

THE CITY OF SAN DIEGO, CALIFORNIA
 MINUTES FOR REGULAR COUNCIL MEETING
 OF
 TUESDAY, OCTOBER 30, 2001
 AT 9:00 A.M.
 IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING..... 3

ATTENDANCE DURING THE MEETING..... 3

ITEM-1: ROLL CALL..... 4

NON-AGENDA COMMENT..... 4

COUNCIL COMMENT..... 8

CITY MANAGER COMMENT..... 9

CITY ATTORNEY COMMENT..... 9

ITEM-330: Scripps Pomerado..... 9

ITEM-331: Tierra Alta..... 13

ITEM-332: State Route 56 Project - Middle Segment (Carmel Country Road
 to Black Mountain Road)..... 20

ITEM-333: Four actions related to Amendments to the Centre City Community Plan and
 Centre City Planned District Ordinance and CUP-41-0228 - Cortez Hill
 Transitional Housing Facility..... 21

ITEM-334: Three actions related to Design Review of the Basic Concept/Schematic Drawings
 and a Height Exception of Up to 125 Feet - 5th and K Street Condo Project..... 23

ITEM-335: Findings with Respect to the Construction of Public Improvements
 on 4th, 5th, and 6th Avenues, from Broadway to C Street..... 24

ITEM-336: Findings for Public Improvements on Portions of 6th Avenue

and G Streets, Adjacent to the Borders Books Project.....	24
ITEM-S500: Joint Grant Application with the San Dieguito River Park Joint Powers Authority for Grant Funds for San Pasqual Valley Interpretive Center.....	25
NON-DOCKET ITEMS.....	27
ADJOURNMENT.....	27

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:10 a.m. Mayor Murphy recessed the meeting at 11:51 a.m. to convene the Housing Authority and to reconvene the regular meeting at 2:00 p.m.

The meeting was reconvened by Mayor Murphy at 2:15 p.m. with all Council Members present. The meeting was recessed by Mayor Murphy at 2:16 p.m. to reconvene the Housing Authority and to convene the Redevelopment Agency thereafter. Mayor Murphy adjourned the Redevelopment Agency and reconvened the meeting at 4:35 p.m. with all Council Members present. Mayor Murphy adjourned the meeting at 4:37 p.m. into Closed Session to be held in the 12th Floor Conference Room immediately thereafter to discuss pending and potential litigation and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present

(7) Council Member Madaffer-present

(8) Council Member Inzunza-present

Clerk-Abdelnour/Fishkin (mc/er)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-not present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1: **REFERRED TO CITY MANAGER**

Comment by Cheryl Brierton regarding the School Board's action to build a proposed two-story school in the 32nd Street Canyon. Ms. Brierton expressed that this site is not a suitable site for a school.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A024-097.)

PUBLIC COMMENT-2:

Comment by Henry Olivas regarding his request that the City Council consider repairing the buildings in Balboa Park. He suggested using volunteers such as himself to help reduce the cost.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A098-117.)

PUBLIC COMMENT-3:

Comment by Linda Smith regarding her injury that she sustained at a bus stop.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A118-160.)

PUBLIC COMMENT-4:

Comment by Don Schmidt thanking Council for their help in handling the problem he brought before them several weeks ago regarding his mentally ill neighbor on Calumet Avenue who scrawled offensive words all over her house with a black marker. He thanked Council Members Peters and Atkins, City Attorney Gwinn, Joe Ross, Diane Silva Martinez and Dennis Smith for their concern and action they took in resolving this problem.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A163-201.)

PUBLIC COMMENT-5:

Comment by Rev. James Gilbert regarding affordable housing for very low income people in City Heights. He stated that 1,000 units that were destroyed will not be replaced.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A202-246.)

PUBLIC COMMENT-6:

Comment by Gene Glassey regarding his business being badly damaged and in financial straits as a result of Government black listing. He asked Council for their help to resolve his problem.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A247-296.)

PUBLIC COMMENT-7:

Comment by Garry McCue regarding complications and problems with his medication that he has been taking over the last six months for his heart problem and glaucoma. His eye doctor suggested that he has the use of marijuana for his glaucoma. He requested that Council look at marijuana as another alternative resource for pain relief.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A297-343.)

