

**SOLANA BEACH CITY COUNCIL
REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY**

JOINT **ADJOURNED REGULAR** MEETING

MINUTES

**THURSDAY, JANUARY 17, 2008
5:00 P.M.**

CITY COUNCIL CHAMBERS
635 S. HIGHWAY 101,
SOLANA BEACH, CALIFORNIA

The City Council acts as the City of Solana Beach Redevelopment Agency and the Public Financing Authority.

CALL TO ORDER AND ROLL CALL:

Mayor Kellejian called the meeting to order at 5:02 p.m.

Present: Kellejian, Roberts, Nichols, Campbell, and Heebner.

Absent: None.

Also Present: David Ott, City Manager
Lisa Foster, Assistant City Attorney
Tiffany Wright, Legal Counsel
Leticia Fallone, Deputy City Clerk
Lori Naylor, Project Consultant
Dan Goldberg, Interim City Engineer

FLAG SALUTE:

Councilmember Nichols led the flag salute.

APPROVAL OF AGENDA:

MOTION: Moved by Roberts and seconded by Heebner to approve the agenda. **Motion carried unanimously.**

PUBLIC HEARINGS

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the

record. An applicant or designee for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the three-minute timer light on the Council Dais.

CONTINUATION from January 16, 2008 Public Hearing.

1. Consideration of Certification of the Final Environmental Impact Report (EIR) for the Mixed-Use Solana Beach Train Station Project (Cedros Crossing) (File 0600-40)

Recommendation: That the City Council

- A. Adopt Resolution 2008-14 certifying the Final EIR for the Mixed-Use Solana Beach Train Station Project (Revised) upon deeming that the EIR is substantially complete.

Tiffany Wright, Legal Counsel, stated that the Council was considering the approval of the final Environmental Impact Report (EIR) and that Council could evaluate the feasibility of the mitigation measures in the document during the project approval. She stated that at the January 16th meeting Council directed Staff to include language in the certification resolution stating that the EIR would be certified based on its adequacy as an informational document, that Council's evidence of determination could be made based on information in the record, and that the findings regarding mitigations could be made at the project determination meeting.

Tom Golich stated that in 1999 he served on the first ad-hoc committee with the North County Transit District (NCTD), that he had been following the project a long time, that he supported Council passing the EIR, that he would like to see a project in the area, and that the EIR would be the first step in a continuing process.

Council discussion ensued on their concerns on the EIR document.

Council, Assistant City Attorney and Legal Counsel discussion ensued regarding Council's ability to evaluate the feasibility of mitigation measures in the document, that the evaluation of the mitigation measures could be done in the CEQA findings of fact during the project approval, and that an errata sheet could be added to the document for Council to include edits and supplements to the document.

Council, Assistant City Attorney and Legal Counsel discussion ensued regarding how Council could document their concerns regarding mitigations in the EIR, whether Council should consider the addition of an errata sheet or consider adding conditions to the approval of the EIR on a resolution.

Council reached consensus to add language to an errata sheet to document their edits and concerns regarding the EIR.

David Ott, City Manager, stated that Council had the option of not certifying the EIR at this meeting.

Council discussion ensued regarding supplementing the document with their comments based on information presented by the public so their concerns could be documented.

Council discussion ensued regarding the EIR document, that the traffic impact on Cliff St was significant, that it was Council's intention to close Cliff St., that Council wanted to hold a public hearing to further discuss the configuration of the closure of Cliff St., and that they did not want traffic from the project to enter Cliff St.

Council discussion ensued regarding the amount of parking spaces in the parking garage, that 517 parking spaces were inadequate based on substantial evidence in the record, that there would be a significant impact on the neighborhood, that there should be 800-1,000 parking spaces using the year 2030 as the planning horizon, and that there should be consideration of a real time parking meter or other technology to maximize the efficiency of the parking garage.

Council discussion ensued regarding paid parking at the parking garage and that it would be a significant impact to charge for parking.

Council discussion ensued regarding the elimination of the parking area for NCTD and double decker buses and that the elimination of the parking area for the buses would be a significant impact on the neighborhood.

Tiffany Wright, Legal Counsel, stated that the EIR did not identify any environmental impacts in regards to eliminating the parking area for the NCTD and double decker buses, that Council could identify that they had a concern that this could be a significant impact to the neighborhood but could not change the language in the document to state that it was a significant impact.

Council, Assistant City Attorney, Legal Counsel and Staff discussion ensued regarding evaluating the impacts at the project determination stage of the project.

Council discussion ensued regarding reducing space available for passenger pick-up and drop-off at the site and that lack of sufficient parking would cause a significant impact on the neighborhood.

Council, Assistant City Attorney, Legal Counsel and Staff discussion ensued regarding the concern of construction parking, that the site would have 267 spaces available for transit riders, that a temporary lot would be set up on the property and 174 parking spaces would be re-striped to accommodate 200 parking spaces, and that this would allow area for construction parking and staging of materials. Discussion ensued whether there would be code enforcement provided by the City to monitor parking during this phase, that construction parking should be contained within the site, that Council could state their concern regarding the possibility of parking during the construction phase being a significant impact but could not change the language of the document to state

that it was a significant impact.

Council, Assistant City Attorney, Legal Counsel and Staff ensued regarding the theater parking, that although the theater was no longer a part of the project, that the mitigation measure of off-site parking was not acceptable since off-site parking was not allowed by the City's code, and that of the two mitigation options presented in the EIR the second option was not preferred since it was not allowed by the City's code.

Council discussion ensued regarding the language in the EIR in relationship to the project and the Highway 101 Specific Plan and Zoning Ordinance and that the EIR should state that the project should meet the Highway 101 Specific Plan and Zoning Ordinance requirements.

Council, Assistant City Attorney, Legal Counsel and Staff discussion ensued regarding the proposed mitigation for the aesthetics of the project, that the proposed mitigation measure in the EIR was not an adequate, that Council should state this concern during the finding of fact, and that Council wanted to consider additional options for mitigating the impact.

Council discussion ensued regarding the aesthetics of the parking garage, that the proposed mitigations were not adequate, that the Council had concerns regarding the proposed mitigation and would like to consider additional options.

Council discussion ensued regarding the references in the EIR document to the 1991 Council observations and that those statements would be non-binding to this Council.

Mayor Kellejian recessed the meeting at 6:36 p.m. for a break and reconvened the meeting at 7:00 p.m.

MOTION: Moved by Heebner and seconded by Roberts to close public hearing. **Motion carried unanimously.**

Tiffany Wright, Legal Counsel, stated that the certification resolution would be certified subject to the errata sheet.

Council and Assistant City Attorney discussion ensued regarding the aesthetics of the parking garage, that there should be adequate screening for the parking structure, that there should be tree plantings in the parking lot, that if the parking areas were not adequately screened it could pose a significant impact on the neighborhood, and that compact parking spaces were not allowed under the City codes.

Lori Naylor, Project Consultant, read into the record the language for the errata sheet:

1) To establish as one of the goals that the fundamental goal of the project was to provide a long term parking solution for the Solana Beach Coaster and the Amtrak Pacific Surfliner and to separate out the goals, goals with an asterisk would be City goals, all other goals would be the project applicant's goals.

2) In relationship to mitigation measure T-1, Council did not support option one as a mitigation and Council was unsure whether alternative mitigation for traffic surveillance was acceptable.

3) In relation to mitigation measure T-2, it was the Council's intent to prevent project related ingress and egress traffic from using Cliff St. and options for mitigation should include the closure of Cliff St.

4) Based on substantial evidence in the record Council believed that 517 parking spaces in the NCTD parking garage was inadequate and would result in a significant impact on the surrounding neighborhoods and that a range of 800-1,000 transit parking spaces should be considered based on the 2030 planning year and to require most effective parking efficiency technologies that enhanced parking efficiency in the NCTD parking garage

Joe Foust, Austin Foust Associates, stated that the growth rate based on the past ten years of ridership for Solana Beach had been an average increase of 5% per year, that based on the history of the last ten years this was a reasonable prediction for the following ten years and could be pushed to 20 years, that the historical growth rate of 5% per year was based on the planning horizon of 2030, and that there was agreement that the 5% growth rate should be used to base number of parking spaces needed.

Council discussion ensued with Joe Foust, and Staff regarding the validity of how ridership growth was projected.

Lori Naylor, Project Consultant, continued the items for the errata sheet:

5) Council believed if implemented any paid parking at the NCTD parking garage would result in a significant impact on the surrounding neighborhoods and needed to be analyzed.

6) Based on substantial evidence in the record Council was concerned that elimination of parking for NCTD buses and double decker buses could result in a significant impact on the surrounding neighborhoods.

7) Based on substantial evidence in the record Council believed that a lack of passenger pick-up and drop-off and taxi parking could result in a significant impact to the surrounding neighborhoods.

8) Based on substantial evidence in the record Council believed that during construction a lack of adequate parking for construction workers and commuters could result in a significant impact to the surrounding neighborhoods.

9) In relation to mitigation measure T-4, Council did not support off-site shuttle service as adequate mitigation for the shortage of theater parking because it was not permitted by code and prefers option two as mitigation.

10, 11, 12) with regards to compliance with the Specific Plan and Zoning Code the

language in the document where referred to as, "is designed in accordance with", should be replaced with, "should be in accordance with."

13) In relation to mitigation measure AES3, based on substantial evidence in the record, Council had a concern that the mitigation proposed was not adequate and would like to consider other options including greater articulation, bulk, scale, and massing of the project.

14) The 1991 Council determination of compatibility was non-binding.

15) Permanent or long term BMPs allowing compact spaces were not supported and not permitted by code.

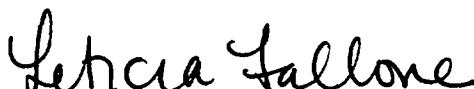
MOTION: Moved by Heebner and seconded by Roberts to adopt staff recommendation Resolution 2008-14 with modifications, certifying the Final EIR for the Mixed-Use Solana Beach Train Station Project, including the Errata Sheet, upon and deeming that the EIR is substantially complete. **Motion carried unanimously.**

Council discussion ensued regarding the time line of the project if the EIR was adopted at this meeting.

David Ott, City Manager, stated that the applicant had submitted a revised project, that there would be additional meetings with the Council Ad-Hoc Committee, and that this item would return to Council at a future meeting.

ADJOURN:

Mayor Kellejian adjourned the meeting at 8:02 p. m.



Leticia Fallone, Deputy City Clerk

Approved: May 14, 2008