

DATE ISSUED: February 9, 2006 **REPORT NO. PC-06-037**

ATTENTION: **Planning Commission, Agenda of February 16, 2006**

SUBJECT: LEVANTO - PROJECT NO. 51049. PROCESS FIVE

**OWNER/
APPLICANT:** Good Nite Inn San Diego, Inc.
 William Lyon Homes Inc.

SUMMARY

Issue(s): Should the Planning Commission approve a Community Plan and General Plan and Progress Guide Amendment, Site Development Permit, and Planned Development Permit, Vesting Tentative Map and Rezone from CV-1-1 to RM-2-4, to demolish a motel and restaurant and construct a 100 unit, residential condominium development on a 5.672 acre site at 4545 Waring Road in the Navajo Community Plan area?

Staff Recommendation:

1. Recommend that the City Council **Certify** Mitigated Negative Declaration No. 51049;
2. Recommend that the City Council **Approve** amendments to the Progress Guide and General Plan, and the Navajo Community Plan, No. 154627;
4. Recommend that the City Council **Approve** Rezone No. 147058;
5. Recommend that the City Council **Approve** Site Development Permit No. 147056 and Planned Development Permit No. 297522;
6. Recommend that the City Council **Approve** Tentative Map No. 147057.

Community Planning Group Recommendation: On May 16, 2005, the Navajo Community Planners, Inc. voted 14-2-1 to recommend approval of the project with no

conditions.

Environmental Review: Mitigated Negative Declaration No. 51049 has been prepared for this project in accordance with the California Environmental Quality Act and a Mitigation, Monitoring and Reporting Program would be implemented with this project to reduce potential impacts from Noise to a level below significant.

Fiscal Impact Statement: None with this action. The costs associated with the processing of this project are covered by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement:

The project will add 100 residential units to a currently existing commercial visitor designated site. There will be a net increase of 100 units to the Navajo Community as a result of this project. The applicant will be paying an in lieu fee for the affordable housing requirement.

BACKGROUND

The subject property is an approximately 5.672 acre site located at 4545 Waring Road in the Navajo Community Plan Area. The Navajo community, encompassing approximately 8,000 acres, is located in the easterly portion of the City of San Diego and north of Interstate 8 (Attachment 2). This site is located on the southern border with the College Community Plan area and is in the Grantville Redevelopment Project area. The site is currently developed with a 33,471 square foot motel and restaurant, built in 1969. The subject property is surrounded by an existing motel located adjacent to the project site's eastern boundary, and the Waring Road overpass located west-adjacent to the project. Adobe Falls Road forms the north boundary of the project site. Access to the subject property is from Adobe Falls Road. Across Adobe Falls Road is a parking lot for a multi-family residential use and open space. To the south of the project site is a concrete-lined drainage channel (Alvarado Creek) with disturbed vegetation along its south-facing slope. South of the drainage is the Interstate 8 freeway (Attachments 1 & 3).

On August 19, 2004, the Planning Commission voted to initiate a request for an amendment to the Navajo Community Plan and the Progress Guide and General Plan to redesignate the site from Commercial Visitor to Multi-Family Residential (Attachment 11). During that hearing the Planning Commission requested that staff analyze a number of issues. That analysis is provided below in the Discussion section of this report under "Community Plan Analysis," and within Attachment 12.

The applicant is requesting a rezone from CV-1-1 to RM-2-4 to allow the residential use on site with inclusion in the Residential Tandem Parking Overlay Zone. The Navajo Community Plan

and a Progress Guide and General Plan amendment are also required to allow the residential use at this site.

DISCUSSION

Project Description:

The proposed Levanto residential project would include the demolition of an existing motel and restaurant and the construction of a 100-unit, multi-family development (for sale condominiums) on an infill site. The project would also include 259 off-street automobile parking spaces including 2 accessible spaces, and 10 motorcycle spaces.

The project proposes the construction of 222,003 square feet of multi-family development. The project would consist of four-story development with garages on the first floor, and front on Adobe Falls Road. The height and bulk is comparable to structures east that contain residential units (Attachment 5).

The applicant is proposing 28, two-bedroom units and 72, three-bedroom units. The units would vary in size from 1,161 square feet for a two bedroom, to 1,813 square feet for a three bedroom unit (Attachment 5). There would be a private recreation area including a pool and spa with restrooms. In addition, proposed landscaping would include installation of street trees and other compatible plantings.

The proposed 100 multi-family units are estimated to generate 800 average daily trips with 64 morning peak-hour trips and 80 afternoon peak-hour trips. A trip credit can be applied to the existing currently occupied and active uses on this site. The existing motel and restaurant use is generating approximately 864 average daily trips, thus the net decrease in trips would be 64 average daily trips, including 6 a.m and 2 p.m. reduced peak hour trips respectively.

Approval Descriptions:

The project as proposed would require a Community Plan Amendment (Process Five) to redesignate the land use from Commercial Visitor to Multi-Family Residential; a Rezone (Process Five) to rezone the property from the existing CV-1-1 Zone to the proposed RM-2-4 Zone with inclusion in the Residential Tandem Parking Overlay Zone; a Planned Development Permit (Process Four) for development which proposes to deviate from the regulations of the underlying zone; a Site Development Permit (Process Three) for development within Environmentally Sensitive Lands; and a Tentative Map (Process Four) for condominium purposes.

The request for the Rezone and amendments to the Progress Guide and General Plan and Kearny Mesa Community Plan requires the Site Development Permit, Planned Development Permit, and Vesting Tentative Map to be decided in accordance with Process 5 (City Council as the Decision Maker). Since the Municipal Code requires that approvals be consolidated, the proposed project must be considered by the Planning Commission prior to a final decision by the City Council (Attachment Nos. 6-10).

Community Plan Analysis:

Community Plan Consistency

The Levanto project site is currently designated commercial visitor in the Navajo Community Plan. The site is proposed for multifamily, which would allow the proposed project.

The site is located along Adobe Falls Road where there are multifamily residential developments further to the east which would support the proposed project being redesignated to multifamily. Adjacent to this site there are commercial land uses that provide for a mix of uses along the street. The Community Plan Amendment section below details the issues related to the amendment.

Community Plan Amendment

The proposed community plan amendment would redesignate the subject site from commercial visitor to multifamily residential. The amendment to the community plan includes map changes to the commercial, residential and community plan maps. There are no proposed language changes to the Navajo Community Plan.

The requested land use change from commercial visitor to multifamily residential development would be characteristic of the existing multifamily residential developments further to the east along Adobe Falls Road. The Navajo Community Plan supports the development of a variety of residential density patterns and housing types. There is a preponderance of multifamily residential along the Adobe Falls Road which supports the expansion of multifamily residential along the road. The project is proposing 25 dwelling units per acre which is consistent with the medium density residential range for the Navajo Community Plan. There are areas of commercial visitor that will continue to provide a mix of uses along Adobe Falls Road.

The applicant conducted analysis of the potential loss of mixed use on the site in a report titled "Location and Site Feasibility for Commercial Use". The consultant determined that there were a series of adverse factors that would undermine the success of mixed use on the site. The major issues with developing the site with a retail focus was the lack of visual access to the site, lack of physical ingress/egress to the site, the lack of historical retail success and relative high turnover of the few retail businesses on the street. The conclusion of the analysis was to recommend a multifamily project that could benefit from the adjacent existing commercial and relate to the multifamily development further to the east along Adobe Falls Road.

While the redesignation of this site from commercial visitor to multifamily use would include a shift from a commercial to a residential zone, it does not completely preclude the existence of ancillary commercial on site to accompany the multifamily residential use. The multifamily residential zone does allow for support commercial on site. Also, the properties adjacent to this site are still designated as commercial visitor and do have commercial operations on those sites. Adobe Falls Road as a whole still contains a mix of uses with a combination of commercial

visitor and multifamily uses. The analysis conducted on potential land uses indicated that there was not a growing demand for commercial visitor at this location.

Internal circulation for pedestrians on site and to the community was a prime concern raised by Planning Commission and staff. The proposed project provides the residential entries fronting directly onto the street, which provides a pedestrian orientation to the street. The proposed project also provides adequate internal circulation from the units to the recreational center on the site as well as access to the street and neighborhood.

The neighborhood schools for Waring Road in the vicinity of Adobe Falls Road are Foster Elementary (K-5), Lewis Middle (6-8) and Henry High (9-12). Henry High School in particular is close to capacity. A 100-unit market rate condominium development will likely have very little impact on the school's enrollment by itself. The conclusion of the School District staff was that the cumulative impacts of the development and any other developments that may be planned in the Navajo area might push enrollment beyond the school's current capacities.

Given the above considerations and analysis of the potential reuse of the site, staff recommends the community plan amendment land use designation change from commercial visitor to multifamily residential, with a density of 25 dwelling units per acre. The site constraints discussed above support a land use redesignation that focuses the development on multifamily residential.

Staff responses to those additional issues raised by the Planning Commission at the Planning Commission initiation hearing are included as an attachment to this report (Attachment 12).

Environmental Analysis:

Mitigated Negative Declaration No. 51049 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 Levanto project, the City of San Diego conducted an Initial Study, which determined that there was a potential for significant adverse impacts from Noise. A Mitigation Monitoring and Reporting Program would be implemented with this project to reduce potential impacts to a level below significance

Based on the City of San Diego's noise criteria, the maximum Community Noise Equivalent Level (CNEL) for multi-family residential uses must not exceed 65 dB(A) CNEL at the required exterior useable spaces. The applicant has submitted a noise study and will be required to mitigate significant noise levels on the project site by providing noise attenuation measures, as detailed by the noise study.

Project-Related Issues:

Deviations

The Municipal Code allows flexibility in the application of development regulations (deviations) for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project, through the processing of a Planned Development Permit. Staff believes that the Decision Maker can make the appropriate Planned Development Permit findings based on the following information.

Setbacks - Side Setbacks in RM-2-4 Zone

The minimum side yard setback is 5 feet or 10 percent of the premises width, whichever is greater. This project requests a reduction in required side yard setback from 10% of premises width to 5 feet due to irregular parcel configuration.

Retaining Wall Height in Required Side Yards and Required Rear Yards:

Two retaining walls with a maximum height of 6 feet each are permitted in the required front and street side yard if the two retaining walls are separated by a minimum horizontal distance equal to the height of the upper wall. This project requests a plantable geo-grid retaining wall exceeding 6' in required side yards.

Retaining Wall Height in Required Front Yards and Required Street Side Yards:

Two retaining walls with a maximum height of 3 feet each are permitted in the required front and street side yard if the two retaining walls are separated by a minimum horizontal distance equal to the height of the upper wall. This project requests a plantable geo-grid retaining wall exceeding 3 feet in required front yard.

Permitted architectural projections and encroachments into required yards:

Unroofed structures: An unroofed portion of a structure not in excess of 3 feet above proposed grade, with an open safety railing not exceeding 42 inches in height, is permitted within a required side or rear yard. This project requests stairs exceeding 3 feet in height in the required front yard setback.

Max Structure Height:

This project requests to construct up to 50.2 feet in height where 40 feet in height is permitted by the RM-2-4 Zone.

Deviations to the Environmentally Sensitive Lands Regulations:

This project requests to allow residential uses in the identified floodplain. A component of the project would require the applicant to raise the elevation of the site above the 100-year floodplain.

Park Impact Statement:

The City Progress Guide and General Plan guidelines recommend a minimum 10.0 acre

neighborhood park for every 3,500-5,000 residents located within ½ mile service radius and a minimum 20 acre community park and a 17,000 square foot recreation center for every 18,000-25,000 residents located within 1½ mile service radius. This results in a range of 2.8 to 3.9 acres per 1,000 residents. For every 50,000 residents, a community swimming pool complex is recommended within 1½ - 2 miles service radius.

Based on the 2000 U.S. Census, SANDAG population projections indicate that the Navajo Community Planning Area should have 143.09 usable acres of population-based park land and associated facilities. Currently, the Navajo Community has 52.80 usable acres of neighborhood parks, resulting in a 49.41 usable acre deficiency, and 64.35 usable acres of community parks, resulting in a 23.47 usable acre surplus. By the year 2030, the deficit is projected to decrease to 30.77 usable acres for neighborhood parks, and community parks will have a surplus of 20.84 usable acres. Additionally, the community has 2 recreation centers consisting of 21,066 square feet, which represents 62% of the City recommended standard square footage and 97% of the City-recommended minimum number of facilities per 25,000 residents. The community has 1 swimming pool which represents 97% of the City recommended minimum standard.

The proposed project will generate approximately 249 residents which would require an additional 0.7 acres of population-based park land, 1% of a community recreation center and 0.5% of a community swimming pool complex. The Navajo Public Facilities Financing Plan (PFFP) is in the process of being updated and will include the proposed park acreage and recreation facilities needed to serve the new residents. The PFFP update should process concurrently with the proposed project's discretionary action.

The PFFP update will identify park and recreational facilities to serve the new residents of the proposed project, therefore, no population-based park impacts will be created assuming the DIF fees paid at time of building permit issuance reflect the PFFP update.

Public Services and Facilities Impact:

Police service for the Levanto project will be provided by officers and support personnel from Eastern Division, located at 9225 Aero Drive. Eastern Division is currently comprised of 109 sworn personnel, 3 civilian professional staff and 2 Police Service Officers. Eastern Division provides police services to the following communities: Kearny Mesa, Tierrasanta, Serra Mesa, Birdland, Mission Valley East, Grantville, Allied Gardens, Del Cerro, San Carlos and Lake Murray.

The Police Department currently utilizes a five level priority dispatch system, which includes priority E (Emergency), One, Two, Three and Four. The calls are prioritized by the phone dispatcher and routed to the radio operator for dispatch to the field units. The priority system is designed as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the call priority as necessary based on the information received.

Priority One calls involve serious crimes in progress or those with a potential for injury. Priority

One response times were selected to create the average since they represent the highest priority call with the appropriate amount of data. The Levanto project is located in the Del Cerro community, which is within the boundaries of police beat 323. The 2005 (February 15 to October 31, 2005) average response time for Priority One calls on beat 323 was 13.37 minutes. The citywide average response time for that same time period was 14.27 minutes.

The current patrol strength at Eastern Division is 86 patrol officers with an optimal strength of 110 patrol officers. The optimal number reflects the industry standard of 40 percent preventative patrol time to provide acceptable response times. The current citywide staffing ratio for police officer to population is 1.66 officers per 1000 residents based on a residential population of 1,263,000 (2004 SANDAG) and a budgeted strength (FY06) of 2102 police officers. This ratio does not include the significant population increase resulting from employees who commute to work in the community or those visiting. The Levanto project, with 100 dwelling units will result in an additional permanent population increase of approximately 261 residents based on the averaged household size of 2.61 (2000 Census), which results in the need for an additional .43 police officer.

The initial costs associated with increased police officer staffing include the following: expansion to existing police facilities (when necessary), police vehicles, portable radios, firearms and other related safety equipment. This amount totals \$13,988 per sworn officer. Salaries and other employee benefits are not included in this figure. Based on the additional officer requirements as described above, the effect of the development on response time could be offset by compensating for the initial equipment costs of \$6,014.84.

This project will add additional police related calls for service to an area station that is currently staffed at 68 percent of optimal patrol strength. Therefore, without additional police officers it is likely that police response times will increase. Police response times in this community will continue to increase with the build-out of the community plan and the increase of traffic generated by new growth.

Fire/Life Safety Impact:

This project will be served by Fire Station 31 located at 6002 Camino Rico. Station 31 houses one engine, and a paramedic ambulance. The station covers 5.31 square miles, and the national standard is 9 square miles per fire station. The station has 6 firefighters two of which are paramedics, on duty each shift.

Engine 31 responded to 1,448 incidents in FY04 which is under the national standard of 1500 incidents per engine. In addition, Engine 18 responded to 2,330 incidents ; Engine 17 responded to 3,871 incidents in FY 04, which was over the national standard of 1500 incidents per engine company.

All first alarm units for an effective fire force arrive within the 7.2 minutes which is within the 9 minute national standard.

Critical Project Features to Consider Should a Substantial Conformance Review Be Requested

- **Site Design:** The project design should not increase the amount of deviation from the regulations of the development regulations of the underlying zone, and the proposed height deviation should not be increased, unless the requested approvals are amended.
- **Environmental Documents:** The project design should remain within the parameters of the scope of the Mitigated Negative Declaration.

Conclusion

Other than the requested deviations, for which staff believes that findings can be made, staff finds the proposed project would be consistent with the recommended land use, design guidelines, and development standards in effect for this site per the San Diego Municipal Code, and would not have an adverse effect on the adopted Navajo Community Plan, and City of San Diego Progress Guide and General Plan.

ALTERNATIVES

1. Recommend that the City Council **Certify** Mitigated Negative Declaration 51049; **Approve** Amendments to the Progress Guide and General Plan, and the Kearny Mesa Community Plan, No. 154627; **Approve** Rezone No. 147058; **Approve** Site Development Permit No. 147056; **Approve** Planned Development Permit No. 297522; **Approve** Tentative Map No. 147057 with modifications.
2. Recommend that the City Council **Not Certify** Mitigated Negative Declaration 51049; **Deny** Amendments to the Progress Guide and General Plan, and the Kearny Mesa Community Plan, No. 154627; **Deny** Rezone No. 147058; **Deny** Site Development Permit No. 147056; **Deny** Planned Development Permit No. 297522; **Deny** Tentative Map No. 147057, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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STROHMINGER/JCT

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans including the Vesting Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Draft Rezone Ordinance
10. Draft Community Plan Amendment Resolution and Documents
11. Planning Commission Resolution Initiating the Amendment
12. Community Plan Amendment Initiation Issues (Including View Points)
13. Rezone Exhibits
14. Community Planning Group Recommendations
15. Ownership Disclosure Statement
16. Project Chronology
17. Draft Planning Commission Resolution