PUBLIC COMMENT-8:

Comment by Mel Shapiro regarding skyrocketing rents in this City and expressed that it is the direct result of the reduction and supply of housing without any reduction in demand. He stated that units are being demolished without replacements.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A344-390.)

PUBLIC COMMENT-9:

Comment by Steve McWilliams and Barbara MacKenzie stating that the City's Medical Marijuana Task Force has done a tremendous amount of work in the last few weeks. They have prepared a proposed draft before Council Member Atkins' Committee that establishes voluntary verification card systems for medical marijuana patients. Also included would be applications for people to use marijuana under the same guidelines as what San Francisco has. A cover letter which clearly defines the status and role of care givers who are allowed to cultivate medical cannabis for patients who are unable to grow it, will also be included. He asked Council that this issue be docketed prior to the holiday recess. He also stated that he has also dropped his lawsuit as a result of the work of the Task Force.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A391-472.)

PUBLIC COMMENT-10:

Comment by Ron Boschun regarding his opinion of the behavior of the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A473-525.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Deputy Mayor Stevens commending his colleagues for their restraint and not responding when disparaging comments are made regarding the Council. He also stated that this is very difficult for him, but that he is learning from his colleagues.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A527-533.)

COUNCIL COMMENT-2:

Comment by Council Member Maienschein recognizing and welcoming Ms. Brenda Krug and her class from Ericson Elementary School in Mira Mesa.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A534-557.)

COUNCIL COMMENT-3:

Comment by Mayor Murphy stating that last Saturday the Mayor's African American Advisory Board put together a "Strengthen Your Family Summit" which was well-attended. The Summit was intended to give parents tools they

need to empower their families, such as parenting skills, education, health care and stopping violence. He emphasized that it is important to strengthen the moral fabrics of our neighborhoods and that requires strong families. He recognized the program participants who were involved, the sponsors, and the two co-chairs of the Summit. He concluded by stating that he did not want what was done to be lost due to lack of media coverage.

FILE LOCATION: MINUTES
COUNCIL ACTION: (Tape location: A558-596.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

None.

ITEM-330: Scripps Pomerado.

Matter of approving, conditionally approving, modifying or denying a Planned Development Permit, Site Development Permit, Tentative Map, Street Vacation and Rezone from CN to RX 1-2 to develop 27 two-story single family homes on a vacant 3.66 acre site located at the southeast corner of the intersection of Pomerado Road and Spring Canyon Road.

(PDP/SDP/TM/SA/RZ-40-0789. Scripps Miramar Ranch Community Plan Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in Subitem A; and adopt the resolution in Subitem B to grant the map and street vacation; and adopt the resolution in Subitem C to grant the permit; and introduce the ordinance in Subitem D:

Subitem-A: (R-2002-509) ADOPTED AS RESOLUTION R-295652

Adoption of a Resolution certifying that Mitigated Negative Declaration No. MND-40-0789, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the Scripps Pomerado project;

That pursuant to California Public Resources Code, Section 21081.6, the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

Subitem-B: (R-2002-) GRANTED MAP AND STREET VACATION,
ADOPTED AS RESOLUTION R-295653

Adoption of a Resolution granting or denying Tentative Map, TM-40-0789; and pursuant to Municipal Code section 125.0430 and California Government Code section 66434 (g), vacating a portion of Mission Road, as shown on Tentative Map No. TM-40-0789, contingent upon the recordation of the approved final map for the project.

Subitem-C: (R-2002-) GRANTED PERMIT, ADOPTED AS RESOLUTION
R-295654

Adoption of a Resolution granting or denying the Planned Development Permit/Site Development Permit.

Subitem-D: (O-2002-34) INTRODUCED, TO BE ADOPTED MONDAY,
NOVEMBER 19, 2001

Introduction of an Ordinance changing 3.66 acres, located on the southeast corner of the intersection of Spring Canyon Road, Pomerado Road, and Pomerado Road East, in the Scripps Miramar Ranch Community Plan area, in the City of San Diego, from the CN Zone to the RX-1-2 Zone, as defined by San Diego Municipal Code Section 131.0404; and repealing Ordinance No. O-16894 (New Series), adopted July 13, 1987; and Ordinance No. O-16895 (New Series), adopted July 13, 1987, of the Ordinances of the City of San Diego insofar as the same conflict herewith.

OTHER RECOMMENDATIONS

Planning Commission voted 4-0 to approve; was opposition.

Ayes: Anderson, Lettieri, Schultz, Brown

Nays: None

Not present: Garcia, Butler, Stryker

The Scripps Miramar Ranch Community Planning Group has recommended approval of this project with conditions.

CITY MANAGER SUPPORTING INFORMATION

BACKGROUND

The Scripps Pomerado project proposes to subdivide an existing 3.66 acre legal lot in the Scripps Miramar Ranch Community Plan Area and develop 27 two-story single family residences. The subject property is currently vacant and is immediately southeast of the intersection of Spring Canyon Road and Pomerado Road. The project site was previously graded and compacted in 1991 during the overall development of Scripps Sunburst Units 1 through 3. The site is currently zoned CN (Neighborhood Commercial) and is designated for neighborhood commercial land uses with an optional medium density residential land use (10-15 dwelling units per net acre) in the Scripps Miramar Ranch Community Plan, Area E Neighborhood. Please note that the current zone of the project site was erroneously identified to be AR 1-1 in the report to the Planning Commission.

Adjacent properties to the west and northwest are developed with low to medium density single and multi-family units. To the south, the property is bordered by the Multiples Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA). However, the site is physically separated from the MHPA by an existing private access road to General Dynamics property. The project site is bordered to the east by open space habitats proposed for conservation in association with the adjacent Rancho Encantada Specific Plan. Even though the project site has been subject to soil disturbances from past grading, it contains environmentally sensitive lands, including coastal sage scrub, disturbed coastal sage scrub, and non-native annual grasslands. Due to this, a Site Development Permit is required for the project in accordance with the Environmentally Sensitive Land Regulations.

PROJECT DESCRIPTION

The proposed Scripps Pomerado project includes a request for a Planned Development Permit, Site Development Permit, Tentative Map, Street Vacation and Rezone to allow the construction of 27 two-story single-family residences on an existing 3.66 acre vacant site. The proposed project includes the creation of 31 lots, including one passive recreation open space lot (0.13 acre) and 3 landscaped common lots (totaling 0.39 acres). Vehicular access to the Scripps Pomerado project would be from Pomerado Road South via two private streets.

No public transit is currently available in the project area, nor is any planned in the foreseeable future. The project includes a request to vacate a remnant of Mission Road along the eastern boundary of the project site. This street must be vacated in order to grade lots and build the proposed single family residences. The proposed rezone from CN to RX-1-2 would allow the creation of small residential lots (minimum 3,000 square foot lot size). The proposed residential lots for the Scripps Pomerado project range from approximately 3,020 square feet to 7,344 square feet.

The proposed project includes three different architectural floor plans for the two story single family homes, ranging in size from 2,374 square feet gross floor area to 2,896 square feet. All three designs include 2 car garages and front porches. Each floor plan has three finish options. Typical finish material would include concrete tile roofing, wood fascia and siding, stucco, wood and stucco trim, vinyl windows, brick, and stone. The proposed passive recreation open space lot ("lot D") is centrally positioned in the development and would provide a grassy area with landscape trees and a picnic table on a concrete pad.

FISCAL IMPACT: None.

No cost to the City. All costs are recovered by a deposit account funded by the applicant.

LEGAL DESCRIPTION:

The project site is located on the southeast corner of the intersection of Spring Canyon Road, Pomerado Road and Pomerado Road East, and is more particularly described as a portion of the southeast 1/4 and southwest 1/4 of southwest 1/4, section 26, township 14 south, range 2 west, and northwest 1/4, section 35, township 14 south, range 2 west, in the Scripps Miramar Ranch Community Plan area.

FILE LOCATION: PERM-40-0789 (65)

COUNCIL ACTION: (Tape location: B177-333.)

Hearing began at 11:04 a.m. and halted at 11:15 a.m.

