



DATE ISSUED: April 9, 2009

REPORT NO.: PC-09-036

ATTENTION: Planning Commission, Agenda of April 16, 2009

SUBJECT: 13th and J RESIDENCES AND OFFICE – CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2009-05 PROCESS 4

**OWNER/
APPLICANT:** Rob Wellington Quigley

SUMMARY

Issue: Should the Planning Commission approve a Centre City Planned Development Permit for a five-story mixed-use structure (residential and office), portions of which encroach into in the ground floor, three-foot front property line setback.

Staff Recommendation: Staff recommends that the Planning Commission approve Centre City Planned Development Permit (PDP) No. 2009-05 for the 13 and J Residences and Office project.

Community Planning Group Recommendation: The Centre City Advisory Committee will review the project at its April 14, 2009 meeting. Results of the meeting will be reported verbally to the Planning Commission.

Environmental Review: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to sections 15303 (New Construction or Conversion of Small Structures) and 15332 (In-Fill Development Projects) of the State CEQA Guidelines.

Fiscal Impact Statement: None.

Code Enforcement Impact: None.

Housing Impact Statement:

1. The project site is located within the Downtown Community Planning Area which establishes a Floor Area Ratio (FAR) range of 3.5-6.0 for the site. The proposed FAR for the project is 3.5 which satisfies the minimum FAR requirements for the site.
2. The applicant will be paying an affordable housing in-lieu fee to comply with the requirements of City of San Diego's Inclusionary Housing Ordinance.

BACKGROUND

The 4,200 square-foot project site is located at 416 13th Street, in the Downtown Community Planning Area, and is within the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. The land use designation of the site is Residential Emphasis (RE) under the 2006 Centre City Planned District Ordinance (“2006 PDO”). The RE District is intended to accommodate primarily residential development. Small scale businesses, offices, services, and ground-floor commercial uses are also allowed, subject to size limitations. Within the RE District, at least 80% of the gross floor area of a development must be dedicated to residential land uses. The proposed type and mix of uses in the project are consistent with the requirements of the RE District.

The site is narrow (42’ x 100’), generally flat and currently vacant. The interior lot has a single frontage on 13th Street, and is surrounded on all other sides by existing development. Uses surrounding the site include mid- and low-rise residential, office and commercial structures. A vacant single-family home previously occupied the site, but has since been demolished to accommodate the proposed development. The structure was determined not to be historically significant prior to demolition.

Under the regulations of the 2006 PDO, the development permit for a structure of this size would be subject to administrative review by Centre City Development Corporation (CCDC) staff, however the applicant is requesting approval of a PDP (a Process 4 application, reviewed by the Planning Commission) to allow portions of the ground floor of the structure to encroach into the three-foot front property line setback established by the RE District.

DISCUSSION

Project Description: The following is a summary of the project:

Site Area	4,200 sq. ft.
Maximum FAR	6.0 / 8.0 (with TDR / FAR Bonuses)
Minimum FAR Required	3.5
Proposed FAR	3.5
FAR Incentives, Exemptions or Bonuses	none
Stories / Height	5 stories / 60 feet
Amount of Retail Space	N/A
Amount of Office Space	2,671 square feet
Total Number of Housing Units	2
Number of Units Demolished	1 (vacant)
Inclusionary Housing Ordinance Compliance	In-Lieu Fee
Parking	
Required	1
Proposed	8

Project Analysis

The project consists of a five-story, 60-foot-tall, mixed-use building comprised of two residential units and one floor of office space, located above enclosed at-grade parking. Interior landscaped courtyard areas are also located at the ground level and are open to the sky. Pedestrian and vehicular access to the courtyard areas and project parking is provided via a driveway and courtyard entrance on the 13th Street frontage. After business hours, residents can enter the building via two separate pedestrian entrances, both accessed from 13th Street.

Two stairways and an elevator provide access to the project's upper floors. The second floor contains approximately 2,671 square feet of office space, while the upper three floors are divided between two separate residential units.

The applicant is requesting a PDP to allow the portions of the building's ground floor to extend to the front property line, where the RE District requires a three-foot setback from the right-of-way. This setback requirement is intended to accommodate a stoop or porch area for ground-floor residential units, although ground-floor residential units are neither required, nor proposed.

The proposed FAR for the project is 3.5 which meet the minimum FAR requirement for the site.

Project Design

The design of the building is unique and modern, using patterned concrete block exterior walls, high-performance glazing and aluminum mullions, concrete slab floors, and standing metal seam roofing. Permeable pavers are used throughout the entry courtyard and parking areas. The courtyard areas are open to the sky allowing the infiltration of natural light and air. Courtyard areas are proposed to be landscaped with trees and drought tolerant plantings.

The 13th Street elevation extends the full 60' height of building, and is punctuated by a large "Y" shaped opening in the street wall that rises from the ground level auto/entry courtyard and terminates at the upper corners of the building façade. The opening provides physical and visual access to interior of the development, and reveals the complex internal design of the project. Substantial glazing at each floor level also provides views to the interior of the building. Additional visual interest is added to the 13th Street elevation by a large glazed, rectangular bay that projects from the third floor building façade, over the 13th Street right-of-way.

The three interior elevations are composed primarily of concrete block, exposed floor slabs, and structural columns. Detailing on these building facades is minimal, and created primarily by the patterning of the blocks, floor slabs and columns. Opportunities to provide additional openings on these elevations are limited by building code requirements due to their location at the interior property lines. As shown in the plans, large portions of the north and west building facades will not be visible due to the presence of surrounding development. However, the easterly portion of

the south building façade is particularly prominent, and visible from surrounding streets. A low profile structure is located on the adjacent lot to south, obscuring only the lower portion of south building wall. This structure is not likely to be redeveloped in the near future, as it houses the required restrooms for the Mission Café which occupies the historical structure at the northwest corner of 13th and J streets. Since it is not likely that the property to the south will be developed in the foreseeable future, the south elevation wall of the proposed project may remain visible for some time. It is therefore staff's recommendation that additional detailing be applied to the wall.

Sustainable aspects of the project design include extensive use of rooftop photovoltaic panels, reclamation and storage of rainwater, use of drought tolerant landscaping, and extensive use of natural ventilation and light. The applicant has also indicated the probable installation of an air cooling/dehumidification system in-lieu of traditional air-conditioning. It should also be noted that a significant amount of building materials were salvaged from the demolished structure that occupied the site, and are proposed to be used on other projects in surrounding areas.

Community Plan Analysis:

This project advances the visions and goals of the Downtown Community Plan by:

- Creating a collection of unique, diverse neighborhoods with a full complement of uses;
- Maintaining a range of development intensities to provide diversity;
- Providing a range of housing opportunities suitable for urban environments and accommodating a diverse population; and
- Creating neighborhoods with unique characters and scales, distinctive streetscapes, and a tapestry of places and experiences that ensure that downtown is memorable and exploreable.

Project-Related Issues:

Planned Development Permit

The project is located within the RE District which establishes a ground-floor setback requirement of three feet from the 13th Street property line. The applicant is requesting a deviation, via approval of a PDP, to allow portions of the ground-floor to be located at the property line. While the three-foot setback requirement applies to the entire RE District, the intent of the requirement is to provide an area for a stoop or porch for ground-floor residential units. The proposed project design does not include ground-floor residential units, nor are they required by the provisions of the RE District. The three-foot setback requirement does not apply above the ground floor.

Pursuant to Section 143.0401 of the Land Development Code, the purpose of a Planned Development Permit is:

“to provide flexibility in the application of development regulations for projects where strict application of the base zone regulations would restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits.”

Based upon an analysis of surrounding developments, staff has determined that many projects throughout the surrounding RE District are built to the street property line. Sheet T-3.1 of the project plans shows existing building footprints on the east and west sides of 13th Street. The majority of the surrounding structures, including the two adjacent to the proposed project, are built out the 13th Street property line. Allowing the ground-floor of the project to be located at the property line results in a more desirable design that follows the existing pattern of development in the neighborhood. Furthermore, since the intent of the three-foot setback is to accommodate a stoop or porch for ground-floor residential units (which are not proposed) staff has determined that the project design is consistent with the intent of the base land use district. Staff's conclusion, therefore, is that the proposed deviation is consistent with the intent and purpose of the PDP ordinance.

In order to approve a PDP, the Planning Commission must make five findings. It is staff's conclusion that the findings for approval of the permit can be made. A discussion of the required findings for approval of the PDP is as follows:

(1) The proposed development will not adversely affect the applicable land use plan.

As discussed earlier in this report, the proposed project is consistent with the goals and policies of the Downtown Community Plan and the RE District. Approval of the proposed deviation from the three-foot property line setback has no impact on the applicable land use plan.

(2) The proposed development will not be detrimental to the public health, safety and general welfare.

The deviation to allow portions of the ground-floor to extend to the property line is minor and has no impact on public health, safety and general welfare.

(3) The proposed development will comply with the regulations of the Land Development Code.

The approval of the minor setback encroachment is an allowable deviation under a PDP. With the approval of the PDP, the project will comply with all applicable regulations of the Land Development Code.

- (4) *The proposed development, when considered as a whole, will be beneficial to the community.*

The proposed project is compatible with existing and planned land uses and will provide additional residential units and office space to a developing area of downtown. It will result in the redevelopment of a vacant, underutilized lot and will add to the diversity of uses in the neighborhood. A number of sustainable design features are incorporated into the development and the combination of office and residential uses fosters the ability of residents to live and work downtown. Staff believes the project will be beneficial to the community.

- (5) *Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project.*

Throughout the majority of Downtown, buildings are required to be located within five feet of the right-of-way in order to promote pedestrian activity and an active streetscape. Ground-level setbacks from the right-of-way are typically not required (except for ground-floor residential units and certain view corridors), and zero setbacks are encouraged. Because the project does not contain ground-floor residential units, it is preferable and desirable that the ground-floor portions of the building be located at the property line. Adjacent and surrounding properties are constructed to the property line, and requiring this structure to be setback would create an awkward transition along the street frontage, and be inconsistent with the existing pattern of development. The deviation is therefore appropriate for the location and results in a more desirable project.

South Building Wall

As mentioned earlier in the report, given the height and prominence of the easterly portion of south elevation wall, and given the likelihood that property to the south will remain in its current state for the foreseeable future, staff recommends that the architect explore additional architectural detailing for this portion of the south elevation.

Conclusion:

The proposed project will be beneficial to the surrounding community and results in the redevelopment of a vacant, underutilized lot in the developing East Village neighborhood. Approval of the PDP for the setback deviation results in a more desirable project, consistent with the existing pattern of development, than would otherwise be permitted by code. Staff therefore recommends that the Planning Commission approve Centre City Planned Development Permit No. 2009-05 for the 13th and J Residences and Office Project, with the recommendation that the architect explore additional architectural detailing for the easterly portion of the south elevation.

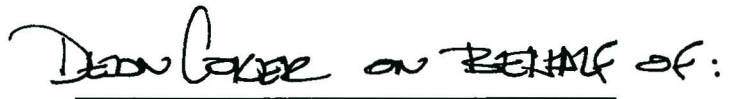
ALTERNATIVES

1. **Approve** Centre City Planned Development Permit No. 2009-05, **with modifications.**
2. **Deny** Centre City Planned Development Permit No. 2009-05, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Brandon Nichols
Associate Planner



Brad Richter
Assistant Vice President – Current Planning

- Attachments:
- 1 – Ownership Disclosure Statement
 - 2 – Draft Permit with Conditions
 - 3 – Draft Resolution with Findings
 - 4 – Project Basic Concept/Schematic Drawings
 - 5 – Project Description and Sustainability Measures



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

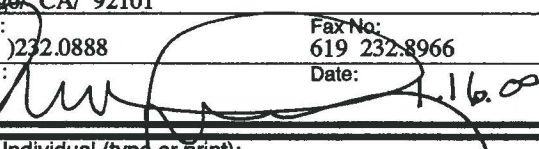
Project Title **Project No. For City Use Only**
 13th & J Residences and Office

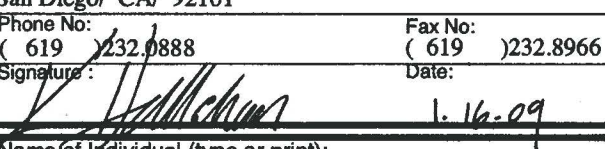
Project Address:
 416 13th Street, San Diego, CA 92101

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):
 Rob Quigley
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 434 West Cedar Street
 City/State/Zip:
 San Diego, CA/ 92101
 Phone No: (619) 232.0888 Fax No: 619 232.8966
 Signature:  Date: 1.16.09

Name of Individual (type or print):
 Kathleen Hallahan
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 434 West Cedar Street
 City/State/Zip:
 San Diego/ CA/ 92101
 Phone No: (619) 232.0888 Fax No: (619) 232.8966
 Signature:  Date: 1.16.09

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

RECORDING REQUESTED BY:
Centre City Development Corporation
Architecture & Planning Division
401 B Street, Suite 400
San Diego, CA 92101

WHEN RECORDED MAIL TO:
Centre City Development Corporation
401 B Street, Suite 400
San Diego, CA 92101

THIS SPACE FOR RECORDER'S USE ONLY

**NOTE: COUNTY RECORDER, PLEASE
RECORD AS RESTRICTION USE OR
DEVELOPMENT OF REAL
PROPERTY AFFECTING THE TITLE
TO OR POSSESSION THEREOF**

CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2009-05

(13th & J RESIDENCES AND OFFICE)

CENTRE CITY DEVELOPMENT CORPORATION
CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2009-05

Pursuant to the regulations of the Centre City Planned District Ordinance (PDO), an application from Rob Wellington Quigley, Owner/Permittee, to construct a mixed-use project located on the 4,200 square foot site at 416 13th Street in East Village District of the Centre City Community Planning Area, and more particularly described as the North 42.18 feet of Lot H, in Block 106 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, was reviewed by the Centre City Development Corporation and the City of San Diego Planning Commission.

A Centre City Planned Development Permit is granted by the City of San Diego Planning Commission to Rob Wellington Quigley.

1. General

The Developer shall construct, or cause to be constructed on the Site, a mixed-use project consisting of two residential units, approximately 2,671 square feet of office space, and enclosed ground-level parking. The total floor area ratio of the development for all uses above ground shall not exceed 6.0.

2. Deviations from Development Standards

The ground-floor portion of the development may be located at the 13th Street property line, where the Centre City Planned District Ordinance would typically require a three-foot setback.

3. Parking

The development includes eight (8) enclosed ground-level parking spaces dedicated to the exclusive use of the project. All required parking stalls shall be designed to City Standards.

4. Development Impact Fees

The project will be subject to Centre City Development Impact Fees. For projects containing commercial space(s), the Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed.

5. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the Centre City PDO and Centre City Streetscape Manual. These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.

- a. Architectural Standards - The architecture of the development shall establish a high quality of design and complement the design and character of the East Village District and the site's location at 416 13th Street as shown in the approved Basic Concept/Schematic Drawings on file with CCDC. The project shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale - The project shall consist of a 5-story building with a maximum building height of 60 feet measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the Centre City PDO and the Federal Aviation Administration. All building elements shall be complementary in form, scale, and architectural style.
- c. Building Materials - All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within 1 (one) inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any plaster materials shall consist of a hard troweled, or equivalent, smooth finish. Any stone materials shall employ larger modules and full-corner profiles to create a substantial and non-veneer appearance. All down-spouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24.

All construction details shall be highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public right of way. No substitutions of materials or colors shall be permitted without the prior written consent of CCDC. A final materials board which illustrates the location, color, quality, and texture of proposed exterior materials shall be submitted with 100% Construction Drawings and shall be consistent with the materials board approved with the Basic Concept/ Schematic Drawings.

- d. Street Level Design - Street level windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings a minimum of ten feet.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and projection surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials (no stucco or other inconsistent material), and incorporate drip edges and other details to minimize staining and ensure long-term durability.

- e. Utilitarian areas - Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the public right-of-way and adjoining developments, except for utilities required to be exposed by the City or utility company. The project shall provide trash and recyclable material storage areas per Municipal Code Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building/garage area and shall be kept clean and orderly at all times. The project shall implement a recycling program to provide for the separation of recyclable materials from the non-recyclable trash materials.
- f. Mail/Delivery Locations - It is the developer's responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal/loading use. The developer shall locate all mailboxes and parcel lockers outside of the public right-of-way, either within the building or recessed into a building wall. A single, centralized interior mail area in a common lobby area is encouraged for all residential units within a project, including associated townhouses with individual street entrances. Individual commercial spaces shall utilize a centralized delivery stations within the building or recessed into a building wall, which may be shared with residential uses sharing a common street frontage address.
- g. Vehicle Access - Vehicular access to the site shall be limited to 13th Street; the curb cut may not exceed 13'10" in width.
- h. Circulation and Parking -

The Developer shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights. Such plan shall be submitted in conjunction with 100% Construction Drawings.
- i. Open Space/Project Amenities - A landscape plan that illustrates the relationship of the proposed on- and off-site improvements and the location of water, and electrical hookups shall be submitted with 100% Construction Drawings.
- j. Roof Tops - A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted with 100% Construction Drawings. Any roof-top mechanical equipment must be grouped, enclosed, and screened from surrounding views.
- k. Signage - All signs shall comply with the City of San Diego Sign Regulations and the Centre City PDO.

- l. Lighting - A lighting plan which highlights the architectural qualities of the proposed project and also enhances the lighting of the public right-of-way shall be submitted with 100% Construction Drawings. All lighting shall be designed to avoid illumination of adjoining properties.
- m. Noise Control - All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City of San Diego Noise Ordinance and California Noise Insulation Standards as set forth in Title 24 of the California Code of Regulations. All mechanical equipment shall be located to mitigate noise and exhaust impacts on adjoining development, particularly residential. Developer shall provide evidence of compliance at 100% Construction Drawings.
- n. Energy Considerations - The design of the improvements shall include, where feasible, energy conservation construction techniques and design, including cogeneration facilities, and active and passive solar energy design. The Developer shall demonstrate consideration of such energy features during the review of the 100% Construction Drawings.
- o. Street Address - Building address numbers shall be provided that are visible and legible from the public right-of-way.

6. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted with the 100% Construction Drawings. Any on-site landscaping shall establish a high quality of design and be sensitive to landscape materials and design planned for the adjoining public rights-of-way.

7. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual. The Manual is currently being updated and the developer shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

	13 th Street
Paving	Ballpark Paving
Street Trees	Evergreen Ash
Street Lights	CCDC Standard

All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCDC Streetscape Manual, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally

spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject property.

The developer will be responsible for evaluating, with consultation with CCDC, whether any existing trees within the right-of-way shall be maintained and preserved. No trees shall be removed prior to obtaining a Tree Removal Permit from the City Streets Division per City Council Policy 200-05.

- a. Street Lights - All existing lights shall be evaluated to determine if they meet current CCDC and City requirements, and shall be modified or replaced if necessary.
- b. Sidewalk Paving - Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement with the City.
- c. On-Street Parking - The developer shall maximize the on-street parking wherever feasible.
- d. Public Utilities (sewer, water and storm drain) - The Developer shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City Utilities located in the public right-of-way. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Developer may use existing laterals if acceptable to the City, and if not, Developer shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals. Private sewer laterals require an Encroachment Maintenance and Removal Agreement.

All roof drainage and sump drainage, if any, shall be connected to the storm drain system in the public street, or if no system exists, to the street gutters through sidewalk underdrains. Such underdrains shall be approved through an Encroachment Removal Agreement with the City. The project shall comply with the City of San Diego Storm Water Management and Discharge Control Ordinance and the storm water pollution prevention requirements of Chapter 14, Article 2, Division 1 and Chapter 14, Article 2, Division 2 of the Land Development Code.

- e. Franchise Public Utilities - The Developer shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the project and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk right-of-way shall be removed and incorporated into the adjoining development where feasible.
- f. Fire Hydrants - If required, the Permittee shall install fire hydrants at locations satisfactory to the Fire Department and Development Services Department.

g. Water Meters and Backflow preventers - The developer shall locate all water meters and backflow preventers in locations satisfactory to the Water Utilities Department and CCDC. Backflow preventers shall be located outside of the public right-of-way adjacent to the project's water meters, either within the building, a recessed alcove area, or within a plaza or landscaping area. The devices shall be screened from view from the public right-of-way. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City of San Diego's Engineering and Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24 of the State Building Code.

8. Removal and/or Remedy of Soil and/or Water Contamination

The Developer shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the Site (and encountered during installation of improvements in the adjacent public rights-of-way which the Developer is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design and construct all improvements on the Site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental, CCDC, and other authorities for approval in connection with obtaining a Building Permit for the construction of improvements on the Site. Such site safety plan shall assure workers and other visitors to the Site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.
- f. Environmental Impact Mitigation and Archaeological/Paleontological Protection

Qualified archaeological and paleontological monitors shall be retained to carefully monitor the excavation and grading activities while the project is underway, and to implement mitigation measures and/or mitigation monitoring requirements as identified in the Secondary Environmental Study. Prior to issuance of any excavation or Grading Permit, the Developer shall submit a Letter of Qualifications for each monitoring agent to CCDC. The Letter of Qualifications shall include the name of the firm and names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG); qualifications to perform the requisite monitoring and implementation measures; and, Monitoring Reports based on the results of a site specific record search (1/4 mile radius) on the subject property and the requirements of mitigation measures in the Secondary Environmental Study.

9. Construction Fence

Developer shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the project's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.

10. Development Identification Signs

Prior to commencement of construction on the Site, the Developer shall prepare and install, at its cost and expense, one sign on the barricade around the Site which identifies the development. The sign shall be at least four (4) feet by six (6) feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- Completion Date _____.
- For information call _____.

The sign shall also contain the CCDC "Paradise in Progress" logo and the Downtown Construction Hotline phone number. Additional project signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 square feet per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to CCDC for approval prior to installation.

11. This Centre City Development Permit shall be conditioned upon obtaining a Building Permit within three (3) years from the date of issuance. If a Building Permit has not been obtained in three years and the project is to proceed, the Permittee must apply for an extension in compliance with the provisions of the CCPDO and LDC.

PLANNING COMMISSION

RESOLUTION NUMBER R- _____
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF SAN DIEGO APPROVING
CENTRE CITY PLANNED DEVELOPMENT PERMIT NO. 2009-05
FOR THE 13th & J RESIDENCES AND OFFICE PROJECT
WITHIN THE DOWNTOWN COMMUNITY PLAN AREA
DRAFT

WHEREAS, Rob Wellington Quigley, Permittee, filed an application with the Centre City Development Corporation for a Planned Development Permit for the construction of a five-story mixed-use structure (residential and office), portions of which encroach into in the three-foot ground-level front property line setback; and

WHEREAS, the project site is located at 416 13th Street in the Residential Emphasis Land Use District of the Downtown Community Plan; and

WHEREAS, the project site is legally described as the North 42.18 feet of Lot H, in Block 106 of Horton's Addition, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the Planned Development Permit has been reviewed by the Centre City Advisory Committee which has made recommendations to the Planning Commission; and

WHEREAS, on April 16, 2009, the Planning Commission of the City of San Diego held a public hearing to consider Centre City Planned Development Permit No. 2009-05, having duly published and mailed notice of such public hearing and permitted interested citizens and area residents to review and comment on the proposed conditions of the Planned Development Permit;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego

as follows:

That the Planning Commission adopts the following written Findings with respect to Centre City Planned Development Permit No. 2009-05:

A. PLANNED DEVELOPMENT PERMIT

(1) The proposed development will not adversely affect the applicable land use plan

The proposed project is consistent with the goals and policies of the Downtown Community Plan and the Residential Emphasis Land Use District. Approval of the proposed deviation from the three-foot property line setback has no impact on the applicable land use plan.

(2) The proposed development will not be detrimental to the public health, safety and general welfare.

The deviation to allow portions of the ground floor to extend to the property line is minor and has no impact on public health, safety and general welfare.

(3) The proposed development will comply with the regulations of the Land Development Code.

The approval of the minor setback encroachment is an allowable deviation under a PDP. With the approval of the PDP, the project will meet all regulations of the Land Development Code.

(4) The proposed development, when considered as a whole, will be beneficial to the community.

The proposed project is compatible with existing and planned land uses and will provide additional residential units and office space to a developing area of downtown. It will result in the redevelopment of a vacant, underutilized lot and will add to the diversity of uses in the neighborhood. A number of sustainable design features are incorporated into the development and the combination of office and residential uses fosters the ability of residents to live and work downtown. The development will, therefore, be beneficial to the community.

(5) Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project

Throughout the majority of Downtown, buildings are required to be located within five feet of a property line adjoining a public street, in order to promote pedestrian activity and an active streetscape. Ground level setbacks from the right of way are typically not required. Given that the project does not contain ground-floor residential units, it is preferable and desirable that the ground-floor portions of the building be located at the property line. Adjacent and surrounding properties are constructed to the property line, and requiring this structure to be setback would create an awkward transition along the street frontage and be inconsistent with the existing pattern of development. The deviation is therefore appropriate for the location and results in a more desirable project.

The above findings are supported by minutes, plans and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Centre City Development Permit No. 2009-05 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Centre City Planned Development Permit No. 2009-05 a copy of which is attached hereto and made a part hereof.

