

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: October 19, 2006

TO: James T. Waring, Deputy Chief of Land Use and Economic Development

FROM: Robert Manis, Assistant Deputy Director, Development Services

SUBJECT: CEQA Consistency Analysis for Navy Broadway Complex

The Development Services Department (DSD) was asked to conduct a CEQA consistency analysis on the proposed Navy Broadway Complex (NBC) for CCDC. The review is limited to consideration of CEQA issues associated with the project and previously certified applicable environmental documents. This review was done pursuant to Section 21166 of CEQA. The NBC project is subject to a Development Agreement between the City of San Diego and the Navy and an EIR/EIS prepared in 1990 (The City prepared and certified the EIR pursuant to CEQA and the Navy prepared the EIS pursuant to NEPA). The City was the lead agency on the EIR and retains CEQA responsibilities as outlined in the Development Agreement. CCDC is responsible for reviewing the project for consistency with the Development Plan and the Design Guidelines.

For purposes of conducting the CEQA consistency analysis, DSD considered the proposed NBC project components. It was found that the proposed Navy Broadway Complex (NBC) project is consistent with the project described in the 1990 EIR/EIS in terms of uses and intensity. The 1990 NBC project included a total of 2,950,000 square feet of office, retail and hotel uses plus 300,000 square feet of above grade parking and 3,105 total parking spaces (including Navy fleet parking). The proposed NBC project is slightly smaller at 2,936,050 square feet of office, retail, and hotel uses and includes a total of 2,961 parking spaces. The layouts of the two projects are similar and CCDC will be reviewing the project for consistency with the adopted Design Guidelines.

DSD's CEQA consistency analysis for the proposed NBC project considered several environmental documents, described below, that have been certified since 1990 in the downtown area.

- **Navy Broadway Complex Project Environmental Impact Report/Environmental Impact Statement (Joint CEQA/NEPA document, October 1990)**. Certified by the City of San Diego on October 20, 1992. This document fully analyzed the NBC project at the project level and assumed that build out of the downtown area would occur consistent with the adopted land use plans. The NBC project EIR/EIS also indicates that the precise mix and location (by block) of land uses would be determined by market conditions. As such, it was anticipated that possible changes to the site plan from what was approved in 1992

would incorporate all relevant mitigation measures identified for transportation/circulation/parking, air quality, cultural resources, noise, etc.

- **Final Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project.** Certified by the Redevelopment Agency (Resolution #2081) and City Council (Resolution #279875) on April 28, 1992. The 1992 MEIR specifically identified the NBC project within the Land Use section on Page 4.A-17 as follows: "...redevelopment of 1 million square feet of Navy offices; up to 2.5 million mixed commercial, office, and hotel uses, and a plaza at Broadway and Harbor Drive." The MEIR assumed development of the NBC project in the Land Use Impact analysis and anticipated mitigation associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance.
- **Final Subsequent Environmental Impact Report (SEIR) to the 1992 Final Master Environmental Impact Report Addressing the Centre City Community Plan and Related Documents for the Proposed Ballpark and Ancillary Development Projects and Associated Plan Amendments.** Certified by the Redevelopment Agency (Resolution #03058) and the City Council (Resolution #292363) on October 26, 1999. The NBC project is not specifically called out as a project under the Land Use or Cumulative discussion sections of the SEIR. However, in order to determine the short-term and longer-term cumulative impacts with or without the Ballpark and Ancillary development projects, the SEIR assumed build out of the Redevelopment Project Area as defined in the 1992 MEIR which includes the NBC project. In addition, projected land use data in the 2002 SANDAG traffic model was modified to include additional CCDC build out developments consistent with the 1992 MEIR. Since the 1992 MEIR included the NBC project, the same and/or similar intersection, ramp and roadway segment impacts were assumed in the SEIR traffic analysis. Mitigation included an Event Transportation Management Plan, Freeway Deficiency Plan, Parking Management Plan and Transit improvements (all significant/mitigated, unless necessary freeway improvements are not made, resulting in a cumulatively significant and unmitigated impact).

Air Quality was analyzed using the Regional Air Quality Standards (RAQS) for the San Diego Air Basin. Regional impacts from increased traffic would remain significant and unmitigated; however, with proximity to public transit, air emissions would be reduced with implementation of RAQS controls. Potential significant unmitigated, long-term impacts were identified associated with freeway onramp congestion. Recommendation's to implement the Freeway Deficiency Plan were required, but could not be guaranteed.

- **North Embarcadero Visionary Plan Environmental Impact Report.** Certified by the Board of Port Commissioners of the San Diego Unified Port District in March 2000. This EIR assumed development of the NBC project in the Executive Summary and the Land Use discussions. The Visionary Plan Area incorporates the NBC project site, but

did not include it in the calculation of square footage for the existing and proposed Visionary Plan uses (Table 3.3-1, Page 3-5). The Visionary Plan EIR references the NBC project as an existing entitled project for comprehensive planning purposes and cumulative analysis. The Visionary Plan EIR assumes near-term as 2005 and long-term build out as 2020 for the traffic analysis. A significant unmitigated and cumulative impact was identified for Freeway I-5 and I-5 ramps from 1st to 6th Avenues; impacts to ramp capacity and ramp meters were also identified and mitigable with implementation of SANDAG I-5 Freeway Corridor Study, which addresses deficiencies on the freeway and associated ramps. The Visionary Plan EIR also anticipated mitigation associated with Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance. The Visionary Plan EIR incorporated development and improvements included in the NBC project, but did not consider the project in the cumulative analysis for Urban Design/Visual Quality. Overall, the Visionary Plan adequately addressed the NBC project and is therefore consistent with the certified EIR/EIS.

- **Downtown Community Plan Environmental Impact Report in Conjunction with a new Downtown Community Plan, new Centre City Planned District Ordinance and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.** Certified by the Redevelopment Agency and City Council on February 28, 2006. The Downtown Community Plan EIR assumed development of the NBC project in the Project Description and incorporated anticipated land uses and building square footages into the figures and impact analysis. The Community Plan EIR also anticipated mitigation for direct impacts associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance, as well as cumulative impacts to Air Quality and Transportation; however, the impacts from implementation of the proposed Community Plan and Planned District Ordinance on parking, grid streets and surrounding streets is considered significant and unmitigable.

One issue identified and evaluated with the CEQA consistency review was on-site parking relative to the minor modifications to square footage in the proposed NBC project compared to the 1990 NBC project. While the total square footage of the proposed NBC project represents a small reduction from the 1990 NBC project, the total number of proposed parking spaces has been reduced from 3,105 to 2,961. The analysis determined that the 3,105 spaces included 230 Navy fleet car spaces, leaving 2,875 spaces for general use. The Navy has indicated that there is currently a need for only 54 fleet spaces. With a total of 2,961 spaces proposed, that leaves 2,907 spaces for general use, more than with the 1990 NBC project.

In conclusion, DSD noted that the proposed NBC project is substantially the same as the 1990 NBC project. The EIR/EIS done for the 1990 NBC project analyzed the project in detail, assuming build out of the surrounding area consistent with the land use plans and identified mitigation for impacts resulting from the project. Subsequent environmental documents in the downtown area, while not analyzing the NBC project at the project level, did reference the NBC project and assumed it would build out in accordance with the 1990 NBC project. Most recently,

in 2006, the EIR for the Downtown Community Plan Update addressed community-wide policy/land use issues and again, assumed build out of the NBC.

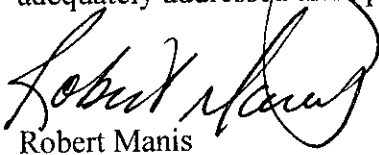
Section 21166 of CEQA states that when an EIR has been prepared for a project, no subsequent or supplemental EIR shall be required unless one or more of three events occur. These events are:

1. Substantial changes are proposed in the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available

As stated earlier, there are no substantial changes to the NBC project from the 1990 NBC project. Project uses and intensity are virtually the same. It is acknowledged that the Ballpark and Ancillary Development projects, located in the East Village were not identified in the 1992 CCDC MEIR or the 1990 NBC EIR/EIS and therefore not considered in the cumulative impact analysis for the NBC project. However, because these projects were not anticipated, CCDC required the preparation of a Subsequent EIR which incorporated by reference the NBC EIR/EIS and assumed the same build out land uses adopted for the community plan at that time, which were ultimately used to analyze transportation/circulation impacts, and address regional and local air quality issues. Since these projects were ultimately analyzed with consideration of the NBC project, DSD does not consider this to be a substantial change in circumstances. There is no new information available that was not part of the original EIR/EIS and/or considered with subsequent environmental reviews of other projects. It was and continues to be assumed that the downtown area, including the NBC site, would build out according to adopted land use plans. When the Downtown Community Plan was changed earlier this year, new land use policies were put into place but the assumptions for the NBC site remained.

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Because none of the three events have occurred, DSD does not find a need to conduct additional environmental review for the proposed NBC project. The proposed NBC project is adequately addressed in the prior environmental documents that were certified for the 1990 NBC project and for other projects in the vicinity. Project impacts are adequately addressed and appropriate mitigation has been identified.



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RM/pdh

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