

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
December 13, 2012**

Item # 3 Resolution # 2012-0007 ALUC

Recommendation: Conditionally Consistent

**CONSTRUCTION OF 4 RESIDENTIAL UNITS AT 2430, 2432, 2434 & 2436
UNION STREET, CITY OF SAN DIEGO**

Description of Project: Based on plans submitted to the ALUC, the project proposes the construction of a four-story, multifamily residential addition to an existing residential structure on a property of 5,000 square feet resulting in four residential units.

Noise Contours: The proposed project is located within the 75-80 decibel Community Noise Equivalent Level (dB CNEL) noise contour (See the attached map). The ALUCP identifies residential uses located within the 75-80 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. The ALUCP requires that an avigation easement for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ). The maximum allowable height for a project on this site is approximately 150 feet Above Mean Sea Level (AMSL). The elevation of the site is approximately 116 feet AMSL and the structure is another 32 feet, resulting in a total project height of approximately 148 feet AMSL. Therefore, the project complies with the AAOZ. Additionally, the project has obtained a determination of no hazard to air navigation from the Federal Aviation Administration (FAA).

Safety Zones: The proposed project is located outside the Runway Protection Zones (RPZs).

Ownership: The property is owned by Soheil and Nima Nakhshab of San Diego. The architect and structural engineer is Nakhshab Development and Design of San Diego. The landscape architect is Urban Green 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 SDIA ALUCP, staff recommends that the ALUC make the determination that the project is conditionally consistent with the SDIA ALUCP.

Conditions: 1) Sound attenuation to an interior noise level of 45 dB CNEL.
2) Recordation of an avigation easement with the County Recorder.



Legend

Noise Contours - SAN

60-65 dB CNEL
65-70 dB CNEL
70-75 dB CNEL
75-80 dB CNEL
80+ dB CNEL

2430, 2432, 2434 & 2436 Union St, San Diego
APN 533-062-05



RESOLUTION NO. 2012-0007 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF 4 RESIDENTIAL UNITS AT 2430, 2432, 2434 & 2436 UNION STREET, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT - 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: Construction of 4 Residential Units at 2430, 2432, 2434 & 2436 Union Street, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of four multifamily residential units; and

WHEREAS, the proposed project would be located within the 75-80 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential uses located within the 75-80 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level, and that an aviation easement is recorded with the County Recorder; and

WHEREAS, the proposed project is in compliance with the Airport Approach Overlay Zone (AAOZ) height restrictions, and 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 Runway Protection Zones (RPZs); 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

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WHEREAS, the ALUC has provided an opportunity for the City of San Diego 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: Construction of 4 Residential Units at 2430, 2432, 2434 & 2436 Union Street, City of San Diego, is conditionally consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the construction of four multifamily residential units.
- (2) The proposed project is located within the 75-80 dB CNEL noise contour. The ALUCP identifies residential uses located within the 75-80 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the structures must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.
- (3) The proposed project is located within the AAOZ. The maximum allowable height for a project on this site is approximately 150 feet Above Mean Sea Level (AMSL). The maximum height of the proposed project is approximately 148 feet AMSL. The proposed project is therefore in compliance with the height limitations identified in the SDIA ALUCP. Additionally, a determination of no hazard to air navigation has been issued by the FAA.
- (4) The proposed project is located outside the RPZs.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA 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 13TH day of December, 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

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