

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 26, 2002
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

Table of Contents

CHRONOLOGY OF THE MEETING	3
ATTENDANCE DURING THE MEETING	3
ITEM-300: ROLL CALL	4
NON-AGENDA COMMENT	4
COUNCIL COMMENT	7
CITY MANAGER COMMENT	7
CITY ATTORNEY COMMENT	8
* ITEM-101: <u>Two</u> actions related to Inviting Bids and Awarding of Construction Contract for Sewer and Water Group 684A	8
* ITEM-126: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico	10
ITEM-330: Skyline Terrace Estates	11
ITEM-331: Estates at Costa Del Mar	15
ITEM-332: Mission City Parkway Bridge	18
ITEM-333: Consideration of Parcel Map, Alley Vacation and Centre City Development Permit - Union Square Project	22
ITEM-334: Request to Bid Demolition - 12 th & Market Street Block	23
ITEM-335: Redevelopment Agency FY2001 Annual Financial Report	24

ITEM-336: Request for Qualifications - Midway Area/North Bay Redevelopment Area . . . 25

ITEM-337: Conversion of LPS Street Lights to HPS 26

NON-DOCKET ITEMS 28

ADJOURNMENT 28

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:14 a.m. Mayor Murphy recessed the regular meeting at 10:50 a.m. to convene as the Redevelopment Agency. The meeting was reconvened at 10:55 with all members present. The regular meeting was recessed by Mayor Murphy at 11:55 a.m.

The meeting was reconvened by Mayor Murphy at 2:10 p.m. with all Council Members present. Mayor Murphy adjourned the meeting at 4:16 p.m.

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-Fishkin (rl/er)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin 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-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:

Don Stillwell commented on the Primary Elections on March 5, 2002 and the passing of certain propositions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A013-059.)

PUBLIC COMMENT-2:

Allison Rolfe commented on behalf of environmental groups that are litigants in a current lawsuit involving the City. Ms. Rolfe encouraged the Council to support the proposal.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A060-088.)

PUBLIC COMMENT-3:

Mel Shapiro commented on St. Vincent De Paul's availability and his disapproval of their budget supporting a new Administrative building when there is a lack of homeless housing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A089-127.)

PUBLIC COMMENT-4: **REFERRED TO CITY MANAGER:**

Scott McLachlan commented on behalf of the Serra Mesa Community Council and a check that was written to the City for \$300 to obtain permits to have neighborhood signs erected. Mr. McLachlan has a concern that the check was never cashed and because of the lapse in time, it cannot be cashed. He desires to have the City Manager look into this matter so the Serra Mesa Community Council can balance their books.

Mr. McLachlan also commented on the renaming of Crosby Street to Cesar E. Chavez Parkway and how this renaming in his opinion is against Council policy.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A128-173.)

PUBLIC COMMENT-5:

Wen-Yi Wang and Arleen Freeman commented on behalf of practitioners of Falun Gong in San Diego inviting City Council to the photo exhibition in the lobby. Ms. Wang spoke providing background on this universal principle of Truthfulness-Compassion-Forbearance that purifies the body. Ms. Freeman commented on the fact that Falun Gong is not a Chinese issue but rather a Western issue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A174-221.)

PUBLIC COMMENT-6: **REFERRED TO THE CITY MANAGER**

Henry Olivas commented regarding the City's discontinuance on repairing windows in Balboa Park and removing graffiti.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A222-278.)

PUBLIC COMMENT-7:

Robert Tambuzi commented regarding the San Diego Housing Coalition and the City's involvement or collaboration in developing schools and neighborhoods.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A279-306.)

PUBLIC COMMENT-8: **REFERRED TO CITY MANAGER:**

Randy Berkman commented on behalf of the River Valley Preservation Project regarding seven acres of missing trees, grass and irrigation on the Levi-Cushman property west of Mission Valley Road. Mr. Berkman has an objection to code-compliance in that they are only requiring hydro-seeding instead of the trees, grass and irrigation called for in the permit. He stated that the permit is being re-written for the financial benefit of the Levy-Cushman owners.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A307-359.)

PUBLIC COMMENT-9: **REFERRED TO CITY ATTORNEY:**

Michelle Wilson commented regarding her desire to have the City legalize skateboarding downtown for citizens who choose to travel by this method of transportation.

Tim Clark commented on the need for pathways to be provided for bikers and skateboarders in the downtown area and requests that the City look into alternate transportation ideas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A360-418.)

PUBLIC COMMENT-10:

Noel Neudeck commented regarding the new Ball Park and issues regarding ADA compliance of the new stadium that should be considered during construction.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A419-470.)

COUNCIL COMMENT - 1:

Mayor Murphy accepted a check from the Port Commission for \$11 million to be used for the purchase of parking lot property for the ballpark and the convention center.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F588-G007.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

None.

- * ITEM-101: Two actions related to Inviting Bids and Awarding of Construction Contract for Sewer and Water Group 684A.

(See Frank Belock Jr.'s 11/6/2001 memo. City Heights Community Area. District-3.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-2002-837) ADOPTED AS RESOLUTION R-296127

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer and Water Group 684A on Work Order No. 174711/184111;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible and reliable bidder, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the use of City Forces in an amount not to exceed \$129,450 from Water Fund 41500, CIP-73-083.0, Water Main Replacement;

Authorizing the expenditure of an amount not to exceed \$2,468,803 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, and an amount not to exceed \$635,787 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02077C)

Subitem-B: (R-2002-838) ADOPTED AS RESOLUTION R-296128

Certifying that Mitigated Negative Declaration LDR-41-0343 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, that the declaration reflects the independent judgment of the City of San Diego as lead agency, and that the information contained in the report has been reviewed and considered by Council;

Approving Mitigated Negative Declaration LDR-41-0343;

Adopting the Mitigation Monitoring and Reporting Program;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 11/14/2001, NR&C voted 4-0 (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present) to approve with direction to the City Manager to report back to the Natural Resources and Culture Committee on recent project cost increases in light of the increased quantity of CIP projects expected in the near future.

CITY MANAGER SUPPORTING INFORMATION:

Sewer & Water Replacement Group 684A is part of the City of San Diego's continuing Annual Sewer & Water Replacement Program. This project is in the City Heights community area and consists of replacing approximately 14,018 feet (2.65 miles) of 6-inch and 8-inch sewer main, 2,739 feet (0.52 miles) of 6-inch water main, and 225 feet (0.04 miles) of 12-inch water main. Also, this project includes the construction of 39 pedestrian ramps and slurry sealing and resurfacing of the impacted streets. The streets within this project which will be affected by construction operations are: Meade Avenue, El Cajon Boulevard, Orange Avenue, Polk Avenue, University Avenue, Wightman Avenue, Landis Street, 41st Street, Central Avenue, Poplar Street, Pepper Drive, Manzanita Drive, and numerous alleys in this vicinity. Residents will be notified by mail at least one month before construction begins by the City's Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution.

The contractor will be required to provide traffic control plans for the entire project area to the City of San Diego's Traffic Signal Design & Traffic Control Section for approval with the exception of El Cajon Boulevard, Orange Avenue, University Avenue, and Wightman Avenue.

Traffic control plans for these streets have been developed and were approved by the City of San Diego's Traffic Signal Design & Traffic Control Section.

FISCAL IMPACT:

The total estimated cost of this project is \$3,104,590. Funds of \$2,468,803 are available from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, and \$635,787 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement. This project will be phase-funded: FY2002, \$362,894; FY2003 \$2,590,384; and in FY2004, \$151,312.

Loveland/Belock/HR

WWF-02-556.

FILE LOCATION: W.O. 174711/184111

COUNCIL ACTION: (Tape location: B019-109.)

MOTION BY ATKINS TO ADOPT THE RESOLUTIONS AND TO BRING BACK TO PS&NS COMMITTEE FOR DISCUSSION, THE POLICY ISSUE OF WHETHER OR NOT THIS COUNCIL SHOULD INVITE BIDS AND AWARD CONTRACTS AT THE SAME TIME OR SEPARATE THESE TWO PROCESSES. 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-126: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2002-1076) ADOPTED AS RESOLUTION R-296129

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

COUNCIL ACTION: (Tape location: B110-186.)

MOTION BY STEVENS TO ADOPT WITH A CLARIFICATION MADE IN THE REPORT TO REFLECT THAT THERE IS NO INVOLVEMENT OF COST ASSOCIATED WITH DECLARING A STATE OF EMERGENCY . 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-330: Skyline Terrace Estates.

Matter of approving, conditionally approving, modifying or denying an Amendment to the Southeastern Planned District Ordinance, Tentative Map, Planned Development Permit and Site Development Permit (for Southeastern Planned District). The project proposes the subdivision of a 5.1 acre vacant site into thirty parcels, and the construction of thirty, single dwelling units with attached garages, including deviations/variances to development regulations, at the southwest corner of Skyline Drive and Woodman Street in the SF-5000 zone of the Southeastern San Diego Planned District in the Encanto Neighborhoods of the Southeastern San Diego Community Plan area. When the Notice of Application was distributed on February 9, 2001, the project number was noticed as 41-0046.

If the Planned District Ordinance Amendment is not approved, then the Planned Development Permit request would be replaced by Variance requests.

(See City Manager's Report CMR No. 02-037. Southeastern San Diego Planned District Ordinance Amendment/TM-3759/PDP-3758/SDP-3760, Project-1272/MND-LDR-41-0046. Southeastern San Diego Community Plan area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in subitem A; adopt the resolution in subitem B to grant the map; adopt the resolution in subitem C to grant the permits; and introduce the ordinance in subitem D:

Subitem-A: (R-2002-1064) ADOPTED AS RESOLUTION R-296130

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR No. 41-0046 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 Skyline Terrace Estates [Project No. 1272];

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;

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-296131

Adoption of a Resolution granting or denying Tentative Map, TM-3759, with appropriate findings to support Council action.

Subitem-C: (R-2002-) GRANTED PERMIT, ADOPTED AS RESOLUTION R-296132

Adoption of a Resolution granting or denying Planned Development Permit - 3758/Site Development Permit-3760, with appropriate findings to support Council action.

Subitem-D: (O-2002-89) INTRODUCED, TO BE ADOPTED ON MONDAY, MARCH 11, 2002

Introduction of an Ordinance amending Chapter 10, Article 3, Division 17, of the San Diego Municipal Code by amending Section 103.1703 relating to Application Regulations for the Southeastern San Diego Planned District.

OTHER RECOMMENDATIONS:

Planning Commission on December 20, 2001, voted 4 - 0 to recommend to the City Council that they approve staff's recommendations and certify the MND, adopt the MMRP, approve the amendments to the Southeastern San Diego PDO, and approve project no. 1272, with the stipulation that staff and the applicant work out the flexibility on the Leghorn Avenue street improvement issue; was opposition.

Ayes: Schultz, Brown, Anderson, Stryker

Recusing: Garcia, Butler, Lettieri

The Encanto Neighborhoods Community Planning Group has recommended approval of this project.

The Southeastern San Diego Development Committee and the Encanto Neighborhoods Community Planning Group have taken a position in favor of the Southeastern Planned District Ordinance Amendment.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Skyline Terrace Estates project is located in the South Encanto neighborhood in the City of San Diego, Southeastern San Diego Community Planning area. The 5.1 acre site is at the southwest corner of Woodman Street and Skyline Drive in the Southeastern San Diego Planned District, zoned SF-5000 and designated by the community plan for single family development (5-10 dwelling units per acre).

The Skyline Terrace Estates project proposes thirty single-family detached dwelling units on a 5.1 acre site, being subdivided into thirty lots. The development will include up to five, but not less than four affordable housing units as a result of an agreement between the developer and the Southeastern Economic Development Corporation (SEDC), in exchange for partial funding of off-site improvements of Leghorn Avenue, from which the development will have access.

The development site is bounded by Skyline Drive to the north, Woodman Street to the east, Leghorn Avenue to the west and private residential development to the south. No access would be taken from either Skyline Drive or Woodman Street. Three lots would gain access from the improved Leghorn Avenue and the remaining lots would have interior access from proposed streets 'A' and 'B.'

The 5.1 acre vacant site, contains little vegetation and slopes from the 328-elevation feet above sea level on the south to approximately 380-elevation feet at Skyline Drive. The majority of the slope is at the northern edge of the site where it meets Skyline Drive. The site has been previously graded, however compaction problems will require that the entire site be regraded.

The thirty detached dwelling units will have attached two-car garages and will be one and two-stories in height. They will contain between 1,837 and 3,023 square feet in gross floor area. The units have variations that include porches and exterior facade treatments to enhance the overall development. They will contain 3-4 bedrooms and are approximately 23-feet to 30-feet in height above finished grade. Roofing materials will consist of concrete tiles and the finished building walls shall be primarily stucco.

FISCAL IMPACT:

All costs associated with the processing of this application are recovered from a deposit account maintained by the applicant. The approval of this project includes the relocating and upsizing to 48-inch, the Otay 2nd Water Pipeline. The developer is working with the City Water Department to establish a Shared Participation Agreement for this work. The estimated cost to the city would be no greater than \$719,617.00

Ewell/Christiansen/JCT

LEGAL DESCRIPTION:

The project site is located on the southwest corner of the Skyline Drive and Woodman Street intersection of the Southeastern Planned District in the Encanto Neighborhoods of the Southeastern San Diego Community Planning area and is more particularly described as Lots 1 through 6 of Skyline Park according to Map No. 11304.

FILE LOCATION: PERM - Skyline Terrace Estates 022602 (65)

COUNCIL ACTION: (Tape location: A488-511.)

Hearing began at 10:50 a.m. and halted at 10:51 a.m.

MOTION BY STEVENS TO ADOPT THE RESOLUTION IN SUBITEM A; ADOPT THE RESOLUTIONS IN SUBITEMS B AND C, GRANTING THE MAP AND PERMIT; AND INTRODUCE THE ORDINANCE IN SUBITEM D. 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-331: Estates at Costa Del Mar.

Matter of approving, conditionally approving, modifying or denying a request for a Rezone/Local Coastal Program Amendment/Coastal Development Permit/Vesting Tentative Map/ Site Development Permit/ Planned Development Permit to subdivide a 10.06 acre parcel into four (4) custom home lots of a minimum one acre in size for single family residences. The project site is located at 11650 Arroyo Sorrento Place at the northern terminus of Arroyo Sorrento Place, in the Carmel Valley Community Planning Area. The property is currently zoned AR-1-1 (Agricultural-Residential, minimum 10 acre lots) and the project proposes a rezone to AR-1-2 (Agricultural-Residential, minimum 1 acre lots).

The request for a Rezone/Local Coastal Program Amendment/Coastal Development Permit/Vesting Tentative Map/ Site Development Permit/ Planned Development Permit No. 40-0247 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.

(VTM/CDP/PDP/SDP-40-0247/MHPA Boundary Adjustment/RZ/LCPA-40-0247. Carmel Valley Community Plan area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in subitem A; adopt the resolution in subitem B to grant the map; adopt the resolution in subitem C to grant the permit and the MHPA boundary adjustment; and introduce the ordinance in subitem D:

Subitem-A: (R-2002-1065) ADOPTED AS RESOLUTION R-296133

Adoption of a Resolution certifying that the information contained in Revised Mitigated Negative Declaration LDR No. 40-0247 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 Estates at Costa del Mar 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 Revised 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;

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-296134

Adoption of a Resolution granting or denying Vesting Tentative Map No. 40-0247, with appropriate findings to support Council action.

Subitem-C: (R-2002-) GRANTED PERMIT AND BOUNDARY
ADJUSTMENT, ADOPTED AS RESOLUTION R-296135

Adoption of a Resolution granting or denying Coastal Development Permit/Planned Development Permit/Site Development Permit No. 40-0247; including the approval of a Multiple Habitat Planning area [MHPA] boundary adjustment, with appropriate findings to support Council action.

Subitem-D: (O-2002-90) INTRODUCED, TO BE ADOPTED ON MONDAY,
MARCH 11, 2002

Introduction of an Ordinance changing 10.0 acres, located at the northern terminus of Arroyo Sorrento Place, in the Carmel Valley Community Plan area, from the AR-1-1 to the AR-1-2 zone, as defined by San Diego Municipal Code section 131.0404; repealing ordinance No. O-10936 (New Series), adopted October 5, 1972, of the ordinances of the City of San Diego insofar as the same conflicts herewith; and approving an amendment to the Local Coastal Program.

OTHER RECOMMENDATIONS:

Planning Commission on November 29, 2001, voted 5-1-1 to recommend to the City Council that they approve staff's recommendations with the following additional conditions to the Design Guidelines:

1. Retaining walls should be plantable where feasible;
2. Walls six feet or greater shall be incorporated into the architecture of the homes;
3. Roof profile shall be stepped in proportion with the graded stepped pad; no opposition.

(Project Manager's Note: These conditions have been added to the Design Guidelines by the applicant.)

Ayes: Butler, Brown, Garcia, Lettieri, Stryker

Nays: Anderson

Recusing: Schultz

The Carmel Valley Community Planning Group on October 9, 2001, voted 9-0-0 to recommend approval of the proposed project with two conditions. Both conditions have been met by the project as currently proposed.

SUPPORTING INFORMATION:

This is a request for a Vesting Tentative Map, Coastal Development Permit, Site Development Permit, Planned Development Permit, Rezone (from AR-1-1 to AR-1-2), Multi-Habitat Planning Area (MHPA) boundary adjustment, and Local Coastal Plan Amendment to subdivide a 10 acre site in the Carmel Valley Community Plan area to create four (4) custom home lots of a minimum one-acre size for custom single family residences. The project site is located at the northern terminus of Arroyo Sorrento Place. The four proposed lots range in size from 1.2 acres to 3.3 acres. Design Guidelines are included as part of the project and would govern the development of the custom homes. Vehicular access to 3 of the 4 proposed lots would be via a gated private driveway. The proposed gate is in compliance with Council Policy 600-42. Approximately 3.17 acres (31.7%) of the 10 acre site has been previously disturbed by grading, and the project proposes to disturb an additional 0.79 acres, for a total 3.96 acres or 39.6% of the site to be graded. (Please note that the Planning Commission report erroneously stated that 64.4% of the project site would be graded.) The project site currently has approximately 3.52 acres of MHPA area. With approval of this project, the 10 acre project site would have 5.87 acres total on-site MHPA.

FISCAL IMPACT:

None with this action. All Development Services Department processing costs are recovered by a deposit account funded by the applicant.

TRAFFIC STATEMENT:

The Estates at Costa Del Mar project is estimated to generate approximately 40 average daily trips (ADT). Ten (10) of these trips are estimated to occur on Interstate 5 south of State Route 56, which has an estimated near-term volume of 262,030 ADT. Caltrans is planning to widen Interstate 5 to provide 10 additional lanes south of State Route 56 to be completed by 2004. Per the applicant, the four single-family residences proposed with the Estates at Costa Del Mar project would be constructed and occupied in 2005 at the earliest, after the scheduled improvement to Interstate 5. Therefore, no impact to the existing traffic condition of Interstate 5 would result from this project.

Ewell/Christiansen/VLG

LEGAL DESCRIPTION:

The project site is located at the northern terminus of Arroyo Sorrento Place, in the Carmel Valley Community Planning Area, with a private driveway providing access to each lot and is more particularly described as a Portion of Parcels 2 and 3, Parcel Map No. 11968, Map 11697 - Carmel Valley Inn.

FILE LOCATION: PERM - Estates at Costa Del Mar 022602 (65)

COUNCIL ACTION: (Tape location: A512-527.)

Hearing began at 10:52 a.m. and halted at 10:53 a.m.

MOTION BY PETERS TO ADOPT THE RESOLUTION IN SUBITEM A; ADOPT THE RESOLUTIONS IN SUBITEMS B AND C, GRANTING THE MAP, PERMIT AND MHPA BOUNDARY ADJUSTMENT; AND INTRODUCE THE ORDINANCE IN SUBITEM D. 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-332: Mission City Parkway Bridge.

Matter of granting or denying Site Development Permit/EIR to construct a new bridge and associated facilities between the existing Mission City Parkway and Camino Del Rio North crossing the San Diego River. The project is located in the eastern portion of the Mission Valley community of the City of San Diego, in

the Mission Valley Community Planning Area, in Council District 6. The project would extend the existing Mission City Parkway across the San Diego River as a two-lane collector bridge. The project also includes the extension of "I" Street as a two-lane collector from Mission City Parkway to the west end of the Qualcomm Stadium parking lot, a realignment and widening of a portion of the existing Camino del Rio North immediately east of the proposed bridge and the temporary use of a 15-acre Metropolitan Wastewater Department site for the National Football League (NFL) Experience venue in association with Super Bowl 2003, and extension of a 96-inch reinforced concrete pipe underground in a box culvert under the proposed Mission City Parkway Bridge approach to the San Diego River. **It should be noted that when the Notice of Application was distributed on May 8, 2001, the project was noticed as Project Number 41-0350-96004241-P-1.**

(EIR LDR-40-0559. SDP-4985. Mission Valley Community Plan area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in subitems A, and B; and adopt the resolution in subitem C to grant the permit:

Subitem-A: (R-2002-1093) RETURNED TO CITY MANAGER

Adoption of a Resolution authorizing and empowering the City Manager to execute the First Amendment to the Agreement with T.Y. Lin International in an amount not to exceed \$389,137, for professional services for the Mission City Parkway Bridge project, CIP-53-053.0, provided that they are in compliance with the provisions outlined in the final Environmental Impact Report, a copy of the Amendment to the Agreement with T.Y. Lin International is on file in the Office of The City Clerk;

That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$389,137 from Fund 392201 for the purposes of executing the First Amendment to the Agreement and related costs for the Mission City Parkway Bridge project, CIP-53-053.0.

Subitem-B: (R-2002-1092) RETURNED TO CITY MANAGER

Adoption of a Resolution certifying that the information contained in Environmental Impact Report LDR-40-0559/SCH-2000101088 has been completed in compliance with the California Environmental Quality Act

(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 report reflects the independent judgment 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 Mission City Parkway bridge and Associated Facilities;

That pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the finding made with respect to the project;

That pursuant to California Code of Regulations section 15093, the City Council adopts the Statement of Overriding Considerations with respect to this project;

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;

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-C: (R-2002-) RETURNED TO CITY MANAGER

Adoption of a resolution granting or denying Site Development Permit-4985, with appropriate findings to support Council action.

The Mission Valley Unified Planning Organization has recommended approval of the project.

SUPPORTING INFORMATION:

The Mission City Parkway Bridge Project (CIP-53-053.0) provides an all-weather 2-lane bridge and roadway across the San Diego River from the Light Rail Crossing (LRT) at Fenton Parkway to the intersection of Camino Del Rio North and Mission City Parkway. The project also includes a new road/entrance to Qualcomm Stadium from Mission City Parkway, realignment of the substandard Camino Del Rio North east of the Mission City Parkway intersection, a dedicated wetlands mitigation area adjacent the San Diego River, and the site preparation necessary for the NFL Experience as part of the Superbowl in January 2003. Access to the Fenton Parkway LRT Station Parking Lot (under design by MTDB) is also provided for in the

project, as well as the improvements required under agreement with H.G. Fenton for the reconstruction of their drainage facilities to the San Diego River. The bridge will be an all-weather structure (above the 100-year flood level) and provide the only local road crossing of the river between Morena Boulevard and Mission Gorge Road/Fairmont that will not be subject to flooding during peak storm events. The bridge and roadway have been included in the Mission Valley Community Plan (previously named Milly Way) since 1985 and are critical elements of the Mission Valley traffic circulation plan. The Fenton Marketplace development, the Mission Valley Library (currently under construction), and the Fenton Parkway LRT Trolley Station all depend on the improved traffic circulation to the south as well as the corresponding traffic improvement to Friars Road that this project will provide. And, the above projects were approved with the understanding that the bridge would be completed. In addition, successful completion of the bridge is required as part of the Settlement Agreement with H.G. Fenton that resulted from their lawsuit over the Stadium expansion project. The NFL Experience is planned to be held on property owned by Metropolitan Wastewater Department (MWWD).

These actions will provide the consultant services necessary for the final Environmental Impact Report, remaining design, and permitting. Approval of the Site Development Permit and certification of the Environmental Impact Report is also requested and would further the Agencies permit processes.

FISCAL IMPACT:

Funding necessary for this action in the amount of \$389,137 is available from Developer Contributions Funding 392201, Mission City Parkway Bridge.

Aud. Cert. 2200850.

Loveland/Belock/PB

LEGAL DESCRIPTION:

The project site is located north of Interstate 8 and east of Interstate 15 in the Mission Valley Community Plan Area. A portion of the site is within the Multi-Habitat Planning Area of the City's Multiple Species Conservation Program (MSCP) and is more particularly described as a Portion of Lot 35, Rancho Mission, Map No. 330, SCC 348.

FILE LOCATION: PERM - Mission City Parkway Bridge 022602 (65)

COUNCIL ACTION: (Tape location: A476-487.)

MOTION BY FRYE TO RETURN TO THE CITY MANAGER FOR FURTHER WORK TO BE DONE. 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-333: Consideration of Parcel Map, Alley Vacation and Centre City Development Permit - Union Square Project.

(See Centre City Development Corporation Report dated 2/1/02. Parcel Map-99-724/Unnamed Alley Vacation/CCDP-41-0224A. Centre City Community Plan Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in subitems A and B:

Subitem-A: (R-2002-1061) ADOPTED AS RESOLUTION R-296136

Certifying that the information contained in the Secondary Study of Environmental Impacts with respect to Centre City Development Permit-41-0224 has been prepared and completed in compliance with the California Environmental Quality Act of 1970 and state and local regulations and guidelines adopted pursuant thereto;

That the approval of Conditional Use Permit 40-0925 will have no significant effect on the environment, except as identified and considered in the MEIR for the Redevelopment Project;

Approving Centre City Development Permit-41-0224.

Subitem-B: (R-2002-1062) ADOPTED AS RESOLUTION R-296137

Approving and accepting Parcel Map I.D. No. 99-724, being a consolidation of Olmstead's Subdivision according to map thereof No. 409; Lots 1, 2, 3, 4, and 5 in Block 16 of Gardner's Addition made by L.L. Lockling according to Map thereof No. 369; together with these portions of 14th Street, 15th Street, C Street, Broadway, and the unnamed alley as dedicated to public use all in the City of San Diego, County of San Diego, State of California, is made in the manner and form prescribed by law and conforms to the surrounding surveys;

Vacating the unnamed alley granted to the City of San Diego per Map No. 68, recorded September 2, 1870, pursuant to section 66445(j) of the State Subdivision Map Act.

SUPPORTING INFORMATION:

The approved Union Square - Phase I project contains approximately 221 units and is located on the superblock bounded by Broadway and 14th, C and 15th street located in the Mixed-Use Residential (80/20) District in the East Village neighborhood. The inverted T-shaped property contains 76,000 square feet and has frontage along the entire block along Broadway (400 feet) and 150 feet along C Street. The project obtained Design Review approval from the CCDC Board and was issued a Centre City Development Permit in October after the City Council approved the amendment to the PDO deleting the setback requirement along Broadway.

The developer had been processing a Parcel Map to consolidate the existing lots in Phase I and vacate the western half of the alley, which is surrounded by the site, to allow expansion of its underground parking garage and create additional open space for the project. Just prior to the January 15, 2002 City Council hearing on these two items, however, Western Pacific Housing closed escrow on an adjacent 12,600 square foot site at the northeast corner of the block and began processing a Phase II Development Permit application for an addition to the project.

FISCAL IMPACT:

No direct fiscal impact.

Richter/Hall

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A528-547.)

Hearing began at 10:54 a.m. and halted at 10:55 a.m.

MOTION BY WEAR TO ADOPT. Second by Maienschein. 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: Request to Bid Demolition - 12th & Market Street Block.

(See memorandum from CCDC dated 1/29/2002. East Village 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-2002-1052) ADOPTED AS RESOLUTION R-296138

Making certain findings with respect to the payments for demolition of on-site improvements on the 12th & Market site in the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project area.

NOTE: See the Redevelopment Agency Agenda of 2/26/2002 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A548-558.)

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-335: Redevelopment Agency FY2001 Annual Financial Report.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1087) ADOPTED AS RESOLUTION R-296139

Approving the Fiscal Year 2001 Annual Financial Report of the Redevelopment Agency of the City of San Diego.

NOTE: See the Redevelopment Agency Agenda of 2/26/2002 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A559-566.)

MOTION BY WEAR TO ADOPT. 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-336: Request for Qualifications - Midway Area/North Bay Redevelopment Area.

(See City Manager Report CMR-02-027 and Councilmember Wear's 2/6/2002
memo. Midway/Pacific Highway Corridor Community Area. District-2.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-1075) ADOPTED AS RESOLUTION R-296140

Authorizing the City Manager to issue a Request for Qualifications regarding the
North Bay Redevelopment Project.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S
RECOMMENDATION:**

On 2/6/2002, RULES voted 5-0 (Councilmembers Wear, Atkins, Stevens, Madaffer and Mayor
Murphy voted yea) to approve the City Manager's recommendation to issue a Request for
Qualifications for private development partners to assist in the redevelopment of City owned
property in the Midway Area/North Bay Redevelopment Area; and

Direct staff to include the Planning Department in their collaborative efforts to make sure the
Villages concepts are carried forward and request that the Midway Planning Group, North Bay
Project Area Committee (PAC), and North Bay Business Improvement District are all very
involved in the process; and

Direct staff to work with the PAC, the Port District, and the Peninsula Community Planning
Board on developing a joint Redevelopment Agency and Port Request for
Qualifications/Proposals for the area at America's Cup Harbor (roughly) bounded by the corner
of Scott and Shelter Island Drive, south from Point Loma Seafood, and east from Red Sails) and
return to the Rules Committee in 90 days with that item.

FILE LOCATION: MEET (66)

COUNCIL ACTION: (Tape location: A567-581.)

MOTION BY WEAR TO ADOPT. 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-337: Conversion of LPS Street Lights to HPS.

(See City Manager Report CMR-02-039.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1100) ADOPTED AS RESOLUTION R-296141

Approving the amendment to the policy for street lighting to expand the use of
“white light” broad-spectrum lamps, including HPS and QL induction lamps, to
areas north of Interstate 8 outside a 30-mile radius from Mt. Palomar observatory,
while retaining the use of LPS lighting within the 30-mile radius;

Directing the City Manager to amend all relevant standards, specifications,
guidelines, brochures, forms, and other documents, to conform to the amended
street lighting policy;

Directing the City Manager to develop a plan to convert existing LPS street lights
to HPS over the course of three years and as they burn out;

Directing the City Manager to install full cutoff HPS luminaries where converting
from LPS and requiring all new acorn installations to be semi-cutoff HPS fixtures;

Directing the City Manager to study ways to reduce energy expenses for street
lighting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-183; D001-F459.)

MOTION BY ATKINS TO ADOPT THE RESOLUTION AS AMENDED AS
FOLLOWS: AMEND THE CITY POLICY FOR STREET LIGHTING TO EXPAND

THE USE OF "WHITE LIGHT" BROAD SPECTRUM LAMPS, INCLUDING HPS AND QL INDUCTION LAMPS CITYWIDE OUTSIDE A 30-MILE RADIUS FROM MOUNT PALOMAR OBSERVATORY, WHILE RETAINING THE USE OF LPS LIGHTING WITHIN THE 30-MILE RADIUS.

1. DIRECT THE CITY MANAGER TO AMEND ALL RELEVANT DOCUMENTS.
2. DIRECT THE CITY MANAGER TO DEVELOP A PLAN TO CONVERT EXISTING LPS STREET LIGHTS TO HPS OVER FIVE YEARS STARTING IN FY '04 AND AS THEY BURN OUT STARTING IN FY '03.
3. DIRECT THE CITY MANAGER TO INSTALL FULL CUTOFF LUMINARIES WHERE CONVERTING FROM LPS AND REQUIRE ALL NEW INSTALLATIONS TO BE CUT OFF HPS FIXTURES.
4. DIRECT THE CITY MANAGER TO STUDY WAYS TO REDUCE ENERGY EXPENSES FOR STREET LIGHTING.
5. DIRECT THE CITY MANAGER TO DECIDE ON ONE STANDARD DESIGN FOR THE LIGHT FIXTURES AT THE REQUEST OF COUNCIL MEMBER WEAR.

CONVERSION SHOULD BE SCHEDULED ACCORDING TO THE AVAILABILITY OF FUNDS, PRIORITIZED BY:

- A) CRIME STATISTICS;
- B) TRAFFIC COUNTS (INCLUDING PEDESTRIAN COUNTS)
- C) PROXIMITY OF SCHOOLS AND PARKS;
- D) POPULATION DENSITY (HIGHLY POPULATED AND COMMERCIAL AREAS SHOULD BE ACTIVATED AS A HIGHER PRIORITY THAN SOME OF THE RESIDENTIAL AREAS, AS REQUESTED BY COUNCIL MEMBER WEAR);
- E) COMMUNITY AND COUNCIL MEMBER REQUEST (AS SUGGESTED BY COUNCIL MEMBER WEAR).

REFER THE ISSUES RAISED IN PAUL ETZEL'S LETTER REGARDING ZONING AND PERMITTING CHANGES, PRIVATE USE OF INEFFICIENT AND INTRUSIVE LIGHTING, AND CONVERSION OF BILLBOARDS TO DOWNWARD ILLUMINATION TO THE LAND DEVELOPMENT CODE ADVISORY COMMITTEE.

Second by Madaffer. Passed by the following vote: Peters-nay, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-nay, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 4:16 p.m. in honor of the memory of:

Clint Johnson as requested by Council Member Atkins,
Carole "Sir Alex" Walter as requested by Council Member Atkins,
Russ Atwater as requested by Council Member Atkins,
Herta Helen Brock as requested by Council Member Madaffer, and
Kathie Albright as requested by Council Member Maienschein.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F476-586.)