Brandon Nichols
Associate Planner
Centre City Development Corporation

Adopted on: April 16, 2009



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Architecture/Planning

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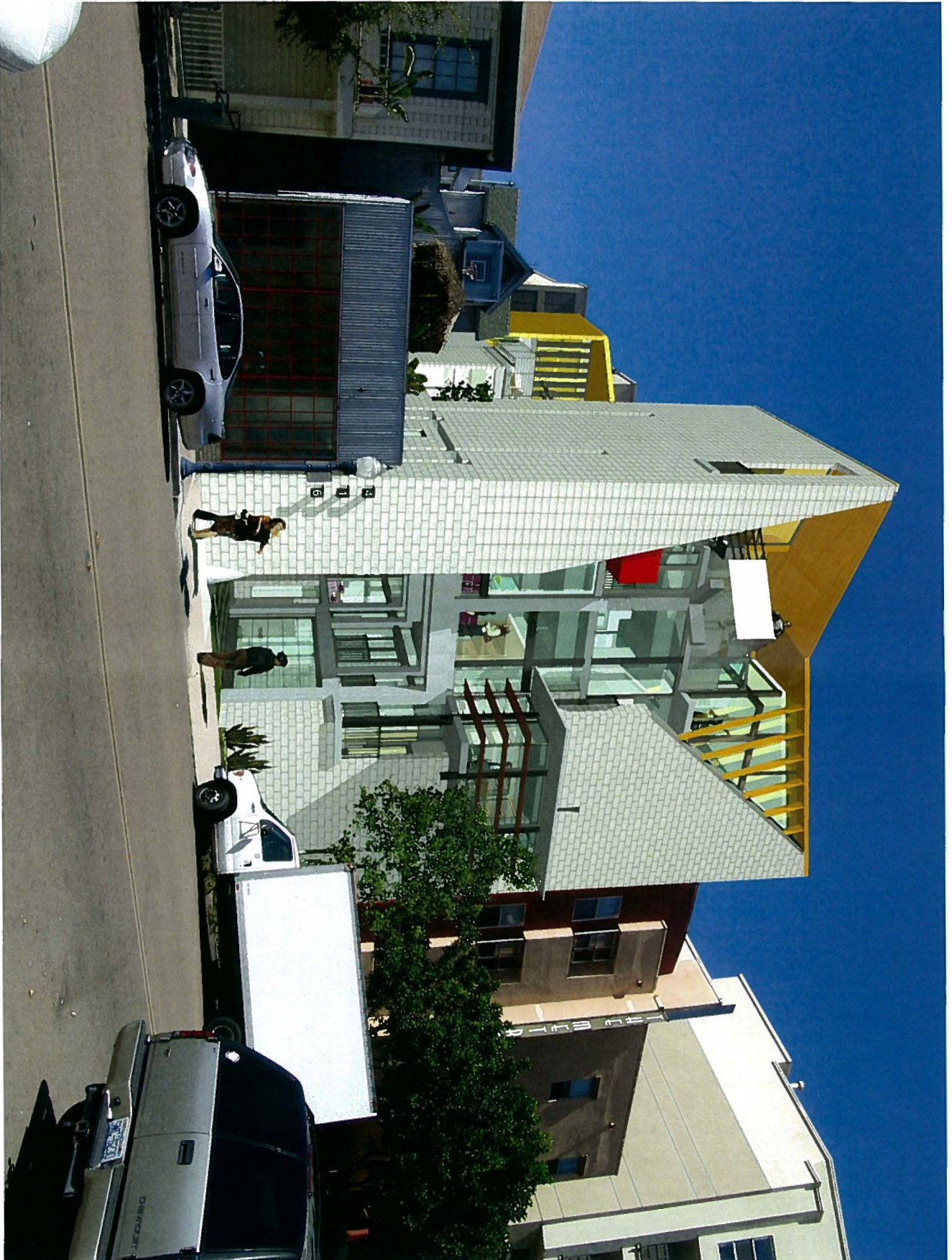
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F (650) 328 8032

13 & J Residences & Office
416 13th Street
San Diego, California 92101

DATE 4/6/09

T-1.0

PERSPECTIVE
NO SCALE



PERSPECTIVE
NO SCALE

DATE 4/8/09

T-1.1

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T-1.2

PERSPECTIVE
NO SCALE



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DATE 4/8/09

T-1.3

PERSPECTIVE
NO SCALE



PROJECT DATA & CODE ANALYSIS

OWNER/ DEVELOPER: ROBERT W. QUIGLEY AND KATHLEEN MARIE HALLAHAN
434 WEST CEDAR STREET, #500
SAN DIEGO, CA 92101
619.232.0888

ADDRESS: 416 13th ST.
SAN DIEGO, CA 92101

ASSESSORS PARCEL NUMBER: 535-156-06-00

LEGAL DESCRIPTION: LOT H, BLOCK 106 HORTON'S ADDITION

PROJECT DESCRIPTION: CONSTRUCT A NEW 4-STORY OVER ENCLOSED ON GRADE PARKING GARAGE BUILDING. THE BLDG. IS TO HAVE ONE FLOOR OF OFFICE AND (3) THREE FLOORS OF RESIDENCES.

HISTORIC STRUCTURES: NONE

LAND USE DISTRICT: R. RESIDENTIAL EMPHASIS

SITE SQUARE FOOTAGE: 42' X 100' = 4,200 S.F.

BUILDING SQUARE FOOTAGES:
FLOOR 1... 3,284 S.F.
FLOOR 2... 2,671 S.F.
FLOOR 3... 3,191 S.F.
FLOOR 4... 2,920 S.F.
FLOOR 5... 2,296 S.F.
TOTAL 14,362 S.F.

FAR: 6.0 MAXIMUM, 3.5 MINIMUM
14,362 / 4,200 = 3.5

PARKING: PER THE SAN DIEGO MUNICIPAL CODE, CHAPTER 15, TABLE 0313-A: RESIDENTIAL OFF-STREET PARKING REQUIREMENTS, AND TABLE 0313-B: NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS:
DWELLING UNITS - 1 SPACE PER DWELLING UNIT REQUIRED; 4 SPACES PROVIDED PER UNIT.
OFFICES - PROJECTS CONTAINING LESS THAN 50,000 S.F. OF OFFICE, NONE REQUIRED; 0 SPACES PROVIDED.

CONSTRUCTION TYPE: TYPE V-A (1-HOUR)

GROUP: S-2 PARKING GARAGE
B BUSINESS
R-3 RESIDENTIAL

ALLOWABLE HEIGHT AND AREAS PER CBC TABLE 503:
TYPE V-A 50'
S-2 21,000 S.F./4 STORIES.
B 18,000 S.F./3 STORIES
R-3 UNLIMITED/3 STORIES

NOTE: ENTIRE BUILDING IS LESS THAN THE ALLOWABLE SQUARE FOOTAGES FOR EACH GROUP

SPRINKLERS: ENTIRE BUILDING IS SPRINKLERED IN ACCORDANCE WITH CBC SECTION 903.3.1.1

HEIGHT INCREASE: PER CBC SECTION 504.2 AUTOMATIC SPRINKLER SYSTEM INCREASE.
WHERE A BUILDING IS EQUIPPED THROUGHOUT WITH AN APPROVED AUTOMATIC SPRINKLER SYSTEM IN ACCORDANCE WITH SECTION 903.3.1.1, THE VALUE SPECIFIED IN TABLE 503 FOR MAXIMUM HEIGHT IS INCREASED BY 20 FEET AND THE MAXIMUM NUMBER OF STORIES IS INCREASED BY ONE.

PROPOSED BUILDING HEIGHT: 60' MAXIMUM

SPECIAL PROVISIONS: PER CBC SECTION 509.2.
A BASEMENT AND/OR THE FIRST STORY ABOVE GRADE PLANE OF A BUILDING SHALL BE CONSIDERED AS A SEPARATE AND DISTINCT BUILDING FOR DETERMINING AREA LIMITATIONS, CONTINUITY OF FIRE WALLS, LIMITATIONS OF NUMBER OF STORIES AND TYPE OF CONSTRUCTION...

OCCUPANCY SEPARATION: PER CBC TABLE 508.3.3 REQUIRED SEPARATION OF OCCUPANCIES (HOURS).
REQUIRED SEPARATION BETWEEN 'B' AND 'R' OCCUPANCIES = 1 HOUR
PER SECTION 509.2 #1, THE REQUIRED SEPARATION BETWEEN THE 'S-2' OCCUPANCY AND THE REST OF THE BUILDING ABOVE IS 3-HOURS.

EXTERIOR WALL FIRE RATING: PER CBC TABLE 602, EXTERIOR WALL FIRE RATING FOR WALLS LESS THAN 5' TO PROPERTY LINE FOR GROUPS 'S-2', 'B' & 'R' = 1-HOUR.

PARAPETS: PARAPETS NOT REQUIRED PER CBC SECTION 704.11, EXCEPTION 4, PROVIDED:
4.2. WHERE ROOF/CEILING FRAMING ELEMENTS ARE NOT PARALLEL TO THE WALL, THE ENTIRE SPAN OF SUCH FRAMING AND ELEMENTS SUPPORTING SUCH FRAMING SHALL NOT BE LESS THAN 1-HOUR FIRE RESISTANCE-RATED CONSTRUCTION. 4.3 OPENINGS IN THE ROOF SHALL NOT BE LOCATED WITHIN 5 FEET OF THE 1-HOUR FIRE-RESISTANCE-RATED EXTERIOR WALL FOR GROUP R AND U AND 10 FEET FOR OTHER OCCUPANCIES MEASURED FROM THE INTERIOR SIDE OF THE WALL. 4.4 THE ENTIRE BUILDING SHALL BE PROVIDED WITH NOT LESS THAN A CLASS B ROOF COVERING.

EXIT TRAVEL DISTANCE: MAXIMUM ALLOWABLE EXIT ACCESS TRAVEL DISTANCE PER CBC TABLE 1016.1.
B OCCUPANCY WITH SPRINKLER SYSTEM = 300'
R OCCUPANCY WITH SPRINKLER SYSTEM = 250'

OCCUPANT LOAD: PER CBC TABLE 1004.1, MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT
PARKING GARAGES 200 GROSS
BUSINESS AREAS 100 GROSS
RESIDENTIAL 200 GROSS

EXITS REQUIRED: PER CBC SECTION 1019.1 MINIMUM NUMBER OF EXITS
ALL ROOMS AND SPACES WITHIN EACH STORY SHALL BE PROVIDED WITH AND HAVE ACCESS TO THE MINIMUM NUMBER OF APPROVED INDEPENDENT EXITS REQUIRED BY TABLE 1019.1 BASED ON THE OCCUPANT LOAD OF THE STORY, EXCEPT AS MODIFIED IN SECTION 1015.1...
PER CBC TABLE 1019.1, THE MINIMUM NUMBER OF EXITS FOR 1-500 OCCUPANTS = 2
PER CBC SECTION AND TABLE 1015.1, TWO EXITS FROM ANY SPACE SHALL BE PROVIDED WHERE THE OCCUPANT LOAD OF A GROUP 'B' OCCUPANCY EXCEEDS 49, AND THE OCCUPANT LOAD OF A GROUP 'R' OCCUPANCY EXCEEDS 10.
PER CBC SECTION 1019.2 BUILDINGS WITH ONE EXIT.
ONLY ONE EXIT SHALL BE REQUIRED IN BUILDINGS AS DESCRIBED BELOW:
2. BUILDINGS OF GROUP R-3 OCCUPANCY.

BUILDING OCCUPANT LOAD AND REQUIRED EXITS ANALYSIS:

FLOOR 1 (PARKING)	3,248 / 200 = 16 OCCUPANTS	1 EXIT REQUIRED
FLOOR 2 (BUSINESS)	2,671 / 100 = 27 OCCUPANTS	1 EXIT REQUIRED
FLOOR 3 (RESIDENTIAL)	3,191 / 200 = 16 OCCUPANTS	2 EXIT REQUIRED
FLOOR 4 (RESIDENTIAL)		
UNIT #1	1,542 / 200 = 8 OCCUPANTS	1 EXIT REQUIRED
UNIT #2	896 / 200 = 5 OCCUPANTS	1 EXIT REQUIRED
FLOOR 5 (RESIDENTIAL)		
UNIT #1	607 / 200 = 3 OCCUPANTS	1 EXIT REQUIRED
UNIT #2	945 / 200 = 5 OCCUPANTS	1 EXIT REQUIRED

EGRESS WIDTH: MINIMUM EGRESS WIDTH PER TABLE 1005.1 FOR BUILDINGS WITH SPRINKLER

SYSTEMS: 0.2 FACTOR FOR STAIRWAYS & 0.15 FACTOR FOR ALL OTHER EGRESS COMPONENTS.

CORRIDOR WIDTH: PER CBC SECTION 1017.2, EXCEPTION 2, THE REQUIRED CORRIDOR WIDTH FOR OCCUPANT CAPACITY OF LESS THAN 50 IS 36"

STAIRWAY WIDTH: PER CBC SECTION 1009.1, EXCEPTION 1, THE REQUIRED STAIRWAY WIDTH FOR OCCUPANT CAPACITY OF LESS THAN 50 IS 36"



NEIGHBORHOOD MAP

PROJECT DATA & CODE ANALYSIS, NEIGHBORHOOD MAP
NO SCALE

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Rob Wellington Quigley, FAIA
Architecture/Planning



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416 13th Street
San Diego, California 92101

DATE 4/6/09

T-2.0



Photo "A"



Photo "B"

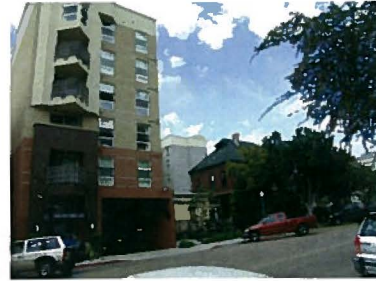
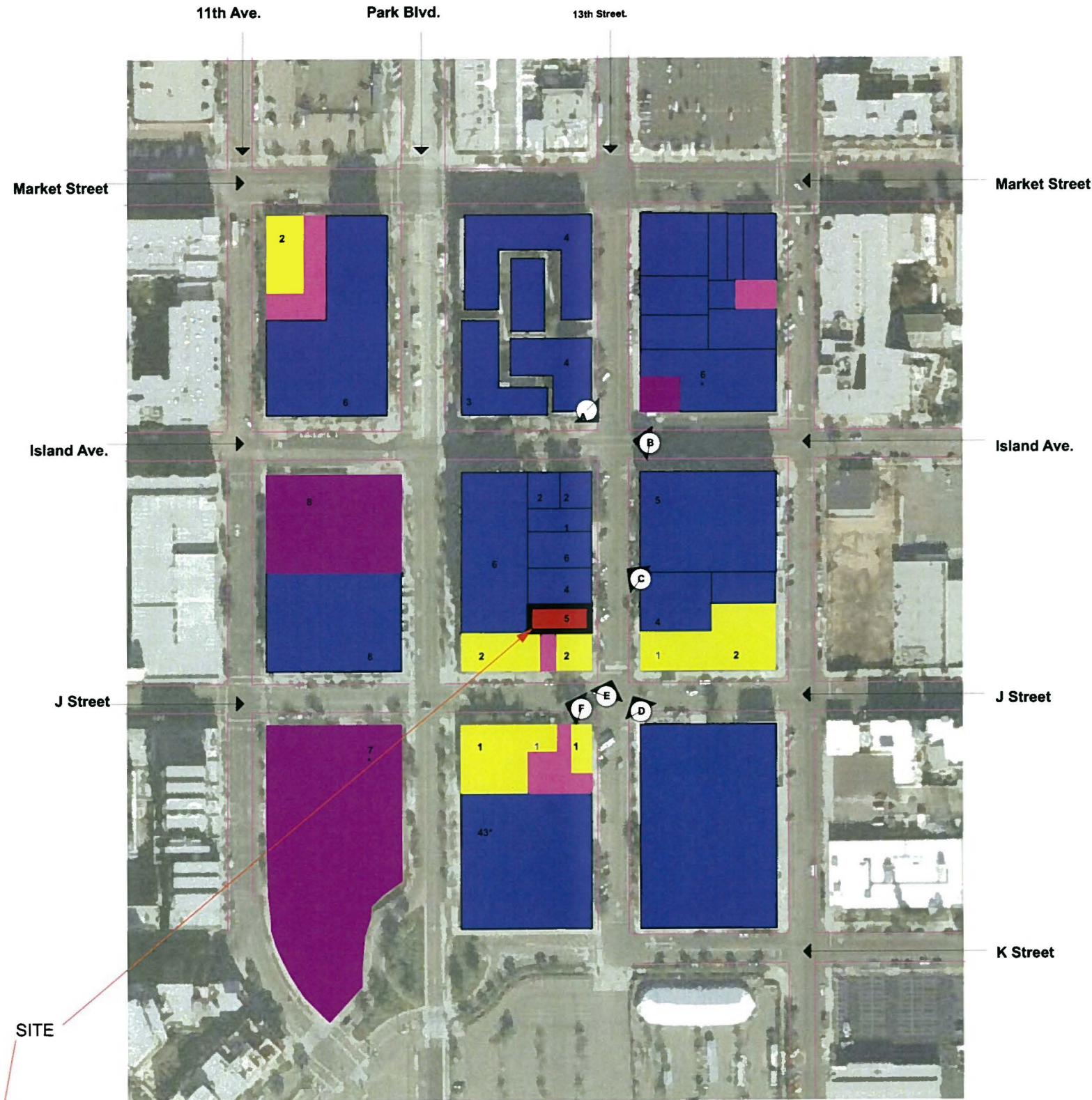


Photo "C"



VICINITY MAP



VICINITY ELEVATION

VICINITY INFORMATION
NO SCALE



Photo "D"



Photo "E"



Photo "F"

-  Street Parking
-  Parking Lot
-  Office/ Commercial
-  Civic
-  Residential

Note: # of stories called out on each site. Stories of future buildings indicated with *.

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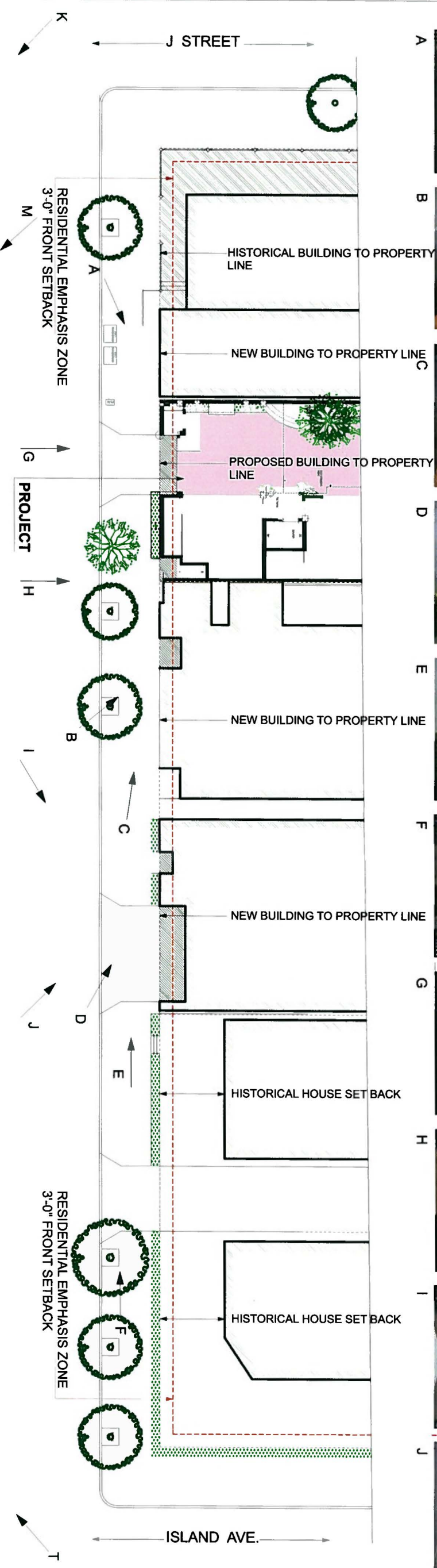


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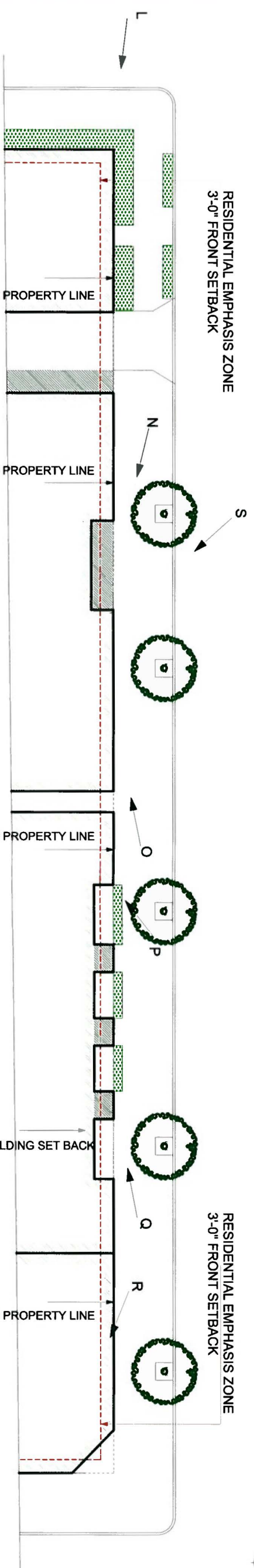
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T-2.1

SITE PHOTOS



SITE PLAN
NO SCALE



SITE PHOTOS



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T T-3.1



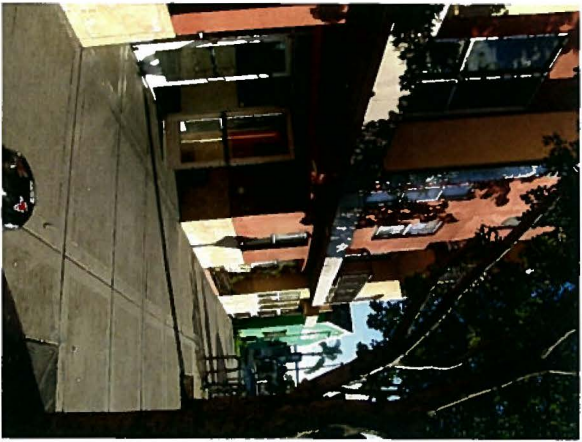
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B



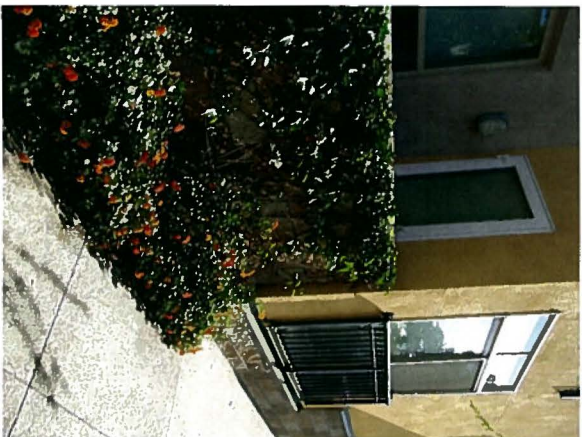
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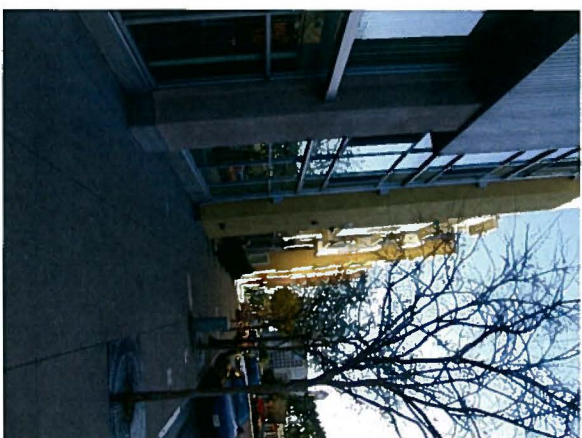
N



O



P



R

SITE PHOTOS: ENLARGED

DATE 4/6/09

T-3.2

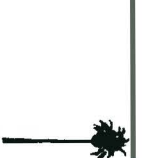
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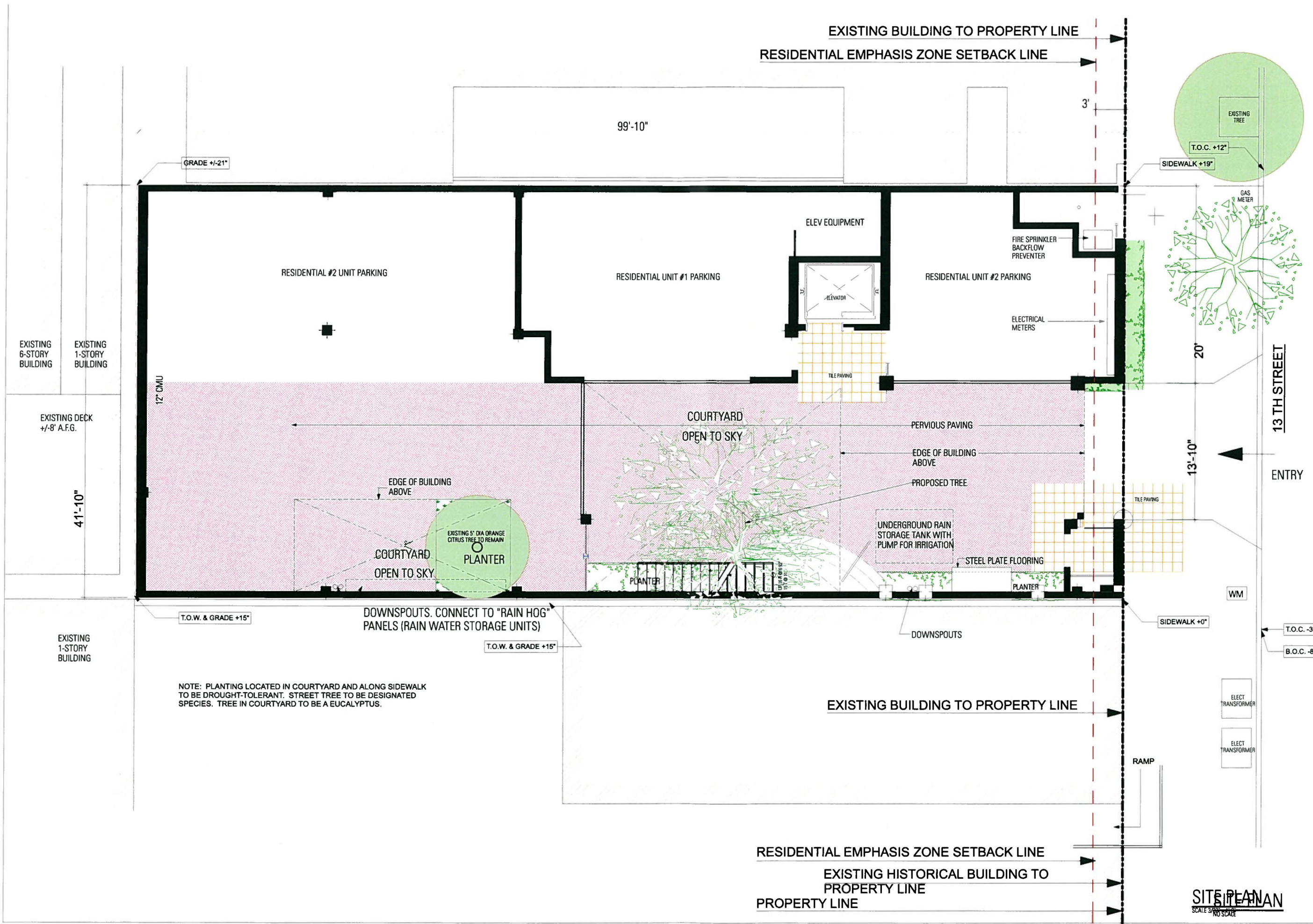


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NOTE: PLANTING LOCATED IN COURTYARD AND ALONG SIDEWALK TO BE DROUGHT-TOLERANT. STREET TREE TO BE DESIGNATED SPECIES. TREE IN COURTYARD TO BE A EUCALYPTUS.

