

DATE ISSUED: January 12, 2006 **REPORT NO.** PC-05-315

ATTENTION: Planning Commission, Agenda of January 19, 2006

SUBJECT: INDIA AND CHALMERS VILLAGE – PROJECT NO. 37165
PROCESS FOUR

OWNER: Pacifica Companies, Attention: Dan Fessori

APPLICANT: Carrier Johnson Architects, Attention: Brett Tullis

SUMMARY

Issue(s): Should the Planning Commission approve the demolition of four, two-story commercial structures and the construction of a two- to three-story structure containing 25 residential condominium units and five commercial condominium units above a two-story, 71-space substantially subterranean parking garage on a 0.69-acre site located at the southeast corner of India Street and Chalmers Street within the Uptown Community Plan area?

Staff Recommendation:

1. **Certify** Mitigated Negative Declaration No. 37165 and **Adopt** the Mitigation, Monitoring and Reporting Program (MMRP); and
2. **Approve** Tentative Map No. 228076 and Site Development Permit No. 107095.

Community Planning Group Recommendation: On September 7, 2004, the Uptown Planning Committee voted 13-0-1 to recommend approval of the project with no conditions (Attachment 10).

Environmental Review: In accordance with the State of California Environmental Quality Act (CEQA) Guidelines, Mitigated Negative Declaration No. 37165 has been prepared for this project. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and would be implemented to reduce any potentially significant impacts to below a level of significance.

Fiscal Impact Statement: None with this action. Project costs are paid by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The Uptown Community Plan designates the 0.69-acre site for mixed-use commercial and residential development, allowing 29-44 dwelling units per acre on the western portion of the site and medium density residential development at 15-29 dwelling units per acre on the eastern portion of the site. Based on the site acreage, the project site could accommodate between 15 and 25 dwelling units. The proposal to develop a mixed-use project that incorporates 25 residential dwelling units would fully implement the residential potential of the site under the Plan's land use element. In order to satisfy the requirements of the City's Inclusionary Housing Ordinance, the applicant has elected to pay an in-lieu fee, as described in Chapter 14, Article 2, Division 13 of the Municipal Code.

BACKGROUND

The India and Chalmers Village project site is located at 3621-3649 India Street within the Uptown Community Plan area (Attachment 1 & 3). The 0.69-acre project site consists of two contiguous parcels bordered by India Street to the west, Chalmers Street to the north and Columbia Street to the east. The westerly parcel which fronts on India Street contains 15,000 square-feet and is located in the CN-4 Zone of the Mid-City Communities Planned District, which allows commercial and mixed-use development at a rate of one unit per 1,000 square-feet of lot area. The easterly parcel which fronts on Columbia Street also contains 15,000 square-feet and is located in the MR-1500 Zone of the Mid-City Communities Planned District, which allows multi-family residential development at a rate of one unit per 1,500 square-feet of lot area.

The Uptown Community Plan designates the entire site for mixed-use development, which is intended to promote pedestrian-oriented retail service uses on the ground floor with residential uses above (Attachment 2). The easterly parcel is designated by the Community Plan for a density of 15 to 29 dwelling units per acre (du/ac) while the westerly parcel is designated for 29 to 44 du/ac. Therefore, under both the zoning and Uptown Community Plan land use designation, the project site would allow for the construction of the 25 residential units proposed, as illustrated in Figure A below:

Figure A, Residential Density Calculation:

Parcel	Size	Zoning - Density	Units Allowed by Zone	Comm. Plan Land Use-Density	Units Allowed by Comm. Plan
Easternmost Parcel – On Columbia Street	15,000 sq/ft	MR-1500 – One unit per 1,500 sq/ft of lot area	10 units	Mixed Use – 15 to 29 du/ac	5 to 10 units
Westernmost Parcel – On India Street	15,000 sq/ft	CN-4 – One unit per 1,000 sq/ft of lot area	15 units	Mixed Use – 29 to 44 du/ac	10 to 15 units
Total Project Site:	30,000 sq/ft		25 units		15 to 25 units

The site is currently developed with four commercial structures which were built between 1926 and 1958 and a paved parking area behind the structures. The existing structure located at 3633-3635 India Street was constructed in 1926 as an office structure and is currently utilized as a commercial operation housing "Bettina's Custom Catering." The adjoining two-story structure at 3621-3625 India Street was constructed in 1958 as a warehouse and is currently utilized for office and commercial uses. The structure at 3649 India Street was constructed in 1945 as a warehouse and is currently utilized for a commercial operation called the "Blue Guitar." The structure at 3647 India Street was constructed in 1926 as a warehouse with apartments above and is still utilized for these purposes. Because of the age of the structures, the Environmental Analysis Section (EAS) required the preparation of a historical assessment of the existing structures. This report concluded that the existing structures are not historically or architecturally significant and no further action or mitigation is required.

The project site is located on a hillside that slopes primarily from east to west (towards India Street) but also from south to north (towards Chalmers Street). Onsite elevations range from approximately 74 feet above Mean Sea Level (aMSL) at the northwest corner of the lot at the corner of India Street and Chalmers Street to approximately 119 feet aMSL at the southeastern corner of the lot on Columbia Street. This creates an onsite grade differential of approximately 45 feet. The area behind the existing buildings on India Street has been excavated to provide a surface parking area and has an average elevation of approximately 84 feet aMSL. There is an existing retaining wall along the southern property line that is approximately 90 feet in length and over 20 feet in height. The excavated area along the Columbia Street frontage does not have a retaining wall, with the soil and underlying rock formations exposed. The existing topographic conditions of the site result in a situation that causes the rear development pad area to be substantially lower than the surrounding street and property elevations.

Surrounding uses include Interstate 5 to the west, commercial development adjacent to the property along the India Street frontage and single- and multi-family residential development to the north, south and east. An existing bus stop is located at the front of the project site on India Street and would remain with implementation of this project. The project site is located in the Airport Approach Overlay Zone (AAOZ), within the 55-65 dB CNEL noise contours. The San Diego County Regional Airport Authority has reviewed the project for consistency with the San Diego International Airport Land Use Compatibility Plan (ACLUP) and has determined that the project is consistent with the ACLUP. The ACLUP identifies that residential uses located within the 55-65 dB CNEL are conditionally compatible with airport uses provided that the project is sound attenuated to 45 dB CNEL interior noise levels and that an aviation easement for aircraft noise and height be provided to the airport operator.

The installation of standard construction features, such as exterior doors, windows and ventilation systems as required under the Uniform Building Code (UBC) provide 15 dB of noise attenuation. Therefore, standard construction practices would result in an interior noise level of approximately 40-50 db CNEL (55-65 dB CNEL existing noise contour, minus 15 dB attenuation for standard construction practices). In addition, in accordance with Title 24 (California State Regulations), all multi-family projects such as this are required to present a noise study at the time of building permit which demonstrates that the project complies with the 45 dB CNEL requirement. With regard to the aviation easement requirement, this has been included in the

resolution as a project condition. The project was also reviewed by the Federal Aviation Administration (FAA) and a “Determination of No Hazard to Air Navigation was issued by FAA on September 15, 2005.

The applicant is requesting the approval of a Tentative Map for the subdivision of the 0.69-acre site to consolidate the existing two lots into one lot and to allow the creation of five commercial condominium units and 25 residential condominium units. The applicant is also requesting a Site Development Permit to allow for the proposed deviations to the street yard setback, yard area, building height, pedestrian access and visibility requirements of the Mid-City Communities Planned District Ordinance. A Process Four Planning Commission decision is required due to the request for a Tentative Map to consolidate the two existing lots into one lot for the development of the new commercial and residential condominium units.

DISCUSSION

Project Description:

The applicant proposes to demolish the four existing commercial structures and associated surface parking areas and construct a new, mixed-use building with five commercial condominium units totaling 10,219 square-feet, 25 residential condominium units totaling 30,606 square-feet and a substantially subterranean parking garage totaling 28,996 square-feet. The five, two story commercial condominium units would be located along the India Street frontage at street level. The 25, one- to three-story residential units would be provided behind the commercial units, towards the east of the project site, and would consist of 19, two-bedroom units and six, three-bedroom units.

The project would provide 71 parking spaces in a partially subterranean two-level parking garage accessed from the Chalmers Street frontage. The required parking for the commercial and residential uses would be separated to minimize conflicts between the two uses. The site is located within the Transit Area Overlay Zone and is therefore allowed to utilize reduced parking ratios. However, the applicant has elected to provide two spaces for each two-bedroom unit where only 1.75 spaces per unit is required in the Transit Area Overlay Zone by the Municipal Code. The parking requirements and number of proposed spaces for each use is summarized below in Figure B:

Figure B, Parking Calculations:

Use	Square Feet or Number of Units	Required Parking Ratio	Parking Spaces Required	Parking Spaces Provided:
Commercial	10,219 sq/ft	2.1 spaces per 1,000 sq/ft	21 spaces	21 spaces
Residential, Two-Bedroom	19 units	1.75 spaces per unit	33 spaces	38 spaces
Residential, Three-Bedroom	6 units	2 spaces per unit	12 spaces	12 spaces
Totals:			66 spaces	71 spaces

The project would provide an approximately 2,275-square-foot public plaza area on the second floor of the plan, creating an interior courtyard area open to the sky. The plaza would have pedestrian access from both the India Street and Chalmers Street frontages and elevator access to the upper floor residential units. The plaza would provide access to the second floor commercial units, a community and recreation room, pool, extensive landscaping and patio areas. Seventeen of the 25 residential units and their required usable outdoor open space areas front onto this plaza area, which allows them to be substantially screened from the India frontage and associated Interstate 5 traffic noise.

The eight remaining residential units would front on Columbia Street and would feature walk-up entrances and private balconies, creating a “row-home” effect along this frontage, which is compatible with the existing patterns of residential development on Columbia Street. Five of the eight units fronting on Columbia Street would appear as two-story structures from the street level and adjacent uphill properties, while three of the units would appear substantially as two-story structures, with the first level appearing as partially subterranean. Building heights along Columbia Street would range from approximately 20 feet to 31 feet in height, with an average height of approximately 25 feet.

The five, two story commercial units would be located along the India Street frontage, as recommended by the Uptown Community Plan, to upgrade the appearance of the commercial strip along India Street. This project design places the residential units behind the commercial units and faces them toward the interior plaza area to shield them from Interstate 5 and India Street traffic noise, as recommended by the Uptown Community Plan. Additionally, the required private exterior useable areas for the residential units have been placed either in the plaza area in the central portion of the building or along the Columbia Street frontage to prevent them from being exposed to traffic noise levels above 65 dB CNEL. Three of the residential units do contain patio areas that face India Street and may be exposed to traffic noise levels above 65 dB CNEL. However, these patio areas are provided in addition to the required areas and therefore are not required to be attenuated to 65 dB CNEL.

As discussed in the *Background* section of this document, the existing topographic conditions of the site result in a situation that causes the rear development pad area to be substantially lower than the surrounding street and property elevations, with onsite elevations ranging from approximately 74 feet above Mean Sea Level (aMSL) at the northwest corner of the lot at the corner of India Street and Chalmers Street to approximately 119 feet aMSL at the southeastern corner of the lot on Columbia Street. Because of the sloping nature of the project site, the structure has been designed to “step” down the hillside to minimize the height of the structure as viewed from the existing rights-of-way and adjacent properties. The Columbia Street and India Street frontages would appear substantially as a two story structure, with two to three stories visible from the Chalmers Street frontage, primarily to allow access to the partially subterranean parking garages. Overall structure heights from existing grade would range from approximately 24 feet at the corner of Columbia Street and Chalmers Street to approximately 40 feet at the top of the parapet at the mid-section of the structure. The height limit for both the MR -1500 and CN-4 Zones is 30 feet. Due to the existing topographic features, complexities of the site and to facilitate the provision of the partially subterranean parking areas, the applicant is requesting a height deviation, which is discussed in greater detail in the *Requested Deviations* section below.

The existing retaining wall along the southern property line would be reconstructed to extend closer to India Street, resulting in a wall approximately 140 linear feet in length with heights ranging from approximately one foot at the end of the wall closest to India Street to approximately 19.5 feet towards Columbia Street. The building would be constructed approximately six feet away from the wall to create pedestrian stairway access along the south side of the building. Therefore, this wall would be interior to the project and would not be visible from any public right-of-way. This retaining wall would feature an enhanced finish consisting of either multi-colored masonry bricks with varying textures or a synthetic stone finish textured and stained to resemble natural sandstone.

A new retaining wall approximately 70 feet in length and ranging in height from 1.5 feet to 12 feet would be placed adjacent to the Columbia Street frontage. This wall would be required to shore up the exposed excavated hillside area which currently exists adjacent to and below Columbia Street. Because the hillside slopes down from Columbia Street and the excavated area is approximately 10 to 30 feet below the Columbia Street elevation, this retaining wall would also not be visible from any public right-of-way.

Requested Deviations:

Deviations from the regulations in the Mid-City Communities Planned District Ordinance are subject to approval of a Site Development Permit. The deviations requested by the applicant are listed below:

Building Height: The maximum height allowed in both the CN-4 and MR-1500 Zones is 30 feet. The project as proposed incorporates building heights which range from approximately 20 feet at the corner of Columbia Street and Chalmers Street to approximately 40 feet at the top of the parapet in the mid-section of the structure. The project site is unique in that the eastern portion of the site has been excavated, creating a situation where the edges of the property adjacent to the existing rights-of-way and neighboring properties are substantially higher than the development pad area. The project has been designed so that the structure appears substantially as a two-story structure when viewed from the Columbia Street, Chalmers Street and India Street frontages. There are two areas along Chalmers Street which include a three-story feature to allow access to the partially subterranean parking garage. The building height would exceed 30 feet primarily in the central portion of the structure as it steps down the slope. City staff is supportive of the proposed height deviation due to the extreme topography of the site and the design of the project.

Pedestrian Access: The western half of the project site which fronts on India Street is zoned CN-4, which requires one pedestrian access point for every 100 feet of street wall frontage. Using this calculation, two pedestrian access points would be required on the Chalmers Street frontage, but only one is proposed by this project. The Chalmers Street elevation also includes two access points for the partially subterranean parking garage and seven pedestrian access points are provided with the commercial units along the India Street frontage, which exceeds this requirement. City staff is supportive of the proposed deviation.

Visibility Areas: A 25 foot pedestrian visibility triangle is required at the intersection of Columbia and Chalmers. The project as designed would provide only ten feet on the Columbia Street frontage. Based on the proposed site configuration and pedestrian and vehicular access points, the proposed deviation is supported by City staff.

Street Yard Area: In the MR-1500 zone, 3,750 square feet of street yard is required along the Columbia Street frontage and 2,250 square feet of street yard is required along the Chalmers Street frontage. The project as designed would provide 1,740 square feet of street yard along the Columbia Street frontage, which is approximately 46 percent of the required amount and 1,095 square feet of yard along the Chalmers Street frontage, which is approximately 48 percent of the requirement. Based on the proposed site configuration, design and the relationship of the project to adjacent properties and development, City staff is supportive of the proposed deviation.

Street Side Yard Setback (Chalmers Street Frontage): The western half of the site which is zoned CN 4 requires a 10-foot street side yard setback and the eastern half of the site which is zoned MR-1500 requires an eight-foot street side yard setback. The CN-4 zone does not require a street side yard setback unless it is adjacent to residentially zoned land. Because the residential use is integral to the project, staff is supportive of the proposed deviation, which would allow a zero-foot street side yard setback for approximately 42 linear feet adjacent to the commercial unit at the corner of Chalmers and India Street and an eight foot setback for the remainder of the Chalmers Street frontage.

Community Plan Analysis:

The Strategic Framework Element of the City of San Diego Progress Guide and General Plan includes the goal of locating mixed use development throughout the city with integrated commercial and residential uses, and inviting streets with landscape and streetscape design amenities. The goal of the community planning program is to clearly link the community plans to the Progress Guide and General Plan. Therefore, community plans refine city-wide policies to address community and neighborhood goals.

The Land Use Element of the Uptown Community Plan designates the subject site for mixed-use allowing 29-44 dwelling units per acre (DU/AC) on the western portion of the site and medium density residential development at 15-29 DU/AC on the eastern portion. Accordingly, the 0.69 acre site could accommodate between 15-25 residential dwelling units, and therefore the proposal to develop a mixed-use project that incorporates 25 residential units will not adversely affect the community plan.

The Uptown Community Plan also recommends that development should upgrade the appearance of the commercial strip on India Street while continuing to promote commercial use in this area since it is visually and physically accessible to Interstate 5 and aids in buffering the residential units from freeway noise. The proposal to develop commercial storefronts along India Street will promote commercial use while providing noise buffering for the residential units, and therefore, will not adversely affect the community plan.

The project also implements many of the Uptown Community Plan's Urban Design recommendations, including the provision of design features such as off-setting building walls, screened or underground parking, private open space and landscape improvements. In addition, the project will enhance the pedestrian experience by providing increased sidewalk widths, street trees, as well as non-contiguous sidewalks, and therefore, will not adversely affect the community plan.

Environmental Analysis:

A Mitigated Negative Declaration (Project No. 37165) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Due to the proposed grading amounts and depths, the proposed project includes mitigation measures to offset potential impacts to the environment in the areas of Historical Resources (archeology) and Paleontology.

Community Planning Group Recommendation:

On September 7, 2004, the Uptown Planning Committee voted 13-0-1 to recommend approval of the project with no conditions.

Conclusion:

In summary, staff finds that the project is consistent with the recommended land use, design guidelines and development standards in effect for this site per the adopted Uptown Community Plan, the CN-2 Zone and the MR-1500 Zone, with the deviations included as allowed through the Site Development Permit Process. Draft conditions of approval have been prepared for this project (Attachments 7 and 8) and the findings required to approve the project are included in the draft resolutions (Attachments 7 and 9).

ALTERNATIVES

1. **Approve** Tentative Map No. 228076 and Site Development Permit No. 107095, with modifications.
2. **Deny** Tentative Map No. 228076 and Site Development Permit No. 107095, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeffrey D. Strohminger
Assistant Deputy Director,
Customer Support and Information Division
Development Services Department

Paul B. Godwin
Project Manager
Customer Support and Information Division
Development Services Department

STROHMINGER/PBG

Attachments:

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