



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 1, 2009 **REPORT NO. PC-09-074**

ATTENTION: Planning Commission, Agenda of October 8, 2009

SUBJECT: HABITERRA - PROJECT NO. 136041. PROCESS 5.

**OWNER/
APPLICANT:** Marco A. Sanchez and Enrique Salcedo (Attachment 11)

SUMMARY

Issue(s) - Should the Planning Commission recommend Council approval to demolish an existing house and construct a four unit condominium on a 0.11 acre site at 7460 Herschel Avenue within the La Jolla Community Plan area?

Staff Recommendation - **Approve** Easement Vacation No. 652678, Tentative Map Waiver No. 477793 and Coastal Development Permit No. 472934.

Community Planning Group Recommendation - On April 7, 2008 the La Jolla Community Planning Association voted 8:0:0 to recommend approval of the proposed project.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guideline section 15332 as "In-Fill Development." This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 9, 2008, and the opportunity to appeal that determination ended October 24, 2008.

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 proposed project, located on a 0.11 acre site within the La Jolla Community Planning Area, is designated for Medium High Residential Land Use with a density range of 30-45 dwelling units per acre. Based on this land use designation,



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the project site could accommodate five dwelling units. The proposal to demolish one existing residential unit and construct four new residential units is in conformance with that land use designation and density. There would be a gain of three dwelling units on the site. The proposed project would comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations by payment of the Inclusionary Housing In-Lieu Fee.

BACKGROUND

The La Jolla Community Plan designates the site for Medium High Residential land use at a density range of 30-45 dwelling units per acre (Attachment 1). The site is located at 7460 Herschel Avenue in the RM-3-7 Zone within the La Jolla Community Plan area (Attachment 2). The surrounding properties to the west, north, east and south are zoned RM-3-7. The site is presently developed with a single family structure (Attachment 3). All properties adjacent to the site are designated for Medium High Residential land use. Properties to the east and west are developed with medium high density residential while property to the immediate south is developed with a single family residence and property to the north across Pearl Street is developed with professional offices. The dominant land use on Herschel Avenue north and south of Pearl Street is multi-family residential. With the exception of the property immediately west of the site the dominant land use west to Girard Avenue is commercial. The site immediately to the west is developed with apartments.

DISCUSSION

Project Description

The project proposes an Easement Vacation, Tentative Map Waiver and Coastal Development Permit to demolish the existing structures, subdivide and develop four residential condominium units with a basement parking garage, site improvements, landscaping and minor improvements in the public right-of-way within the La Jolla Community Plan area (Attachment 4).

The existing drainage easement contains a storm drain which carries storm water runoff from within the neighborhood. The existing drain pipe would be required to be abandoned and a new drain pipe constructed within the public right-of-way of Herschel Avenue. The new storm drain would connect to the existing storm drain in Herschel Avenue and Pearl Street. The vacation of the easement would be conditioned upon the construction and acceptance of the new storm drain by the City Engineer. The easement would not be vacated until the new construction was accepted.

The approval of the proposed Tentative Map Waiver would allow the filing of a Parcel Map to consolidate the existing lots into one lot to create a four unit condominium property (Attachment 5). A waiver from the requirement to underground the existing utilities is also requested. The Deputy City Engineer supports waiving the undergrounding requirement on the basis that the request qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense*. The Deputy City Engineer has determined the conversion would involve a short span of overhead facilities less than a full block in length and that such conversion is not a part of a continuing effort to accomplish a total undergrounding

within a specific street or area. The undergrounding of the existing utilities would be accomplished throughout the neighborhood at a later date.

The Coastal Development Permit would allow the demolition of the existing single family structure and construction of the proposed four unit, three-story condominium structure with a basement parking garage, site improvements, landscaping and minor improvements in the public right-of-way (Attachment 6).

General/Community Plan Analysis

The 0.11 acre subject property is designated for Medium High Residential at a density range of 30-45 dwelling units per acre. Based on this land use designation, five dwelling units would be allowed at the project site. The project is proposing four dwelling units. Therefore the proposed density is consistent with the La Jolla Community Plan.

The Residential Element recommends that “in order to regulate the scale of new development, apply development regulations to all residential properties in La Jolla that proportionally relate the building envelope to the existing lot dimensions.” The plan also recommends “in order to promote transitions in scale between new and older structures, create visual relief through the use of diagonal or off-setting planes, building articulation, roofline treatment and variations within front yard setback requirements.”

The General Plan recommends as one of the goals that infill residential development be “sensitive to the character and quality of existing neighborhoods.” The General Plan also recommends locating “buildings on the site so that they reinforce street frontages.” The proposed project is an infill project and would contribute to the existing character by retaining the residential use in a predominately residential neighborhood. The General Plan also recommends providing “ground level entries and ensuring that building entries are prominent and visible.” The proposed project would contribute to creating a safe neighborhood by locating the front doors and windows on the ground level facing the street.

The proposed project is located on a reasonably level site adjacent to other residential uses. The project would include adequate on-site landscaping and jacaranda trees which is the prevailing street tree currently on Pearl Street. This is consistent with the community plan master street tree list. The building is articulated with off-setting planes to vary the bulk and scale of the massing and steps the corner of the building back from the street intersection. Subterranean parking is proposed to meet all parking requirements. There are no deviations requested with the project proposal. Therefore, the proposed project would not adversely affect the goals, objectives, and recommendations of the La Jolla Community Plan and the General Plan.

Conclusion

Staff has reviewed the request for an Easement Vacation, Tentative Map Waiver and Coastal Development Permit and 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 Easement Vacation, Tentative Map

Waiver and Coastal Development Permit (Attachments 7, 8 and 9) and draft conditions of approval (Attachments 8 and 10). Staff recommends the Planning Commission recommend the City Council approve the project as proposed.

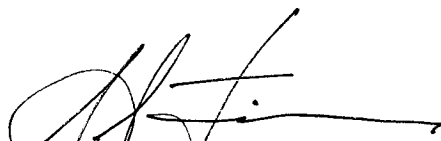
ALTERNATIVES

1. **Approve** Easement Vacation No. 652678, Tentative Map Waiver No. 477793 and Coastal Development Permit No. 472934, **with modifications.**
2. **Deny** Easement Vacation No. 652678, Tentative Map Waiver No. 477793 and Coastal Development Permit No. 472934, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

