

DATE ISSUED: May 31, 2007 **REPORT NO. PC-07-074**

ATTENTION: **Planning Commission, Agenda of June 7, 2007**

SUBJECT: LIBERTY STATION SIGN PLAN –
PROCESS 2 APPEAL OF NEIGHBORHOOD USE PERMIT

REFERENCE: Neighborhood Use Permit 274911 [Attachment 1]

OWNER: The Redevelopment Agency of the City of San Diego
APPLICANT: Kathi Riser, McMillin-NTC, LLC.

SUMMARY

Issue: Should the Planning Commission grant an appeal by the Peninsula Community Planning Board to deny Neighborhood Use Permit (NUP) 274911, Liberty Station Sign Plan?

Staff Recommendation:

1. **CERTIFY** Environmental Impact Report Addendum No. 86572 and **ADOPT** Mitigation, Monitoring and Reporting Program (MMRP).
2. **DENY** appeal by the Peninsula Community Planning Board and **AFFIRM** the Process 2 decision to approve NUP 274911 and Resolution CM-5685 for the Liberty Station Sign Plan.

Community Planning Group Recommendation: On May 15, 2006, the Peninsula Community Planning Board voted 11-1-1 to approve, with conditions, issuance of the NUP for the Liberty Station Sign Plan [Attachment 4]. However, on May 9, 2007, the Board filed an appeal of the Process 2 NUP [Attachment 3].

Environmental Review: An Addendum to the NTC Redevelopment Environmental Impact Report (EIR) was prepared and finalized in accordance with the California Environmental Quality Act (CEQA). No new environmental impacts and no new mitigation were identified. No public comment was received.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The issue before the Planning Commission is the matter of an appeal as filed by the Peninsula Community Planning Board of the Process 2 Neighborhood Use Permit (NUP) for the comprehensive sign plan for Liberty Station at the former Naval Training Center (NTC). In an appeal, the Planning Commission has the authority to affirm, reverse or modify the Process 2 decision, but not the authority to modify the project. Therefore, this report and the associated appeal hearing are limited to discussion of only the three issues of appeal as brought forward by the Peninsula Community Planning Board [Attachment 3].

The process to create this sign plan included substantial public involvement. The applicant engaged several groups and organizations to develop a sign plan responsive to many differing, and sometimes opposing, viewpoints. The sign plan incorporates recommendations from the following organizations with a summary of comments provided as part of the permit resolution [Attachment 2]. In total, approximately 17 public meetings were held to discuss the Sign Plan following the first submittal to the City in November 2005. These meetings are summarized as follows:

- City of San Diego Historic Resources Board, Design Assistance. 5 meetings
- Peninsula Community Planning Board / Subcommittees. 12 meetings
- Point Loma Association Board 4 meetings
- Airport Authority 1 review

While the sign plan cannot incorporate all recommendations due to conflicting objectives, staff believes that the resultant plan has been through a thorough public process and now incorporates substantial public input, and effectively balances many different priorities and needs for signage to support successful redevelopment of the NTC site, while being sensitive to the surrounding residential community. Therefore, on April 24, 2007, following 18 months of staff review consisting of six different review cycles on more than 140 different staff issues, NUP 274911 was issued, for the reasons as substantiated in the permit resolution [Attachment 2].

DISCUSSION

Pursuant to San Diego Municipal Code [SDMC] Sections 141.1102, 141.1105, and 142.1260, the permit allows for reallocation of sign area to provide for approximately 25,175 square feet of signage in a combination of Primary Signs (including wall signs, projecting sign and ground signs) and Secondary Signs (including directional signs, directories and other secondary signs); and signs with automatic changing copy, as defined in the document, “Liberty Station Sign Plan for Master Planned Development Permit 99-1076” dated March 28, 2007 [Attachment 7], prepared pursuant to the Master Planned Development Permit / Coastal Development Permit 99-1076, and the NTC Precise Plan. Both the permit and the NTC Precise Plan require a sign plan to be prepared to define the urban-level signage program that establishes the signage theme at NTC.

The project is located at the former Naval Training Center (NTC). The Sign Plan applies to a portion of the approximately 360-acre former Naval Training Center (NTC) site located along Rosecrans Street between Lytton Avenue and Laning Road, and is west of the San Diego International Airport. The property is zoned CR-1-1 and is within the NTC Precise Plan and Local Coastal Program Plan, Council District 2. The Sign Plan encompasses the Educational, Mixed Use Retail, Mixed Use Arts and Culture, and Office areas of the NTC Precise Plan.

These areas are within the Coastal Overlay Zone (Appealable and Non-Appealable areas); the NTC Visitor and Community Emphasis Overlay (VCEO) Zone, the NTC Historic District; the Airport Approach Overlay Zone (AAOZ); the Airport Environs Overlay Zone (AEOZ), and the Runway Protection Zone (RPZ). The NUP does not apply to certain areas of the NTC Redevelopment Project area such as the military family housing, the park, the two hotel sites, the and the laboratories.

On May 15, 2006, following seven meetings of the Board and/or the sign subcommittee, the Peninsula Community Planning Board voted 11-1-1 to approve, with conditions, issuance of the NUP for the Liberty Station Sign Plan [Attachment 4]. Following this recommendation, staff continued to work to incorporate and resolve the concerns, issuing three more iterations of the revised sign plan and an offer to meet again with the Board to review comments. On April 24, 2007, following 18 months of staff review consisting of six different review cycles on more than 140 different staff issues, NUP 274911 was issued, for the reasons as substantiated in the permit resolution [Attachment 2]. On May 9, 2007, the Board filed an appeal of the Process 2 NUP [Attachment 3] citing the following three issues:

1. “The permit violates the NTC Precise Plan 9/17/2001 Chap IV Urban Design -10: monument signs at the entries and corners of property should be avoided.”
2. “The NTC Precise Plan Chap 1 states that the Precise Plan is consistent with the NTC Reuse Plan. The Reuse Plan under urban design guidelines [states] that shopping centers and major commercial areas type of sign is not permitted at NTC.”
3. The proposed use of multiple tenant advertising on Rosecrans and Lytton Streets is in direct violation of the Reuse Plan, the Precise Plan, the DDA [Disposition and Development Agreement], Redevelopment guidelines, and federal guidelines for preservation of historical landscape and overall visual quality.”

Each of the three issues are further discussed below.

1. The permit violates the NTC Precise Plan 9/17/2001 Chap IV Urban Design -10: monument signs at the entries and corners of property should be avoided.

The NTC Precise Plan defines an urban design program in Chapter IV of the Precise Plan to provide for integration of the redevelopment project with the surrounding community, while giving the site distinctive character. Guiding principles for signage are provided in page IV-10 of the Precise Plan [Attachment 5].

The specific item of appeal is the statement in the Precise Plan: “Monument Signs at the entries and corners of the property should be avoided.” Staff responded to this guidance by reducing the number and size of the entry monument signs. Therefore, avoidance is achieved through reduction and minimization, recognizing that the Precise Plan does not mandate total absence of monument signs (which would be communicated through a “shall” statement) but rather makes a request to avoid, but not eliminate.

In the first draft of the sign plan, 10 monument signs were proposed, up to eight feet high, in a solid sign with endcaps. In addition, up to four tenant names could be placed on the signs, each in their distinctive marketing color. In response to substantial review and input by the city’s Historical Resources Board Design Assistance Subcommittee (HRB DAS) [Attachment 11], the Peninsula Community Planning Board (PCPB) [Attachment 4], and the Point Loma Association (PLA) [Attachment 12], several modifications were made to minimize the visual impact. The end result limits monument signs to five perimeter locations (whereas 17 would be allowed if signage were to be installed under the sign regulations of the SDMC), reduced the height to a maximum of six feet (three feet of sign face topped by three feet of open ironwork arch), and restricted the sign face to a standard color (blue) and the sign copy to a standard color (white).

The Precise Plan also provides the following guidance: “The [NTC] base has not had the need to advertise its presence or announce its occupants. With the change in use, there is a need to provide more information to the public than previously necessary.” This is a guiding principle for the tone of the entire Sign Plan which was specifically designed to be of minimal visual impact, yet providing adequate information to “advertise its presence” and to “announce occupants” as envisioned by the Precise Plan. The Sign Plan is intended to provide a contemporary overlay expressive of the current uses while incorporating an over-arching design consideration to be consistent with the Historic District, even for signs not specifically within the District.

The challenge of the Sign Plan was to successfully balance the need to inform to ensure successful adaptive reuse of the NTC Redevelopment Project by filling tenant spaces, while at the same time, taking into consideration and minimizing the visual impact to the adjacent residential community. However, the project area is more than just a neighborhood enclave; in accordance with the Precise Plan, it is zoned CR-1-1 (Commercial Regional), which by definition, means that it must respond to a broad mix of uses, intended to accommodate large-scale, high intensity, auto-oriented development (SDMC 131.0503), specifically for regional serving commercial uses with an auto orientation (SDMC 131.0503(b)). So because the project area is specifically intended to be a regional, auto-oriented destination, as well as serving the local community, an appropriate mix of signage is required to provide information for those regional users who might not be as familiar with the project area as a local Peninsula or NTC resident. However, the majority of the commercial property is set one block off Rosecrans Street, unlike most CR-1-1 zoned property that is typically located along a prime arterial. This aspect justifies the need for the signage proposed along Rosecrans Street.

In response to the community concerns, the Sign Plan specifically and intentionally reduced the number of signs along the project perimeter from 10 to 5, and reduced the visual impact of the signage by reducing the height from eight feet to six feet, and reducing to only two colors so that individual tenants do not get their signature marketing color. For these reasons, staff supports that minimization is sufficient to implement this aspect of the Precise Plan.

2. The NTC Precise Plan Chap 1 states that the Precise Plan is consistent with the NTC Reuse Plan. The Reuse Plan under urban design guidelines [states] that shopping centers and major commercial areas type of sign is not permitted at NTC

The Reuse Plan was written to comply with the Base Closure and Realignment Act of 1988, and the Defense Base Closure and Realignment Act of 1990; it is not the current governing land use document. As stated in the NTC Precise Plan (page I-1), the Reuse Plan “identifies the conceptual redevelopment program and an economic and financial evaluation” and “provided the necessary financial analysis to enable the Navy to convey the property to the City.” The current land use planning and zoning regulations are set forth in the NTC Precise Plan and Local Coastal Program Land Use Plan. Furthermore, by approval of the Precise Plan, the City Council and the Coastal Commission have determined that the Precise Plan is consistent with the Reuse Plan (page I-1).

As a basis for planning, the Reuse Plan defines broad signage guidelines in Appendix H, Urban Design Guidelines [Attachment 6] and recommends that “menu board” signage at entrances and corners should not be permitted. However, the Precise Plan clarifies that monument signs at entries and corners should be avoided; it does not specifically exclude. Because the Precise Plan is the current and governing land use document, conformance with the Precise Plan is the standard.

However, mindful of the public input that formed the basis of the Reuse Plan, the proposed monument signs have been designed to be of minimal visual impact to adjacent residential neighbors, yet still serving the needs to guide and direct the public to the amenities in the Commercial – Regional zone. As a CR-1-1 zone, the NTC redevelopment project area is not a local amenity, but a regional amenity as defined by the zone. As such, it is appropriate and necessary to guide out-of-area people to the primary amenities provided on the site. The proposed monument signs would therefore not be a menu of all shopping amenities, but would be limited to only major tenants.

3. **The proposed use of multiple tenant advertising on Rosecrans and Lytton Streets is in direct violation of the Reuse Plan, the Precise Plan, the DDA [Disposition and Development Agreement], Redevelopment guidelines, and federal guidelines for preservation of historical landscape and overall visual quality**

The NTC Precise Plan does not prohibit multiple tenant advertising (refer to page IV-10, Urban Design guidelines, and Coastal Element Chapter VI-11) [Attachment 5]. The comment contends that multiple tenant advertising is not allowed under the Reuse Plan, the DDA [Disposition and Development Agreement], Redevelopment guidelines, and federal guidelines for preservation of historical landscape and overall visual quality. The City of San Diego Historical Resources Board Design Assistance Subcommittee has determined that the Sign Plan conforms with the federal *Secretary of the Interior's Standards for the Treatment of Historic Properties* through conformance with the NTC *Guidelines for the Treatment of Historic Properties* [Attachment 11].

CONCLUSION

Staff has thoroughly analyzed the proposed Sign Plan and the three appeal issues as raised by the Peninsula Community Planning Board. Staff believes the Sign Plan is the product of substantial public review and input, effectively balances many different requests, and is in conformance with the NTC Precise Plan, the Municipal Code, and the NTC Guidelines for Treatment of Historic Properties. Therefore, staff is requesting the Planning Commission to deny the appeal and affirm the Process 2 decision to approve Neighborhood Use Permit 274911.

ALTERNATIVES

The City Attorney office advises that in an appeal, the Planning Commission has the authority to affirm, reverse or modify the Process 2 decision, but not the authority to modify the project. Therefore, the two alternatives are:

1. **AFFIRM** the Process 2 decision, with modifications, for Neighborhood Use Permit 274911.
2. **REVERSE** the Process 2 decision for Neighborhood Use Permit 274911, upholding the appeal to **DENY** Neighborhood Use Permit 274911.

Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

Cory H. Wilkinson, AICP
Development Project Manager
Development Services Department

Attachments:

1. Neighborhood Use Permit 274911
2. Resolution CM-5685
3. Appeal by Peninsula Community Planning Board
4. Record of Review by Peninsula Community Planning Board
5. NTC Precise Plan Sign Plan Guidance
6. NTC Reuse Plan Sign Plan Guidance
7. Liberty Station Sign Plan for Master Planned Development Permit # 99-1076, 03/28/07
8. Airport Authority Approval
9. Draft Environmental Resolution
10. Draft Permit Resolution
11. Meeting Minutes of Historical Resources Board Design Assistance Subcommittee
12. Record of Review by Point Loma Association