Dear Ms. Lowe and Ms. Gutierrez:

***PRJ-1120716 does not qualify for ministerial review or the "Complete Communities Housing Solutions."***This site is not within the Sustainable Development Area ("SDA") or a Transit Priority Area ("TPA"). It is restricted by proposition D and has **known contaminants on site**. The **California Coastal Act** (Public Resources Code § 30000 et seq.) emphasizes protecting "scenic and visual qualities of coastal areas" as a public resource (§ 30251) and process as it will block scenic and visual qualities of coastal areas. Worse, CEQA Guidelines § 15300.2(b) invalidates the project’s exemption due to cumulative impacts. CEQA Guidelines § 15300.2(d) states approval of the project must “not result in any significant effects relating to traffic, noise, air quality, or water quality.” A small infill project on a contaminated lot poses unusual circumstances with a reasonable possibility of air quality effects, triggering § 15300.2(c). The City claims a major transit stop at Rosecrans & Midway Drive, near 3330 Rosecrans, qualifies the TPA, but it’s 2.8 miles away—over five times the 0.5-mile legal limit. No stop within 1 mile has 15-minute peak headways. A 30/100 Transit Score confirms transit is inadequate, forcing car reliance that undermines sustainability. The rapid route projected for 2035 has no funding. MTS “Metropolitan Transit System “MTS” has a deficit of $100M projected for ’25-‘26 and $93M for ’26-‘27. They are cutting back services and per MTS have no foreseeable ability to financially implement the City and SANDAG plan. The TPA assumes low Vehicle miles traveled “VMT”, but SANDAG’s 13% transit mode share and the 2.8-mile distance suggest car dependency, contradicting Climate Action Plan goals (50% non-auto commutes by 2035). Based on the TPA designation this area does not actually qualify as a Sustainable Development Area and never has. In the Coastal Overlay Zone, all “major transit stops” are aspirational at this time. They are planned, but timing and funding for upgrading these bus routes to the NexGen Rapid quality is ambiguous and unrealistic.

 **This 56 unit, zoned for 14, project requires discretionary review as follows:**

* This site exceeds the Proposition D Coastal Height Limit by almost 5'
* This site has known contamination as it used to be a gas station. Leaking Tanks were removed in 2010, the case closed in 2014 with the **notation that any change to the land** **must reopen the LUST clean up and address a new corrective action plan ("CAP")**. Digging a subterranean basement and housing is a change to land use and a problem as noted in the attached closed report.
* The SD Waterboard, Lalitha Thotakira and Sean McClain both **must**have involvement as the leakage is a threat to the children in the elementary school next door and neighbors. Lalitha has contacted DSD and received no response.
* Public coastal view analysis must be done
* Must address the California Coastal Commission (CCC), integrates the Coastal Act into local planning, including the **Point Loma Community Plan**
* Air quality impact studies must be done
* This project is not eligible for a categorical exemption from the California Environmental
Quality Act according to CEQA Guidelines 15300.2(e) because the project site is located on the State Water Resources Control Board's public reporting system, Geotracker. A full environmental analysis of the impact is imperative.
* A Complete Water evaluation as per the State's Clean Water Act Prop 65.
* An energy conservation and impact analysis are needed
* Greenhouse gas emissions impacts including during construction are needed
* Hazards and hazardous materials usage impact
* Noise impact analysis
* Full paleontological report (Indian relics have been found in this area)
* Climate change impact to coastal overlay
* Environmental justice analysis
* Proposed roadway impact analysis
* Public coastal access impact analysis
* Traffic impact analysis and report (2 lane road that is major egress and ingress for Naval Submarine Base of 12,000 - 22,000 employees in High Severity Fire Zone)
* Parking impact analysis and report (no tenant parking is provided for 56 units = 56-118 potential cars parked on the already congested streets)
* Hazardous contamination mitigation impact and report
* Conformity with Local Coastal Program impact analysis and report
* A soil management plan is required by the Regional Water Quality Control Board
* Historical landmark impact analysis (Abuts Historical Jennings House) in violation of Peninsula Community Plan
* Complete engineering and shoring plan for excavation
* Impact on area infrastructure analysis
* This property is zoned for 14 units, not 56 - rezoning should be required with public input
* Nuisance Claims: A homeowner could sue if a structure unreasonably obstructs their view under a private nuisance theory (Civil Code § 3479)
* Transparency - the public should be notified and given full access to this project for input

We look forward to your response.

Sincerely,