

# CITY OF SAN DIEGO COUNCIL DOCKET



## COUNCIL PRESIDENT

**Sherri Lightner • First District**

## COUNCIL PRESIDENT PRO TEM

**Marti Emerald • Ninth District**

## COUNCILMEMBERS

**Lorie Zapf • Second District**  
**Todd Gloria • Third District**  
**Myrtle Cole • Fourth District**  
**Mark Kersey • Fifth District**  
**Chris Cate • Sixth District**  
**Scott Sherman • Seventh District**  
**David Alvarez • Eighth District**

**Andrea Tevlin**  
**Independent**  
**Budget Analyst**

**Jan Goldsmith**  
**City Attorney**

**Liz Maland**  
**City Clerk**

**Council Chambers, 12<sup>th</sup> Floor, City Administration Building**

**Monday, February 23, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, FEBRUARY 23, 2015, AT 2:00 PM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-200: One Paseo Project – Approvals for New Mixed-Use Development of multi-family residential, commercial retail/commercial office at Del Mar Heights Road and El Camino Real, including Certification of an Environmental Impact Report. (Carmel Valley Community Plan Area. District 1.)

**ITEM DESCRIPTION:**

The 23.6-acre parcel is located south of Del Mar Heights Road between El Camino Real and High Bluff Drive. The project proposes a mixed-use development of approximately 1,454,000 square feet of commercial retail, commercial office, a cinema and 608 multi-family residential units and is requesting a Rezone from the Carmel Valley Planned District (CVPD)-EC Zone to a newly created CVPD-MC (Mixed-Use Center) Zone, Amendments to the General Plan/Community Plan, the Municipal Code and Precise Plan, a Vesting Tentative Map (including public right-of-way and easement vacations), a Site Development Permit, a Conditional Use Permit and a Neighborhood Development Permit, and certification of an Environmental Impact Report, including a Water Supply Assessment.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions in Subitems A, B, E, and F and introduce the ordinances in Subitems C and D:

Subitem-A: (R-2014-343)

Adoption of a Resolution certifying Environmental Impact Report No. 193036, including a Water Supply Assessment, adopting findings and a Statement of Overriding Considerations, and adopting the Mitigation, Monitoring, and Reporting Program for One Paseo, Project No. 193036;

Certifying that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 the City Council in connection with the approval of the Project;

Adopting the Findings made with respect to the Project pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, which are attached hereto as Exhibit A;

Adopting the Statement of Overriding Considerations with respect to the Project, pursuant to State CEQA Guidelines Section 15093, which is attached hereto as Exhibit B;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, pursuant to CEQA Section 21081.6, which is attached hereto as Exhibit C;

Certifying that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project after final passage of the ordinance rezoning the site from the existing Carmel Valley Planned District Employment Center (CVPD-EC) Zone to the Carmel Valley Planned District-Mixed-Use Center (CVPD-MC). The CVPD-MC is a newly created zone within the Carmel Valley Planned District pursuant to Section 153.0311.

**NOTE:** This Subitem is not subject to the Mayor's veto.

Subitem-B: (R-2015-342)

Adoption of a Resolution adopting the amendments to the General Plan, the Carmel Valley Community Plan, and the Precise Plan, a copy of which amendments is on file in the Office of the City Clerk.

**NOTE:** This Subitem is not subject to the Mayor's veto.

Subitem-C: (O-2015-66 Cor. Copy)

Introduction of an Ordinance changing 28 acres located south of Del Mar Heights Road between El Camino Real and High Bluff Drive, within the Carmel Valley Community Plan Area, in the City of San Diego, California, from the Carmel Valley Planned District Employment Center (CVPD-EC) Zone to the Carmel Valley Planned District Mixed-Use Center (CVPD-MC) Zone, as defined by San Diego Municipal Code Section 153.0311 and repealing Ordinance Nos. O-15634 NS and O-16074 NS insofar as the same conflict herewith.

**NOTE:** This Subitem is not subject to the Mayor's veto.

Subitem-D: (O-2015-44)

Introduction of an Ordinance amending Chapter 15, Article 3, Division 3 of the San Diego Municipal Code by amending Section 153.0311 to add a Mixed-Use Center Zone and renumbering previous Sections 153.0311, 153.0312, 153.0313, 153.0314, and 153.0315, relating to the Carmel Valley Planned District Ordinance.

**NOTE:** This Subitem is not subject to the Mayor's veto.

Subitem-E: (R-2014-345 Cor. Copy)

Adoption of a Resolution vacating the following public right-of-way and public service easement, located within the Project boundaries as shown on Tentative Map No. 714401, pursuant to California Government Code Section 66434 (g), contingent upon the recordation of the approved final map for the Project:

- Del Mar Heights Place dedicated per Parcel Map No. 15061
- 20-foot wide Water Easement granted per Parcel Map No. 15061

Adopting the findings with respect to Vesting Tentative Map No. 714401, which are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference;

Vacating Del Mar Heights Place and an easement for a 12-inch public water main to connect with an existing 16-inch water main within El Camino Real located within the Project boundaries as shown in Vesting Tentative Map No. 714401, contingent upon the recordation of the approved Final Map for the Project, and that the findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Granting Vesting Tentative Map No. 714401, Public Right-of-Way Vacation, and Easement Vacation, based on the findings hereinbefore adopted by the City Council, to Kilroy Realty Corporation subject to the attached conditions which are made a part of this Resolution by this reference.

**NOTE:** This Subitem is not subject to the Mayor's veto.

Subitem-F: (R-2015-344 Cor. Copy)

Adoption of a Resolution adopting findings with respect to Site Development Permit No. 714398, Conditional Use Permit No. 977693, and Neighborhood Development Permit No. 1124983, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Site Development Permit No. 714398, Conditional Use Permit No. 977693, and Neighborhood Development Permit No. 1124983, to Kilroy Realty Corporation, Owner/Permittee, under the terms and conditions set forth in the attached permit, which is made a part of this Resolution.

**NOTE:** This Subitem is not subject to the Mayor's veto.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Project processing costs are paid by the applicant through a deposit account.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Vacchi/Graham/rm

Primary Contact\Phone: Renee Mezo\619-446-5001, MS 501

Secondary Contact\Phone: Mike Westlake\619-446-5220, MS 501

City Attorney Contact: Halsey, Keely

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Comment is taken toward the end of the Monday afternoon Council session.

**CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT**

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Mondays, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

**NOTE:** Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the Closed Session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

**Information Item - No Action Required - The City Council shall:**

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Allow for questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in Closed Session; 4) Refer matters discussed to Closed Session.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: **Notice** of Pending Final Map Approval - Louis V Row Homes.

Notice is hereby given that the City Land Surveyor has reviewed and will approve on the date of this City Council meeting that certain Final Map entitled "Louis V Row Homes" (Resolution No. R-4637-PC and T.M. No. 1303768/PTS No. 368915) located at 4106-4114 Louisiana Street in the MR-1250B Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan Area, and legally described as Portions of Lots 27 and 28, Block 146 of University Heights, according to Amended Map made by G. A. D'Hemecourt filed in the County Recorder of San Diego County in book 8, page 36 et. seq. of lis pendens, O.R., a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Land Surveyor has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Land Surveyor to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Land Surveyor was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Fred LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT