

DATE ISSUED: July 18, 2001

REPORT NO.: 01-136

ATTENTION: Honorable Mayor and City Council  
Docket of July 24, 2001

SUBJECT: Point Loma Branch Library - Condemnation

### SUMMARY

Issue - Should the City Council authorize a condemnation action seeking an Order of Prejudgement Possession and requisite use of funds to acquire property necessary for the expansion of the Point Loma Library site?

Manager's Recommendation - Authorize the condemnation action, and associated use of funds to obtain the necessary property rights.

Other Recommendations - None.

Fiscal Impact - The estimated costs of condemnation include: value of the property to be acquired (including furniture, fixtures, and equipment): \$515,000; appraisal, relocation, estimated contingencies and litigation expenses: \$135,000; total: \$650,000. Funds for the acquisition, litigation expenses, appraisal, and relocation are available from CIP No. 35- 067.0 (Point Loma Branch Library).

### BACKGROUND

This project provides for the construction of a new library facility to replace the existing, deteriorated Point Loma Branch Library facility, which is inadequate to meet the current and growing needs of the communities it serves. This action would require the acquisition of additional property located at 3755 Voltaire Street, San Diego, adjacent to two vacant, City-owned parcels, which would also be used for the proposed library project. No other property would need to be acquired for this proposed project, as the remaining parcels are already City-owned. Built in 1959, the existing 4,894-square-foot Point Loma Branch Library, located within the North Bay Redevelopment Project area in the Voltaire Corridor at 2130 poinsettia Drive, is outdated and too small to adequately meet the current and growing needs of the communities it serves. Indeed, it is documented as a deteriorated structure in the Report to City Council, North Bay Redevelopment Project, approved in 1998. Based on visitor statistics for the recently completed Weingart/City Heights Branch Library (located within the City Heights Redevelopment Project), the estimated annual patronage at the Point Loma Library will increase from 171,000 to 395,000,

resulting in an approximate total increase of 224,000 visits. The existing library facility does not have the capability to accommodate this vast increase in annual patronage. In addition, its air-conditioning and major systems are old and not energy efficient. The facility also does not meet with the American with Disabilities Act (ADA) code requirements. Furthermore, based upon library building size and design standards provided by the City of San Diego Library Department, the current facility provides only 0.13 square feet per capita which is far below the recommended American Library Association Standard for Small Libraries of 0.60 square feet per capita.

The proposed Library Project will provide a new 25,980-square-foot library to meet both the current and growing needs of the North Bay Redevelopment Project area and the immediate neighborhood. It will also assist in the elimination of several blighting conditions within the North Bay Redevelopment Project area and assist in the revitalization of the Voltaire Corridor. In particular, the proposed Library Project will eliminate existing structures of substandard design and capacity and increase the size and capacity of the building to exceed the recommended standard. The proposed Library Project will also create additional parking, add conference rooms and facilities, as well as computer lab facilities and other library resources in a setting that will effectively accommodate their use such as a 150-seat community room which will serve as a multi-purpose room available for both day and evening events. In addition, the proposed Library Project will add landscaping and a small playground park that will aesthetically benefit and enhance the Redevelopment Project area and its immediate neighborhood. In short, the proposed Library Project will create and serve as a key destination in the Voltaire Corridor, bringing additional library users and potential business customers into the area.

An offer for the required property rights has been made to the owner. That offer was not accepted. Since the original offer was rejected, the City has continued to negotiate with the property owner without success. Although negotiations will continue, condemnation is requested to ensure that the property can be acquired and construction can begin in a timely manner.

## **DISCUSSION**

Eminent Domain law requires that any person subject to condemnation proceedings be given the opportunity to speak and be heard regarding the following questions to which the Council must address itself:

### **1. Does the public interest and necessity require the proposed project?**

Yes, the public interest and necessity require the proposed Point Loma Library Project. The existing 4,894-square-foot Point Loma Branch Library facility built in 1959 is substandard and inadequate to meet the current and expanding needs of the Point Loma and Midway communities. The facility is deteriorated as its major systems are old and not energy efficient. It also lacks air-conditioning and does not meet with the ADA code requirements. With the projected growth in annual patronage of 224,000 visits, the existing facility is much too small to meet the current and growing needs of its community. Indeed, as it currently stands, based upon library building size and design standards provided by the City of San Diego Library Department, the current facility provides only 0.13 square feet per capita which is far below the

recommended American Library Association Standard for Small Libraries of 0.60 square feet per capita.

The proposed Library Project is necessary to ensure public safety by requiring that the new facility is built to meet or exceed all of the current code standards. It will also be built so that it is large enough to meet the current and growing demands of the community. By eliminating structures of substandard design and capacity, adding needed services and space, improving landscaping as well as creating additional parking and a small playground park, the proposed Library Project will assist in the elimination of blight and promote revitalization of the North Bay Redevelopment Project area, particularly the Voltaire Corridor where businesses have struggled.

**2. Is the proposed project planned or located in the manner that will be most compatible with the greatest public good and the least private injury?**

Yes, the proposed Library Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury. Condemnation of the property for the Project is consistent with the Five-Year Implementation Plan for the North Bay Redevelopment Project area adopted by the Redevelopment Agency on May 4, 1998, and as amended on March 6, 2001, in that it will “improve, promote and preserve the positive neighborhood characteristics in North Bay, while correcting physical and economic deficiencies in the community.”

It will also assist in meeting the goal and objective stated in the Implementation Plan to “improve and attract the growth and vitality of the proposed Redevelopment Project Area’s business environment and address the commercial, service, and employment needs of the proposed Redevelopment Project Area” by providing computer facilities to individuals seeking training, employment, or business information, by providing meeting and event facilities, and by attracting additional consumers to the Voltaire Corridor. An additional goal and objective of the Implementation Plan which the proposed Library Project will assist with is to “enhance infrastructure facilities which improve the community and support public safety, health, and local vitality.”

Among the public benefits of the proposed Library Project are the provision of a formal education and support center for children, a special young adult learning center for independent and tutorial studies, a “Door to Learning Program” for preschoolers, a reading library, a computer lab with internet accessibility for the public, audiovisual facilities, as well as small and large community conference rooms available for public or private use. The proposed Library Project will also benefit the public by ensuring that the library facility meets or exceeds the applicable code standards, adding needed parking spaces and landscaping as well as creating a small playground area. It also contemplates the expansion of special collections including investment materials for small businesses, foreign language materials, and resources relating to Point Loma’s history and nautical history.

Private injury is minimized because the Project only requires the property of one owner as the

City already owns the remaining parcels necessary to complete the Project and these parcels remain vacant. In order to further minimize private injury, the City is obligated and committed to providing all applicable relocation benefits and assistance to the owner of the real property as well as the business tenants on the property, which include a car wash, coffee shop, florist, and a billboard.

**3. Is the property sought to be acquired necessary for the proposed project?**

Yes, the property sought to be acquired is necessary for the proposed project to provide the required lot area to accommodate the 25,980-square-foot proposed Library facility. The property sought to be acquired is also necessary because it is located immediately adjacent to two City-owned parcels which would also be used for construction of the proposed Library Project.

ALTERNATIVE

Do not condemn for the necessary property rights, and require that the project be delayed and/or redesigned.

Respectfully submitted,

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William T. Griffith  
Real Estate Assets Director

Approved: Bruce Herring  
Deputy City Manager

GRIFFITH/SLG