

**CONSISTENCY DETERMINATION
MARINE CORPS AIR STATION (MCAS) MIRAMAR
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)**

February 9, 2012

Item # 4 Resolution # 2012-0003 ALUC

Recommendation: Conditionally Consistent

**COMMUNITY PLAN AMENDMENT AND ZONE RECLASSIFICATION TO
CONSTRUCT 472 MULTIFAMILY RESIDENTIAL UNITS AT 9015, 9025, 9029
& 9035 JUDICIAL DRIVE, CITY OF SAN DIEGO**

Description of Project: Based on plans submitted to the ALUC, the project proposes a community plan amendment and zone reclassification to construct 472 multifamily residential units on four properties of 7.85 acres.

Noise Contours: The proposed project is located within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The height of the proposed project structures will be 75 feet above ground level. The height of the proposed project is consistent with the ALUCP because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The proposed project is located outside the Accident Potential Zones (APZs) and the Transition Zone (TZ).

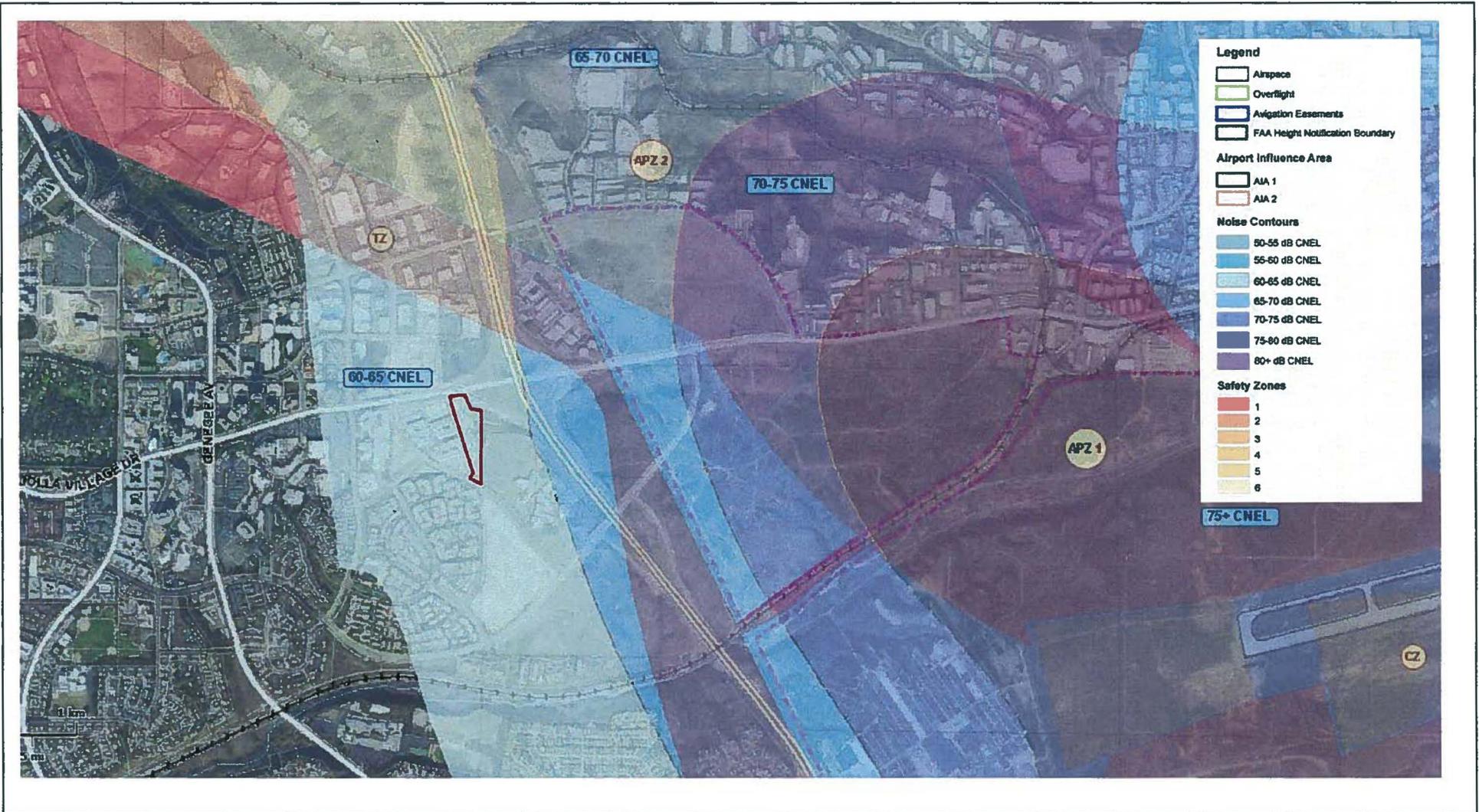
Overflight Notification Area: The proposed project is located outside the overflight notification area.

Ownership: The property is owned by La Jolla Crossroads 1 LLC of San Diego. The architect is Togawa Smith Martin of Los Angeles. The engineer is Leppert Engineering of San Diego. The landscape architect is Roy Kato Landscaping of Pasadena. The environmental consultant is Dudek & Associates of Encinitas. The traffic engineer is Urban Systems Associates of San Diego.

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Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the MCAS Miramar ALUCP, staff recommends that the ALUC make the determination that the project is conditionally consistent with the MCAS Miramar ALUCP.

Conditions: Sound attenuation to an interior noise level of 45 dB CNEL.



9015, 9025, 9029 & 9035 JUDICIAL DR
APN: 345-240-03, -04, -05 & -12

RESOLUTION NO. 2012-0003 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: COMMUNITY PLAN AMENDMENT AND ZONE RECLASSIFICATION TO CONSTRUCT 472 MULTIFAMILY RESIDENTIAL UNITS AT 9015, 9025, 9029 & 9035 JUDICIAL DRIVE, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: Community Plan Amendment and Zone Reclassification to Construct 472 Multifamily Residential Units at 9015, 9025, 9029 & 9035 Judicial Drive, City of San Diego, which is located within the Airport Influence Area (AIA) for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP), adopted in 2008 and amended in 2010 and 2011; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve a community plan amendment and zone reclassification to construct 472 multifamily residential units; and

WHEREAS, the proposed project would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to a 45 dB CNEL interior noise level; and

WHEREAS, the proposed project is in compliance with the ALUCP airspace protection surfaces because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA); and

WHEREAS, the proposed project is located outside the Accident Potential Zones (APZs) and the Transition Zone (TZ); and

WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the City of San Diego, the U.S. Marine Corps, and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Community Plan Amendment and Zone Reclassification to Construct 472 Multifamily Residential Units at 9015, 9025, 9029 & 9035 Judicial Drive, City of San Diego, is conditionally consistent with the MCAS Miramar ALUCP, which was adopted in 2008 and amended in 2010 and 2011, based upon the following facts and findings:

- (1) The proposed project involves a community plan amendment and zone reclassification to construct 472 multifamily residential units.
- (2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the structures must be sound attenuated to 45 dB CNEL interior noise level.
- (3) The proposed project is in compliance with the ALUCP airspace protection surfaces because a determination of no hazard to air navigation has been issued by the FAA.
- (4) The proposed project is located outside the APZs and the TZ.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the MCAS Miramar ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego
County at a special meeting this 9th day of February, 2012, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL