



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 27, 2009 REPORT NO. PC-09-064

ATTENTION: Planning Commission
Agenda of September 3, 2009

SUBJECT: Initiation of an Amendment to the General Plan and the Southeastern San Diego Community Plan to redesignate a 1.58 acre property located at 1290 and 1294 Keeler Court from Business Park/Office Commercial to Residential at 30 to 44 dwelling units per acre.

OWNER/
APPLICANT Mary Gordon, Alpha-Investments, LLC (Attachment 1, Ownership Disclosure Statement). The Community Plan Amendment initiation request is processed by Rodriguez Associates Architects & Planners, Inc.

SUMMARY

Issue - Should the Planning Commission INITIATE an amendment to the General Plan and the Southeastern San Diego Community Plan to re-designate a 1.58 acre site from Business Park/Office Commercial to Residential at 30-44 dwelling units per acre?

Staff Recommendation - INITIATE the plan amendment process.

Community Planning Group Recommendation - The Southeastern San Diego Community Planning Group convened July 13, 2009 and recommended (vote 6-4-1) initiation of an amendment to the General Plan and the Southeastern San Diego Community Plan (Attachment 2).

Other Recommendation(s) - None.

Environmental Impact - If initiated, the proposed plan amendment and future discretionary actions will be subject to environmental review.

Fiscal Impact - Processing costs would be paid by the applicant.

Code Enforcement Impact - None.

Housing Impact – The Southeastern San Diego Community Plan designates the 1.58 acre site for Business Park/Office Commercial. Based on the existing land use designation, no residential development would be allowed. The request to re-designate the site to Residential (30-44 DU/AC) would allow the potential development of 47 to 70 units where none currently exist. If initiated, impacts to housing availability and affordability would be evaluated.

BACKGROUND

The subject property is a 1.58 acre site composed of three parcels located at 1290 and 1294 Keeler Court which is north of Alpha Street and west of Keeler Court within the Southcrest Neighborhood of the Southeastern Community Planning Area (Attachment 3, “Aerial Map”, and 4, “Project Location Map”). The site has eastern frontage on Keeler Court and southern frontage on Alpha Street. This subject site is within the Southcrest Redevelopment Project area.

Single family residential development is located to the north of the property. The Southcrest Park Plaza Shopping Center is located to the south of the site. To the east of the site are a single family residence and a commercial building along 43rd Street. The development to the west of the site consists of the Southcrest Community Park and Recreation Center, a strip commercial development, and single family residential.

The property is vacant and has been graded through previous development projects onsite. Two of the three project parcels are irregular pie shaped with narrow frontages abutting Keeler Court. No other roadways, alleyways, or easements are identified on the property that would impact the development potential of this site.

The Southeastern San Diego Community Plan surrounding land use designations include Business Park/Office Commercial, and Parks (Attachment 5, “Community Plan Land Use Map”). The proposed amendment would re-designate the Business Park/Office Commercial land use to Residential 30 to 44 DU/AC. If initiated, the proposal would also require a Planned Development Permit to accommodate the addition of commercial development on site and a rezone from the Southeastern San Diego Planned District (SESDPD) I-2 (Industrial) zone to city wide multi-family residential RM-3-7 to allow for residential and commercial uses. The applicant anticipates a mixed use project consisting of 66 residential units in two and three story buildings and 4,800 square feet of commercial space.

The community plan amendment initiation site is within Southeastern Economic Development Corporation’s (SEDC) Southcrest Redevelopment Plan area. The redevelopment plan identifies the area as intended for commercial development. Since the redevelopment plan is used as a tool to implement the community plan, the redevelopment plan would be amended as part of the plan amendment process.

Depending on the applicant’s timeline, it is possible that an amendment could eventually be incorporated into the Southeastern San Diego and Skyline Paradise Hills Community Plan update process. The update to the Southeastern San Diego and Skyline Paradise Hills plans is scheduled

to begin in early spring of 2010. The purpose of the community plan update is to work with the community to develop a long-term vision for the community plan area. The primary goals of the community plan update process will be to: ensure consistency between the community plan policies and the General Plan; apply appropriate zoning that is consistent with plan policies; and establish community specific policies that are organized and formatted to complement the General Plan and its elements.

General Plan policy allows plan amendments to be processed concurrently with a plan update until a preferred land use scenario is selected. It is anticipated that this amendment will provide some initial context for early land use alternative discussions for this area during the plan update process.

DISCUSSION

The City is unique among jurisdictions in that the process to amend the General Plan and/or a community plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may actually proceed. This initiation request does not constitute an endorsement of the project proposal. A staff recommendation will be developed once the project has been fully analyzed.

The recommendation of approval or denial for the initiation is based upon compliance with the following three initiation criteria. The City Planning & Community Investment Department believes that all these initiation criteria can be met:

a) The amendment request appears to be consistent with the goals and policies of the General Plan and community plan and any community plan specific amendment criteria.

The re-designation of the land from Business Park/Office Commercial to Residential conforms with the goals and policies of the Southeastern San Diego Community Plan Residential Element recommendations by providing for the infilling of residential development on vacant land within the areas north and south of the rescinded State Route 252 corridor (Community Plan page 194). The amendment request conforms with the General Plan Land Use Element by the provision of revitalized transit corridors through the application of plan designations and zoning that permits a higher intensity of mixed-use development. This recommendation suggests including a combination of residential above commercial development, employment uses, commercial uses, and higher density residential development (General Plan LU-9). The project site's adjacency to Southcrest Park Plaza Shopping Center to the south, as well as Southcrest Community Park and Recreation Center to the west, creates opportunities for people to live, work, and recreate in the same areas through the integration of residential, commercial and recreational uses.

b) The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design.

The proposed amendment offers the opportunity to provide new housing units, commercial services, and employment opportunities within the community of Southeastern San Diego. The

proposed amendment could result in a land use that is compatible and harmonious with the adjacent residential uses within close proximity to the site, and therefore would not expose existing residents to potential negative externalities typically associated with industrial uses.

The community plan amendment initiation will enable development of an addition of 47 to 70 residential units in close proximity to the Southcrest Park Plaza shopping center, located directly south of the proposal site. This could also potentially assist in providing additional retail serving uses to the community that would in turn create additional jobs and services for the community.

If initiated, the opportunity for the project to provide a public benefit will be analyzed.

e) Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.

Library, Fire and Police services are currently in place and are provided by the City of San Diego. Police services in Southeastern San Diego are provided by Southeastern Division located approximately 4.0 miles from the site. Fire protection services would be provided by Fire Station 19, located approximately 1.6 miles from the site. Any potential development associated with the proposed land use amendment would have access to existing public water and sewer services located within the area. If initiated, any impacts to public services would be analyzed during review of the proposed amendment to ensure that facility needs generated by this proposal would be addressed.

GENERAL/COMMUNITY PLAN AMENDMENT REVIEW ISSUES

The following land use issues have been identified with the initiation request. If initiated, these issues, as well as others that may be identified through the course of the amendment process, will be analyzed and evaluated through the General/Community Plan amendment review process.

- Compatibility between the proposed General/Community Plan amendment and City's General Plan;
- Comparison of current and proposed land uses for the subject site;
- The appropriate land use designation and zone for the site;
- The potential addition of City of San Diego Redevelopment Agency owned parcels adjacent to the project on the southeast and southwest;
- Collocation/Conversion of industrial zoned land to residential zoning;
- Viability of developing additional Business Park/Office Commercial uses on the subject site and on other vacant Business Park/Office Commercial designated areas within the vicinity;

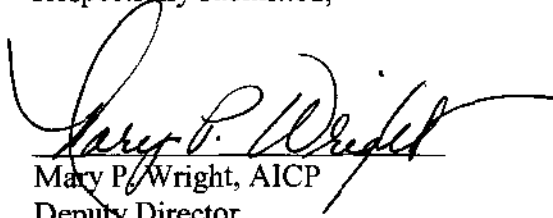
- Evaluation of remaining Business Park/Office Commercial areas adjacent to the site for potential re-designation;
- Impacts of structure height(s) and architectural character on surrounding development;
- Impacts on community and bicycle circulation system to determine if any circulation improvements would be necessary;
- Impacts to housing availability and affordability;
- Impacts to park and open space resources;
- Ability of the project to maintain and/or contribute to the area's environmental quality;
- Provision of pedestrian amenities and streetscape improvements associated with new residential development;
- Project relationships to transit;
- Ability of the project to provide a public benefit;
- Ability of project to reduce parking ratios in order to encourage transit ridership and reduce impacts to Greenhouse Gas emissions;
- Ability of project to provide sustainable building features through recycling spent building materials as well as utilization of energy efficient building components;
- Ability for the project to provide additional recreational amenities as part of the development proposal;
- Impacts to public facilities and services including public schools.

CONCLUSION

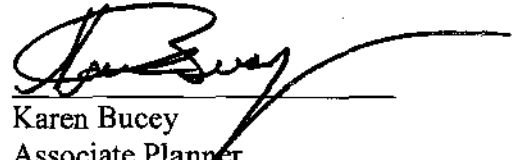
City Planning & Community Investment staff recommends that the amendment process be initiated to study the issues and impacts related to the proposed land use change from Business Park/Office Commercial to Residential (30-44 DU/AC).

Although staff believes that the proposed amendment meets the necessary criteria for initiation, staff has not fully reviewed the applicant's proposal. Therefore, by initiating this community plan amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.

Respectfully submitted,



Mary P. Wright, AICP
Deputy Director
City Planning &
Community Investment



Karen Bucey
Associate Planner
City Planning &
Community Investment

WRIGHT/BUCEY

Attachments:

1. Ownership Disclosure Statement
2. Southeastern San Diego Planning Group Minutes
3. Project Aerial Map
4. Project Location Map
5. Southeastern San Diego Community Plan Land Use Map



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

Alpha Street Development

Project Address:

1290 & 1294 Keeler Court

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):

Mary Gordon

Owner Tenant/Lessee Redevelopment Agency

Street Address:

PO Box 281726

City/State/Zip:

Nashville, TN 37228

Phone No:
(615)668-1911

Fax No:
(615)329-0509

Signature:

Mary Gordon

Date:
Apr 2, 2009

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:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Mary Gordon

SOUTHEASTERN SAN DIEGO PLANNING GROUP (SSDPG)

Meeting Location:
Neighborhood House, 841 S. 41st Street, San Diego, CA 92113

MINUTES
July 13, 2009 6:00 p.m. – 7:55 p.m.

[NOTE: NEW EARLIER START TIME. Meetings must end promptly by 7:55 p.m.]

This Planning Committee covers the area south of the Dr. Martin Luther King, Jr. Freeway (Highway 94), east of Interstate 5, north of the border of National City, and west of Interstate 805. It includes the communities of Sherman Heights, Logan Heights, Grant Hill, Memorial, Stockton, Mount Hope, Mountain View, Southcrest, and Shelltown.

1. CALL TO ORDER, ROLL CALL, AND INTRODUCTIONS

In attendance:

- Steve Veach (Chair), representing Sherman Heights
- Reynaldo PISAÑO (Vice Chair), representing Mount Hope
- James Justus (Treasurer), representing the Business Community
- Louise Torio (Secretary), representing Sherman Heights
- Liliana Garcia-Rivera, representing Sherman Heights
- Robert Leif, representing the Business Community
- Vincent Noto, representing the Business Community
- Ben Rivera, representing Logan Heights
- Paul Sweeney, representing the Business Community
- Joshua Von Wolkfolk, representing Mount Hope
- Reggie Womack, representing Stockton

Board Members Not At Meeting: Ivette Vela.

City of San Diego Planning Department Staff: Karen Bucey

Chair Steve Veach introduced himself, welcomed Board members and guests to the meeting, and explained the purpose of this planning group, which serves in an advisory capacity to the City of San Diego in regard to land use issues in this area.

2. APPROVAL OF TODAY'S AGENDA (ADDITIONS OR OMISSIONS)

Motion by PISAÑO, seconded by Leif, to approve agenda. MSC: 7-0-0

3. PUBLIC COMMENTS (two minutes per public speaker, on non-agenda items only)

None.

4. STAFF REPORTS

- | | |
|--------------------------------------|------------------------|
| 1) Mayor's Office | 6) SEDC |
| 2) Council District 4 | 7) CCDC |
| 3) Council District 8 | 8) Planning Department |
| 4) Congresswoman Susan Davis' Office | 9) Other |
| 5) Congressman Bob Filner's Office | |

District 4, Bruce Williams: The indemnification of volunteers serving on City planning groups and their subcommittees was approved. The project at 43rd and Logan should be docketed before the summer recess. District 4 is down two staff members due to the budget cuts.

District 8, Raquel Marquez-Maden: The recent neighborhood clean-ups netted over seven tons of trash. There will be a Sherman Heights clean-up on August 1 and a mini Logan Heights clean-up coming soon. Kids are encouraged to participate and get a certificate of service. Raquel will be on maternity leave from July 31 to September 14.

Congresswoman Susan Davis' Office, Ricardo Flores: Rep. Davis was involved with getting \$1.6 million for local law enforcement. She also authored a bill which would allow for a second medical opinion.

SEDC, Jill Sabo: On June 9 SEDC approved the new street lights in the Southcrest redevelopment area. Jill encouraged all to take the SEDC redevelopment bus tour on Saturday. Von Wolkfolk asked for the SEDC acting CEO to come to this meeting in the future if he will be the permanent head of SEDC.

Planning Department, Karen Bucey: No report.

5. CONSENT ITEMS: **None**

6. ACTION ITEMS:

A. **Golden Hill Market, 2042 Market Street, Project #172386** – Conditional Use Permit for a Type-21 alcohol license for an existing market in the Sherman Heights Historic District. Ian Harris represented the applicant. This project was continued from the June 2009 meeting since no one attended to represent this project. Currently this store is allowed to sell beer and wine. With a CUP for a Type-21 license it would sell hard liquor. If the Type-21 license is denied, it would still sell beer and wine.

This was heard by the City Hearing Officer on July 8. Veach, Pisaño, and Torio attended and spoke at that hearing. Because the applicant did not attend the June 2009 SSDPG meeting for public comment, the Hearing Officer directed the applicant to return to this group. The Hearing Officer stated that granting the CUP to the applicant would allow conditions to be mandated, and he requested that the SSDPG provide conditions, even if the planning group did not want to support the CUP. Rivera did not want to provide any conditions if the group did not support it, since we cannot be both against something but provide conditions for its implementation (the City should respect our vote). Veach explained that if the group does not provide conditions, then the Hearing Officer may grant the application with no community conditions attached, and that would not help the community. Bucey said that if we add conditions, those conditions would be part of the CUP and would be enforceable. The SSDPG can appeal if the Hearing Officer goes against the wishes of the Board and if the Hearing Office doesn't include the SSDPG recommendations.

Last time this project was before us we were awaiting information from the Historical Resources Board (HRB) staff. HRB staff member Kelley Saunders has conditioned the project to return the historic features of the building that were removed with the

nonpermitted remodel from a few years ago (windows and signage were changed, among other features) and to paint the building in period-appropriate historic colors.

On July 8 a civil penalties notice was issued relating to signage and electric issues, among other things.

The applicant's rep was asked what the benefit was to the community. He stated that the benefit is that it would be easier to purchase distilled spirits in the neighborhood. Many said that they did not see this as a community benefit.

Pisaño said that this store has been selling beer and wine since 1934. This liquor store at the corner of Market and 21st Street is within 600 feet of homes, schools, and churches. It has code enforcement issues. There is a serious homeless problem in the area, with many homeless people buying alcohol.

Jayli Jackson of Palava Tree, Inc., said that there are no benefits to the community with this upgrade, there is only financial benefit to the owner. While this one census tract has the legal limit for alcohol sales and is not considered "oversaturated," we live in neighborhoods, not census tracts, and as neighborhoods we have too many places for hard alcohol sales. The problems caused by those with alcoholism know no borders. This is a danger and a detriment to the community, and it should not be supported.

Other comments made by Board members:

- Hard liquor can be purchased at two other locations within Sherman Heights (Hilltop Liquor at Market and 25th Street, and Square Deal Market at 20th & K Streets, both establishments owned by this same owner), as well as at Albertson's on Market and 14th Street. There is no additional need for this additional ability to purchase hard liquor within the historic district.
- This project has been on the agenda several times, and the owner has attended to present his case. This is an example of how this business is not part of the community and that the owner has no respect for the community to engage in dialog with us.
- There are no mitigating factors to support this business. The owner doesn't contribute to the community by supporting local events, the local community center, the local museum, or any local nonprofits. They are not a sponsor for our family-friendly events. They do not participate nor give back in any identifiable way to the community.
- We support businesses in the community and we want them to be successful, but we don't want more hard liquor sales. If the owner lived in the community he would see that many people with alcohol problems wreck havoc on our neighborhood. They purchase at the Golden Hill Market and drink and urinate around the corner from the store. The police have been called many times because of drunk people who have passed out on the sidewalk by 2002 Market Street. We do not need more opportunities to supply hard liquor to those who cannot control themselves, especially when they can purchase it at the owners other two liquor stores.

- This place is the "last call for alcohol" stop with cars coming from downtown and buying alcohol before getting on the highway.
- Before any consideration is given to this applicant, the applicant should be made to un-do the damage cause to the historical building and the restoration should be complete.

Motion by PISAÑO, seconded by Von Wolkfolk, of no support for this CUP, and that all code violations are fixed and the historic building restored whether the CUP is granted or not. If the Hearing Officer decides in favor of the applicant, the SSDPG reserves the right to appeal to the Planning Commission. The conditions to be applied to the project if the Hearing Officer does not support this motion of no support for the CUP would be the following: no fortified wines or beers; no single can or bottle sales unless one liter or larger; no alcohol sales after 10:00 p.m. on weekdays or midnight on Fridays and Saturdays; that if the Type 21 license is granted, that all code enforcement issues and historic building restoration must be fixed before the license is granted; and that any fines levied against this owner should be applied to the City's restoration of the Villa Montezuma Museum at 20th & K Street. **M-S-C: 11-0-0**

This item will go back to the Hearing Officer on Wednesday, August 5, 2009, at 8:30 a.m. at 202 C Street, City Council chambers.

PC-09-09-064

B. Alpha Street Development, 1294 Keeler, Project #180379 – Initiation of an Amendment to the General Plan and the Southeastern San Diego Community Plan to designate a 1.58 acre property in Southcrest from Business Park/Office Commercial to Medium Density Residential at 30 to 44 dwelling units per acre. Owner: Alpha-Investment, LLC.

Architect Carlos Rodriguez said that they seek support to initiate this process. The Planning Commission will hear it to see if this should be studied. This initiation is only the first step in the process. There is no firm design for a project yet. The applicant brought along a possible vision for the site, but, if the initiation is approved, the SSDPG would see any project after the amendment to the General Plan and the Community Plan were approved. The site has never been developed as Industrial. It used to be the location of Gordon's Lumber Yard and part of the 252 Corridor.

David Rodriguez they are envisioning four buildings with mixed-used Commercial on the first floor and Residential above. Alpha Street would be the primary entrance. In total there might be 66 residential units. The density would be arrived at through a community process. It would benefit to the community because it's more compatible with the neighborhood. It is close to public transportation and adjacent to a large park and large shopping center. Residents would not need a car to reach shopping and services.

Comments made by Board members include:

- Industrial property is necessary for jobs. Is there anything industrial within the vicinity?
- What do those who live on that street have to say about it? Has any community outreach been done yet?

- Keeler Court is a short street with single-family development. That street cannot support 66 additional cars. How did you get to 66 units? Is this envisioned as affordable housing?
- The possible proposed four stories provides no transition to the single-family homes. This should not be spot rezoning.
- Please provide a map with all mass transit and local amenities identified.
- We should not support a density that is too great for the area.

Bucey said that if this gets approved, then they will have to rezone.

Motion by Justus, seconded by Torio, to support the initiation of this amendment.
MSC: 6-4-1

- C. SSDPG Distribution of Applicant Materials** – The City will no longer distribute applicant material, so we need to decide on an appropriate and fair way for the materials to be delivered to the SSDPG Board members for review.

Bucey said that the applicants need to supply the City only limited copies, and that local planning groups cannot make the supplying of materials for each planning group member a requirement or condition of the applicant. Anything in any planning group bylaws is trumped by a City Council decision.

Due to lack of time, this issue will need to be discussed further.

- D. Approval of June 2009 Minutes**

Tabled until the September 2009 meeting because we ran out of time and had to vacate the building.

7. INFO ITEMS: **None**
8. BOARD MEMBER COMMENTS (two minutes per Board member on non-agenda items only)
None.
9. SUBCOMMITTEE REPORTS AND ANNOUNCEMENTS (two minutes per Board member)

ADJOURNMENT: by 7:55 p.m.

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PROJECT LOCATION

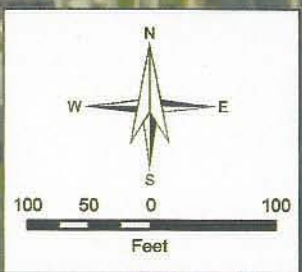
KEELER AV

ALLEY

KEELER CT

S 43RD ST

ALPHA ST



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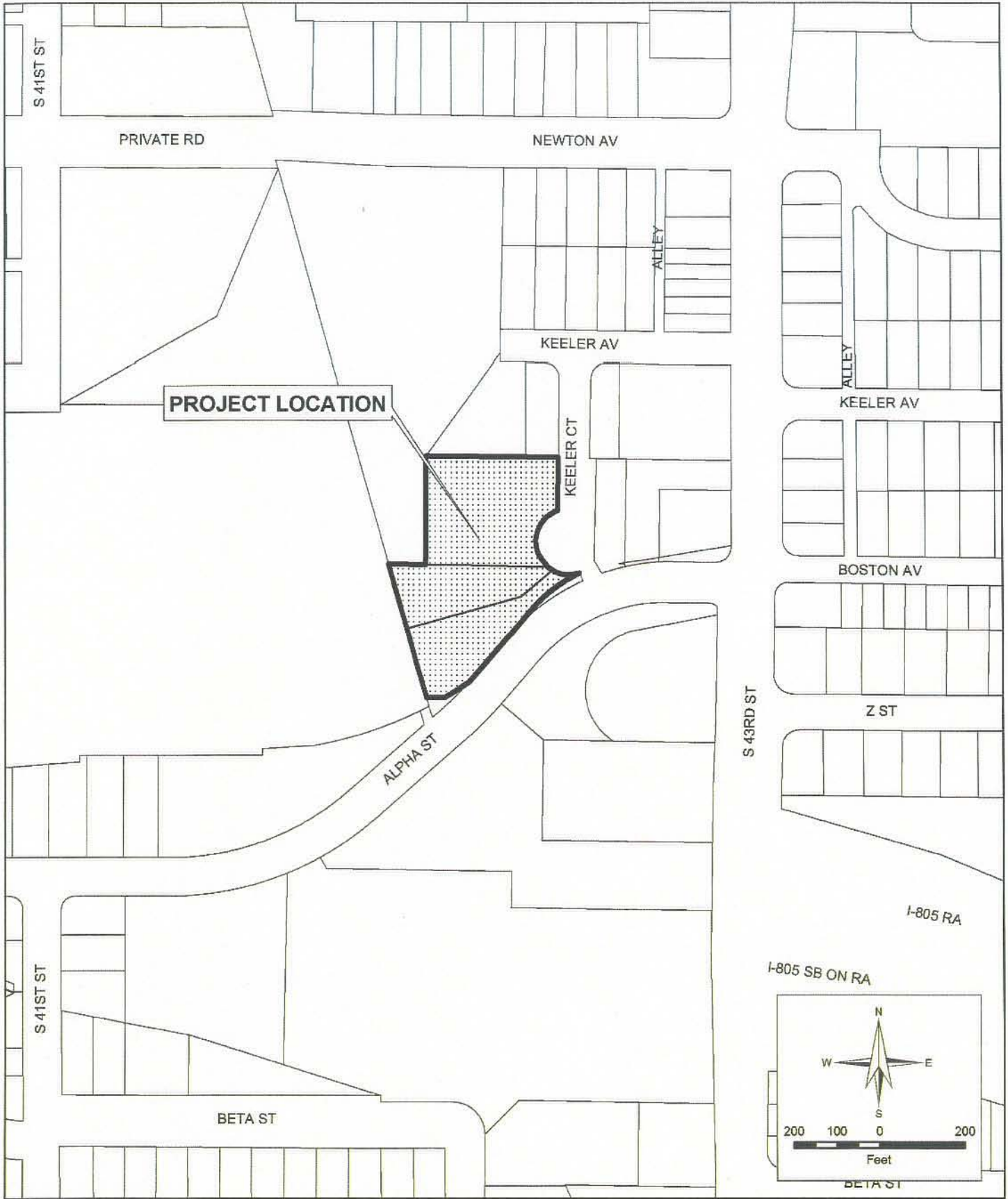
AERIAL MAP



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The geographic information displayed on this map was derived from the SanGIS Digital Information System which is the approved system version as of 7/27/08.

The geographic information displayed on this map is based on the data provided by the City of San Diego.



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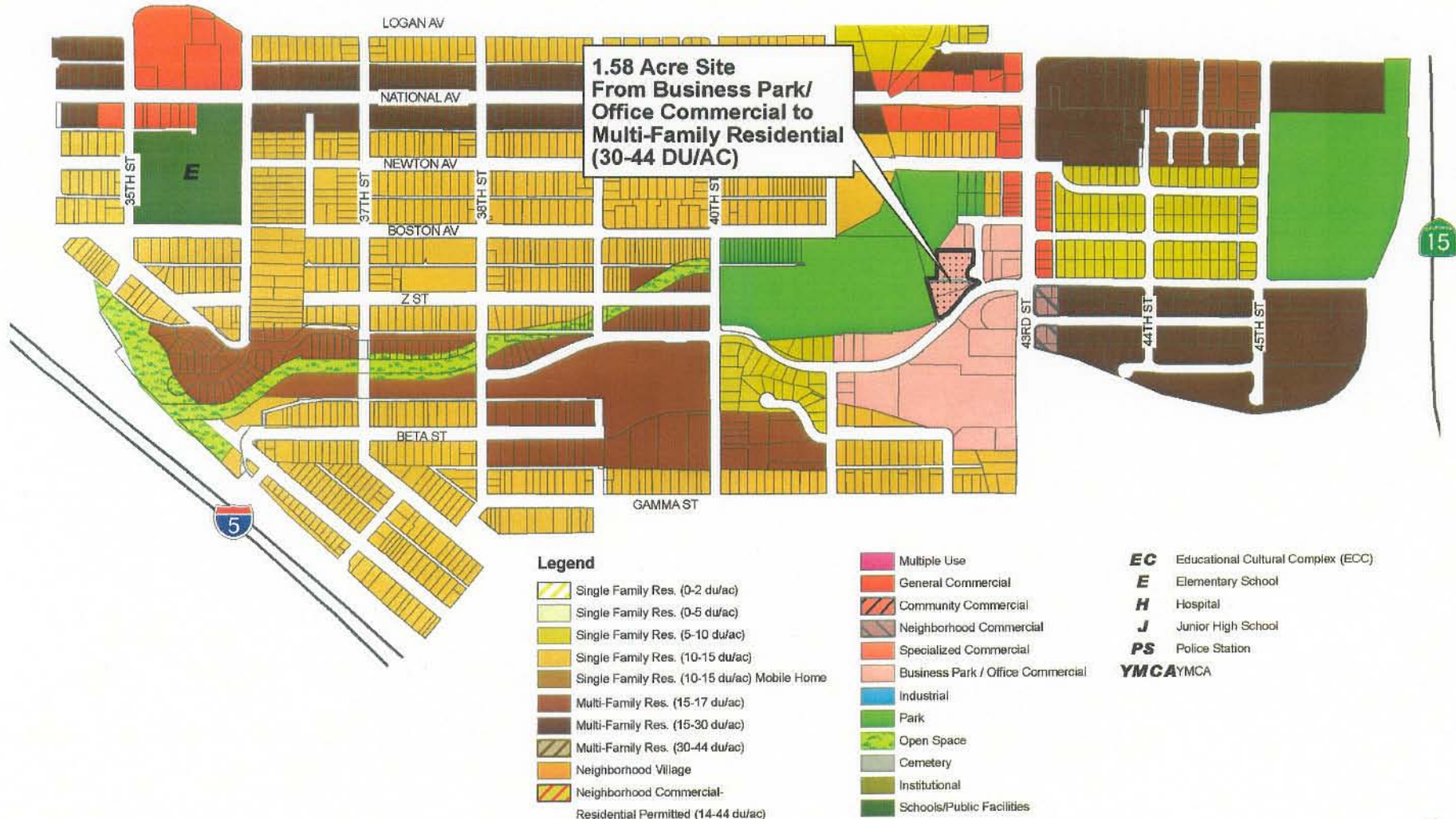


LOCATION MAP

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 The project system information which has been reported with precision
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Southeastern San Diego Community Plan Land Use Map

RECOMMENDED LAND USE



SOUTHCREST
SOUTHEAST SAN DIEGO
 CITY OF SAN DIEGO • CITY PLANNING & COMMUNITY INVESTMENT

