

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 23, 2004
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:15 a.m. Mayor Murphy recessed the meeting at 11:06 a.m. for the purpose of a break. Mayor Murphy reconvened the meeting at 11:13 a.m. with Council Member Madaffer not present. The meeting was recessed by Mayor Murphy at 11:16 a.m. to convene the Housing Authority. Mayor Murphy reconvened the regular meeting at 11:19 a.m. with Council Member Madaffer not present. Mayor Murphy recessed the regular meeting at 11:59 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Murphy at 2:12 p.m. with Council Member Madaffer not present. Mayor Murphy convened the Redevelopment Agency to meet simultaneously with the City Council at 2:13 p.m. Mayor Murphy recessed the meeting at 3:59 p.m. for the purpose of a break. Mayor Murphy reconvened the meeting at 4:17 p.m. with Council Member Madaffer not present. Mayor Murphy adjourned the meeting at 6:56 p.m. immediately into Closed Session in the twelfth floor conference room to discuss existing litigation and property acquisition matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Zucchet-present
- (3) Council Member Atkins-present
- (4) Council Member Lewis-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer--(Excused by R-298973 adopted on 03/15/04, due to representing the City at the China Familiarization Tour in China sponsored by the Chamber of Commerce)

(8) Council Member Inzunza-present

Clerk-Abdelnour (gs/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

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

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Al Strohleim commented on certain mistakes made by elected officials.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:15 a.m. – 10:18 a.m.)

PUBLIC COMMENT-2: **REFERRED TO THE CITY MANAGER**

John Dean commented on the unlawful posting of political signs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:19 a.m. – 10:20 a.m.)

PUBLIC COMMENT-3:

Sandy Summers commented on investigations conducted by the Federal Bureau of Investigation and the involvement of certain Council Members.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:22 a.m. – 10:24 a.m.)

PUBLIC COMMENT-4:

Theresa Quiroz commented on procedures implemented by the Police Department surrounding the citation of Hispanics.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:25 a.m. – 10:27 a.m.)

PUBLIC COMMENT-5:

Jim Varnadore commented on Don Stillwell.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:28 a.m. – 10:28 a.m.)

PUBLIC COMMENT-6:

Jarvis Ross commented on the recent motion made by Council Member Frye and Council Member Atkins regarding the Brown Act.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:28 a.m. – 10:30 a.m.)

PUBLIC COMMENT-7:

Ron Boshun commented on actions made by City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:31 a.m. – 10:34 a.m.)

PUBLIC COMMENT-8:

Michael Davidson commented on the City budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:35 a.m. – 10:36 a.m.)

PUBLIC COMMENT-9:

Gregorie Hedgley-Garber stated her concerns with public transportation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:38 a.m. – 10:41 a.m.)

PUBLIC COMMENT-10:

Bryan Barton commented on a citation while distributing a handout called the “Student Job Guide.”

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:42 a.m. – 10:46 a.m.)

PUBLIC COMMENT-11:

Jeff DeMeester commented on the City Attorney's recent project being a conflict of interest.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:47 a.m. – 10:49 a.m.)

PUBLIC COMMENT-12:

Gerald Patyten commented on corruption in the Harbor Department.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:50 a.m. – 10:53 a.m.)

PUBLIC COMMENT-13:

Steve McWilliams commented on the rights of patients regarding abortion.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:54 a.m. – 10:56 a.m.)

PUBLIC COMMENT-14:

Barbara MacKenzie commented on medical marijuana and the ongoing events with law enforcement.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:57 a.m. – 10:59 a.m.)

PUBLIC COMMENT-15:

John Chen requested an anti-resolution for Yantai, China.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:00 a.m. – 11:02 a.m.)

PUBLIC COMMENT-16:

Ronald Newcomb commented on water supply for the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:03 a.m. – 11:06 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Mayor Murphy commented on a recent survey in the “Travel and Leisure” magazine. The article will appear in April’s issue and mention the City of San Diego in several categories.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:13 a.m. – 11:13 a.m.)

COUNCIL COMMENT-2:

Council Member Maienschein announced the celebration of the first family to move into a rebuilt home after the October fires in Scripps Ranch.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:14 a.m. – 11:15 a.m.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

None.

ITEM-330: Street Name Change – Marlborough Avenue to Jamies Way.

(City Heights Community Area. District-3.)

CITY MANAGER’S RECOMMENDATION:

Adopt the following resolution:

(R-2004-738) ADOPTED AS RESOLUTION R-298988

Changing the name of Marlborough Avenue to Jamies Way.

CITY MANAGER SUPPORTING INFORMATION:

Jamies Way is proposed for the street name change of Marlborough Avenue between Lexington Avenue and Poplar Street. The applicants, Elene Bratton and Michael McNeeley, have requested the street name Jamies Way in honor of their son. Ms. Bratton and Mr. McNeeley note that on April 24, 2002, Jamie Morgan Mychael Bratton-McNeeley, a five year old neighborhood activist and friend of many neighbors, was tragically killed. Jamie was a very active and proud “Parkster.” He participated in many clean-ups, tree plantings, crime walks, community events and, of course, parties. His dedication to helping others would be greatly honored by this name change.

Marlborough Avenue is a paved street between Poplar Street and Manzanita Drive and is an unimproved street in a steep canyon area between Manzanita Drive and Lexington Avenue. It is unlikely that Marlborough Avenue will be improved in this canyon area. Marlborough Avenue will remain as the street name continuing on from Lexington Avenue as an improved street to its terminus in the Kensington Community.

Renaming Marlborough Avenue at this location will relieve the confusion of the two streets not connecting, improving the convenience and safety of the public.

A petition seeking support of the street name change was approved by 100% of the affected property owners. The street name change will not affect any mailing addresses.

The City Heights Planning Committee approved the street name change on December 5, 2002. The motion to approve the name change passed 6-4-0. The Azalea Park Neighborhood Association unanimously approves of the street name change.

FISCAL IMPACT:

None. All costs will be paid by the applicant.

DEVELOPMENT SERVICES DEPARTMENT'S RECOMMENDATION:

Approval of this request.

Ewell/Broughton/AKW

FILE LOCATION: DEED F-9647

COUNCIL ACTION: (Time duration: 11:20 a.m. – 11:31 a.m.)

Testimony in favor by Elene Bratton and Jim Varnadore.

MOTION BY ATKINS TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-331: Rose Creek Bike Path and Bridge.

Matter of approving, conditionally approving, modifying or denying an application for a Site Development Permit No. 4411, to develop a 1,710-foot long and 14-foot wide bicycle, pedestrian and emergency vehicle pathway that includes a 260-foot long and 16-foot wide clear-span bridge over the Rose Creek Channel, located between the east terminus of Pacific Beach Drive and the west terminus of North Mission Bay Drive in the RS-1-7 zone and within the boundaries of Mission Bay Park.

(Mitigated Negative Declaration No. 4411/Mitigation Monitoring and Reporting Program (MMRP)/ Site Development Permit (SDP) No. 7023/PTS 4411. Mission Bay Park Master Plan and Pacific Beach Community Plan. Districts 2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; and adopt the resolution in Subitem B to grant the permit:

Subitem-A: (R-2004-592 Cor. Copy) ADOPTED AS RESOLUTION R-298989

Adoption of a Resolution certifying that Mitigated Negative Declaration No. 4411, on file in the office of the City Clerk, 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 Rose Creek Bike Path and Pedestrian Bridge 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, a copy of which is on file in the office of the City Clerk and incorporated by reference, 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, a copy of which is attached hereto and incorporated herein by reference;

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-2004-1056) GRANTED PERMIT, ADOPTED AS
RESOLUTION R-298990

Adoption of a resolution granting or denying Site Development Permit No. 7023, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

This project proposes the construction of a 1,710-foot long by 14-foot wide pedestrian, bicycle and emergency vehicle path, including a 260-foot long by 16-foot wide clear span bridge over the Rose Creek Channel, to connect the east end of Pacific Beach Drive to the west end of North Mission Bay Drive. The project is within Mission Bay Park and referenced in the Pacific Beach Community Plan. The required Site Development Permit is issued by the City of San Diego and the required Coastal Development Permit is to be requested from the State of California.

This item was presented to the City Council on December 9, 2003, and referred back to the City Manager. Councilmember Frye requested that staff obtain the recommendations of the Mission Bay Park Committee and Planning Commission prior to returning to the City Council.

The Planning Commission considered this project on February 12, 2004, and voted 7-0 on their Consent Agenda to recommend that the City Council adopt City staff recommendation to approve the project as presented in the Planning Commission Report No. P-04-030.

There was no opposition to the project. The Mission Bay Park Committee voted unanimously to approve the project on January 6, 2004, and on November 3, 2003, the Pacific Beach Community Planning Committee also voted unanimously to approve the project.

The City Manager recommends that the City Council Approve the Site Development Permit No. 7023. The City Council must first Certify the Mitigated Negative Declaration, LDR No. 4411 and Adopt the MMRP.

The Mitigated Negative Declaration and MMRP contains information on and addresses Water Quality and Drainage.

TRAFFIC IMPACT ANALYSIS:

The path and bridge are designed for bicycle, pedestrian and emergency vehicle use only and will have no impacts on adjacent City streets.

FISCAL IMPACT:

All costs associated with the project are recovered from an account maintained by the applicant.

Ewell/Christiansen/AIA/RMK

LEGAL DESCRIPTION:

The project site is located at Rose Creek north of De Anza Cove and south of the Mission Bay Boat and Ski Clubs within Mission Bay Park, the Coastal Zone, and the Mission Bay Park Master Plan Area.

FILE LOCATION: LUP – Rose Creek Bike Path and Bridge (65)

COUNCIL ACTION: (Time duration: 11:31 a.m. – 11:36 a.m.)

Testimony in favor by Al Strohlein and Marshall Wiseman.

MOTION BY FRYE TO ADOPT THE RESOLUTION IN SUBITEM A AND ADOPT THE RESOLUTION IN SUBITEM B TO GRANT THE PERMIT. Second by Zucchet. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-332: Six actions related to KUSI Mixed Use Project – Amending the San Diego Municipal Code relating to the Marina Planned District Ordinance; Approving the Proposed Ninth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project; Approving the Sale of Certain Property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc.

(See Centre City Development Corporation Report CCDC-04-07/CCDC-04-13. Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Introduce the ordinances in Subitems A and B; and adopt the resolutions in Subitems C, D, E, and F:

Subitem-A: (O-2004-111) INTRODUCED, TO BE ADOPTED ON MONDAY,
APRIL 12, 2004

Introduction of an Ordinance amending Chapter 10, Article 3, Division 20, of the San Diego Municipal Code, by amending Section 13.2011, relating to the Marina Planned District Ordinance.

Subitem-B: (O-2004-112) INTRODUCED, TO BE ADOPTED ON MONDAY,
APRIL 12, 2004

Introduction of an Ordinance approving and adopting the Proposed Ninth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (The “KUSI Mixed Use Development Amendment”).

Subitem-C: (R-2004-932) ADOPTED AS RESOLUTION R-298995

Approving Comprehensive Sign Plan 2003-33 for the KUSI Mixed Use Development which is located within the Marina Planned District.

Subitem-D: (R-2004-934) ADOPTED AS RESOLUTION R-298996

Certifying that the City Council has reviewed and considered information contained in the Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments, and the Secondary Study and Mitigated Negative Declaration for the KUSI Mixed Use Development, as they pertain to the Proposed Amendment to the Marina Planned District Ordinance providing for the KUSI Mixed Use Development and the Proposed Ninth Amendment to the Centre City Redevelopment Plan (The “KUSI Mixed Use Development Amendment”) and the implementation activities therefore, and including Conditional Use Permit 2003-33 and Comprehensive Sign Plan 2003-33, and approval of the sale of certain property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc., pursuant to an Amended and Restated Owner Participation Agreement; making certain findings regarding the environmental impacts of the proposed Mixed Use Development and related actions; approving and adopting a Mitigated Negative Declaration with respect thereto; and adopting a Mitigation Monitoring and Reporting Program.

Subitem-E: (R-2004-935) ADOPTED AS RESOLUTION R-298997

Approving the sale of certain property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc; approving the amended and restated Owner

Participation Agreement pertaining thereto; and making certain findings with respect to such sale.

Subitem-F: (R-2004-936) ADOPTED AS RESOLUTION R-298998

Approving Conditional Use Permit 2003-33 for the KUSI Mixed Use Development.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 23, 2004 for a companion item.

FILE LOCATION: SUBITEMS A & B: NONE
SUBITEMS C, D, E, & F: MEET

COUNCIL ACTION: (Time duration: 2:13 p.m. – 4:23 p.m.)

Testimony in opposition by Donald Cortea, Justine Lakin, and Catherine Rodman.

Testimony in favor by Gary Smith and Kip Howard.

