

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

JOINT **REGULAR** MEETING

**MINUTES**

**SATURDAY, MARCH 24, 2007**  
**9:00 A.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.

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

**Absent:** None.

**Also Present:** David Ott, City Manager  
James Lough, City Attorney  
Angela Ivey, City Clerk  
Lori Naylor, Acting Community Development Dr.  
Mary Blais, Planning Consultant  
Chandra Collure, City Engineer  
Dan Goldberg, Principal Engineer

**CALL TO ORDER AND ROLL CALL:**

**FLAG SALUTE:**

Brian Mooney led the flag salute.

**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 to the City Clerk (located on the back table). 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.

**1. SOLANA BEACH TRAIN STATION MIXED-USE PROJECT  
(CEDROS CROSSING) ENVIRONMENTAL IMPACT REPORT (EIR)  
CERTIFICATION (File No. 0600-40)**

- A. Accept public input regarding the Final Environmental Impact Report (EIR).
- B. Adopt Resolution No. 2007-032 certifying the EIR for the Solana Beach Train Station Mixed-Use Project (Cedros Crossing), upon completion of the public hearing, which includes any public input and council discussion.

Mayor Heebner explained that this is a continuation of the public hearing.

Brian Mooney, Jones Stokes, principal leader of the EIR, presented a powerpoint presentation.

Mayor Heebner stated that the purpose of the meeting was to review the Train Station project EIR, that the consultants were going to answer questions, and then there would be community comments.

Brian Mooney, Consultant, stated that there would be a detailed presentation relating to traffic and aesthetics. He stated that he had 32 years experience working in San Diego County, that Claudia Uphold had experience with these types of projects, that Dr. Nicholas Abboud is the principal speaker for traffic issues and had over 18 years experience as a traffic engineer, that Monique Chen had 9 years experience. He stated that John Keating was with Linscott Law Greenspan, that he was a traffic engineer for the City (third party review), that he had a separate scoping meeting on traffic because it was controversial, and that Chris Webb from Moffat Nichol dealt with sand replenishment issues.

Brian Mooney, Consultant, stated that the purpose of this meeting was to certify the EIR, that it's complete and compliant with the California Environmental Quality Act (CEQA), that the meeting is not regarding the approval of the project or its alternatives. He stated the meeting will focus on traffic and aesthetic components of the project.

Council discussion ensued with Brian Mooney, Consultant, regarding the residential unit square footage under the reduced massing alternative.

Nicholas Abboud, Consultant, stated that the powerpoint presentation is organized by topics which include scoping of the project, guidelines used for traffic and parking, data collection, peak hour variations, project parking and traffic needs and impacts, and mitigation. He stated that this presentation would address questions asked at the March 10<sup>th</sup> meeting and he gave an overview of the experience and qualifications of the traffic engineers that worked on the project.

Monique Chen, Consultant, stated some background information on the scoping of the project, that there had been numerous meetings with City staff and the EIR consultants, that all preliminary studies were reviewed, how the study area was defined, the survey that was conducted to determine the trip distribution pattern for the train station project, Sandag and CEQA requirements, existing conditions, and that the year 2030 was the long-range planning horizon.

Nicholas Abboud, Consultant, explained that the guidelines used were regional, Sandag, as well as Solana Beach specific, that Solana Beach was more strict in that any impact exceeding D's threshold will require mitigation, that there are checks performed to see what can be done before considering it failing.

Council and the City Attorney discussion ensued regarding how peak hours are defined, that Council adopted Sandag guidelines in 2002, that Sandag and Santac guidelines are different, that the report should look at the foreseeable worse-case scenario, that the General Plan provides for a goal that keeps traffic street levels at C and should be included in the analysis.

Council, City Attorney, and John Keating, third party review consultant, discussion ensued regarding that absence of off-peak hours since there is not data available for comparison which would be required in order to analyze it with credibility, that traditional commuter a.m. and p.m. hours are always used, that it is assumed that off peak hours would have less trip generation than peak hours, whether some other standard that could be used since Solana Beach seems to have a different peak hour than the regional standard being used, whether the City voted and defined the scope of the EIR in terms of what peak hours to use, that the purpose is to determine what the impacts are on the community, that every town has a different traffic pattern in commercial and residential areas, that this is considered a traditional project so they rely on traditional peaks, that each town can not look only at the peaks in their own isolated situation since there is not previous data to compare it to, that this is not a typical project for Solana Beach and it is a mixed-use project, that SANDAG decided peak hours were used to compare and mitigated, that the school operates 9 months out of the year which will contain a different trip generation, that there are a lot of variables with school traffic issues, that most agencies use best practices which include regional data that are consistent with CEQA, other projects around schools

handle projects in the same way, that from a CEQA perspective the purpose is to analyze the environmental impacts of the proposed project by figuring out how the traffic flows from the proposed project and will impact the existing conditions, that the theory is that the worse case scenario can be mitigated for on a proposed project if varied peak times are used, that the analysis is trying to find out when the project would have the most potential to affect the existing conditions so that it needs mitigation, that the same assumptions are made on every other traffic study done in the county, that counts are not done in order to isolate the situation but instead utilize assumptions that are used all the time, that Council may not agree with that, whether the train rider-ship coordinates with those peak times,

Council and Wilson & Co. consultants discussed that the data is not something that is modified since it is used by SANDAG trip distribution, that it incorporated all the land-uses in the area, the model is complex which contains the logic behind the drop in usage, that the traffic counts were done by the largest company on the west coast providing services, trying to define what the impact is, mitigating the project and not the existing baseline. that a segment was not shown in the graphics because it had no impact in the analysis, that the ADTs do not add up, that they were double-checked and the counts are very consistent so there was no reason to think they were not valid, whether the tubes were placed in the right places or in better places, that the idea was not to have a comprehensive count of all intersections but only those that were needed, and that the 40 daily trips added to Granados were accurate, and that they seemed low, and that the reason the number do not add up is because the unreliable numbers were not analyzed even though they were provided in the big picture of what data was collected, that existing counts had nothing to do with SANDAG, that Sandag carves a particular Traffic Analysis Zone for each area, and they distribute the estimated trips throughout the region for zones and types of projects and not just a particular project,

Mayor Heebner recessed the meeting at 10:15 a.m. for a break.  
Mayor Heebner reconvened the meeting at 10:28 a.m.

Council and Consultants discussed that the highest impact times of year were analyzed, that it did not appear to be mitigating for the worst-case scenario, that they had to look at when trips were being generated, that they were not being generated during Solana Beach's peak hours, that they were being generated during traditional regional peak hours, whether the consultants would change their methodology, that consultants answered that they would not use different methodology since it was to evaluate the project and the impacts to the area and time frame where it would take, that the mitigation was defined based on the trip generation from the project at the times that mitigation was required, that design mitigation was not created since it is not appropriate to design mitigation for a limited activity, that activity may be factored in but not limited, that is was

concluded that additional mitigation would not be required for fair and race season even though it was reviewed, whether the fair/race season was seen as a special event or a season, that NCTD's pamphlet states that their service attracted more people in the summer months so their ridership did increase seasonally, that different opinions could be deduced from the same information, that more mitigation can always be added but that it was not recommended in the conclusion of the consultants, that the consultant's professional opinion was presented in the EIR, that the City is the lead agency and adopts the document, and that the consultants recommended what they thought was professionally acceptable based on their professions.

James Lough, City Attorney, stated that Nexus analysis concludes that variations are taken into account, that it is between recommended mitigation measures and the data and had to have a factual basis, that mitigation is what the environmental consultants and engineers focus on and recommend, and that Council finally says whether it is enough or not and can implement additional mitigation to a project.

Council and Consultant discussion ensued regarding the baseline information that had been used to reach the conclusions of the mitigation that was recommended, that the baseline was consistent with best practices as well as above and beyond what most projects require, that school season is the highest and that the fair traffic is less than school traffic, that one set of data must be picked to analyze and the highest volume was picked, that the real problems were Stevens and Nardo in the peak hours and at Highway 101 and Cedros in the morning, that all counts can be collected but if there is not reliable data to compare it to then every conclusion is assumptive, that all development projects should use a same source for reliable data for comparison purposes in order to analyze mitigation, that there is no basis for doing it any other way to provide accurate analysis for CEQA, and that peak times for the project and peak times for school are different and therefore are not overlapping and causing significant amounts of generated trips.

Brian Fish said that even though the highest existing traffic time is significant it would not affect the project if it was not the project's peak time of usage, that SANDAG provides the average daily trips based on studies of usage gathered from many different sources, that it does not provide hour by hour data, that any speculation should not be made under CEQA so a new model can not be created, that a reasonable source needed to be used to extrapolate data which usually information that was accumulated over years to figure out the uses when most amount of traffic will hit the ground for certain types of projects.

Council and Consultant discussion ensued regarding whether NCTD had historical ridership statistics based on train schedules and that the train station already had existing data that had to be included in order to analyze the delta

over time that would expand, that the project would not add more than 50 peak hour trips to the project based on the usage of SANDAG's Select-Zone Analysis.

Mr. Keating said that the SANDAG regional model includes all land-uses in county by zones, predicting land-use, housing, free-way planning, that this project was analyzed focusing on one zone for a like project that had to match trips, that there were many different factors and adjustments are made it is was not reasonable, that the model is not perfect, that a lot of analysis is reviewed to make sure it seemed reasonable.

Mayor Heebner recessed the meeting at 11:50 a.m. for lunch.  
Mayor Heebner reconvened the meeting at 12:55 p.m.

Nicholas Abboud, Consultant, said that mixed-use components and train stations are treated differently in parking demands and traffic generation, that that mixed-use portion used requirements from Solana Beach code requirements, that the train station is a function of parking demand and that SANDAG's methodology was used for forecasting traffic at the train station, and that for purposes of trip generations land-uses of individual parcels were used and aggregated by use type because the trip rate was applied to particular uses.

Council and Consultants discussed the trip generation comparison for the proposed project v. the reduced-massing project and the worst case scenario was used, that the comparative analysis was done because the original analysis was done prior to the reduced massing,

Nicholas Abboud, Consultant, stated that for the train station project traffic demand is based on parking demand, that there are currently 319 spaces and there is 77% utilization of the parking spaces on weekdays, that the process had taken the existing parking demand into account, the way the parking lot is currently utilized, that the growth for the catchment area was determined, and that growth figure was applied to the existing data. He stated that counts were taken from four parking lots, that tubes were places across the driveways and that the driveways were stationed by survey personnel to interview drivers about purpose of trip and the duration of their stay. He stated that there were three questions asked as part of the survey questionnaire which included the purpose of the visit, duration in the parking lot, what zip code visitors were from, and how many people were in car. He stated that based on the results of the study, Thursday was the weekday when the most parking spaces were occupied and on the weekend capacity was reached for almost 2 hours each day. He stated that it was difficult to obtain survey information from those parking on the street. He stated that the at the train station parking lot the pick-up to drop-off ratio was 2 to 1, that 40% of weekday parking was short term, 73% weekend parking was short term (two hours or less), and there were also some overnight parkers. Council

discussion ensued regarding weekend parking and the duration of parking time for those utilizing the train station services. Nicholas Abboud, Consultant, clarified parking statistics at the parking lot for pick-up, drop-off, and the time of day which had an influence on the amount of people parking, that overnight parking was only a small percentage of weekend parkers utilizing the parking lot, that the zip codes were collected from visitors to assist in gathering information on the growth of those areas to assist in determining future use of the parking lot.

Council and Consultant discussion ensued on the projected increase in ridership over the next five years and the increase in vehicles on the road between now and 2010, that SANDAG figures for projected growth were used because SANDAG figures take into account transportation improvements, other potential transportation projects, and that gas fluctuations could not be taken into account due to the inability to consistently track.

Council discussion ensued regarding the percentage of people and zip codes taken into account for this study, that not everyone who lives in the County uses the Solana Beach Train Station, that visitors were asked where they lived because it is a travel pattern that is likely to be repeated in the future, and that the purpose of the survey was not to get the whole county population but to get the areas served by the Solana Beach train station.

Council discussion ensued on the 73% of cars that were parked for a two hour time or less over the weekend, and a memo that was written to Greg Shannon by the consultants stating that over the weekend parking is three-quarters full overnight, and whether those cars are leaving every two hours.

Nicholas Abboud, Consultant, stated that the memo is a distinction between the traffic that uses the parking lot during the day and that overnight data shows a lot of people parking overnight and that three quarters of the lot is full.

Council and Consultant discussion ensued regarding the use of statistics from NCTD for ridership growth, that it was used for the purpose of estimating parking demand, and the methodology used to estimate parking demands for the area.

Lance Schulte, NCTD stated that the San Diego region has experienced huge growth in the last few years, especially in the North County, growth in ridership does not indicate future growth in the region, that the process took future growth into consideration not the past growth that has taken place in the last 5-10 years.

Council discussion ensued with Rick Howard, NCTD, regarding ridership figures and how they are taken into account to determine annual growth, and that NCTD receives their figures from SANDAG, that over the last couple of year's ridership numbers have decreased, and that NCTD can not project who gets on the train at the Solana Beach station. Rick Howard stated that using the SANDAG

modeling figures ridership is projected to be 46% for the Solana Beach zip code.

Council discussion ensued regarding Solana Beach being the least active of all Coaster stations and whether there were any specific plan improvements underway that would increase ridership that would substantially affect these numbers.

Linda Colt, SANDAG, stated that there was a regional transportation plan being updated which is a long term plan for all modes of transportation, that one part is called a revenue constrained plan, and that the design is according to the funds available. She stated that improvements that are funded include finishing the double tracking and the environmental testing is the main project which will have an impact on ridership. She stated that there are 43 regional transit services that are waiting for funding.

Council discussion ensued completion of the double track, the impact the projects will have on future ridership, and time estimated to complete all projects mentioned by Mrs. Colt.

Council discussion ensued regarding the bus transit center at Manchester, the addition of HOV lanes, and whether the expansion of the freeway would take ridership away from the Coaster.

Linda Colt, SANDAG, stated that the Coaster is a premium service that takes riders downtown with no transfers required, that SANDAG had conducted surveys on ridership, and that SANDAG's ridership model looks at factors of transit and land-use.

Council discussion ensued regarding parking structures that have been built for train stations in other cities, that all of them are over capacity now, that Oceanside built an annex that is almost at capacity, and whether SANDAG figures were the only factor used to determine the size of the parking structures.

Rick Howard, NCTD, stated that Oceanside was unique from Solana Beach, that the Metrolink goes to the North, that the peak times for travel are different than those in Solana Beach, that the parking structure is about 80% full, and that a lot of riders commute to L.A. so riders leave earlier and arrive later at night.

Council discussion ensued with Rick Howard, NCTD, regarding factors that determine ridership and how the Oceanside station varies from Solana Beach.

Linda Colt, SANDAG, that there are long term plans to add capacity on the line or at the station would require Regional Transportation Plan approval and then funding.



Council discussion ensued with Linda Colt, on the expansion of train sites, that there is a correlation between growth in the catchment area and ridership, that SANDAG would provide Council with Coaster ridership figures for Solana Beach 1995 and the population growth for the catchment area for the same time period.

Mr. Fish, attorney for Shea Properties, stated that, from a CEQA perspective, the consultants and the City could not engage in speculation about what would happen with the project area, that models would have to be used to determine what likely growth there would be, and that speculative information could not be taken into account.

Mayor Heebner recessed the meeting at 12:55 p.m.

Mayor reconvened the meeting at 1:10 p.m.

Rick Howard, NCTD, stated that he had a letter to the City Council from the Board Chair, Ed Gallow, encouraging the Council to certify the EIR.

Jay Sarno, Vice President of the North Coast Repertory Theater, stated that there were opportunities for parking outside of the project area, that most of the theater functions are after peak hours, and that the theater is not concerned about parking issues.

Tom Brohart (time donated by Lois Martin, Jack Martin and Mrs. Cione for group time of 15 minutes).

Council discussion ensued regarding the speaker representing several groups of residents on various issues, that the speaker had two presentations on parking and traffic, and that Council could vote to grant the speaker additional speaking time.

James Lough, City Attorney, stated that additional time could be granted to the speaker based on his professional back ground as a traffic engineer.

Council reached consensus to grant the speaker an additional 30 minutes speaking time.

Tom Brohart, presented a power point presentation, he stated that he served as a city engineer, that he had reviewed many EIRs and traffic studies, that guidelines are not requirements, and that engineering judgments have to be used. He stated that there were incremental impacts on existing conditions, that the study did not take into account the fair or race season, that with tube counts there was a 10% variation, that he thinks that the data is inaccurate, and that 30% of the tubes failed for the fair data. He stated that there should have been a comparison between the race season and school season, that a study should have been done for just the summer season excluding the fair or races, and that

CEQA requires evaluation of what is reasonably foreseeable. He stated that peak hours needed to be determined, that commute hours were longer than they used to be which is 4:00 p.m. to 6:00 p.m., that the City needed to count longer periods of time to obtain the correct peak hours, and that it is a simple task to develop data that reflects what the project will generate during peak hours. He stated that the purpose of this project was to provide parking and an area for the train riders, that SANDAG trip generation rates are inclusive for 6:00 a.m. - 9:30 a.m. and 3:00 p.m. - 6:30 p.m., that the theater trip generation has different traffic spikes than a movie theater, and that SANDAG did not have trip generation figures for a performing arts theater. He stated that he recommended Council to not approve the EIR.

Council discussion ensued with Tom Brohart regarding data used from SANTEC and ITE, that there are standards for each region, that trip generation states that if the data is available to use it and if not to gather the information and document it.

Brian Mooney, Consultant, stated that the California Environmental Quality Act requires jurisdictions to adopt a series of guidelines, that there are guidelines that used that can be adopted as rule, and that the consultants used the City's current adopted guidelines. He stated that the consultants did an adequate evaluation and used the correct standards and guidelines and professional procedures.

James Lough, City Attorney, stated that he agreed that the City had to look at SANDAG data because the City did not have any other data, and that if the SANDAG figures are not used they have to be replaced with data that is not speculative.

Council and City Attorney discussion ensued regarding considering other standards, that once standards are thrown out that have been used Council needs to make a finding why they are being thrown out, and that the finding needs to indicate that what is going to be used is substantial.

Tom Brohart stated that the analysis of the project must identify if there are significant impacts and if codes are met. He said that City codes did not apply to the train, that it is the heart and soul of the site, that parking will continue to grow, that the EIR approach was to count parked vehicles, and that the tubes placed at the driveways were unreliable. He stated that the information gathered from the parking study was limited and applied too generally, that he would interview riders on days when the Coaster was running, and that existing demand is difficult to quantify. He stated that the EIR relied on 27 parking spaces in the Chief's parking lot, that it does not determine where the excess people would park, that adding 17 parking spaces between 2005 and 2010 did not add up, that he would like to see historical growth rates, and that this EIR forecast is not reasonable. He stated that charging for parking had not been analyzed, that the

theater had no designated parking, that theater show times conflicted with the peak transit parking garage use, and that season parking variations had not been addressed.

Greg Shannon stated that there is an easement recorded on the Chief's property, that the original owner of the train station property owned the Chief's property, that an easement for 27 parking spaces was retained and allows the owner of the train station to put up signs reserving them for train station parking.

Christine Nottingham stated that she had lived in Solana Beach for 10 years, that she owned a retail business in the design district, and that she is in favor of the space to enhance the shopping and dining experiences for people. She stated that she did not like the proposed size of the project, that she was concerned about the traffic flow and inadequate parking, that there is currently a shortage of parking, that other business owners on Cedros were not aware of the size of the project, that shoppers will leave if there is no parking, and that Council should not approve the project.

Scott Jenkins stated that he is an oceanographer and Principal Engineer at Scripps, that the project proposed to place 67,000 cubic yards of soil on the beach on south of Fletcher Cove, that the impact on the San Dieguito Lagoon was not considered in the EIR, that the soil would move off-shore from north to south. He stated that the EIR assumes that all material excavated 4 feet below the horizon is compatible for beach disposal, that the assumption is not analysis, that 35 to 40% of the material is finer than native beach sand, that this type of fine material will move down the coast, and that he urged Council not to certify the EIR.

Council discussion ensued with Scott Jenkins regarding the maintenance impact the fill would have on the Lagoon, that the fine sediments are finer than beach sand and would travel up the inlet channel and deposit, and that the sediment would affect kelp and offshore reefs.

Mr. Gresham – Was not present when called.

Tracy Weiss stated that she counted 125 parking spaces for the theater, that there would be no room for employees, theater school kids, or their rides, That 602 spaces would be required for the proposed project, and that just because a course of action is legal does not mean that it is ethical.

Terry Wardell stated that he was familiar with parking regulations and that he would like the EIR to be declined.

Rush Becker – Was not present when called.

Margaret Schlesinger – Was not present when called.

Holly Smith Jones stated that she was a 13 year resident, that Council should move forward with the project, that the City had great shopping areas and the rail trail, that a beach community would always have parking problems, that she is on the Board of the North County Reparatory Theater, and that there are two theaters proposed and neither would be operating at the simultaneously.

Brett Gobar stated that the traffic issue had not been adequately addressed, that the reason for bad traffic is because of misleading traffic issues, that the cumulative effects of the project on the coast had not been addressed, and that Council should not certify the EIR.

Geri Retman stated that she supported a project at this site, that she had concerns about traffic and parking which could be mitigated, that people would go to extremes to find parking in neighborhoods if they had to, and that she would like to see the parking mitigated.

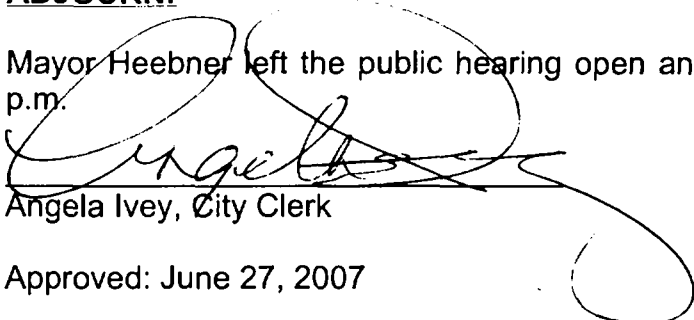
Rich Lee stated that he had lived in the City for eleven and a half years and that he is a proponent of preserving the community character of the City. He stated that he supported certifying the EIR, that he is concerned about traffic impacts, and that traffic would always be an issue in a small City.

Council discussion ensued regarding dates for the next Cedros Train Station meeting, that there are other community events occurring that day, that there may be conflicts for the public, and Council came to a consensus for the next meeting to occur of March 31<sup>st</sup>.

**No action taken. Meeting continued to March 31, 2007.**

**ADJOURN:**

Mayor Heebner left the public hearing open and adjourned the meeting at 3:00 p.m.

  
Angela Ivey, City Clerk

Approved: June 27, 2007