

CITY OF SAN DIEGO COUNCIL DOCKET



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Independent
Budget Analyst

Jan Goldsmith
City Attorney

Liz Maland
City Clerk

Council Chambers, 12th Floor, City Administration Building

Monday, April 11, 2016

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, APRIL 11, 2016, AT 2:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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. 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: Appeal of the Santa Barbara Place Residences, Project No. 361595. (Mission Beach Community Plan Area. District 2.)

ITEM DESCRIPTION:

The project site is located 825 Santa Barbara Place in the R-S Zone of the Mission Beach Planned District within the Mission Beach Precise Plan and Local Coastal Program Area. The project proposes the demolition of the 4,922 square foot educational building and construction of three (3) three-story residential buildings comprised as fourplexes on the six legal lots.

TODAY'S ACTIONS ARE:

Take the following actions:

According to San Diego Municipal Code Sections 112.0508(e) and 112.0520(d) Power to Act on Appeal, the City Council shall consider the appeals and may take action as follows:

- (1) By a majority vote, deny the appeals, certify the Environmental Impact Report, adopt the Mitigation, Monitoring and Reporting Program and the Findings and Statement of Overriding Considerations; and
- (2) By a majority vote, deny the appeals, approve Vesting Tentative Map; and
- (3) By a majority vote, deny the appeals, approve Coastal Development Permit;

OR

- (1) By a majority vote, grant one or more of the appeals, including setting aside the environmental determination, in accordance with San Diego Municipal Code Section 112.0520(e);

Directing the City Attorney to prepare the appropriate resolutions according to Section 40 of the City Charter;

If the City Council grants the appeal of the environmental determination, the lower-decision maker's decision to approve the project shall be held in abeyance. The City Council shall retain jurisdiction to act on the revised environmental document and associated project at a subsequent public hearing.

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

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None with this action.

Vacchi\Graham\jp

Primary Contact\Phone: Jeffrey A. Peterson\619-446-5237, MS 501

Secondary Contact\Phone: William Zounes\619-687-5942, MS 501

City Attorney Contact: Thomas, Shannon M.

ITEM-201: Mission Beach Residences, Project No. 366139. (Mission Beach Community Plan Area. District 2.)

ITEM DESCRIPTION:

The Mission Beach Residences Project proposes the demolition of existing educational structures and the construction of 51 residential condominium units with a linear pocket park on a 1.88 acre site located at 818 Santa Barbara Place in the Mission Beach Precise Plan and Local Coastal Program Area.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2016-456)

Adoption of a Resolution 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, and that pursuant to State CEQA Guidelines Section 15093, the City Council adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit A;

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 B;

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.

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

Subitem-B: (R-2016-457)

Adoption of a Resolution adopting the amendments to the General Plan, a copy of which is on file in the office of the City Clerk and the Mission Beach Precise Plan and Local Coastal Program, a copy of which is on file in the Office of the City Clerk;

Adopting an amendment to the General Plan for the City of San Diego to incorporate the above amended plan;

This project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, these amendments will not become effective in the Coastal Zone until the Coastal Commission unconditionally certifies the Local Coastal Program amendment.

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

Subitem-C: (R-2016-454)

Adoption of a Resolution adopting the findings with respect to Vesting Tentative Map No. 1283305 and Easement Vacation No. 1283304 which are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference;

Vacating two existing 8 foot sewer easements within the project boundaries as shown in Vesting Tentative Map No. 1283305, 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. 1283305 and Easement Vacation No. 1283304, based on the findings hereinbefore adopted by the City Council and including the waiver of the requirement to underground existing offsite overhead utilities, to MB9 OWNER, LLC, a Delaware Limited Liability Company, 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-D: (R-2016-455)

Adoption of a Resolution adopting the findings with respect to Coastal Development Permit No. 1283306 and Site Development Permit No. 1283307 which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Coastal Development Permit No. 1283306 and Site Development Permit No. 1283307 to MB9 OWNER, LLC, a Delaware Limited Liability Company, 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:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None with this action.

Vacchi/Graham/jap

Primary Contact\Phone: Jeffrey A. Peterson\619-446-5237, MS 501

Secondary Contact\Phone: William Zounes\619-446-5942 MS 501

City Attorney Contact: Thomas, Shannon

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.

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: Submission of Ballot Proposals for the November 8, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS
FOR THE NOVEMBER 8, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the November 8, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	6/7/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	6/15/16	146	Committee review
Monday	6/27/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday - Tuesday	7/11/16 - 8/2/16	120- 98	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Friday	8/12/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Monday	8/22/16	78	Impartial and Fiscal Analyses and ballot titles/summaries due to the City Clerk
Thursday	8/25/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT