

DATE ISSUED: January 7, 2005 REPORT NO. PC-04-177

ATTENTION: Planning Commission, Agenda of January 13, 2005

SUBJECT: 5253 CADENO DRIVE – PROJECT NO. 5395. PROCESS 5

REFERENCE: Planning Report No. P-00-056, Community Plan Amendment Initiation and Memo dated May 12, 2000 to the Planning Commission from Planning Department (Attachment 5)

**OWNER/
APPLICANT:** KENNETH AND ELAINE HAWKINS (Attachment 15)

SUMMARY

Issue(s) – Should the Planning Commission recommend to the City Council approval of the following actions for the property located at 5253 Cardeno Drive?

1. Pacific Beach Community Plan and Progress Guide and General Plan Amendment No. 48819 to redesignate the property from Very Low Density Residential (0-2 dwelling units[du]/acre[ac]) to Very Low Density Residential (2-5 du/ac) to allow development of three single-family residences where currently only one would be permitted.
2. Tentative Parcel Map (TPM) 48820 to allow the subdivision of the 0.832 acre lot into three single-family parcels and vacation of a portion of Cardeno Drive.
3. Planned Infill Residential Development (PIRD) No. 48816 and Resource Protection Ordinance Permit (RPO) No. 48821 to maintain the existing single-family residence at 5253 Cardeno Drive and construction of two new single-family residences.

Staff Recommendations:

1. **RECOMMEND CERTIFICATION** by the City Council of Negative Declaration (ND) Project No. 5395; and
2. **RECOMMEND** that the City Council **APPROVE** Community Plan Amendment No. 48819; TPM No. 48820; PIRD Permit No. 48816; and RPO Permit No. 48821.

Community Planning Group Recommendation - On October 25, 2004, the Pacific Beach Community Planning Group voted 6:5:0 to approve the project as proposed with no conditions (Attachment 16).

Environmental Review - Negative Declaration Project No. 5395 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA).

Fiscal Impact – All costs are paid by the applicant.

Code Enforcement Impact - None.

Housing Impact Statement - This Community Plan Amendment includes redesigning the property from Very Low Density (0-2 du/ac) residential to Very Low Density (2-5 du/ac) residential. This proposal would allow for three dwelling units (detached single-family residences) where only one was previously allowed.

The proposed project is subject to the Inclusionary Housing requirements of the Municipal Code which requires 10% affordable units or payment of an in-lieu fee. The applicant will pay the in-lieu fee to the Inclusionary Housing Fund instead of providing affordable housing on-site.

BACKGROUND

The subject property is located in the Pacific Beach Community Plan (PBCP) area (Attachment 1). The site is a steeply sloped 0.832-acre parcel at 5253 Cardeno Drive, formerly Fanuel Street, between Archer Street and Agate Street in the R1-10,000 Zone (Attachment 2). The site is not in the Coastal Zone. The property is currently developed with one single-family residence that will remain (Attachment 3). The surrounding uses are single-family residences on lots of varying size. To the north, there is a single 35,800-square foot lot. Beyond that lot and to the east, the lots vary in size between 10,000 and 22,900 square feet. To the west, the lots vary between 3,100 and 3,500-square feet, and to the south, the lots vary between 6,900 and 10,800 square-feet.

The land use designation for the site is Very Low Residential Density (0-2 du/ac) (Attachment 1). This density typically corresponds with RS-1-2 (previously R1-20,000) zoning. However, the current zoning is RS-1-4 (previously R1-10,000). A Community Plan and Progress Guide and General Plan Amendment was initiated by the Planning Commission on May 12, 2000, to consider changing the PBCP land use designation for this property to be consistent with the current zoning by changing the density from Very Low (0-2 du/ac) to Very Low Residential (2-5 du/ac). This inconsistency between the zoning and the Land Use Plan designation exists for other properties to the north and east of the subject property, but no other property is proposed for a Plan Amendment.

The project's development application was deemed complete prior to the year 2000, when the City's Land Development Code regulations came into effect. Therefore, the project is required to be in conformance with the City of San Diego Municipal Code (SDMC) standards and zoning regulations. Because the project site would develop within a slope with a natural gradient of 25% or greater (SDMC, Section 101.0462) the proposed project is subject to the Resource Protection Ordinance (RPO). A Planned Infill Resident Development (PIRD) Permit (SDMC, Section 101.0930) is requested to deviate from the minimum requirements of the R-10,000 Zone for frontage on a dedicated public street; direct access off a dedicated public street; and lot depth. A Tentative Parcel Map is requested to subdivide the property into three single-family lots.

DISCUSSION

Community Plan Amendment Analysis:

The proposed project, three single-family lots on a 0.832 acre (36,200 square feet) parcel, requires a Community Plan Amendment and an Amendment to the Progress Guide and General Plan. The Pacific Beach Community Plan identifies the site as Very Low Density (0-2 du/ac). On March 30, 2000, the Planning Commission considered the initiation of an amendment to the Pacific Beach Community Plan and the Progress Guide and General Plan that proposed the land use redesignation of the 0.832 acre lot from Very Low Density residential (0-2 du/ac) to Very Low Density residential (2-5 du/ac) which would allow a three-lot subdivision (Attachment 4). The zoning of the subject site, as well as, the subdivision to the north and east, is RS-1-4, which requires a minimum lot size of 10,000 square-feet. This zone typically implements and is applied to the Very Low density (2-5 du/ac) residential land uses.

The Planning Commission continued the item at the March 30, 2000, meeting to allow staff the time to research the extent of the status of the land use designation and the zoning in the immediate vicinity of the project site. During the next six weeks, staff studied an area that was approximately one-half square mile, or 160 acres, looking for the areas where the zoning did not match the land use designation, and concluded that the situation was limited to the subject lot and the large lot directly to the north. Staff also concluded that it was not appropriate to include the lot to the north of the subject lot in the plan amendment due to differences between the lots in visual orientation, physical access, topography and the development pattern. On May 18, 2000,

the Planning Commission approved the Community Plan Amendment initiation by a vote of 7:0:0. Subsequent to the May 18, 2000, public hearing, staff further analyzed the lot at 5253 Cardeno Drive compared to the surrounding development to determine if staff could support the Community Plan Amendment. Staff's position is that the redesignation of the land use for the subject lot can be supported for the following reasons:

- Transition to the Surrounding area The subject site is located at the southwest corner of an area that is designated in the community plan as Very Low density (0-2 du/ac). Immediately to the west and south of the subject lot, the land use designation is the Low density (5-9 du/ac). A stepped transition would be 0-2 to 2-5 to 5-9 du/ac. The redesignation of the subject lot to 2-5 du/ac would allow it to serve as a transitional land use density between the existing land use densities of 0-2 and 5-9 du/ac (Attachment 4).
- Lot Orientation The subject lot's orientation relates visually to denser neighborhoods that are to the south and west due to its transitional slope between the neighborhoods above and below. The other properties with a land use density of 0-2 du/ac in this area are part of the Alta Bahia Court subdivision that exists primarily above and to the northeast of the subject lot. The subject lot was developed prior to the creation of the Alta Bahia Court subdivision above.
- Access The access for the subject lot, off Cardeno Drive, is different than all other lots of the 0-2 du/ac density Alta Bahia Court subdivision, which take access from Alta Bahia Court above. Access to Cardeno Drive also contributes to its visual relationship to the higher density development across Cardeno Drive.
- Utilization of Existing Access The site's access from Cardeno Drive exists, and extends to the top of the site where the existing single-family residence is located. The existing access is proposed to be utilized for the proposed two new single-family residences with minimal new grading.
- Community Plan Residential Density Both the existing and proposed land use designations are characterized as Very Low density residential, with different density ranges. The Goals and the Policies of the Plan apply to both ranges with no distinctions made between them. In the community plan, both the 0-2 and 2-5 du/ac land use densities are described the same, stating the following: "Very Low Density (0-5 dwelling units/acre) - In Pacific Beach, this density occurs primarily in the "hills" area of the community and is characterized by the development of detached, single-family homes on lots typically ranging from 10,000 square feet to 20,000 square feet." The subject site is 36,200 square feet.
- Community Plan Goals and Policies The proposed project is consistent with the goals and policies of the plan including promoting the development of a variety of housing

types, maintaining residential scale, and enforcing bulk and scale standards in established neighborhoods.

- Strategic Framework Goals The proposed project is consistent with the goal of providing additional housing in the established neighborhoods while maintaining the character of the neighborhood.
- Lot Sizes and Zoning The subject site is 36,200 square-feet. The adjacent Alta Bahia subdivision, within the same land use designation, is comprised of lots that vary from 10,000 to 22,900 square-feet, with most lots less than 20,000 square-feet. The RS-1-4 Zone (10,000 square-foot minimum lot size) occurs in both the Very Low density 0-2 du/ac and Very Low density 2-5 du/ac residential land use designations. The existing RS-1-4 Zone would allow three dwelling units on the subject lot, where the current land use designation allows only one dwelling.

For the lot at 5253 Cardeno Drive the zoning and the land use designation do not match. In order to address this issue, staff considered the following options:

1. Rezone the subject lot to RS-1-3 (20,000 square-foot minimum lot size). This option would allow only one dwelling unit on the site and the subject lot would be the only lot with the RS-1-3 zone in the area. The character of the area is not typical of a Very Low density designation area where the RS-1-3 Zone would be applied.
2. Rezone all of the Very Low density 0-2 du/ac residential land use density area to RS-1-3 (20,000 square-foot minimum lot size). This option would cause the majority of the lots to become previously conforming as most of the lots are less than 20,000 square-feet. Again, the character of the area is not typical of an area where the RS-1-3 Zone would be applied.
3. Redesignate the subject lot to 2-5 du/ac. Staff supports this option. It would result in the existing zoning matching the land use designation, and the dwelling unit pattern would blend with the low density of development to the east and north and with the higher density of the west and south.

Project Description:

The project is requesting to subdivide the 36,220 square-foot lot into three separate parcels (Attachments 6 and 8). Parcel 1 which is currently developed with a single-family residence, which is to remain, would be approximately 14,544 square-feet. Parcel 2 would be approximately 13,777 square-feet, a two-story 3,900 square-foot single-family residence is proposed. Parcel 3 would be approximately 12,910 square feet, a three-story 5,160 square-foot single-family residence is proposed.

The portion of the project site where Parcels 2 and 3 would be subdivided is currently undeveloped and contain steep sloped and distributed habitat (Attachment 3). The site is not located within and/or adjacent to the City's Multi-Habitat Planning Area.

A 28-foot street vacation for a portion of Cardeno Drive which is completely in steep slope is requested (Attachments 6 and 7). This street vacation is supported because due to the steep slope that portion of Cardeno Drive cannot be used for the public right-of-way.

PIRD Deviations

Lot Depth - The existing parcel, Parcel 1, contains steep slopes and siting of the proposed residences on Parcels 2 and 3 have been established to minimize encroachment into the slopes. As a result, Parcel 1 has a lot depth of 87-feet where 100-feet is the minimum in the R1-10,000 Zone.

Street Frontage – There currently exists a single-family residence on proposed Parcel 1, access is taken from Cardeno Drive by an existing 25-foot access easement and private driveway. With the proposed subdivision the existing residence will no longer have any street frontage.

Access - Access to the three parcels will be via the existing driveway. The use of a common private drive minimizes encroachment into the slopes. Therefore, the deviation for Parcel 1 not to have direct access from the public right of way is supported to minimize encroachment into the steep slopes.

Conclusion:

Staff recommends that the Planning Commission recommend to the City Council approval of the proposed amendments to the Progress Guide and General Plan, the Pacific Beach Community Plan; PIRD Permit; RPO Permit; Tentative Parcel Map, and Street Vacation to develop the subject site with two additional single-family homes.

ALTERNATIVES

1. Approve the following actions with no modifications:

Pacific Beach Community Plan and Progress Guide and General Plan Amendment No. 48819 to redesignate the property from Very Low Density Residential (0-2 du/ac) to Very Low Density Residential (2-5 du/ac) to allow development of three single-family residences where currently only one would be permitted;

Tentative Parcel Map No. 48820 to allow the subdivision of the 0.832 acre lot into three single-family parcels and vacation of a portion of Cardeno Drive; and

Planned Infill Residential Development (PIRD) No. 48816 and Resource Protection Ordinance Permit (RPO) No. 48821 and deviations to maintain the existing single-family residence at 5253 Cardeno Drive and construction of two new single-family residences.

2. Deny the following actions if the findings required approving the project cannot be affirmed:

Pacific Beach Community Plan and Progress Guide and General Plan Amendment No. 48816 to redesignate the property from Very Low Density Residential (0-2 du/ac) to Very Low Density Residential (2-5 du/ac) to allow development of three single-family residences where currently only one would be permitted;

Tentative Parcel Map No. 48820 to allow the subdivision of the 0.832 acre lot into three single-family parcels and the vacation of a portion of Cardeno Drive;

Planned Infill Residential Development (PIRD) No. 48816 and Resource Protection Ordinance Permit (RPO) No. 48821 to maintain the existing single-family residence at 5253 Cardeno Drive and construction of two new single-family residences.

Respectfully submitted,

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HALBERT/PXG

Attachments:

1. Community Plan Land Use Map
2. Aerial Photograph
3. Site Photographs
4. Proposed Amendment - Community Plan Land Use Map
5. Planning Report No. P-00-056, Community Plan Amendment Initiation and Memo dated May 12, 2000 to the Planning Commission from Planning Department
6. Tentative Parcel Map
7. Street Vacation Photo
8. Project Plans
9. Draft Map Conditions and Subdivision Resolution
10. Draft Permit with Conditions
11. Draft Resolution with Findings
12. Draft Planning Commission – Community Plan Amendment
13. Draft Community Plan Amendment Ordinance
14. Project Data Sheet
15. Community Planning Group Recommendation
16. Ownership Disclosure Statement
17. Pacific Beach Community Planning Group Recommendation