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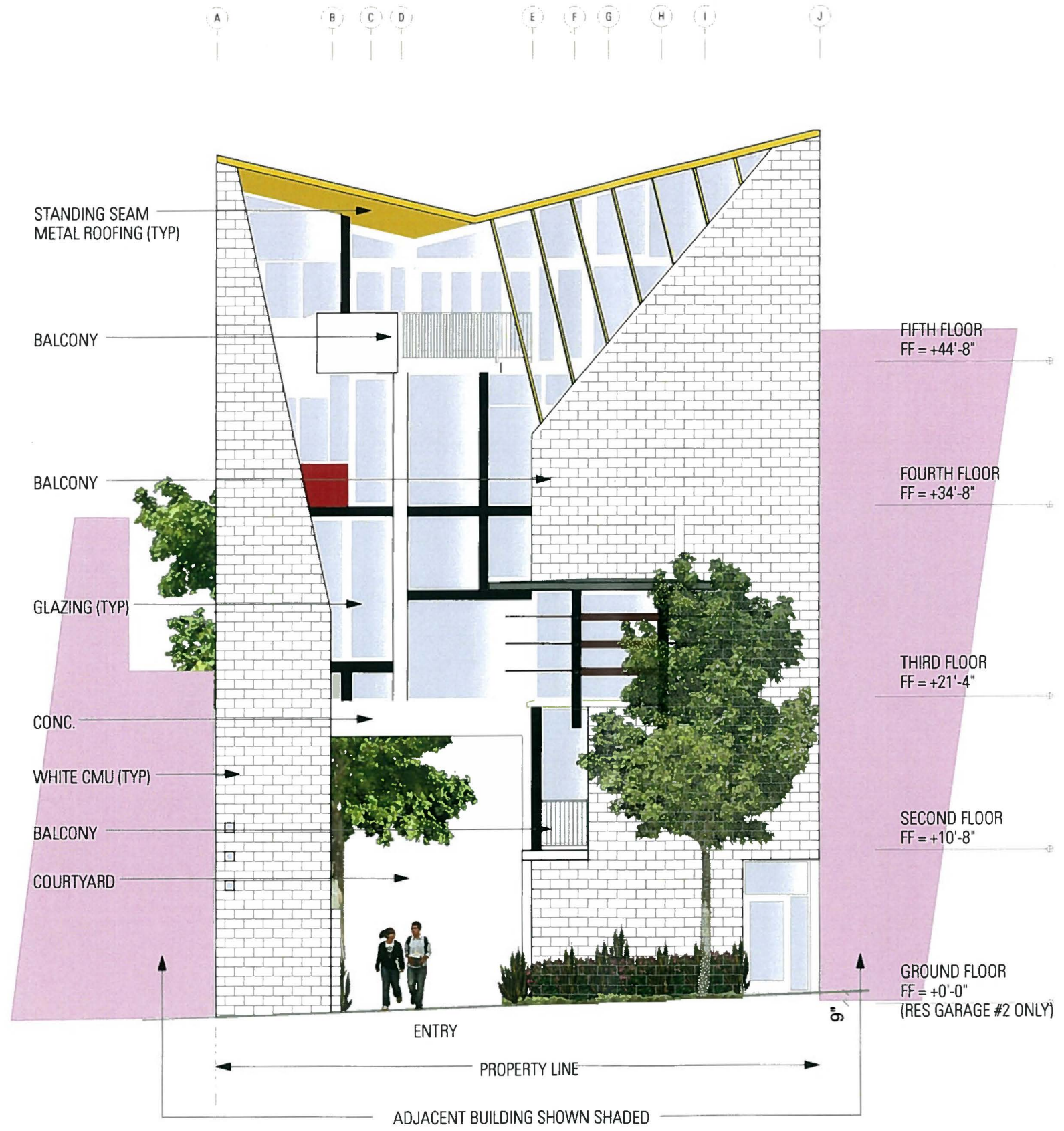


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T-3.3

SITE PLAN
SCALE: 3/8" = 1'-0"



FRONT ELEVATION
NO SCALE



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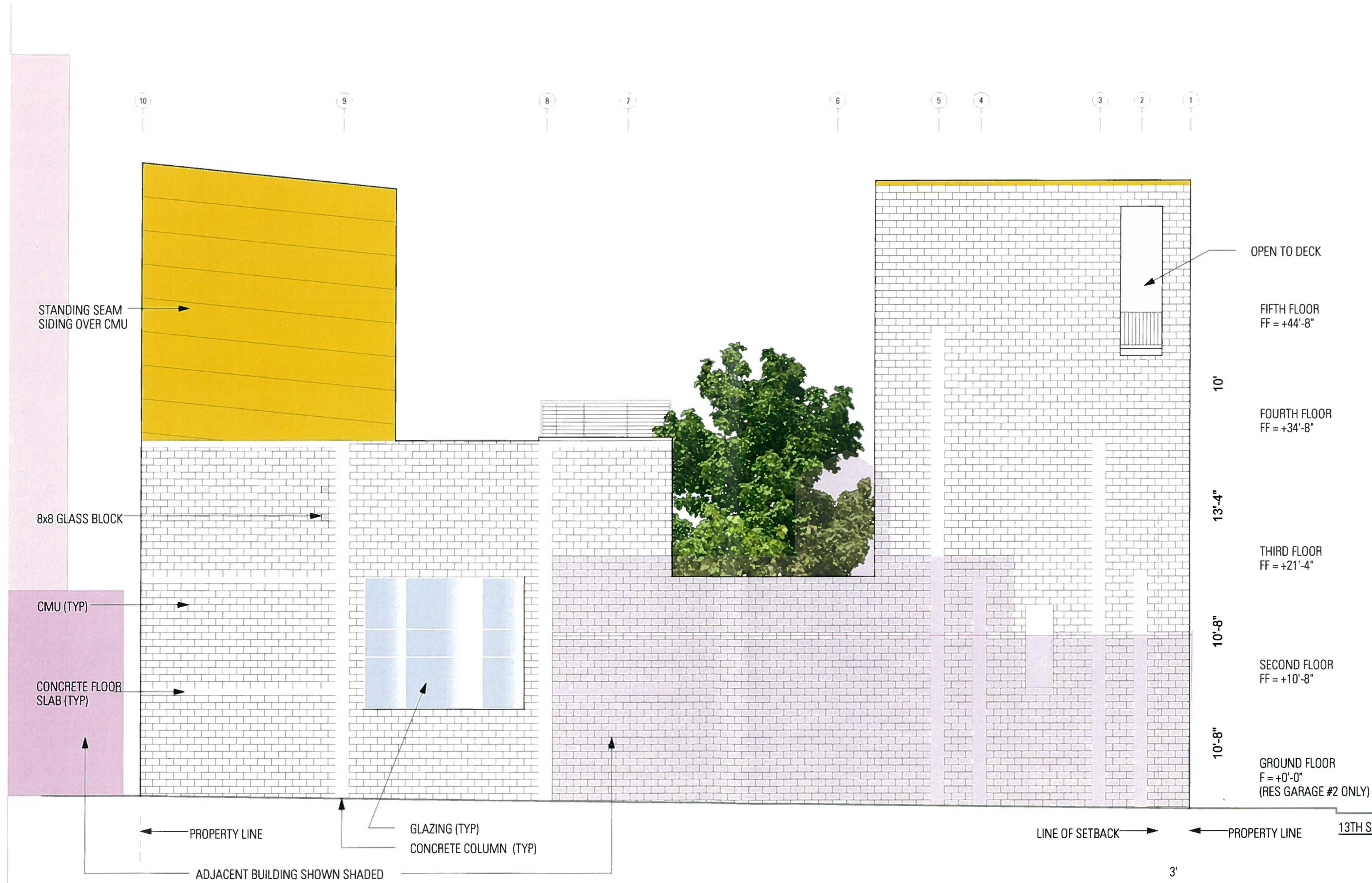
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A-1.0



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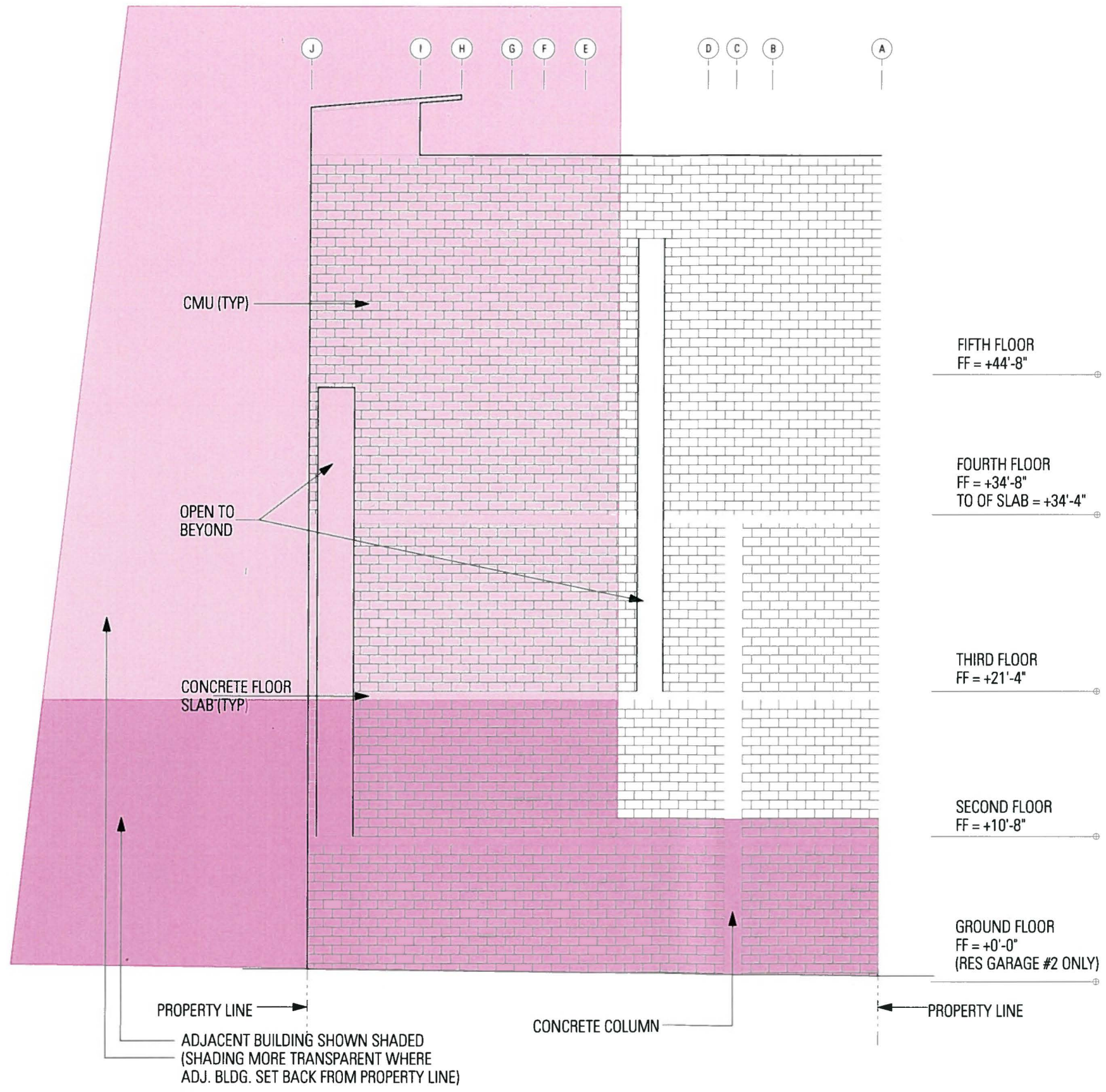


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SOUTH ELEVATION
NO SCALE

A-1.1



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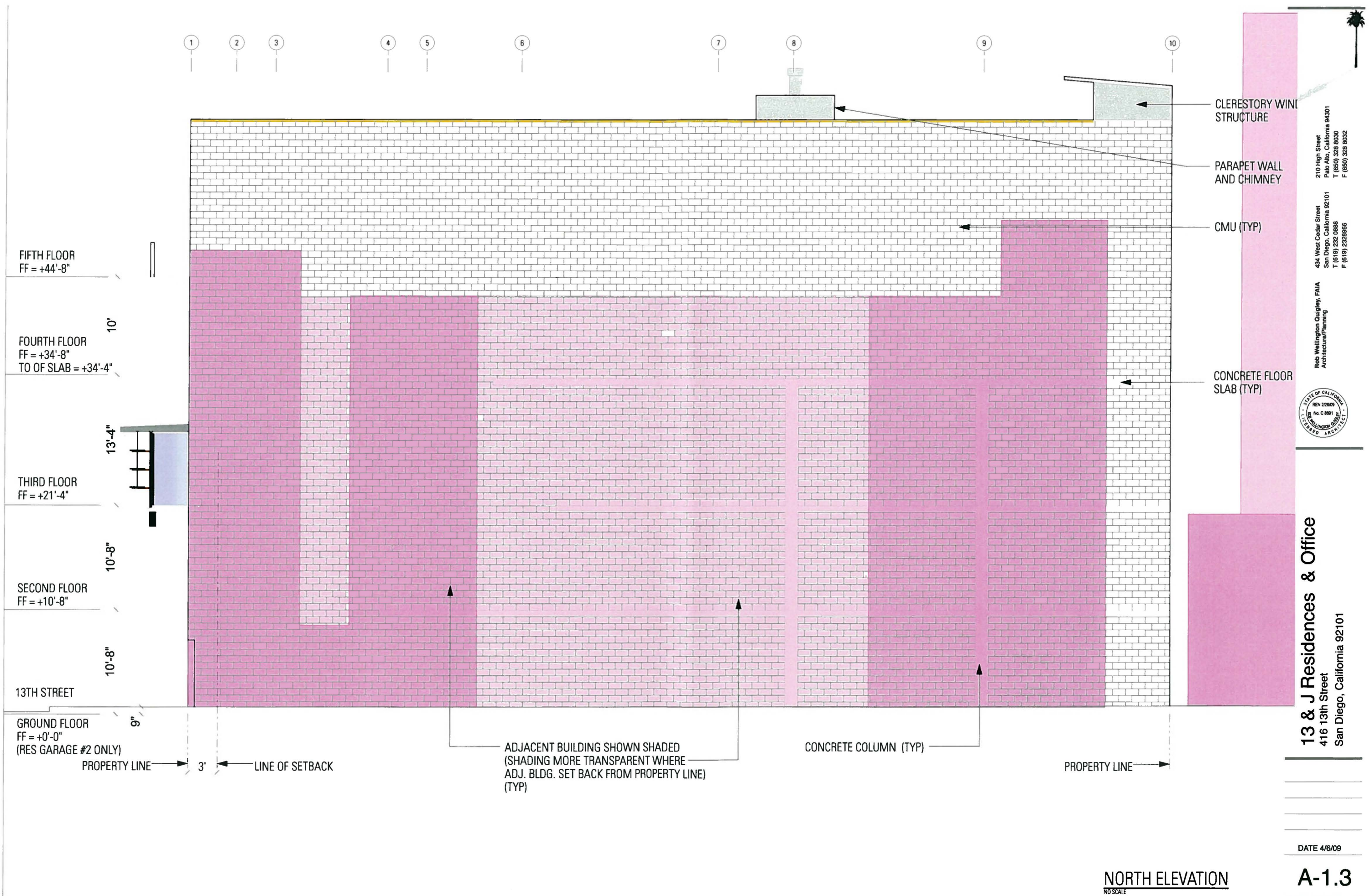


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WEST ELEVATION
NO SCALE

A-1.2



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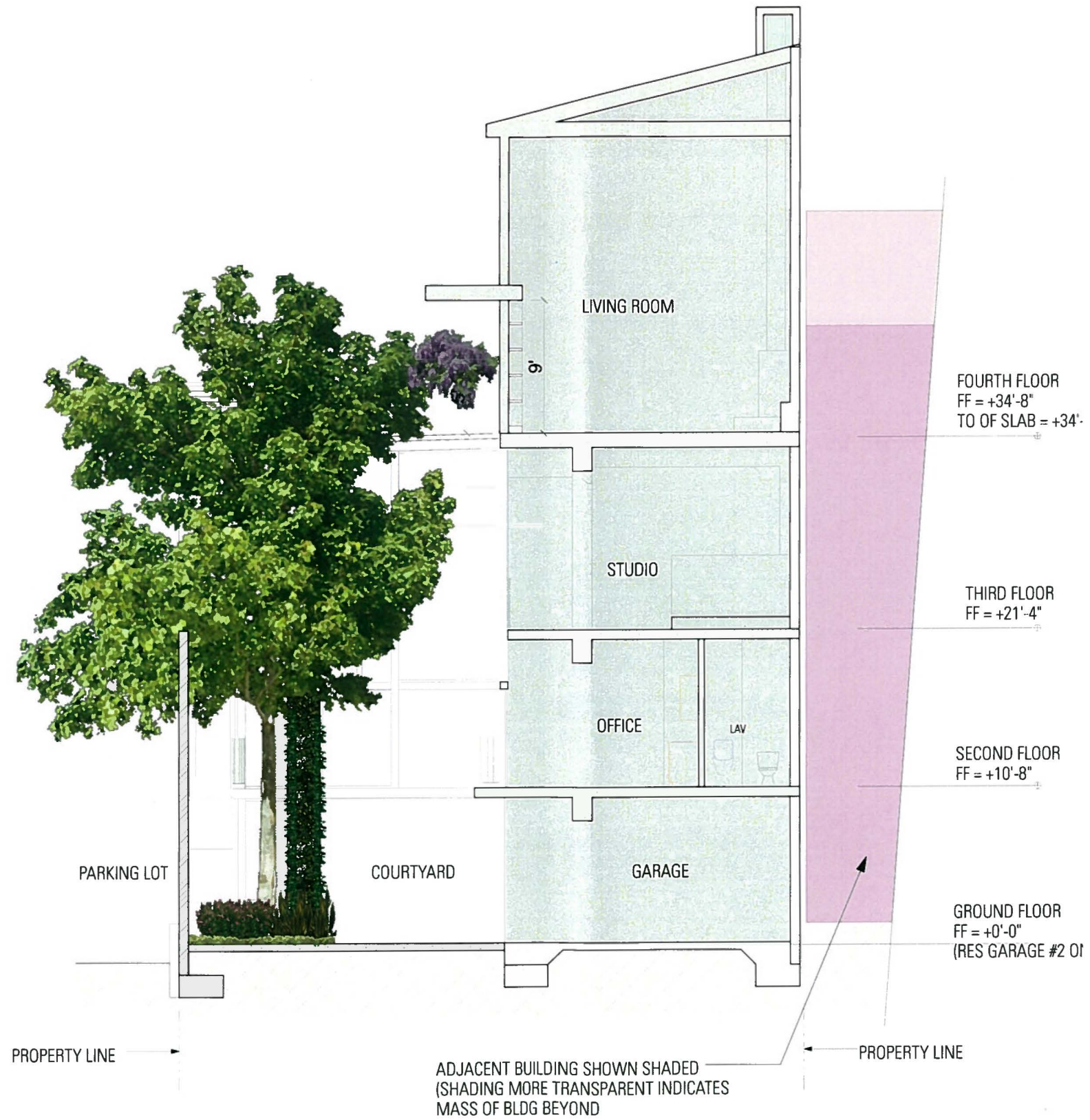


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NORTH ELEVATION
NO SCALE

A-1.3



SECTION "C"
NO SCALE

DATE 4/6/09

A-2.0

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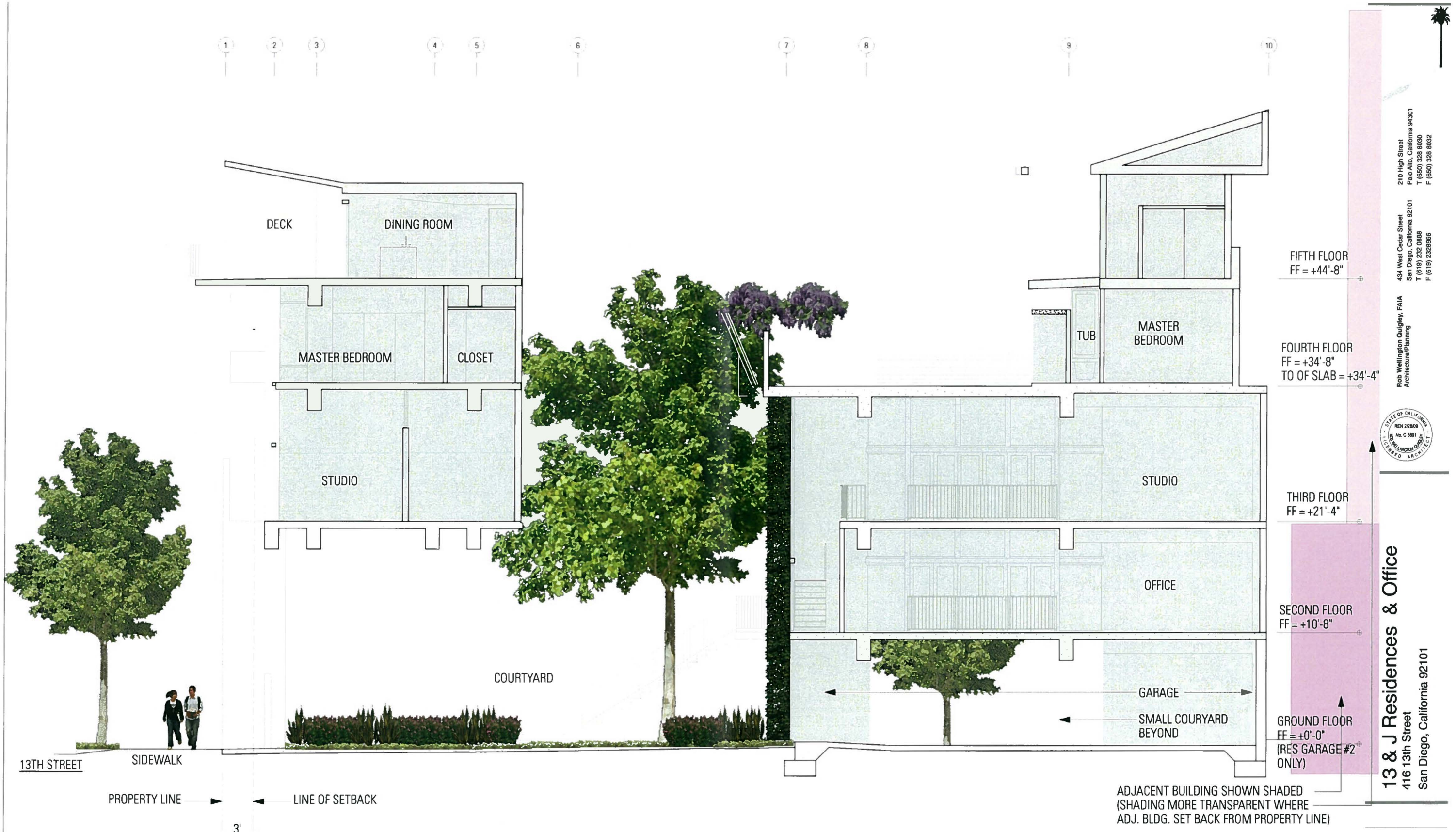


