined details on the project design, including building architecture, rooflines, and materials, as well as new designated public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered for the analysis of the refined conceptual site plan. The Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Additional mitigation was also identified as a result of refined project design and public input, and is included as the new MM-AES-3 (MM-AES-4 addresses project impacts associated with light and glare). Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed. The comment about narrowing of the Town Hall, moving the breezeway to the north side of the Town Hall, and reducing the height of Town Hall by 4 to 6 feet has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

M-7

This comment does not specifically raise an issue related to the adequacy of the analysis contained within the EIR.



October 26, 2015

VIA E-MAIL & U.S. MAIL

Planning and Community Development  
City of Del Mar  
1050 Camino del Mar  
Del Mar, CA 92014

Re: City Hall/Town Hall Civic Plaza Draft EIR

Dear City of Del Mar:

This letter is submitted on behalf of Steven Maek in connection with the proposed City Hall/Town Hall project ("Project") and related Draft Environmental Impact Report ("DEIR").

The California Environmental Quality Act ("CEQA"), Pub. Res. Code §§ 21000 – 21177, must be interpreted "so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Friends of Mammoth v. Board of Supervisors*, 8 Cal. App. 3d 247, 259 (1972). If an EIR fails to provide agency decision-makers and the public with all relevant information regarding a project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient and the agency's decision must be set aside. *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 712 (1990). An EIR is "aptly described as the 'heart of CEQA'"; its purpose is to inform the public and its responsible officials of the environmental consequences before they are made. *Laurel Heights Improvement Assoc. v. University of California*, 47 Cal.3d 376, 392 (1988). Here, the DEIR is inadequate.

The DEIR's discussion of the Project is vague. It states that the "outdoor plaza is designed to be an open area with flexible space to support uses including but not limited to, performances, art exhibits, [and] community gatherings ...." DEIR at 3-8. It notes that such uses "may utilize amplified sound systems and lighting ...." *Id.* The DEIR also states that a "future expansion area" is "not defined for specific use ...." These statements leave open a wide variety of possibilities. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193. The DEIR fails to provide an adequate description, thereby leaving open a wide variety of possible construction and uses at the site.

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Letter N

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N-1

N-2

N-3

N-1 This introductory comment is noted.

N-2 The commenter has provided citations of cases related to adequacy of EIRs; however, no specificity with respect to the Del Mar City Hall/Town Hall EIR was identified.

N-3 The proposed project includes both near-term development of the City Hall, Town Hall, Civic Plaza, and parking, along with future expansion areas totaling up to 20,000 square feet. The project description contained with the EIR provides adequate information on the proposed development and uses, which are limited to those consistent with the City's Public Facilities land use designation and zone. A conceptual site plan was included to illustrate the proposed project design. Future development of the expansion areas would be required to undergo design review and an appropriate level of analysis under the California Environmental Quality Act (CEQA) at such a time the City moves forward with any of these expansion areas.

However, as noted in the Errata, and as described and illustrated within Chapter 3.0, Project Description, the proposed project has been refined in response to public comments and through input at hearings and workshops on the proposed City Hall/Town Hall Project. As a result, further analysis, photographs and exhibits, and information clarifying the existing condition, the proposed project design, and potential significance of impacts, have been incorporated into the Final EIR to provide more clarity on the uses included in the original conceptual site plan analyzed within the Draft EIR.

City of Del Mar  
October 26, 2015  
Page 2 of 4

The DEIR's discussion of aesthetics, community character, and land use impacts is insufficient.

- The DEIR acknowledges that impacts to views of the ocean are unavoidable. DEIR at 4.1-9 *see also id.* at 4.2-2. Indeed, the municipal code includes protection of private residential views. It is therefore unclear how the DEIR can conclude such impacts are less than significant.
- Additionally, there is no acknowledgement that the Project would change the residential neighborhood. The DEIR claims the Project is "appropriately scaled to the village corridor" (DEIR at 4.2-29), but there is no consideration of impacts to the residential neighborhood on the west side.
- In fact, the Project is inconsistent with existing Plan restrictions. For example, the City's Land Use Plan calls for the protection of public views to the ocean. Land Use Plan at 10. It also discusses protecting public views and vantage points, and specifically discusses scenic view easements from Camino del Mar. *Id.* at 77 - 78.
- The Project is also inconsistent with existing Municipal Code restrictions. For example, the code prohibits blocking significant public coastal views, prohibits projects that are out of scale with the neighborhood, and prohibits a project that "unreasonably encroaches upon primary scenic views of neighboring property." Muni. Code § 23.08.077.
- Furthermore, the mere fact that construction impacts may be temporary does not make them insignificant.

The EIR's discussion of traffic, air quality and greenhouse gas emissions impacts is insufficient.

- The DEIR's claim that the Project will not generate additional City Hall trips avoids the additional trips associated with other aspects of the Project. DEIR at 4.4-10. There is no analysis of special events and performances.
- The DEIR also fails to analyze the air quality impacts associated with special events and performances. DEIR at 4.5-14.

The EIR's discussion of noise impacts is insufficient.

- The DEIR fails to discuss impacts associated with special events and performances. DEIR at 4.7-11.

The Project is likely to lead to water supply impacts.

- There is an inadequate showing of water supply for the Project. The California Supreme Court recently identified three "principles for analytical adequacy under CEQA": (1) "CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to a problem of supplying water to a proposed land use project"; (2) "an adequate

N-4

Comment noted. Responses to specific comments are addressed below.

N-5

The states that the Draft EIR reference of "impacts to views of the ocean are unavoidable" (cited as page 4.1-9, as well as 4.2-2), would make a less than significant conclusion not possible since private residential views are protected by the Municipal Code would make. However, the Municipal Code does not prohibit the loss or reduction of "blue water" views; rather it requires consideration of changes to private residential (as defined by the Municipal Code) "blue water" views.

The level of significance was determined based on the changes to the overall views from the current condition for key private residential properties, public east-west view corridors along 10<sup>th</sup> and 11<sup>th</sup> streets, and along Camino del Mar, all of which are designated scenic roadways within the Community Plan. Impacts to protected private residential views and views along the east-west 10<sup>th</sup> and 11<sup>th</sup> street corridors were determined to not be significant under CEQA.

While the Draft EIR concluded that impacts to scenic views at buildout would be significant and unmitigable, refined details on the project design, including building architecture, rooflines, and materials, as well as new designated public spaces with scenic views of both the Pacific Ocean and the vegetative hillside to the east, were considered for the analysis of the refined conceptual site plan. The Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Additional mitigation was also identified as a result of the refined project design and public input, and is included as the new MM-AES-3 (MM-AES-4 addresses project impacts associated with light and glare). Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed

N-4

N-5

N-6

N-7

N-8

N-9

N-10

N-11

N-12

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N-14

N-15

N-16

N-5 (cont.)

The quote cited by the commentator from page 4.1-9 was specific to the impact of the buildout of the proposed project on the public view along Camino del Mar and is not related to the analysis of protected private views. Further, the reference to the same quote occurring on page 4.2-2 could not be located within this page or the section of the EIR.

N-6

The character of the project vicinity includes two-story development along the Camino del Mar corridor, with residential beyond in both directions. The proposed project would replace the existing City Hall with uses limited to those consistent with the City's Public Facilities zone and would be of similar bulk and scale to that in the Camino del Mar corridor. Impacts of the project with respect to noise and light and glare impacts to residents to the west are addressed in the EIR in Sections 4.7 and 4.2, respectively.

N-7

However, as mentioned above in response to comment N-5, the Final EIR has been updated to reflect analysis of the refined project design (refer to Figure 3-2 and 3-3 of the Final EIR) developed as a result of public comments and public comment received at hearings and workshop on the proposed City Hall/Town Hall Project. Based on the refined details on the project design, the new designated public spaces with scenic views, and additional mitigation developed by the City and through public input, the impacts at buildout of the proposed project would be mitigated to less than significant. Refer to Section 4.2 of the Final EIR for the analysis clarifying the impacts for the refined project design and the complete list of mitigation measures proposed.

With respect to the project's consistency with the City's Land Use Plan, the EIR concludes that the proposed project would comply with the City's regulations with respect to public views to the ocean. Ultimately, the City Council will consider and make a determination of whether the project is consistent with these policies contained in the Community Plan.

<p>N-8</p>	<p>See responses to N-5, N-6, and N-7 above, with respect to the updated analysis for the refined conceptual site plan for visual impacts (refer to Section 4.2, Aesthetics) and the land use compatibility analysis (refer to Section 4.1, Land Use), as well as the City Council's authority to make the final determination of whether the project is consistent with these policies contained in the City's Community Plan and Municipal Code.</p>
<p>N-9</p>	<p>Though construction would be short-term, the EIR concludes that construction impacts would be less than significant with respect to land use, aesthetics, and community character. These subject areas would not be significant, as there would be no unmitigable impacts related to other environmental issues (i.e., noise refer to Section 4.7, air quality refer to Section 4.5, traffic refer to Section 4.4, light and glare refer to Section 4.2).</p>
<p>N-10</p>	<p>Comment noted. Responses to specific comments are addressed below.</p>
<p>N-11</p>	<p>The Traffic Impact Analysis included as Appendix D of the EIR includes a detailed analysis of traffic associated with special events. As stated in Section 4.4 of the EIR, the proposed project would attract a total of up to 558 new trips per day to project vicinity roadways. These trips would not be associated with any increase in number of employees on-site or additional people attracted to City Hall as services and operations would be the same. The proposed project could generate the additional trips to the roadway segments of Camino del Mar, 10th Street, 11th Street, and Stratford Court immediately surrounding the project site by providing additional parking for pass by traffic from uses such as the nearby commercial areas of the Village and beach visitors.</p>
	<p>As stated in Section 4.4 of the EIR, while impacts would not be significant and mitigation is not required, to minimize the effect on the community during special events, special traffic control measures shall be taken to direct traffic away from the residential neighborhood surround the project site. This is recommended as condition of the project to minimize the impact to the adjacent residences as well as address the capacity limitations of the all-way STOP at 11th Street.</p>

- N-12 The air quality analysis completed for the proposed project was based on the traffic analysis that addressed traffic generation for special events. As concluded in the EIR, air quality impacts of the project, particularly with respect to special events would be less than significant in relation to the existing condition. Refer to Section 4.5 of the Draft EIR for the detailed analysis and conclusions of less than significant.
- N-13 Comment noted. Responses to specific comments are addressed below.
- N-14 Similar to responses to comments N-11 and N-12, the noise analysis completed for the proposed project included all uses, including uses that may occur in the town hall and/or outdoor plaza (e.g., performances, art exhibits, community gatherings, and farmers' market space, etc.). As stated in Section 4.7, all on-site noise sources were combined and modeled under a worst-case scenario, and the modeled noise level contours were placed on the conceptual site plan. Noise levels at the southern and western property lines would not exceed the City's daytime noise level limits of 55 dB(A); however, operations and activities, primarily related to cars in the lower surface parking lot, would exceed the City's nighttime noise level limits of 45 dB(A). Therefore, mitigation measure MM-NOS-3 requiring an 8-foot tall noise attenuation barrier would be necessary to mitigate the noise at the property. Noise generated from inside the parking garage and the outdoor areas on the upper level were determined to not be a substantial contributor to this exceedance.
- N-15 Comment noted. Responses to specific comments are addressed below.

City of Del Mar  
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environmental impact analysis for a large project, to be built and occupied over a number of years, cannot be limited to the water supply for the first stage or the first few years"; and (3) "the future water supplies identified and analyzed must bear a likelihood of actually proving available .... An EIR for a land use project must address the impacts of likely future water sources, and the EIR's discussion must include a reasoned analysis of the circumstances affecting the likelihood of the water's availability." *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 430 - 32 (emphasis in original) (citations omitted). The DEIR fails to comply with these mandates. The DEIR mentions the availability of water infrastructure, but there is inadequate discussion of drought or possible shortages of future water supplies for the Project and the area.

N-16  
cont.

CEQA requires that an EIR "produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned." *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750 - 51. "[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." CEQA Guidelines § 15126.6(b). "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 404.

N-17

CEQA contains a "substantive mandate" that agencies refrain from approving a project with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002. It "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects." *Sierra Club v. Gilroy* (1990) 222 Cal.App.3d 30, 41. The DEIR is required to consider and the City is required to adopt feasible mitigation and alternatives that can lessen or avoid the significant Project impacts. *City of Marina v. Board of Trustees of the California State Univ.* (2006) 2006 39 Cal.4th 341, 360; see also CEQA Guidelines § 15126.6(b). Furthermore, the Project and its objectives are defined too narrowly, thereby resulting in a narrowing of the consideration of alternatives to the Project. *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1455.

N-18

The EIR is sufficiently lacking that the only way to fix these issues is to revise it and recirculate an adequate report.

N-19

N-16 The proposed project would not significantly increase water usage on-site. The existing utilities and landscaping on-site are old and inefficient compared to the facilities that would require water usage within the proposed project (e.g., kitchen, restrooms, and irrigation systems). While there would be more restrooms and a catering kitchen included as part of the project, the interior would include more water conserving fixtures such as low-flow toilets, and water-efficient bathroom and kitchen faucets. With respect to the exterior, while the landscaping design with associated plant palette is going through a concurrent design review process, the proposed project would be required to comply with the City's requirements for use of low-water, drought-tolerant plants, as well as water efficient irrigation systems such as drip irrigation or systems with rain sensors for automatic shutoff following measurable levels of precipitation. To further clarify this conclusion, additional data obtained from the City on the existing water usage and the estimated water usage under the refined conceptual site plan developed by the City's project architect and engineers, has been added to Chapter 6.0, Effects Found Not to be Significant.

Further, as stated in Section 4.6 of the EIR, the project would be required to achieve a minimum 20% increase in indoor water use efficiency in accordance with CalGreen standards.

N-17 The commenter has provided citations of case precedents related to alternatives analysis within an EIR; however, no specificity to the Del Mar City Hall/Town Hall project EIR was included. Comment noted.

N-18 The commenter has provided citations of case precedents related to consideration and adoption mitigation measures and/or alternatives; however, no specificity to the Del Mar City Hall/Town Hall Project EIR was included. The project objectives were developed in a manner to allow for a reasonable range of alternatives consistent with the existing Public Facilities zoning on-site. These objectives do not contain any narrowly defined parameters such as square footages, seating requirements, or on-site parking, were not included.

N-19

The refinements to the project design and the comments received on the Draft EIR do not result in the need to recirculate the EIR as required by CEQA Guidelines. The standards for recirculation as defined in CEQA Statutes Section 21092.1, and CEQA Guidelines Section 15088.5, require that if changes may result in new or increased levels of environmental impacts, or if “significant new information” is added to the Draft EIR in response to comments, the EIR may be required to be recirculated for additional review and comments.

The Laurel Heights Improvement Assn. v. Regents (1993) 6 Cal 4th 1112 case, known as “Laurel Heights II”, provides that new information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project, or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement.

In accordance with these Guidelines, the refinements to the project design and the comments received on the DEIR do not result in the need to recirculate the EIR. The revisions to the Final EIR merely clarify the analysis to reflect the refined project design, and do not result in any new significant impacts or significant impacts of greater extent; nor does the additional analysis result in any mitigation measures or alternatives for which the City is declining to adopt. Furthermore, the project analyzed within the DEIR was complete and with sufficient detail to provide adequate review. The refinements are focused on specific design features that were contemplated in the original conceptual site plan project description, have been further developed to address impacts and community concerns with respect to planning and design review. The new information and refinements is not significant and would not deprive the public of a meaningful opportunity to comment, as they existed previously without the design refinements (i.e., architecture, materials, landscaping) and would not result in increased or new impacts not previously identified. Therefore, recirculation of the DEIR is not required.

LETTER

City of Del Mar  
October 26, 2015  
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Thank you for your consideration of the above comments. If you have a question or need additional information, please contact me.

Sincerely,

  
Everett DeLano

RESPONSE

EIR comments  
Joy & Rick Ehrenfeld  
220 10<sup>th</sup> Street  
Del Mar

Letter O

The removal of TV station creates potential problems for the neighbors at 220 10<sup>th</sup>. Leaving the TV station in place might have been considered as a positive in the "no project option."<sup>14</sup> Removal results in line of sight from parking and meeting areas leading to increase in noise and light and directly impacting our privacy.

O-1

Figure 14. Cone of Vision Study of Existing Buildings / Views from Camino del Mar.



O-2

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DEL MAR CITY HALL & TOWN HALL  
VISUAL IMPACT ASSESSMENT

The Cone of vision Study of Existing Buildings (Figure 14) shows that the TV station effectively provides privacy from CDM. Removal of the TV station will open up invasive views from CDM and other locations on the City Hall lot to 220 10<sup>th</sup> and eliminate the privacy for both our indoor and outdoor areas. The noise and light blocking supplied by the TV station building will also be eliminated – I think evaluations of the privacy, light and noise must include "after the TV station is removed."<sup>15</sup>

O-1

The commentor has provided information concerning the attenuating effects of the TV Studio/Hearing Chambers building relating to noise and light. Additional information has been included in the analysis of the No Project Alternative (See Section 7.3) to clarify the existing conditions identified in this comment.

O-2

The commentor has noted that the proposed project would result in views into their property, affecting their residential privacy. Privacy is not considered to be an issue for analysis under the California Environmental Quality Act (CEQA). Privacy is addressed within the Design Review Ordinance. With respect to the project's consistency with City's regulatory ordinance, the City Council will consider and make a determination of whether the project is consistent with policies and regulations. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

With respect to the comment that evaluation of the "...light and noise" be considered with the removal of the TV Station/Hearing Chambers, this was evaluated in the EIR with respect to both light (see Section 4.2) and noise (see Section 4.7). Potential impacts related to light and glare were identified. Mitigation measure MM-AES-4 includes recommendations for lighting placement and orientation to avoid or reduce impacts to adjacent residential properties.

The noise analysis summarized in Section 4.7 of the EIR concluded that while noise levels on-site would not exceed the City's daytime noise level limit of 55 dB(A) at any of the project property lines; it would exceed the City's nighttime noise level limit of 45 dB(A) at the western property line due to activities in the lower surface parking lot. Mitigation measure MM-NOS-3 requiring a 10-foot tall noise attenuation barrier would mitigate the noise at the property line.

It should be noted that as a result of the comments received and public input at hearings, design options to reduce the size of the Town Hall Terrace to a gated 300 square feet of usable space for City employees and an access walkway, with either screening or the removal of the remaining area structurally replaced with a recessed garage access. These proposed design options would reduce the light and glare, as well as noise that could occur in this area. Additional analysis of the design options are incorporated in the Final EIR, including visual (refer to Section 4.2, Aesthetics) and noise (refer to Section 4.7, Noise).

Expansion area B is within 100 feet of the bedroom window of 220 10<sup>th</sup> and at a similar elevation to the bedroom creating a privacy, light and noise concern. A majority of the windows of the city office building are also within 100ft and at a similar elevation to our bedroom windows. Unlike the office building, the expansion area B is likely to be used at night when privacy and quiet are most valued. Even with an 8 ft sound wall the privacy impacts on the outdoor patio and bedroom at 220 10<sup>th</sup> would be significant.



**Surface parking Lot**

The parking on the west edge of the property has been expanded from the drawings in the EIR. Specifically there is now more parking adjacent to 220 10<sup>th</sup> Street – does this require further study?



O-3

See response to comment O-2 above regarding project design options considered and analyzed within the Final EIR.

As stated above in response to comment O-2, privacy is not considered to be an issue for analysis under CEQA. This comment has been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

O-4

The parking shown and analyzed in the EIR is from a conceptual site plan and is going through refinement within a concurrent design review process. Refinements to the conceptual site plan as illustrated in Figure 3-2 and described in Chapter 3.0, Project Description, have been reviewed in the Final EIR. There has been no considerable change in the design of the surface parking lot that would be substantially different from that analyzed within the Draft EIR and therefore, no further study is required.

The parking is in close proximity to the house at 220 10<sup>th</sup> Street. This is a picture taken from the 10ft setback line from a proposed parking spot. Bedroom window is above the blue tarp.



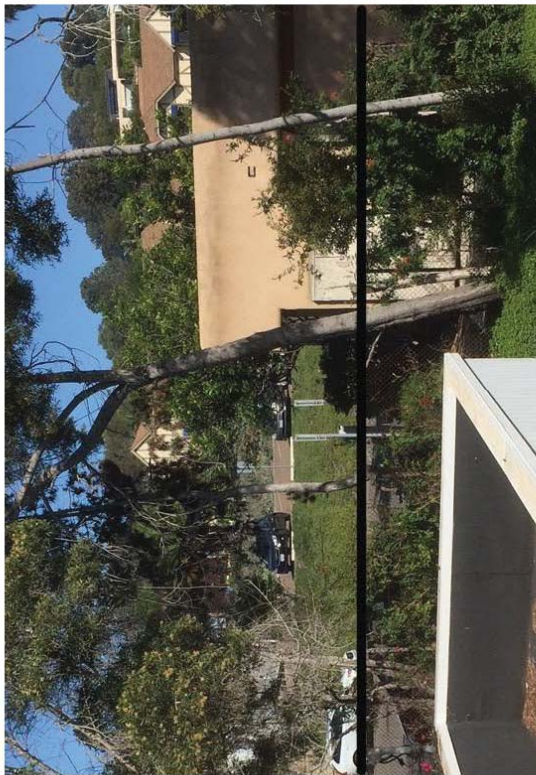
O-5

Proximity of outdoor parking will mean noise impacting the outdoor and indoor areas of our home. The proposed parking is closer to the adjacent residences than the existing configuration. The picture below shows the proposed parking configuration – the fence is at the setback.



O-5

The parking within the surface parking lot analyzed within the EIR was setback 10 feet from the property line as generally illustrated by the commenter. The analysis contained with the Noise Technical Report and summarized within Section 4.7 of the EIR would be reflective of the proposed parking setback of 10 feet from the property line. This comment has also been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.



O-6

The picture above is taken from the second story deck at the same elevation of the bedroom of 220 10<sup>th</sup> Street. The top of the existing fence (6ft) is highlighted. Other benchmarks for height are the lower portion of the current TV station and the upper lot. Based on the plan currently proposed the openings for the garage will be clearly visible in this view, as will the lights from the cars parked on the eastern portion of the surface lot. We feel the mitigation sound wall will need to be higher than the 8ft suggested in the EIR.

In the EIR report the: DEL MAR CITY HALL AND TOWN HALL Architecture Schematic Alternatives Review VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER ASSESSMENT 10-Sep-15 City Code and Planning Document Compliance Matrix

The EIR signed off as the plan complying with two DRO's  
Preserve privacy of neighboring residential properties (30.31.060).

The design should not create an unreasonable invasion of the privacy of neighboring properties

We strongly disagree with these conclusions.

O-7

O-6

Potential impacts associated with lighting and glare are discussed in Section 4.2 of the EIR. Significant impacts were identified and mitigation measure MM-AES-4 includes recommendations for lighting sensors, screening of the western side of the parking garage, and placement of both exterior and interior lighting, all of which would mitigate lighting impacts to adjacent residential properties. Furthermore, the 10-foot wall along the western edge of the surface parking lot that would be associated with mitigating the potential noise impacts (See MM-NOS-3) is also intended to shield lighting from cars within the lower surface parking lot facing westward.

O-7

The commentor has noted their disagreement with the EIR conclusion within the Land Use section (see Section 4.1) that the proposed project would meet the Design Review Ordinance requirements for the protection of residential privacy found in 30.31.060. The determination of consistency is based on the conclusion that the City Council will consider these policies during their concurrent review of the proposed project. The commentor's assertion has also been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

Letter P



Please provide your comments on the environmental issues analyzed within the Draft EIR for the Del Mar City Hall/Town Hall Project. The 45-day Public Review and comment period will conclude on October 26th. Copies are available online and at City Hall and the Del Mar Library. All comments must be submitted in writing via email, U.S. mail, or hand delivered to City Hall by 5:00 p.m. Monday, October 26, 2015, to the following contact:

**RECEIVED**  
 OCT 27 2015  
 City of Del Mar  
 1050 Camino del Mar  
 Del Mar, California 92014  
 or Email: CityHallCEQA@delmarca.us  
 Administrative Services Dept.

Comments:

- 1) What are the working hours P-1
- 2) What are the truck haul routes? P-2
- 3) Can the dividing wall between the city and my home be constructed at the start of the project so it may address:
  - (A) Noise buffer
  - (B) Dust buffer
  - (C) Safety of my young family to the construction project.
- 4) Wall height to be max of 8'. P-3

Use back of sheet if additional space is necessary.

Name (please print): Paul J. Kael  
 E-mail Address: stayse15@aol.com  
 Mailing Address: 234, 10th Street  
 Del Mar, CA 92014

P-1 The working hours associated with the City Hall and Town Hall project would be the same as currently existing, with City Hall operating hours Monday through Thursday, 7:30 a.m. to 5:30 p.m., and Friday, 7:30 a.m. to 4:30 p.m. The schedule for City hearings and the Farmers' Market are not expected to be changed from the current schedule. Special events would be permitted daily from 7:00 a.m. to 10:00 p.m., similar to the daytime hours for noise level limits outlined in the Municipal Code.

P-2 Specific truck haul routes for construction have not been developed at this time but a traffic control plan must be prepared in advance of construction. Construction would result in the generation of fugitive dust; however, as discussed in Section 4.5 of the EIR, construction operations would be subject to the San Diego Air Pollution Control District rules and regulations for containment and minimization of fugitive dust emissions.

P-3 The commenter has requested that the wall be constructed prior to the start of demolition to address noise, dust, and to provide security for their property to the west. Additionally, the commenter has requested that the wall height be a maximum of 8 feet. As detailed in MM-NOS-1, a 10-foot tall noise attenuation barrier is required as a mitigation measure to be erected prior to the start of demolition and construction. Following construction, a permanent wall of 10 feet along the western edge of the surface parking lot would be required. A reduction in height of the construction wall would not fully mitigate the noise impacts identified for the project. However, as noted in MM-NOS-1, the construction wall may be the permanent 10-foot tall noise attenuation barrier.

This comment has also been identified as a design and planning matter for communication by City staff to the decision making body for information and consideration.

## S.0 Executive Summary

### S.1 Synopsis

This summary provides a brief synopsis of: (1) the Del Mar City Hall/Town Hall project; (2) the results of the environmental analysis contained within this Environmental Impact Report (EIR), (3) the alternatives that were considered, and (4) the major areas of controversy and issues to be resolved by decision-makers. This summary does not contain the extensive background and analysis found in the document. Therefore, the reader should review the entire document to fully understand the project and its environmental consequences.

The Del Mar City Hall/Town Hall Project is a City-initiated proposal to redevelop the existing City buildings at 1050 Camino del Mar, within the City. This project is an example of a project design in tandem with the environmental review process, whereby the design is informed by not only the public outreach and involvement, but also environmental analysis. Public comments received on the analysis and within hearing and workshops on the proposed project have resulted in refinements to the conceptual site plan analyzed within the Draft EIR. Further information, photographs and exhibits, and modeling have been included in the analysis to reflect the refinements of the conceptual site plan have been incorporated into the Final EIR in a ~~strikeout~~ and underline format.

#### S.1.1 Location and Setting

The proposed project would be located on the site of the existing City administration center (City Hall), occupying the approximately 1.5-acre eastern half of the city block bounded by residential properties and Stratford Court to the west, 10<sup>th</sup> Street to the south, 11<sup>th</sup> Street to the north, and fronting Camino del Mar to the east. Existing development on the proposed City Hall/Town Hall site consists of structures and surface parking lots. Surrounding land use is a combination of mixed use—commercial along the Camino del Mar corridor, and residential developments immediately beyond that corridor, and adjacent to the project site to the west, southwest, and northwest. Two vacant commercial lots and a small boutique hotel are located immediately south of the project site, and an office building is located immediately north.

Temporary relocation of the existing City administrative operations would be located at the parking area of the Shores Park located east of Stratford Court and south of 9<sup>th</sup> Street. Portable structures would be placed on the lower pad that is paved for overflow parking for both the Shores Park and the private Winston School, which is located immediately north of the parking area. There are residential properties located to the west across Stratford Court and immediately to the south of the relocation site.

## S.1.2 Project Overview

A detailed description of the proposed project, including a description of the history and background of the planning efforts associated with the development of a new City Hall, is contained in Chapter 3.0, Project Description. An overview of the project is provided below.

The proposed project includes the construction of new City administration facilities (City Hall) to accommodate the existing civic functions within an approximately 9,250-square-foot City Hall facility, an approximate 3,200-square-foot Town Hall meeting room that can accommodate up to 150 persons, with an expansion ability to accommodate up to 250 persons using a breezeway, an approximately 15,000-square-foot outdoor public plaza, and parking for up to 160 vehicles. Construction of the proposed project may be phased for construction and demolition. Figure 3-2 is the refined conceptual site plan of the proposed project (near-term development) currently submitted to the Design Review Board for consideration. Figure 3-3 is the refined conceptual site plan at buildout with the identification of the expansion areas.

Uses proposed within the initial- or near-term phase of the City Hall development would be the same as currently exist, including offices, public counters, meeting rooms, and restrooms. No increase in staffing is proposed, nor are other departments proposed to be relocated to the site as part of this project. The Town Hall would accommodate the City Council chambers, community meeting space, and the Del Mar television studio network offices. An increase in meeting space would allow for events up to 250 people and more frequent use of the civic facilities by the community for public meetings and workshops.

An outdoor public plaza is designed to be an open area with flexible space. Specifically, the Del Mar Town Commons, located immediately to the east of City Hall and north of Town Hall, would support uses including but not limited to, performances, art exhibits, community gatherings, and farmers' market space, as well as seating areas. Uses in this area may utilize outdoor amplified sound systems and lighting, oriented and focused toward the event and attendees. The farmers' market may also be located in the lower surface parking lot to the west. Parking would be located in a surface parking lot along the western property boundary accessed for both ingress and egress (entrance and exit) from 11<sup>th</sup> Street; and within the one- to two-story parking garage proposed beneath the City Hall building and a portion of the outdoor plaza. Access for the parking garage would be from both 10<sup>th</sup> and 11<sup>th</sup> streets. The City may consider an option to install a driveway connecting the surface lot with the parking garage, approximately aligned but not connected with the alley immediately to the west. This would allow for consideration of a gated access at the north end of the surface parking lot to limit direct access off 11<sup>th</sup> Street to oversize and emergency vehicles or for special events, with access for the surface parking lot through the parking garage.

The Town Hall Overlook and Town Hall Terrace are located at the southeastern portion of the site, south of Town Hall and City Hall, respectively. The Town Hall Overlook is proposed for access off Camino del Mar as a public space for access to on-site views both to the west to the Pacific Ocean and to the east, to the hills of Del Mar. The Town Hall Terrace is the proposed location of expansion area B. While shown as a public space, this area was revisited by the City Council on December 7, 2015, and may be redesigned to be gated and limited to approximately

300 square feet of usable space for City employees plus an access walkway. Or alternatively, this area may be partially removed. This design option would leave a small gated usable space for City employees, and the remaining Town Hall Terrace removed altogether structurally and replaced with a recessed garage access.