MOTION BY MAIENSCHIN TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE, GRANTING THE MAP AND PERMIT WITH THE FOLLOWING TWO CLARIFICATIONS: 1) THAT THERE WILL BE NO STREET POP-OUTS TO BE BUILT WITH THIS PROJECT; AND 2) THAT PDP PERMIT CONDITION NO. 47 BE MODIFIED TO READ: "...THE APPROVED BRUSH MANAGEMENT EASEMENT SHALL BE RECORDED PRIOR TO ISSUANCE OF BUILDINGS PERMITS, ON A LOT BY LOT BASIS." Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-331: Tierra Alta.

Matter of approving, conditionally approving, modifying or denying a 5-lot subdivision map and rezone from the AR-1-1 to the RS-1-14 zone of a 4.44 acre site for the development of 12 detached single-family dwelling units through the Planned Residential Development, Resource Protection Ordinance and Coastal Development Permits, located at the north terminus of Caminito Rodar within the boundaries of the Mira Mesa Community Plan Area.

The proposed Tierra Alta project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, the final decision on this project will be with the California Coastal Commission. The City of San Diego must submit this as an amendment for certification to the Coastal Commission. The amendment is not effective in the Coastal Zone until the Coastal Commission unconditionally certifies the amendment. If you wish to be noticed of the Coastal Commission hearing on this issue, you must submit a request in writing to the Development Services Department, Attn: Robert Korch, Project Manager, 1222 First Avenue, M.S. 302, San Diego, California 92101, before the close of the City Council public hearing.

(TM/PRD/RPO/CDP/RZ/LCP/MHPA-98-0792. Mira Mesa Community Plan Area. District-5.)

CITY MANAGER'S RECOMMENDATION

Adopt the resolutions in subitems A and E; adopt the resolution in subitem B granting the map; and adopt the resolution in subitem D granting the permit; and introduce the ordinance in subitem C:

Subitem-A: (R-2002-531) ADOPTED AS RESOLUTION R-295655

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration, LDR-98-0792 (SCH No. 2001061066), has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the Tierra Alta project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration is approved;

That pursuant to California Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations

to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

And that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2002-) GRANTED MAP, ADOPTED AS RESOLUTION
R-295656

Adoption of a Resolution granting or denying Tentative Map No. 98-0792, with appropriate findings to support Council action.

Subitem-C: (O-2002-37) INTRODUCED, TO BE ADOPTED TUESDAY,
NOVEMBER 19, 2001

Introduction of an Ordinance changing 4.44 acres, located at the northerly terminus of Caminito Rodar north of Calle Cristobal, in the Mira Mesa Community Plan area, from the AR-1-1 zone (previously referred to as the A-1-5 zone) to the RS-1-13 zone (previously referred to as the R1-6,000 zone), as defined by San Diego Municipal Code Section 131.0403 (previously found in SDMC section 101.0407); and repealing ordinance No. O-9030 (New Series), adopted June 4, 1964, of the ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-D: (R-2002-) GRANTED PERMIT, ADOPTED AS RESOLUTION
R-295657

Adoption of a Resolution granting or denying PRD/CDP/RPO Permit No. 98-0792, with appropriate findings to support Council action.

Subitem-E: (R-2002-532 Cor. Copy 10/23/01) ADOPTED AS RESOLUTION
R-295658

Adoption of a Resolution approving an amendment to the Local Coastal Program, including a Multiple Habitat Planning Area [MHPA] boundary adjustment for the Tierra Alta project;

And certifying that this amendment to the City's Local Coastal Program will not become effective until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

OTHER RECOMMENDATIONS

Planning Commission on August 9, 2001, voted 5 - 0 to recommend to the City Council that they approve staff's recommendation with the additional condition that the HOA provide maintenance; was opposition.

Ayes: Anderson, Lettieri, Butler, Garcia, Stryker
Not present: Schultz
Recusing: Brown

The Mira Mesa Community Planning Group on January 24, 2000, voted 11-0-1 to recommend that the Tierra Alta project be approved with three conditions:

1. Each unit have a rear yard tree.
2. Sidewalks be on both sides of the private driveway accessing the site, and
3. That the private driveway width be 28-feet.

These recommended provisions have been incorporated into the project.

SUPPORTING INFORMATION

PLANNING COMMISSION ACTION

The Planning Commission heard this item on August 9, 2001, with testimony from the public as to Vernal Pool(s) on site and concerns expressed by the Planning Commission as to the maintenance of the Vernal Pool(s) and maintenance of the drain from the common driveway into the canyon area. After the discussion, the Planning Commission voted 5-0 with Commissioner Brown recusing and Commissioner Schultz not present, to adopt staff recommendations and recommend approval of the requested actions to the City Council with added conditions for the maintenance and inspection of the private drain into the canyon and for the fencing and maintenance of the Vernal Pool area. These conditions have been added to the draft permit (condition Nos. 15-17) and Tentative Map Resolution (condition Nos. 18, 29 and 30).

BACKGROUND

In the 1980's, Calle Cristobal/Sorrento Valley Boulevard, was extended from Camino Ruiz to Sorrento Valley Road within the Mira Mesa Community Plan area through the filing and development of projects for residential uses, and a school and park site. This roadway traverses

a ridgeline between Rancho de Los Penasquitos and Lopez canyons. The subject 4.4 acre site is located north of Calle Cristobal at the north terminus of Caminito Rodar. The site consists of the remnants of this mesa and the sloping hillsides extending into Rancho de Los Penasquitos Canyon Park. The site, at the time of project submittal, was zoned A1-10 and Hillside Review Overlay (proposed R1-6000) zones which became the AR-1-1 (proposed RS-1-13) zone with the adoption of the City of San Diego Zoning Code Update on January 1, 2000. The property is also within the boundaries of the Coastal Zone and the boundaries of the Multiple Habitat Planning Area (MHPA) run through the site.

When the adjoining property to the south was developed, the Mira Mesa Community Plan designated the properties for development at a density of 0-4 dwelling units per acre but allowed up to 7 dwelling units per acre with a Planned Residential Development Permit. This property to the south is developed at that density of 7 dwelling units per acre and has a duplex product type. The maximum density permitted today is four (4) dwelling units per acre.

COMMUNITY PLAN ISSUES

The key elements of the last Mira Mesa Community Plan update recognized that 60% of the community had been built, another 28% having approvals to develop/build-out and only 12% of the undeveloped property awaiting submittals and approvals. The two key areas to be developed were identified as Carroll Canyon and Lopez Ridge where very-low residential density (up to four units per gross acre) and open space preservation is delineated. The Tierra Alta project is one of the identified Lopez Ridge sites. Since most of the remaining areas to be developed have steep slopes, a key element in project review is to be how the project 'fits' the sensitive slope areas. Two areas of concern and importance to the community that affect this project is the presence of a vernal pool and its common boundary with Rancho de Los Penasquitos Canyon Park.

Through the dedication of open space easements and brush management, this project will limit development to the naturally flatter portions of the site and preserve lands with resources adjacent to the Preserve. A vernal pool site is also being retained and protected from development impacts. A trail through this development links this site and the adjacent neighborhood areas to the park. The residential element of the plan seeks a range of housing opportunities for all economic levels and preservation of the canyon and mesa systems. Plan elements have sought to lessen the visual impact of ridgeline development from the floor of Penasquitos and Lopez canyons through setbacks and architectural methods. The Tierra Alta site, with 11 detached, 2-story dwelling units, satisfies these additional goals. The brush management requirements have added to the depth of rear yard setbacks for canyon-front homes

and the product top divides up the building mass, although all views of the development cannot be diminished due to the topography of the site. Staff has been able to determine that the project conforms to the goals and objectives of the Mira Mesa Land Use/Community Plan.

DISCUSSION

The Tierra Alta project proposes 11 single-family detached dwelling units on a 4.4 acre site being subdivided into 10 lots, resulting in the units being under condominium ownership. The dwelling unit site pads, a vernal pool area being preserved between proposed unit Nos. 10 and 11, and the private driveway, will occupy an area of 2.48 acres. The remaining area consists of perimeter slopes, brush management (0.48 acres) and lands set aside for open space (1.53 acres).

A pedestrian pathway (between Units Nos. 4 and 5) will extend from the knuckle of the private driveway, which provides vehicular access to the dwellings, connecting to a trail within the Rancho de Los Penasquitos Canyon Park that the City's Park Ranger verified is used by the public.

Access to the site is provided through the private street system of the Sunland Sorrento Subdivision abutting the proposed project to the south, directing traffic from Calle Cristobal to the private driveway which provides vehicular access within the Tierra Alta site. A public sidewalk will be provided on both sides of the driveway.

The 11 dwelling units are detached single-family homes which will be owned as condominiums.

The units are all 2-stories in height and contain 2,113, 2,179 and 2,688 square-feet of area with approval for future homeowners to request additions resulting in a maximum of 2,900 square-feet for the largest model. Parking will be provided in attached 2- and 3-car garages with garages set back from living areas on two of the models, and having balconies over the garages that extend over the driveway apron in order to lessen the impact of the traditional garage dominance on the street and pedestrian scenes. The units have 3-4 bedrooms with the option of utilizing a bonus room as a 4th or 5th bedroom. The building heights are approximately 25-feet with chimneys extending to 27-feet above finished grade. Visual impacts of the site from the floor of Rancho de Los Penasquitos Canyon Park have been minimized by the siting and Brush Management setbacks. Roofs shall have concrete tiles and the finished building walls shall be primarily stucco with options on front elevations having shutters, wrought iron, stone veneers and more articulation of building features.

A vernal pool has been identified on-site which is located between Unit Nos. 10 and 11. The pool will be protected for its viability of continued existence by establishing protection for its drainage basin through the use of a slump block wall or other acceptable material and design. The Homeowners association shall be required to maintain the site.

Due to the Rancho de Los Penasquitos Canyon Park adjoining the site, all Brush Management shall be required on-site and open space easements are required over the undisturbed portions of the site. Grading and landform modification has been held to a minimum through the use of some retaining walls and attempting to hold development pads to the naturally flatter portions of the site.

Sewer and water services will be extended from the available facilities to the south and no new utility lines into canyons will result from the development of this project. The Local Coastal Program amendment is required due the necessity to rezone the site from the existing AR-1-1 to the RS-1-13 zone while the Planned Residential Development Permit allows for the project review of the development aspects, the Resource Protection Ordinance analyzes impacts to sensitive resources and compliance with its provisions and the Coastal Development Permit looks at project compliance with the coastal regulations for development of sites. The Tentative Map shows the subdivision of land proposed and identifies the project for condominium ownership. The MHPA Boundary Adjustment has been reviewed by the agencies and staff for the determination that the correct resources are protected under the Multiple Species Conservation Program (MSCP).

FISCAL IMPACT:

All costs associated with the processing of this application are recovered from a deposit account maintained by the applicant. All accessways and sewer and water services are provided and maintained by the applicant due to the private streets serving this area.

CODE ENFORCEMENT IMPACT:

None with this action.

HOUSING AFFORDABILITY IMPACT:

The Applicant has indicated that the dwelling units are intended for the \$300,000 to \$400,000 price range. The dwelling units consist of three models of 2,113, 2,179 and 2,688 square feet of floor area and containing 4 and 5 bedrooms. The project is providing a single-family product type north of a subdivision developed with a duplex type dwelling unit. There are no provisions within the Mira Mesa Community Plan addressing specific "Affordable Housing" requirements. However, the community has a wide range of housing types, (including mobile homes, apartments of varying densities, condominiums, single-family and duplex housing) providing persons and families of various income levels an opportunity to reside in the community.

Loveland/Christiansen/RMK

LEGAL DESCRIPTION:

The project site is located at the northern terminus of Caminito Rodar, along the southern boundary of Los Peñasquitos Canyon in the Mira Mesa Community Planning Area and is more particularly described as a portion of Rancho Los Peñasquitos, Exhibit "A" of Certificate of Compliance No. 930256-2, Document No. 1993-0382681.

FILE LOCATION: PERM-98-0792 (65)

COUNCIL ACTION: (Tape location: B334-C204.)

Hearing began at 11:16 a.m. and halted at 11:37 a.m.

Testimony in opposition by Janet Anderson and Eric Kord.

Testimony in favor by John Leppert, Vince Scheidt and Craig Benedetto.

MOTION BY MAIENSCHIN TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE, GRANTING THE MAP AND THE PERMIT. ACCEPT COUNCIL MEMBER FRYE'S RECOMMENDATIONS THAT: 1) STAFF CONSIDER, AS FAR AS SOME OF THE BMP'S, ADDING VEGETATIVE SWELLS AT THE TOE OF THE 4:1 SLOPE WHICH IS AT THE END OF THE ZONE 1 BRUSH MANAGEMENT ON THE WEST END, RATHER THAN JUST FILTRATION DOWN AT THE BOTTOM OF THE CANYON; AND 2) TO INCLUDE AS A CONDITION OF THE COASTAL DEVELOPMENT PERMIT, THAT SIGNAGE BE INCLUDED IN VIEW OF THE HOMEOWNERS YARD, EXPLAINING TO THE HOMEOWNERS THE IMPACT OF USING PESTICIDES OR HERBICIDES IN THEIR YARDS. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-332: State Route 56 Project - Middle Segment (Carmel Country Road to Black Mountain Road).

(See City Manager Report CMR-01-229. Torrey Highlands Planned Urbanizing Area and Subarea III Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-576 Cor. Copy 10/22/01) ADOPTED AS RESOLUTION R-295659

Authorizing an amendment to Resolution R-295205 determining that the public interest and necessity require the acquisition of certain land and directing the amendment of existing eminent domain proceedings and the filing of new eminent domain proceedings concerning the State Route 56 Project - Middle Segment (Carmel Country Road to Black Mountain Road).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-176.)

Hearing began at 10:50 a.m. and halted at 11:04 a.m.

Testimony in opposition by Tom Steinke and Louis Goebel.

Testimony in favor by Steven Wall.

MOTION BY MAIENSCHHEIN TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-333: Four actions related to Amendments to the Centre City Community Plan and Centre City Planned District Ordinance and CUP-41-0228 - Cortez Hill Transitional Housing Facility.

(See memorandum from CCDC report dated 9/11/2001. Cortez Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project Area. District-3.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the resolutions in subitems A, B, D, and introduce the ordinance in Subitem C:

Subitem-A: (R-2002-483) ADOPTED AS RESOLUTION R-295664

Certifying that the City Council has reviewed and considered information contained in the Negative Declaration for the Cortez Hill Transitional Housing Facility; making certain findings regarding the environmental impacts of the proposed development and related actions; approving and adopting a Negative Declaration with respect thereto; and adopting a reporting and monitoring program.

Subitem-B: (R-2002-482) ADOPTED AS RESOLUTION R-295665

Approving the Cortez Hill Transitional Housing Amendment to the Centre City Community Plan relating to the Land Use Element.

Subitem-C: (O-2002-32) INTRODUCED, TO BE ADOPTED ON TUESDAY,
NOVEMBER 19, 2001

Introduction of an Ordinance amending Chapter 10, Article 3, Division 19, of the San Diego Municipal Code by amending Section 103.1910(g) to add Subsection 5 relating to the Centre City Planned District.

Subitem-D: (R-2002-484) ADOPTED AS RESOLUTION R-295666

Approving Conditional Use Permit CUP-41-0228 for the Cortez Hill Transitional Housing Facility.

NOTE: See the Redevelopment Agency Agenda of October 30, 2001 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G092-100.)

MOTION BY ATKINS TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-334: Three actions related to Design Review of the Basic Concept/Schematic Drawings and a Height Exception of Up to 125 Feet - 5th and K Street Condo Project.

(See memorandum from Centre City Development Corporation dated 10/4/2001. Gaslamp Quarter Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-533) ADOPTED AS RESOLUTION R-295660

Approving a height exception of up to 125 feet in the Gaslamp Quarter.

Subitem-B: (R-2002-534) ADOPTED AS RESOLUTION R-295661

Certifying that the Council has reviewed and considered information contained in the Master Environmental Impact Report and the Final Subsequent Environmental Impact for the Centre City Redevelopment Project and the secondary study with respect to Gaslamp Quarter Special Permit 41-0546 (Fifth and "K" Street Condos) and making certain findings and determinations regarding environmental impacts of the Development.

Subitem-C: (R-2002-535) GRANTED PERMIT, ADOPTED AS RESOLUTION R-295662

Approving Gaslamp Quarter Special Permit No. 41-0546 for the Fifth and "K" Street Condo Project within the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C205-218.)

MOTION BY WEAR TO ADOPT THE RESOLUTIONS, GRANTING THE SPECIAL PERMIT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-335: Findings with Respect to the Construction of Public Improvements on 4th, 5th, and 6th Avenues, from Broadway to C Street.

(See memorandum from CCDC dated 9/12/2001. Core Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-461) ADOPTED AS RESOLUTION R-295667

Making certain findings with respect to the construction of public improvements on 4th, 5th, and 6th Avenues, from Broadway to C Street, in the Centre City Redevelopment Project Area by the Redevelopment Agency of the City of San Diego.

NOTE: See the Redevelopment Agency Agenda of October 30, 2001 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G080-087.)

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-336: Findings for Public Improvements on Portions of 6th Avenue and G Streets, Adjacent to the Borders Books Project.

(See memorandum from CCDC dated 10/2/2001. Gaslamp Quarter Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-530) ADOPTED AS RESOLUTION R-295668

Making certain findings with respect to public improvements on portions of 6th Avenue and G Streets, adjacent to the Borders Books Project, in the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project Area, by the Redevelopment Agency of the City of San Diego.

NOTE: See the Redevelopment Agency Agenda of October 30, 2001 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G089-091.)

MOTION BY WEAR TO ADOPT. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S500: Joint Grant Application with the San Dieguito River Park Joint Powers Authority for Grant Funds for San Pasqual Valley Interpretive Center.

(San Pasqual Community Area. District-5.)

COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-615) ADOPTED AS RESOLUTION R-295663

Authorizing the City Manager, or his designee, to submit a joint application together with the San Dieguito River Park Joint Powers Authority to the Urban

Recreational and Cultural Centers, Museums, and Facilities for Wildlife Education or Environmental Education Program for funds to develop the San Pasqual Valley Interpretive Center project;

Authorizing the City Manager, or his designee, upon full funding of the Interpretive Center project, to negotiate exclusively with the JPA for a lease of City property for such project.

SUPPORTING INFORMATION:

The San Dieguito River Park Joint Powers Authority (JPA) and the City of San Diego propose to interpret several unique themes of statewide and regional importance at an 8,000-square foot interpretive center, or visitors center, to be constructed adjacent to the historic Sikes Adobe Farmhouse at the gateway to the 4,000-acre San Pasqual Valley Agricultural preserve. The Sikes Adobe Farmhouse was built in 1870 and is located on the southeast side of the I-15/Via Rancho Parkway junction, and immediately west of the Hodges Golf Center driving range. The City of San Diego owns the land on which the Sikes Adobe Farmhouse sits, which is the same land where the Interpretive Center will be built. This action will authorize the City Manager to negotiate exclusively with the JPA for a lease of the property once full funding is obtained. The purpose of this action is to permit the City to jointly apply with the JPA for funds from the State of California Department of Parks and Urban Center Grant Program. The \$3.5 million grant request will be directed toward the construction of the Interpretive Center.

The JPA assumes full responsibility for the development of this project. This grant has no matching funds requirement obligating the City to contribute monies toward the project, and this action does not obligate the City to contribute funds toward the maintenance of the project. This action will have no fiscal impact to the City.

The purpose of pursuing the development of an Interpretive Center project on this site is to provide a premier facility which will examine and interpret multiple important California historical, cultural, economic technological and resource themes in a comprehensive fashion focusing on a segment of our society which was critical to the evolution of our community and our country as we know it, and which continues to perform a critical and evolving role today. The Interpretive Center will accomplish this goal by exploring the following themes: "The Changing Agricultural Face of San Diego," "The Pioneer Experience," "Grain as King," "The Sikes Family Story," "An Evolving Building," and "The Town of Bernardo." In addition, the San Dieguito River Park will cooperate jointly with the San Diego and Palomar Chapters of the Audubon Society in educating the public about birds of Lake Hodges, and site that has been named a Globally Important Bird Area.

FISCAL IMPACT:

None to the City.

Carney

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C219-229.)

MOTION BY MAIENSCHIN TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 4:37 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G101-106).