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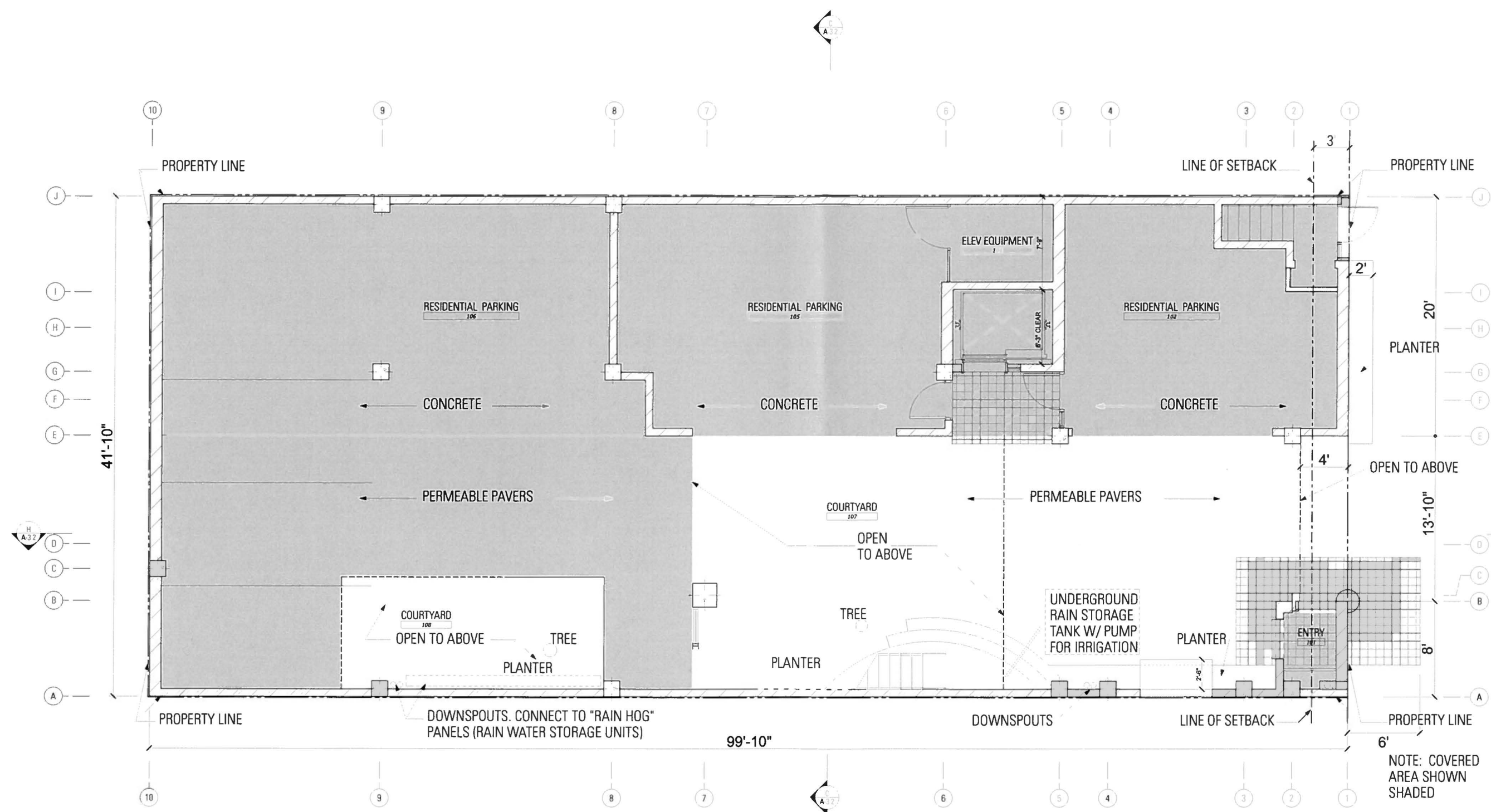
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A-2.1

SECTION "H"
NO SCALE

ADJACENT BUILDING SHOWN SHADED
 (SHADING MORE TRANSPARENT WHERE
 ADJ. BLDG. SET BACK FROM PROPERTY LINE)



NOTE: COVERED AREA SHOWN SHADED

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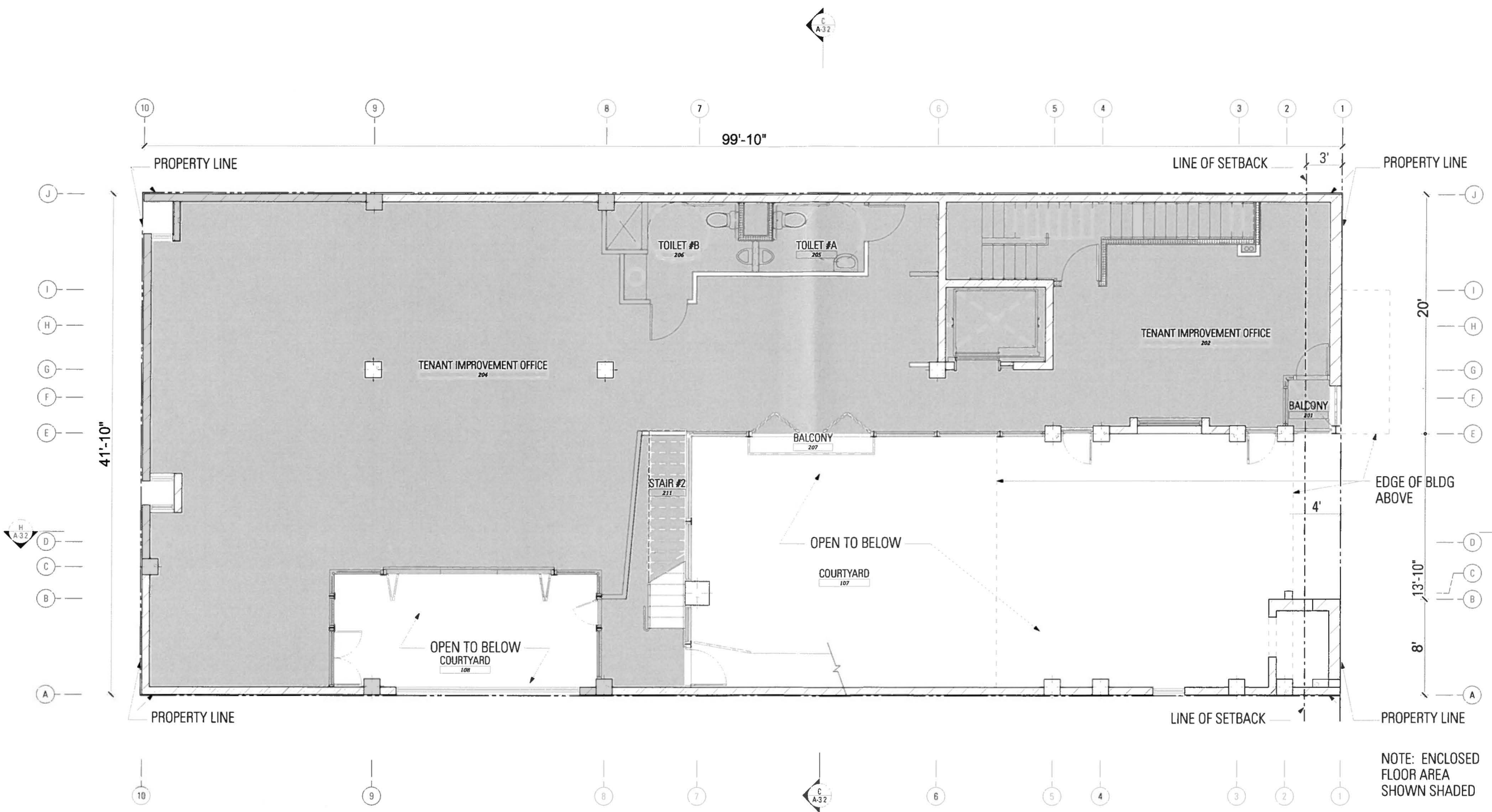
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GROUND FLOOR PLAN
SCALE 1/4" = 1'-0"

DATE 4/6/09

A-3.0



NOTE: ENCLOSED FLOOR AREA SHOWN SHADED

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SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"

DATE 4/6/09

A-3.1



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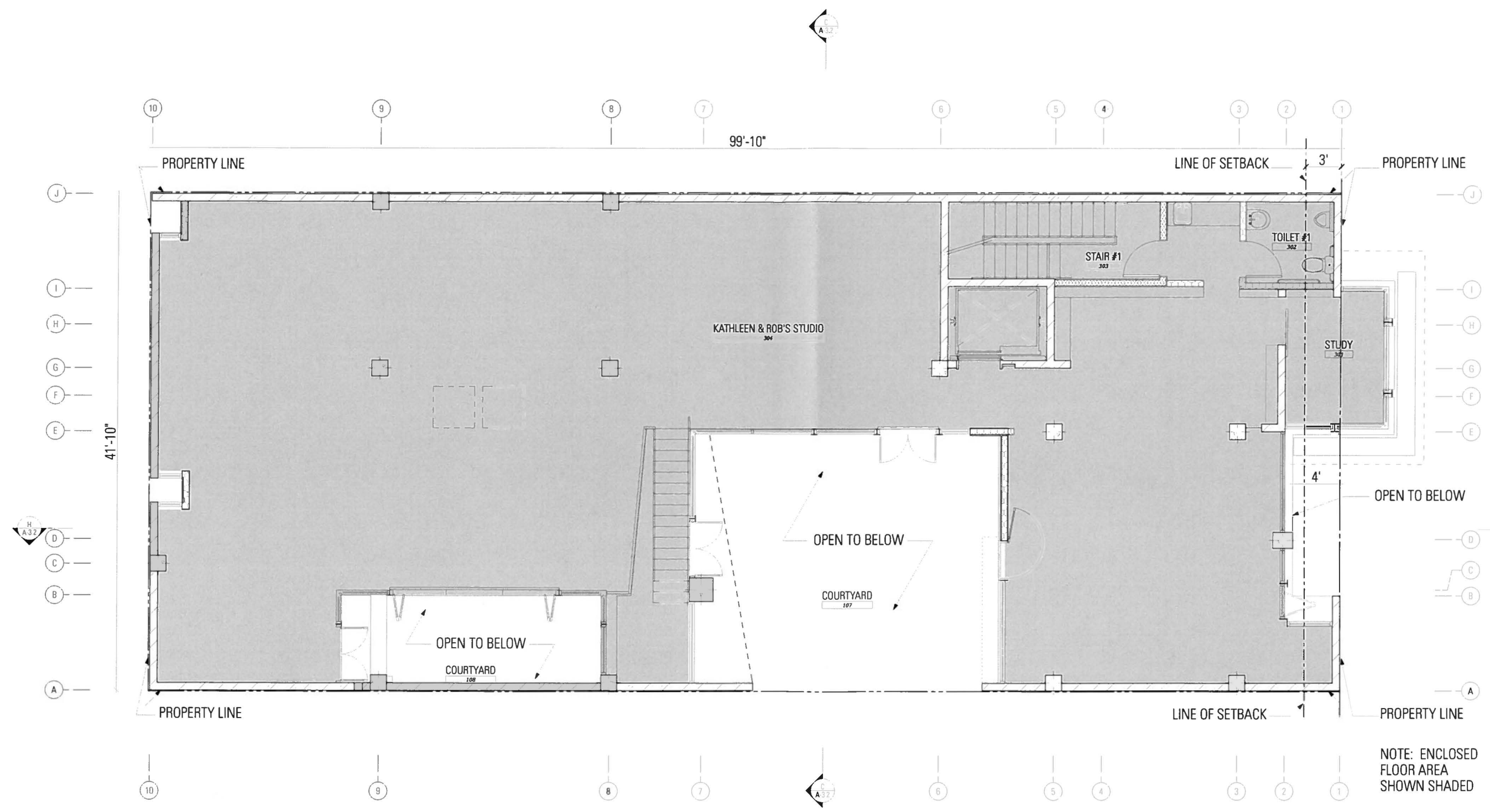
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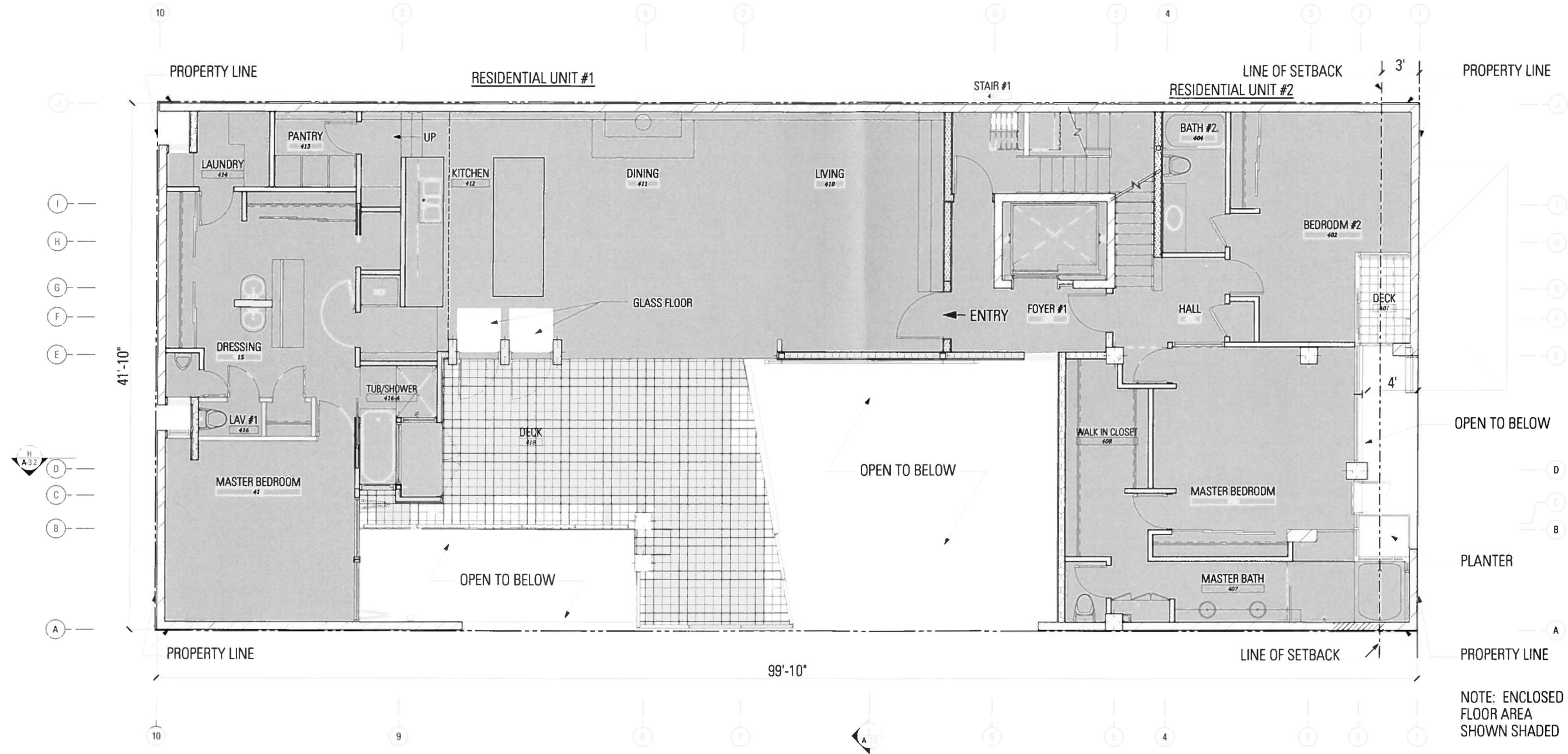
A-3.2



NOTE: ENCLOSED FLOOR AREA SHOWN SHADED

THIRD FLOOR PLAN
SCALE 1/4" = 1'-0"





NOTE: ENCLOSED FLOOR AREA SHOWN SHADED

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FOURTH FLOOR PLAN
 SCALE 1/4" = 1'-0"

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A-3.3



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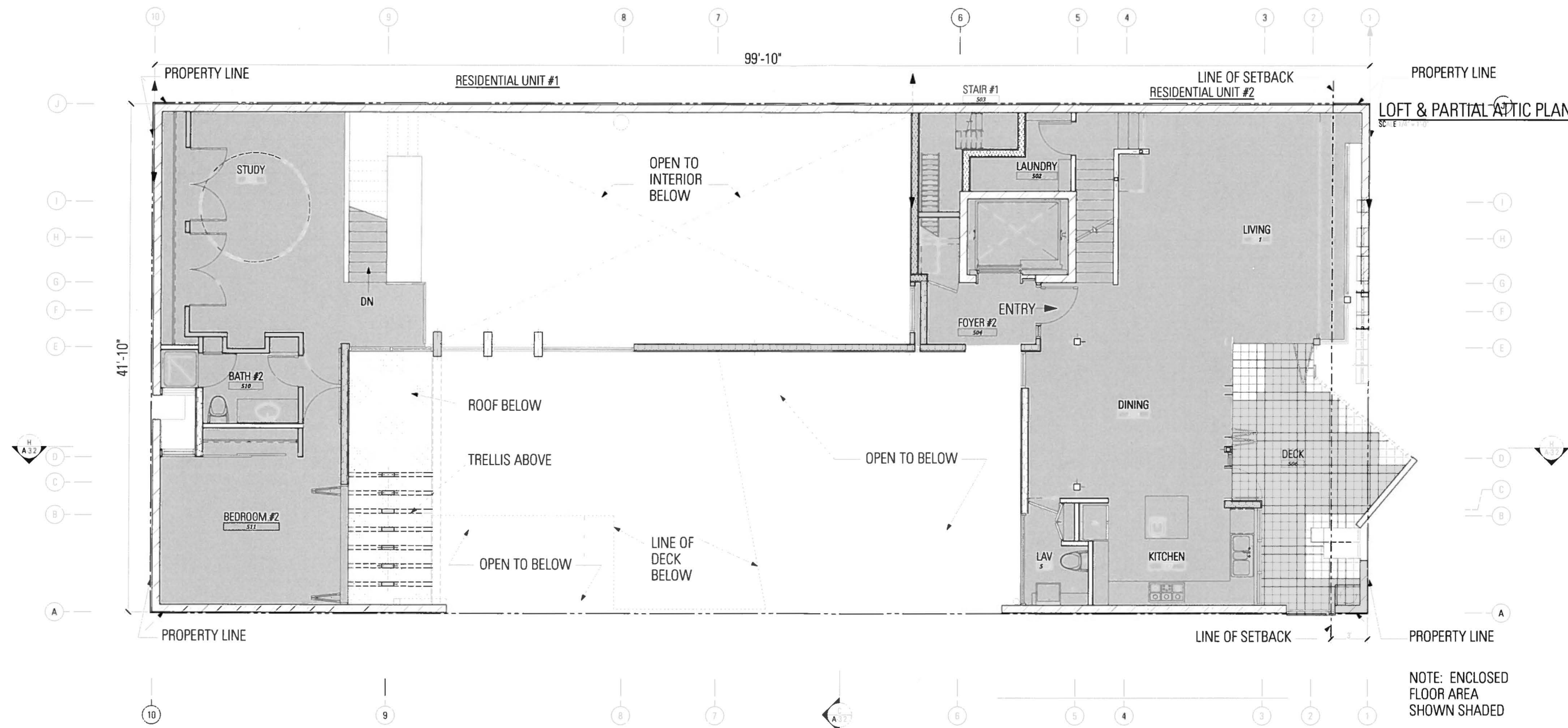
DATE 4/6/09

A-3.4

FIFTH FLOOR PLAN
SCALE 1/4" = 1'-0"



NOTE: ENCLOSED FLOOR AREA SHOWN SHADED



LOFT & PARTIAL ATTIC PLAN
SCALE 1/4" = 1'-0"

PROPERTY LINE

RESIDENTIAL UNIT #1

99'-10"

LINE OF SETBACK
RESIDENTIAL UNIT #2

PROPERTY LINE

41'-10"

PROPERTY LINE

LINE OF SETBACK

PROPERTY LINE

STUDY

BATH #2

BEDROOM #2

DN

ROOF BELOW

TRELLIS ABOVE

OPEN TO BELOW

OPEN TO INTERIOR BELOW

LINE OF DECK BELOW

OPEN TO BELOW

STAIR #1

LAUNDRY

FOYER #2

ENTRY

LIVING

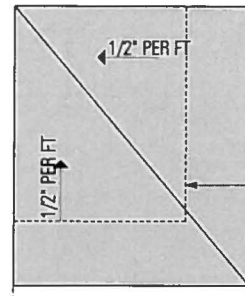
DINING

KITCHEN

LAV

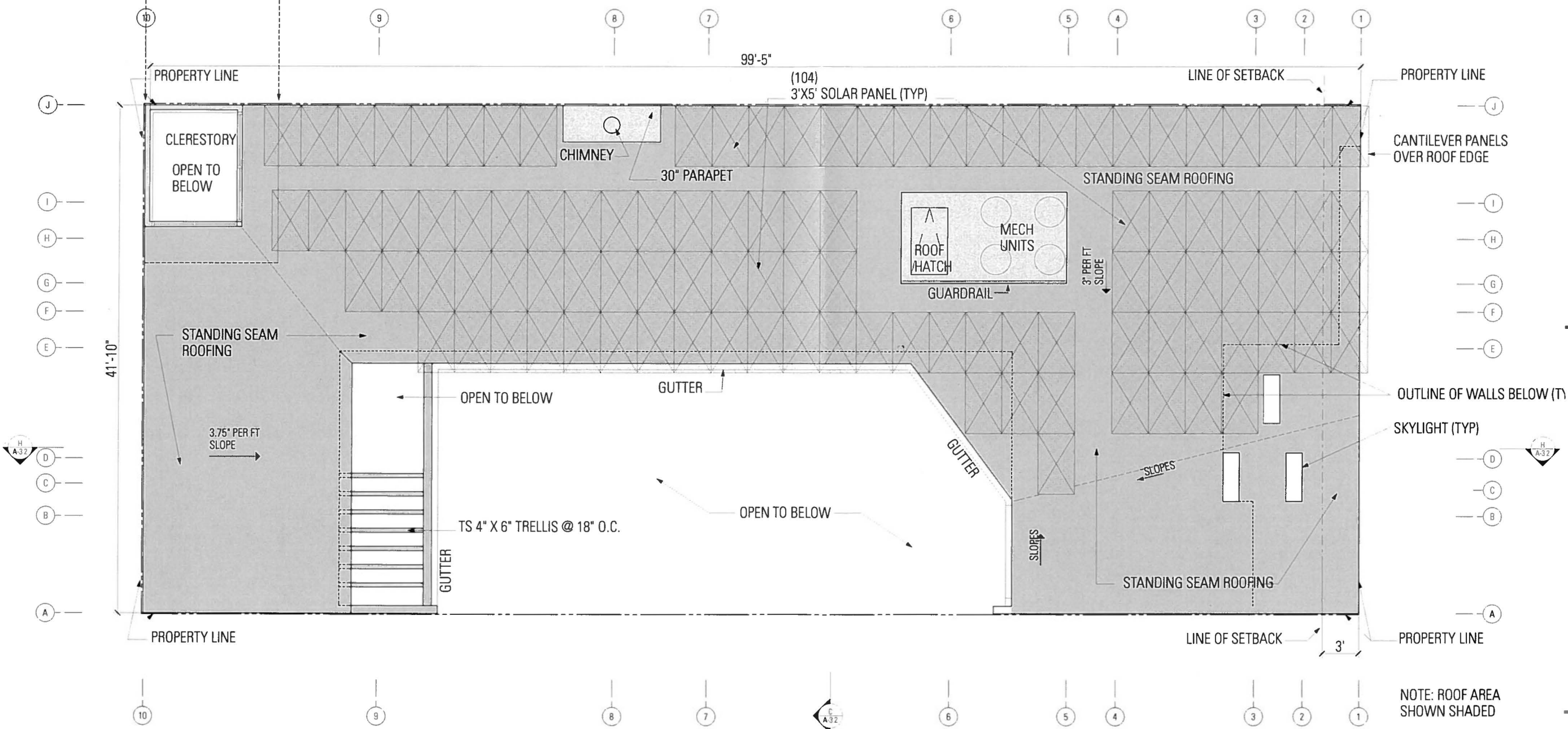
DECK

SCALE 1/4" = 1'-0"



CLERESTORY ROOF PLAN

OUTLINE OF WALLS BELOW



41'-10"

99'-5"

(104)
3'X5' SOLAR PANEL (TYP)

NOTE: ROOF AREA
SHOWN SHADED



210 High Street
Palo Alto, California 94301
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434 West Cedar Street
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Rob Wellington Quigley, FAIA
Architecture/Planning



13 & J Residences & Office
416 13th Street
San Diego, California 92101

DATE 4/6/09

A-3.5

ROOF PLAN
SCALE 1/4" = 1'-0"





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Project Description: 13th & J Residences and Office

The site is located in the East Village district of downtown San Diego. It is presently surrounded by low to mid-rise buildings of residential, commercial and retail use. A few new projects, both mid-rise and mixed-use towers, have been approved for construction in the area. The property is unusually narrow, as it is only 42' wide by 100' deep.

The proposed structure will be a five story residential building. The project will include two separate residences, on grade parking for the residences, and one floor of office. The developer/ architect, Rob Quigley, will occupy the majority of the space in the building for his home and office.

The construction will be comprised of patterned concrete block exterior walls, high performance glazing, concrete slab floors, and a metal standing seam roof. Permeable concrete pavers will be used throughout the ground floor courtyard and parking area. All new landscaping to be located on the ground floor or in planters throughout the building will be either drought tolerant plants, and/or will be used for domestic consumption (edible plants).

The sustainable attributes of the building include: solar panels for production of electricity and domestic hot water, probable installation of Coolerado™ air cooling/ dehumidification system rather than a traditional air conditioning system, reclamation and storage of rain water, as well as many other considerations in interior finish materials, choice of lighting source, extensive use of natural ventilation and light, and passive solar (including exterior shading devices, correct solar orientation, and use of solar mass). In addition, to the largest extent possible, the building materials of the structure that previously occupied the site have been salvaged and will be reused. For instance, the wood exterior siding of the original structure has been carefully removed and is about to be installed on a project located in the Golden Hills neighborhood. In addition, much of the original structural wood members have been salvaged and stored for future use in the proposed project.