A future expansion areas (up to for an additional 20,000 square feet) of for public facility uses consistent with the Public Facilities designation of the City's Zoning Ordinance is are included as part of the project. Specific uses and timeline for this future expansion area are not defined at this time but may include expansion of the Town Hall, City Hall, plaza, relocation of the Alvarado House, or additional uses as allowed in the Public Facilities zone. Development of the future expansion area would be reviewed for compliance with the existing land use and zoning, design review, and consistency with this EIR.

Existing City administrative operations would be relocated to a temporary relocation site at the Shores Park parking area. Temporary portable structures would be occupied at this location for approximately 30 months, at which time all temporary uses would be removed.

### **S.1.3 Project Objectives**

The following primary project objectives have been developed to frame and support the purpose of the project, assist the Lead Agency in developing a reasonable range of alternatives to be evaluated in this EIR, and ultimately aid decision-makers in consideration of the potential environmental effects:

- Create an activated civic facility with adequate space for existing administrative functions, with public meeting spaces and facilities.
- Provide a flexible hearing and meeting space that could allow for indoor and outdoor uses to come together.
- Develop public outdoor areas within the project site for various passive and active uses.
- Maintain multi-modal access to the site, including parking for cars and facilities for bicycles, and Americans with Disabilities Act (ADA) compliant access and connections for pedestrians.
- Create sufficient parking for City staff and public use during the day, and for planned events outside of normal business hours.
- Maintain significant views for neighboring residential properties and view corridors associated with public spaces.
- Provide for future expansion areas within the project site consistent with the existing land use and zoning regulations.

## S.1.4 Discretionary Actions

The proposed project requires the following discretionary actions on the part of the City Council:

1. Design Review Permits for the City Hall/Town Hall site and the temporary relocation site at the Shores Park.
2. Coastal Development Permits for both the City Hall/Town Hall site and the temporary relocation site at the Shores Park as detailed in Chapter 30.75 et al. of the Del Mar Municipal Code.
3. Land Conservation Permit (Del Mar Municipal Code Chapter 23.33) for proposed grading outside the footprint of a structure that exceeds 25 cubic yards of cut or fill, and alteration in the existing or natural grade elevation in excess of 18 inches.
4. Tree Removal Permit for the removal of trees on public lands.
5. Alley (Street) Vacation for an unimproved, 20-foot-wide, east-west alley between the two parcels comprising the City Hall site.
6. Boundary (Lot Line) Adjustment for relocation of the existing boundary between the two project parcels to accommodate required parking.

All of these actions are covered by this EIR.

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

Table S-1, located at the end of this section, summarizes the results of the environmental analysis completed for the proposed project. As summarized in Table S-1 and discussed in Chapter 4.0, the proposed project would result in potentially significant impacts associated with the issues of aesthetics, cultural resources and noise. The issue areas of air quality, greenhouse gas emissions, land use, and traffic would result in less than significant impacts (See Chapter 4.0, Environmental Analysis), as well as the impacts associated with agriculture and forestry resources, biological resources, hazards and hazardous materials, mineral resources, geology and soils, hydrology and water quality, population and housing, public services, recreation, and utilities and service systems (See Chapter 6.0, Effects Found Not to be Significant). Cumulative impacts ~~which are included~~ in the issue analysis, and would be less than significant for all issues.

## S.3 Areas of Controversy

As identified in the Notice of Preparation and scoping process, and subsequently during public review and hearings on the project, areas of controversy related to environmental issues center on:

- Potential unreasonable blockage of views from public right-of-way and private residential views.
- Project traffic concentrated at the proposed driveways on 11<sup>th</sup> Street.
- Noise from increased activity of the project site.
- Air quality and odor emissions from the proposed parking garage.
- The noise, traffic, and land uses at the Shores Park temporary relocation site.

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

The City Council will need to determine whether the impacts of the proposed project have been adequately disclosed and mitigation measures would be feasible for reducing or avoiding impacts. Further, the City Council will also need to make a determination of whether the alternatives proposed would be preferable as a means of lessening or avoiding impacts identified for the proposed project while meeting the project objectives.

## S.5 Project Alternatives

CEQA Guidelines mandate that the EIR analyze a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant effects. These alternatives allow informed decision making and public participation. The alternatives fully evaluated in Chapter 7 include the No Project (No Development/Existing Condition) Alternative and a Reduced Project Alternative. Also analyzed within this section are alternatives for the proposed temporary relocation. They include Public Hearings at Powerhouse Park Community Building or Other Meeting Rooms; Public Hearings at the Winston School Auditorium; Temporary Facilities Placed on the Upper Shores Park Property; and Commercial Properties for Administrative Offices. This approach would allow for flexibility, where all facilities would not be required to be at a single site, and could be separated into multiple locations based on facilities sizing and availability.

### S.5.1 No Project (No Development/Existing Condition) Alternative

The No Project (No Development/Existing Condition) Alternative is addressed to compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved.

### S.5.1.1 Description of the No Project (No Development/Existing Condition) Alternative

The No Project (No Development/Existing Condition) Alternative is required by CEQA to be included to illustrate the environmental effects of the existing on-site uses and structures compared to the environmental effects of the proposed project, and as updated, with the Refined Conceptual Site Plan. The No Project Alternative would involve the continued use of the City Hall site without any substantial improvements or modifications to the site or buildings. City administrative services would continue to be housed in the buildings on-site, including the portable buildings on the upper and lower pads. The abandoned building, immediately south of City Hall, would remain and continue to be unusable due to previous determinations on the building structural safety. City Council, committee and public meetings would continue to be held in the hearing building, along with television studio operations. Under the No Project Alternative there would be no need for temporary relocation to another site. As a result, the proposed improvements to the driveway access and Shores Park fencing along the southern and western property boundaries would not occur.

### S.5.1.2 Conclusion

Because no development would occur, no “impacts,” as defined pursuant to CEQA would occur. However, the No Project Alternative would result in the continued use of aged buildings and the existing abandoned building would not be removed. In November 2005, and subsequently in September 2013, the City retained Ninyo & Moore to conduct an asbestos and lead-based paint survey, and limited hazardous building materials survey update, respectively, for the on-site City buildings. Based on the 2005 survey, asbestos containing materials (ACMs) and lead-based paint (LBP) were present in both of the original buildings (City Hall and storage building). While the presence of ACMs and LBPs in a building does not necessarily mean that the health of the occupants is endangered, when ACMs and LBP deteriorates, is in damaged condition, or is disturbed, such as during renovation operations, dust may be released, creating a potential health hazard for building occupants, maintenance personnel, and contractors. During the 2013 survey only the storage building was analyzed for updated information, and following this review, the storage building was deemed to be unsafe and access is no longer permitted. With the No Project Alternative, which would involve the continued use of the City Hall site without any substantial improvements or modifications to the site or buildings, proper removal and containment of these hazardous building materials known to occur within the structures would not be accomplished. See Appendix I for copies of the reports.

No permits or other discretionary actions would be required for this alternative, and the continued operation of the site would not result in any conflicts with existing Public Facilities (PF) land use designation and zoning. The existing visual landscape and both public on-site views, and right-of-way and private views through the site would not be altered with the No Project Alternative. No changes to the existing circulation within the area, specifically driveways and parking on-site, would occur under the No Project Alternative.

The existing condition has view blockages related to the City Hall buildings on the upper pad and landscaping on-site. The No Project Alternative would not change these obstructed views.

The significant and ~~unmitigable~~ mitigated impacts to scenic views and light and glare associated with the proposed project ~~(as refined)–development~~ would be avoided with this alternative, as the impacted views already exist. This alternative would not result in the new on-site public viewing areas proposed in the Civic Plaza and on the south side of City Hall.

Air and greenhouse gas emissions associated with construction of the proposed project would be avoided; however, the energy efficiencies that would be gained from the development of new City facilities would not be realized with the No Project Alternative. Noise associated with construction would be avoided with this alternative; however, the existing operational noise (e.g., HVAC, traffic and parking) would remain at the same level as currently exists. Under the No Project Alternative, the buildings would continue to attenuate existing vehicular noise that is generated on Camino del Mar for some of the residential properties to the west. The grading and excavation associated with the proposed project would be unnecessary, and therefore, the potential impacts to cultural resources, specifically subsurface historic, prehistoric, and paleontological, would be avoided with the No Project Alternative.

As stated above, with the No Project Alternative, relocation of City administrative operations to another site would not be necessary. Therefore, all potential impacts, including those that would be less than significant, would not occur to the temporary relocation site at the Shores Park.

## S.5.2 Reduced Project Alternative

### S.5.2.1 Description of the Reduced Project Alternative

The Reduced Project Alternative would reduce the potential for development of the future expansion areas to expansion area B, located immediately south of City Hall, and expansion area C, located in the southwestern corner of the project site, approximately 4,500 square feet. This alternative would omit expansion area A in the northeastern portion of the site in the plaza. Under this alternative, the total expansion area would be approximately 7,200 square feet. See Figure 7-1 for the conceptual site plan for the Reduced Project Alternative.

Additionally, the parking stalls located in the surface parking lot, facing westward (approximately 28 spaces) would be removed from the proposed project. The remaining parking would be approximately 132 spaces between the parking garage and the eastern facing parking row within the surface parking lot. These removed parking stalls ~~spaces~~ would have been overflow parking for public and commercial use, as well as for public events, and would not be required to meet the Del Mar Municipal Code for parking on-site.

The temporary relocation to the Shores Park would still be required for the Reduced Project Alternative.

The Reduced Project Alternative would reduce the potential for development of the future expansion areas to expansion area B, located immediately south of City Hall, and expansion area C, located in the southwestern corner of the project site, approximately 4,500 square feet. This alternative would omit expansion area A in the northeastern portion of the site in the

plaza. Under this alternative, the total expansion area would be approximately 7,200 square feet. See Figure 7-1 (revised) for the refined conceptual site plan without expansion area A for the Reduced Project Alternative.

Additionally, the parking stalls located in the surface parking lot, facing westward (approximately 28 spaces) would be removed from the proposed project. The remaining parking would be approximately 132 spaces between the parking garage and the eastern facing parking row within the surface parking lot. These parking spaces-stalls removed would have been for overflow parking for public and commercial use, as well as for public events, and would not be required to meet the Del Mar Municipal Code for parking on-site.

The temporary relocation to the Shores Park would still be required for the Reduced Project Alternative.

### S.5.2.2 Conclusion

This alternative would be consistent with the existing land uses and zoning for the site, and would meet the goals and policies for development of the proposed City Hall and Town Hall. The reduced project would not require any additional permits.

