



# REPORT

## THE CITY OF SAN DIEGO TO THE PARK AND RECREATION BOARD

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DATE ISSUED: May 8, 2015 REPORT NO: 102

ATTENTION: Park and Recreation Board  
Agenda of May 21, 2015

SUBJECT: Municipal Code Updates Regarding Alcohol Bans and Park Curfews in  
Certain Downtown Parks – East Village and Cortez Neighborhoods of the  
Downtown Community Plan Area

### SUMMARY

Issue – Should the Park and Recreation Board recommend that the City Council adopt an ordinance as follows:

- Amend Section 56.54(b), titled “Alcoholic Beverage Consumption Prohibited in Certain Areas” and Appendix 56.54A (“24 Hour Ban”) to include the following parks:
  - Fault Line Park
  - Cortez Hill Park (a.k.a. “Tweet Street Park”)
- Amend Section 63.0120(a), titled “Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge” to add the midnight to 6:00 a.m. curfew to include:
  - Fault Line Park
  - Cortez Hill Park

Director’s Recommendation – Recommend approval of the proposed ordinance amendments.

Other Recommendations – The following groups have reviewed and considered the proposed project. A summary of their actions taken and/or recommendations made by these groups are listed below.

- Cortez Hill Active Residents Group
  - Discussed the items at their April 11, 2015 meeting with approximately 50 members in attendance; no objections received
  - A letter of support is provided as Attachment C
- Downtown Community Planning Council
  - Voted 19-0 in favor of the recommended action at their meeting on April 15, 2015
  - Final Draft minutes of their meeting are provided as Attachment D
- Community Parks I Area Committee
  - Voted 9-0 to support staff’s recommendation on May 6, 2015

- Minutes of the Area Committee meeting were not available by the date required to submit this report to the Park Board for consideration. There was little discussion on this item with unanimous support received from the CP-1 Area Committee. As the park opening is currently scheduled for August 2015, and the municipal code modification is desired to be accomplished in conjunction with that opening, staff requests that the Park & Recreation Board take action to allow the modification to be presented to the City Council for their consideration.
- East Village Association
  - Voted in favor to support staff's recommendation with the modification that the curfew for Fault Line Park be from 10:00 p.m. to 6:00 a.m. for a one-year trial because of a concern that the heavy homeless population in the immediate area was cause for a longer curfew initially, until the neighborhood contained more residents (multiple projects are in construction at this time).

Fiscal Impact – Minimal cost for new/additional signage.

Water and Energy Conservation Status – The proposed ordinance amendments comply with all water and energy conservation guidelines contained in Council Policy 200-14.

Environmental – This activity is not a “Project” for purposes of the California Environmental Quality Act (CEQA) because it does not fit within the definition of a “Project” set forth in Public Resources Code Section 21065 or State CEQA Guidelines Section 15378. The proposed ordinance would establish a curfew and the prohibition of alcoholic beverages within an existing park and a park currently under construction and does not have the potential to result in a direct or reasonably indirect physical change in the environment. Therefore, this activity is not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

## BACKGROUND

Public parks are intended for the enjoyment of the general public including families with children. In an effort to curtail criminal activity, noise, violence, and dangerous, aggressive and offensive conduct related to the excessive use and abuse of alcohol, the City of San Diego (“City”) established a 24-hour ban at a number of its parks. It has been the experience of the City that the prohibition of alcohol in City parks results in a decrease in violence and undesirable behavior. Existing Downtown parks where the 24-hour alcohol ban is in effect include, Amici Park (listed as “Washington Elementary School/Park” although this park is no longer under the City’s inventory), Children’s Park, Children’s Museum Park, Gaslamp Square Park, and Pantoja Park.

In the mid- to late-1990s, a nighttime curfew was established in Downtown parks amid concerns of transient activities in the recently-opened Gaslamp Square Park and the new Children’s Park under construction. Centre City Development Corporation (now Civic San Diego) staff met with

representatives from the Police Department, Park & Recreation Department and the City Attorney's office to discuss a number of actions to help make those parks available to all San Diegans, without intimidation by the concentration of transients in defined urban spaces.

Among the actions discussed was a curfew for not only Gaslamp Square Park and Children's Park, but for Pantoja Park and Amici Park as well. All parties agreed to proceed with establishing a curfew and on November 12, 1996, the City Council adopted Ordinance O-18357 establishing a midnight to 6:00 a.m. curfew for those four parks.

### DISCUSSION

CivicSD staff, after discussions with City Park and Recreation staff, is proposing to extend the alcohol ban and curfew to Downtown's two newest parks – Fault Line Park and Cortez Hill Park.

Fault Line Park – A soon-to-be-completed 1.29-acre park located in East Village, this park is being constructed as part of an Owner Participation Agreement (OPA) and three subsequent Implementation Agreements between the Former Redevelopment Agency and Pinnacle International Development, Inc. ("Developer"), a California corporation (Developer's predecessor-in-interest). The OPA provides for the Developer to construct a neighborhood public park and private development on the 120,000-square-foot "super block" bounded by Island Avenue and 14th, 15th, and J streets. Anticipated completion of park improvements is in the spring of 2015 with park opening planned for the summer of 2015.

The park will lie within a perpetual park easement, as well as over a portion of the private development's subterranean parking garage constructed as part of the first phase of the Developer's mixed-use residential project. The park is located on the western half of the super block and includes large turf areas, a playground and tot lot, boulders and rolling topography, shade trees and trellises, benches and seat walls, intimate garden areas, public art, and joint-use public restrooms in an adjacent corner commercial structure, currently home to Stella Public House and Halcyon restaurants. The Developer, along with its successors, is obligated to maintain the completed public park and joint-use public restrooms in perpetuity through a Park Maintenance Agreement with the City.

Cortez Hill Park – Opened in 2008, Cortez Hill Park is located along the north side of Date Street between 7<sup>th</sup> Avenue and 10<sup>th</sup> Avenue and along the east side of 10<sup>th</sup> Avenue between Date Street and Beech Street. It is a narrow, 1.68-acre linear park and contains curved walking paths, a play area for small children, benches, pedestrian-scaled lights, litter receptacles and pet rest area facilities. Trees, shrubs and groundcovers were included in the park design, as well as a small portion of lawn near the play area. The park is often referred to as "Tweet Street" as it features a bird-oriented theme.

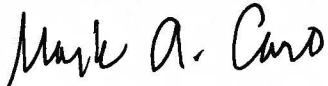
The purpose of these amendments is to allow Fault Line Park and Cortez Hill Park to be in-line with other downtown parks with regard to alcohol usage and hours of operation. The ban on alcohol minimizes potential raucous behavior and provides for a safer environment for general public use. The 24-hour alcohol ban is currently effectuated in existing Downtown parks, with

the exception of Cortez Hill Park. Alcohol consumption in these parks would still be allowed through the issuance of a special event permit from the City. Concern over homelessness and illegal activities in parks had caused the implementation of a midnight to 6:00 a.m. curfew on existing parks. The curfew provides a means for the Police Department to be able to clear out the parks in the late hours to minimize the parks' use for criminal or unsanitary activities and further emphasizes the prohibition of overnight camping.

ALTERNATIVES

1. Recommend approval of the proposed alcohol ban and curfew with modifications.
2. Do not amend San Diego Municipal Code Section 56.54(b) and Appendix 56.54A or Section 63.0120(a).

Respectfully submitted,



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Mark Caro  
Senior Planner / Landscape Architect



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Brad Richter  
Assistant Vice President, Planning

- Attachments: A – SDMC Section 56.54(b) and Appendix 56.54A  
B – SDMC Section 63.0120(a)  
C – CHARG Letter of Support – Dated April 29, 2015  
D – Final Draft Minutes from DCPC – Dated April 15, 2015  
E – Future Fault Line Park Images  
F – Cortez Hill Park Images

- (b) Definitions. Whenever in this section the word “nude” is used, it shall mean devoid of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person, or any portion of the breast at or below the areola thereof of any female person.

Whenever in this section the term “public right of way” is used, it shall mean any place of any nature which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, square, and any other similar public way.

- (c) Nudity Prohibited. No person over the age of ten years shall be nude and exposed to public view in or on any public right of way, public park, public beach or waters adjacent thereto, or other public land, or in or on any private property open to public view from any public right of way, public beach, public park, or other public land.
- (d) The provisions of this section shall not apply to live theatrical performances performed in a theater, concert hall, or other similar establishment located on public land. As used in this section, theater, concert hall or similar establishment means a building, playhouse, room, hall or other enclosed place not open to public view from any public right of way but having a stage upon which movable scenery is located and theatrical, vaudeville or similar performances are given and seats so arranged that a body of spectators can have an unobstructed view of the stage and whose primary function is to give such performances.

(Amended 11-19-1979 by O-15083 N.S.)

**§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas**

- (a) Definitions. For purposes of sections 56.54, 56.55, and 56.56, the following terms are defined as follows:

“*Alcoholic beverage*” has the same meaning as that set forth in California Business and Professions Code section 23004.

“*Bather*” has the same meaning as that set forth in California Harbor and Navigation Code section 651.1.

“*Beach*” means the sand or land area bordering the water of an ocean or bay.

“*Marine league*” means three nautical miles.

“*Public park*” means any property designated, dedicated or developed by or on behalf of the City of San Diego for park or open space use.

“*Seawall*” means any wall between the beach and the boardwalk.

“*Sidewalk cafe*” has the same meaning as that set forth in San Diego Municipal Code section 141.0621.

“*Vessel*” has the same meaning as set forth in California Harbor and Navigation Code section 651(aa).

- (b) Unless the City Manager or designee has issued a special event permit, or unless otherwise permitted by section 56.54, it is unlawful for any person to consume any *alcoholic beverage* at any time, upon any public property, not including *public parks* and *beaches* except as specifically listed in Appendix 56.54A, and public rights-of-way, including but not limited to public streets, parking lots, sidewalks, alleys, plazas, piers, including on or against *seawalls*, and including all sidewalks along the outer perimeters of such areas.
- (c) 12 Hour Ban  
It is unlawful to consume alcohol in the areas listed in Appendix 56.54B between 8:00 p.m. and 8:00 a.m., unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54.
- (d) 16 Hour Ban  
It is unlawful to consume alcohol in the areas listed in Appendix 56.54C between 8:00 p.m. and Noon, unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54.
- (e) Section 56.54 does not prohibit:
  - (1) any person from consuming *alcoholic beverages* within the defined boundaries of a *sidewalk cafe* located on the public right-of-way, or on property leased from the City.
  - (2) any business from lawfully selling or dispensing *alcoholic beverages* in accordance with the requirements of local and state law.
- (f) Notwithstanding any other provision of section 56.54 and its appendices, and except as provided in section 56.54(g), it is unlawful for any person to consume any *alcoholic beverage* at any time, upon all public *beaches*, including any sidewalks, boardwalks, alleys, plazas, piers, jetties, on or against *seawalls*, upon public rights-of-way at any *beach* or coastal bluff, and all coastal access, view point and bluff rights-of-way, and including the adjacent coastal *public parks* and areas listed below:

APPENDIX 56.54A  
**24 HOUR BAN**

Adams Community Park  
Adams Elementary School/Park  
Alcott Elementary School/Park  
Allen, Dennis V., Neighborhood Park  
Azalea Community Park

Balboa Park areas not included in Section 56.54(d) [Appendix 56.54C]  
Bay Terraces Neighborhood Park  
Bay Terraces Junior High School/Park  
Berry Neighborhood Park

Birdland Neighborhood Park (Fletcher Elementary School/Park)  
Bird Rock Elementary School/Park  
Birney Elementary School/Park  
Black Mountain Middle School/Park  
Boone Neighborhood Park

Cabrillo Elementary School/Park  
Cabrillo Mini-Park  
Cabrillo Recreation Center  
Cadman Community Park  
Cadman Elementary School/Park  
Calumet Park

Cedar Ridge Mini-Park  
Central Mini-Park  
Charlotte Park  
Chicano Neighborhood Park  
Children's Park & Pond  
Chollas Canyon Park  
Chollas Lake Community Park

City Heights Community Park  
City Heights Mini-Park  
Clay Elementary School/Park  
Clay Mini-Park  
Clay Neighborhood Park  
Cliffridge Athletic Area  
Colina del Sol Community Park

Dailard Elementary School/Park  
Dana Center  
Doyle Community Park

East San Diego Adult Recreation Club  
Edison Elementary School/Park  
Emerald Hills Neighborhood Park  
Encanto Community Park

Famosa Slough and Channel  
Fanuel Street Park  
Field Elementary School/Park  
Forward Elementary School/Park  
Franklin Elementary School/Park

Gaslamp Square Park  
Golden Hill Community Park  
Gompers Neighborhood Park  
Grant Elementary School/Park  
Grant Hill Neighborhood Park

Hardy Elementary School/Park  
Henderson, Willie, Athletic Area  
Hermosa Park  
Hermosa Terrace Park  
Hollywood Neighborhood Park  
Hoover Senior High School/Park  
Horton Plaza Park  
Hourglass Community Park  
Howard Lane Neighborhood Park

“J” Street Mini- Park

Jerabek Neighborhood Park  
Juarez Elementary School/Park

Keiller Neighborhood Park  
Kellogg Park  
Kelly Neighborhood Park  
Kennedy, John F., Elementary School/Park  
Kennedy Neighborhood Park  
Kensington Neighborhood Park  
King, Martin Luther Community Park  
King, Martin Luther, Elementary School/Park



“L” Street Mini-Park (at 28th Street)  
La Jolla Athletic Area (Allen Field)  
La Jolla Community Park  
La Jolla Elementary School/Park  
La Jolla Senior High School/Park  
La Paz Mini- Park (undeveloped)

La Strand Park  
Laureate Park  
Laurel Street Mini-Park  
Lewis Middle School/Park  
Linda Vista Community Park  
Lindberg Neighborhood Park  
Lomita Neighborhood Park

Maddowell Neighborhood Park  
Marian Bear Memorial Park

Memorial Community Park  
Mesa Verde Neighborhood Park  
Mesa Viking Neighborhood Park  
Mid-City Athletic Area  
Mira Mesa Senior High School/Park

Mission Beach Park, including the Belmont Park public areas and parking lots

Mission Heights Neighborhood Park  
Mission Trails Regional Park  
Montclair Neighborhood Park  
Montgomery-Waller Community Park  
Mount Etna Neighborhood Park  
Mountain View Community Park

Nestor Neighborhood Park  
Nicholson’s Point Park  
North Clairemont Community Park  
North Mountain View Mini-Park  
North Park Community Park

Oak Neighborhood Park  
Ocean Beach Elementary School/Park  
Ocean Beach Park  
Ocean Boulevard Park (Pacific Beach Park)  
Old Trolley Barn Neighborhood Park

Pacific Beach Community Park  
Pacific Beach Middle School/Park  
Bob McEvoy Youth Fields (Mission Bay/Pacific Beach Youth Field)

Palisades Park North (undeveloped)  
Palisades Park South (Law Street)  
Palm Ridge Neighborhood Park  
Pantoja Mini-Park  
Paradise Hills Community Park

Park de la Cruz  
Parkside Neighborhood Park  
Penn Elementary School/Park (Athletic Area)  
Plumosa Neighborhood Park  
Point Loma Community Park  
Portola Middle School/Park  
Presidio Community Park

Rolando Mini-Park  
Rose Canyon Park

San Diego School of Creative and Performing Arts  
Santa Clara Point  
Santa Isabel Mini-Park  
San Ysidro Athletic Area (Larsen Field)  
San Ysidro Col. Irving Solomon Center  
San Ysidro Community Park

Scripps Park  
Serra Senior High School/Park  
Sessions, Kate O. Memorial Park  
Sherman Elementary School/Park  
Sherman Mini-Park  
Silverwing Neighborhood Park  
Skyline Community Park  
Skyview Neighborhood Park

South Bay Community Park  
(South) Clairemont Community Park  
South Mission Beach Park  
Southcrest Community Park  
Spreckels Elementary School/Park  
Standley Junior High School/Park  
Sunny Slope Neighborhood Park  
Sunset Cliffs Natural Park

Taylor Library Park  
Tecolote Canyon Natural Park  
Tierrasanta Elementary School/Park  
Torrey Pines City Park  
Tourmaline Surfing Park

Union Place Circle Park

Valencia Elementary School/Park  
Villa del Norte Mini-Park  
Vista Terrace Neighborhood Park

Wabash Mini-Park  
Walker Neighborhood Park  
Washington Elementary School/Park  
Western Hills Neighborhood Park  
Widman, Marie, Memorial Neighborhood Park (Little Encanto Park)  
Wilson Middle School/Park  
Windansea Park

30th Street Mini-Park  
32nd Street Mini-Park (north of Redwood)  
39<sup>th</sup> Street Mini-Park  
41st Street Mini-Park  
All parking lots in Mission Bay Park;

All parking lots on the Pacific Ocean between the southern boundary of Sunset Cliffs Natural Park and the southern boundary of Torrey Pines State Park;

The Peninsula of land known as “The Clam” including all areas west of Coast Walk and the La Jolla sea caves, and north of the public parking lots adjacent to 1325 Coast Boulevard which are accessible to pedestrians-

Crystal Pier and Ocean Beach Pier

*(Amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008)*

*(Amended 7-31-2009 by O-19892 N.S.; effective 8-30-2009.)*

*(Amended 6-21-2010 by O-19962 N.S.; effective 7-21-2010.)*

*(Amended 12-7-2010 by Emergency Ordinance O-20012 N.S.; effective 12-7-2010; replaced 1-18-2011 by O-20016 N.S.; effective 2-17-2011.)*

(11-2014)

**§63.0120 Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge**

- (a) It is unlawful for any person to be on the grounds of the following parks from midnight until 6:00 a.m.: Children’s Park, Gaslamp Square Park, Pantoja Park, Amici Park and the Children’s Museum Park.
- (b) It is unlawful for any person to be on the Spruce Street Pedestrian Bridge from 10:00 p.m. until 6:00 a.m.

*(Retitled from "Nighttime Curfew for Certain Downtown Public Parks" to "Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge" and amended 11-27-2000 by O-18891 N.S.)  
(Amended 7-31-2009 by O-19891 N.S.; effective 8-30-2009.)*

**§63.0130 Periodic Temporary Park Closures**

- (a) As used in Section 63.0130, *turf area* means: an area of grass, which may also include dirt or soil, maintained for recreation or recreational activities.
- (b) Subject to Section 63.0130(c), and in accordance with policies and procedures for *turf area* closures as adopted by the City Manager and as amended from time to time, the City Manager shall close for renovation and maintenance the *turf areas* of the upper field at Allied Gardens Community Park, the Lower Lewis Middle School joint-use area, and Skunk Hollow, for at least thirty consecutive days each between May 1<sup>st</sup> and August 31<sup>st</sup> of each year, which areas are more specifically shown on the map on file with the Office of the City Clerk of the City of San Diego as Document No. 00-19175. Closure of these *turf areas* shall be determined by the City Manager and shall be staggered so that only one *turf area* is closed at a time.
- (c) Any *turf area* subject to a joint-use agreement or lease shall be closed only if the closure is in compliance with the terms of that joint-use agreement or lease, and only with the consent of any other party to the joint-use agreement or lease.

*(Amended 5-6-2003 by O-19175 N.S.)*



4/29/2015

To: San Diego City Parks and Recreation Department Staff;

The Cortez Hill Active Residents Group ( CHARG ) Board of Directors is in full support to have Cortez Hill Park ( also known as Tweet Street Park ) added to the list of downtown parks that have a Midnight to 6a.m. curfew and prohibit alcohol. As our area has grown in recent years and with the addition of hundreds of new housing units that are under way, we would strongly urge the City Council to implement this designation. In recent years, with city service budgets stretched thin, the residents, neighborhood groups, and the wonderful staff members of Clean & Safe have largely been taking on the task of monitoring public behavior in our local parks. It is our hope that with proper signage and supervision we can keep our parks safe and enjoyable.

Thank you for your consideration.

Joyce Summer, President  
Cortez Hill Active Residents Group  
(CHARG)

# DOWNTOWN COMMUNITY PLANNING COUNCIL MINUTES OF THE MEETING OF APRIL 15, 2015.

**Call to Order:** Vice-Chair Pat Stark @ 5:20 pm

**Roll Call:** Secretary Lindsay King noted that 20 of 23 members were present, constituting a quorum.

**Members Present @ Call to Order (20):** Ball, Brewer, Carrigan, Cline, Escala, Ferentz, King, Lawson, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

**Late Arrival (1):** Bycer

**Members Absent (2):** Barnett, Blair

**Early Departure (0):** None

## 2. Approval of Minutes from the Meeting of March 18, 2015:

*Motion: Move to approve February 18, 2015 meeting minutes.*

|      | In Favor | Opposed | Abstain | Recuse |
|------|----------|---------|---------|--------|
| DCPC | 14       | 0       | 0       | 6      |

In Favor: Ball, Carrigan, Cline, Escala, King, Lorenzen, Peterson, Priver, Radke, Stark, Vinci, Ward, Weichelt, Wery

Recuse: Brewer, Ferentz, Lawson, Nauta, Orabone, Rosenbaum

## 3. Public Comments on Non-Agenda Items:

Alex Ward – Gaslamp.Org

- May 30<sup>th</sup> neighborhood cleanup.

## 4. Chairperson's Report & Elected Representatives' Comments:

Pat Stark – Vice Chair, DCPC

- Monthly CPC meetings are attending by representatives from DCPC.
- Discussions included AB504 and One Paseo.

## 5. Subcommittee Reports:

Kyle Peterson – Pre-Design

- Three projects were reviewed this month.
  - 15 & G Project
  - The first project from the Idea District
  - 520 West Ash

Monica Ball – Social Issues

- There was no meeting this month but we are in need of resources. There are 340+ people that need housing. In the last week, there were 2 deaths among the Homeless population, the need is urgent.

Pat Stark – Public Spaces

- East Village Green general plan update.

## Information

### **6. Public Utilities Department Customer Advocate Presentation:**

David Akin

- April 1, 2015 executive order by Governor for 25% Mandatory Water Reduction
- San Diego has the Waste No Water campaign. There are several water conservations programs available on the City's Website. [www.sandiego.gov/water](http://www.sandiego.gov/water)
- Reduction of watering in small and passive parks. Specific action is currently being reviewed.
- Report water waste – especially by the City via phone, email and app.
- Discussion: Power-washing will be closely regulated; more information will be coming soon. Caltrans recently installed a large amount of turf along the 163. The street trees & all City property will likely to be prioritized. This is a topic that could be reviewed by the Public Spaces subcommittee. Are there statistics on water-usage by neighborhood? The 25% Statewide water reduction will likely be closer to 20% in San Diego. We should be pro-actively reviewing projects that come before DCPC.

### **7. AB 504 Legislation:**

Pat Stark – Vice-Chair DCPC

- The letter Laura Garrett wrote on behalf of DCPC was submitted.
- Speakers from Atkins and Gomez's offices were invited to tonight's meeting.
- Atkins has not yet taken a position on this item.

### **8. DCPC Subcommittee Information & Sign Up:**

Pat Stark & Lindsay King – DCPC

- Members should sign up for 2-3 subcommittees. Subcommittee rosters will be voted for approval next month.

### **9. Project Updates:**

Brad Richter – Civic SD

- The first public workshop on East Village Green was held. The design team will take the information to develop 3 potential plans to be presented at the 2<sup>nd</sup> public workshop.
- AC Hotel & Ballpark Parcel C were approved by the Board.
- Ballpark Parcel C ground breaking ceremony on Friday (4/17).
- Atmosphere and 9<sup>th</sup> & Broadway affordable housing projects are scheduled to begin construction.

## Consent

### **10. Declaration of Seat Vacancies**

### **11. Alley Vacation**

|      | In Favor | Opposed | Abstain | Recuse |
|------|----------|---------|---------|--------|
| DCPC | 20       | 0       | 1       | 0      |

In Favor: Ball, Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lawson, Lorenzen, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

Abstain: Nauta

**Action**

**12. Officer Elections**

*Motion: To nominate Pat Stark for DCPC Chair.*

*1<sup>st</sup> Rosenbaum, 2<sup>nd</sup> Vinci*

*Motion: To nominate Kyle Peterson for DCPC Vice-Chair.*

*1<sup>st</sup> Escala, 2<sup>nd</sup> Vinci*

*Motion: To nominate Lindsay King for DCPC Secretary.*

*1<sup>st</sup> Radke, 2<sup>nd</sup> Wery*

|      | In Favor | Opposed | Abstain | Recuse |
|------|----------|---------|---------|--------|
| DCPC | 21       | 0       | 0       | 0      |

In Favor: Ball, Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lawson, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

**13. 15th & G (Northeast corner of 15th and G streets) – CCDP/ NUP/Variance No. 2014-70 – East Village – Lucy Contreras, Civic San Diego**

- Project Description: 10000 sf site, 3 to 5 story, mixed-use development, 28 apartments, 2,644 sf of commercial/retail space with 14 parking spaces.
- A project of this size is typically an administrative review but there is a variance and NUP.
- Applicant is requesting vehicular access on G street, due to fault line across site.
- Variance: The unbuildable portion of the site, due to the fault line, is not being considered in the FAR calculations. Parking on this site is extremely difficult due to fault-line and is trying to adhere to the Downtown PDO.
- Public Speakers (in favor): Rob Morgan, Jeff Svitak & Joshua Lichtman (applicant team) – marketed at students, design attempts to create a sense of community among residents, importance of light and fresh air, entire front façade is patios to create soft edge, commercial space can be opened to street. Gary Smith (neutral) – where will people go with their cars? Don't be swayed by student housing, these are market rate. Colin Parent, Circulate San Diego – we love this project because it incorporates Car-to-Go and public transit; millennial's are looking for housing and work opportunities that eliminate the need for a car. Marcela Escobar – this is the type of project our children are looking for, they have provided alternative transportation methods.
- Kyle Peterson, Predesign Subcommittee – The group was in support of the project. It is a unique offering in the community. The architecture is clean & simple. It was recommended to possibly include a security gate at the parking area.

*Motion: That DCPC recommend that the CivicSD Hearing Officer approve CCDP/NUP/Variance No. 2014-40.*

*1<sup>st</sup> Peterson, 2<sup>nd</sup> Vinci*

|      | In Favor | Opposed | Abstain | Recuse |
|------|----------|---------|---------|--------|
| DCPC | 21       | 0       | 0       | 0      |

In Favor: Ball, Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lawson, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

**14. Sixth Avenue Suites Hotel (East side of Sixth Avenue between Beech and Ash streets) – Design Review – CCDP/CCPDP No. 2014-06 – Cortez – Derek Hull, Civic San Diego**

- Project Description: Existing 2 story building to be demolished, 7500 sf site, 98 all-suite hotel rooms, 9 story building, parking agreement for 29 parking spaces, 6.56 FAR.
- The project was redesigned to include Civic SD and DCPC Predesign comments.
- Deviations: no off-street loading dock, project exceed height limit by 1'-6" due to solar panels.



- Discussion: The North elevation was revised to include windows to provide natural light. A good addition to the neighborhood. Solar seems like a good reason to make an exception.
- Public Comments (in favor): Gary Smith – The concerns have been addressed by the applicant.

*Motion: That DCPC recommend to the Civic San Diego Board to grant Design Review approval and approve CCDP/PDP No. 2014-06.*

*1<sup>st</sup> Escala, 2<sup>nd</sup> Radke*

|      | In Favor | Opposed | Abstain | Recuse |
|------|----------|---------|---------|--------|
| DCPC | 21       | 0       | 0       | 0      |

In Favor: Ball, Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lawson, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

**15. Municipal Code Updates Regarding Alcohol Bans and Park Curfews in Certain Downtown Parks –**

Brad Richter, Civic San Diego

- In the 1990’s curfews were introduced to parks along with an alcohol ban. Alcohol is only permitted by special use permit. We need to add Tweet Street & Fault Line Park to the existing list.
- Public Comments (neutral): Gary Smith

*Motion: DCPC recommends to Civic San Diego to make an amendment to the existing ordinance to include Tweet Street & Fault Line Park.*

*1<sup>st</sup> Ward, 2<sup>nd</sup> Brewer*

|      | In Favor | Opposed | Abstain | Not Present |
|------|----------|---------|---------|-------------|
| DCPC | 19       | 0       | 0       | 2           |

In Favor: Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Stark, Vinci, Ward, Weichelt, Wery

Not Present: Lawson, Ball

**16. Balboa Park Committee Nominations**

- DCPC has the opportunity to hold a seat on the Balboa Park Committee. We must submit 3 potential applicants to the Mayor’s office.

*Motion: To recommend Alex Ward, Pat Stark & David Priver*

*1<sup>st</sup> Wery, 2<sup>nd</sup> Cline*

|      | In Favor | Opposed | Abstain | Not Present |
|------|----------|---------|---------|-------------|
| DCPC | 17       | 0       | 2       | 2           |

In Favor: Brewer, Bycer, Carrigan, Cline, Escala, Ferentz, King, Lorenzen, Nauta, Orabone, Peterson, Priver, Radke, Rosenbaum, Vinci, Weichelt, Wery

Not Present: Ball, Lawson

Abstain: Stark, Ward

**Miscellaneous:**

**17. Potential Agenda Items and Member Comments:**

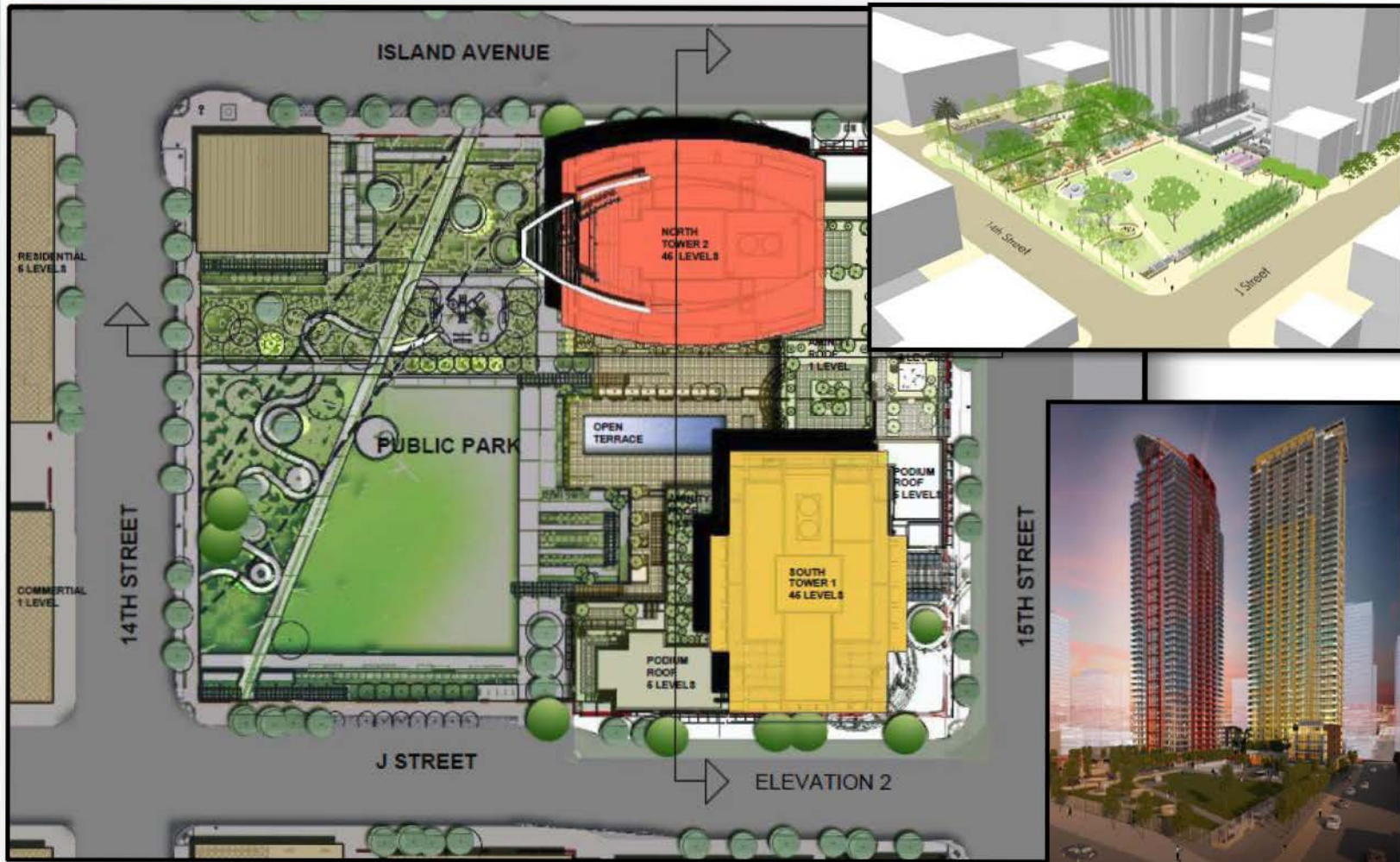
- None

**Adjournment:**

Meeting adjourned at 7:10 PM

# Fault Line Park

## ATTACHMENT E



# Cortez Hill Park

## ATTACHMENT F