MOTION BY ZUCCHET TO INTRODUCE THE ORDINANCES IN SUBITEM A AND B, TO ADOPT THE RESOLUTIONS IN SUBITEMS C, D, E, AND F, AND TO APPROVE CONDITIONAL USE PERMIT 2003-33 AS AMENDED TO EXTEND THE PUBLIC WALK-WAY FROM 14 FEET TO 20 FEET IN ORDER TO ADD AN ADDITIONAL SIX FEET THAT WILL BE FULLY DEDICATED FOR PUBLIC SPACE. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-nay, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-333: Two actions relating to Approving the Eighth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

(See Centre City Development Corporation Report CCDC-04-12/CCDC-04-06. Centre City Redevelopment Project. District -2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2004-114) INTRODUCED, TO BE ADOPTED ON MONDAY
APRIL 12, 2004

Introduction of an Ordinance approving and adopting the Eighth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

Subitem-B: (R-2004-940) ADOPTED AS RESOLUTION R-298999

Certifying that the Council has reviewed and considered information contained in the Environmental Secondary Study for the Proposed Eighth Amendment to the Centre City Redevelopment Plan; approving the Environmental Secondary Study for the Proposed Eighth Amendment; and making certain findings and determinations regarding environmental impacts of the action.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 23, 2004 for a companion item.

FILE LOCATION: SUBITEM A: NONE
SUBITEM B: MEET

COUNCIL ACTION: (Time duration: 4:23 p.m. – 6:47 p.m.)

Testimony in opposition by Mesdaq Ahmad, Vince Bartolaotta, Tony Bedford, Donald Cohen, Cynthia Conger, Bert Decker, David Duea, Corazon Dulay, Jose Antonio Hueso, Robert Leif, Suzanne Leif, John McNab, Gary Nobel, Jarvis Ross, and Barbara Winton.

Testimony in favor by Leslie Wade, Barbara Warden, Tom Fat, Rob Lankford, Teresa McTige, Gary Smith, and Joyce Summer.

MOTION BY ZUCCHET TO INTRODUCE THE ORDINANCE IN SUBITEM A, AND TO ADOPT THE RESOLUTION IN SUBITEM B, WITH DIRECTION TO STAFF TO COME BACK TO COUNCIL WITH A REPORT ON DEVELOPER IMPACT FEES (DIF) WITHIN 60 DAYS; AND TO COME BACK WITHIN 120 DAYS WITH A REPORT REGARDING DESIGN REVIEW, AND BETTER WAYS TO PROVIDE BOTH PUBLIC CAPITAL IMPROVEMENTS AS WELL AS WAYS TO SUBSIDIZE OPERATION EXPENSES FOR POLICE AND FIRE.

Second by Atkins. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-nay, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-334: Application for Economic Development Initiative (EDI) Grant for San Diego Rescue Mission Transitional Housing at 120 Elm Street.

(See San Diego Housing Commission Report HCR04-10. District-2.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-878) ADOPTED AS RESOLUTION R-298991

Authorizing the San Diego Housing Commission to apply for, accept, and disburse the EDI grant proceeds on behalf of the City of San Diego, as more particularly described in San Diego Housing Commission Report No. HCR04-10;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors and the California Office of Planning and Research regarding the approval of the funding application.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:19 a.m. – 11:19 a.m.)

MOTION BY ZUCCHET TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-S500: The Bishop's School.

Matter of approving, conditionally approving, modifying or deny an application to allow the removal of surrounding buildings and construction and expansion of school facilities throughout the school campus. The proposed expansion will demolish nine existing buildings located at 7560-7564, and 7568-7570 Draper Avenue and 7536-7540, and 7545 Cuvier Street, and construction of a new two-story Science Building to total 19,807 square-feet of gross floor area, a two-story Arts & Athletics Building to total 20,000 square-feet, a two-story Library Building to total 20,000 square-feet, subterranean parking garage with artificial turf field over the garage, expansion of the existing swimming pool, and relocation of the existing tennis courts, on a 9.96 acre property. The existing school facilities total 177,650 square feet in gross floor area, with the proposed expansion the new total would be approximately 313,916 square feet of gross floor area. The proposed expansion also includes an increase to the student enrollment from 660 to 725 total students. The proposed Public Right-Of-Way Vacation is for a 75 foot long portion of Cuvier Street east of school site and a

225 foot long segment of the alley between Cuvier Street and Draper Avenue. The Easements to be Abandoned and Dedicated involves a number of storm drain, sewer, and public utility easements within the project site. The project site is located at 7607 La Jolla Boulevard, within Zone 5 (Multifamily Residential) and Zone 6 (Cultural) of the La Jolla Planned District, Coastal Overlay Zone, Coastal Height Limitation Overlay Zone, Beach Parking Impact Overlay Zone and within the La Jolla Community Planning Area.

(See City Manager Report CMR-04-059. CDP No. 10728/SDP No. 10727/SUP No. 10729/PDP No. 80680/Amendment to SDP and CDP No. 41-0217/Public R-O-W Vacation No. 10730/Easement Dedication and Abandonment No. 10731/PTS No. 6162. La Jolla Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

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

Subitem-A: (R-2004-980) ADOPTED AS RESOLUTION R-298992

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 6162 on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said 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 the Council in connection with the approval of a coastal development permit, site development permit, special use permit, and planned development permit for the Bishop's School project;

Approving the Mitigated Negative Declaration and 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 Supervisor for the County of San Diego for this project.

Subitem-B: (R-2004-1008) GRANTED PERMIT, ADOPTED AS RESOLUTION R-298993

Adoption of a Resolution granting or denying Coastal Development Permit No. 10728/Site Development Permit No. 10727/Special Use Permit No. 10729/Planned Development Permit No. 80680/Amendment to Site Development Permit and Coastal Development Permit No. 41-0217, with appropriate findings to support Council action.

Subitem-C: (R-2004-981Cor.Copy) ADOPTED AS RESOLUTION R-298994

Adoption of a Resolution approving Parcel Map W.O. 422165.

OTHER RECOMMENDATIONS:

Planning Commission on March 4, 2004, voted 6 – 0 to approve; no opposition.

Ayes: Steele, Ontai, Schultz, Brown, Chase, Garcia
Not present: Lettieri

The La Jolla Community Planning Association, on October 3, 2003, voted 13-0-1, to recommend approval of the proposed project with one condition.

CITY MANAGER SUPPORTING INFORMATION:

Project Description—The project proposes to demolish nine, currently off-site, existing buildings located adjacent to the project's south and southeast sides, along Draper Avenue and at the northern terminus of Cuvier Street. These parcels are then proposed to be incorporated into the existing 9.96 acre school project area. The expansion and construction for the school facility would be phased to include a two-story science building to total approximately 19,807 square feet, a subterranean parking garage, artificial turf athletic field over the subterranean garage, public right-of-way vacations, and expansion of the existing swimming pool. Subsequent development phases include construction of a two-story Arts & Athletics Building to total approximately 20,000 square feet, a two-story Library Building to total approximately 20,000 square feet, and relocation of the tennis courts further north along Draper Avenue. The proposed expansion of the school facility would increase the project area from 9.96 acres to 11.1 acres, the total building square footage would be increased from 177,650 to 313,916, the total provided off-street parking spaces would be increased from 164 to 257, and the student enrollment would be increased from 660 to 725.

The proposed building elevations of the science building, arts and athletic building, and the library building indicate the use of stucco and plaster, trellis columns, and vinyl clad windows with color matching the existing buildings on campus. The overall architectural theme of the

three new buildings is designed to be architecturally sympathetic to the original campus architecture and was reviewed by the City's Historic Resources Board Staff.

Proposed grading would consist of 60,500 cubic yards of cut and 1,500 cubic yards of fill for a maximum depth of cut of 25 feet. Approximately 59,000 cubic yards of material will be exported offsite.

The proposed Public Right-Of-Way Vacation is for a 75 foot long portion of Cuvier Street east of school site and a 225 foot long segment of the alley between Cuvier Street and Draper Avenue. A new alley is proposed bordering the southern property line of the campus. The Easements to Abandoned and Dedicated involves a number of storm drain, sewer, and public utility easements within the project site.

FISCAL IMPACT:

None. All cost associated with the processing of the project are paid from a deposit account maintained by the applicant.

Ewell/Christiansen/GRG

LEGAL DESCRIPTION:

The 9.96 acre project is located at 7607 La Jolla Boulevard, within Zone 5 (Multifamily Residential) and Zone 6 (Cultural) of the La Jolla Planned District, Coastal Overlay Zone, Beach Parking Impact Zone and the La Jolla Community Planning Area and is more particularly described as Lots 1 through 10 inclusive, 12, 13, 36, 37, and 41 through 46 inclusive, in block 12 of La Jolla Park; Lots 1, and 25 through 37 inclusive, in block 13 of La Jolla Park; Lots 1 through 24 inclusive, in block 18 of La Jolla Park; and Lots 3 through 20 inclusive, in block 19 of La Jolla Park, in the City of San Diego, County of San Diego, Parcel Map No. 352.

FILE LOCATION: LUP – Bishop's School, 03/23/04 (65)

COUNCIL ACTION: (Time duration: 11:36 a.m. – 11:58 a.m.)

Testimony in favor by Christopher Neils, Steven Douglass, and Annie Chen.

MOTION BY PETERS TO ADOPT THE RESOLUTIONS IN SUBITEMS A AND C AND ADOPT THE RESOLUTION IN SUBITEM B TO GRANT THE PERMIT.

Second by Frye. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

