

DATE ISSUED: February 23, 2011

ATTENTION: Honorable Chair and Members of the Redevelopment Agency
Council President and City Council
Docket of February 28, 2011

ORIGINATING DEPT.: Centre City Development Corporation

SUBJECT: Interim Leash-Free Dog Park and Block Improvements (block
bounded by G Street, Park Boulevard, Market Street and Eleventh
Avenue) – Request to Bid – Rental, Operation and Maintenance –
East Village Redevelopment District of the Expansion Sub Area of
the Centre City Redevelopment Project

COUNCIL DISTRICT: 2

REFERENCE: None

STAFF CONTACT: Mark A. Caro, Senior Planner/Landscape Architect,
(619) 533-7138

REQUESTED ACTION: That the Redevelopment Agency of the City of San Diego (“Agency”) and the San Diego City Council (“Council”) take all actions as necessary for approval to bid and construct the Interim Leash-Free Dog Park and Block Improvements (“Improvements”) in the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project (“Project Area”) and for approval of the contract(s) with the selected entity for the rental, operation and maintenance of the Interim Leash-Free Dog Park and the adjacent surface parking lot.

STAFF RECOMMENDATION:

That the Agency:

- Authorizes the expenditure of an amount not to exceed \$616,278 from the Fiscal Year 2010-2011 Budget for the Project Area to pay for the cost of construction of the Improvements located within the Project Area;
- Authorizes the Centre City Development Corporation, Inc. (“Corporation”), on behalf of the Agency, to advertise and receive bids for construction of the Improvements;

- Authorizes the Agency Executive Director or designee to award the construction contract to the lowest responsible bidder, provided responsive bids from a responsible contractor are within the established budget of \$616,278 and all other requirements are met;
- Authorizes the Agency Executive Director or designee to execute the construction contract with the lowest responsible bidder for construction of the Improvements;
- Authorizes the Corporation, on behalf of the Agency, to administer the construction contract;
- Authorizes the Corporation, on behalf of the Agency, to advertise and receive bids and to negotiate a contract(s) with the selected entity for the rental, operation and maintenance of the Interim Leash-Free Dog Park and the adjacent surface parking lot;
- Authorizes the Agency Executive Director or designee to execute the contract(s) with the selected entity for the rental, operation and maintenance of the Interim Leash-Free Dog Park and the adjacent surface parking lot;
- Approves the proposed rules and regulations for the Interim Leash-Free Dog Park in substantial form as attached to this Agenda Report No. CCDC-11-08 / CCDC-11-04 with such modifications as reasonably determined by the Corporation;
- Makes certain findings pursuant to section 33445 of the California Health and Safety Code that the Improvements are of benefit to the Project Area by helping to eliminate blighting conditions within the Project Area, that no other reasonable means of financing construction of the Improvements are available to the community, and that the payment of Agency funds for construction of the Improvements is consistent with the Fourth Five-Year Implementation Plan for the Project Area adopted pursuant to section 33490 of the California Health and Safety Code; and
- Authorizes the Agency Executive Director or designee to execute all other documents on behalf of the Agency that are necessary and appropriate to carry out and implement the purposes set forth in the Resolution according to its terms, and to administer the Agency's obligations, responsibilities and duties to be performed thereunder.

And, that the Council:

- Authorizes the Agency Executive Director or designee to administer and manage the construction of the Improvements located within the Project Area;

- Authorizes the City of San Diego (“City”) to accept the portion of the Improvements located within the public right-of-way, including the ongoing maintenance obligation associated therewith, upon completion of construction of those Improvements;
- Makes certain findings pursuant to section 33445 of the California Health and Safety Code that the Improvements are of benefit to the Project Area by helping to eliminate blighting conditions within the Project Area, that no other reasonable means of financing construction of the Improvements are available to the community, and that the payment of Agency funds for construction of the Improvements is consistent with the Fourth Five-Year Implementation Plan for the Project Area adopted pursuant to section 33490 of the California Health and Safety Code;
- Consents to the Agency’s payment for the cost of construction of the Improvements; and
- Authorizes the Mayor or designee to execute all documents on behalf of the City that are necessary and appropriate to carry out and implement the purposes set forth in the Resolution according to its terms, and to administer the City’s obligations, responsibilities and duties to be performed thereunder.

SUMMARY: The proposed project is the development of an interim leash-free dog park and improvements to an existing adjacent surface parking lot and certain public right-of-way (“Project”). The proposed dog park is an approximately 16,500 square-foot area located on the eastern portion of the block bounded by Park Boulevard, Eleventh Avenue, Market Street and G Street, while the existing parking lot will remain on the western portion of the block and be upgraded to be in conformance with requirements of the City of San Diego’s Centre City Planned District Ordinance (“Centre City PDO”). Amenities of the dog park will include separate areas for large and small dogs, seating, shade structures, trash receptacles, lighting and drinking fountains for both people and dogs. The scope of work will also include improvements within the public right-of-way by the addition of a van accessible parking space along Park Boulevard, sidewalk repairs along Market Street and Eleventh Avenue and the removal of nuisance plant materials along Eleventh Avenue.

FISCAL CONSIDERATIONS: Within the Agency’s Fiscal Year 2011 Budget for the Project Area, Agency funds in the amount of \$343,098 are available in the Parks and Open Space line item for the improvements to the Park and \$273,180 are available in the East Village Public Improvements line item for the improvements to the surface parking lot and to the public right-of-way.

CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION: On July 28, 2010, the Corporation Board of Directors voted 5-0 (with one recusal and one abstention) to recommend approval of the Project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On June 16, 2010, the Centre City Advisory Committee (CCAC) voted 18-0, with one recusal, and the Project Area Committee (PAC) voted 17-0, with one recusal, to support the staff recommendation to recommend approval of the Project.

KEY STAKEHOLDERS AND PROJECT IMPACTS: Construction of the interim leash-free dog park and block improvements are intended to serve residents of downtown, especially those in East Village.

BACKGROUND

This proposed Project advances the Goals and Policies of the Downtown Community Plan and the Objectives of the Centre City Redevelopment Plan for the Project Area by:

- Adding to the development of a comprehensive open space system that provides a diverse range of outdoor opportunities for residents, workers and visitors;
- Providing public open space within a five- to ten-minute walking distance of East Village residents and employees;
- Creating new parkland that is open and accessible to the public (for use as a leash-free dog park from 6:00 a.m. to 10:00 p.m.);
- Pursuing new smaller open spaces—including public plazas and places, fountains and pocket parks—on portions of blocks throughout downtown and on geologic faults to supplement larger public open spaces, provide local focus points and diversify the built environment;
- Coordinating the location of neighborhood and community-based facilities such as parks, plazas, commercial recreational uses, open spaces, recreational centers and other community facilities that serve the needs of the entire downtown area; and
- Strengthening and encouraging retail, entertainment, business, cultural, social and other commercial functions including, but not limited to, establishing a safe, healthy and attractive environment in which business, commercial, cultural and social service activities can thrive and residents live.

The need for an off-leash dog park in the downtown area has increased as the residential population has grown. Results of the Downtown San Diego Needs Assessment for Open Space, Parks and Recreational Opportunities (“Needs Assessment”) confirms this need, ranking dog parks second to multipurpose open space as the most desired recreational use in downtown. In recognition of this outcome, staff has been engaged in efforts to find a suitable solution that satisfies both near- and long-term needs of downtown residents.

After reviewing various potential locations throughout the downtown area and reaching out for community input, staff recommended development of an interim leash-free dog park on a portion of the block located along the west side of Park Boulevard between G Street and Market Street (“Park and Market”). The site is owned by the Agency and a portion of the block can be

converted into an interim leash-free dog park. The Park and Market site was approved by the Corporation's Real Estate Committee on October 7, 2009.

Ultimately, this site will be the subject of a Request for Qualifications/Proposals (RFQ/P) for redevelopment of the block as a mixed-use project at this important intersection in East Village. Due to the current economy and the time involved in negotiating an RFQ/P, staff anticipates that total site redevelopment will not occur for three or more years. The interim period will accommodate completion of the Downtown Parks, Open Space and Recreation Implementation Master Plan ("Parks Implementation Plan") and the planning of one or more permanent leash-free dog parks in downtown.

EQUAL OPPORTUNITY

Mandatory subcontracting goals (SCOPE/SLBE) for this project will be calculated by the City's Engineering and Capital Improvements Projects Department and approved by Administration Department Director prior to advertisement.

CONSULTANT TEAM

ROLE	FIRM/CONTACT	OWNERSHIP
Property Owner	The Redevelopment Agency of the City of San Diego	N/A
Project Applicant	Centre City Development Corporation on behalf of the Redevelopment Agency Mark A. Caro, Senior Planner/ Landscape Architect	N/A
ROLE	FIRM/CONTACT	OWNERSHIP
Landscape Architect and Engineer	Rick Engineering Company Martin Flores, Director of Urban Design	Roger Ball, Dennis C. Bowling, Paul J. Iezzi, Bruce M. Paton, Kai E. Ramer, Robert A. Stockton, Donald D. Woolley and others (Privately Owned)

DISCUSSION

Staff recognizes the urgent need for a leash-free dog park in the downtown area and recommends the development of an interim facility for public use in anticipation of a permanent site (or sites). Currently, the closest leash-free dog parks are over a quarter-mile away at Nate's Point in Balboa Park off Laurel Street and the Cabrillo Bridge and Grape Street Park. A permanent site (or sites) in the downtown area will be identified in the forthcoming Parks Implementation Plan.

Project Description – The Project site is located at Park Boulevard and Market Street, in the heart of the East Village district. Approximately 3,000 residential units have been completed within a three-block (1/4 mile) radius over the last 10 years. A surface parking lot is currently operating on the west side of the block, while the proposed dog park site is currently being used as a laydown yard for the Harbor Drive Pedestrian Bridge project. The historic Remmen Building is located north of the proposed park site, but is not a part of the Project. The existing layer of asphalt on the dog park site would be removed and replaced with decomposed granite for the dog play area.

A vegetated bioswale along the southern edge of the dog park will receive and filter runoff from the site.

While not a dedicated city park, signs will be posted that generally follow the City's current standard rules and regulations and proposed amendments regarding dog leash-free areas. Park hours are proposed to be 6:00 a.m. to 10:00 p.m. A copy of the Agency's proposed Leash-Free Dog Park Rules and Regulations are attached to this Report as Attachment C. Staff seeks the Agency Board's approval of the proposed Leash-Free Dog Park Rules and Regulations attached to this Report with such modifications as reasonably determined by the Centre City Development Corporation.

Site furnishings and other amenities will be located along the periphery of the park so as to maximize the open area for dogs to run unobstructed. The furnishings will be selected for their ability to be transferred to a permanent site (or sites) thereby extending their value.

The adjacent existing surface parking lot on the remainder of the block will be upgraded to be in conformance with Centre City PDO requirements. Improvements will include the addition of trees, a new perimeter fence and restriping. The addition of the dog park eliminates 11 parking spaces; however, the restriping effort of the surface parking lot not only regains those lost spaces but adds to the overall number of spaces. The number of parking spaces will increase from 82 to 88 (80 standard, 4 ADA and 4 motorcycle).

The scope of work will also include improvements within the public right-of-way by the addition of a van accessible parking space along Park Boulevard, sidewalk repairs along Market Street and Eleventh Avenue and the removal of nuisance plant materials along Eleventh Avenue.

Public Outreach – The Project has been presented at various public meetings over the past several months, including a public workshop hosted by the CCAC Parks and Open Space Subcommittee on May 11, 2010. This workshop was attended by approximately 25 residents and business owners who provided valuable input. Considerations were given not only for design aspects but for maintenance and operations as well. Staff and its consultant synthesized all of this information, resulting in the current design. In addition to the community workshop,

presentations were made and input received from the downtown community at the following public meetings:

- May 12, 2010 – Corporation’s Real Estate Committee
- May 19, 2010 – CCAC
- June 16, 2010 – CCAC
- July 28, 2010 – Corporation Board

Project Financing – The construction costs of the proposed Project is anticipated to be as follows:

Anticipated Construction Cost – The anticipated construction cost of the Project has been broken down into the following categories: General/Site Preparation; Construction; Landscaping (plant materials and irrigation); and Contingency. Anticipated costs are provided in the table below.

The dog park features a variety of site amenities that could be transferable to a future permanent dog park (or parks) such as shade structures, drinking fountains, chairs, trash receptacles and doggie bag dispensers which are included within the Construction line item. Those items amount to approximately \$85,000.

Category	Cost
General/Site Preparation	\$150,200
Construction (including site amenities transferable to future park – approx. \$85,000)	\$354,628
Landscaping	\$55,425
10% Contingency	\$56,025
TOTAL	\$616,278

-OR-

Category	Cost
Interim Leash-Free Dog Park	\$343,098
Remaining Block Improvements	\$273,180
TOTAL	\$616,278

Participation by Agency – The Agency will fund the total cost of the Project in an amount not to exceed \$616,278.

Proposed Schedule of Performance – The following is a summary of the Project schedule:

Interim Leash-Free Dog Park and Block Improvements

Action	Anticipated Completion
Agency/Council – Request to Bid	February 28, 2011
Bid Advertisement	March 2011
Bid Opening	April 2011
Notice to Proceed	June 2011
Park Opening	September 2011

RFP Process to Select Entity to Rent, Operate and Maintain Dog Park and Surface Parking Lot

Action	Anticipated Completion
Advertise Request for Proposals (RFP) for Dog Park and Surface Parking Lot Renter, Operator and Maintainer	May 2, 2011
RFPs Due	May 31, 2011
Selection Made	June 17, 2011
Execute Contract(s) with Selected Entity	July 2011

Maintenance and Operations – Maintenance and operations of the Agency-owned dog park and adjoining surface parking lot is proposed to be the responsibility of the entity that rents the dog park and parking lot once the entity is selected as a result of a Request for Proposals process. In this regard, staff seeks the Agency Board’s approval for the Centre City Development Corporation, on behalf of the Agency, to advertise and receive bids and thereafter negotiate a contract(s) with the selected entity for the rental, operation and maintenance of the dog park and the adjacent surface parking lot and for the Agency Executive Director or designee to execute the contract(s) with the selected entity. The contract(s) between the Agency and the selected entity for the rental, operation and maintenance of the dog park and the surface parking lot will be developed as the Project progresses and shall be in place prior to the opening of the dog park to the public. The contract(s) will include provisions relating to, without limitation, the following subjects: rental of the dog park property and the adjacent surface parking lot, maintenance of the dog park and the surface parking lot, enforcement of dog park rules and regulations, complaint resolution, park hours of operation and gate control, insurance requirements, Agency rights reserved, inspection rights, incident reports, records retention, repairs to equipment, property damage, and term and termination of the contract(s).

Further, the Downtown San Diego Partnership’s Clean & Safe Program has agreed to maintain the trash receptacles and replenish the doggie bag stations at the dog park. Alternative

maintenance programs may also be explored. Maintenance of the public right-of-way improvements will be the responsibility of the City as these improvements will be owned by the City. The Agency will be considering the placement of a public restroom on this block (in a separate staff report and separate Agency item) and, if approved by the Agency, maintenance of this public restroom would also become the responsibility of the entity selected to rent, operate and maintain the dog park and adjoining surface parking lot.

Project Benefits – An interim leash-free dog park addresses an immediate need in downtown as the population grows. Downtown dog owners will have a place to exercise their pets off leash without having to drive to Balboa Park or another facility. The dog park will create a place for dogs and their owners to gather and socialize. Currently, as there are no leash-free facilities in downtown, existing parks such as Outfield Park (a.k.a. “Park at the Park”) have become de facto dog parks. Thus, having a designated leash-free facility will help reduce dog impacts at other surrounding parks. Further, as part of this Project, the surface parking lot will be upgraded and brought into conformance with Centre City PDO requirements. In addition, the improvements within the public right-of-way will provide needed upgrades for the benefit of the community including a van accessible parking space along Park Boulevard, sidewalk repairs along Market Street and Eleventh Avenue and the removal of nuisance plant materials along Eleventh Avenue.

Environmental Impact – This Project is categorically exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15332 (entitled “In-Fill Development Projects”). The Project involves the redevelopment of an existing construction laydown yard with various landscape and hardscape improvements to create a small downtown dog park and certain upgrades to an existing parking lot and adjacent public right-of-way. The Project is consistent with the goals and policies of the Downtown Community Plan, which calls for the development of small “pocket” parks throughout downtown, and with the development standards of the Centre City PDO. The development occurs on a site of less than 5 acres in size, and is surrounded on all sides by urban uses. The site is currently developed with a surface parking lot/construction laydown yard, and has no value as habitat for endangered, rare or threatened species. The site is located in a densely populated, active and walkable urban area and the Project will not have significant effects on traffic, noise or air quality beyond those which currently exist in the surrounding area. The Project will not have significant effects on water quality due to design features that will capture and filter water runoff, which will percolate onsite and not be discharged into the stormwater system. The application of a categorical exemption to this Project is not precluded by any of the exceptions set forth in State CEQA Guidelines Section 15300.2.

Determinations – California Community Redevelopment Law (CRL) Section 33445 requires that certain determinations be made by the Council and Agency prior to the expenditure of Agency funds for public facilities/improvements. Attachment B recites the proposed findings that the Improvements are of benefit to the Project Area by helping to eliminate blighting conditions within the Project Area, that no other reasonable means of financing construction of the Improvements are available to the community, and that the payment of Agency funds for

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construction of the Improvements is consistent with the Fourth Five-Year Implementation Plan for the Project Area adopted pursuant to section 33490 of the California Health and Safety Code.

CONCLUSION

Corporation staff recognizes the immediate need for a leash-free dog park in downtown and has proposed an interim site located on the block bounded by G Street, Park Boulevard, Market Street and Eleventh Avenue. Corporation staff and its consultant team have made presentations at various public meetings to gather input from the community. Comments received have been synthesized into a creative and functional design that staff believes will address the short-term need for a leash-free dog area in the Project Area and provide needed related improvements. Eventually, the completion of the Parks Implementation Plan will address the planning of one or more permanent leash-free dog parks in downtown.

Respectfully submitted,

Concurred by:



Mark A. Caro
Senior Planner/Landscape Architect



Frank J. Alessi
Executive Vice President & Chief Financial
Officer



Brad Richter
Assistant Vice President, Planning

- Attachments: A – Final Schematic Design
B – CRL Section 33445 Determinations
C – Interim Leash-Free Dog Park Rules and Regulations