

RESOLUTION No. R-223836

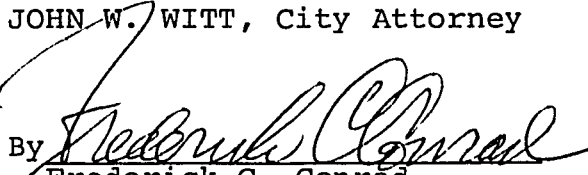
(R- 80-1611)

Adopted on JUN 26 1979

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That pursuant to California Public Resources Code, Section 21081, those findings made with respect to Environmental Impact Report No. 77-09-28 and the First Amendment thereto, are those findings marked "Exhibit A" which are attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
3/5/80
Or.Dept. Clerk
PCD 59

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MSA, INC.

4007 Camino Del Rio South, Suite 208, San Diego, CA 92108 • (714) 282-8117

FINDING-OF-FACT

LION-MISSION VALLEY UNIT NO. 3

November 30, 1978

EQD No. 77-09-28

A. Zoning Request

The revised tentative map requires rezoning for commercial use of approximately 18 acres currently zoned FW (Floodway) and R-1-40 (in the Floodplain Fringe Overlay Zone) to CA (area shopping center) zoning. The proposed development of 221,296 square feet includes offices, two restaurants, a six-plex theater and health spa. Development plans will also involve the lease of 2 acres and the sale of 0.15 acre from CALTRANS.

Finding

Currently, the San Diego General Plan designates the project area as open space. However, a Community Plan is currently being developed for Mission Valley and alternate land uses for the site are being proposed. It is very possible that this area would be designated for commercial usage in the future Mission Valley Community Plan*. Therefore, granting the CA zoning would be compatible with the anticipated Community Plan designation.

B. Open Space

The General Plan of the City of San Diego designates the project site as open space. The Progress Guide and General Plan suggests that floodplain and agricultural zoning be utilized wherever feasible to retain certain lands in permanent open space for the purpose of providing public recreational and aesthetic uses. Implementation of the

* Doug McHenry, Planner, City of San Diego, telephone conversation, November 29, 1978.

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project will remove approximately 11 acres of open space (59% of the total site), the remainder of which (7.3 acres) will be retained as permanent wetland/riparian habitat/open space. This loss of open space is about 30% of the total designated open space in Mission Valley. In addition, the project plan does not allow for public access to the Floodway portion of the site thereby possibly setting a precedent among future projects leading to continuous development along the river.

Finding

The loss of 11 acres of open space cannot be mitigated on the project site. Approval of a permit to fill in 2.2 acres of wetland habitat from the Army Corps of Engineers is contingent upon a specific plan from the developer to mitigate the loss of this wetland habitat. Mitigation could include the creation of wetland habitat elsewhere. If this were successfully implemented 2.2 acres of open space would be restored, although not on the site. The Mission Valley Community Plan currently being prepared is tentatively recommending a commercial designation for the area within which the project is located.

C. Floodplain Management

The northern portion of the site is zoned FW (Floodway) and the southern portion is zoned residential (R-1-40) with a Floodplain Fringe (FPF) overlay designation. Site development will be confined primarily to the Floodplain Fringe portion of the site. Project plans call for the deposition of 36,000 cubic yards of fill over a 2.2 acre area. This will eliminate 1.0 acre of aquatic (standing water) and 1.2 acres of riparian habitats. The project is in an area where the concept of a narrower flood control channel has been proposed by private developers and the Lion-Mission Valley No. 3 project conforms to this concept. However, the Environmental Quality Division has not received any information about the proposed channel. Therefore, approval of this project's development plan may be premature.

Findings

Due to fill operations, a new north-facing slope will be created bordering the Floodway Zone. This new slope will be planted with native riparian vegetation which will encourage the re-invasion of riparian animal species and which will serve as a buffer between the proposed development and the Floodway. Approval of a permit to allow the filling of 2.2

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acres of wetland habitat from the Army Corps of Engineers is contingent upon receiving a specific mitigation plan from the developer. This could result in the creation of 2.2 acres of wetland habitat elsewhere.

D. Traffic

It is estimated that the project will generate over 7,700 average daily trips. This additional traffic will create congestion on the streets of Camino de la Reina (west of Stadium Way) and on Stadium Way (south of Camino del Rio North).

Finding

Alleviation of traffic congestion outside of the project is the responsibility of the City of San Diego and can best be accomplished by insuring coordination between the various proposed projects and the different agencies involved. In addition, the project proponent could be required to contribute proportionately to traffic improvements offsite.

E. Visual Quality

The project site currently acts as a visual buffer between urban development to the north and south of the floodplain. The northern area of the site consists of a riparian/wetland habitat area; the southern portion of the property is mostly flat, open ground, which is sparsely covered with vegetation. This southern area is highly disturbed by prior human activities and does not possess the scenic and high-value habitat qualities of the northern area. Project implementation involves the construction of commercial-office buildings, restaurants, a theater, health spa, and the filling of 2.2 acres of wetland habitat for parking facilities.

Finding

The visual quality of the southern portion of the site will be enhanced with the use of landscaping around structures. Approximately 2.2 acres of riparian/wetland habitat will be lost with project implementation. However, the new north-facing slope will be re-vegetated with native riparian vegetation. This will provide a physical continuity with existing Floodway zone vegetation.

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F. Air Quality

Levels of carbon monoxide which affect the site fall well below Federal Air Pollution Standards. Project generated vehicular emissions will incrementally contribute to the adverse air quality conditions which occur in the San Diego Air Basin.

Finding

Air pollution impacts associated with the project are beyond the control of the project proponent. These impacts are controlled by existing regulations of the Air Pollution Control District of the County of San Diego. Furthermore, implementation of the "Regional Air Quality Strategy" program should improve air quality.

G. Biological Resources

The existing San Diego River channel is contained within the northern portion of the site. This channel is characterized by seasonal flooding, 40 to 50% year-round open water, and 40 to 50% emergent-aquatic vegetation. The southern portion of the site is characterized by bare soil, annual weeds and a few native plants which are adapted to colonize disturbed land. Proposed development will eliminate 23.2 % (2.2 acres) of the existing on-site riparian habitat. In addition, proposed fill may initially impact part of the remaining riparian habitat by changing bottom contours and depths. Depleted habitat may potentially impact rare and endangered bird species which utilize the entire San Diego floodplain. The proposed project would add to the cumulative impact of general development trends in Mission Valley.

Findings

The new north-facing slope resulting from the filling of 2.2 acres of wetland/riparian habitat will be landscaped with native riparian vegetation. This may encourage the re-invasion of riparian animal species once the vegetation has adequately matured. On-site mitigation of the loss of 2.2 acres of wetland/riparian habitat cannot be accomplished. However, appropriate specific off-site mitigation plans will be required by the Army Corps of Engineers before a permit to fill the 2.2 acres is granted. Mitigation plans could include the creation of 2.2 acres of wetland/riparian habitat further downstream. In addition, new habitat areas and man-made islands may be created in the Floodway. No specific mitigation plans have been yet formalized.

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H. Parking

The 2.2 acre fill site is to be used for a parking lot. As proposed, this fill area will accomodate only a five-year flood. A flood of lesser frequency will inundate the area thereby preventing use of the area for parking.

Finding

Loss of only a portion of the total parking is not significant since the situation would last very briefly, perhaps only a few hours, and not occur every year. No structures would be adversely impacted.

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Passed and adopted by the Council of The City of San Diego on JUN 26 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By Rita Anderson, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number 223836 Adopted JUN 26 1979

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