The Reduced Project Alternative would decrease the total building square footage that could be developed on the site, thereby potentially reducing the effects on both public right-of-way and private residential views that would be impacted by the development of expansion area A under the proposed project. As previously stated, the refined project design developed in response to public input has resulted in more design details allowing for a refined analysis of impacts, as well as comprehensive mitigation that would reduce the impact to below a level of significance. With the Reduced Project Alternative, the changes in public on-site and adjacent scenic views would not occur, and those mitigation measures related to the future development of expansion area A would no longer be applicable to the proposed project.

~~Specifically expansion area A would be eliminated and would avoid the significant and unmitigable impact related to the unreasonable blockage of scenic views (Impact AES-3). Impacts to public and private views and from light and glare, identified for the proposed project (as refined, refer to Figure 3-2 and 3-4) would be slightly reduced with this alternative (Impacts AES-1, AES-2, AES-3, and AES-4). The recommended mitigation measures shall be incorporated into the Reduced Project Alternative (MM-AES-1, MMAES-2, and MM-AES-3, and MM-AES-4).~~

As with the proposed project, the Reduced Project Alternative would still require the same grading and excavation for site development and could directly or indirectly impact cultural resources, including subsurface historic, archaeological, and paleontological resources (Impacts CUL-1, CUL-2, and CUL-3). Implementation of the mitigation measures recommended for the proposed project (MM-CUL-1 and MM-CUL-2) shall be incorporated with this alternative if it is adopted.

The Reduced Project Alternative would have the same construction noise impacts as identified for the proposed project. Grading and construction activities would be the same; therefore, noise impacts at the northern, western, and southern property boundary (Impact NOS-1) would

result from this alternative. Since this alternative would not include the parking in the lower surface lot, facing westward along the western property boundary, impacts would be reduced but would still be significant (Impact NOS-3). Implementation of the mitigation measures recommended for the proposed project at the project site (MM-NOS-1 and MM-NOS-3) shall be incorporated into this alternative if it is adopted.

Air quality and greenhouse gas emissions, while they do not exceed the thresholds for significance and are not considered significant, would be lessened due to the reduction of building area, and in turn energy and materials. It is anticipated that the traffic associated with the Reduced Project Alternative would be generally the same as that of the proposed project, since the proposed project, including the expansion areas, would not generate traffic but accommodate the public accessing City facilities and commercial businesses in proximity to the project site.

This alternative would result in the same significance determination for issue areas addressed in Chapter 6.0, Effects Found Not to be Significant, which include agriculture and forestry resources, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services, recreation, and utilities and service systems.

Relocation of City administrative operations to another site would still be necessary. Assuming the temporary relocation would be at the lower parking area of the Shores Park, all potential impacts at this site would occur as part of the Reduced Project Alternative. Those impacts would be associated with construction of the proposed driveway improvements on subsurface resources (Impacts CUL-1 and CUL-2) and construction and operational noise (Impacts NOS-2 and NOS-4) on adjacent sensitive receptors. Therefore, implementation of the mitigation measures MM-CUL-1, MM-NOS-2, and MM-NOS-3~~4~~, recommended to reduce these impacts for the proposed project shall be incorporated into this alternative if it is adopted.

## **S.5.3 Temporary Relocation Alternatives**

### **S.5.3.1 Description of the Temporary Relocation Alternatives**

To allow for consideration of temporary relocation options, the City has considered alternatives to allow for placement of City operations, including public hearings and workshops, and television studio operations, at various locations. The alternatives proposed for the temporary relocation are discussed below.

#### **Public Hearings at Powerhouse Park Community Building or Other Existing Meeting Rooms**

This temporary relocation alternative would locate the City administrative offices and the television studio operations on the Shores Park property, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located at the Powerhouse Park Community Building or other existing meeting rooms, such as schools or auditoriums. Driveway improvements at Stratford Court would still be required at the Shores Park site. No improvements to community meeting facilities would be necessary to accommodate public hearings at these sites, as they are designed for large public gatherings.

## **Public Hearings at the Winston School Auditorium**

Under this alternative, the proposed City administrative offices and television studio operations would still be located on the lower pad, south of the Winston School, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located within the Winston School auditorium. The driveway improvements at Stratford Court would be included. No other improvements to Winston School would be necessary.

## **Temporary Facilities Placed on the Upper Shores Park Property**

This temporary relocation alternative would locate the proposed City administrative offices and additional temporary portables for the hearing room and television studio operations on the upper Shores Park site. Temporary restroom facilities would be provided on the Shores Park property for both the administrative office space and public meeting space as part of this alternative. The same driveway improvements at Stratford Court would be necessary with no additional improvements required to access the upper lot. No trees in the upper lot would be removed for this alternative, and limited, shallow trenching for utilities connections would be required.

## **Commercial Properties for Administrative Offices**

This alternative would allow for specific administrative offices to be located at rented or leased commercial properties within the City at a smaller square footage than considered above under Section 7.1.3.3, Alternatives Considered but Rejected. Under this reduced square footage, civic services could be separated into smaller leased facilities for the 30 month relocation period, thereby reducing the level of operation on the Shores Park site. The temporary relocation facilities at the Shores Park could be reduced or eliminated if another alternative scenario is also selected such as alternative use of Powerhouse Park or the Winston School Auditorium for public hearings. The driveway improvements at Stratford Court to allow for both ingress and egress would only be constructed if remaining services were proposed at the Shores Park property.

### **S.5.3.2 Conclusion**

#### **Public Hearings at Powerhouse Park Community Building or Other Existing Meeting Rooms**

This alternative would result in the same impacts as the Shores Park site with respect to grading impacts to cultural resources (CUL-1 and CUL-2) and construction noise (NOS-2). However, because the City administrative offices would close at 5:30 p.m., noise level limits associated with the public hearings scheduled in the evening, specifically the nighttime hours (10:00 p.m. to 7:00 a.m.) would not occur. Therefore, the recommended mitigation measures CUL-1 and NOS-2 would still be required for this relocation alternative.

With respect to the public hearings at Powerhouse Park Community Building or other existing facilities, traffic conditions near Powerhouse Park and other community meeting facilities

include regular use of these meeting rooms for special events and were considered at the time the Powerhouse Park Community Building and other public meeting spaces were approved and constructed. The traffic activity generated by a public hearing would be no greater than a similar public event and would not create any unforeseen traffic or parking conditions near the community center. It should be noted, that parking for this site, would be limited to the paid public parking; however, this is not an issue that must be considered under CEQA.

Noise levels and air quality and greenhouse gas emissions would not exceed those already contemplated for the facilities upon approval of permits and entitlements.

### **Public Hearings at the Winston School Auditorium**

Under this alternative the proposed City administrative offices would still be located on the lower pad, south of the Winston School, while all public hearings (e.g., City Council, Planning Commission, and Design Review Board) and workshops would be located within the Winston School Auditorium. The driveway improvements at Stratford Court to allow for both ingress and egress would be included, and would still result in impacts to cultural resources (CUL-1 and CUL-2) and construction noise (NOS-2). No other improvements to Winston School would be necessary.

Noise levels associated with persons attending and congregating outside meetings and hearings would be attenuated by the Winston School auditorium. However, the noise associated with people dispersing following a meeting after 10:00 p.m. would still occur with this relocation alternative (NOS-4). Therefore, the recommended mitigation measures CUL-1, NOS-2, and NOS-~~3~~4 would still be required for this relocation alternative.

### **Temporary Facilities Placed on the Upper Shores Park Property**

The proposed City administrative offices and additional temporary portables for the hearing room and television studio operations would be located on the upper Shores Park site. Temporary restroom facilities would be provided on the Shores Park property for both the administrative office space and public meeting space as part of this alternative. The driveway improvements at Stratford Court would be necessary to allow for both ingress and egress to the site, and would still result in impacts to cultural resources (Impacts CUL-1 and CUL-2) and construction noise (Impact NOS-2). The driveway to the upper lot would not be improved and no trees in the upper lot would be removed for this alternative. Limited, shallow trenching for utility connections would be required. See Figure 7-2 for approximate site location on the upper lot.

Should this alternative be selected, the analysis provided for the proposed project would adequately reflect the traffic patterns that would occur under this alternative as parking and access would be the same.

Because the City administrative offices would close at 5:30 p.m., noise level limits associated with public hearings during nighttime hours (10:00 p.m. to 7:00 a.m.) would not occur. Under this alternative, the noise levels associated with persons attending and congregating outside

meetings and hearings will be located further away for the sensitive receptors identified for the proposed project. Impact NOS-4 would be avoided under this alternative.

With respect to the visual effects of this alternative on public right-of-way and private residential views, as illustrated in the attached photos in Figures 7-3a and 7-3b, the upper lot is well below Camino del Mar. The first-floor roofline of the existing development on the site is representative of the height of the portable structure that would be placed on this site, which would be single-story. Additionally, the vegetation on the site would further screen the addition of this building from the roadway. No “blue water” views would be lost with the placement of the Town Hall buildings on the upper lot. Similar to the proposed temporary relocation site, this alternative would not result in any significant impacts related to aesthetics and visual quality.

### **Commercial Properties for Administrative Offices**

This alternative would allow for specific administrative offices to be located at rented or leased commercial properties within the City at a smaller square footage than required for all components of the project as discussed above under Section 7.2, Alternatives Considered but Rejected. Under this reduced square footage, civic services could be separated into smaller leased facilities for the 30-month relocation period, thereby reducing the level of operation on the Shores Park site. The temporary relocation facilities at the Shores Park could be reduced, or if another alternative scenario is selected that would relocate the public hearings to another site, not could avoid use of the Shores Park altogether located on the property (e.g., such as ~~with alternative use of Powerhouse Park or the Winston School Auditorium for public hearings~~) under this alternative. The driveway improvements at Stratford Court to allow for both ingress and egress would only be constructed if remaining services were proposed at the Shores Park property, and as such impacts to cultural resources (Impacts CUL-1 and CUL-2) and construction noise (Impact NOS-2) would still occur. Should City Hall administrative services be placed in commercial buildings within the City, they would replace similar office-related uses that would generate similar traffic-related trips. Therefore, there would be no unforeseen changes in traffic conditions as a result of this alternative. However, City operations would be impacted by not maintaining the departments together.

### **S.5.5 Environmentally Superior Alternative**

CEQA Guidelines section 15126.6(e)(2) requires that an EIR identify the “environmentally superior” alternative based on the evaluation of the Plan and its alternatives. The No Project (No Development/Existing Condition) Alternative would avoid all impacts and would be the environmentally superior alternative. However, pursuant to the CEQA Guidelines (Section 15126.6 (e)(2), if the No Project Alternative is determined to be the most environmentally superior project, then another alternative among the alternatives evaluated must be identified as the environmentally superior project. The project itself may not be identified as the environmentally superior alternative.

The Reduced Project Alternative is identified as the environmentally superior alternative as it would ~~avoid or~~ reduce the significant and mitigated ~~unmitigable~~ impacts (as analyzed under the

refined project design, refer to Figure 3-2 and 3-3) to scenic views resulting from construction of expansion area A. Additionally, this alternative would reduce the proposed project impacts associated with operational noise ~~in~~ at the western portion of the project site~~property line~~. While air quality and greenhouse gas emissions would not exceed the thresholds for significance with the proposed project, the Reduced Project Alternative would reduce these impacts. The Reduced Project Alternative would also attain most of the proposed project's objectives.

Table S-1 Summary of Significant Environmental Analysis Results			
Environmental Issue	Results of Impact Analysis	Mitigation Measure	
<p><b>AESTHETICS</b></p> <p><i>Threshold AES-1: Views</i></p>	<p>Improper selection and placement of landscaping, particularly larger specimen trees could block ocean views from private residential views as well as public views along 10th Street, 11th Street, and Camino del Mar. These impacts would not likely occur in the short term, but would occur as landscaping matures if vegetation is dense or exceeds an elevation of 142 feet AMSL. Ocean views from the east of the project site could be obstructed, which would result in a significant impact to blue water views (Impact AES-1).</p> <p>Public views northbound along the segment of Camino del Mar immediately adjacent to the project are blocked by existing vegetation. Southbound, while public views from Camino del Mar would be maximized through the project design; however, certain project features could unnecessarily block ocean views such as the low wall proposed at the western edge of the civic plaza space and the proposed trellis, if it becomes heavily vegetated with landscaping. As a result, resulting in a significant impact to scenic views would occur from public viewing spaces on the project site and along the Camino del Mar frontage as a result of initial development of the project, without construction of expansion areas (Impact AES-2).</p> <p>Construction of the expansion areas A, B, and C would result in the obstruction of some views southbound along Camino del Mar, block views of the ocean from the north end of Camino del Mar along the project frontage. While this view blockage would be similar to the existing condition due to existing structures at the north-east corner of the site, the initial phase of the project would remove the existing structures and provide a civic plaza with public ocean viewing opportunities. Construction of expansion area A would block the ocean views created by the initial construction of the project. Thus, when compared to the initial phase of the project, expansion area A thus, build-out construction of the project site would result in a significant impact to ocean views when compared to the existing condition (Impacts AES-3).</p>	<p><b>MM-AES-1:</b> To mitigate Impact AES-1, final landscaping plans shall consider the view corridors and either select plant material that are at or less than the building height, (153-157 feet AMSL) on the Town Commons, Entry Garden, or Ocean View Terrace; or, if taller, strategically placed to minimize view impacts. Landscaping in the western portion of the site should not exceed 142 feet AMSL in height; or if taller, strategically placed to minimize view impacts. The final landscaping plan shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the plan adequately meets the intent of this mitigation measure.</p> <p><b>MM-AES-2:</b> To mitigate Impact AES-2, the City shall implement the following design criteria <del>mitigation measures</del> on the project site. The final plans shall be reviewed by City staff for review with written approval against the Design Review permit and the Final EIR to ensure that the following conditions are met:</p> <ul style="list-style-type: none"> <li>The safety wall along the western and northern edge of the civic plaza shall be made of a transparent or semi-transparent (50 percent transparency%) material, such as a wall or planter on the bottom, with open railing on the top, to allow for open views to the west.</li> <li>Trellis landscaping shall not be permitted in the area north of the City Hall building that is within the view corridor, unless the vegetation adheres to the structure (i.e., vines) and with continued maintenance by the City so that the open views throughout the trellis are maintained.</li> <li>No permanently erected shade structures shall be permitted in <del>the eastern portion of the civic plaza north of City Hall</del>; any of the designated on-site public viewpoints (refer to Figure 3-4 added). Shade structures that can be opened (e.g., umbrellas) for shade may be located in these areas. Further, art installations that may result in the provision of shade are permitted.</li> </ul> <p><b>MM-AES-3:</b> To mitigate Impact AES-3, the City shall implement the following design criteria on the project site to ensure build-out of the project is mitigated. The final plans for any expansion area building shall be reviewed by the DRB to ensure that these conditions are met:</p> <ul style="list-style-type: none"> <li>Provide the Town Hall Overlook to ensure continued scenic views to the southwest and approximately 50 percent toward the west.</li> <li>Limit new structures, public furniture, and public art to achieve approximately 50 percent or more of the Ocean View Terrace (refer to Figure 3-4) to ensure continued scenic views to the west, including to the southwest and northwest.</li> <li>Use of open and transparent materials shall be used to the greatest extent practicable in the upper (eastern) portion of the site, within expansion area A and B, where new structures are being constructed for on-site use.</li> <li>Limit the roofline of expansion area B to not exceed the height of the roofline of the adjacent City Hall structure as constructed.</li> </ul>	<p>Less than Significant for Impact AES-1 and AES-2</p> <p>Significant and Unavoidable for Impact AES-3</p>

Table S-1 Summary of Significant Environmental Analysis Results			
Environmental Issue	Results of Impact Analysis	Mitigation Measure	Impact Level after Mitigation
AESTHETICS (cont.)		<ul style="list-style-type: none"> <li>Site buildings associated with expansion area A in a manner such that view access from Camino del Mar is approximately 50 percent of the length from the northeastern corner of City Hall to the northern property line. Such design considerations may include open patios, outdoor cafes, transparent wall materials, and open interior treatments.</li> <li>The roofline of expansion area A shall be variable to provide horizontal and vertical relief, and to maintain views across the site to the greatest extent practicable.</li> <li>A view corridor between the northern edge of City Hall and the exterior elevator structure shall be protected. Placement of permanent structures shall be low profile, and may include bike storage and maintenance facilities, trash/recycling receptacles, and planter boxes.</li> <li>Maintain on-site landscaping to ensure landscaping is healthy and within the height limits outlined in the adopted landscape plan and associated plant palette.</li> <li>Maintain existing and proposed onsite landscaping to ensure overgrowth onto 10th and 11th streets does not block existing views westward.</li> <li>Reduce and maintain the ground cover landscaping (trees excepted) within the median of Camino del Mar, between 9th Street and 11th Street, to not exceed 24 inches in height, to expand views westward for northbound vehicle occupants and pedestrians on the east side of Camino del Mar.</li> </ul> <p>No feasible mitigation has been identified to mitigate significant impacts associated with Impact AES-3. However, a Reduced Project Alternative is included in Chapter 7, Alternatives that would omit expansion area A, and avoid the significant and unmitigable impacts identified above.</p>	

Table S-1 Summary of Significant Environmental Analysis Results			
Environmental Issue	Results of Impact Analysis	Mitigation Measure	Impact Level after Mitigation
<p><b>AESTHETICS (cont.)</b></p> <p><i>Threshold AES-4: Light and Glare</i></p>	<p>Onsite lighting at the project site and the temporary relocation site would comply with applicable lighting regulations, including the glazing and exterior lighting requirements in the City's Zoning Ordinance. Even with compliance with regulations, significant impacts from light and glare could occur at the City Hall site due to indoor lighting, vehicle headlights in the parking structure, and outdoor lighting. Similarly, light and glare impacts could occur at the temporary relocation site. Thus, a potentially significant light and glare impact would occur at both the City Hall site (Impact AES-4) and the temporary relocation site (Impact AES-5).</p>	<p><b>MM-AES-34:</b> To mitigate Impact AES-4 and AES-5, indoor/outdoor lighting, including during construction, the City shall implement the following <del>mitigation measures</del> design criteria at both the project site and temporary relocation site:</p> <p><u>Project Site</u></p> <ul style="list-style-type: none"> <li>• Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.</li> <li>• Louvers or other screening mechanisms along the western side of the parking garage shall be implemented to minimize light spill to residential properties.</li> <li>• Windows materials shall be used that are designed to be absorptive of light or made of anti-reflective materials.</li> <li>• Security lighting (illuminated dusk to dawn) erected during construction shall be placed below the height of the proposed noise attenuation barrier (MM-NOS-1) and oriented downward and away from adjacent residential properties during all phases of construction.</li> <li>• Bollard or low wall lighting shall be used in the surface parking lot, placed below the height of the proposed noise wall (MM-NOS-3 and MM-NOS-4)</li> <li>• Plaza lighting shall include low lighting, facing downward and away from residential areas and located on solid surfaces or within low-profile lighting structures such as bollard lighting or step lighting where feasible.</li> <li>• Parking structure lighting shall be placed on the interior of solid or screened walls, facing inward toward the center of the parking structure.</li> </ul> <p><u>Temporary Relocation Site</u></p> <ul style="list-style-type: none"> <li>• Implementation of the noise wall in MM-NOS-3 and MM-NOS-4 would further mitigate potential light impacts at both the project site and temporary relocation site from vehicle headlights.</li> </ul> <p><u>Temporary Relocation Site</u></p> <ul style="list-style-type: none"> <li>• Light sensors or timers shall be placed on all interior light fixtures within all structures to ensure lights are shut off when rooms or buildings are not in use.</li> <li>• Windows materials shall be absorptive of light or made of anti-reflective materials.</li> <li>• The parking area within the Shores Park lower parking lot shall be restricted to orient cars in the easterly or northeasterly direction, or cars shall be required to back in along the western property boundary.</li> <li>• Maintain existing vegetation along the western perimeter of the Shores Park lower parking lot, adjacent to the fence line.</li> </ul>	<p>Less than Significant</p>

**Table S-1  
Summary of Significant Environmental Analysis Results**

Environmental Issue	Results of Impact Analysis	Mitigation Measure	Impact Level after Mitigation
<p><b>CULTURAL RESOURCES</b></p>	<p><i>Threshold CUL-2: Archeological Resources</i></p> <p>Due to the location of the project site in an area of prehistoric and historic use, there is potential for subsurface archaeological deposits to exist on the western one-half of the property, where there has been limited prior grading of the site. Thus, construction of the proposed project has the potential to destroy prehistoric/historic archaeological resources through grading, representing a significant impact (Impact CUL-1).</p> <p>With respect to the temporary relocation of the existing administrative operations to portable structures on the Shores Park site, site preparation activities would include the grading for improved two-way driveway access at the southwestern corner of the property. Impacts to archaeological resources from the improvements to the driveway access, temporary relocation has the potential to destroy prehistoric/historic archaeological resources through grading, representing a significant impact (Impact CUL-2).</p> <p>The project site is primarily underlain by the Bay Point Formation and thus has a high sensitivity for paleontological resources. The proposed project may result in excavation of previously undisturbed deposits of the Bay Point Formation. This disturbance would have the potential to significantly impact subsurface paleontological resources, representing a significant impact (Impact CUL-3).</p>	<p>MM-CUL-1: To mitigate Impacts CUL-1 and CUL-2, a qualified archaeological monitor and a Native American monitor shall be present during project-related ground-disturbing activities for both the proposed City Hall/Town Hall site development and the driveway improvements at the Shores Park temporary relocation site. The monitors would have the authority to stop and/or divert grading, trenching, or excavating if an archaeological resource is encountered. The qualified archaeologist, and Native American monitor, if the discovery is prehistoric, shall evaluate the significance of the discovery. If it is significant, a data recovery program would be implemented in order to mitigate impacts to the resource.</p> <p>MM-CUL-2: To mitigate Impact CUL-2, a qualified paleontological monitor shall be onsite during grading that cuts into the Bay Point Formation, a fossil-bearing formation. The monitor would have the authority to stop and/or divert grading, trenching, or excavating if a significant paleontological resource is encountered. An excavation plan would be implemented to mitigate the discovery. Excavation would include the salvage of the fossil remains (simple excavation or plaster-jacketing of larger and/or fragile specimens); recording stratigraphic and geologic data; and transport of fossil remains to laboratory for processing and curation.</p>	<p>Less than Significant</p>
<p><i>Threshold CUL-3: Paleontological Resources</i></p>	<p>The project site is primarily underlain by the Bay Point Formation and thus has a high sensitivity for paleontological resources. The proposed project may result in excavation of previously undisturbed deposits of the Bay Point Formation. This disturbance would have the potential to significantly impact subsurface paleontological resources, representing a significant impact (Impact CUL-3).</p>	<p>MM-CUL-2: To mitigate Impact CUL-2, a qualified paleontological monitor shall be onsite during grading that cuts into the Bay Point Formation, a fossil-bearing formation. The monitor would have the authority to stop and/or divert grading, trenching, or excavating if a significant paleontological resource is encountered. An excavation plan would be implemented to mitigate the discovery. Excavation would include the salvage of the fossil remains (simple excavation or plaster-jacketing of larger and/or fragile specimens); recording stratigraphic and geologic data; and transport of fossil remains to laboratory for processing and curation.</p>	<p>Less than Significant</p>
<p><b>NOISE</b></p>	<p><i>Threshold NOS-1: Exceedance of Noise Standards</i></p> <p>Noise from construction would expose sensitive noise receivers adjacent to the western property line to noise levels up to 79 dB(A) <math>L_{eq}</math> with maximum noise levels of up to 82 dB(A) <math>L_{max}</math>. These noise levels would exceed the City 75 dB(A) <math>L_{eq}</math> noise level limit for construction, representing a significant impact. Construction practices would be the same under any of the design options and would generate and expose persons to noise levels in excess of applicable standards during construction, representing a significant impact (Impact NOS-1).</p> <p>Demolition and construction of the project driveway at the temporary relocation site would generate noise levels at the nearest receiver (717 Stratford Court) of up to 83 dB(A) <math>L_{eq}</math> with maximum noise levels of up to 87 dB(A) <math>L_{max}</math>. These noise levels would exceed the City 75 dB(A) <math>L_{eq}</math> noise level limit for construction and would expose persons to noise levels in excess of applicable standards, representing a significant impact (Impact NOS-2).</p>	<p>MM-NOS-1: To mitigate Impact NOS-1 (Project Site), during all phases of construction that would require equipment to be used outdoors, a noise barrier shall be erected along the entire length of the western property line of the project site. The top of the noise barrier shall be 10 feet above the existing grade, measured from the interior side of the barrier from the finished surface elevations of the western parking lot. The barrier may be constructed of any material with a minimum weight of 2 pounds per square foot. Noise barriers must not have any gaps or perforations and may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, a <del>height of the temporary barrier may be shortened if erected atop</del> permanent barrier identified in MM-NOS-3. <del>The minimum height of</del> <del>may be constructed to replace a temporary noise attenuation barrier during construction at 10 feet above grade of the finished surface elevation of the western parking lot, in lieu of the construction of a temporary barrier</del> <del>at the relocation site to be maintained.</del></p> <p>MM-NOS-2: To mitigate Impact NOS-2 (Temporary Relocation Site), if the proposed driveway construction is selected for the project, during construction of the proposed driveway improvements at the temporary relocation site, the City shall monitor noise levels during construction, and if noise levels exceed 75 dB(A) <math>L_{eq}</math> at the property line on 717 Stratford Court, a noise barrier shall be erected beginning at the edge, roadway and extending east 20 feet along the southern property line. The noise barrier shall be 10 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Alternatively, a portion of the temporary barrier may be shortened if erected atop the permanent barrier identified in MM-NOS-4, if the minimum height of 10 feet above grade of the construction site is maintained.</p>	<p>Less than Significant</p>

Table S-1 Summary of Significant Environmental Analysis Results			
Environmental Issue	Results of Impact Analysis	Mitigation Measure	Impact Level after Mitigation
<p><b>NOISE (cont.)</b></p> <p><i>Threshold NOS-1: Exceedance of Noise Standards</i></p>	<p>Noise levels at the southern and western property line would not exceed the allowable daytime limits of 55 dB(A) <math>L_{90}</math> but would exceed the nighttime property line limit of 45 dB(A) <math>L_{90}</math> due to activities in the lower surface parking lot. Thus, operation of the project would generate, and expose persons, to noise levels in excess of applicable standards during the nighttime hours of 10:00 p.m. and 7:00 a.m., representing a significant impact. Impacts would be the same under any of the design options, exposing persons to noise levels in excess of applicable standards during the nighttime hours. (Impact NOS-3).</p> <p>Operational noise from the temporary relocation site parking lot would not exceed the daytime noise level limits of 55 dB(A) <math>L_{90}</math> at any receiver; however, noise levels would exceed the nighttime noise level limit of 45 dB(A) <math>L_{90}</math> at the properties immediately south of the relocation site and across Stratford Court from the parking area, representing a significant impact. Impacts of the refined conceptual site plan would be the same as that analyzed in the original site plan, as detailed above. (Impact NOS-4).</p>	<p>MM-NOS-3: To mitigate Impact NOS-3, (Project Site), depending on the project plan selected (e.g., refined conceptual site plan, internal garage connection (no change in mechanical), or internal garage connection with mechanical relocation), a noise barrier shall be erected along the entire length of the western property line in the lowest (western) parking lot of the project site as shown in Figures 4.7-14a (added) and 4.7-14b (added), Figures 4.7-15a (added) and 4.7-15b (added), or 4.7-16a (added) and 4.7-16b (added), reflective of the design option selected. (Note: the mitigation is the same in both the a and b figure as coupled for each design option; the mitigation is presented overlaid onto the two modeling scenarios for informational purposes). The top of the noise barrier shall be measured from the finished surface elevation of the western parking lot, a minimum of 8 feet above the existing grade of the parking lot and The barrier shall be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the barrier continues to perform to the minimum requirements.</p> <p>MM-NOS-4: To mitigate Impact NOS-4 (Temporary Relocation Site), noise barriers shall be erected along the western property line of the temporary relocation site, west of the proposed surface parking lot, and for a length of 160 feet along the southern property line, beginning at the edge of the sidewalk (southeastern corner) and extending easterly, at the temporary relocation site. The top of the noise barriers shall be a minimum of 6 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the barrier continues to perform to the minimum requirements.</p> <p>MM-NOS-4: To mitigate Impact NOS-4 (Temporary Relocation Site), noise barriers shall be erected along the western property line of the temporary relocation site, west of the proposed surface parking lot, and for a length of 160 feet along the southern property line, beginning at the edge of the sidewalk (southeastern corner) and extending easterly, at the temporary relocation site. The top of the noise barriers shall be a minimum of 6 feet above the existing grade and be constructed of a material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, masonry block, concrete panels, 18-gauge steel sheets, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence. Additionally, if wood is used, annual inspection and maintenance must be conducted for the life of the project to ensure the barrier continues to perform to the minimum requirements.</p>	Less than Significant



DELANO & DELANO

December 23, 2015

VIA E-MAIL

Honorable Mayor and City Council  
City of Del Mar  
1050 Camino del Mar  
Del Mar, CA 92014

RECEIVED  
DEC 23 2015  
CITY OF DEL MAR  
PLANNING DEPARTMENT

Re: City Hall/Town Hall Civic Plaza Project and Final EIR

Dear Honorable Mayor and City Council:

This letter is submitted on behalf of Steven Mack in connection with the proposed City Hall/Town Hall project ("Project") and related Final Environmental Impact Report ("FEIR"). This Council should reject the Project and FEIR as currently proposed. In addition, the Council should require certain specific limits on the uses of the site.

The Process is Lacking

The FEIR was issued just before the holidays and this council's hearing is scheduled for the first day of business immediately following the holidays. The California Environmental Quality Act ("CEQA") is premised in part on "a belief that citizens can make important contributions to environmental protection and ... notions of democratic decision-making ..." *Concerned Citizens of Costa Mesa, Inc. v. 32<sup>nd</sup> Agricultural Assoc.* (1986) 42 Cal.3d 929, 936. "Environmental review derives its vitality from public participation." *Ocean View Estates Homeowners Assn. v. Montecito Water Dist.* (2004) 116 Cal.App.4<sup>th</sup> 396, 400. The schedule makes a mockery of public participation; the City cannot expect meaningful participation with such a schedule.

Furthermore, City staff recommended that the Design Review "Board review the project's consistency with the applicable provisions ... and forward any related recommendations on the requested permits to the City Council for their consideration." However, the Design Review Ordinance ("DRO") makes it very clear that the Board's role is to, "by majority vote, approve, disapprove ..., conditionally approve or continue the application." Muni. Code § 23.08.060(E). The City has approached the Board's role improperly.

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### The Potential Uses of the Site are Inadequately Discussed

In an October 26, 2015 letter, I noted that the Draft EIR's discussion of the Project is vague. In response, the FEIR claims it "provides adequate information on the proposed development and uses, which are limited to those consistent with the City's Public Facilities land use designation and zone. A conceptual site plan was included ...." FEIR at RTC-39. This response is insufficient for several reasons. For one thing, a site plan is insufficient to identify uses. Additionally, there are a variety of uses allowed within the Public Facilities zone. The FEIR needs to do much more to describe specifically which types of uses allowed within such a zone will actually occur at the site. The FEIR vaguely states that the "outdoor plaza is designed to be an open area with flexible space to support uses including but not limited to, performances, art exhibits, [and] community gatherings ...." FEIR at 3-8. The FEIR states that 250 people could be accommodated in the 3,200-square-foot Town Hall meeting room and a breezeway, but it fails to discuss how many more people might utilize the approximately 15,000-square-foot outdoor public plaza, the Town Hall Overlook, and the Town Hall Terrace. FEIR at S-2. This hardly qualifies as an adequate description of potential or anticipated uses.

If anything, the changes made to the FEIR only make the ambiguities worse. For example, the FEIR now says that certain areas "may be redesigned" and "may be partially removed." FEIR at S-2 – 3. And the FEIR notes that such uses "may utilize amplified sound systems and lighting ...." FEIR at 3-8. It also states that a "future expansion area" is "not defined for specific use ...." These statements leave open a wide variety of possibilities. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193. The FEIR fails to provide an adequate description, thereby leaving open a wide variety of possible construction and uses at the site.

This vagueness carries through the entire FEIR. By failing to adequately discuss potential uses, particularly the types of special events anticipated by the Project, the FEIR fails to analyze the impacts associated with such events, including the potential noise, lighting, traffic and other impacts. Enclosed is a letter from RK Engineering identifying traffic and parking concerns associated with the Project.

### The Project is Inconsistent with Applicable Requirements

My December 16, 2015 letter to the Design Review Board noted several ways in which the Project is inconsistent with the Design Review Ordinance and the Land Use Plan. A copy of my letter is enclosed for your convenience. At a fundamental level, the Project does not enhance the "small-town village atmosphere" as called for by Policy IV-27.

The City Should Commit to Certain Limits on Use

The City should commit to specific limits on the type and manner of uses of the site. These should include the following specific limits:

1. Uses for the entire site would be limited to no more than 250 people (FEIR at S-2).
2. Uses for events other than City meetings (e.g., City Council, Design Review Board), such as “performances, art exhibits, community gatherings, and farmers’ market” (FEIR at S-2), would be limited to 8 a.m. to 8 p.m.
3. Uses for events other than City meetings (e.g., City Council, Design Review Board), such as “performances, art exhibits, community gatherings, and farmers’ market” (FEIR at S-2), would be required to submit in advance adequate traffic control and noise control plans to address the anticipated event, and would be required to implement such plans.
4. Uses for all events, including City meetings (e.g., City Council, Design Review Board), would be limited to using the Town Hall and outdoor public plaza north of the Town Hall. No such events may utilize the Town Hall Overlook or Town Hall Terrace.
5. Lighting on the site would be limited to low standards and directed away from residential areas.

Thank you for your consideration of the above concerns.

Sincerely,



Everett DeLano

Encs.

December 21, 2015

Everett DeLano  
DELANO & DELANO  
220 W. Grand Avenue  
Escondido, CA 92025

Dear Mr. Everett DeLano:

RE: **Traffic and Parking Concerns Related to the Proposed City of Del Mar  
City Hall Project**

RK Engineering Group, Inc. (RK) is pleased to provide this comment letter for the proposed Del Mar City Hall/Town Hall Project. The City of Del Mar is proposing to demolish the existing 1.5 acre City Hall facility and re-develop the site to consist of approximately 9,250 square feet of City Hall building, 3,200 square feet of Town Hall facility and approximately 15,000 square feet of outdoor public plaza use. The project may also add an additional 20,000 square feet of use that has not been determined. The purpose of this letter is to identify areas of concern related to the redevelopment.

On Thursday, December 17, 2015, RK met with representatives of the City Staff (Mr. Scott Huth, City Manager and Ms. Kathleen Garcia Planning and Community Director) in order to discuss the proposed City Hall project. RK has also reviewed the Traffic Impact Study prepared by STC Traffic Inc., dated September 2015 as well as the Design Review Board Staff Report dated December 16, 2015.

Based on our meeting with City Staff, review of the traffic impact study and staff report, RK has identified the following findings and recommendations related to the projects' traffic and parking impacts to the surrounding roadway network:

1. Page 42 of the traffic impact study estimates 750 cubic yards per day would be exported by 5-7 trucks. One truck can export approximately 10-14 cubic yards per trip. Assuming one truck can export 14 cubic yards per trip, 7 trucks per day would account for only 98 cubic yards of export not 750 cubic yards. The traffic impact study grossly underestimates the number of truck trips during the construction phase onto the roadway network. The study should include an accurate analysis of the truck trips and routes for the project.
2. Figure 4-3 (page 23) of the traffic impact study does not provide for a clear and accurate vehicle distribution. Please explain why the distribution changes from am to pm peak hour for the project driveways? Additionally, the distribution

Everett DeLano  
DELANO & DELANO  
December 18, 2015  
Page 2

percentages do not correctly calculate the ingress and egress to the site. The distribution should be corrected in the traffic impact study.

3. The LOS (level of service) identified at the intersection of 11<sup>th</sup> Street at Camino del Mar is currently operating at LOS E during pm peak hour conditions. The City should continue to explore a traffic signal or roundabout at this intersection. This will improve the flow of vehicular and pedestrian traffic to and from the City Hall project.
4. The project proposes to allow ingress only from 10<sup>th</sup> street to the subterranean parking structure. In order to reduce additional vehicle trips on 10<sup>th</sup> Street, consider restricting vehicular access from 10<sup>th</sup> street during event times.
5. The frequency of activities, number of guests, special events, etc. has not been identified. As a result, an accurate calculation of vehicle trips, parking demand and pedestrian activities cannot be determined. In order to fully address the potential impacts of the project the size and scope of the activities should be identified.
6. The City should consider developing a special event parking and traffic management plan. The plan would identify additional traffic control devices, traffic direction personnel and preferred routes for visitors.
7. Special events should not be scheduled to occur simultaneously and a gap in time between events should be considered. Staggering start times and limiting the number of guests on-site will avoid increases in parking and traffic to the surrounding roadway network.

RK has reviewed the Del Mar City Hall project from a traffic and parking perspective. Based upon this review, RK has made several suggestions with respect to construction trip generation, vehicle/truck trip distributions, project access and parking for the project. RK would recommend that the City Council include these comments into the final report for the project.

If you have any questions, please call me at (949) 474-0809.

Sincerely,  
RK ENGINEERING GROUP, INC.

Rogier Goedecke  
Vice President, Operations  
RK Engineering Group, Inc.

Cc. Mr. Steve Mack

RK:dt/RK11387.DOC  
JN:2390-2015-03



# DELANO & DELANO

December 16, 2015

VIA E-MAIL

Design Review Board  
City of Del Mar  
1050 Camino del Mar  
Del Mar, CA 92014

Re: City Hall/Town Hall Project

Dear Design Review Board:

This letter is submitted on behalf of Steven Mack in connection with the proposed City Hall/Town Hall project ("Project").

In an October 26, 2015 letter to the City, I noted several problems with the Project's draft Environmental Impact Report ("EIR"). To date, I have received no response. The staff report indicates that the final EIR regarding the Project will be issued just before Christmas and that a hearing regarding the EIR will be held on January 4<sup>th</sup>. The California Environmental Quality Act ("CEQA") is premised in part on "a belief that citizens can make important contributions to environmental protection and ... notions of democratic decision-making ..." *Concerned Citizens of Costa Mesa, Inc. v. 32<sup>nd</sup> Agricultural Assoc.* (1986) 42 Cal.3d 929, 936. "Environmental review derives its vitality from public participation." *Ocean View Estates Homeowners Assn. v. Montecito Water Dist.* (2004) 116 Cal.App.4<sup>th</sup> 396, 400. The staff report notes that "the City Council directed staff to proceed with a community input process that would function as an 'expanded CPP' due to the magnitude of the project and its importance to the community." Yet the approach of holding the final EIR until just before the holidays, then rushing to a hearing just after the holidays, makes a mockery of public participation. The City cannot expect meaningful participation with such a schedule.

The staff report recommends this "Board review the project's consistency with the applicable provisions ... and forward any related recommendations on the requested permits to the City Council for their consideration." However, the Design Review Ordinance ("DRO") makes it very clear that this Board's role is to, "by majority vote, approve, disapprove ..., conditionally approve or continue the application." Muni. Code § 23.08.060(E).

The staff report asserts that the Project is consistent with the DRO. However, the DRO prohibits blocking significant public coastal views, prohibits projects that are

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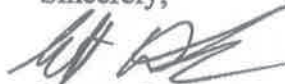
out of scale with the neighborhood, and prohibits a project that “unreasonably encroaches upon primary scenic views of neighboring property.” Muni. Code § 23.08.077. The Project is inconsistent with all of these mandates. Indeed, the Project’s setback to 10<sup>th</sup> Street is less than four feet and its setback to 11<sup>th</sup> Street is less than three feet. Whether or not this is technically consistent with the setback requirements in the Public Facilities zone, the Project is surrounded on three sides by a residential community with residential zoning. Such siting is not “harmonious with or ... functionally compatible with the surrounding neighborhood.” Muni. Code § 23.08.077(D).

Additionally, the Project is inconsistent with DRO Section 23.08.072. For example, the City’s Land Use Plan calls for the protection of public views to the ocean. Land Use Plan at 10. It also discusses protecting public views and vantage points, and specifically discusses scenic view easements from Camino del Mar. *Id.* at 77 – 78. Yet the Project will negatively impact these views, in violation of DRO Section 23.08.072(A). The Project will “cause the surrounding neighborhood to depreciate materially in appearance or value.” Muni. Code § 23.08.072(E). And, as City staff has acknowledged, the Project “will create an unreasonable invasion of the privacy of neighboring properties.” Muni. Code § 23.08.072(D).

Furthermore, the Project will create traffic, parking and pedestrian circulation impacts in violation of DRO Section 23.08.074. For example, the Project’s ingress and egress “will have an adverse effect on traffic conditions on abutting streets,” particularly in this residential neighborhood. Muni. Code § 23.08.074(B). And since many of the streets do not have sidewalks, and therefore residents and visitors routinely walk in the streets, the Project “will cause conflicts among vehicular, bicycle, [and] pedestrian traffic.” Muni. Code § 23.08.074(F). These problems will be particularly acute as a result of the planned special events, where substantial traffic volumes can be expected in a short amount of time.

For these and other reasons, this Board should vote to disapprove the Project as proposed. Thank you for your consideration of these concerns.

Sincerely,



Everett DeLano