

DATE ISSUED: January 26, 2006 **REPORT NO. PC -06-019**

ATTENTION: **Planning Commission, Agenda of February 2, 2006**

SUBJECT: CARDINAL COURT REZONE – PROJECT NO. 60465
PROCESS FIVE (5)

**OWNER/
APPLICANT:** Fenway Properties V, LLC
Devin Beale, Fenway Properties

SUMMARY

Issue(s): Should the Planning Commission RECOMMEND to the City Council approval of a Rezone from RS-1-7 to CO-1-2 on a 1.11-acre site located at 7695 Cardinal Court within the Serra Mesa Community Plan area?

Staff Recommendation:

1. Recommend that the City Council **CERTIFY** Mitigated Negative Declaration No.60465, and **ADOPT** Mitigation, Monitoring and Reporting Program (MMRP);
2. Recommend that the City Council **APPROVE** Rezone No.180476;

Community Planning Group Recommendation - On April 21, 2005 on a vote of 7-0-0, the Serra Mesa Community Planning Group recommended approval of the re-zone. In a letter dated December 22, 2005, the Serra Mesa Planning Group requested conditions to mitigate potential temporary construction noise affects. The new mitigation measures have been added to the Mitigated Negative Declaration (MND) Section V under “Noise.”

Environmental Review – A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which address potential impacts to paleontological resources, solid waste, noise, transportation/circulation, land use, and hydrology/water quality. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to reduce the impacts to a level below significance.

Fiscal Impact - None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The subject property is located in an area identified as institutional in the Serra Mesa Community Plan. The proposed rezone from RS-1-7 to CO-1-2 will bring the subject property into conformance with the identified use in the Community Plan.

BACKGROUND

The 1.1-acre site is located at 7695 Cardinal Court within the Serra Mesa Community Plan Area. The site is currently zoned residential (RS-1-7). In 1962, the site served as the office headquarters for the San Diego Branch of the Children's Home Society, operating under Conditional Use Permit (CUP) 32862. The office has since been demolished and the site is currently vacant. Applicant is seeking to rezone the site and will abandon CUP 32862 as it is no longer required.

Although the site is zoned residential, the land use designation in the Serra Mesa Community Plan is Health-Institutional Complex, which is compatible with the CO-1-2 rezone request. The applicant is seeking to develop a medical building, which is also compatible with the surrounding medical buildings to the northeast and southeast.

A rezone to CO-1-2 would permit, by right, on-site development of up to 71,874 square-feet. The applicant is proposing a 27,504 square-foot office-medical building. The appropriate mitigation shall be applied depending on the square footage of building area on the site. Mitigation measures (as applicable) shall run with the site deed in perpetuity.

DISCUSSION

PROJECT DESCRIPTION:

The proposed Rezone from RS-1-7 to CO-1-2 (residential to commercial) and is intended to allow for the construction of a 27,504 square-foot, three-story medical office building. The rezone would allow the site to be built-out, by right, to a maximum development of 71,874 square-feet. As the applicant has brought forth a proposal for only 27,504 square-feet where 71,874 would be allowed, more than one set of mitigation measures has been developed for the various issue areas and run with the property in the event that the 27,504-square-foot plans are abandoned or supplemented with a larger or smaller development.

The currently proposed 27,504 square-foot project would include a 50 space subterranean parking lot and 60 surface parking spaces. The number of spaces required if the maximum 71,874-square-foot building were to be built, would be a minimum of 287 spaces. The building height under this zone is a maximum of 60 feet. The height of the currently proposed structure would be 40-feet, with a maximum height of 45-feet in some portions.

The proposed development would result in grading 99% of the 1.1-acres or 1.09-acres of the project site. All proposed slopes are to be at a 2:1 ratio or less. The amount of cut on the site would be 10,000 cubic yards with 10,000 cubic yards of export. The maximum height of cut and fill slopes would be 7.5-feet. Retaining walls constructed on-site would be a maximum height of six (6) feet and run an overall length

of 36-feet. Access to the site would be from Cardinal Court from the east and landscaping would comply with all applicable City code requirements.

The site is located in an urban setting and is not located in, or adjacent to, the Multiple Species Conservation Program, Multi-Habitat Planning Area (MSCP, MHPA.) The site has been previously developed and is relatively flat. The existing pad elevation is approximately 353.6-feet above the average mean sea level (AMSL) and the entry to the site off Cardinal Court is 349.8 AMSL. There are slopes along the northerly and southerly boundaries of the site.

The site is surrounded by Highway 163 to the west, medical buildings adjacent and residential development to the south.

COMMUNITY PLANNING ANALYSIS

Community Plan Consistency

The Cardinal Court Rezone/Cabrillo Medical Center site is in an area identified as institutional in the Serra Mesa Community Plan. The proposed project conforms to the identified use. Staff received one letter expressing concern over loss of on-street parking. Citizen was referred to the Community Planning Group and added to the list of Notice of Hearing.

ENVIRONMENTAL ANALYSIS

Mitigated Negative Declaration No. 60465 has been prepared and finalized for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. During the environmental review of the Cardinal Court Rezone/Cabrillo Medical Center, the City of San Diego conducted an Initial Study, which determined that there was a potential for impacts to paleontological resources, solid waste, noise, transportation/circulation, land use, and hydrology/water quality. Specific mitigation measures identified in Section V, Mitigation, Monitoring and Reporting Program, of the Final Mitigated Negative Declaration would reduce potential impacts to a level below significance.

A qualified paleontologist will attend any preconstruction meetings. Prior to construction, areas that will require monitoring will be identified and criteria established for when monitoring will occur. The monitor shall be present full-time during grading, excavation and trenching. A process has been established for notification, determination of significance, and recording in the event of a discovery.

A traffic report was prepared for the maximum traffic impacts for the rezone and traffic impacts on a 27,504 square-foot medical office building. Any development in excess of the 27,504 square-feet will require mitigation and public improvement measures.

Based on the City of San Diego's noise criteria, the indoor noise shall not exceed the City Significance Threshold of 50dB. Prior to the Certificate of Occupancy, the Environmental Review Manager would verify the project does not exceed this threshold.

PROJECT RELATED ISSUES:

The project is a rezone with a proposed office/medical building of 27,504-square-feet feet. A rezone would permit “by-right” site development of up to 71,874-square-feet. As a rezone can not be conditioned, the “parcel” at 7695 Cardinal Court, APN No. 427-360 20, includes mitigation measures for a 27,504-square-foot project, or any smaller or larger project(s) up to a maximum 71,874 square feet. These mitigation measures (as applicable) shall run with the site deed in perpetuity.

The Community Planning Group (CPG) unanimously supports the rezone and has reviewed the environmental document and requested noise restrictions be included during the construction phase of the project. Staff has incorporated all CPG suggestions into the environmental document.

CONCLUSION:

The proposed Cardinal Court Rezone/Cabrillo Medical Center site is in an area identified as institutional in the Serra Mesa Community Plan. Rezoning of this site will bring consistency to the Community Plan and the appropriate land use. The existing Conditional Use Permit, which was required when the site had an office building in a residential district, is no longer required. The project has been designed so that any change in development will require further mitigation and/or public improvements this condition will be placed on the Grant Deed and will run with the land in perpetuity.

ALTERNATIVE:

1. Recommend that the City Council **CERTIFY** Mitigated Negative Declaration No. 60465, 42-3892, **with modifications** and recommend **APPROVAL** of the rezone.
2. Recommend that the City Council **NOT CERTIFY** Mitigated Negative Declaration No. 60465, 42-3892 and recommend **DENIAL** of the rezone.

Respectfully submitted,

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

**Jeffrey W. Robles
Development Project Manager
Development Services Department**

STROHMINGER/JR

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Rezone Ordinance
6. Proposed project exhibit
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. Letters Received
11. Draft Planning Commission Resolution