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RESOLUTION NUMBER R-
ADOPTED ON SEPTEMBER 23, 2003

WHEREAS, the City of San Diego, Engineering and Capital Projects Department, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit No. 8318 to relocate and construct a new Canine/SWAT Police Facility, and construct a new Central Police Vehicle Maintenance Facility, known as the Central Police Facility project, located at the corner of Home Avenue and Federal Boulevard, as known as 4002-4008 Federal Boulevard, and legally described as portions of the west half of Lot 20, Horton's Purchase of Ex-Mission Lands, Map No. 283; Lots 1-9, Block 35 of Marilou Park, Map 517; portions of Blocks 40 and 41, Marilou Park, Map 517; Lots 15, 16 and 24-38, Block 32, Marilou Park, Map 517, in the Mid-City Communities Plan area, in the RS-1-7, RM-1-1 and OR-1-1 Zones, a portion of which is proposed to be rezoned from RS-1-7 to the OR-1-1 Zone; and

WHEREAS, on July 24, 2003, the Planning Commission of the City of San Diego considered Site Development Permit No. 8318, and pursuant to Resolution No. 3396-PC, voted to recommend City Council denial of the permit; and

WHEREAS, the matter was set for public hearing on September 23, 2003, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 8318:

Site Development Permit Findings - Municipal Code Section 126.0504

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard. The proposed vehicle maintenance facility would be constructed at the existing location of the Canine/SWAT facility which is designated for Park. The Canine/SWAT facility is proposed for a vacant portion of the site which is designated for Open Space uses. Both of these portions of the site and the land under the existing Police Pistol Range would be redesignated to Institutional. The redesignation is proposed to make the designation consistent with the existing and proposed public uses.

The proposed facility would be constructed to replace the Central Police Garage Facility at 12th Avenue and "K" Street, which has been designated as the site for the new main library. The construction of the new main library facility to replace the existing inadequate facility would implement the goals and objectives found in the Facilities and Safety Element of the Progress Guide and General Plan.

The designation of 6.0 acres of land as Open Space, located northeast of the existing shooting range, would implement the Open Space section of the Natural Resources and Cultural Element's goal of preserving hillside areas and areas of native vegetation, protecting biological, visual and topographic resources.

The proposed project would also enhance and restore the adjacent Auburn Creek Branch of Chollas Creek to implement the Natural and Cultural Resources Element's goals of improving and enhancing riparian habitat in Chollas Creek through the implementation of the Chollas Creek Enhancement Plan (CCEP). These efforts would include maintaining adequate setbacks from the creek, preserving indigenous plant species, removing non-native vegetation, planting riparian tree species, providing educational signage to teach citizens about the Creek's importance, as well as incorporating a thematic public arts component and implementing the design and development guidelines found in the CCEP.

The Mid-City Communities Plan places a strong emphasis on incorporating pedestrian orientation into new development projects where feasible. According to the Transportation Element of the Plan, the goal of providing adequate sidewalks and paths is necessary to support pedestrian circulation as a significant mode of

transportation. The proposed project accommodates this goal by providing new curb, gutter and sidewalk along Federal Boulevard where no public improvements currently exist. The provision of these public improvements should greatly increase pedestrian travel at this location as well as expand the sidewalk system along Federal Boulevard.

The Neighborhood Links section of the Urban Design Element recommends that improvements serve to reinforce Federal Boulevard as an enhanced pedestrian link between the neighborhoods of Fairmount Park and Ridgeview. As an enhanced link, the plan encourages the development of shade-producing street trees, pedestrian-oriented street lights along with enhanced crosswalks. The proposed project would incorporate new curb, gutter and sidewalks, along with street lighting, shade-producing street trees within the right-of-way and a newly painted crosswalk at the intersection of Home Avenue and Federal Boulevard.

The Civic Spaces and Buildings section of the Urban Design Element recommends clustering public facilities so they have greater use over time. The clustering of the Police Vehicle Facility, administrative offices, Canine and SWAT facilities from two locations into one will facilitate the construction of the new Main Library. Further, the Police and Public Safety section of the Public Facilities Element encourages maintaining a high level of police presence throughout the Mid-City community in order to create an atmosphere where residents and visitors are safe and can feel secure in their daily activities. The proposed project would retain and enhance the police presence at this location.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard.

The project proposes approximately 154 new parking spaces and the creation of new impervious surfaces which may result in potential water quality impacts to Chollas Creek, an already impaired water body. The proposed project is required to implement Best Management Practices (BMPs) in compliance with the City's Storm Water Regulations. As a result, the project would be designed to utilize appropriate post construction BMPs to ensure that runoff and storm flows being diverted to inlets are treated on site before being directed to the existing storm drain system along Federal Boulevard. In addition, BMP's are required during construction to reduce potential water quality impacts. The project would have certified and approved engineering drawings that identify appropriate pre and post construction BMPs to ensure compliance with the City's Stormwater Regulations.

The proposed project is the continuation of existing, and construction of new police facilities at this location. All proposed facilities, including the fueling station, would comply with Local, State and Federal standards of safety in the storage of any hazardous materials and for the operation of these facilities.

In addition, prior to the preconstruction meeting, the applicant would be required to provide verification, that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed work plan for the treatment and disposal of hazardous materials or contaminated soils that may be encountered within the project site. In addition, an archaeological monitoring program will be implemented in the event of a historic discovery during grading activities. Therefore, implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed Central Police Facility project would comply with the Environmentally Sensitive Lands Ordinance through obtaining this Site Development Permit, and through all mitigation required as a part of the Mitigated Negative Declaration that has been prepared for this project.

Public facilities are not required to comply with the zoning regulations however, with the exception of structure height, the proposed project does comply with the underlying RM-1-1 Zone. The structure height of the proposed Police Vehicle Maintenance Facility has been mitigated due to the slope of the site. The proposed structure is approximately 150 feet from the closest residential property which is approximately 27 feet higher than the subject area.

Supplemental Findings - Environmentally Sensitive Lands

4. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard. The majority of the project would be constructed on already disturbed land at the existing Canine/SWAT facility location. Approximately two-acres of vacant land that contains environmentally sensitive

lands would be impacted. This area is generally flatter than the remaining vacant land on site.

The project proposes to redesignate 6.0 acres of Multi-Family Residential to Open Space and rezone the acreage from RS-1-7 to OR-1-1. The area of redesignation has steep sloping terrain and environmentally sensitive lands which would minimize any development potential in the future. A Conservation Easement would also be placed on the 6.0 acres. The redesignation, rezoning, and Conservation Easement of this area would preserve the land and resources from development.

5. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed Central Police Facility project will be constructed mostly on previously impacted portions of the site. The proposed Canine/SWAT facility would be located close to Federal Boulevard on a flatter area of vacant land.

The proposed project site is located on gently to moderately sloping terrain that descends from the south. Elevation ranges across the project site from a low of 100 feet above mean sea level (AMSL) to a high of approximately 200 feet AMSL. Geologic units encountered included fill, topsoil, alluvium, and the San Diego Formation. The project site is considered to be located in a seismically active area.

The geotechnical investigation identified several potentially active faults on the eastern portion of the site. However, the likelihood of these faults having potential for ground surface rupture due to faulting on the site is considered low. Habitable structures associated with the proposed project would be set back greater than 200 feet from these on-site faults, which is a considerably greater distance than the standard recommended setback of 50 feet for active faults. The geotechnical investigations concluded that no landslides or indications of deep-seated landsliding are present on-site. However, on-site soils are considered unstable. In order to reduce potential impacts from lateral spreading, subsidence, liquefaction or collapse, the proposed project would be required to implement remedial measures defined by the geologic investigation and incorporated into the approved construction documents. Because the majority of the proposed project would be constructed in areas that are currently developed, and no geologic impacts would result, mitigation is not required.

6. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site. The proposed vehicle maintenance facility falls within the existing footprint of the existing Canine and SWAT training facility area. Therefore, there would be no impact on the surrounding slopes. The existing police pistol range would not be impacted as part of this project and the slopes adjacent to the range would not be impacted. The relocation of the Canine and SWAT facilities to the eastern portion of the site would be sited at the base of the slope to minimize the impact to the slopes. Approximately 40,000 square feet of land to the north of the Canine and SWAT facility would be graded and turfed for use as the Canine training field. The residual 9.35 acres to the north of the training field would remain undisturbed.

The proposed project has the potential to impact biological resources. A biological survey was required which evaluated potential project related impacts and to provide measures necessary to mitigate those impacts to below a level of significance. Sensitive species were observed inside the project area and mitigation is required per the Mitigation, Monitoring and Reporting Program. A focused survey also revealed that at least two pairs of coastal California gnatcatcher, a federally listed threatened species, occur immediately outside of the project footprint and up slope to the north. The certification of the Mitigated Negative Declaration and the implementation of the Mitigation, Monitoring and Reporting Program would require monitoring of these resources in addition to the proposed mitigation of preservation of habitat through the redesignation and rezoning of 6.0 acres of the project site.

7. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The proposed Central Police Facility project is not located within the Multiple Habitat Planning Area and therefore is not required to be consistent with the Multiple Species Conservation Program Subarea Plan. The certification of the Mitigated Negative Declaration and the implementation of the Mitigation, Monitoring and Reporting Program would require monitoring of resources in addition to the proposed mitigation of preservation of habitat through the redesignation and rezoning of the north 6.0 acres of the project site.

8. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed Central Police Facility project is located approximately 2.5 miles from the San Diego Bay and is not near any public beach or local shoreline.

Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

9. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

A Mitigated Negative Declaration has been prepared for this project and a Mitigation, Monitoring and Reporting Program would be implemented to reduce potential impacts to biological resources, historical resources (archeology), human health/public safety/hazardous materials, paleontological resources, and water quality to a level below significance. All of the proposed mitigation is directly related to and appropriate for the proposed development.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is overruled, and Site Development Permit No. 8318 is granted to the City of San Diego, Engineering and Capital Projects Department, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By _____

Mary Jo Lanzafame

Deputy City Attorney

MJL/pv

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Reviewed by Jeannette Temple