

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 8, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today’s docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Noticed Hearing

ITEM-330: Bankers Hill Town Homes. CPA/Rezone/SDP/TM. Uptown Community Plan Area. (Dist. 2)
NOTE: It is anticipated that this item will be continued to a date to be determined.

Matter of approving, conditionally approving, modifying or denying Community Plan Amendment, Rezone, Site Development Permit and Tentative Map to demolish existing buildings and construct a 19-unit residential units as condominiums (5-stories above underground parking) on a 0.46-acre site in the NP-3 Zone (proposed NP-1) of the Mid-City Communities Planned District within the Uptown Community Planning Area located at 2561 First Avenue.

Adoption Agenda, Discussion, Other Legislative Items

ITEM-331: New Sewer Rate Structure.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-332: Increased Sewer Capacity Charges.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-333: Increased Water Capacity Charges.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-334: Two actions related to Reaffirmation of Water Fees and Charges
Previously Adopted on April 30, 2002.
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

ITEM-335: New Water Rate Structure.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

NOTE: It is anticipated that this item will be continued to a date to be determined.

ITEM-330: Bankers Hill Town Homes.

Matter of approving, conditionally approving, modifying or denying Community Plan Amendment, Rezone, Site Development Permit and Tentative Map to demolish existing buildings and construct a 19-unit residential units as condominiums (5-stories above underground parking) on a 0.46-acre site in the NP-3 Zone (proposed NP-1) of the Mid-City Communities Planned District within the Uptown Community Planning Area located at 2561 First Avenue.

(CPA/Rezone/SDP/TM. Uptown Community Plan Area. District-2.)

OTHER RECOMMENDATIONS:

Planning Commission on April 8, 2004, voted 7-0 to approve; was opposition.

Ayes: Garcia, Chase, Lettieri, Schultz, Ontai, Steele, Otsuji

The Uptown Planners Community Planning Group has recommended approval of this project.

CITY MANAGER SUPPORTING INFORMATION:

The 0.46-acre project site is located at 2561 First Avenue between Laurel Street and Maple Street within the Uptown Community Planning Area. The property is currently designated for office and medium density residential development. The site is in the Mid-City Communities Planned District and is currently zoned NP-3. The neighborhood surrounding the project site is characterized by a variety of land uses including professional and medical office uses, senior housing facilities and multi-family development. The application is requesting a General and Community Plan Amendment, Rezone, Site Development Permit and Tentative Map in order to demolish three existing structures and develop the site with a five-story, 19-unit residential project above 42 subterranean parking spaces. The General/Community Plan Amendment is required to designate the site with a higher residential density than currently prescribed in the Uptown Community Plan. The Rezone is required to modify the underlying zone from NP-3 to NP-1 which is tailored more towards high intensity office and residential uses. The Site Development Permit is required because the project is requesting minor deviations from the applicable development regulations. The Tentative Map is required to develop the project as condominium units.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The proposed General/Community Plan Amendment has been analyzed pursuant to the issues identified by the Planning Commission during the initiation phase of the project. The staff analysis has concluded that the proposed amendment implements the policies and recommendations embodied in the General Plan and Progress Guide and the Uptown Community Plan. Further, staff has determined that the proposed Rezone to replace the NP-3 Zone designation with the NP-1 Zone designation would be compatible with the existing neighborhood and consistent with the future development pattern prescribed in the Uptown Community Plan. Staff reviewed the proposed Site Development Permit including the requested deviations to encroach into the required yard setbacks and determined that the deviations were minor in scope and enhanced the overall appearance of the project design. Staff reviewed the proposed Tentative Map that would allow the residential units to be sold individually as condominiums and determined that the project would comply with the State Map Act and the Subdivision regulations of the Land Development Code. The project was considered by the Planning Commission during a public hearing on April 8, 2004, which recommended that the City Council approve the project as conditioned by a unanimous vote of 7-0-0.

FISCAL IMPACT:

All of the costs associated with processing this application are paid for by the applicant.

Loveland/Christiansen/JPH

LEGAL DESCRIPTION:

The project site is located at 2561 First Avenue in the Uptown Community Planning Area and is more particularly describes as Lots A, B, C, and D in Block 287 of Horton's Addition.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-331: New Sewer Rate Structure.

(See City Manager Report CMR-04-112.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1293)

Declaring that the City Council finds and determines that the foregoing Recitals are true and correct;

Authorizing and directing the City Manager to implement a new rate structure for sewer service fees and increase sewer service fees as appropriate in accordance with the new rate structure.

ITEM-332: Increased Sewer Capacity Charges.

(See City Manager Report CMR-04-118.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1306)

Declaring that the City Council finds and determines that the foregoing Recitals are true and correct;

Authorizing and directing the City Manager to increase Capacity Charges to \$3,710 per equivalent dwelling unit, except for affordable housing units and residential units constructed in redevelopment areas and commercial and industrial enterprises qualifying for reduced Capacity Charges pursuant to Council Policy 900-12 and Resolution R-287543.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-333: Increased Water Capacity Charges.

(See City Manager Report CMR-04-121.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1307)

Declaring that the City Council finds and determines that the foregoing Recitals are true and correct;

Authorizing and directing the City Manager to increase Capacity Charges to \$2,550 per equivalent dwelling unit, except for affordable housing units and residential units in redevelopment areas and commercial and industrial enterprises qualifying for reduced Capacity Charges pursuant to Council Policy 900-12 and Resolution R-287543, adopted on June 24, 1996.

ITEM-334: Two actions related to Reaffirmation of Water Fees and Charges Previously Adopted on April 30, 2002.

(See City Manager Report CMR-04-120.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2004-1268)

Reaffirming water rates increases previously adopted on April 30, 2002.

Subitem-B: (R-2004-1272)

Reaffirming prior increases of water commodity charges and base fees due to increases in the wholesale cost of water and authorizing and directing the City Manager to increase, as necessary, water rates due to future increases in the wholesale cost of water.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-335: New Water Rate Structure.

(See City Manager Report CMR-04-119.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1288)

Declaring that the City Council finds and determines that the foregoing Recitals are true and correct;

Authorizing the City Manager to implement, effective July 1, 2004, the New Rate Structure as set forth in Exhibit A, and by this reference incorporated into this resolution;

Authorizing the City Manager to implement the Prior Rate Increases to the New Rate Structure, by applying the 6% rate increases proportionately to the base fee component and to the commodity charge component of the New Rate Structure, and that such adjustment be implemented on July 1, 2005, and July 1, 2006.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT