

**DATE ISSUED:** January 18, 2008 **REPORT NO.** PC-08-004

**ATTENTION:** **Planning Commission, Agenda of January 24, 2008**

**SUBJECT:** SDSU FRATERNITY – PROJECT NO. 122509  
PROCESS FOUR

**REFERENCE:** College Area Community Plan -  
<http://www.sandiego.gov/planning/pdf/complans/collegearea/cacpfullversion.pdf>

College Community Redevelopment Project Master Project Plan -  
<http://www.sandiego.gov/redevelopment-agency/pdf/masterprojectplan.pdf>

**OWNER/  
APPLICANT:** Room to Room II, LLC

### **SUMMARY**

**Issue(s):** Should the Planning Commission approve a Conditional Use Permit and a Planned Development Permit to allow the construction of a 16-room, four-story fraternity house with underground parking on a 0.17-acre vacant site located at 5565 Lindo Paseo, in the RM-3-9 Zone, the College Redevelopment Project area and the Campus Parking Impact Zone, within the College Area Community Plan?

#### **Staff Recommendation:**

1. **Certify** Mitigated Negative Declaration No. 122509 and **adopt** the Mitigation, Monitoring and Reporting Program (MMRP); and
2. **Approve** Conditional Use Permit No. 417271 and Planned Development Permit No. 509941.

**Community Planning Group Recommendation:** On July 11, 2007, the College Area Community Planning Group voted 13-0-1, on consent, to recommend approval of the project with no conditions (Attachment 8).

**Environmental Review:** In accordance with the State of California Environmental Quality Act (CEQA) Guidelines, Mitigated Negative Declaration No. 122509 has been prepared for this project. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and would be implemented to reduce any potentially significant impacts to Paleontological Resources to below a level of significance.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid by the applicant through a deposit account.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** The project proposes to construct a 16-room fraternity house on a vacant lot that was previously developed with a single-family home. The College Area Community Plan designates the site for high-density residential development at a rate of 45-75 dwelling units per acre, or 8-13 units allowed on this 0.17-acre site. The Community Plan also specifically designates the site for fraternity housing or uses that could be converted to fraternity housing. The current Inclusionary Affordable Housing Requirements apply and the project has been conditioned to either pay the appropriate in-lieu fee or provide on-site affordable student housing. Although this is not formally an affordable housing project, it would provide housing for a specific population with limited income that is typically supported by various financial aid programs.

## **BACKGROUND**

The 0.17-acre vacant urban infill project site is located at 5565 Lindo Paseo, on the south side of Lindo Paseo between 55<sup>th</sup> Street and Campanile Drive within the College Area Community Plan, the College Area Redevelopment Project Plan Area and the Campus Parking Impact Overlay Zone. The site is zoned RM-3-9, which allows multi-family development at a rate of one unit per 600 square-feet of lot area, or 12 units allowed on this 7,194-square-foot site. The College Area Community Plan designates the site for high-density residential development at a rate of 45-75 dwelling units per acre, or 8-13 units allowed on this site.

The Community Plan also designates this site for fraternity housing and uses which are intended to serve fraternity residents, or multi-family uses which are convertible to sorority or fraternity use. In addition to the College Area Community Plan, applicable policy documents for this site include the College Community Redevelopment Master Project Plan and the Core Subarea Design Manual.

The vacant project site is relatively flat and was previously developed with a single-family residence that was demolished with an approved demolition permit in 2005. The site is bordered by one-story single-family structures to the east and west which are currently utilized as fraternity housing. The properties to the south of the project site, across the existing alley right-of-way, are developed with three- to four-story multi-family housing units that were approved in 2001. The properties to the north on the opposite side of Lindo Paseo include multi-family structures, a surface parking lot and a multi-level parking structure.

The College Area Community Plan (CACP) was last amended by the City Council on August 3, 2002, and reflects the long range goals of this site being devoted to fraternity use (Attachment 5).

The CACP references the College Community Redevelopment Project (CCRP), and requires the creation of a Master Project Plan to implement the College Area Community Plan and the College Community Redevelopment Project, as well as aid in the redevelopment of five subareas surrounding San Diego State University (Attachment 4). The Master Project Plan (MPP) for the College Community Redevelopment Project was approved by the City Council on October 12, 1993. This project site is within the "Core Subarea" of the CCRP (Attachment 4). The Core Subarea Design Manual was adopted by the City Council on August 12, 1997. Both the MPP and Core Subarea Design Manual contain guidelines and regulations regarding the development of this project site.

## **DISCUSSION**

### **Project Description:**

The applicant proposes to construct an approximately 13,757-square-foot, four-story fraternity house consisting of 16 single-occupancy bedrooms, common-areas including study/meeting/TV/storage rooms and a central kitchen. The structure would house 15 fraternity members and one resident manager. The project would also include an approximately 1,491-square-foot uncovered roof deck and a 211-square-foot fourth floor balcony. Condition No. 35 of the project permit (Attachment 6) would restrict outdoor and roof deck activities to weekends and holidays during the school year and daytime, weekends and holidays during the summer.

The project would provide 13 subterranean parking spaces accessed from the alley right-of-way at the rear of the site. The site is located within the Core Sub-Area portion of the College Community Master Plan and within the Campus Parking Impact Area, and the required parking ratio is 0.75 parking spaces per resident for fraternity projects. The total number of residents is limited to 16 per Condition No. 39 of the project permit (Attachment 6), ensuring that the 13 onsite spaces provided would be adequate ( $16 \text{ residents} \times 0.75 = 12$ ). Motorcycle and bicycle parking would also be provided in the subterranean garage.

Construction of the subterranean parking garage would require the excavation of approximately 1,625 cubic yards of earth with approximately 1,610 cubic feet to be exported offsite. The maximum excavation depth would be approximately 12 feet with a maximum retaining wall height of 10 feet, all of which would be interior to the parking garage and not visible from outside the structure.

The maximum height of the four-story structure would be approximately 55 feet, which complies with the 60-foot maximum height allowance in the RM-3-9 Zone and is similar to the height of the three- to four-story multi-family development located just south of the project site. With the exception of the requested front yard setback deviation discussed on Page Four of this report, the project meets all of the applicable development and design standards for the RM-3-9 Zone, the Community Plan and the College Community Redevelopment Project Master Plan.

The building would feature a stucco finish with multiple offsetting planes and deep-set scoring lines to provide visual interest and reduce the bulk of the structure. Complementing paint colors would be utilized for several of the offsetting planes and a stained wood area would be provided for placement of the brushed aluminum fraternity signage element. The tiled roof would be a hipped design with exposed rafter tails and a trellis above the fourth floor deck area. Also incorporated into the building design are multiple site walls which help to guide pedestrians from the sidewalk into the entrance while providing ramped ADA access. Also incorporated into the building design is the landscaping which will help to define the future look of Lindo Paseo by establishing a pattern of non-continuous sidewalks street trees located within the parkway, as envisioned in the Community Plan.

The project has been conditioned to upgrade portions of the existing water lines in the neighborhood. This would include construction of a new 12-inch water main to replace the existing 5-inch and 6-inch water facilities in Lindo Paseo, from 55th Street to Campanile Drive and the construction of a new 12-inch water main in Campanile Drive, from Lindo Paseo to Montezuma Road.

#### Required Permits

As described in Section 131.0422 of the Municipal Code, *Use Regulations Table for Residential Zones*, the development of a fraternity house in the RM-3-9 Zone requires the approval of a Conditional Use Permit. In order to allow the requested front yard setback deviation, the approval of a Planned Development Permit (PDP) is required as described in Section 143.0402 of the Municipal Code, *When Planned Development Permit Regulations Apply*. The project would also require the approval of a Phased Project Redevelopment Permit (PPRP), as described in the College Community Redevelopment Project Master Plan. Because the PPRP is not a defined permit within the Municipal Code, the Planned Development Permit (PDP) included with this project functions to implement this requirement.

#### Front Yard Setback Deviation Request

The project includes a request to deviate from the front yard setback requirements, which is allowed with the approval of a Planned Development Permit (PDP). The RM-3-9 Zone allows projects such as this to utilize a split front yard setback, with up to 50 percent of the width of the building allowed to observe a 10-foot front yard setback provided the remaining percentage of the building observes a 20-foot front yard setback.

The project as proposed would utilize a 3-foot, 5-inch front yard setback for approximately 50 percent of the structure and a 10-foot, 11-inch front yard setback for the remaining portion of the structure. The applicant is requesting this deviation in response to Fire Department ladder access requirements for multi-story structures, which require that at least one portion of the structure be located no more than 20 feet from the face of the curb. Granting this deviation would allow approximately 25-foot linear feet of the front elevation to be located within 20 feet of the Lindo Paseo curb face, in compliance with Fire Department regulations. Condition No. 50 of the project permit (Attachment 6), which requires that approximately 25 feet of the curb be red-curbed has been included at the Fire Department's request to ensure that the required 20-foot curb face to building distance is not impeded by vehicle parking.

City staff is supportive of the requested deviation. This site is unique in that there is 16.5 feet of parkway between the curb face and the property line where a typical parkway would be approximately 10 feet wide. This extra parkway width forces the structure to be located farther away from the street than is typical, which inhibits Fire Department ladder access. Given the size of the parkway, the requested front yard setback deviation still allows half of the structure to be located at least 20 feet from the curb face and the remaining half to be located approximately 28.5 feet from curb face. Staff feels that the requested deviation provides for the intent of the front yard setback requirements by allowing the structure to be appropriately sited in relation to the curb face while providing for articulation and visual interest at the front elevation.

### **Community Plan Analysis:**

The College Area Community Plan designates the proposed project site for fraternity use with a density of 45 to 75 dwelling units per acre and a maximum allowable height of 12 stories. This designation supports the proposed four-story, 16-bedroom fraternity house and fulfills the goals of the community plan to locate Greek housing within close proximity of San Diego State University.

The proposed project helps to carry out the community plan's objectives to promote a "community campus" by increasing new student housing and providing strong pedestrian orientation between students' residences, the university, and existing retail uses. The proposed project is oriented along Lindo Paseo to encourage pedestrian access from the street. The pedestrian environment is enhanced through a well marked entrance with shade producing trees, a non-contiguous sidewalk and a shallow setback that locates the residence closer to the sidewalk. In addition, the proposed project provides a bicycle storage area in the underground parking structure to support bicycling as an alternative form of transportation. These elements and the project's convenient location should facilitate the reduction of vehicle trips and reduce local traffic congestion, fulfilling yet another community plan objective.

In addition, the project includes a recreation room and roof deck which complies with the community plan recommendation to provide residents on-site recreational facilities. And as students of the university, future residents will also have the opportunity to use the various on-campus recreational facilities.

### **Environmental Analysis:**

Mitigated Negative Declaration (MND) No. 122509 was prepared for this project. The MND requires the implementation of a Mitigation, Monitoring and Reporting Program (MMRP) to reduce potential impacts to Paleontological Resources to below a level of significance. An onsite Paleontological monitor would be required during excavations to ensure that if resources are encountered, a recovery and documentation plan would be implemented. The MND also examined potential impacts to Historical Resources, Aesthetics/Visual Quality and Transportation/Circulation and determined that potential impacts to these areas would not be significant and no mitigation was required.

**Conclusion:**

In summary, staff finds that the project is consistent with the recommended land use, design guidelines and development regulations in effect for this site per the adopted College Area Community Plan, the College Community Redevelopment Master Project Plan and the Core Subarea Design Manual, and the RM-3-9 Zone. Staff is supportive of the requested front yard setback deviation which is allowed through the Planned Development Permit process. Draft permit conditions have been prepared for this project (Attachment 6) and all of the findings required to approve the project can be made and are included in the draft resolution (Attachment 7).

**ALTERNATIVES**

1. **Approve** Conditional Use Permit No. 417271 and Planned Development Permit No. 509941, **with modifications.**
2. **Deny** Conditional Use Permit No. 417271 and Planned Development Permit No. 509941, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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Mike Westlake  
Program Manager  
Development Services Department

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Paul Godwin  
Development Project Manager  
Development Services Department

WESTLAKE/PBG

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology