



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED January 10, 2013 **REPORT NO.** PC-13-002

ATTENTION: Planning Commission, Agenda of January 17, 2013

SUBJECT: VILLAGE AT ZION - PROJECT NO. 266702. PROCESS FIVE

REFERENCE: Planning Commission Report No. PC-11-097 (Attachment 9)

OWNER: George Harb (Attachment 15)

APPLICANT: Fore Property Company/Lee Novak

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of the construction of a new affordable 60 unit, for-rent, senior housing residential project, located at 5150 Zion Avenue within the Navajo Community Plan area?

Staff Recommendations:

1. **Recommend Certification** of Mitigated Negative Declaration No. 266702 and **Adoption** of the Mitigation, Monitoring and Reporting Program; and
2. **Recommend Approval of** Community Plan Amendment No. 939590, Rezone No. 939588 and Conditional Use Permit No. 1070497.

Community Planning Group Recommendation: The Navajo Community Planners Inc. voted 11-4-1 to recommend denial of the proposed project at their meeting on April 16, 2012 (Attachment 14). The project was redesigned and presented to the Navajo Community Planners Inc. on October 15, 2012. The group made a motion to table the item and have it presented to the Allied Gardens Community Council.

Environmental Review: Mitigated Negative Declaration No. 266702 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared which will reduce, to below a level of significance, potential impacts identified in the environmental review process (Attachment 6).

Fiscal Impact Statement: None with this action; the costs of processing this project have been paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The project site is designated Single Family Residential within the Navajo Community Plan. The proposed project includes a community plan amendment to redesignate the site to Multi Family Residential. The proposed project would add 60 senior affordable multi-family residential units to the Navajo community planning area.

BACKGROUND

The Village at Zion project site is located at 5150 Zion Avenue, at the northwest corner of Zion Avenue and Glenroy Street, within the Navajo Community Plan area (Attachment 1). The project site is a vacant, rectangular shaped parcel of land. The project is currently designated Single Family Residential in the Navajo Community Plan, and is currently zoned RS-1-7 (single family residential) (Attachments 2 and 3). This site is also located within the Airport Land Use Compatibility Overlay Zone, Airport Influence Area (Review Area 2) Overlay Zone, the FAA Part 77 Notification Overlay Zone, Montgomery Field Overflight Notification Area Overlay Zone, and in Subarea C of the Grantville Redevelopment Project Area, within the Navajo Community Plan Area.

On November 3, 2011, the Planning Commission initiated an amendment to the Navajo Community Plan to consider redesignation of the 1.21-acre site from Single Family Residential to Multi Family Residential (30-43 dwelling units per acre). Analysis of this request is provided within the Community Plan Analysis section of this report and responses to the Planning Commission Community Plan Amendment Initiation Issues have been provided in Attachment 11.

DISCUSSION

Project Description:

The proposed project would develop 60 multifamily residential dwelling units, dedicated to low-income senior citizens, within a two-story, 71,305 square foot building above subterranean parking, located on a vacant 1.21-acre site. The project would provide a total of 60 parking spaces, 57 standard parking spaces, three (3) accessible parking spaces, six (6) motorcycle spaces and 25 bicycle spaces. The project includes a community center/clubhouse that would provide social services to the residents. The community center would be located on the first floor and would provide amenities such as a computer room, sitting areas, open common space, a manager's office, restrooms, library area, and patio.

The proposed building would be constructed of fiber cement siding with a combination of concrete block and wood frame walls finished with plaster. A synthetic stone veneer and articulated "pop-out" detail would provide architectural interest. A mansard roof which hides air conditioning and other mechanical components would be finished with concrete tile. Exterior

patios include metal guardrail detail. All architectural features and color schemes would blend with the surrounding neighborhood. The project proposes a fence with plaster finish that would extend along the western property line, separating the site from Ascension Lutheran Preschool to the west. Additionally, another fence would extend along the northern property boundary.

The project will provide a total of 60 on-site affordable housing units. 100% of the units will be affordable housing units for low-income senior citizens consisting of a mix of one- and two-bedroom units. The affordable housing units would be restricted by an agreement acceptable to the City of San Diego's Housing Commission. Pursuant to California Government Code Section 65915(b)(3), the applicant has requested a density bonus as a project incentive. The proposed RM-3-7 zone would allow a maximum of 50 multi-family residential units on the project site, but the requested density bonus allows for a 20% maximum density bonus from the underlying zone. Applying this incentive to the project allows for a maximum of 60 multi-family residential units for low-income senior citizens.

The project site is located in an urban setting, bordered by Zion Avenue to the south, ball fields to the north, Glenroy Street to the east and Ascension Lutheran Preschool to the west. To the east across Glenroy Street are the Allied Gardens Community Park and Recreation Center as well as the Allied Gardens/Benjamin Branch Library. Further to the east, within a short walking distance are commercial and retail shopping opportunities including the Allied Gardens/Albertson's shopping center. Metropolitan Transit Service (MTS) Bus Route 14 travels down Zion Avenue along the project site's frontage with service to Kaiser Hospital and the Grantville Trolley Station. The nearest existing bus stop is just across Glenroy Street in front of the Allied Gardens/Benjamin Branch Library.

The project site is located within Review Area 2 of the Airport Influence Area for the Montgomery Field Airport Land Use Compatibility Plan (ALUCP). Due to the proposed amendment to the Navajo Community Plan, the project information was submitted to the San Diego County Regional Airport Authority (SDCRAA) for a determination of consistency. Part of the project information submitted to SDCRAA was the FAA Determinations of No Hazard to Air Navigation (Attachment 13). In a letter dated, March 20, 2012, SDCRAA staff provided a response stating that they reviewed the project information and determined that the project has no characteristics which qualify it for review by the Airport Land Use Commission (ALUC) for consistency determination (Attachment 13).

A total of three discretionary actions are required to implement the proposed project:

- Community Plan Amendment

As part of the project, the applicant is requesting approval of an Amendment to the Navajo Community Plan to change the land use designation from Single Family Residential to Multi Family Residential (30-43 dwelling units per acre). The amendment would include revisions to maps in the Navajo Community Plan to reflect the proposed Multi Family Residential land use designation (Attachment 8).

- Rezone

The project site is currently zoned RS-1-7 (Single Family Residential). The single family residential zone is intended to provide for individual residential units per legal lot. The project is requesting a Rezone from RS-1-7 to RM-3-7 (Multi Family Residential) (Attachment 7). The RM-3-7 zone is a medium density multi-family residential zone, with limited commercial uses, that allows a maximum of 1 dwelling unit per 1,000 square feet of lot area. The RM-3-7 zone would allow a maximum of 50 dwelling units on the project site (Attachment 7).

- Conditional Use Permit

As part of the project, the applicant is requesting approval of a Conditional Use Permit to operate the 60 unit senior housing facility. Pursuant to San Diego Municipal Code (SDMC) Section 126.0303(a), a Conditional Use Permit is required for projects providing housing for senior citizens (Attachment 5).

General Plan/Community Plan Analysis:

The City's General Plan is based on a planning strategy known as the City of Villages. The General Plan aims to redirect development away from undeveloped lands into already urbanized areas and/or areas with conditions allowing the integration of housing, employment, civic, and transit uses. It is a development strategy that mirrors regional planning and smart growth principles intended to preserve remaining open space and natural habitat and focus development within areas that have available public infrastructure.

The General Plan's Land Use & Community Planning Element contains policy direction for implementing the City of Villages strategy, provides citywide land use policies and designations, and establishes community plans as integral components of the General Plan. The Element includes goals for balanced communities, equitable development, and environmental justice. A goal is to have diverse and balanced communities with a variety of housing. The Element relies on community plans for site-specific land use and density designations and recommendations.

The Residential Element of the Navajo Community Plan provides several objectives for residential development within the community. These include promoting balanced and distinct communities which encompass a variety of residential density patterns and housing types, the assurance that any individual or family may be free to choose accommodations within their economic capacity and a continuation of community support for programs that would increase the economic ability of the disadvantaged to obtain adequate housing.

The proposal to redesignate the project site from single family residential to multi-family residential (30-43 dwelling units per acre) would allow development of an affordable senior housing development which would help achieve the General Plan and community plan goal of creating diverse and balanced communities. The project would be restricted for households with annual income between 30% - 60% of Area Median Income and would be subject to an agreement with the San Diego Housing Commission to ensure the project would remain as an affordable senior housing project for a minimum of 55 years.

The project is located in an area which is ideal for affordable senior housing. To the east across Glenroy Street are Allied Gardens Community Park and Recreation Center as well as the Allied Gardens/Benjamin Branch Library. Further to the east, within a short walking distance are commercial and retail shopping opportunities at the Allied Gardens/Albertson's shopping center. Metropolitan Transit Service Bus Route 14 travels down Zion Avenue along the project site's frontage providing service to Kaiser Hospital and the Grantville Trolley Station (Attachment 3). The nearest existing bus stop is just across Glenroy Street in front of the Allied Gardens/Benjamin Branch Library with another stop less than 200 feet to the west at 51st Street and Zion Avenue.

The Mobility Element strives to improve mobility through development of a balanced transportation system that addresses walking, bicycling, transit, and roadways in a manner that strengthens the City of Villages land use vision. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design. The proposed project would provide pedestrian access to improved sidewalks along the project's frontage ensuring easy access to transit as well connections to nearby uses. The project has been designed to provide parking below ground so as to not be visible from the public right-of-way and keeping a pedestrian friendly environment with minimized vehicle/pedestrian conflicts. The project's location itself would lend to a walkable pedestrian environment because of the proximity of recreation, shopping, transit and library services.

The Urban Design Element establishes a set of design principles from which future physical design decisions can be based. Policies call for respecting San Diego's natural topography and distinctive neighborhoods; guiding the development of walkable, transit-oriented communities; providing distinctive public places; and implementing public art. The project has been designed as a two-story building with craftsman style architecture to be compatible with existing single family development and adjacent institutional uses. A synthetic stone veneer and articulated "pop-out" detail would provide architectural interest. A mansard roof which hides air conditioning and other mechanical components would be finished with concrete tile. Exterior patios include metal guardrail detail. All architectural features and color schemes would blend with the surrounding neighborhood. As mentioned above, parking would be provided below ground and the building would be oriented towards Zion and Glenroy creating a pedestrian friendly environment.

The landscape concept for the project would integrate the design of the new building within the character of the community. Plant selection would reflect the character of the area, while adhering to the project goals of sustainability and water conservation. The plant palette would consist of ornamental plants, moderate water use, low-maintenance and non-invasive plants adapted to the San Diego region. The plant material chosen would complement the existing vegetation of the area. Trees would be planted around the site to provide shade and enhance the overall appearance.

The Public Facilities, Services and Safety Element includes policies on the prioritization and provision of public facilities and services, evaluation of new growth, guidelines for implementing a financing strategy, and guidelines for the provision of specific facilities. Policies call for new growth to pay its fair share, with the City and community-at-large responsible for

remediating existing facilities deficiencies. The project would not impact the provision of public services or require additional public facilities to serve future residents. The payment of Development Impact Fees due at building permit issuance would ensure the continued provision of adequate public facilities and services.

The Noise Element contains policies addressing compatible land uses and the incorporation of noise abatement measures for new uses to protect people from living and working in an excessive noise environment. It includes a matrix that identifies compatible, conditionally compatible, and incompatible land uses by noise decibel level. The project would be conditioned so that prior to issuance of building permits for any residential use located where exterior noise is projected to exceed 65 Community Noise Equivalent Level (CNEL), an acoustical analysis shall be completed. This analysis must demonstrate that interior noise levels due to exterior sources would be 45 CNEL or less in any habitable room of the residential units. For residential units located where exterior noise is projected to exceed 45 CNEL, architectural and structural considerations such as improved window and door acoustical performance, shall be identified.

The Housing Element serves as a comprehensive plan with specific measurable goals, policies, and programs to address the City's critical housing needs. The Housing Element was adopted by the City Council under separate cover from the rest of the General Plan on December 5, 2006 and is currently undergoing an update. The Housing Element has five goals: 1) provision of sufficient housing supply for all income groups, 2) maintain and upgrade the quality and safety of affordable housing stock, 3) minimizing governmental constraints while retaining a quality review process and consumer protection, 4) providing affordable housing opportunities to renters and low/mod homebuyers, and 5) facilitate compliance with applicable federal, state & local laws. The proposed project would meet all five Housing Element goals through the provision of 60 affordable senior residential units offered at 30%-60% of San Diego Area Median Income.

Environmental Analysis:

A Mitigated Negative Declaration (MND) was prepared for the project which analyzed the environmental impacts of the proposed Village at Zion Project. Implementation of the Mitigation, Monitoring and Reporting Program (MMRP) would reduce impacts to a level below significance in the following categories: paleontological resources and noise.

Community Participation:

The applicant, Fore Property Company, presented the project at the Town Hall meeting at the Allied Gardens Community Council on February 6, 2012, and to the Navajo Community Planners Inc. on April 16 and October 15, 2012.

The Navajo Community Planners Inc. voted 11-4-1 to recommend denial of the proposed project at their meeting on April 16, 2012 (Attachment 14). The discussion from the group was that the project was too dense, too tall and out of scale with the neighborhood. The project was redesigned and presented to the Navajo Community Planners Inc. on October 15, 2012. The group made a motion to table the item and have it presented to the Allied Gardens Community Council. The applicant has decided not to present the project before the Allied Gardens Community Council as the Navajo Community Planners Inc. made an official project

recommendation of denial at their meeting on April 16, 2012.

Conclusion:

Staff has determined the proposed Village at Zion project complies with the applicable sections of the Municipal Code and adopted City Council policies. Staff has determined the required findings would support the decision to approve the proposed project's General/Community Plan Amendment, Rezone and Conditional Use Permit. A Mitigated Negative Declaration has been prepared for this project and all potential environmental impacts will be mitigated.

ALTERNATIVES:

1. **Recommend** approval of Community Plan Amendment No. 939590, Rezone No. 939588 and Conditional Use Permit No. 1070497, **with modifications.**
2. **Recommend** denial of Community Plan Amendment No. 939590, Rezone No. 939588 and Conditional Use Permit No. 1070497, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Laura C. Black, AICP
Project Manager
Development Services Department



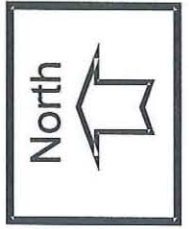
Cecilia Gallardo, AICP
Deputy Director, Advanced Planning and Engineering
Development Services Department

WESTLAKE/LCB

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Conditional Use Permit and Resolution
6. Draft Environmental Resolution with MMRP
7. Draft Rezone Ordinance and B Sheet

8. Draft Community Plan Amendment Documents (Community Plan Amendment Resolution, Strikeout/Underline Text, and Revised Graphics)
9. Report to Planning Commission – Report No. PC-11-097
10. Planning Commission Resolution No. 4743-PC
11. Applicant's Responses to CPA Initiation Issues
12. Project Plans
13. San Diego County Regional Airport Authority Review and FAA Determination of No Hazard to Air Navigation
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Project Chronology



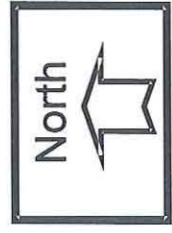
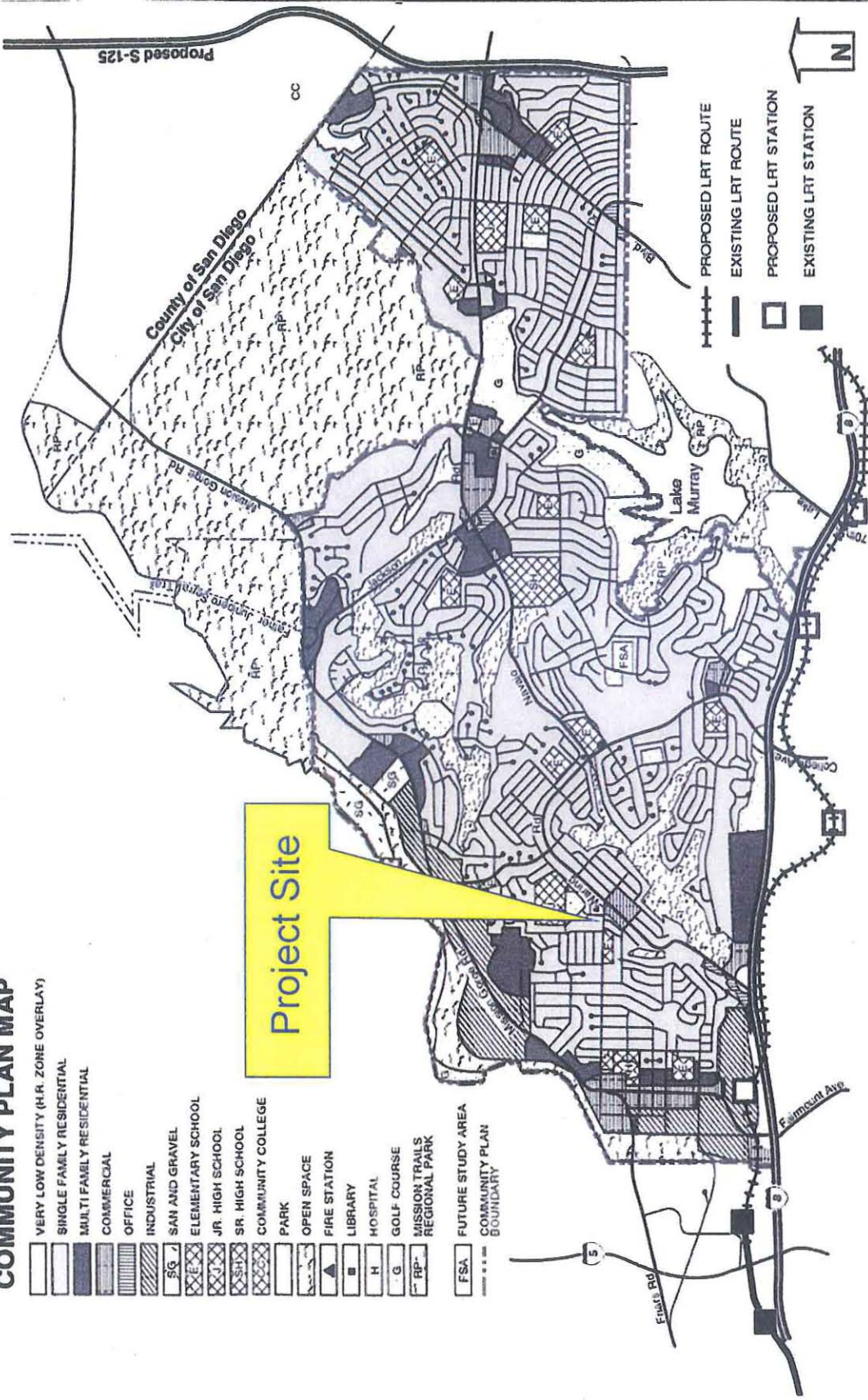
Aerial Photo
VILLAGE AT ZION
PROJECT NO. 266702



COMMUNITY PLAN MAP

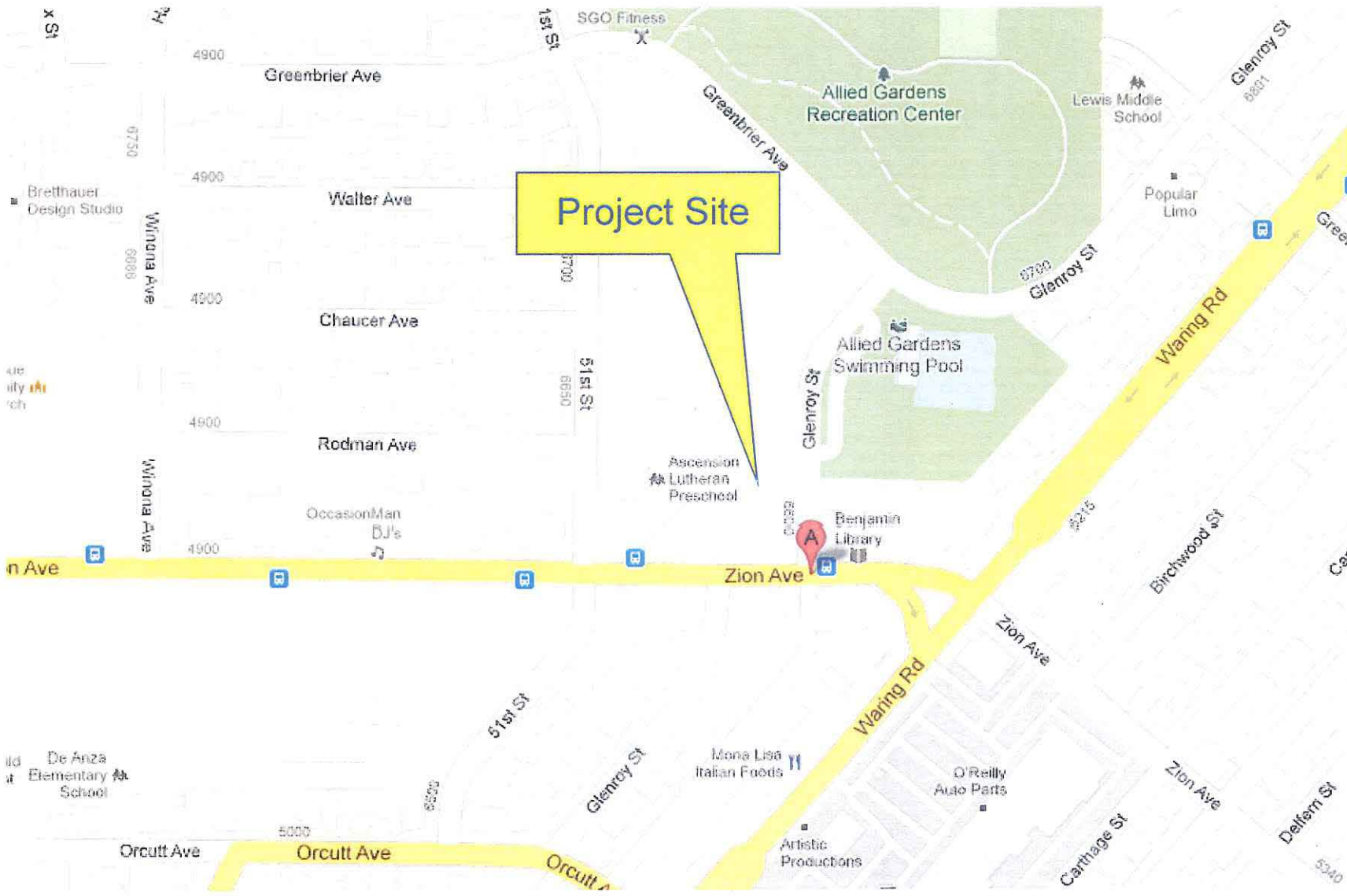
- VERY LOW DENSITY (H.R. ZONE OVERLAY)
- SINGLE FAMILY RESIDENTIAL
- MULTI FAMILY RESIDENTIAL
- COMMERCIAL
- OFFICE
- INDUSTRIAL
- SAN AND GRAVEL
- SG
- E
- JR. HIGH SCHOOL
- SR. HIGH SCHOOL
- COMMUNITY COLLEGE
- PARK
- OPEN SPACE
- FIRE STATION
- LIBRARY
- HOSPITAL
- H
- GOLF COURSE
- G
- MISSION TRAILS REGIONAL PARK
- RP*
- FSA
- FUTURE STUDY AREA
- COMMUNITY PLAN BOUNDARY

Project Site



Land Use Map
VILLAGE AT ZION
 PROJECT NO. 266702





Project Location Map

VILLAGE AT ZION
PROJECT NO. 266702



PROJECT DATA SHEET

PROJECT NAME:	Village at Zion	
PROJECT DESCRIPTION:	Construction of a new affordable 60 unit, for-rent, senior housing facility.	
COMMUNITY PLAN AREA:	Navajo	
DISCRETIONARY ACTIONS:	Community Plan Amendment; Rezone and Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Single Family Residential	
<u>ZONING INFORMATION:</u>		
<p>ZONE: RS-1-7: (A single family residential zone that permits 1 dwelling unit for 5,000 square-feet of lot area) / Proposed Zone RM-3-7: (A multi-unit residential zone that permits 1 dwelling unit for 1,000 square-feet of lot area)</p> <p>HEIGHT LIMIT: 30-Foot maximum height limit / 40-Foot max. height limit</p> <p>LOT SIZE: 5,000 sq. ft. min lot size / 7,000 sq. ft. min lot size</p> <p>FLOOR AREA RATIO: 0.45 maximum / 1.80 maximum</p> <p>FRONT SETBACK: 15 ft minimum / 10 ft min & 20 ft standard</p> <p>SIDE SETBACK: 11.2 ft maximum / 5 ft minimum</p> <p>STREETSIDE SETBACK: 14 ft maximum / 10 ft minimum</p> <p>REAR SETBACK: 13 feet / 5 feet</p> <p>PARKING: 70 parking spaces required / 60 parking spaces provided</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single Family Residential; RS-1-7	Church property, Allied Gardens Recreation Center
SOUTH:	Community Commercial; CC-1-3.	commercial retail
EAST:	Single Family Residential; OP-1-1	Benjamin Library
WEST:	Single Family Residential; RS-1-7	Ascension Lutheran Preschool, residential
DEVIATIONS OR VARIANCES REQUESTED:	None requested.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 15, 2012, the Navajo Community Planners Inc. voted (11-4-1) to recommend denial of the project. The project was redesigned and presented to the group on October 15, 2012. The group made a motion to table the	

	items and have it presented to the Allied Gardens Community Council.
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RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002401

CONDITIONAL USE PERMIT No. 1070497
VILLAGE AT ZION, PROJECT NO. 266702 [MMRP]
City Council

This Conditional Use Permit is granted by the City Council of the City of San Diego to George Harb, Owner, and Fore Property Company, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 1.21-acre site is located at 5150 Zion Avenue in the RS-1-7 Zone (proposed to be rezoned to the RM-3-7 zone), Airport Land Use Compatibility Overlay Zone, Airport Influence Area (Review Area 2) Overlay Zone, the FAA Part 77 Notification Overlay Zone, Montgomery Field Overflight Notification Area Overlay Zone, and in Subarea C of the Grantville Redevelopment Project Area, within the Navajo Community Plan Area. The project site is legally described as: Parcel B of Parcel Map No. 1381.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a two-story, above subterranean parking, for-rent affordable senior housing building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated _____, on file in the Development Services Department.

The project shall include:

- a. Construction of a 71,305 square foot, 60 unit, affordable, two-story, above subterranean parking, residential building;
- b. Off-street parking;
- c. Incorporation of sustainable building techniques sufficient to achieve Leadership in Energy and Environmental Design (LEED) Silver Certification; and
- d. Landscaping (planting, irrigation and landscape related improvements);

- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by _____.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 266702 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 266702, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Paleontological Resources

Noise

AFFORDABLE HOUSING REQUIREMENTS:

14. Prior to receiving the first residential building permit, Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code (“Inclusionary Affordable Housing Regulations”) by performing one of the following, at the Owner’s/Permittee’s sole election, as and to the extent permitted by applicable law.

- a. Payment to the City of San Diego of the full Inclusionary Affordable Housing Fee based upon the aggregate square footage of all residential units in the project, on terms set forth within the Inclusionary Affordable Housing Regulations; or
- b. Provide evidence to the San Diego Housing Commission, in the form of executed Exemption Agreements and Public Entity Agreements, as referenced with Part IV of the Inclusionary Affordable Housing Implementation & Monitoring Procedures Manual (“Procedures Manual”) approved by the City Council of the City of San Diego, demonstrating that the Owner/Permittee is exempt from the payment of the Inclusionary Affordable Housing Fee based upon San Diego Municipal Code Section 142.1303(f) because the Owner/Permittee is receiving specific regulatory incentives and/or concessions from a public agency that result in identifiable, financially sufficient, and actual project cost reductions, including but not limited to expedited permit processing provided through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program and/or the approval of a deviation, waiver or reduction of development standards or regulations (“development incentives”) and because the Owner/Permittee is voluntarily restricting rental units in exchange for such development incentives, as provided for within Part IV of the Procedures Manual; or
- c. Provide evidence to the San Diego Housing Commission, in the form of executed Exemption Agreements and Public Entity Agreements, as referenced with Part IV of the Inclusionary Affordable Housing Implementation & Monitoring Procedures Manual (“Procedures Manual”) approved by the City Council of the City of San Diego, demonstrating that the Owner/Permittee is exempt from the payment of the Inclusionary Affordable Housing Fee based upon San Diego Municipal Code Section 142.1303(g) because the Owner/Permittee is voluntarily pursuing and receiving tax credits, multifamily housing bonds, below market interest rate

government agency loans, and/or grants to facilitate the construction of the development.

AIRPORT REQUIREMENTS:

15. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

ENGINEERING REQUIREMENTS:

16. The project proposes to export 2675 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

17. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

18. Prior to the issuance of the first residential building permit, Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

19. Prior to the issuance of the first residential building permit, Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet in the Zion Avenue Right-of-Way.

20. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 25 foot wide driveway, adjacent to the site on Glenroy Street, satisfactory to the City Engineer.

21. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, to reconstruct the existing curb ramp at the northwest corner of Zion Avenue and Glenroy Street, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.

22. Prior to the issuance of the first residential building permit, per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, Owner/Permittee shall assure, by permit and bond to install a new street light adjacent to the site on Glenroy Street.

23. Prior to the issuance of any construction permit, Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

24. Prior to the issuance of any construction permit, Owner/Permittee 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.

25. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ and the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2007-001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-0009-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-0009-DWQ.

26. Prior to the issuance of any construction permit, Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any construction permit for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall provide a minimum root zone of 40 square feet in area unencumbered by utilities and hardscape for all trees. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

28. Prior to issuance of the first residential building permit, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A', Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a minimum root zone of 40 square feet in area unencumbered by utilities and hardscape for all trees.

29. Prior to issuance of any Certificate of Occupancy, Owner/Permittee shall install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

30. All required landscape, including in the right-of-way, shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

PLANNING/DESIGN REQUIREMENTS:

31. The project will provide all 60 units as affordable for low-income senior citizens.
32. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
33. Prior to the issuance of the first residential building permit, construction documents shall fully illustrate the incorporation of sustainable building techniques sufficient to achieve Leadership in Energy and Environmental Design (LEED) Silver Certification.
34. Prior to issuance of construction permits, the Owner/Permittee shall include a representative of the Environmental Services Department (ESD) and owner/representative to attend preconstruction meetings to ensure that:
 - An appropriate destination for soils has been identified;
 - An appropriate destination for concrete and asphalt has been identified;
 - Grubbed material is separated and taken to Miramar Landfill Greenery;
 - Contract documents have recycling specifications included;
 - A solid waste coordinator has been identified;
 - An appropriate number of bins are provided with appropriate signage;
 - Bins are appropriately used and contamination levels are minimized;
 - The Construction and Demolition Debris Diversion Deposit Program has been paid;
 - An appropriate diversion rate has been included on the deposit form and
 - Materials are being taken to the appropriate facility.
35. Prior to final inspection or issuance of any Certificate of Occupancy the Owner/Permittee shall contact a representative of the Environmental Services Department to schedule an appointment to:
 - Inspect and approve a storage area that has been provided consistent with SDMC Section 142.0805;
 - Ensure that a hauler has been retained to provide recyclable materials collection and yard waste collection; and
 - Inspect and approve the education materials for building tenants/owners that are required pursuant to the City's Recycling Ordinance.
36. Prior to conversion of this project to a non-senior housing use, the project shall demonstrate compliance with the parking requirements applicable at the time of conversion.
37. The facility shall have an on-site manager or shall provide a posted phone number of the project owner or off-site manager for emergencies or maintenance problems.
38. Prior to issuance of the first residential building permit, construction drawings shall show that the facility will provide trash chutes on each floor. If no chutes are provided, the facility

shall offer valet trash service to its residences. The trash service shall provide daily trash collection and shall not permit any accumulation of trash in the hallways or any other common areas.

39. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations.

40. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS:

41. A minimum of 60 automobile spaces (including a standard accessible space and 1 van accessible space), 6 motorcycle spaces, and 25 bicycle spaces with rack(s) are required by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

42. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, the improvement of the nearby bus stop facilities with improved seating areas and overhangs.

43. Prior to building occupancy, Owner/Permittee shall grant an Irrevocable Offer of Dedication of 18 feet along the project's frontage on Zion Avenue.

44. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the applicant to provide the right-of-way free and clear of all encumbrances and prior easements. The Owner/Permittee must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

45. The Owner/Permittee shall provide a 25 foot visibility triangle area along the property line at the northwest corner of the intersection of Zion Avenue and Glenroy Street. No obstacles higher than 36" shall be located within the visibility area.

46. The Owner/Permittee shall provide a 10 foot visibility triangle area along the property line on both sides of the driveway on Glenroy Street. No obstacles higher than 36 inches shall be located within the visibility area.

47. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, the construction of a 25 foot wide driveway on Glenroy Street, satisfactory to the City Engineer.

48. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, the closure of the under-utilized driveway on Zion Avenue and replace with standard height, curb, gutter and sidewalk, satisfactory to the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

49. Prior to the issuance of the first residential building permit, Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

50. Prior to the issuance of the first residential building permit, Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

51. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

52. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on _____ and
Resolution No. _____.

Conditional Use Permit No. 1070497
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Laura C. Black, AICP
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

By _____
George Harb
Owner

Fore Property Company
Permittee

By _____
Lee Novak
Vice President of Development
Western Region

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING CONDITIONAL USE
PERMIT NO. 1070497 FOR VILLAGE AT ZION –
PROJECT NO. 266702.

WHEREAS, George Harb, Owner and Fore Property Company, Permittee, filed an application with the City of San Diego for a Conditional Use Permit (CUP) to construct a 71,305 square foot, 60 unit, two-story, above subterranean parking, for-rent senior housing facility, known as the Village at Zion project, located at 5150 Zion Avenue, and legally described as Parcel B of Parcel Map No. 1381, in the Navajo Community Plan area, in the RS-1-7 zone, proposed to be rezoned to the RM-3-7 zone; and

WHEREAS, on January 17, 2013, the Planning Commission of the City of San Diego considered Conditional Use Permit (CUP) No. 1070497, and pursuant to Resolution No. _____-PC voted to recommend City Council approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on

_____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No.1070497:

I. CONDITIONAL USE PERMIT - SDMC SECTION 126.0305

1. The proposed *development* will not adversely affect the applicable *land use plan*;

The site is currently designated for single family use within the Navajo Community Plan. On November 3, 2011, the Planning Commission unanimously initiated an amendment to the Navajo Community Plan to designate the site for multi-family residential use. The project is requesting a rezone from the current RS-1-7 zone to the RM-3-7 zone to allow for multi-family residential development on the project site. With the community plan amendment and rezone approval by City Council, the site designation will be consistent with the Navajo Community Plan and underlying zone. The proposed development implements the goals and policies of the General Plan and Navajo Community Plan by: (1) providing affordable housing for seniors in an area lacking economically feasible accommodations for many low-income elderly people; (2) providing a unique type of housing with dwelling unit density in the high to medium-high range; (3) increase the economic ability of the disadvantaged group of low-income seniors to obtain adequate housing; (4) implementing federally assisted housing programs; and (5) creating a residential development which provides a mix of people with various economic and social characteristics. Therefore, the proposed development is consistent with the General Plan and Navajo Community Plan.

2. The proposed *development* will not be detrimental to the public health, safety, and welfare;

The proposed project is to develop a vacant, remnant lot within the Allied Gardens neighborhood into a transit-oriented residential development for low-income senior citizens. The project site is walking distance to a transit stop and station, shopping, medical services, a community center, library and churches. The proposed development will have ample landscaping with a meandering pedestrian path. The project will incorporate sustainable design features and streetscape improvements. The proposed development is compatible with the surrounding uses and would not be detrimental to the public health, safety and welfare of the surrounding community. All Uniform Building, Fire, Plumbing,

Electrical, Mechanical Code requirements will be met with the proposed development. Therefore, the proposed project does will not be detrimental to the public health, safety and welfare.

3. The proposed *development* will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

The proposed project complies with the relevant regulations of the Land Development Code. Conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and incorporated into Conditional Use Permit No. 1070497. The Affordable Housing Density Bonus will be utilized to gain additional density from the RM-3-7 zone. The project will be allowed to build a maximum of 60 residential units with the affordable housing density bonus, while the RM-3-7 zone allows a maximum of 50 residential units in the zone. The proposed project conforms with the overall policies and regulations of the City of San Diego and represents a desirable project for the site and the Navajo Community. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The project site is surrounded by residential development, a community center, a park, a library and a commercial area within the Allied Gardens neighborhood of the Navajo Community. The proposed low-income senior residential development will be transit-oriented and adjacent to several bus stops as well as within walking distance to the Allied Gardens/Benjamin Branch public library, the Allied Gardens Community Park, Recreation Center and Swimming Pool, the Allied Gardens commercial shopping center and several nearby churches. The proposed development will provide affordable housing options for senior citizens in an area currently lacking economically feasible accommodations for this disadvantaged group. The proposed project use is appropriate at the proposed location.

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

BE IT FURTHER RESOLVED, that Conditional Use Permit No. 1070497 is granted to George Harb, Owner, and Fore Property Company, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on March 9, 2012, George Harb, Owner and Fore Property Company, Permittee, submitted an application to the Development Services Department for a General Plan Amendment, Community Plan Amendment, Rezone and Conditional Use Permit for the Village at Zion Project (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on _____; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration Report No. 266702 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public

review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project after final passage of O-_____ rezoning the site from the existing RS-1-7 Zone into the RM-3-7 Zone.

APPROVED: Jan Goldsmith, City Attorney

By: _____
[NAME], [DEPUTY CITY ATTORNEY]

ATTACHMENTS: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A**MITIGATION MONITORING AND REPORTING PROGRAM****Village at Zion,
General Plan/Community Plan Amendment, Rezone and Conditional Use Permit**

PROJECT NO. 266702

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration Report No. 266702 shall be made conditions of General/Community Plan Amendment, Rezone, and Conditional Use Permit as may be further described below.

General**Part I – Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, the Development Services Department Director's Environmental Designee shall review and approve all Construction Documents (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City of San Diego's website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

PART II – Post-Plan Check (after permit issuance/prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: **Qualified paleontologist monitor and acoustician.**

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 266702 and/or Environmental Document Number 266702, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency: **Not Applicable**
4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

NOISE

In order to avoid potential significant noise impacts, the following mitigation measure(s) shall be implemented by the Applicant/Permittee. Compliance with the mitigation measure(s) shall be the responsibility of the Applicant/Permittee.

I. Prior to Permit Issuance – Plan Check

- A. Prior to issuance of the building permit, the Permit Holder shall incorporate the requirements for environmental noise mitigation on the appropriate construction documents as described in the approved technical study (*Noise Technical Report for the Zion Affordable Senior Apartments, prepared by RECON Environmental, Inc., dated September 20, 2012*).
- B. Prior to issuance of the building permit, the Assistant Deputy Director (ADD) Environmental designee shall verify that sound attenuations measures as identified within approved technical study (*Noise Technical Report for the Zion Affordable Senior Apartments, prepared by RECON Environmental, Inc., dated September 20, 2012*) have been incorporated into the design of the proposed development to reduce interior noise levels to below 45dB CNEL.

II. Post Construction – Prior to Final Inspection

- A. The Permit Holder shall submit one copy of the final Acoustical Analysis with construction documents to the BI, and one copy to MMC.
- B. MMC to verify the sound attenuation barrier has been constructed in accordance with the Construction Documents.

PALEONTOLOGICAL RESOURCES

In order to avoid significant direct impacts to paleontological resources, the following mitigation measure(s) shall be implemented by the Applicant/Permittee. Compliance with the mitigation measure(s) shall be the responsibility of the Applicant/Permittee.

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction**A. Monitor Shall be Present During Grading/Excavation/Trenching**

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries - In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries - All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries - If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum - The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

Rezone Ordinance

DRAFT

(O-INSERT~)

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONE OF 1.55 ACRES LOCATED AT 5150 ZION AVENUE, WITHIN THE NAVAJO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE EXISTING RS-1-7 ZONE INTO THE RM-3-7 ZONE AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406 (REZONE NO. 939588); AND REPEALING ORDINANCE NO. O-7792 ADOPTED OCTOBER 21, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

WHEREAS, George Harb, Owner and Fore Property Company, Permittee, requested a rezone for the purpose of changing 1.55 acres located at 5150 Zion Avenue and legally described as Parcel B of Parcel Map No. 1381, in the Navajo Community Plan area, in the City of San Diego, California, from the RS-1-7 to the RM-3-7 zone, as shown on Zone Map Drawing No. B-4295, on file in the Office of the City Clerk, as Document No. OO- _____ (Rezone); and

WHEREAS, on January 17, 2013, the Planning Commission of the City of San Diego considered Rezone No. 939588 and voted to recommend _____ of Rezone No. 939588; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision,

and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the 1.55 acres located at 5150 Zion Avenue and legally described as Parcel B of Parcel Map No. 1381, in the Navajo Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4295, on file in the Office of the City Clerk, as Document No. OO- _____, are rezoned from the RS-1-7 zones to the RM-3-7 zone, as the zone is described and defined by Chapter 13, Article 1, Division 4 of the San Diego Municipal Code. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-7792 adopted October 21, 1958, of the ordinances of the City of San Diego are repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Shannon Thomas
Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

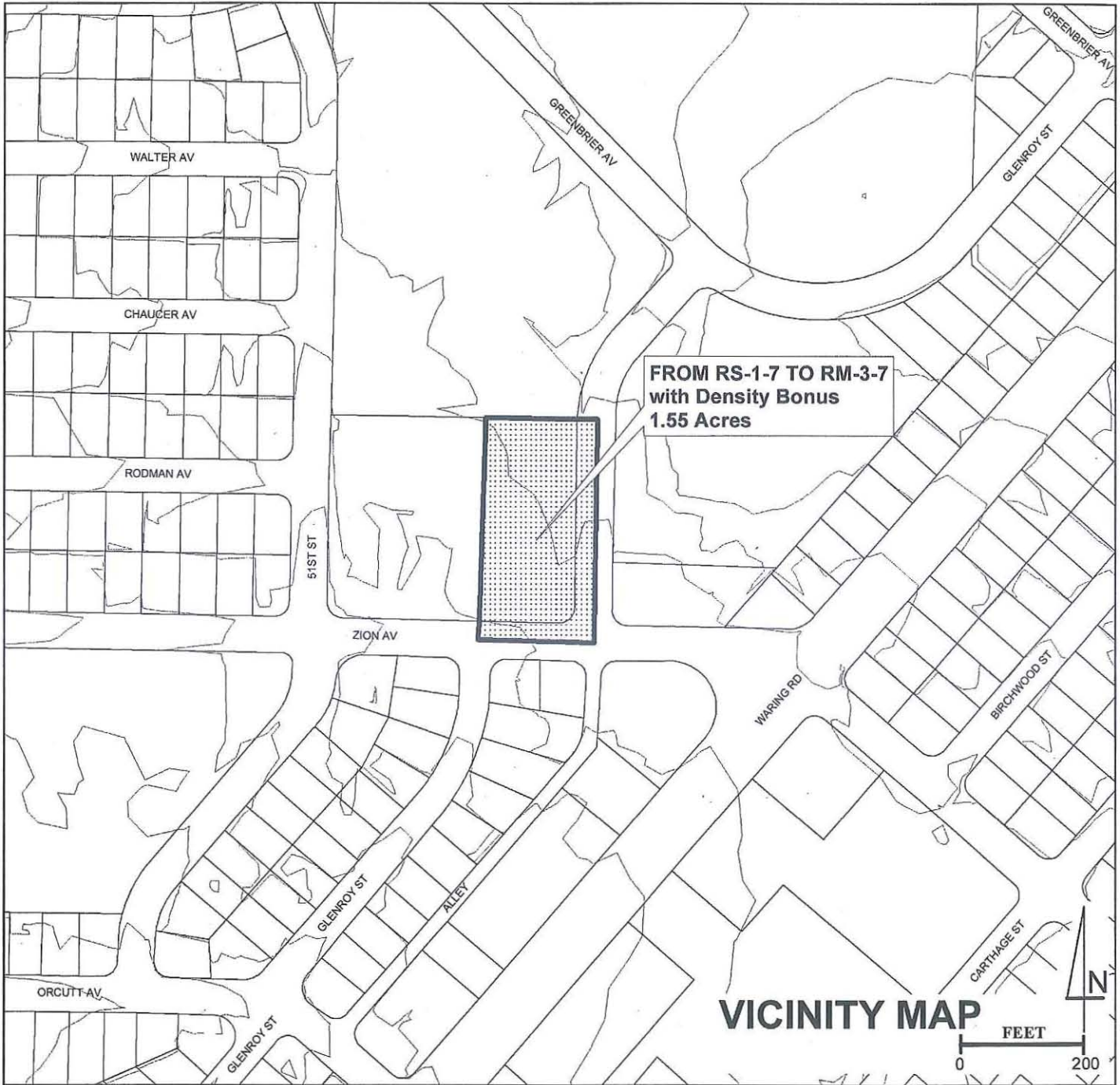
Case No.INSERT PROJECT NUMBER~

O-INSERT~

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CITY OF SAN DIEGO • DEVELOPMENT SERVICES
PROPOSED REZONING



PAR B, PARCEL MAP 01381		CASE NO. 266702
ORDINANCE NO. _____	REQUEST RM-3-7	DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B-4295
BEFORE DATE _____		APN: 672-300-05
EFF. DATE ZONING _____		(228-1743) 11-19-12 ldj
MAP NAME AND NO. _____		

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION APPROVING AN AMENDMENT TO
THE GENERAL PLAN AND NAVAJO COMMUNITY PLAN
TO REDESIGNATE LAND FROM SINGLE FAMILY
RESIDENTIAL TO MULTI FAMILY RESIDENTIAL.

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Navajo Community Plan (Community Plan) adopted on July 29, 1982, Resolution No. R-257606, and including its subsequent amendments, to redesignate a 1.21 acre site located at 5150 Zion Avenue from Single Family Residential to Multi Family Residential (30-43 dwelling units per acre – medium high density); and

WHEREAS, the 2008 General Plan will be amended due to the Community Plan being part of the Land Use Element of the adopted General Plan; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on January 17, 2013, to consider this amendment to the Community Plan;

WHEREAS, the Planning Commission recommended certification of Mitigated Negative Declaration No. 266702, which also addressed the accompanying development permit; and

WHEREAS, the Planning Commission found, based on its hearing record, that this amendment retains internal consistency with the Community Plan and the 2008 General Plan and that the proposed amendment helps achieve long-term community and citywide goals; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the

decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

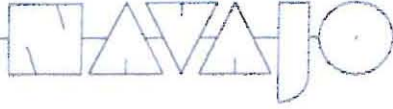
WHEREAS, the City Council has considered the Planning Commission record and recommendation as well as all maps, exhibits, and written documents contained in the file for this amendment on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the amendment of the General Plan and the Community Plan, with a copy of said amendment being on file in the office of the City Clerk as Document No. RR-_____.





APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Shannon Thomas
Deputy City Attorney

XXX:xxx
xx/xx/xx
Or.Dept:DSD
Doc. No.: xxxxx

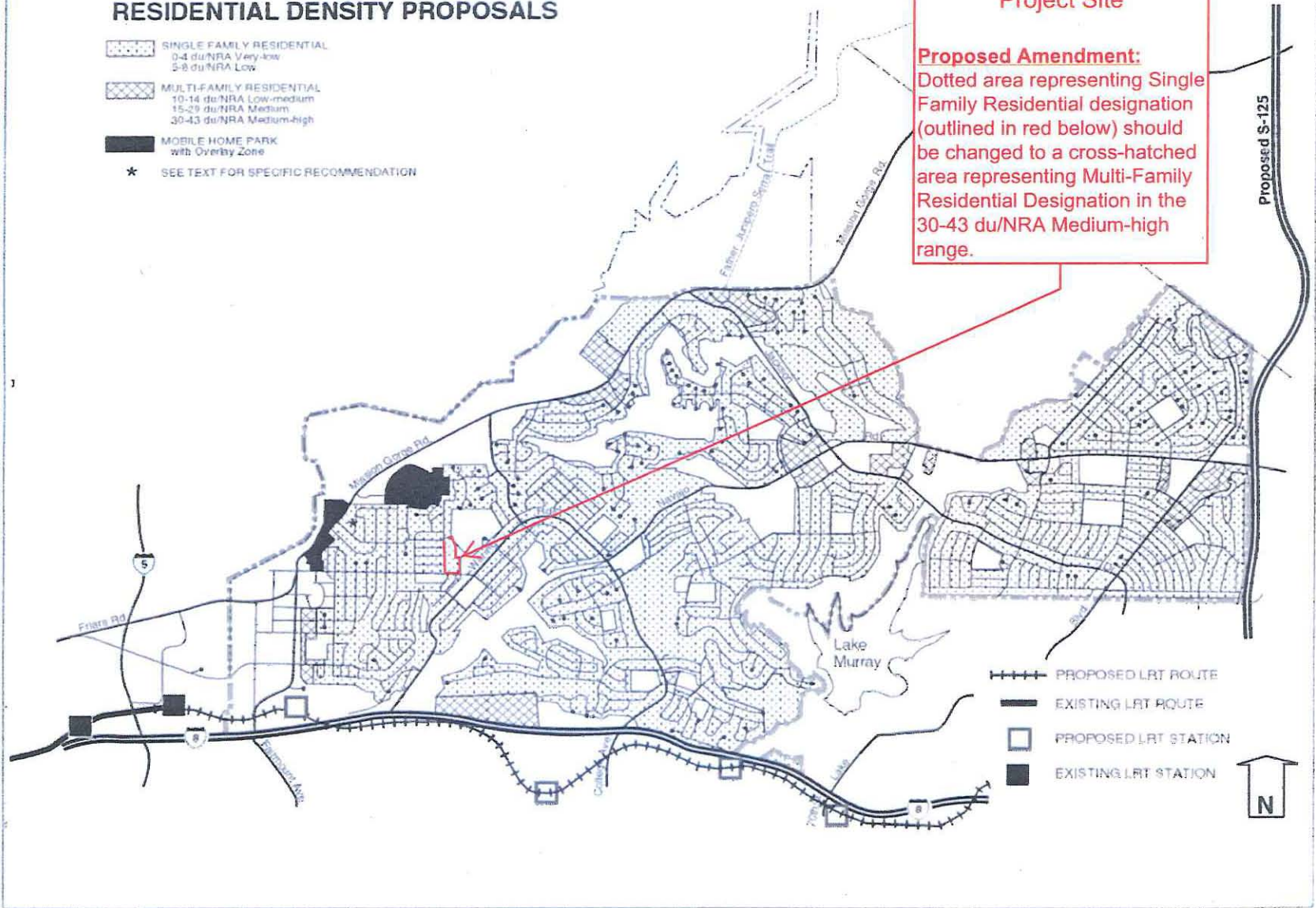






RESIDENTIAL DENSITY PROPOSALS

-  SINGLE FAMILY RESIDENTIAL
0-4 du/NRA Very-low
5-8 du/NRA Low
-  MULTI-FAMILY RESIDENTIAL
10-14 du/NRA Low-medium
15-29 du/NRA Medium
30-43 du/NRA Medium-high
-  MOBILE HOME PARK with Overlay Zone
-  * SEE TEXT FOR SPECIFIC RECOMMENDATION

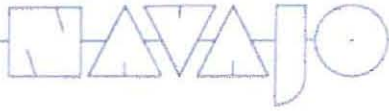
Project Site

Proposed Amendment:
Dotted area representing Single Family Residential designation (outlined in red below) should be changed to a cross-hatched area representing Multi-Family Residential Designation in the 30-43 du/NRA Medium-high range.



-  PROPOSED LRT ROUTE
-  EXISTING LRT ROUTE
-  PROPOSED LRT STATION
-  EXISTING LRT STATION



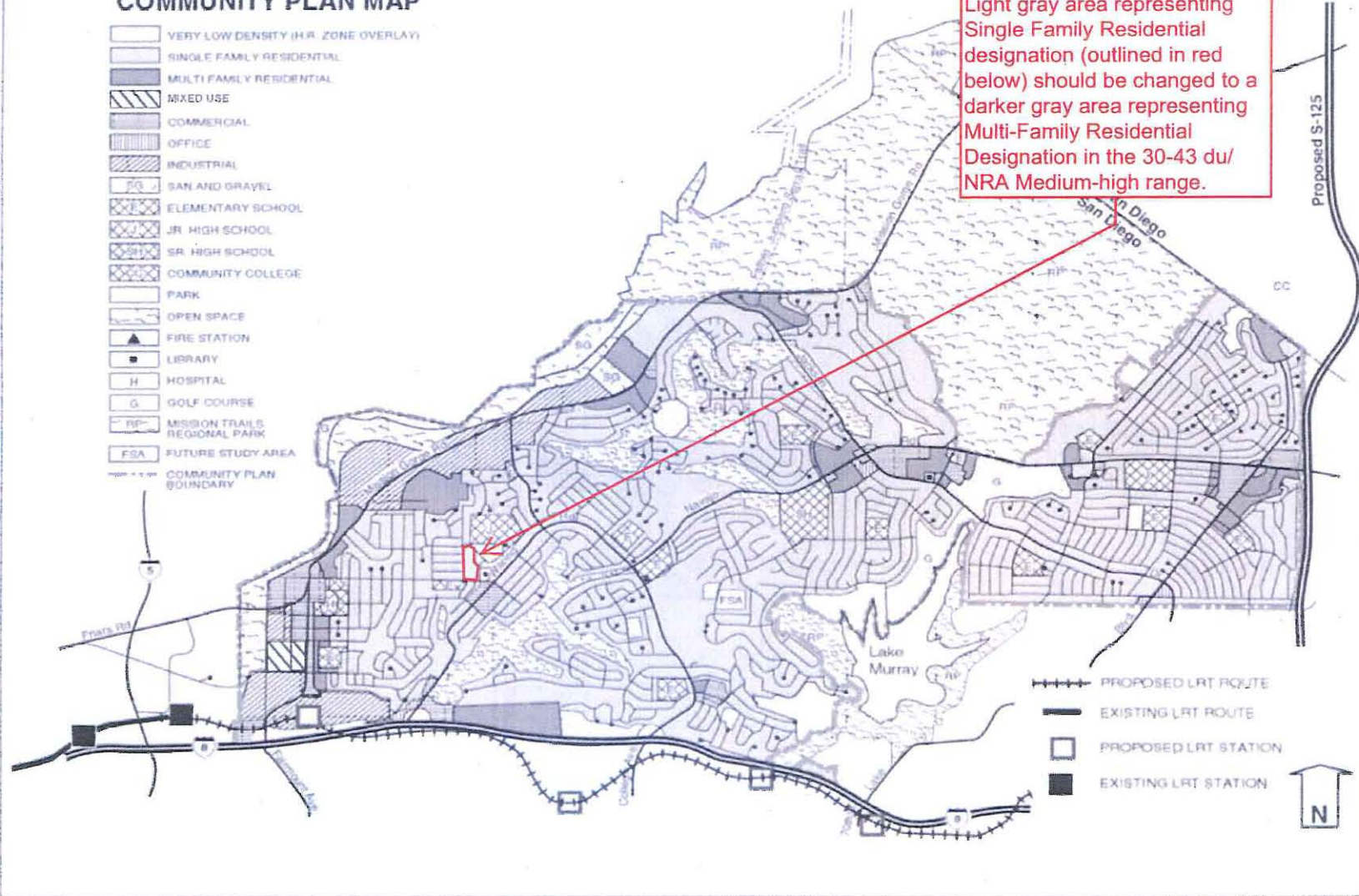


COMMUNITY PLAN MAP

- VERY LOW DENSITY (H.R. ZONE OVERLAY)
- SINGLE FAMILY RESIDENTIAL
- MULTI FAMILY RESIDENTIAL
- MIXED USE
- COMMERCIAL
- OFFICE
- INDUSTRIAL
- SAND AND GRAVEL
- ELEMENTARY SCHOOL
- JR. HIGH SCHOOL
- SR. HIGH SCHOOL
- COMMUNITY COLLEGE
- PARK
- OPEN SPACE
- FIRE STATION
- LIBRARY
- HOSPITAL
- GOLF COURSE
- MISSION TRAILS REGIONAL PARK
- FUTURE STUDY AREA
- COMMUNITY PLAN BOUNDARY

Project Site

Proposed Amendment:
 Light gray area representing Single Family Residential designation (outlined in red below) should be changed to a darker gray area representing Multi-Family Residential Designation in the 30-43 du/ NRA Medium-high range.



- PROPOSED LRT ROUTE
- EXISTING LRT ROUTE
- PROPOSED LRT STATION
- EXISTING LRT STATION





THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 27, 2011 **REPORT NO. PC-11-097**

ATTENTION: Planning Commission Agenda of November 3, 2011

SUBJECT: Initiation of an Amendment to the Navajo Community Plan to redesignate a 1.21 acre site from Single Family Residential to Multi-Family Residential. PTS #255320

**OWNER/
APPLICANT:** George & Janet Harb / Fore Property Co. and DAVCO Development, LLC

SUMMARY

Issue: Should the Planning Commission INITIATE an amendment to the Navajo Community Plan to redesignate a 1.21 acre site from Single Family Residential to Multi-Family Residential? The property is located at the northwest corner of Zion Avenue and Glenroy Street, just west of the Allied Gardens Community Park and Recreation Center.

Staff Recommendation: INITIATE the plan amendment process.

Community Planning Group Recommendation: On October 20, 2011, the Navajo Community Planners, Inc., voted 12-4 in favor of initiating an amendment to the Navajo Community Plan. Their recommendation has been included as Attachment 1.

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

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

Code Enforcement Impact: None

Housing Impact: If initiated, subsequent approval of the proposed community plan amendment would allow development of new multi-family residential units in the Navajo Community.



Development Services • Planning Division

1222 First Avenue, MS 413 • San Diego, CA 92101-4106

Tel (619) 235-5200 • Fax (619) 236-6478

BACKGROUND

The project site is a vacant 1.21 acre parcel located at the northwest corner of Zion Avenue and Glenroy Street within the Navajo Community Planning area (Attachment 2). The site is currently designated for low density single family residential (5-9 dwelling units per acre) by the Navajo Community Plan (community plan) and is zoned RS-1-7 (Attachment 3). To the east across Glenroy Street are Allied Gardens Community Park and Recreation Center as well as the Allied Gardens/Benjamin Branch Library. Further to the east, within a short walking distance are commercial and retail shopping opportunities including the Allied Gardens/Albertson's shopping center. Metropolitan Transit Service Bus Route 14 travels down Zion Avenue along the project site's frontage with service to Kaiser Hospital and the Grantville Trolley Station (Attachment 4). The nearest existing bus stop is just across Glenroy Street in front of the Allied Gardens/Benjamin Branch Library. The site has remained undeveloped and has been used in the past for holiday sales of pumpkins and Christmas trees.

The community plan's Residential Element principal objective to guide the long-range development of Navajo is to: Maintain and enhance the quality of existing residences and encourage the development of a variety of new housing types with dwelling unit densities primarily in the low to low-medium density range. To achieve this goal, several policies are provided including support of Council Policy 600-19, Fostering of Balanced Community Development, which states: It shall be the policy of the City Council to effect the development of economically and racially balanced communities in newly developing peripheral areas of the City and in all City sponsored or approved redevelopment projects, and to do what is reasonably and practically possible in all parts of the City. Additionally, the community plan states that housing types and densities should be varied in residential development to create interest and provide a mix of people with various economic and social characteristics.

The site is also located within Subarea C of the Grantville Redevelopment Project Area (Attachment 5). The Grantville Redevelopment Project Plan was adopted by the San Diego City Council and the Redevelopment Agency of the City of San Diego on May 3, 2005. The objectives of the Grantville Redevelopment Project include: (i) eliminate and prevent the spread of blight and deterioration, as well as redevelop the proposed Redevelopment Project Area in accordance with the General Plan, applicable community plans, and local codes and ordinances; (ii) improve public infrastructure and undertake other public improvements in, and of benefit to, the Project Area including: widening, reducing or otherwise modifying existing roadways or creating additional streets, walkways, and paths for proper pedestrian, bicycle and/or vehicular circulation, and undergrounding electrical distribution lines and telephone lines along major streets; (iii) explore opportunities in the Project Area for development of mixed residential and commercial uses particularly transit-oriented residential development to take advantage of nearby multi-modal transit.

If initiated, the applicant would propose to move forward with a community plan amendment to redesignate the site, rezone and associated discretionary actions to develop a multi-family, affordable senior housing project on the site through the Affordable Housing Expedite Program. Approval of a land use change could help achieve goal number three of the Grantville Redevelopment Plan and the community plan's objective of balanced community development

by providing varied housing types with different affordability levels in an area that is in close proximity to public services, transit, and commercial and retail services.

There are three community plan amendments in process within the Navajo Community, all located in the western region of the community (Attachment 6). The first is the River Park at Mission Gorge which is proposing to redesignate approximately 370 acres from Industrial and Open Space to Mixed-Use, Light Industrial, Multi-Family Residential (from 20 up to 55 dwelling units per acre), Parkland and Open Space. The second amendment is Shawnee/CG7600 which is proposing to redesignate approximately 22 acres from Industrial and Open Space to Mixed Use, Single Family Residential, Multi-Family Residential and Open Space. Together, the River Park at Mission Gorge and Shawnee/CG7600 community plan amendments, if approved, could allow development of approximately 3,100 additional residential housing units to the Navajo Community. These two amendments are in the process of preparing their draft environmental documents for public review.

The third community plan amendment in process in the Navajo Community is the Grantville Master Plan. Through working with a stakeholders committee made up of property owners, business owners and residents, city staff and their consultant team have developed three land use scenarios for the area known as Subarea A of the Grantville Redevelopment Project Area. The proposed land use scenarios all propose to redesignate a majority of the area from Industrial to Mixed-Use and Medium to High Density Residential (30-75+ dwelling units per acre). The dwelling unit totals of the three land use scenarios vary from approximately 4,000 dwelling units to 8,000 dwelling units and all would include supportive commercial and retail services, office uses and recreational opportunities. This amendment is in the preliminary stages of preparing an environmental document for public review. A notice of preparation of an environmental document and scheduling of a public scoping meeting has not yet occurred.

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. Community plans are components of the City's General Plan. The proposed amendment is anticipated to result in revisions to the community plan, but would not necessitate text or mapping changes to the General Plan. The staff recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan. The Development Services Department - Planning Division believes that all of the following initiation criteria can be met:

- (1) **The amendment request appears to be consistent with the goals and policies of the General Plan and Navajo Community Plan:**

The request to redesignate the site to multi-family residential appears to be consistent with the objectives and policies of the General Plan, Navajo Community Plan and the Grantville Redevelopment Project Plan. The General Plan, the Navajo Community Plan and the Grantville Redevelopment Plan all identify the goal of creating balanced communities which support implementation of the City of Villages Strategy. The City of Villages Strategy strives to increase housing supply and diversity through the development of compact, mixed-use villages in specified areas. The proposed

amendment will provide an opportunity to develop varied housing types with different affordability levels to create interest and provide a mix of people with various economic and social characteristics in an area that is in close proximity to public services, transit, and commercial and retail services.

- (2) **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; and**

The proposed amendment would allow multi-family development at a location in close proximity to public services, transit, and commercial and retail shopping opportunities. Such development could help reduce vehicle trips within the community, promote greater pedestrian activity and transit usage. Development of single family homes in accordance with the existing land use designation and zoning has not been realized for years and the site has remained vacant, missing the opportunity to develop a transit oriented residential development and creating an eyesore for neighboring development.

If initiated, the applicant would propose to move forward with an affordable senior housing project through the City's Affordable Housing Expedite Program. Senior housing in this area would allow an opportunity for aging residents in Navajo to remain within the community who may not otherwise be able to remain in their home. The project site is in a location where public facilities and services, transit and shopping are in close proximity, reducing or eliminating the need rely on the automobile for day to day activities. If initiated, additional public benefits would be explored.

- (3) **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.**

Public facilities do appear available to serve the proposed amendment to increase density at the site. A full analysis of public facilities would be included as part of the community plan amendment analysis should this request be initiated.

As outlined above, the proposed plan amendment meets all of the above criteria as described; therefore, staff recommends that the amendment to the Navajo Community Plan be initiated.

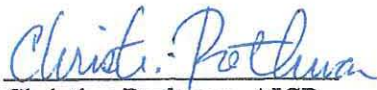
The following land use issues have been identified by City Staff and by the Navajo Community Planning Group. If initiated, these issues, as well as others that may be identified, will be analyzed and evaluated through the community plan amendment review process:

- Determine the appropriate land use designation and intensity for the site
- Evaluate traffic generation and circulation
- Evaluate the accessibility of transit
- Evaluate the ability of the project to incorporate of sustainable design features
- Determine the appropriate zone to implement the proposed use and provide compatible development regulations

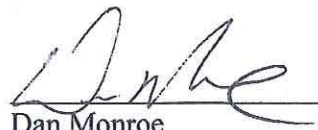
- Evaluate urban design issues within the site with regard to neighborhood interface and pedestrian access and circulation
- Evaluate the provision of pedestrian amenities and streetscape improvements associated with new multi-family residential development
- Evaluate the need and ability to provide affordable housing in the community

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,



Christine Rothman, AICP
Program Manager – Planning Division
Development Services Department



Dan Monroe
Senior Planner
Development Services Department

ROTHMAN/MONROE

Attachments:

1. Navajo Community Planners Inc., Recommendation
2. Project Location Map
3. Navajo Community Plan Land Use Map
4. MTS Bus Route 14
5. Grantville Redevelopment Project Area Map
6. Navajo Community Plan Amendments In Process
7. Draft PC Resolution
8. Ownership Disclosure Statement

Attachment 1

NAVAJO COMMUNITY PLANNERS, INC.
--

Meeting Minutes for October 17, 2011

Call To Order: 7:24 p.m. by Chairman Jones. Commencement of the meeting was delayed by the large number of persons wishing to register for the election.

- Board Members Present: Burg, Jones, Kelly, Kostrinsky, Livingston, Martin, McSweeney, Murray, Peterson, Pilch, Reed, Smith, Teemsma and Wilson
 - (Note: Adams and Wagner, following their election later in the meeting, were also present)
- Modifications to Agenda – M/S by Jones/McSweeney to place commencement of voting at the beginning of the agenda; the motion passed unanimously

Election to Fill Vacancies on the NCPI Board

- Chairman Jones introduced the candidates (Anthony Wagner for Allied Gardens; Matthew Adams and Terry Cords for San Carlos) who each made a brief presentation.
- Voting commenced at 7:30 p.m.
- The votes were counted by Dan Smith, Cindy Martin, and Mat Kostrinsky.
- Anthony Wagner was elected with 181 votes; Matthew Adams was elected with 79 votes, vs. 36 votes for Terry Cords
- Immediately following their election Wagner and Adams were seated with the other Board members.

Approval of the September 19, 2011 Meeting Minutes

Marilyn Reed requested that the minutes be revised to reflect that she lives on the corner of Delbarton Street and Seaman Street. With this amendment the minutes were approved unanimously.

Officers Reports:

- Chair's Report: Allen Jones expressed his goal to conclude NCPI meetings by 9:00 p.m.
- Vice Chair's Report: John Pilch reported that the only project submittal received was for the reconstruction of the Lake Murray C convenience store.
- Treasurer's Report: Lynn Murray reported a bank balance of \$144.20.

Elected Officials' Reports:

- Mary Ann Wallace, Field Representative for Councilwoman Marti Emerald, gave an update on SDGE using potable water, rather than recycled water, for the Sunrise Power Link project.

Public Comment on Non-Agenda Items (3 minutes each):

Several individuals spoke on a variety of non-agenda topics.

Informational Presentations:

- **Archstone-Mission Gorge Substantial Conformance Review**
Paul Robinson, Sarah Klaustermeier, and others representing Archstone discussed revisions in the 444-unit apartment project. Because these revisions require only a Substantial Conformance Review by City staff and no discretionary approval, no vote was taken.
- **Rainier Ave. Townhomes Substantial Conformance Review:** 4535-4549 Rainier Ave.
The Board reviewed the proposed revisions in the project and discussed some of the project impacts, particularly on the availability of on-street parking. Because these revisions require only a Substantial Conformance Review by City staff and no discretionary approval, no vote was taken.