

DATE ISSUED: May 31, 2007

REPORT NO. PC-07-075

ATTENTION: Planning Commission, Agenda of June 7, 2007

SUBJECT: MUIR FOUR

OWNER/ George Mosher

APPLICANT: Dave Barber, db Designs

SUMMARY

Issue: Should the Planning Commission approve demolition of nine apartment units to allow for construction of four condominium units in four buildings, with on-site, at-grade garage parking at 5137-5141 Muir Avenue in Ocean Beach?

Staff Recommendation:

1. **CERTIFY** Mitigated Negative Declaration and **ADOPT** Mitigation, Monitoring, and Reporting Program (MMRP) 106119;
2. **APPROVE** Planned Development Permit (PDP) 425390, Site Development Permit (SDP) 357002, Coastal Development Permit (CDP) 357003, Tentative Map (TM) 357012.

Community Planning Group Recommendation: On February 7, 2007, the Ocean Beach Planning Board voted 8-2-0 recommending approval of the project [Attachment 10].

Environmental Review: Mitigated Negative Declaration 106119 was finalized May 3, 2007 pursuant to the California Environmental Quality Act, identifying mitigation for archaeological resources.

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: The project would result in removal of nine rental units, and replacement with four for-sale units. As the project involves fewer than 10 units in two or more structures, and is not a condo conversion, the Housing Commission has verified that the project is not subject to the Coastal Affordable Inclusionary Housing regulations. The project would pay the required in-lieu fee for affordable housing.

DISCUSSION

The project would demolish nine, one-story, residential apartment units (ranging in size from 300 – 515 square feet each) to allow for construction four condominium units in four buildings on a two-lot subdivision at 5137-5141 Muir Avenue in the Ocean Beach community.

The project can be best described in two phases: Phase I demolition, and Phase II construction. Each is described below. Refer to the Demolition Plan and Site Plan in Attachment 6 for a visual point of reference.

Phase I demolition would remove the nine existing buildings crossing lot lines involving four lots: Lots 11, 12, 13, and 14. Each lot is 25' x 129' (0.07 acre). Lot 11 currently provides driveway access easement to Lot 10 to the north. The existing driveway access easement on Lot 11 would be retained. No new development would be added to Lot 11. Lots 12 and 13 contain the nine existing buildings to be demolished. Portions of these buildings overlap into Lots 11, and into lot 14. Removal of these buildings would eliminate structures crossing lot lines. Lot 14 has two existing apartment units to be retained.

Phase II would construct four new condominium units on Lots 12 and 13 (a 0.15 acre site) with two units on each lot. No new construction would occur on Lots 11 and 14. At the lot frontage along Muir Avenue, each lot (12 and 13) would have a 1,085 square foot, two-story, two-bedroom, two-bath unit, over a 425 square foot, at-grade, two-car garage. At the rear of each lot (no alley access), the project would provide a 706 square foot one-story, one-bedroom one and one-half bath unit at grade.

In summary, approximately 4,405 square feet of building space exists on the 12,935 (0.30 acre) project site. Approximately 3,313 square feet of building space would be demolished in the nine existing units on Lots 12 and 13, retaining approximately 1,092 square feet in two structures on Lot 14. Lot 11 would continue to provide driveway access to adjacent existing structures on Lots 9 and 10 (not part of the project site). The four new structures would be constructed on lots 12 and 13 on at 0.15 acre site as defined by Tentative Map 357012 [Attachment 6].

Environmentally Sensitive Lands

The project location is within the 100-year floodplain of the Ocean Beach area according to the Flood Insurance Rate Map, panel 1613F. However, all construction would be at-grade with all habitable areas above the base flood elevation. The lowest habitable space would be at 11.6 feet where the base flood elevation is at 9.6 feet. This configuration meets the required two feet above the base flood elevation. Due to the project's location in the 100-year floodplain, a Site Development Permit is required, although no deviations are requested from the Environmentally Sensitive Lands Regulations for development within the 100-year floodplain. Findings for the Site Development Permit are substantiated in the resolution [Attachment 12].

Parking

The parking requirement is four spaces for the proposed development consisting of two lots with two units (one 1-bedroom unit and one 2-bedroom unit) on each lot. This is calculated as 1.75 spaces per one-bedroom unit and 2.25 spaces per two-bedroom unit per lot for a total of 8 parking spaces.

Currently, there is no on-site parking for the existing nine apartment units; street parking must be obtained along Muir Avenue which is a narrow (50 foot) right-of-way. As the project site does not have alley access, the parking is proposed off Muir Avenue at the front of each lot. This configuration would not obstruct pedestrian flow along Muir Avenue as the project would provide a 4.8' foot sidewalk with 3.8' grass parkway, and would observe 10' front setback.

Community Plan

The project location is within the North Ocean Beach area of the Ocean Beach Precise Plan and Local Coastal Program Plan, in an area with a density recommendation of 25 dwelling units per acre (du/ac). The project would remove nine existing dwelling units on a 0.30 acre, four-lot project site, and construct four units on a 0.15 acre, two-lot project site (density of 25 du/ac). The new development would reduce the existing density and provide off-street parking. In addition, the density conforms to the RM-2-4 zone which allows one unit for each 1,750 square feet. Each lot is approx 3,225 square feet which allows for 1.8 or two units per lot.

