



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: January 12, 2005

REPORT NO. HO 05-002

ATTENTION: Hearing Officer

SUBJECT: HEISEY RESIDENCES -
PROJECT NUMBER: 6574

LOCATION: 1818 McKee Street

OWNER: Cottages Etc., Inc, Owner (Melanie D. Heisey, sole officer)
APPLICANT: Reese Jarrett/Kathleen Ferrier

SUMMARY

Requested Action - Should the Hearing Officer approve a request for a Site Development Permit to demolish two existing units and construct four apartment units with deviations to the development regulations?

Staff Recommendation -

1. CERTIFY Negative Declaration No. 6574 and
2. APPROVE Site Development Permit No. 10759

Community Planning Group Recommendation – The Uptown Planners voted 13-2-0 to recommend approval of the proposed project on January 6, 2004, with recommendations discussed within this report.

Environmental Review - A Negative Declaration, LDR No. 6574, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

BACKGROUND

The 0.134-acre project site is located at 1818 McKee Street in the MR-1500 Zone of the Mid-City Communities Planned District, within the Uptown Community Plan area (Attachment 3). The MR-1500 Zone is a multi-family residential zone that permits residential development at a

density of one unit per 1,500 square feet of lot area. The project site is currently improved with two existing dwelling units, proposed for demolition.

DISCUSSION

The proposed project includes the construction of a new four level, four-unit multi-unit building above subterranean parking. The four units proposed complies with the density of the MR-1500 zone, with four units being allowed on this 5,850-square-foot site. The eight parking spaces within the subterranean garage conforms with the City's off-street parking regulations.

The development of this multi-unit structure on this site is allowed ministerially. However, the applicant has requested a Site Development Permit for the Mid-City Communities Planned District for the project to deviate from minimum requirements for setbacks, street yard, floor area ratio and driveway width. All such deviations are permissible in conjunction with a Site Development Permit for the Mid-City Communities Planned District.

The proposed project has been designed to implement the policies embodied within the Uptown Community Plan, as well as with the purpose and intent of the underlying MR-1500 Zone, as allowed through the Development Permit process.

A Negative Declaration was prepared for the proposed project in accordance with the State of California Environmental Quality Act after the initial study determined that the proposed project would not have potentially significant environmental effects.

The project has been the subject of several reviews by the Uptown Planners. After an initial recommendation of denial, the applicant chose to make modifications to the project consistent with that group's recommendation. Based on those changes, the Uptown Planners voted 13-2-0 to recommend approval of the project at their January 6, 2004, meeting. The changes are included as conditions within their recommendation (Attachment 7). Staff's response to these recommended conditions are:

1. **Recommendation:** Require a 15-foot rear setback, where 15 feet is the minimum required. **Response:** The project proposes a 15-foot setback for approximately 1/3 of the western portion of the rear yard, while the remainder of the building will observe 12 feet, with one small section observing 9'-6". The small section observing 9'-6" actually is providing two levels of bay windows, which do not meeting the exceptions specified in San Diego Municipal Code Section 131.0461.a.3 in that the bay window is 8'-5" wide (where 8'-0" is the maximum allowed) and separated from the adjacent bay window by 4'-6" (where a minimum of 16'-0" is required). The staggered building setbacks provide visual interest and conform with the Craftsman-style design of the building, which meet the design goals of the Uptown Community Plan.
2. **Recommendation:** Require a minimum 7-foot front yard set back where 10 feet is the minimum required. **Response:** The project provides a front setback of 10 feet on the ground level, but has a balcony observing a front setback of 3 feet on Level Two, and one small portion of the building observing 7 feet from Level One up, and the remainder

of the building observing 8'-2" and 10 feet where 10 feet is the minimum required front setback. The major encroachment (the balcony) is open on all three sides and cantilevers over the driveway. As is the case with the rear setback deviation, the majority of the encroachments into the front setback are related to bay windows, which do not meet the exceptions specified in San Diego Municipal Code Section 131.0461.a.3 in that the bay windows exceed the 8'-0" allowed and provide a reduced separation from the adjacent bay window. Again, the staggered building setbacks provide visual interest and conform with the Craftsman-style design of the building, which meet the design goals of the Uptown Community Plan.

3. **Recommendation:** Allow a Floor Area Ratio (FAR) of 1.35 where 1.25 is the maximum allowed. **Response:** The applicant is proposing an FAR of 1.38, which is 193.25 square feet larger than that recommended by the group. The ability to maximize the density on the project site with a building providing visual interest and enhanced detailing meets the design goals of the Uptown Community Plan and the increased FAR is supported by staff.
4. **Recommendation:** Allow a side yard setback of 4'-8" where 6 feet is required. **Response:** The applicant's proposal reflects this recommendation. The west side yard observes 4'-8" for approximately one-half of the building length, while the rest of the building observes approximately 11'-6". The neighboring building on the adjacent site is 11'-7" from this side property line. The reduced setback is requested to provide functionality in both the living spaces above and for the 21-foot required back-up in the garage below this level. The east side yard observes 6'-2" where a minimum of 6 feet is required, which conforms with the requirements.
5. **Recommendation:** Allow a minimum driveway of 16 feet where 20 feet is the minimum required. **Response:** 16 feet will allow adequate access to the parking area while still reducing the curb cut dimension, consistent with the goals of the Uptown Community Plan. In addition, the usable landscape area within the street yard will be increased.
6. **Recommendation:** Extend the sidewalk through the property. **Response:** This is a standard requirement from staff and does not require a deviation.
7. Although the Uptown Planners did not provide a specific recommendation regarding the request for deviation regarding the street yard, they were informed this deviation was being requested with this project, according to the applicant. The depth of the building is determined by the 18-foot minimum width required by each unit's garage plus the 8" area separation walls. With the building held to the minimum front setback on the ground level, an acceptable rear yard can be achieved. The remaining street yard is 600 square feet. The curb-to-property line distance of 18 feet negatively affects the ability to conform with the street yard requirements.

Staff has reviewed the current proposal and has determined that although there are minor differences from the Uptown Planners' specific recommendations, the proposal generally conforms with their recommendations. Further, the proposal conforms with the required Site

Development Permit and Mid-City Development Permit findings, and staff recommends approval of the proposed project, with the deviations specified within the draft permit.

ALTERNATIVES

1. Approve Site Development Permit No. 10759, with modifications.
2. Deny Site Development Permit No. 10759, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Michelle Sokolowski, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans (with Hearing Officer)
6. Draft Permit and Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement