



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: April 10, 2025 REPORT NO. PC-25-008

HEARING DATE: April 17, 2025

SUBJECT: POWELL RESIDENCE, Process Four Decision

PROJECT NUMBER: [PRJ-0657970](#)

OWNER/APPLICANT: Jonathan Powell and Linda Marie Powell, Ballerino Design Associates

SUMMARY

Issue: Should the Planning Commission approve the subdivision of a 0.46-acre site into two parcels for the construction of a new three-story single dwelling unit with an attached garage and accessory dwelling unit located at [2343 Garfield Road \(APN: 430-820-1300 & 430-820-2800\)](#) within the [Clairemont Mesa](#) community planning area?

Proposed Actions:

1. APPROVE Site Development Permit No. PMT-2574874 and Tentative Map No. PMT-2408282.

Fiscal Considerations: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Housing Impact Statement: The project proposes to subdivide a 0.46-acre project site with an existing residence to allow development consisting of a single-family dwelling with an attached accessory dwelling unit on 0.27 acres. The Clairemont Mesa Community Plan designates the project site for Low Density Residential with a density range of 5 to 10 dwelling units per acre and would allow up to two dwelling units on the new parcel. The proposed project is not subject to the Inclusionary Housing Ordinance as it is under the 10-dwelling unit threshold of the regulations.

Community Planning Group Recommendation: On June 20, 2023, the Clairemont Community Planning Group voted 5-1-0 to recommend approval of the project with the following conditions (Attachment 10):

- No wrap-around deck on upper floor and no rooftop deck due to privacy concerns from surrounding neighbors.

- Suggest minimizing windows on west side of house also due to privacy concerns. However, the west side elevation should be articulated so that it is not a large blank wall.
- Provide an alternative to the D25 curb outlet on the street that will not create a barrier to pedestrian circulation on the sidewalk.
- Revise the landscape plan to eliminate artificial turf or manicured cool season turf within the basin along the street.
- Substitute with appropriate container plants appropriate for bioretention basin plantings such as rushes and sedges.

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). Furthermore, the exceptions to the exemption listed in CEQA Section 15300.2 were determined not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; the project is not adjacent to a scenic highway; and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the California Government Code. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 13, 2024, and the opportunity to appeal that determination ended September 27, 2024 (Attachment 8).

BACKGROUND

Location: The proposed development is on a 0.46-acre site located at 2343 Garfield Road (APN: 430-820-1300 & 430-820-2800) within the Claremont Mesa community planning area (Attachment 3). The site consists of a 0.46-acre L-shaped property boundary with frontage on both Garfield Road and Kane Street (Attachment 1).

Existing Use: The site is currently developed with an existing one-story single-dwelling unit with an attached garage fronting Garfield Road and an improved on-site private drive fronting Kane Street. Vegetation across the site ranges from vegetated grasses and weeds to sparse large shrubs and trees.

Existing Grade: The improved portions with the single-dwelling unit fronting Garfield Road and the improved on-site private drive fronting Kane Street are essentially flat. The remaining portions consist of moderately sloping terrain, which descends in a west to northwest direction with slope heights on the order of 40 to 50 feet. Slope inclinations are variable at approximately 2.5:1 with localized steeper inclinations of approximately 1.5:1 to 0.5:1. Elevations range from approximately 186 feet above mean sea level (amsl) at the southeast corner to 72 feet AMSL at the northwest corner fronting Kane Street.

Base Zone: The development project site is in the RS-1-7 Zone which is a residential zone that can accommodate a variety of residential dwelling types that promote neighborhood quality, character,

and livability. The RS-1-7 zone requires a minimum lot size of 5,000 square feet and permits one dwelling unit per lot. Pursuant to San Diego Municipal Code (SDMC) section [141.0302](#), one accessory dwelling unit (ADU) is permitted on a premises located within a Single Dwelling Unit Zone with an existing or proposed single-dwelling unit, and ADUs are not subject to the density limitations of the premises.

Overlay Zones: The development project site lies within the Airport Land Use Compatibility Overlay Zone: San Diego International Airport and Montgomery Field, Clairemont Mesa Height Limit Overlay Zone, Airport Influence Area: Montgomery Field – Review Area 2 and San Diego International Airport – Review Area 2, FAA Part 77 Noticing Area, and Very High Fire Hazard Severity Zone.

Community Plan Designation: The General Plan designates the site Residential - Low (5 - 9 dwelling units/acre (du/ac)) and is within the Clairemont Mesa Community Plan (Community Plan) which designates the project site as Low Density (5-10 dwelling units/net acre). This land use designation is characterized by detached single dwelling units on individual lots (Attachment 2).

DISCUSSION

Project Description:

The development proposes to subdivide Parcel 1 of Parcel Map No. 21729 totaling 0.46 acres into two parcels and to waive the requirement to underground existing off-site overhead utilities. Parcel 1 would be 0.19 acres (8,540 square feet) and would include the existing one-story single-dwelling unit with an attached garage fronting Garfield Road, and Parcel 2 fronting Kane Street would be 0.27 acres (11,925 square feet). The project also proposes the construction of a new three-story single-dwelling unit with an attached garage and attached ADU totaling approximately 3,815 square feet on Parcel 2.

The project has also requested a waiver of the requirement to underground existing overhead utility facilities. The waiver qualifies under the guidelines of SDMC section [144.0242\(c\)\(1\)\(B\)](#) because the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.

The proposed project will directly impact 0.18 acres out of 0.27 acres of land on Parcel 2. Parcel 2 contains 0.21 acres of environmentally sensitive lands in the form of Steep Hillside and Sensitive Biological Resources (Sensitive Vegetation). Within Parcel 2, approximately 0.06 acres contains Southern Mixed Chaparral (Tier IIIA), which is identified as a sensitive biological resource pursuant to the City's Biology Guidelines. The building footprint for the new three-story single-dwelling unit with an attached garage and attached ADU on Parcel 2 will not be within the Sensitive Vegetation. A Biology Report prepared for the site determined there would be no significant indirect or cumulative impacts. The project would be in conformance with the City's Multiple Species Conservation Program (MSCP) as specified by the Subarea Plan and implementing ordinances (Biology Guidelines and Environmentally Sensitive Lands Regulations) and would not result in significant cumulative impacts for the biological resources adequately covered by the MSCP.

Grading entails approximately 103 cubic yards of cut with a maximum cut depth of 7 feet, 195 cubic yards of fill with a maximum fill depth of 3.5 feet, and exporting 92 cubic yards of material from the project site. The project has been designed to minimize grading by excavating residual soils and existing fills and creating a terrace design with flat development pads for the construction of the proposed single-dwelling unit. A seven-foot retaining wall will also be constructed to reduce the potential for settlement within the development area of the project site and to preserve the steep hillsides and sensitive vegetation outside of the development area.

Permits Required

- A Process Four Site Development Permit per SDMC [Table 143-01A](#) is required since the project is proposing a subdivision of a premises that contains Environmentally Sensitive Lands in the form of Steep Hillsides and Sensitive Biological Resources; and
- A Process Three Tentative Map per SDMC section [125.0430](#) is required for any subdivision of land.

The project site is in the Clairemont Mesa Height Limit Overlay Zone, which limits structures to a maximum of 30 feet. The height limit is intended to maintain the low-scale character of development in the community and to preserve public views of Mission Bay and the Pacific Ocean from western Clairemont. As proposed, the project's structure height is 30 feet and does not exceed the maximum height limit imposed by the Clairemont Mesa Height Limit.

Pursuant to SDMC section [141.0302 \(b\)\(1\)\(A\)](#), one accessory dwelling unit is permitted on a premise located within a Single Dwelling Unit Zone with an existing or proposed single-dwelling unit. The existing single dwelling unit on Parcel 1 and the proposed single dwelling unit and attached ADU on Parcel 2 are compliant with the prescribed density pursuant to SDMC [Table 131-04D](#).

The proposed single dwelling unit on Parcel 2 will have a Floor Area Ratio (FAR) of 0.32 (3,815 square feet) where the maximum allowable FAR is 0.53 (6,320 square feet). The proposed single dwelling unit and ADU on Parcel 2 will include an attached two-car garage totaling 476 square feet which is compliant with the requirement of two off-street parking spaces pursuant to SDMC section 142.0520. The project complies with the required setbacks set forth in the RS-1-7 zone. The project is proposing a 15-foot north front yard setback where the minimum of 15 feet is required, a 49-foot 2-inch south rear yard setback where the minimum of 13 feet is required, a 4-foot west side yard setback where 4 feet is required, and an 11-foot east side yard setback when 7 feet 6 inches is required.

The project site is located within a designated Very High Fire Hazard Severity Zone, per the City's official Very High Fire Hazard Severity Zone map. The project has been designed to address brush management and landscaping requirements. The Brush Management Plan will contain a Zone One, Zone Two, and exercise the Alternative Compliance measures set forth under SDMC sections [142.0412\(i\)](#), and [142.0412\(j\)](#). Zone One shall range from 10 feet to 35 feet in width with a corresponding Zone Two of 14 feet to 55 feet in width, extending out from the habitable structures towards the native/naturalized vegetation. By incorporating Brush Management Zones, Alternative Compliance Measures, and compliance with appropriate building codes, the project would not result

in an undue risk from fire hazards.

SDMC section [143.0140\(a\)](#) of the City's Environmentally Sensitive Lands regulations requires any excess land within the project boundary to be placed in a covenant of easement. Per SDMC section [143.0140\(a\)](#), the project is conditioned to place the lands between the development footprint and the property boundary (0.09 acres) in a covenant of easement to preserve the steep hillsides and sensitive vegetation outside the development footprint.

As discussed below, the project has been designed in compliance with all the applicable provisions of the City of San Diego's General Plan (General Plan), Clairemont Mesa Community Plan, and the SDMC. The project is not requesting any deviations or variances from the development regulations.

Community Plan Analysis:

The following analysis addresses how the proposed project is consistent with policies and objectives of the General Plan and Clairemont Mesa Community Plan.

Land Use

The 0.46-acre project site is located in the Bay Park neighborhood of the Clairemont Mesa Community Plan and has a land use designation of Low Density Residential (5-10 dwelling units per acre). The Bay Park neighborhood is characterized primarily by single dwelling unit residential development. The applicant is requesting a subdivision that will result in a 0.27-acre developable parcel, and based on the density range of the land use designation, the project site would be allowed up to two dwelling units ($0.27 \text{ acres} \times 10 \text{ du/ac} = 2.7$ rounded down to 2 dwelling units). The project proposes a single-family dwelling unit with an attached accessory dwelling unit consistent with the Community Plan's land use designation, although the accessory dwelling unit is not subject to density requirements.

The Community Plan also recommends that the height and scale of future development should promote harmony in the visual relationships and transitions between new and older buildings. The proposed project would be consistent with this recommendation since the project does not exceed 30 feet in height and incorporates several design elements that soften visual transitions between the proposed project and the existing neighborhood. These include a lower profile section for the southern side of the home located on the uphill portion of the site, upper floor setbacks along the building's north side frontage on Kane Street and along the western property line and varied massing and materials that provide variation and visual interest in the design.

Conservation

The project site contains 0.06 acres of Southern Mixed Chaparral located on the steep hillside portions of the site. The General Plan contains policies that guide development to protect and conserve landforms, open spaces and lands that contain biological resources. General Plan Conservation Element Policy CE-B.1(f) encourages developments to pursue formal dedication of existing and future open space areas throughout the City. Additionally, the Clairemont Mesa Community Plan recommends that if development occurs on property with sensitive environmental

areas, development should be clustered and located away from sensitive plant and animal habitats.

The proposed development would be consistent with these policies and recommendations by locating the home within previously developed and disturbed portions of the site and proposing a covenant of easement to protect this area from future development.

Urban Design

The General Plan establishes policies designed to minimize the impact of development adjacent to natural features and hillside areas. General Plan Urban Design Element Policy UD-A.3 encourages applicants to consider terraced homes, stepped down with the slope for better integration with the topography to minimize grading in sensitive slope areas. General Plan Conservation Element Policy CE-B.3 recommends the use natural landforms and features as integrating elements in project design to complement and accentuate the City's form. Additionally, the Clairemont Mesa Community Plan recommends that new development occur in a manner that protects the environmental resources and aesthetic qualities of the area, and that development should be clustered on the flatter portions of sites and grading should be minimal in order to preserve natural landforms and vegetation.

The proposed project would implement these policies and recommendations by locating the home on the western portion of the site, utilizing the flat area and more gradual portions of the slope, and avoiding the steeper sensitive areas. The home incorporates a terrace design that steps uphill, minimizing grading and preserving the hillside's natural topography.

Project-Related Issues:

The Clairemont Mesa Community Planning Group's conditions are provided below along with City staff's responses:

Condition 1: *"No wrap-around deck on upper floor and no rooftop deck due to privacy concerns from surrounding neighbors."*

City Staff Response: The proposal complies with the development setback at a minimum of 4 feet and conforms to the Land Development Code requirements for RS Zones, as shown in SDMC [Table 131-04D](#). No portions of the development, including decks or balconies, encroach into any required yard. In addition, the proposal does not include roof decks as shown on the Exhibit "A". Therefore, the project is in compliance with the Land Development Code.

Condition 2: *"Suggest minimizing windows on west side of house also due to privacy concerns. However, the west side elevation should be articulated so that it is not a large blank wall."*

City Staff Response: The Community Plan recommends that new buildings relate to the height of existing buildings to avoid the potential for a lack of privacy. The project meets this recommendation by adhering to the 30-foot height limit and provides a lower profile section that is below the height limit for the southern side of the building. The Community Plan also recommends

that the height and scale of future development should promote harmony in the visual relationships and transitions between new and older buildings. The project's western elevation incorporates varied shapes and sizes of windows, an articulated roofline and various plane depths for the building face. The project design also includes upper floor setbacks along the building's north side frontage on Kane Street and along the western property line and varied massing and materials that provide variation and visual interest in the design. Therefore, project design addresses the concerns of the Clairemont Mesa Community Planning Group and is consistent with the Community Plan recommendations.

Condition 3: *"Provide an alternative to the D25 curb outlet on the street that will not create a barrier to pedestrian circulation on the sidewalk."*

City Staff Response: The D-25 curb outlet is a storm drain outlet to the curb under the sidewalk, and the sidewalk surface is uninterrupted. The proposed storm drain is not a barrier to pedestrian traffic.

Condition 4: *"Revise the landscape plan to eliminate artificial turf or manicured cool season turf within the basin along the street."*

City Staff Response: The proposed area has been replaced with alternative groundcover. See Plant Legend L-1 on the Landscape sheets of the Site Development Plans.

Condition 5: *"Substitute with appropriate container plants appropriate for bioretention basin plantings such as rushes and sedges."*

City Staff Response: The proposed bioretention plants name and size has been addressed. See Plant Legend L-1 on the Landscape sheets of the Site Development Plans.

Conclusion:

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the General Plan, Clairemont Mesa Community Plan, and Land Development Code. With the approval of the Site Development Permit and Tentative Map, the project meets all applicable regulations and is consistent with policies in the applicable land use plans. Staff supports the determination that the development project is consistent with the goals and policies and development regulations in effect for this site per the SDMC, the General Plan, and the Clairemont Mesa Community Plan. Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Site Development Permit No. PMT-2574874 and Tentative Map No. 2408282, with modifications.
2. Deny Site Development Permit No. PMT-2574874 and Tentative Map No. 2408282, if the

findings required to approve the project cannot be affirmed.

Respectfully submitted,



Michael Prinz
Interim Assistant Deputy Director
Development Services Department



Benjamin Hafertepe
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Location Map
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. Draft Map Conditions
7. Draft Map Resolution with Findings
8. Notice of Right to Appeal
9. Ownership Disclosure Statement
10. Community Planning Group Recommendation
11. Site Development Plans
12. Tentative Map