The Ocean Beach Precise Plan and Local Coastal Program Plan recognizes that redevelopment in Ocean Beach involves removal of existing housing for replacement with new while maintaining the existing residential character exemplified by a mix of small-scale residential building types and styles. New development should be compatible with the present small-lot development pattern. This project proposes two separate structures on each of two lots, thereby avoiding creation of a large condominium complex.

The Precise Plan recommends to control the relationship of a building to its site to minimize bulk and scale impacts. The Precise Plan recommends a minimum 10 foot front yard setback. The project conforms to this recommendation. The Precise Plan also recommends a Floor Area Ratio of 0.7 for a 25 du/ac density. This project would construct a FAR of 0.69, or 2,243 square feet per lot where 2,263 square feet is allowed per lot.

The Precise Plan recommends two off-street parking spaces per unit. This project would provide four parking spaces on each lot, or two off-street parking spaces per unit fulfilling the Plan recommendation, and complying with the Municipal Code parking regulations.

The project would landscape in excess of the minimum required, providing three street trees (palms) consistent with the Ocean Beach Precise Plan recommendations, and six interior shade trees such as the Gold Medallion Tree to provide shade in the interior spaces of the site. In addition, the driveways would be constructed of turf blocks to filter runoff. The Ocean Beach Precise Plan recommends at least 20% of the total lot to be landscaped. The project would provide 802 square feet of landscaped area per 3,233 square foot lot, or 25% landscape coverage, therefore exceeding the recommendation of the Precise Plan.

Community Planning Group Recommendation and Public Input

The Ocean Beach Community Planning Group voted to recommend approval of the project (8-2-0), following discussion at two prior land use subcommittee meetings. The Planning Group recognized that the site has no alley access and that it would provide additional on-site parking helping to relieve an existing condition of congested street parking. Although the project would deviate from the practice of constructing the highest portion of the development at the rear of the lot, the Planning Group supported the design due to site constraints. No members of the public voiced concerns at the final meeting where the vote was made [Attachment 10].

Additional public input was received by City staff from two neighbors expressing concerns on the project's bulk and scale, height, and setbacks. Staff had several productive interactions with these neighbors between September 2006 through April 2007. A primary concern is that the proposed development would exceed surrounding structures. In response to their concerns, the applicant provided a photo survey of nearby development showing other two-story structures in the project vicinity [Attachment 16]. Staff does not believe that the project would be out-of-character with the community. In addition, the project has demonstrated to staff that the new development would improve existing conditions by providing on-site parking, and pushing back the development further from the street edge. The existing condition has a fence at the property line at the edge of the sidewalk. The proposed condition would remove that fence opening up the pedestrian view and access. While the new development would provide a two-story structure at the front of the lot, staff believes that due to site constraints, parking is required from the front, and it is appropriate to have the parking at-grade rather than underground to avoid underground construction in the 100-year floodplain.

Airport Land Use Compatibility

The San Diego County Regional Airport Authority has found the project to be conditionally consistent with the San Diego international Airport Land Use Compatibility Plan, requiring an aviation easement to ensure interior noise attenuated to 45 decibels [Attachment 15].

Deviations

Through issuance of a Planned Development Permit (PDP), the project is requesting the following four deviations from the Municipal Code.

- 131.046(e)(3) normally requires 40% of the building façade on the ground floor to be habitable. For this project, staff supports the deviation because the ground floor is needed for parking as it is desirable to maintain parking at-grade due to presence of the 100-year floodplain.
- 143.0410(a)(2) normally allows tandem parking if alley access is provided. However, this project location does not abut a rear alley so staff supports access from the front of the lot off Muir Avenue.
- 131.0443(e)(1)(A) normally requires a front yard setback of 50% which would be 20 feet for this site. However, the project proposes 15 feet at staff recommendation. Staff recommended this reduced setback in order to reduce the possibility of a triple tandem parking configuration (three cars in a row), which could obstruct pedestrian movement along the sidewalk.

- 131.0446(e) normally requires 25% of the required Floor Area Ratio (FAR) to be allocated to parking. The project is requesting a 0.544 FAR where 0.525 would normally be allowed. Staff supports this deviation because the project provides adequate on-site parking.

ALTERNATIVES

1. **CERTIFY** Mitigated Negative Declaration and **ADOPT** Mitigation, Monitoring, and Reporting Program (MMRP) 106119; and **APROVE** Planned Development Permit (PDP) 425390, Site Development Permit (SDP) 357002, Coastal Development Permit (CDP) 357003, Tentative Map (TM) 357012; with modifications; or
2. **DENY** Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Program (MMRP) 106119; and Planned Development Permit (PDP) 425390, Site Development Permit (SDP) 357002, Coastal Development Permit (CDP) 357003, Tentative Map (TM) 357012.

Respectfully submitted,

Mike Westlake
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Attachments:

1. Site Location
2. Aerial Photo
3. Land Use Plan
4. Zoning
5. Site Photos
6. Project Plans
7. Ownership Disclosure
8. Project Data Sheet
9. Project Chronology
10. Community Planning Group Recommendation
11. Permit
12. Permit Resolution
13. Map Resolution
14. Environmental Resolution
15. Airport Consistency Determination
16. Applicant Photo Survey