DATE ISSUED: March 8, 2007 **REPORT NO.** PC-07-043

ATTENTION: **Planning Commission, Agenda of March 15, 2007**

SUBJECT: **MONTE VERDE** - PROJECT NO. 6563. PROCESS 5.

REFERENCE: Planning Commission Report No. P-03-001

OWNER/ APPLICANT: Costa Verde Hotel, LLC (Attachment 15)

SUMMARY

Issue(s) - Should the Planning Commission recommend to the City Council approval of the Monte Verde project to allow the development of two 35 story towers and two 32 story towers with a total of 800 condominium units on a 4.77 acre site at 8995 Costa Verde Boulevard in the University Community Plan area?

Staff Recommendations -

1. Recommend to the City Council **Certification** of Environmental Impact Report No. 6563, Adoption of Mitigation Monitoring and Reporting Program, and Adoption of the Findings and Statement of Overriding Consideration; and

2. Recommend to the City Council **Approval** of the resolutions amending the Progress Guide and General Plan, the University Community Plan, and the Costa Verde Specific Plan No. 10763, and grant Easement Vacation No. 372423, Public Right-of-way Vacation No. 372426, Vesting Tentative Map No. 372429, Planned Development Permit No. 10761 and Site Development Permit No. 372422.

Community Planning Group Recommendation - The University Community Planning Board voted 10:4:0, on February 13, 2007, to recommend denial of the project (Attachment 16).

Environmental Review - Environmental Impact Report No. 6563 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.

Fiscal Impact Statement - No cost to the City. A deposit account funded by the applicant recovers all costs associated with the processing of the project application.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The proposed project would construct 800 multi-family residential units. Of the 800 units, 420 units have not been constructed through development of the Costa Verde Specific Plan and 380 units would exceed total number of units allowed by the University Community Plan. The applicant would comply with the Inclusionary Affordable Housing Ordinance by providing 80 units of affordable rental housing at 65% of the Area Median Income within Garden Communities' portfolio of properties located in the University City Community Plan, Central Subarea 2. The proportion of one, two and three bedroom units of the 80 restricted units would be reflective of the unit type proportionality of the Monte Verde project.

BACKGROUND

The subject property is a 4.77 acre site located at the southwest corner of La Jolla Village Drive and Genesee Avenue within the University Community (Attachment 1). The University Community Plan and the Costa Verde Specific Plan designate the subject site Visitor Commercial/Hotel for use as a 400 room hotel. Surrounding land use designations include Office and Visitor Commercial to the north, Residential at a density range of 45-75 dwelling units per net residential acre to the west, Neighborhood and Community Commercial to the south, and Regional Commercial to the east. The subject property is surrounded by office and hotel uses to the north, University Towne Center (UTC) to the east, restaurant, retail and commercial services to the south, and multi-family residential to the west and southwest.

The Costa Verde Specific Plan was approved in 1986 and established the land uses and development guidelines for 56.7 acres bounded by La Jolla Village Drive, Regents Road, Genesee Avenue and Nobel Drive. The Community Plan and the Specific Plan establish the land use and development intensities for Costa Verde at 178,000 square feet of neighborhood and community commercial, 2,600 dwelling units, and a 400 room hotel.

Limits on the amount of commercial square footage, number of dwelling units, and the number of hotel rooms is based on the Average Daily Trips assigned to the Costa Verde Specific Plan area. There are approximately 2,180 residential units constructed or under construction. These units consist of a combination of four-story multi-family residential, high-rise apartments and senior condominiums. The applicant is proposing to re-designate the hotel site to residential use and combine those units with the remaining undeveloped residential units within the Costa Verde Specific Plan. The proposed plan amendment would redesignate the site from Visitor Commercial/Hotel to High Density Residential at a density range of 45-75 dwelling units per net residential acre.

DISCUSSION

Community and Specific Plan Amendment Analysis

The Development Intensity Element of the Community Plan divides the community into several subareas. Within these subareas, land uses and development intensities are assigned to properties in accordance with the goals and objectives of the Community Plan. The basis for regulating the intensity of development is the finite traffic capacity of the projected circulation system. The site is located within subarea 47, identified in Community Plan as the Costa Verde Specific Plan subarea. The land use and development intensities for the Specific Plan include 178,000 square feet of neighborhood and community commercial, 2600 residential dwelling units, and a 400 room hotel. Of the 2,600 residential units allocated to the Specific Plan, 2,180 units have been built or are under construction. The remaining 420 residential units have not yet been built. The neighborhood and community commercial component of the Specific Plan has been completed. The property, which is the impetus of the plan amendment, is the last undeveloped parcel within the Specific Plan.

The Community Plan organizes the community into four major subareas. The site is located in the Central Subarea, the most urban of the four subareas of the community. The Community Plan identifies a portion the Central Subarea as an Urban Node which is characterized by a relatively high density, mixed use core in the area of La Jolla Village Drive and Genesee Avenue (Attachment 2). Activities such as retail, professional office, medium to high density residential and entertainment are currently concentrated within the Urban Node surrounding the project site.

Development of the Urban Node is addressed in two sections of the Community Plan's Urban Design Element (Element). The first section of the Element is Linkages. Linkages address those issues related to circulation within all of the University Community. These include street improvements, street landscape treatments, pedestrian connections, bikeways and transit. The second section of the Element is the Central Subarea which addresses the aesthetics of the Subarea. The objective of this section is to improve the central community's form and cohesiveness through review of new construction projects. The following sections summarize the proposed land use change and project consistency with the goals and objectives of the Community Plan to develop the project site and surrounding area as an Urban Node. Additionally, a complete analysis of issues identified at the Planning Commission Initiation hearing are provided as Attachment 3.

Land Use

The proposed plan amendment would re-designate the subject site from Visitor Commercial to High Density Residential in order to accommodate an 800 unit residential project (Attachment 4). The project would add 380 residential units above the 2,600 identified in the Community Plan and Specific Plan and would raise the density of the entire development from 49 dwelling units per net residential acre to 56 dwelling units per net residential acre. This increase falls within the density range of 45-75 dwelling units per net residential acre established by the Specific Plan and is comparable with surrounding residential developments located within

the boundaries of the urban node.
The Central Subarea section of the Community Plan discusses the issue of interjecting high-rise residential elements into existing low-density development patterns as project amendments, in order to achieve maximum overall density. A policy recommendation of the Community Plan is for structures within the Central Subarea to be master planned so that their total impact can be reviewed on the basis of a total project concept and integrated with other elements within and adjacent to the project site.

To accommodate the desired number of units within the 4.77 acre site, the project proposes two 32-story towers and two 35-story towers. The project's height was evaluated for its integration and compatibility with the height of existing developments in the Central Subarea. Immediately to the south of the subject property and within the Costa Verde Specific Plan area are two 16-story residential towers and two 20-story residential towers. North of the subject property across La Jolla Village Drive is a 15-story hotel, several office buildings, the tallest of which is 16 stories, and to the northeast are more office buildings, the tallest of which is 17 stories. Although the hotel and office buildings are only 15-17 stories, the floor heights for these types of buildings are typically taller than those of residential high-rise construction, resulting in a higher building elevation as compared to a residential structure with the same amount of stories. Additionally, further to the east along La Jolla Village Drive is the La Jolla Commons project which when developed, will include a 32-story residential tower, and 32-story residential/hotel mix tower, and a 15-story office building. The project would be the tallest in the Central Subarea, however, it would result in a transition of ascending building height towards the center of the urban node.

The proposed plan amendment would facilitate the construction of residential units in a location identified in the community plan as an urban node within a high density mixed use core. The neighborhood presently includes retail, commercial services, employment and a transit center. The proposed plan amendment would maximize the development intensity at a location central to the community and targeted for intense, multi-use development and adjacent to supportive uses. The proposed amendment offers an opportunity to provide additional residential units within the Community Plan's designated urban node in a location that concentrates existing residential, employment and commercial uses. The proposed amendment would also provide additional residential units not anticipated by the Community Plan yet would not increase the overall development intensity allocated to the Costa Verde Specific Plan. Intense development at this central location may also increase the opportunity to expand public transportation within the community.

Traffic and Circulation

The applicant proposes to complete the 420 un-built multi-family residential units and build an additional 380 units on the hotel site. As mentioned above, the land uses and development intensities for the subareas identified in the Development Intensity Element are based on the traffic capacity of the projected circulation system. The 380 units would generate 2,280 ADT's while the 400-room hotel would generate 4,000 ADT's. The proposed project would actually result in a reduction of total ADT's originally approved for the Costa Verde Specific Plan subarea.

One of the goals of the Development Element is to provide a workable circulation system which accommodates anticipated traffic without reducing the Level of Service (LOS) below D. There will be areas below LOS D, but those service levels already exist or will exist even without the project. This project will not *cause* any off-site segment or intersection to be reduced below LOS D and would decrease the number of trips that were previously approved for the Costa Verde development. It should be noted that the project has been revised since the applicant's first submittal several years ago. However, mitigation for intersection impacts identified in the EIR, are for the original project proposal of 1,084 multi-family residential units. The result is project mitigation for intersection impacts above and beyond the proposed development.

The Community Plan seeks to insure that the location of new pedestrian overpasses and street level crossings reinforce the pedestrian network and that their design reflect safety, uniqueness and community pride. A requirement of the Costa Verde Specific Plan is the construction of a pedestrian bridge over La Jolla Village Drive. The applicant will construct the bridge as part of this project. The pedestrian bridge has been designed to be an integral part of the development as well as a landmark which can create identity and interest. The bridge will provide connections through the site at both the elevated bridge level as well as at the ground level. The ground level connections will occur within the 'Civic Green' area between towers A and B via a new elevator and stairway. The second level connections will link pedestrians to the townhomes and the residential lobbies of towers A and B. The new pedestrian bridge and upper level pathway will be designed to connect to a new bridge crossing Genesee Avenue in anticipation of redevelopment of UTC and a new transit center. Until such time, the ramp on the Monte Verde side of the existing Genesee Avenue Pedestrian bridge will be removed and replaced with a new elevator and stairway.

One of the main objectives for development bordering the pedestrian network in the urban node is to include pedestrian-oriented uses and amentities which contribute to street vitality. The La Jolla Village Drive and Genesee Avenue frontage of Monte Verde will be upgraded to non-contiguous, eight foot wide public sidewalks with street trees and extensive landscaping. Patios and entryways for the townhomes will have direct access to the sidewalks and surrounding employment, retail and entertainment uses. Extensive landscaping, seating areas, turf areas, and an art program will add pedestrian amenities to encourage walkability and street vitality. Both pedestrian bridges and public sidewalks provide direct connections to these areas and link with the existing internal pedestrian pathways in the Costa Verde development area.

Public Facilities and Services

Parks: Monte Verde will pay Facility Benefit Assessment fees for all of its residential units. Monte Verde will provide private recreational amenities available only to residents to help with the short-fall in population based parks in the community. Although the Community Plan identifies that the presence of several resource based parks in the community help alleviate the short-fall in population based park land, the direction the City is moving towards in the General Plan Update is looking at ways to increase availability and usage at existing parks. This includes upgrades such as expansion of recreation centers, lighting fields, or upgrading turf fields with synthetic turf. The fees Monte Verde will pay could be utilized for these types of upgrades as actual acreage for new parks in the community is extremely limited. Two public use open spaces

will be provided on-site in the "Civic Green" and "Pocket Park" areas of the site. These two areas account for ten percent of the property acreage and are available for use by all residents of the community.

Libraries: A new community library is under construction (Nobel Library) near Nobel Drive and Judicial Drive. Once this library is complete in addition to the existing University Community Branch Library, there will still be a 12,000 square foot service goal deficit. Approval of the project will increase this deficit to 13,282 square feet. Monte Verde will pay its fair share of FBA fees for new and/or expanded library facilities in the community.

Sewer: The Point Loma Wastewater Treatment Facility currently has adequate capacity to serve the project. The existing 10-12 inch gravity sewer line in Genesee Avenue would not have adequate capacity, therefore, the applicant will upgrade this line to an 18-inch sewer line from the project site to the interceptor line in Rose Canyon. With upsizing the existing line, sewer service would be adequate to serve the project.

Water: The Water Supply Assessment Report prepared by the City of San Diego for this project identifies that the water demand associated with the project would be within the water demand forecasts within the Urban Water Management Plan and other water resources planning documents of the Water Department, SDCWA and the MWD.

Schools: The project is located within the jurisdiction of the San Diego Unified School District. Doyle Elementary School, Standley Middle School, and University High School would serve the project. Of the three schools, Doyle Elementary School would be over capacity as a result of the project. According to state law (Government Code Section 65996(b)), the applicant's payment of school impact fees will constitute full and complete school facilities mitigation.

Solid Waste: The Miramar Landfill is anticipated to reach capacity by 2011. The project would contribute to the landfill and an alternative landfill once Miramar closes. However, the project will minimize solid waste to the extent possible by following the City's requirements for waste minimization and recycling.

Police: The project would be served by the Police Department's Northern Division. The department's goal is for a ratio of officers to population of 1.5 officers per 1,000 persons. The Northern Division encompasses 68.2 square miles and serves a population of 249,873 people, which results in 0.6 officers per 1,000 population, 232 officers less than the goal ratio. The department's goal for responding to emergency priority calls is seven minutes. Response times on average for the Northern Division are 8.9 minutes for emergency calls and 18.4 minutes for Priority One calls. The Northern Division response time exceeds the City's average response time of 7.3 minutes for emergency calls and 13.1 for Priority One calls. At a ratio of 1.5 officers per 1,000 residents, the project would generate a demand equivalent to 2.4 officers. The developer will pay Facilities Benefit Assessment fees which can fund facilities that are necessary to provide services. Operating costs are usually paid by taxes. The City may choose to use the additional tax revenue generated by the project to fund additional police officers.

Fire: The project would be primarily served by Fire Station 35. Station 35's service district covers 14 square miles, whereas the national standard is a maximum of 9 square miles, and 4 square miles or less in densely populated areas. The national standard for emergency response coverage is to have a first responder arrive on scene within 5 minutes (1 minute turnout, 4 minutes of travel) 90% of the time, for both fire and medical emergencies. Currently E35, the primary first responder for Station 35, meets this requirement only 34 % of the time. The response time to the project site is estimated to be within three minutes as the station is located approximately 1.5 miles from the site. Because station 35's coverage is over capacity, the applicant has agreed to design and build a new station, with only a right of reimbursement from FBA fees, to help alleviate capacity issues for station 35 and surrounding fire stations which must cover for 35 when on another call.

Affordable Housing

In order to achieve a balanced community, the Community Plan requests affordable housing be provided as part of future development agreements, Planned Development Permits, and other residential projects requiring discretionary review. The project's VTM is conditioned requiring the applicant to provide affordable housing as part of the project by restricting the price of 80 units of affordable rental housing at 65% of the Area Median Income within Garden Communities' portfolio of properties located in the University City Community Plan, Central Subarea 2 properties. The mix of one, two and three bedroom units will be based on the unit mix in the Monte Verde project. The 80 units represent ten percent of the project's total of 800 units.

General Plan – Strategic Framework Element

The Strategic Framework Element (Element) provides the overall structure to guide the General Plan update, including future community plan updates and amendments and implementation of an action plan. The Element represents the City's approach to allow new development while preserving the existing character of its communities, natural resources and amenities. The essence of the Element is the "City of Villages Strategy." The focus of the strategy is to determine where and how new growth and redevelopment shall occur to ensure the long-term health of the City and its communities. The strategy seeks to target growth in village areas where housing, employment, commercial, recreation and transit all exist. The Element identifies UTC and the high density development surrounding it as a potential urban "Village Center." These village centers cluster intensive employment, residential, regional and subregional commercial uses to maximize pedestrian usefulness and support mass transit opportunities.

The proposed plan amendment would facilitate a high-density housing project with both market rate and affordable units in an area where intensive employment, regional, community, and neighborhood commercial services, entertainment, recreation, transit, and high density housing exist.

Project Description

The project site is located at the southwest corner of the intersection of La Jolla Village Drive and Genesee Avenue (Attachment 5). Trophy's restaurant and the Costa Verde retail/commercial center are immediately to the south. Existing multi-family residential is located southwest and west across Costa Verde Boulevard (Attachment 6).

The project proposes the construction of four high-rise residential towers with a combined building area of 1,771,000 square feet and 1,852 parking spaces in four independent subterranean parking structures in the high density Central Sub-Area 2 Urban Node of the University Community (Attachment 7). The net living area of the four structures would be 1,268,500 square feet. The Monte Verde project is located at the center of the urban node at the intersection of La Jolla Village Drive and Genesee Avenue. Within the community, the tallest buildings and highest development densities are currently located in this area. The four towers of Monte Verde would be the highest structures in the area. The heights of the proposed towers would vary from 390 and 395 feet above existing grade. Towers A and D are designed with 32 levels, towers B and C with 35 levels. Tower B, with the largest mass, is located at the southwest corner of Genesee Avenue and La Jolla Village Drive with the other towers increasing in height and mass towards this corner.

The buildings are arranged in an urban site plan configuration emphasizing pedestrian connectivity by providing street level town homes with direct access to the public sidewalks, ground level main lobbies with public pedestrian easements through the project, pocket parks open to the public 24 hours a day, and a new, state-of-the-art cable stay pedestrian bridge over La Jolla Village Drive that links directly to upper level town homes and second level lobby entrances. The pedestrian bridge traverses the Monte Verde site and is designed to connect with a future realigned pedestrian bridge over Genesee Avenue linking up to the future MTDB transit center at UTC. Automobile access is from Private Drive A with distinct arrival/drop-off zones for each building. Driveways would be separated from the pedestrian areas. The project would provide 800 dwelling units composed of for-rent apartments and for-sale condominiums or entirely condominiums, depending upon market conditions.

A civic green space and pocket park are provided for the public and comprise 10% of the site area. These spaces would be included in the Monte Verde Art Program which is funded at approximately $2 million, and led by Mary Beebe, Director of the UCSD Stuart Collection of sculpture. Artists have been involved in the overall site and architectural design. Individual public art works by nationally recognized artists would be commissioned for the pedestrian open spaces. Art works would be incorporated into both the public and private areas of Monte Verde.

The contemporary composition of the four towers stress verticality. The tall, slender proportions of the buildings create more separation and views between the towers and allow for more useable ground level open space for pedestrians. Separation between the towers varies from 95 to 128 feet. The tower forms are similar, yet each is articulated with offsets reflecting changes in the interior floor plans and to optimize solar orientation. This is emphasized by a pool deck located at the 27th through 30th floors of tower A and pools on the off-set roofs of towers B, C, and D at the 28th floor level. The curving structural form, containing two story loft homes, would begin

at the ground level and continue to the highest point of each building. This form would create a varied skyline profile. The tower facades would be composed of three types of low glare glass, metal panels, aluminum window frames, panelized tower skin, and rough hewn natural stone bases. The facades would be accentuated by recessed, deep set balconies. The color palette would be derived from the surrounding regional landscape. The golden ochre of the ocean bluffs would be reflected in the stone base while the greens of the Torrey Pine would be used in the glazing. The upper portions of the building would transition into lighter golden whites and tans and be combined with bright silvers and aluminum shades in the metal work. The tower base is perceived at the third story where the homes would be designed as a part of townhome massing. A shadow line has been created above these units to lift the building base and create more proportional towers.

An area on the fourth level of tower A would include a sun-deck and planting areas, while tower B would have an exercise pool and a sun-deck. Other swimming pools are located on upper levels of each tower to optimize solar access and views of the community. In the common recreation areas, an exercise gym and spa would be developed at the lower two levels of tower B and have access to the exercise pool terrace above. There would be HOA activity-rooms staggered near each building lobby.

The proposed project would provide four different types of pedestrian circulation opportunities: pedestrian circulation at grade; pedestrian circulation at a second level; pedestrian circulation on an elevated site walk; and pedestrian circulation on the pedestrian bridge. The pedestrian bridge system at Monte Verde would offer an integrated connection through the site at both the elevated bridge level and ground level. The second level connections would provide connectivity through the site and would offer pedestrians multiple paths of travel to the townhomes and lobbies of Towers A and B at the upper levels. Residents would be able to exit Towers A and B at the bridge level and walk directly to the upper level spa facilities or across La Jolla Village Drive and Genesee Avenue. Visitors using the bridges would also be able to directly access the residential tower lobbies. These features and future upper level connections on neighboring parcels enhance the functionality of the pedestrian system. The opportunity exists for the bridge system to connect directly to the future MTDB transit center at UTC. In the interim condition, the existing Genesee Bridge would remain in its present location. The existing ramp on the west side of the Genesee bridge would be removed and replaced with a new elevator and stairway. Given the undetermined location of a MTDB transit center at this time, the proposed plan illustrates a solution for the project utilizing the Genesee bridge in the existing location. Should the MTDB transit center locate opposite the proposed project, the project could integrate with the transit center.

To enhance the pedestrian quality of the project, two-story townhomes, with direct access to the public sidewalk, would be located at the base of each tower facing Genesee Avenue and La Jolla Village Drive. These sidewalks would be constructed at eight feet in width, three feet wider than required by the City's Street Design Manual. Three townhomes have direct access to the elevated pedestrian bridge which enhances the functionality of those residential units. Each townhome would have a unique exterior composition and is elevated two and one half feet to five and one half feet above the street. The tower lobbies would front the public open spaces at the ground level and the pedestrian bridge would provide access to upper level town homes and

lobbies. Multiple paths, most of which would be universally accessible, would provide a variety of opportunities for pedestrian connections. The urban core network of pedestrian bridges would be completed by the cable stay pedestrian bridge over La Jolla Village Drive connecting the Regent's Park Neighborhood with the Monte Verde project and the greater Costa Verde neighborhood. Public easements would be granted to allow twenty-four hour public access through the site.

Site and Landscape Concept Plan

A variety of landscaped open spaces are provided for the use of the residents and the community. These spaces are located in close proximity to public sidewalks to enhance the pedestrian experience. A Costa Verde resident serving, privately funded shuttle service has a shuttle stop located adjacent to the main plaza. The main plaza would be furnished with chairs and an overhead canopy for weather protection. Solar access and exposure in these spaces during mid-day hours was confirmed by a computer modeling of the sun/shade and wind patterns to assure the space would be a comfortable area for users.

The civic green space is located at the base of the pedestrian cable stay bridge over La Jolla Village Drive. This space would feature a lawn area and urban plaza furnished with movable tables and chairs and benches. Planting areas bordered by site walls would be located under the trees. The walls and plaza surface would be constructed of enhanced concrete and natural stone. The pocket park area would be nestled between the sloped walkway and tower C. The pocket park would provide an outdoor space away from the traffic noise of the Genesee Avenue. The space would be furnished with easily moveable tables and chairs.

The site plan provides a clear delineation between pedestrian and vehicular circulation areas. Pedestrian crosswalks in the vehicular travel way would be raised to slow traffic. The entry lobbies for towers A, B, and C face onto a main courtyard with each tower providing its own automobile pedestrian loading and unloading area. Tower D would have its own separate automobile court with a pedestrian loading and unloading area adjacent to the entry lobby. The buildings are located on the site to create a street-like edge adjacent to the auto courts. Vehicles would pass through the vehicular courtyards to the underground parking garage.

A regular formal pattern of canopy street trees are delineated on the plans to line the public streets. A non-contiguous, eight foot wide, public sidewalk would be flanked by street trees on both sides. This double row of street trees would serve to buffer pedestrians from the vehicular traffic. Front yard patio spaces would continue the concept of buffering the town homes from the traffic while providing direct pedestrian access to the public sidewalk. Residents would be able to walk out their front door directly to the public sidewalk and continue to their destinations. The entry garden patios are designed to be elevated above the public sidewalk and feature privacy stone walls planted with vines, garden trees, enhanced paving and colorful planting. Low, individual garden gates would accent the entry to each town home.

California Sycamores, Platanus racemosa, are the featured tree at the main entry and at the vehicular courts between the building towers. The trees in the main vehicular court would be surrounded with native plants and boulders for casual seating. The trees at the vehicular court

terminus are planted in a terraced landscape to define the edges of the vehicular area. Overhead structural canopies would be planted with vines to provide increased shade and partially screen the garage entries. Linear rows of Gingko trees, Gingko biloba, would be used to accent the main east-west walkways. Other tree species include the following lists. Street trees would be Cinnamomum camphora, Faxinus uhdei, Liriodendron tulipifera, Markhamia lutea, Metrosideros excelsus, Pinus canariensis, Platanus racemosa, Pyrus calleryana and Spathodea campanulata. The signature canopy tree would be the Platanus racemosa and the specimen tree would be the Pinus torreyana, with the entry tree as the Populus italica nigra 'Lombardy'. Courtyard trees would include Arbutus unedo, Cercis canadensis 'Forest Pansy', Chionanthus retusus, Chitalpa tashkentis, Feijoa sellowiana, Lagerstroemia indica x faurei and Tabebuia impetiginosa. Accent palm trees would include Phoenix canariensis and Phoenix dactylifera. Formal use of hedging and foundational materials would be used for form, color, and texture. Several groundcover species would also be used to create variety in the ground plane. Site hardscape materials include natural stone garden walls, enhanced concrete and stone walkways, stone and wood seat walls, and moveable metal and wood tables and chairs in the public gathering spaces.

The project also includes a comprehensive sign plan. The plan includes primary project identity signs at four locations, secondary project identity signs at two locations, and way finding signs at seven locations.

Offsite Wastewater Improvements

Wastewater services for the proposed project would require the upgrade and realignment of existing wastewater lines. In order to implement the project, approximately one-mile of existing ten inch to twelve inch gravity sewer line would be upgraded and replaced with a new eighteen inch pipe in Genesee Avenue between the project site and the Rose Canyon Interceptor Trunk Line. Portions of the new wastewater line within Genesee Avenue would allow a substantial section of existing canyon sewer to be abandoned and as a result remove the potential of future spills and other canyon sewer related environmental impacts in the canyon. Within the Rose Canyon portion of sewer improvements, proposed construction has been limited to existing disturbed areas within existing SDG&E maintenance roads in order to minimize impacts on environmental resources. In sensitive areas, special construction techniques would be implemented, such as subsurface boring and jacking, in a further effort to avoid negative environmental effects.

Grading

The existing site is relatively level with an existing five foot high berm along La Jolla Village Drive and Genesee Avenue. The excavation of the site for construction of the parking garages would result in a total export from the site of approximately 470,000 cubic yards. Exported materials would be disposed of at an approved legal site.

Airport Land Use Compatibility

The proposed project is not required to be reveiwed by the San Diego County Regional Airport Authority, as the Airport Land Use Commission, for a consistency determination with the MCAS

Miramar Airport Land Use Compatibility Plan. The proposed project is located outside of the adopted Airport Influence Area for MCAS Miramar and is not within the 60 dB CNEL or the Accident Potential Zones as illustrated in the adopted MCAS Miramar Airport Land Use Compatibility Plan, adopted 2004 (Attachment 8).

Federal Aviation Administration

The project applicant has received "Determinations of No Hazard to Air Navigation" from the Federal Aviation Administration (FAA) for each of the four towers as stated in the following FAA Aeronautical Studies: 2005-AWP-3957-OE; 2005-AWP-3958-OE; 2005-AWP-3960-OE; 2005-AWP-3961-OE (Attachment 9). As a condition of approval, the project applicant must meet the conditions as stated in the FAA Determinations. Any changes to the project that would result in a height increase to any of the four structures would require a new FAA aeronautical study.

Marine Corp Air Station Miramar

The City did receive a letter from the United States Marine Corps, dated August 20, 2003, indicating the project would not create impacts to MCAS Miramar flight operations (Attachment 10).

Environmental Analysis

The Environmental Impact Report (EIR) analyzed the environmental impacts of the proposed Monte Verde Project. Implementation of the proposed Mitigation, Monitoring and Reporting Program (MMRP), which is included in the EIR as Chapter 11, would reduce the environmental effects of the project to below a level of significance with the exception of significant, unmitigated impacts related to traffic and circulation, visual effects/neighborhood character and public services. Traffic and circulation impacts are anticipated to occur at the existing freeway ramps. Visual effects/neighborhood character impacts are anticipated to occur from the relationship between the proposed four towers with the existing structures and surroundings. Public services impacts are anticipated to occur from the increase in solid waste generated by the project. These impacts would be direct and cumulative impacts. Implementation of the proposed MMRP would reduce impacts to below a level of significance in the following categories: traffic circulation at the local level, paleontology, noise, biological resources, public services, and historic resources.

Implementation of the project would have direct and cumulative impacts on freeway ramps within the University City area. With respect to freeway ramps, a total of four ramps would be impacted by the project in the near-term. A total of four ramps would be significantly impacted in the horizon. Although mitigation would require the developer to assure, by permit and bond, construction or a fair share payment of specific freeway ramp meter improvements to reduce impacts to nearby freeway ramps, the impacts would not be reduced to below a level of significance. Therefore, impacts to nearby freeway ramps would remain significant and not fully mitigated.

Due to the substantial height differential between the proposed structures and the surrounding towers, the project would result in a significant direct impact on the neighborhood character. No mitigation measures have been identified to reduce the neighborhood character impact caused by the relative heights of the proposed structures with respect to existing towers. The EIR evaluated alternatives to reduce impacts. Two such alternatives involved reducing the height of all towers to either 21- or 30-stories while maintaining the same building footprint. These alternatives resulted in an overall reduction in the number of units from 800 to 408 and 662, respectively. Both of these alternatives were rejected as infeasible as they did not meet the objectives of providing housing opportunities within the University City core. A third alternative evaluated reducing the heights of the towers by increasing the footprint to maintain a yield of 800 units. Although this addressed the height issue, the mass of the towers in this alternative created a significant aesthetics issue. Thus, the visual effect/neighborhood character impact is considered significant and not mitigated.

In addition, the retaining wall (Option 2B[1]) and manufactured fill (Option2B[2]) options, as discussed in the EIR, with the necessary retaining wall for the SDG&E turn-around for the offsite sewer improvement would be in stark contrast to the surrounding open space within Rose Canyon. Significant direct and cumulative impacts to neighborhood character would occur if these options are selected. Although implementation of mitigation requiring plantings to screen the retaining wall or manufactured fill would reduce direct and cumulative impacts to visual effects/neighborhood character resulting from the offsite improvement, impacts would remain significant and not fully mitigated.

The demand for solid waste disposal services would result in significant cumulative impacts. Combined with other projects in the University area and the region, the impact on landfill capacity would be cumulatively significant due to the general shortage of suitable landfill disposal areas. Waste management actions, for example provisions for recycling, taken by the proposed development would help reduce the contribution of the project to solid waste disposal impacts, however, full mitigation of the cumulative impact would require actions which are beyond the control of any one project, which would be the creation of new landfills. Therefore, the project's contribution to cumulative impacts on solid waste disposal would be significant and not mitigated.

In an effort to reduce or avoid those impacts identified as potentially significant with implementation of the proposed project, the following areas of concern would be included in the MMRP: Traffic and Circulation; Public Facilities and Services; Visual Effects/Neighborhood Character; Paleontology, Noise; Biological Resources and Historical Resources. For these subject areas, mitigation would be included to reduce the impact to a level below significance.

None of the project alternatives analyzed in this EIR would completely eliminate all of the significant impacts of the project. Selection of any of the project alternatives would, however, reduce the project's contribution to one or more of the significant impacts. All of the alternatives would result in significant, unmitigable impacts to traffic and circulation, visual effects/neighborhood character, and public services. Further discussion in greater detail is provided in the final Environmental Impact Report.

CONCLUSION

Staff has determined the proposed Monte Verde project, with the adoption of the University Community Plan and Costa Verde Specific Plan Amendments, complies with the applicable sections of the Municipal Code and adopted City Council policies. Staff has determined the required findings can be made to support the decision to approve the proposed project (Attachments 11 and 12). An Environmental Impact Report has been prepared for this project and the mitigation required would reduce any potentially significant impact to a level below significance. Findings and Statement of Overriding Consideration must be made to certify the Environmental Impact Report for potential impacts which are direct, cumulative and unmitigated. Staff recommends the Planning Commission recommend to the City Council approval of the resolutions amending the Progress Guide and General Plan, the University Community Plan, and the Costa Verde Specific Plan No. 10763 and granting the Easement Vacation No. 372423, Public Right-of-way Vacation No. 372426, Vesting Tentative Map No. 372429, Planned Development Permit No. 10761 and Site Development Permit No. 372422 (Attachments 11 and 13).

ALTERNATIVES

1.

A. Recommend to the City Council **Certification** of the Environmental Impact Report No. 6563, Adopt the Mitigation Monitoring and Reporting Program, and Adopt the Findings and Statement of Overriding Consideration; and

B. Recommend to the City Council **Approval** of the resolutions amending the Progress Guide and General Plan, the University Community Plan, and the Costa Verde Specific Plan No. 10763 and granting the Easement Vacation No. 372423, Public Right-of-way Vacation No. 372426, Vesting Tentative Map No. 372429, Planned Development Permit No. 10761 and Site Development Permit No. 372422**, with modifications.** Or,

2.

A. Recommend to the City Council they **Not Certify** the Environmental Impact Report No. 6563, Adopt the Mitigation Monitoring and Reporting Program, and Adopt the Findings and Statement of Overriding Consideration; and

B. Recommend to the City Council **Denial** of the resolutions amending the Progress Guide and General Plan, the University Community Plan, and the Costa Verde Specific Plan No. 10763 and granting the Easement Vacation No. 372423, Public Right-of-way Vacation No. 372426, Vesting Tentative Map No. 372429, Planned Development Permit No. 10761 and Site Development Permit No. 372422**, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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Development Services Department

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Development Project Manager
Development Services Department

Betsy McCullough
Deputy Director
City Planning and Community Investment Department

ESCOBAR-ECK/JSF

Attachments:

1. Community Plan Land Use Map, Figure 4
2. Central Subarea 2
3. Response to Planning Commission Initiation Issues (under separate cover)
4. Draft Community Plan Amendment Strikeout/Underline Text and Revised Graphics (under separate cover)
5. Project Location Map
6. Aerial Photograph
7. Project Plans (under separate cover)
8. 2004 ALUCP MCAS Miramar Airport Influence Area
9. FAA Determinations of No Hazard to Air Navigation
10. United States Marine Corps letter, dated August 20, 2003
11. Draft Map Conditions and Subdivision Resolution
12. Draft Resolution with Findings
13. Draft Permit with Conditions
14. Draft Resolution for the amendment to the University Community Plan, Costa Verde Specific Plan and Progress Guide and General Plan
15. Ownership Disclosure Statement
16. Community Planning Group Recommendation
17. Project Data Sheet