

DATE ISSUED: July 31, 2008

REPORT NO. PC-08-099

ATTENTION: **Planning Commission, Agenda of August 7, 2008**

SUBJECT: **COLLWOOD APARTMENTS - PROJECT NO. 144087 PROCESS 4.**

OWNER/

APPLICANT: Collwood Pines Apartments, L.P. (Attachment 9)

SUMMARY

Issue(s) - Should the Planning Commission approve a Planned Development Permit to allow the demolition of 167 apartments and construction of 260 residential apartment units with deviations to allow increased building height and site wall height on a 6.8 acre site at 4929 Collwood Boulevard in the RM-3-7 Zone within the College Area Community Plan area?

Staff Recommendation -

1. **Certify** Mitigated Negative Declaration No. 144087, and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** Planned Development Permit No. 504214.

Community Planning Group Recommendation - The College Area Community Council voted on May 14, 2008 to recommend approval of the proposed actions. The group took three votes; first addressing the retaining wall height deviation was 13-0-0; second addressing the landscaping deviation as requested was 13-0-0; and last addressing the building height deviation as requested was 10-3-0.

Environmental Review - A Mitigated Negative Declaration No. 144087 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and would be implemented which would reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The project site is designated for Medium/Medium-High Residential with a density range of 15 to 45 dwelling units per acre which would allow a maximum of 305 dwelling units on the site. The proposed project, to demolish 167 apartments and construct 260 dwelling units, would provide a net gain of 93 dwelling units. In addition, the applicant has chosen to pay in-lieu fees in accordance with the Inclusionary Housing Ordinance.

BACKGROUND

The project site is located at 4929 Collwood Boulevard within the RM-3-7 zone and the Parking Impact Overlay Zone in the College Area Community Plan area (Attachment 1). The 6.8 acre property is opposite Collwood Way between Montezuma Road and Collwood Lane, and between Collwood Way, Defiance Way and Prosperity Lane, approximately one mile from San Diego State University (Attachment 2). The previous zone on the site, the R-3 Zone, was established by City Council Ordinance No. 10137 NS effective September 11, 1969.

The site has been previously graded and developed with a split-level building surrounded by a 90-foot cut slope to the north; a 25-foot fill slope along the south, and a manufactured slope raging from about 25 to 50 feet to the northeast (Attachment 3). The elevation of the site slopes toward the southwest with approximate elevations ranging from 250 feet Above Mean Sea Level (AMSL) to 350 feet AMSL. The land uses adjacent to the site include single and multiple family residential uses. The single family uses along Prosperity Lane vary from 342 to 346 feet AMSL and are approximately 75 feet, on average, above the project site after grading. The single family uses along Defiance Way vary from 320 to 342 feet AMSL and are approximately 60 feet, on average, above the project site after grading. The multi-family development to the south is approximately 20 feet below the project site. The project site is not located within or adjacent to the Multi-Habitat Planning Area of the City's Multiple Species Conservation Program. The property is located within an existing urbanized area currently served by police, fire, and emergency medical services.

The subject property is presently developed with 167 apartments, swimming pool, spa, landscaping and parking. The site has two one-story buildings and two four-story buildings. Parking on the site is both surface and tuck-under spaces. Construction permits for these buildings were issued in December 13, 1977 and construction was completed in February 22, 1974. No variances or other discretionary permits are recorded on the property. A search of available records indicates there are no current zoning, building or sign violations open on this property. It is assumed that development on these sites occurred in compliance with regulations in effect at the time initial and any subsequent improvements were made. Because of changes to

development regulations, the existing improvements may not comply with all current regulations of the RM-3-7. The property has previously conforming rights as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

A Tentative Map was approved on July 20, 2006 by the Planning Commission to allow the conversion of the apartments to condominiums. However, no final subdivision map has been recorded and the condominium property has not been created. The site presently remains a rental apartment property.

DISCUSSION

Project Description

The Collwood Apartments project proposes to demolish the existing development on the site and construct 260 apartments, recreation facilities, site landscaping, surface parking and a parking structure, grading and retaining walls and minor improvements in the public right-of-way at 4929 Collwood Boulevard within the RM-3-7 zone in the College Community Plan area (Attachment 4).

As a participant in the Affordable Housing and Sustainable Buildings Expedite program, the applicant has made a commitment to generate 30% of their electrical energy demand on-site using a 33.8 kWdc solar photovoltaic system, exceed Title 24 2005 Requirements by at least 15% and obtain a Leed's Silver rating.

The project would provide vehicular and pedestrian access to the site from Collwood Boulevard. Approximately 567 parking spaces would be available on-site within an eight-storied below/above grade parking structure, where 541 parking spaces are required. The project would also provide 22 motorcycle spaces, 11 accessible spaces, and 120 bicycle spaces as required.

Deviations

The project proposes four deviations through the Planned Development Permit process. These deviations allow a greater maximum building height and greater retaining wall height. The applicant has submitted a summation of the deviations and their justification for granting the deviations. Please refer to Attachment 5.

Development of the property would meet all requirements of the regulations, as allowed through the approval of a Planned Development Permit, per the Land Development Code (LDC). Four deviations are required to approve the project. Concept plans for the project have identified compliance with all development criteria in effect for the site, except as allowed through the approval of a Planned Development Permit. These deviations relate to the maximum building height and retaining wall height and location. The four deviations include:

- 1) Allowing the maximum building(s) height to exceed the forty foot limit in the RM-3-7 zone. The project would propose varying height deviations for the three residential structures

and the parking garage. On Building #1, the deviation would vary from 2'-2" at the roof over the stair tower at northwest corner of the building to 6'-7" at the roof over the stair tower at southeast corner of building. Both deviations are the result of addressing life safety features, architectural and aesthetic articulations of the building. On Building #3, the deviation would vary from 11 feet, six inches at the roof over the stair tower at the southeast corner of building to 27 feet, zero inches at the roof over the stair tower at southwest corner of building. The life safety considerations and requirements for this building contribute significantly to granting the deviation. The existing dramatic slope differential under Building #3 contributes greatly to granting the deviation request. It is estimated that there is approximately fourteen feet of slope difference under this building from one side to the other side of the building where ten feet of slope difference is offset by the City of San Diego's current methodology in calculating overall building height. On Building #4 the deviation varies from ten feet at the roof over the stair tower at northwest corner of building to fourteen feet six inches at the roof over the interior stair tower at the southwest corner of building. While the residential units in this building do not exceed the allowable height, the stair towers, part of the life safety exiting features in the building, are the primary areas where the deviation is granted. It is estimated that approximately two percent of the entire building exceeds the allowable building height by eight feet or more, while approximately ninety-eight percent of the building does not exceed the allowable building height. The Parking Structure deviation varies from eighteen feet seven inches at the north end of structure to twenty-one feet eight inches at the south end of structure and to twenty-five feet ten inches at the southwest corner, southeast corner, and at the top of the proposed parapet walls located on the top level of the parking structure. Forty-seven percent of the parking structure building is eighteen feet seven inches above the allowable height; approximately Forty-two percent of the structure is twenty-one feet eight inches above the allowable height, and eleven percent of the structure is twenty-five feet ten inches above the allowable height.

2) Allowing the retaining walls in the front yard setback along Collwood Boulevard to exceed the maximum wall height where the LDC Section 142.0340(c)(1) states: "two retaining walls with a maximum height of three feet each are permitted in the required front and street side yard if the two retaining walls are separated by a minimum horizontal distance equal to the height of the upper wall." The retaining walls vary from between 3.5 and up to 10.1 feet. A three foot horizontal separation between the walls would be planted with shrubs and vines to reduce not only the vertical element of the walls, yet also soften the visual impact of the walls from Collwood Boulevard. The Owner/Permittee would also increase the number of required street trees to be planted in the proposed parkway along Collwood Boulevard by one hundred percent where the trees would have a better chance for survival rather than between two walls and would provide a shaded living element in the streetscape. The designated building locations have been dictated by engineering site design criteria and limited space and as such follows logically so have the proposed building pad and finished floor elevations. Without retaining walls, when considering the existing topography of the site and the proposed building locations, the site is restricted in the amount of developable area of the site. Considering the existing slopes at the perimeter of the site has further limited the use of the property. The appearance of these walls

would be visually pleasing by using quality materials, soothing colors and landscaping to improve the visual appearance, especially in the areas visible from the public right-of-way.

3) A retaining wall not visible from the public right-of-way would also deviate from the maximum wall height requirements by five feet, and thirteen feet six inches, where the LDC Section 142.0340(d)(1) states: “two retaining walls with a maximum height of six feet each are permitted in the required side and rear yard if the two retaining walls are separated by a minimum horizontal distance equal to the height of the upper wall.” The deviation would allow the retaining wall along the south end of the site to have no horizontal separation between walls and instead allow a single retaining wall that varies in height from at grade to eleven feet zero inches. The wall would allow a deviation up to a maximum of five feet zero inches in height. This wall would not be visible from the public right-of-way. The designated building locations have been dictated by engineering site design criteria and limited space and as such follows logically so have the proposed building pad and finished floor elevations. Without retaining walls, when considering the existing topography of the site and the proposed building locations, the site is restricted in the amount of developable area of the site.

4) A retaining wall not visible from the public right-of-way and outside of any required yard setback would be a twenty-four foot high wall where a maximum twelve foot high retaining wall is allowed. The LDC Section 142.0340(e) states: “retaining walls located outside of the required yards shall not exceed 12 feet in height.” The deviation requested for the retaining wall along the north end of the site is to have no horizontal separation between walls and instead allow a single retaining wall that varies in height from at grade to twenty-five feet six inches. The wall would allow a deviation up to a maximum of thirteen feet six inches in height. This wall would not be visible from the public right-of-way nor would the wall be visible for the most part from the residential area adjacent to the north property line. The designated building locations have been dictated by engineering site design criteria and limited space and as such follows logically so have the proposed building pad and finished floor elevations. Without retaining walls, when considering the existing topography of the site and the proposed building locations, the site is restricted in the amount of developable area of the site. The appearance of these walls would be visually pleasing by using quality materials, soothing colors and landscaping to improve the visual appearance.

The four deviations above are necessary and appropriate for the following reasons: First, the site is currently zoned RM 3-7 and as such allows for a maximum density of 295 units, though the proposed project would provide only 260 units, or approximately eighty-eight percent of the maximum allowable density and use. Presently, there are 167 units on the site and as such is significantly underutilized in terms of realized density. As a result design and operational features, the project would be a “Smart Growth” project which maximizes the use and efficiency of the site and also would be a significant enhancement to the immediate area, the general community, and the City of San Diego. At the same time, the maximum allowed building height for this site under the RM 3-7 zoning designation is forty feet. Presently, there exists approximately ninety-two feet of grade differential across the site from Collwood Boulevard at the low point to the top of the east slope at the high point. Consistent with the LDC requirements for the calculation of overall height, careful planning and siting of the buildings and project

improvements would result in the height deviations defined above for Building's #1, #3, #4 and the Parking Structure. The overall design of the project and the increased utilization of the site justify the building height and retaining wall deviations requested.

Second, the existing apartment buildings were constructed approximately thirty-four years earlier. The building systems, materials and fixtures were appropriate at the time yet are considered obsolete although functional by today's standards. With the focus and attention on improving overall efficiencies of today's multi-family communities, the project would be highly efficient and environmentally conscious. Not only would the improvements include water and energy conservation practices, the new construction would include landscape species, horticultural and water management practices that encourage drought-tolerant and native materials to achieve significantly less water consumption and care than the existing species on site.

Third, the site and architectural design minimizes the building massing along Collwood Boulevard and creates a tiered approach to the site design and would have the buildings stepping across the site to the high point, located at the back of the site furthest from the public right-of-way yet below the adjacent single family residential uses. Achieving this design would result in lower buildings fronting on Collwood Boulevard and culminates in the five-story building on the east side of the site. Allowing the deviations would result in a more energy conserving project than what is presently on the site.

Last, the proposed project would benefit the area by providing a greater number of rental dwelling units in the College Area Community Plan area. In addition, all relevant regulations would be complied with at all times for the life of the project and conditions of approval required such compliance. In all these ways the proposed development would comply with the applicable and relevant regulations of the Land Development Code, as allowed by a Planned Development Permit. City staff has reviewed the requested deviations and finds the evidence sufficient to support granting the deviations based on existing site conditions and constraints and to provide as many rental units in a community where a demonstrated need exists for rental housing (Attachment 6).

Grading and Landscape Development

Approximately 4.6 acres of the 6.8 acre site would be graded to prepare the site for development. A total of approximately 42,600 cubic yards (CY) of earthwork would occur at the site should the proposed development be approved. Approximately 42,600 CY of excavation with a maximum cut depth of 33 feet and 2,456 CY of embankment with a maximum fill depth of 8.8 feet is proposed. The development would export approximately 40,144 CY of earthwork.

Proposed landscaping for the site would include trees such as: Queen Palms; Golden Rain Tree; and Jacaranda, shrubs such as: Giant Timber Bamboo and Lily of the Nile, and groundcovers such as Dwarf Fescue. The slopes would be revegetated with a native plant palette that includes Torrey Pines, Coastal Sagebrush, and Coyote Bush. Retaining walls would be screened by plant materials which include New Zealand Christmas tree, San Diego Red Bougainvillea and

Blood Red Trumpet Vine. A colored Site/Landscape Development Plan is provided as Attachment 7.

Community Plan Analysis

The proposed project is a Planned Development Permit (PDP) to demolish 167 apartments and construct 260 dwelling units. The project site, located at 4949 Collwood Boulevard, is designated Medium/Medium-High Residential in the College Area Community Plan with a density range of 15-45 Dwelling Units per Net Residential Acre (DU/NRA). The project site contains approximately 6.8 acres, and could accommodate between 102 – 305 dwelling units. The proposal to construct 260 dwelling units would meet the density range of the Medium/Medium-High Residential Designation.

The project site is surrounded by Open Space (manufactured steep slopes) and Low Density Residential Designated single-family housing development to the north and east, and multi-family residential development to the south and west. The site is located in close proximity to the San Diego State University campus.

The Conservation Element of the City of San Diego General Plan contains policies to guide the conservation of the resources that are fundamental components of San Diego's environment, and are relied upon for continued economic prosperity. Sustainable conservation practices help ensure that future generations would also be able to use and enjoy these resources. Goals include reducing the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, and employing sustainable design techniques. The applicant has made a commitment to generate 30% of their energy needs on-site using a 33.8 kWdc solar photovoltaic system and exceeds Title 24 2005 Requirements by at least 15%. The project would also include bicycle parking facilities and a shuttle service for future residents, recyclable collection areas, shade trees, and drought tolerant vegetation.

The Land Use and Community Planning Element of the City of San Diego General Plan implements the City of Villages Strategy within the context of San Diego's community planning program, and includes goals for balanced communities and equitable development. Specifically, the plan includes the goal of ensuring diverse and balanced neighborhoods and communities with housing available for households of all income levels, and the policy of providing a variety of housing types and sizes with varying levels of affordability in residential and village developments. The plan also establishes each community plan as an essential component of the Land Use Element, and relies on community plans for site-specific land use and density designations and recommendations.

The project site is in the College Area Community Planning area and is designated as Medium/Medium-High Residential with a density range of 15-45 DU/NRA. The land use designation and density range meets the goals and policies of the General Plan. Further, the proposed residential development would provide a variety of housing types and sizes and would meet the goal and policy of ensuring diverse and balanced neighborhoods.

The Housing Element of the College Area Community Plan includes the recommendation that all new multifamily development projects should provide a variety of on-site recreational facilities which may include, but not limited to: swimming pool, spa, gym, tennis courts, picnic areas, barbecues, and lounge areas. The proposed project would provide recreational amenities for future residents, including a swimming pool, clubhouse, basketball court, and barbecue areas.

The Urban Design Element of the General Plan is based on the guiding principles of building upon our existing communities. The core values related to urban form include a compact, efficient, and environmentally sensitive pattern of development; and the physical, social, and cultural diversity of our City and its neighborhoods. The proposed project would build upon the existing community, and provide a compact, efficient and environmentally sensitive pattern of development. Also, the project would provide a high level of architectural articulation (Attachment 8) and increased pedestrian orientation.

The Urban Design Element of the College Area Community Plan, when discussing multi-family development, encourages a harmonious transition and visual relationship between new development and adjacent lower density development, and a conscious effort to achieve balance and compatibility in design between different intensities of development. The harmony could be achieved by incorporating a gradual transition in height and bulk, above ground setbacks, articulated and textured surfaces, façade variation, architectural features to break up building mass, providing unobtrusive off-street parking, trash enclosure screening, and landscaping.

The proposed multi-family development would provide articulated and textured surfaces such as stone and stucco facades, recessed entryways, arched walkways, porches, balconies, and offset horizontal planes. In addition, off-street parking would be provided by a parking structure, trash enclosures would be screened, and landscaping that repeats the neighborhood character would be installed.

The purpose of the General Plan's Mobility Element is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walk-able communities with pedestrian-friendly street, site and building design, and a safe and comprehensive local and regional bikeway network. The proposed project would provide transportation alternatives, including a shuttle service for residents, as well as promoting bicycle riding by providing bike storage facilities and bicycle lane improvements.

The Mobility Element of the College Area Community Plan recommends Class III bicycle lanes on Collwood Boulevard be upgraded in conjunction with new development. The proposed project would be conditioned to make necessary improvements to Collwood Boulevard, including upgrading the bike lane. The proposed project would also provide non-contiguous sidewalks and shade trees for an enhanced pedestrian experience.

The applicant has requested deviations for building height, and for the height and location of retaining walls. An increase in building height would allow additional housing units to be provided which would add to the regions housing stock at a time when the City of San Diego is in a housing state of emergency. Also, the building structure and landscaping would screen the

retaining walls. Therefore, the requested deviations would not have a negative impact on the community plan.

Environmental Analysis

During the environmental review of the project, it was determined that the proposed development could potentially result in significant but mitigable impacts in the following areas: Geologic Conditions; Paleontological Resources; Historical Resources (Archaeology); and Transportation and Circulation. A Mitigated Negative Declaration No. 144087 has been prepared for the proposed project and includes a Mitigation Monitoring and Reporting Program to address these potentially significant yet mitigable impacts.

The following environmental issues were considered in depth during review of the project and determined to be not potentially significant: Visual Quality and Neighborhood Character, Water Quality and Hydrology. In addition to staffs' review of the proposed plans and elevations (Attachments 4 and 8), staff required the applicant to submit computer simulated massing studies from specific vantage points. These points were selected based upon their potential impact to public visual quality as well as from other areas above the project site. These simulations provide an existing view and the resultant view should the project be approved and constructed. These simulations are included as Attachment 9 to this report. Further detailed information regarding the environmental review process may be obtained by reading the Mitigated Negative Declaration No. 144087 and its attachments.

Community Group Recommendation

The College Area Community Council voted on May 14, 2008 to recommend approval of the proposed actions. The group took three votes; first addressing the retaining wall height deviation was 13-0-0; second addressing the landscaping deviation as requested was 13-0-0; and last addressing the building height deviation as requested was 10-3-0 (Attachment 10). The plans have since been revised to eliminate the request for the landscaping deviation. At the time this report was printed the College Area Community Council minutes from their meeting of May 14, 2008 had not been provided. If the minutes are provided at a subsequent date they would be provided under separate cover to the Planning Commission.

CONCLUSION

Staff has reviewed the request for a planned development permit to allow the demolition of 167 apartments and construction of 260 residential apartment units with increased building and site wall height on a 6.8 acre site. All issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the development permit (Attachment 6) and draft conditions of approval (Attachment 11). Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve** Planned Development Permit No. 504214, **with modifications.**
2. **Deny** Planned Development Permit No. 504214, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

John S. Fisher
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BROUGHTON/JSF

Attachments:

1. Community Plan Land Use Map
2. Project Vicinity Map
3. Aerial Photograph
4. Project Plans
5. Applicant's requested deviations
6. Draft Planned Development Permit Resolution with Findings
7. Colored Site/Landscape Development Plan
8. Colored Architectural Elevations
9. Visual Analysis Computer Simulations
10. Community Planning Group Recommendation
11. Draft Permit with Conditions
12. Ownership Disclosure Statement
13. Project Data Sheet
14. Project Chronology