

DATE ISSUED: July 6, 2006

REPORT NO. PC-06-177

ATTENTION: Planning Commission, Agenda of July 13, 2006

SUBJECT: **MESA COLLEGE STREET VACATION- PROJECT NO. 60885
PROCESS 5**

OWNER: San Diego Community College District (Attachment 13)

APPLICANT: Latitude 33

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of a Site Development Permit, a Multi-Habitat Planning Area Boundary Line Adjustment and a Public Right-of-Way Vacation to accommodate the future development of a parking garage at Mesa College?

Staff Recommendation:

1. Recommend **APPROVAL** to the City Council of a resolution stating for the record that the City of San Diego as the responsible agency under the California Environmental Quality Act (CEQA) has reviewed and considered the Mitigated Negative Declaration prepared by the San Diego Community College District, and adopting the Mitigation, Monitoring and Reporting Program.
2. Recommend **APPROVAL** to the City Council of Site Development Permit No. 324476.
3. Recommend **APPROVAL** to the City Council of a Multi-Habitat Planning Area Boundary Line Adjustment.
4. Recommend **APPROVAL** to the City Council of Public Right-of-Way Vacation No. 180372.

Community Planning Group Recommendations: The project area is situated within two separate community planning areas, Clairemont Mesa and Linda Vista.

On January 17, 2006, the Clairemont Mesa Planning Committee voted 12-0-0 to recommend approval of the project (Attachment 10).

On August 22, 2005, the Linda Vista Planning Committee voted 9-1-3 to recommend denial of the project. On February 27, 2006, the Linda Vista Planning Committee voted again 12-2-1 to deny the project (Attachment 11).

Environmental Review: A Mitigated Negative Declaration (MND) was prepared by the San Diego Community College District as Lead Agency in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addressed the potential impacts including Biological Resources and Traffic. The City of San Diego as Responsible Agency under CEQA has reviewed and considered the MND, State Clearing House No. 2005121106 dated June 28, 2006. Staff has determined that the MND adequately addresses issues related to the project. A Mitigation, Monitoring and Reporting Program would be implemented with this project to reduce the impacts to a level below significance.

Fiscal Impact Statement: All costs associated with the project are being paid by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed street vacation would not result in the potential loss or the generation of additional housing units. The area proposed to be vacated, which occupies approximately 1.12 acres, has no associated land use designation and is located on unimproved right-of-way shared by both the Clairemont Mesa community to the north and the Linda Vista community to the south.

BACKGROUND

The project is located at the western terminus of Mesa College Drive in the RS-1-7 zone, the Clairemont Mesa Height Limit Overlay zone, Residential Tandem Parking Overlay zone and designated Multi-Habitat Planning Area (MHPA). The proposed street vacation is located at the tip of a canyon at the western terminus of Mesa College Drive, south of the Mesa College campus, and north of Kearny Mesa Park and Recreation Center in the Clairemont Mesa and Linda Vista communities (Attachment 6).

On January 19, 1999, the City Council approved the deletion of the extension of Mesa College Drive from both the Linda Vista and Clairemont Mesa Community Plans transportation elements by Resolution 291206 (Attachment 12). Today, as part of the implementation of Mesa College's adopted Facilities Master Plan, the San Diego Community College District (SDCCD) is

requesting a public right-of-way vacation of the western end of Mesa College Drive to develop a parking garage and a new east entry for Mesa College (Attachment 6).

The northern portion of the proposed project is within the Clairemont Mesa Community Planning area and the southern portion is within the Linda Vista Community Planning area (Attachment 15).

DISCUSSION

Community Plan Analysis:

The proposed public right-of-way vacation is located on the boundary between the Clairemont Mesa and the Linda Vista communities. The proposed public right-of-way vacation is located on partially improved right-of-way shared by both the Clairemont Mesa community to the north and the Linda Vista community to the south.

On January 19, 1999, the City Council approved the deletion of the extension of Mesa College Drive from both the Linda Vista and Clairemont Mesa Community Plans. At that time, Council requested further analysis for a dedicated entrance to Mesa College and directed City staff to work with Mesa College and the community in that regard (Attachment 12).

The Clairemont Mesa Community Plan recommends that as student enrollment increases at Mesa College, the development of parking structures should be considered in order to alleviate future on-street parking problems in adjacent neighborhoods (page 109). The Linda Vista Community Plan does not provide any specific recommendations regarding the use of the right-of-way that had been intended for the extension of Mesa College Drive from its current terminus to Genesee Avenue.

Staff has evaluated the proposed public right-of-way vacation with the understanding that the property is to be acquired by Mesa College for the future construction of a parking facility and the realignment of the existing road. A new east entry is proposed at Armstrong Street. The intent is to improve traffic circulation and accommodate quick access to the proposed parking facility.

Staff has determined that the proposed public right-of-way vacation for the purpose of a parking facility would implement recommendations in the Clairemont Mesa Community Plan for accommodating the school expansion, as well as, the direction from the City Council per Resolution Number 291206(Attachment 12) . Additionally, the proposal would not adversely affect the goals, objectives, and recommendations in the Linda Vista Community Plan. Therefore, staff supports the proposed public right-of-way vacation.

Public Right-of-Way Vacation

The public right-of-way vacation for the western end of Mesa College Drive is being requested to construct a future parking facility (Attachment 7). The actual parking facility will be reviewed and permitted by the State.

The City of San Diego is the underlying owner of the entire right-of-way (1.13 acres) which is to be vacated. In order to complete the entire parking improvement project, the San Diego Community College District plans to acquire Parcel "A", approximately 1.13 acres of public-right-of-way to be vacated; Parcel "B", approximately 1.048 acres adjacent and west of the public-right-of-way vacation; and Parcel "D", 0.511 acres, part of which (0.6 acres) is currently being leased from the City on a month to month basis to provide disabled parking for the college. The sale of this property will be considered by the City Council at a future date.

Site Development Permit

The project requires Site Development Permit and is requesting a deviation to the Environmentally Sensitive Lands (ESL) regulations for proposed grading within MHPA areas containing biologically sensitive lands. A Multi-Habitat Boundary Line Adjustment is also requested to accommodate the future development. The future development of a parking garage and improved east campus entry lies on partially undeveloped land areas occupied by a street and a parking lot. The College's property lies immediately to the north and east of the proposed vacation site, while Kearny Mesa Park lies to the south. As proposed, the parking facility portion of the project will require grading a small portion of Kearny Mesa Park's slope. Since the Community College land is owned by the State of California, they have permitting authority for the parking structure. The City of San Diego will be permitting and regulating the grading and the public improvements associated with the realignment of the East entrance of the college.

The project is also within and adjacent to the Multi-Habitat Planning Area (MHPA). The slope and Parcel "C" contain a portion of MHPA. The proposed project would impact approximately 0.14 acres within the existing limits of the MHPA, including 0.03 acres of non-native grassland, 0.08 acre of eucalyptus woodland, and 0.03 acre of disturbed habitat. An adjustment to the MHPA boundary is proposed to ensure that the biological value of the MHPA is not reduced and to prevent significant impacts within the MHPA (Attachment 6). A Mitigation Monitoring and Reporting Program (MMRP) will be employed to ensure the impacts to environmentally sensitive lands will be reduced to below a level of significance.

The project will not otherwise adversely affect environmentally sensitive lands. A landscape and re-vegetation plan and maintenance agreement will be required for the re-vegetated disturbed area for a period of 25 months.

Multi-Habitat Planning Area Boundary line adjustment

A Multi-Habitat Planning Area Boundary Line Adjustment is being requested for the area of Parcel "B" which is currently within the MHPA and for the proposed grading. The proposed boundary adjustment would result in no effective net change in MHPA area. Approximately 0.14 acre of habitat would be subtracted from within the MHPA, while a payment into the Habitat Acquisition Fund for 0.56 acres of MHPA habitat (4:1 Ratio) located in the East Elliott community would be purchased as an MHPA addition. Such a dedication of land within the MHPA would apply as a boundary adjustment "addition" at a 4:1 ratio, and the habitat would be precluded from future habitat mitigation. The East Elliott area consists entirely of Tier II and III habitats. The habitats to be added would be of higher quality than those being subtracted, which are Tier III and IV habitats and would result in higher habitat values within the preserve.

Community Planning Group

The Mesa College property as it exists today is entirely within the Clairemont Mesa Community Planning area. The south portion of the proposed vacated public right-of-way; the proposed grading into the Kearny Mesa Park and small portions of the lots proposed to be acquired are located within the Linda Vista Community Planning area (Attachment 15).

On January 17, 2006, the Clairemont Mesa Planning Committee voted 12-0-0 to recommend approval of the project with no conditions (Attachment 10).

On August 22, 2005, the Linda Vista Planning Committee voted 9-1-3 to recommend denial of the project (Attachment 11).

The Linda Vista Planning Committee does not support the project or the sale of City owned property. The Committee recommended that the property within the Linda Vista Community planning area be preserved as open space through an open space land use designation and the application of the appropriate open space zone.

On February 27, 2006, the Linda Vista Planning Committee reaffirmed their previous vote and voted 12-2-1 against any action to vacate Mesa College Drive.

Staff has determined that the proposed public right-of-way vacation for the purpose of a parking facility would implement recommendations in the Clairemont Mesa Community Plan for accommodating the school expansion, as well as, the direction from the City Council per R-291206. Additionally, the proposal would not adversely affect the goals, objectives, and recommendations in the Linda Vista Community Plan. Therefore, staff supports the proposed public right-of-way vacation.

Conclusion:

Staff believes that findings can be made for the Multi-Habitat Boundary Line Adjustment, Public Right-of-Way Vacation, and Site Development Permit. Staff finds the proposed project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the San Diego Municipal Code. Staff has also determined the project would not have an adverse effect on the adopted Clairemont Mesa Community Plan, Linda Vista Community Plan or the City of San Diego Progress Guide and General Plan.

ALTERNATIVE

1. Recommend to the City Council the **Adoption** of the Mitigation, Monitoring and Reporting Program; **Approval** of Site Development Permit No. 324476; **Approval** of the Multi-Habitat Planning Area Boundary Line Adjustment; **Approval** to the City Council of Public Right-of-Way Vacation No. 180372; with modifications;
2. Recommend to the City Council, the City **not** adopt the Mitigation, Monitoring and Reporting Program; **Denial** of Site Development Permit No. 324476; **Denial** of the Multi-Habitat Planning Area Boundary Line Adjustment; **Denial** of a Public Right-of-Way Vacation No. 180372 with modifications; if the findings required to approve the project cannot be affirmed

Respectfully submitted,

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Program Manager
Development Services Department

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Project Manager
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Attachments:

1. Aerial Photograph
2. Clairemont Mesa Community Plan Land Use Map
3. Linda Vista Community Plan Land Use Map
4. Project Location Map
5. Project Data Sheet

6. Project Site Plan(s)
7. Street Vacation "Exhibit B"
8. Daft Permit with Conditions
9. Draft Resolution with Findings
10. Clairemont Mesa Community Planning Group Recommendation
11. Linda Vista Community Planning Group Recommendation
12. Council Resolution 291206
13. Ownership Disclosure Statement
14. Project Chronology
15. Community Group Distribution Map
16. Site Photos
17. Planning Commission Resolution
18. Public Right-of-Way Resolution