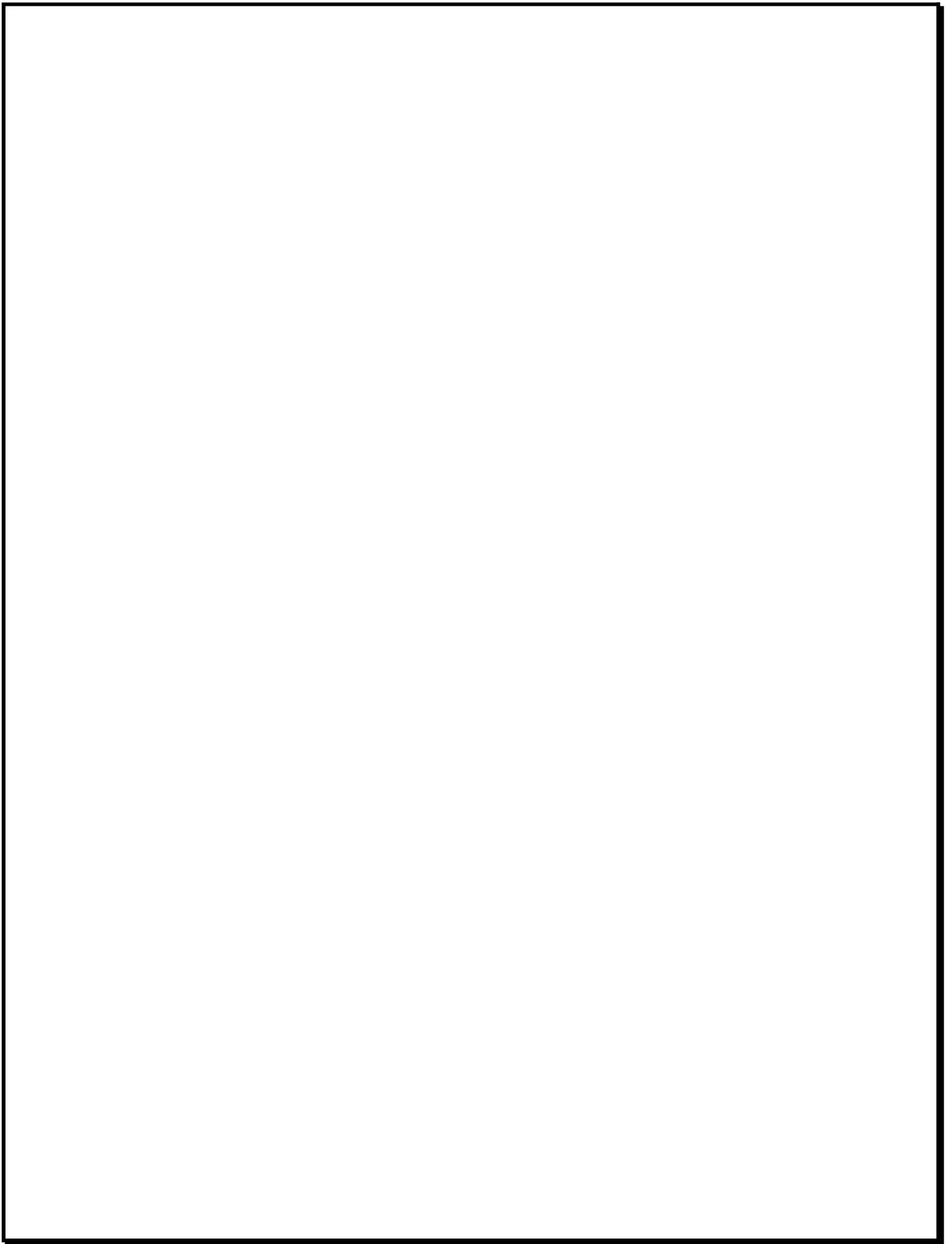


# APPENDIX I

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*Notice of Intent for Environmental Review and Comment Period  
Breakwater*





# City of Imperial Beach, California

COMMUNITY DEVELOPMENT DEPARTMENT

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 628-1356 Fax: (619) 424-4093

## LEGAL NOTICE OF INTENT AND AVAILABILITY FOR ENVIRONMENTAL REVIEW AND COMMENT PERIOD OF DRAFT MITIGATED NEGATIVE DECLARATION (MND)

November 4, 2011

**Draft MND Public Review and Comment Period: November 7, 2011 to December 7, 2011**

**NOTICE IS HEREBY GIVEN** that the City of Imperial Beach (City), as the Lead Agency, is proposing to adopt a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA) for the proposed project as identified below. A 30-day public review and comment period has been established pursuant to CEQA Guidelines Section 15073 for the Draft MND which has been prepared for the proposed project.

**PROJECT NAME:** Breakwater (MF 1062)

**APPLICANT:** Sudberry – Palm Avenue, LLC

**LOCATION:** The approximate 4.75-acre project site is located on the south side of the Palm Avenue/State Route (SR) 75 intersection, between 7th and 9th Streets within the City of Imperial Beach, in San Diego County, California. The project site includes assessor's parcel numbers 626-250-03, -04, -05, and -06, which are currently owned by the City of Imperial Beach.

**DESCRIPTION:** The project proposes new construction of approximately 46,200 square feet of commercial and retail uses, to include a 14,800-square-foot food market and approximately 27,300 square feet of specialty retail and restaurant uses. The project would include approximately 238 surface parking spaces, on-site improvements, landscaping, signage, lighting, and utilities. In addition to the on-site development with its associated internal roads and utilities, the project would include vacation of portions of Delaware Street and 8th Street traversing the project site, as well as a portion of the alley south of the project site at 9th Street. The project also involves off-site improvements to Palm Avenue between 7th and Delaware Streets immediately south of SR-75, to include a reconfigured design of the Palm Avenue/SR-75 intersection to improve traffic flow, closure of Delaware Street at Palm Avenue, and modification of existing traffic signals along SR-75 and Palm Avenue. Right-of-way and off-site improvements would be consistent with the recommendations of the Palm Avenue Commercial Corridor Master Plan.

The commercial/retail development would consist of seven single-story buildings. Table 1 summarizes the proposed uses and characteristics for each building proposed for the project.

**Table 1**  
**Proposed Commercial Uses**

<b>Building</b>	<b>Proposed Use</b>	<b>Approximate Building Height (feet)</b>	<b>Area (gross square feet)</b>
A	Market	32	14,800
B	Retail shops with drive-through	36	3,900
C	Retail, unknown tenant at this time	40	3,500
D	Retail, unknown tenant at this time	34	3,000
E	Retail, unknown tenant at this time	40	4,700
F	Retail, unknown tenant at this time	38	12,300
G	Retail or financial	34	4,000
<b>Total</b>			<b>46,200</b>

The project application consists of a Coastal Development Permit (ACP 110024), Design Review (DRC 110025), Site Plan Review (SPR 110026), and a Tentative Map (TM 110027) for development of the city-owned 4.75-acre site. The City of Imperial Beach's current zoning designation for the project site is General Commercial (C-1). The project would be consistent with the existing land use designation.

**BACKGROUND:** The site is formerly known as the Miracle Shopping Center, which was comprised of approximately 68,585 square feet of commercial and retail uses. Prior to and separate from construction of the Breakwater project, all commercial/retail spaces on the project site were vacated and/or tenants relocated. In addition, a separate Administrative Coastal Development Permit (ACP 11005) was issued on August 1, 2011, for the demolition of the existing commercial buildings on the project site based on an Environmental Initial Study (IS) prepared on June 8, 2011. As such, prior to initiating construction of the proposed Breakwater project, the project site will be completely vacant and fully remediated.

**COASTAL PERMIT JURISDICTION:** The project site is located in the non-appealable area of the coastal zone as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map; therefore, the coastal development permit (ACP 110024) is not appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code.

**SIGNIFICANT ENVIRONMENTAL EFFECTS ANTICIPATED AS A RESULT OF THE PROJECT:** The City conducted an Environmental Initial Study (IS) that determined the proposed project could have a potentially significant environmental effect in the following areas: Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology /Water Quality, Noise, and Transportation/Traffic. The Draft MND identifies mitigation measures that would avoid or reduce all potentially significant environmental effects to below a level of significance.

**REVIEW AND COMMENT PERIOD:** The City has established a 30-day public review and comment period from **November 7, 2011** to **December 7, 2011**. During this period, the Draft MND and IS will be posted on the City's website at [www.cityofib.com](http://www.cityofib.com) by clicking on the "Public Notices" tab under the "Government" pull-down menu. The Draft MND and IS will also be available for review, or for purchase at the cost of reproduction, at the following locations and during the following days/times:

City of Imperial Beach  
Community Development Department  
825 Imperial Beach Boulevard  
Imperial Beach, California 91932

Monday through Friday  
(except during office closures)  
7:30 a.m. to 5:00 p.m.

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Imperial Beach Public Library  
810 Imperial Beach Boulevard  
Imperial Beach, California 91932

Monday and Wednesday: 9:30am to 8:00pm  
Tuesday and Thursday: 9:30 a.m. to 6:00 p.m.  
Friday and Saturday: 9:30 a.m. to 5:00 p.m.

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City of Imperial Beach, City Clerk's Office  
825 Imperial Beach Boulevard  
Imperial Beach, California 91932

Monday through Friday  
(except during office closures)  
7:30 a.m. to 5:00 p.m.

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Comments can be made on the IS/MND in writing before the end of the public review and comment period. All written comments on the Draft MND should focus on the sufficiency of the document in identifying and analyzing the potential impacts on the environment that may result from the proposed project, and the ways in which the significant effects are avoided or mitigated. Written comments must be submitted so as to arrive no later than 5:00 p.m. on December 7, 2011, to the following:

Jim Nakagawa, AICP  
Community Development Department  
City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, California 91932

Following the close of the public comment period, the City will consider the IS/MND and comments thereto in determining whether to approve the proposed project. The City will prepare a Final MND for consideration and certification by the City Council. Notice of the City Council hearing for the project will be published at a later date. If you challenge the City's action on this environmental document in court, you may be limited to raising only those issues that you or someone else raised in written correspondence to the City during this 30-day public comment period.

**FURTHER INFORMATION:** For environmental review information, please contact Jim Nakagawa at the City of Imperial Beach at 619.628.1355 or [jnakagawa@cityofib.org](mailto:jnakagawa@cityofib.org).




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Jim Nakagawa, AICP  
City Planner  
Community Development Department  
City of Imperial Beach

**November 4, 2011**  
Date of Notice