



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: June 22, 2005      REPORT NO. HO 05-113

ATTENTION: Hearing Officer

SUBJECT: UNION LOFTS  
PTS PROJECT NUMBER: 49913

LOCATION: 1165 19<sup>th</sup> Street

APPLICANT: Jonathan Segal

### SUMMARY

Requested Action - Should the Hearing Officer approve Site Development Permit No. 144687 and Neighborhood Development Permit No. 222488 for construction of 13 residential apartments on a site with an existing commercial building?

### Staff Recommendation -

1. **CERTIFY** Mitigated Negative Declaration No. 49913, and **ADOPT** Mitigation Monitoring Reporting Program; and
2. **APPROVE** an application for Site Development Permit No. 144687 and Neighborhood Development Permit No. 222488.

Community Planning Group Recommendation – The Golden Hill Planning Board voted 13-0-0 to recommend approval of the proposed project on May 15, 2005, with recommendations discussed within this report.

Environmental Review - A Mitigated Negative Declaration, LDR No. 49913, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

## BACKGROUND

The 0.46-acre project site is located at 1165 19<sup>th</sup> Street in the GH-1500 Zone of the Golden Hill Planned District, Transit Overlay, Tandem Parking Overlay, and within the Greater Golden Hill Community Plan. The GH-1500 Zone is a multi-family zone that permits residential development at a density of one unit per 1,500 square feet of lot area.

The project area is rectangular in shape, and currently improved with an approximate 4,347 square foot commercial building with surface parking. The commercial building will remain as office use, and no renovations to the building are proposed with this project. The western boundary of the site is along 19<sup>th</sup> Street, the northern boundary along B Street and eastern boundary along 20<sup>th</sup> Street. The southern property boundary abuts existing residential uses. A City of San Diego operation yard is located to the north, and Interstate 5 to the west. Multi-residential units are located to the south and east.

## DISCUSSION

### Project Description:

The proposed project is a request for a Site Development Permit (SDP) for a Golden Hill Development Permit with Deviations, and a Neighborhood Development Permit (NDP) for two tandem commercial office parking spaces. The proposed project includes the construction of thirteen residential rental apartments in three separate buildings above basement and enclosed parking. The new residential buildings will be built on the west and east sides of the existing commercial office building. The proposed 16,312 square foot residential buildings would be two and three stories. The building style will be contemporary with multiple roofs. Proposed building materials will include a combination of stucco, metal siding and colored glass. Concrete bricks are also planned to match and harmonize with the existing commercial building. The design reflects the prevailing fifty foot lot pattern in Golden Hill and incorporates offsetting planes, facade articulation and texture. Landscaping will include maintaining the existing carrotwood street trees, and planting additional street trees for shade. Perimeter landscaping will include plants for screening, visual interest, building accent, ground cover and shade.

Two of the proposed residential buildings would be above an approximate 8,252 square foot basement parking area. The basement and enclosed parking are excluded from the projects Floor Area Ratio (FAR) calculation. In addition, an FAR bonus of fifty percent ( $8,252 \times 0.5 = 4,126$  square feet) is allowed which increases the project FAR from 0.6 to 0.8. The actual proposed project FAR is 1.03 ( $16,312 + 4,347 = 20,659$ ) which exceeds the required 0.8 by 4,454 square feet. The project meets the underlying density, and has not requested an increase in density by utilizing Density Bonus options. The project is required to meet current on-site parking regulations for the existing commercial use and the proposed residential use. The project meets the required off-street parking quantities, though two commercial office spaces are proposed as tandem. The two tandem parking spaces would be designated for employee parking. The project requires and provides thirty five off-street parking spaces; twenty four spaces for residential use and eleven spaces for office use.

This residential development requires a Site Development Permit per the Golden Hill Communities Planned District. The applicant has also requested thirteen Deviations from the minimum requirements for setbacks, street yard, floor area ratio and visibility triangle. All such Deviations are permissible in conjunction with a Site Development Permit for the Golden Hill Communities Planned District. The Deviations are requested as part of the Sustainable Expedite Program, as the project will meet and exceed the Sustainable Buildings definition as established by Council Policy 900-14. Other than the requested Deviations, the proposed project has been designed to implement the policies within the Golden Hill Community Plan, as well as the purpose and intent of the underlying GH-1500 Zone.

Sustainable Building Expedite Program: The project was processed in the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program which provides expedited permit processing for all eligible affordable/in-fill housing and sustainable building projects. This project qualified for this program as each residential unit will provide a photovoltaic system supplying more than fifty percent of the project's total energy consumption. The project meets the requirement for the Sustainable Buildings definition as established by Council Policy 900-14. The applicant intends to exceed the fifty percent minimum with a goal of one hundred percent of the total energy use for the new residential units. The photovoltaic system would be located on the roofs of the proposed structures.

Community Plan Analysis:

The subject site is located in the Golden Hill community plan area and is designated for medium density residential development in a range of 15-29 dwelling units per acre in the Greater Golden Hill community plan. The project is in conformance with the residential density range. After working with the developer, the design plans have been revised to be in conformance with the design provisions of the community plan in that the project respects the prevailing 50 foot lot pattern in Golden Hill and incorporates offsetting planes, facade articulation and texture, as recommended in the Urban Design Element.

Environmental Analysis: An environmental analysis per the California Environmental Quality Act (CEQA) was completed for this project. This analysis found that there are no sensitive biological habitats on or adjacent to the subject property. The project is not located within or adjacent to the City of San Diego's Multi-Habitat Planning Area. The project site is located in proximity to a recorded archaeological site, therefore the proposed development has the potential to impact unknown buried archaeological resources. The Initial Study determined that the proposed project could have a significant environmental effect in the area of Historical Resources (Archaeological). A Mitigated Negative Declaration (MND) was prepared dated May 23, 2005, and a Mitigation Monitoring and Reporting Program (MMRP) required. The MMRP requires archaeological monitoring and recovery during removal of project landscape, hardscape and grading. Implementation of the MMRP would reduce the project's impacts to below a level of significance.

Deviations: Thirteen Deviations have been requested as part of the Sustainable Expedite Program. The Deviations are from the minimum requirements for setbacks, street yard, floor area ratio and visibility triangle. All such Deviations are permissible in conjunction with a Site Development Permit for the Golden Hill Communities Planned District. The project's goal is to provide one hundred percent photovoltaic, where a minimum of fifty percent is required to meet Council Policy 900-14. By providing twice the solar energy the project proposes to reduce the rental housing cost by approximately ten percent of the projected monthly rental costs, thereby providing an affordable housing aspect. Though the project is not proposing Affordable Housing per Council Policy 600-27, the project does provide an affordable aspect by exceeding the City Sustainable requirements and reducing the residential rental costs. The project will also utilize building materials such as prefabricated wall and floor panel system to help reduce construction impacts. In addition, the existing commercial portion of the project is not required to meet the City Sustainable definition, though the applicant proposes that the existing office space will be one hundred percent Sustainable by providing solar energy. The development will materially assist in accomplishing the goal of providing sustainable housing and as such will make the housing more affordable.

The thirteen proposed Deviations, with the proposed development and the corresponding required development regulation are described below:

Deviation #1 - Planning (MC 103.0711.b.5.B) -19th Street front yard setback:

2 <sup>nd</sup> story setback required	6'-6"
2 <sup>nd</sup> story setback proposed	0

Deviation #2 - Planning (MC 103.0711.b.5.B) -19th Street front yard setback:

3 <sup>rd</sup> story setback required	13'-6"
3 <sup>rd</sup> story setback proposed	0

Deviation #3 - Planning (MC 103.0711.b.5.B) - 20th Street front yard setback:

1 <sup>st</sup> story setback required	6'-2"
1 <sup>st</sup> story setback proposed	5'-1"

Deviation #4 - Planning (MC 103.0711.b.5.B) - 20th Street front yard setback:

2 <sup>nd</sup> story setback required	6'-2"
2 <sup>nd</sup> story setback proposed	0

Deviation #5 - Planning (MC 103.0711.b.5.B) 20th Street front yard setback:

3 <sup>rd</sup> story setback required	13'-2"
3 <sup>rd</sup> story setback proposed	0

Deviation #6 - Planning (MC 103.0711.b.5.B) Interior side yard setback:

3 <sup>rd</sup> story setback required	9'-0"
3 <sup>rd</sup> story setback proposed	6'-0"

Deviation #7 - Planning (MC 103.0711.b.5.B) - Street side yard setback:

1 <sup>st</sup> story setback required	8'-0"
1 <sup>st</sup> story setback proposed	0' (varies 0' to 4'-8")

Deviation #8 - Planning (MC 103.0711.b.5.B) Street side yard setback:

2 <sup>nd</sup> story setback required	8'-0"
2 <sup>nd</sup> story setback proposed	0' (varies 0' to 4'-8")

Deviation #9 - Planning (MC 103.0711.b.5.B) Street side yard setback:

3 <sup>rd</sup> story setback required	8'-0"
3 <sup>rd</sup> story setback proposed	0' (varies 0' to 4'-8")

Deviation #10 - Transportation (MC 113.0273) Corner visibility triangle at the corner of 19<sup>th</sup> Street and B Street:

Visibility triangle required	25'-0"
Visibility triangle proposed	10'-4"

Deviation #11 - Transportation (MC 113.0273) Corner visibility triangle at the corner of 20<sup>th</sup> Street and B Street:

Visibility triangle required	25'-0"
Visibility triangle proposed	5'-5"

Deviation #12 - Planning (MC 103.0711.b.5.A) Reduce street yard area:

Street yard area required	3,233 square feet
Street yard area proposed	2,754 square feet

Deviation #13 - Planning (MC 103.0711.b.1) Increase Floor Area Ratio:

Floor area allowed	0.6 x 20,132 (lot area) = 16,205 square feet (12,079 + 4,126 Bonus)
Floor area proposed	20,659 square feet (excludes parking, includes existing commercial building) FAR=1.03

Community Planning Group Recommendation: The project was subject to several reviews by the Golden Hill Group. The applicant provided the group with additional information on building colors and architectural interest. The applicant chose to adhere to the southern setback requirements to be consistent with their requests. Based on this additional information and changes, the Golden Hill Planning Board voted 13-0-0 to recommend approval of the proposed project on May 15, 2005. The group supported the east, north and west first floor setbacks. The group was concerned about the non-standard setbacks for the 2<sup>nd</sup> and 3<sup>rd</sup> floors as they felt the project did not convey the single family scale and character as viewed from the street elevation. The group did note that the project was adjacent to a freeway and City Operation building. The group deferred to the City's approval of the setback deviation requests. We also understand the Community Group agreed the residential buildings would be better located as close to the freeway as possible so that the project could provide interior, versus exterior protected private open space farther from the adjacent freeway noise. The Golden Hill Community Group understands that City staff supports the requested Deviations and project character.

## CONCLUSION

In summary, staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted Greater Golden Hill Community Plan, the GH-1500 Zone of the Golden Hill Planned District, and the City of San Diego Progress Guide and General Plan.

## ALTERNATIVE

1. Approve Site Development Permit No. 144687 and Neighborhood Development Permit No. 222488, with modifications.
2. Deny Site Development Permit No. 144687 and Neighborhood Development Permit No. 222488, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Diane Murbach, Development Project Manager

### Attachments:

1. Project Location Map/Aerial Photo
2. Community Plan Land Use Map
3. Project Data Sheet
4. Project Plans
5. Draft Permit with Conditions
6. Draft Resolution with Findings
15. Community Planning Group Recommendation (to Hearing Officer)
16. Ownership Disclosure Statement (to Hearing Officer)
17. Mitigated Negative Declaration (to Hearing Officer)
18. Notice of Hearing (to Hearing Officer)