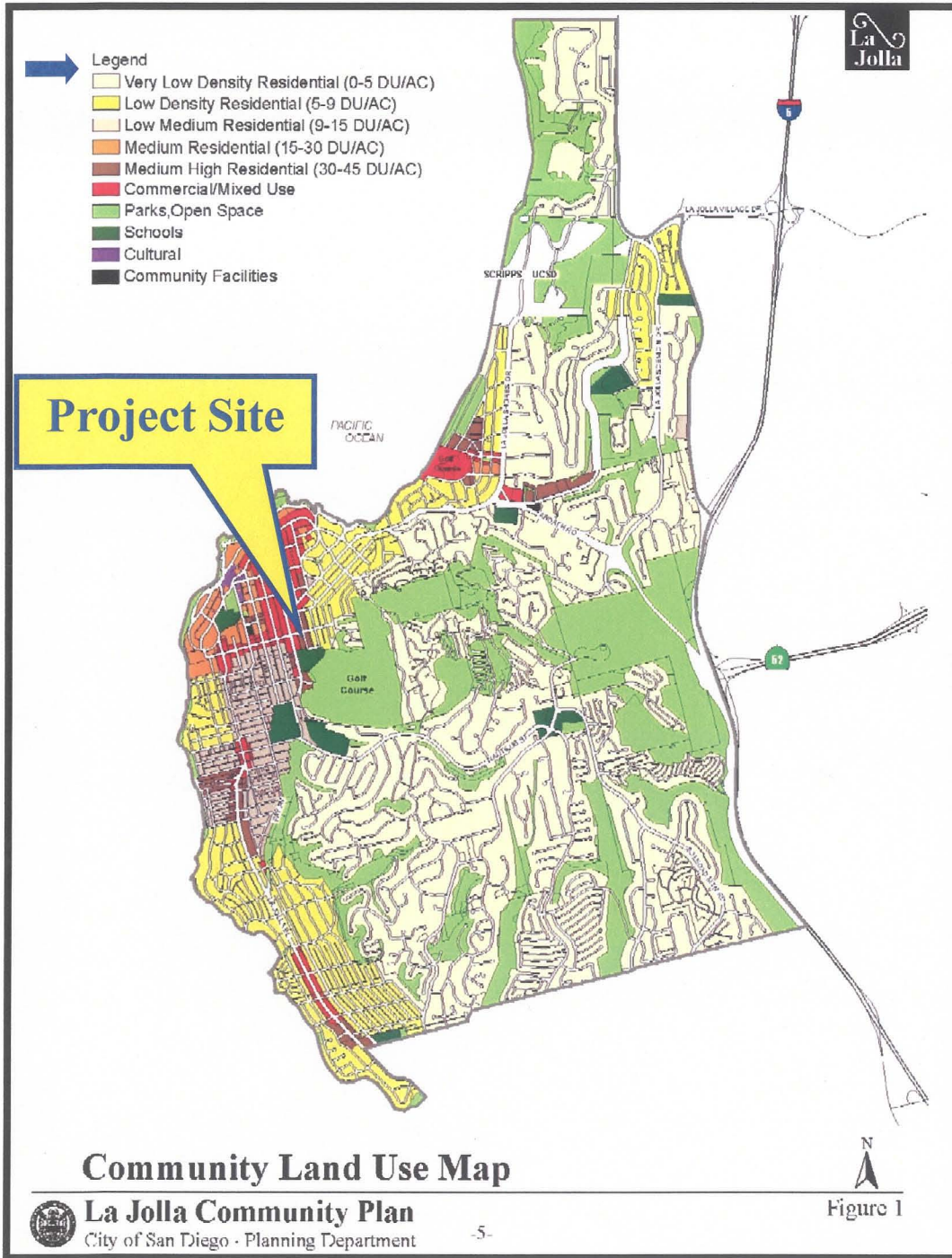


John S. Fisher
Development Project Manager
Development Services Department

BROUGHTON:JSF

Attachments:

1. Community Plan Land Use Map
2. Aerial Photograph
3. Project Location Map
4. Project Site Plan
5. Tentative Map Waiver
6. Project Plans
7. Draft Easement Vacation Resolution
8. Draft Tentative Map Waiver Resolution with Conditions
9. Draft Coastal Development Permit Resolution with Findings
10. Draft Coastal Development Permit with Conditions
11. Ownership Disclosure Statement
12. Community Planning Group Recommendation
13. Project Data Sheet
14. Project Chronology



Community Plan Land Use Map

HABITERRA – 7460 HERSCHEL AVENUE

PROJECT NO. 136041 – La Jolla



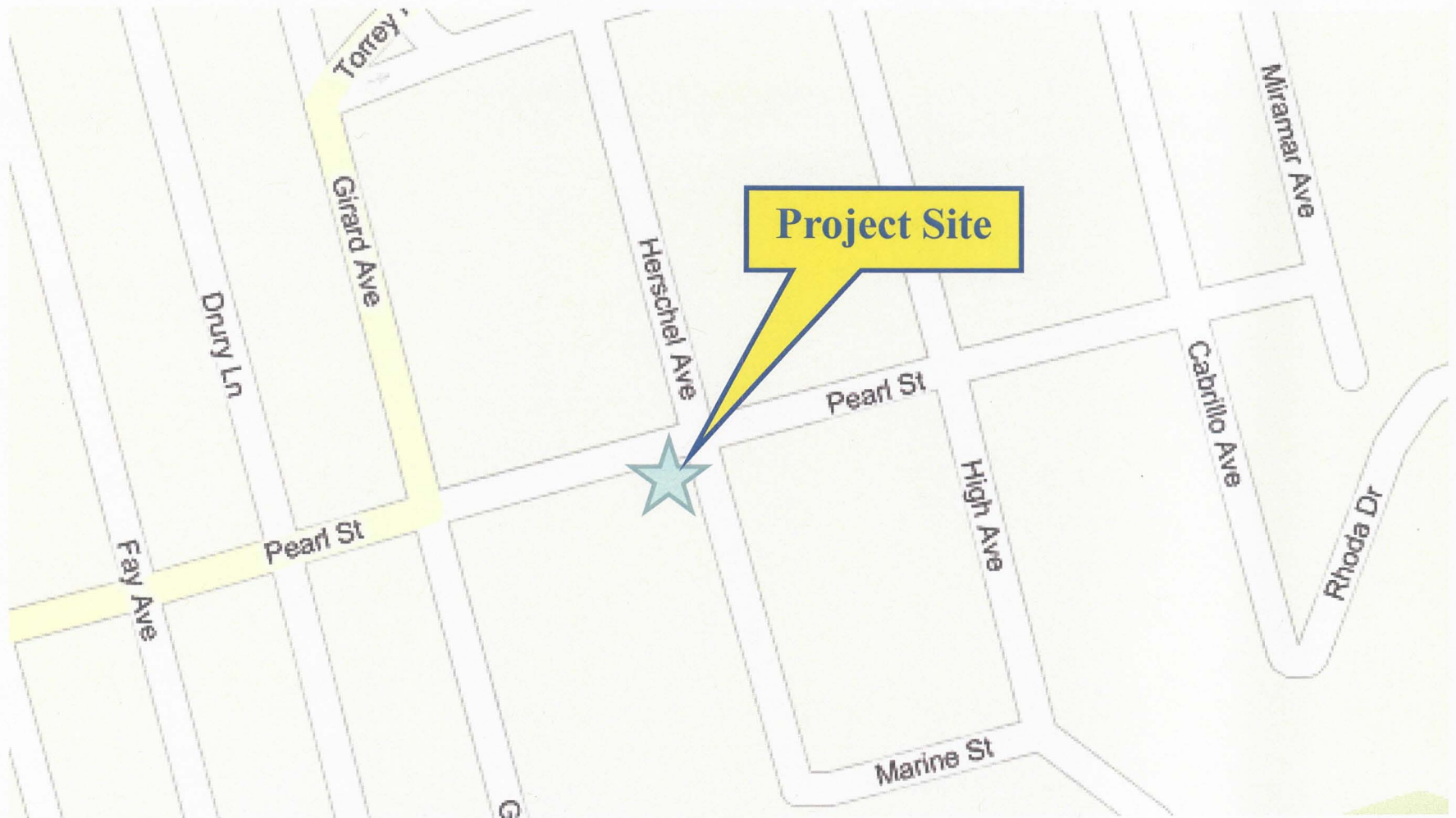


Aerial Photo

HABITERRA – 7460 HERSCHEL AVENUE

PROJECT NO. 136041

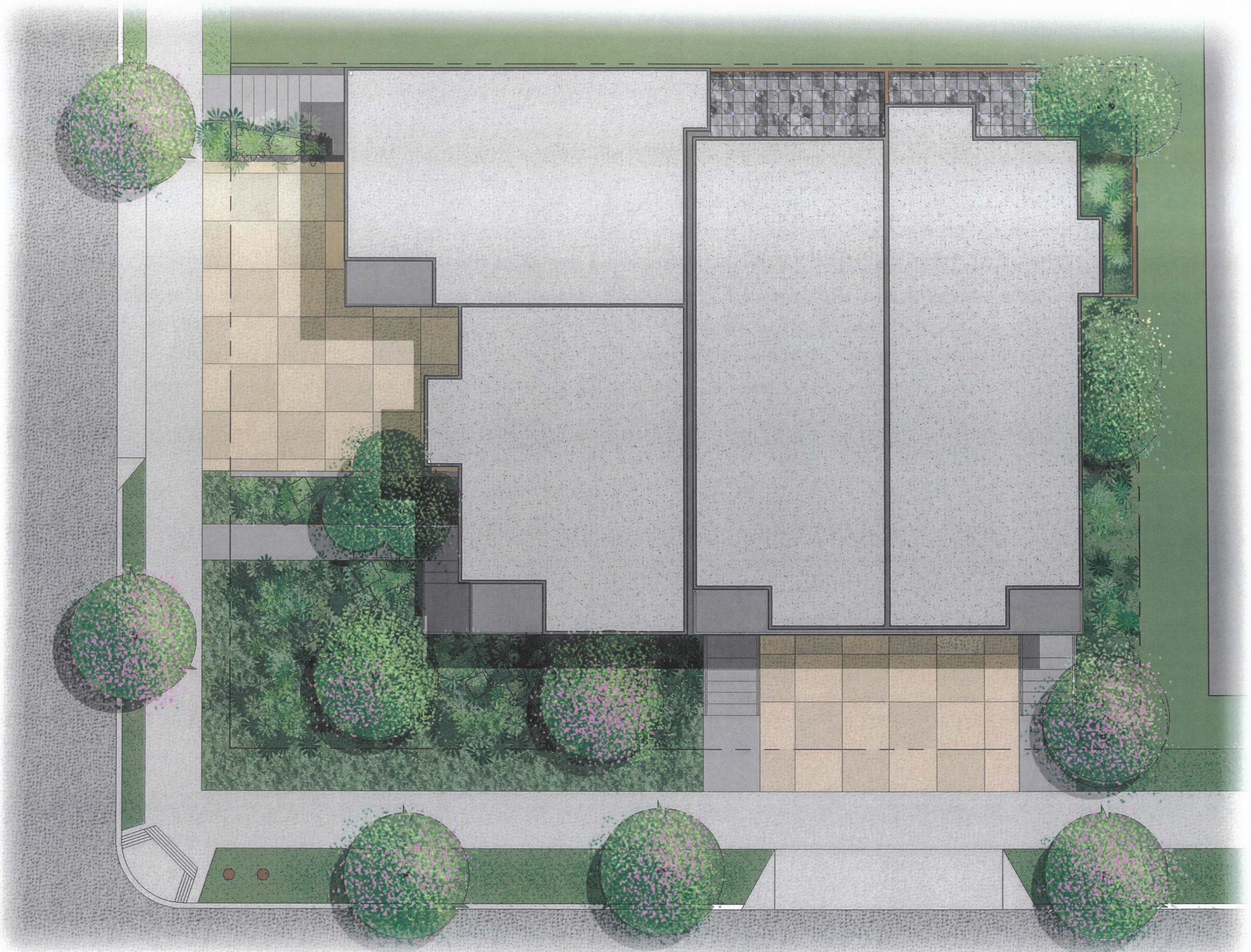




Project Location Map

HABITERRA – 7460 HERSCHEL AVENUE
PROJECT NO. 136041





HABITERRA - SITE PLAN

DECLARATION OF RESPONSIBLE CHARGE:

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.



EXP. 09-30-09
RICHARD E. MATTER, JR. R.C.E. NO. 68281 DATE

PROJECT ADDRESS:

7460 HERSCHEL AVE
LA JOLLA, CA 92037

EARTHWORK:

CUT: 600 CY
FILL: -
EXPORT: 600 CY
MAX CUT/FILL SLOPE: 1'

GENERAL NOTES:

- EXISTING ZONING : RM-3-7, COASTAL HEIGHT LIMITATION OVERLAY ZONE (CHLOZ) COASTAL OVERLAY ZONE, PARKING IMPACT OVERLAY ZONE, RESIDENTIAL TANDEM PARKING OVERLAY ZONE (RTPZO), TRANSIT AREA OVERLAY ZONE
- COMMUNITY PLAN: LA JOLLA BEACH
- PROPOSED ZONING : SAME AS EXISTING
- NUMBER OF EXISTING LOTS: PORTIONS OF 3 LOTS
NUMBER OF PROPOSED LOTS: 1
- ASSESSOR'S PARCEL NUMBER: 350-651-19
- TOPOGRAPHY PER VICTOR RODRIGUEZ-FERNANDEZ (SURVEYED 07/01/2007)
- SEWER SERVICE: CITY OF SAN DIEGO
- WATER SERVICE: CITY OF SAN DIEGO
- FIRE PROTECTION: CITY OF SAN DIEGO
- GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC COMPANY
- TELEPHONE SERVICE: PACIFIC BELL
- TOTAL SITE AREA: 4,800 S.F. (0.11 AC)
- SQUARE FEET PER DWELLING UNIT:
UNIT 1 (2-BEDROOM ATTACHED) - 2351 SF
UNIT 2 (2-BEDROOM ATTACHED) - 2351 SF
UNIT 3 (1-BEDROOM ATTACHED) - 1951 SF
UNIT 4 (1-BEDROOM ATTACHED) - 1951 SF
- DATE OF ORIGINAL BUILDING CONSTRUCTION: 1950, NEW CONSTRUCTION PER BUILDING PERMIT (UNDER REVIEW), ROW PERMIT PTS (NOT YET APPLIED).
- NAD 27 (LAMBERT) COORDINATE INDEX: 245-1686
- NAD 83 COORDINATE INDEX: 1855-6287
- ON-SITE EASEMENTS:
AN EASEMENT GRANTED TO THE CITY OF SAN DIEGO FOR DRAIN PIPE PURPOSES ON APRIL 18, 1929. PER BOOK 1621, PAGE 248 OF DEEDS.
- MAPPING & MONUMENTATION NOTE:
ALL PROPERTY CORNERS WILL BE SET AND A ONE LOT PARCEL MAP WILL BE FILED UPON APPROVAL OF THE TENTATIVE MAP WAIVER. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.
- POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE STRUCTURE. UFC 1001.4.
- NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY PUBLIC SEWER FACILITIES.
- THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30 FEET (SDMC, SECTIONS 131.0444 AND 132.0505). HIGHEST POINT ON ROOF EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE GRADE.
- THIS PROJECT PROPOSES AN EASEMENT VACATION FOR THE EXISTING 24" RCP STORM DRAIN. STORM DRAIN TO BE RELOCATED TO PUBLIC ROW PER CITY APPROVED PUBLIC IMPROVEMENT PLANS.
- STREET LIGHT LOCATIONS: SW CORNER OF HERSCHEL & PEARL, ADJACENT TO PROJECT SITE. NE CORNER OF GIRARD & PEARL, 300' WEST OF SITE. SW CORNER OF HIGH & PEARL, 340' EAST OF SITE.

ON-SITE UTILITY TABLE	
UTILITY	LOCATION
ELECTRICAL	ABOVE GROUND
GAS	UNDERGROUND
WATER/SEWER	UNDERGROUND
TELEPHONE	UNDERGROUND
CABLE	UNDERGROUND

LEGAL DESCRIPTION:

THE NORTHERLY 10 FEET OF THE EASTERLY 80 FEET OF LOT 30 AND THE EASTERLY 80 FEET OF LOTS 31 AND 32, BLOCK 16, CENTER ADDITION TO LA JOLLA PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS PER MAP NO. 915, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON AUGUST 4, 1904.

LEGEND:

SYMBOL	ITEM
x 93.5	EXISTING SPOT ELEVATION
~	EXISTING CONTOURS
- - -	EXISTING FENCE AS NOTED
- - -	PROPERTY BOUNDARY
- - -	TENTATIVE MAP BOUNDARY
- - -	NEW DRIVEWAY

MINIMUM SETBACKS:

FRONT (HERSCHEL AVENUE) 10' FROM ROW
FRONT (PEARL STREET) 10' FROM ROW
SIDEYARD 5' FROM PL
REAR 0' FROM PL

BENCH MARK:

LOCATION: BRASS PLUG @ THE NORTHEAST CORNER OF PEARL STREET & GIRARD AVENUE.
ELEVATION: 119.046
DATUM: CITY OF SAN DIEGO, MEAN SEA LEVEL

ASSESSOR'S PARCEL NUMBER:

350-651-19

REFERENCE DRAWINGS:

MAP NO. 915, BOOK 1621 - PAGE 248 OF DEEDS
DWG 16283-8-D

PROJECT NAME:

HABITERRA

CONDOMINIUM STATEMENT:

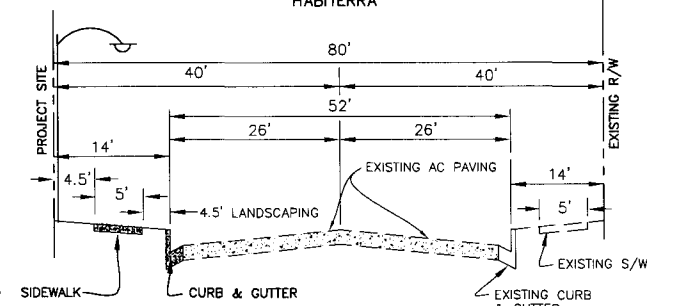
THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 4.

PURSUANT TO SECTION 125.0431 OF THE SAN DIEGO MUNICIPAL CODE, THE FOLLOWING NOTICE:

- UNIT OF THE PROPOSED PROJECT SHALL RECEIVE ALL NOTICES REQUIRED IN CHAPTER 11, ARTICLE 2, DIVISION 3;
- EACH TENANT OF THE PROPOSED PROJECT SHALL BE GIVEN THE NOTICES REQUIRED IN THE SUBDIVISION MAP ACT, SECTION 66427.1;
- THE NOTICES REQUIRED IN SECTIONS 125.0431 (A) AND (B) SHALL (A) EACH TENANT OF, AND EACH PERSON APPLYING FOR THE RENTAL OF, INCLUDE A STATEMENT ADVISING THE TENANTS THAT SHOULD THE CONDOMINIUM PROJECT BE APPROVED, TENANTS MAY BE REQUIRED TO VACATE THE PREMISES.

PARKING REQUIREMENTS PER SDMC TABLE 142.05C

UNIT NO.	NO. OF BEDROOMS	REQUIRED PARKING SPACES	PROVIDED PARKING SPACES
UNIT 1	2	1.75	2
UNIT 2	2	1.75	2
UNIT 3	1	1.25	2
UNIT 4	1	1.25	1
TOTAL = 6		TOTAL = 7	



TYPICAL STREET SECTION - PEARL STREET

NOT TO SCALE

Revision 5: 03/22/2009
Revision 4: 01/12/2009
Revision 3: 09/15/2008
Revision 2: 07/16/2008
Revision 1: 05/06/2008

PTS #136041 WO #42-8154

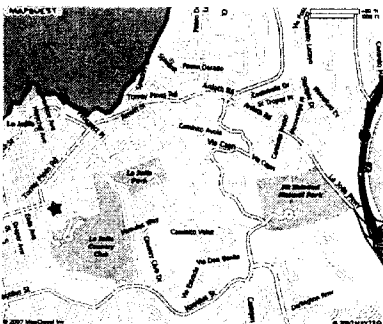
TENTATIVE MAP WAIVER
COASTAL DEVELOPMENT PERMIT

C1.1

OWNER/DEVELOPER:

MARCO A. SANCHEZ
HABITERRA, LLC
701 B STREET, SUITE 1200
SAN DIEGO, CA 92101

MARCO A. SANCHEZ DATE



VICINITY MAP
NO SCALE

VON REITER GROUP
Civil Engineering Consultants

8400 miramar road #200
san diego, ca 92131
www.vonreiter.com
phone (858) 232-4580
fax (866) 297-0312

TYPICAL STREET SECTION - HERSCHEL AVE.

NOT TO SCALE

GRAPHIC SCALE

