THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 16, 2007 **REPORT NO. PC-07-092**

ATTENTION: **Planning Commission, Agenda of August 30, 2007**

SUBJECT: GOLDEN HILL ROWHOMES - PROJECT NO. 104554
PROCESS FOUR

OWNER/ APPLICANT: Janco, LLC/
Matthew Gordon

SUMMARY

Issue(s): Should the Planning Commission approve a request to demolish four (4) existing residential buildings and accessory structures for a Sustainable Buildings Expedite project to construct a 20 unit residential condominium complex on a 0.857-acre site located at 2856 through 2884 C Street in the Greater Golden Hill Community Plan Area?

Staff Recommendation:

1. **CERTIFY** Mitigated Negative Declaration No. 104554, and **ADOPT** the Mitigation, Monitoring and Reporting Program (MMRP);

2. **APPROVE** Site Development Permit No. 347167;

3. **APPROVE** Tentative Map No. 347168, and

4. **APPROVE** the waiver to the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On February 14, 2007, the Greater Golden Hill Planning Committee (GGHPC) voted 13-0-0 to recommend approval with the deviations for height and parking (Attachment 16).

Environmental Review: A Mitigated Negative Declaration has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which address potential impacts to Paleontological Resources and Historical Resources (Archaeology). A Mitigation, Monitoring and Reporting Program would be

DIVERSITY

implemented with this project to reduce the impacts to a level below significance.

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

Code Enforcement Impact: None with this action.

Housing Impact Statement: The project proposes to demolish four (4) existing residential buildings and accessory structures for the construction of a 20 unit residential condominium complex. The Greater Golden Hill Community Plan designates the proposed project site as Residential and allows a medium-high residential density of 29-44 dwelling units per acre. The proposed project site, occupying 0.857-acres, could accommodate 37 dwelling units based on the underling GH-1000 Zone and 25-37 dwelling units based on the community plan.

This project is subject to the requirements of the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). The applicant has elected to pay an in-lieu fee to meet these requirements and prior to receiving the first residential building permit; the applicant must pay the entire in-lieu fee amount.

BACKGROUND

The proposed project site is located at 2856 through 2884 C Street on the north side of C Street, between 28th Street and Fern Street (Attachment 2- Aerial Photographs). The site is located within the Greater Golden Hill Community Plan (Attachment 3), the GH-1000 Zone of the Golden Hill Planned District (Attachment 4), Transit Overlay Zone, Residential Tandem Overlay Zone, and the Airport Environs Overlay Zone. The zoning designation provides for residential development and allows for one-unit per 1,000 square foot of lot area. The Greater Golden Hill Community Plan (GGHCP) allows medium-high residential density of 29-44 dwelling units per acre. The proposed project site, occupying 0.857-acres, could accommodate 37 dwelling units based on the underling zone and 25-37 dwelling units based on the community plan.

The project site is a rectangular shaped lot with frontage on C Street and contains Environmentally Sensitive Lands (ESL) in the form of sensitive biological resources along the eastern and northeastern boundaries of the property. The western portion of the site is currently developed with four existing residential buildings and accessory structures that were constructed between 1910 and 1923. A historical assessment report dated August 2006 was prepared by Kathleen Crawford, M.A., Historical Property Consultant. City staff has determined that the structures are not considered to be historically or architecturally significant pursuant to CEQA Guidelines, and are not considered to be eligible for listing in the California Register of Historical Resources, the California Historic Resources Inventory, the National Register of Historic Resources, or the San Diego Historical Resources Board Register.

On November 13, 1989, the portion of 29th Street located between B Street and C Street, and the portion of the alley abutting the property along the northern property line were vacated pursuant to

City Council Resolution No. R-274719. The subject property is immediately surrounded by vacant lots to the north and east, which contain ESL in the form of sensitive biological resources; and multi-family development to the west and across the street (south). Land use designations for the areas adjacent to the site on the north are residential (medium residential density of 15-29 dwelling units per acre), and are zoned GH-1500, a multi-family residential zone. The land use designations for the properties immediately east, west, and south are residential (medium-high residential density of 29-44 dwelling units per acre), and are zoned GH-1000.

DISCUSSION

Project Description:

The project proposes to demolish four (4) existing residential buildings and accessory structures for the construction of a 20 unit residential condominium complex (Attachment 6). The proposed development would consist of two three-unit buildings, two four-unit buildings, a six-unit building, landscaping, motorcycle parking, bicycle parking, and on-site parking spaces. The project would be providing 43 off-street parking spaces (40 spaces within attached garages), one off-street van accessible parking space, and 10 on-street parking spaces, for a total of 53 spaces.

Building/Unit Type

Unit Type	Quantity	Bedrooms	Stories	Unit Size (sq. ft.)	Total (sq. ft.)
A	10	2	three-stories (two stories o/garage)	1,590	15,900
B	8	3	four-stories (three stories o/garage)	2,310	18,480
B2	2	3	four-stories (three stories o/garage)	2,232	4,464

Development of the proposed project requires the approval of a Process 3 Site Development Permit (SDP) for residential development of more than seven units within the Golden Hill Planned District, for deviations (height and supplemental parking) from the applicable development regulations, and for development on a premise containing environmentally sensitive lands (ESL); and a Process 4 Tentative Map (TM) for condominium units and the waiver to the requirement to underground existing overhead utilities. The proposed development will self-generate at least 50 percent of their electrical energy needs through photovoltaic technology (solar panels). Because the project utilizes renewable technologies and qualifies as Sustainable Buildings under Council Policies 900-14 and 600-27, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Community Plan Analysis:

The proposed project is located at 2856 through 2884 C Street on the north side of C Street, between 28th Street and Fern Street. The GGHCP identifies the area for medium-high residential density of 29-44 dwelling units per acre and the project site, occupying 0.857-acres, could accommodate 25-37 dwelling units based on the community plan. However, staff has determined that based on the ESL and the topographic conditions associated with the site, the project qualified for an exemption from the minimum density otherwise required by the community plan.

The project would implement the goal and objectives of the community plan by promoting the development of a variety of housing types and styles in the community by providing 20 new for-sale units is an area of the community that contains a large volume of rental property. The multi-family development would enhance the residential neighborhood by the appearance of the street, and sense of identity through the design of the buildings and to the human dimensions (Color Renderings- Attachment 7). The project incorporates the GGHCP recommendations that multi-family development incorporate offsetting planes, façade articulation, and texture to reduce its apparent size and scale, and reflect the pattern of the surrounding development. The building bulk is also controlled through the use of clearly defined vertical and horizontal offsets, breaking the complex up into five structures, and other architectural features which serve to break up the building façade. The dominant rooflines along this section of C Street are flat roof structures with architectural features on the front façade, and the GGHCP recommends for new structures to complement the dominant rooflines of the neighboring buildings.

In addition, the GGHCP recommends that territoriality and defensible space should be considered in designing public and private improvements to allow for self-policing so that residents may participate in its security. The project windows and decks have been positioned to allow residents to easily watch public spaces, parking areas, and entrances to dwellings. In addition, the project includes a pedestrian walkway along the eastern and northern property line that includes viewing deck and park benches overlooking the ESL, which encourages the residents to walk around the property and participate in its security. The project includes the GGHCP recommendation that buildings fronting a public street that the entrances should be taken from the street front yard, and the project includes front entry porches and canopies.

Environmental Analysis:

A Mitigated Negative Declaration (MND) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addresses potential impacts and a Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to reduce the impacts to a level below significant. The following environmental issues were considered during review and determined to be significant:

Paleontological Resources - According to the Geology of San Diego Metropolitan Area, California (1975), published by the California Division of Mines and Geology, the project is underlain by the San Diego Formation which is assigned a high paleontological resource sensitivity rating. This formation is well know for its rich fossil beds that have yielded extremely diverse assemblages of marine clams, scallops, snails, sharks, sea birds, walrus, baleen whales, and terrestrial mammals (Paleontological Resources, Tom Demere and Stephen Walsh, August 1994). Impacts to high sensitive rating formations would be considered significant if a project proposes more than 1,000 cubic yards of soil cut at a maximum depth of 10 feet or more. The site had been previously graded and formational soils may be more apparent.

As disclosed in the Geotechnical Investigation (Allied Earth Technology, May 10, 2001) Tertiary-age San Diego formational soils were encountered underlying the fill soils and/or alluvial/colluvial soils during exploratory trenching. Project grading would include 7,600 cubic yards of soil cut at a maximum depth of cut of 10 feet to prepare the site for development.

Therefore, the project's proposed grading meets/exceeds the significance threshold and could result in significant impacts to buried fossil resources within the San Diego Formation. The applicant has agreed to implement the paleontological MMRP during site grading, as described in Section V of the attached MND to mitigate impacts to a level below significance.

Historical Resources (Archaeology)- The site is not located within, but is adjacent to, an area that is mapped as a high historical resource sensitivity area. Typically projects outside this area would not have the potential to discover archaeological resources and no further historical research (i.e. archeological survey or site assessment) would be required.

However, in response to a comment letter from the San Diego County Archaeological Society, Inc. (SDCAS), qualified staff completed a record search of the California Historic Resources Information System (CHRIS) digital database, provided to the City of San Diego under the South Coastal Information Center (SCIC) CHRIS Partnership Agreement. One recorded site, CA-SDI-14,787, is mapped in close proximity to the proposed development. The site was recorded in 1998 and contained a deposit of early 20th Century industrial trash, including a heavy equipment wheel, horseshoes, and other blacksmithing equipment/parts mixed with slag-like material. The results of the archaeological monitoring that uncovered these artifacts indicate a potential for the site to extend laterally, north and south, from the discovery location.

Therefore, based on the information found in the records search, staff has determined that a potential to discover significant archaeological resources exist and the proposed development may impact these resources. Implementation of the archaeological MMRP, as described and included in Section V of the revised MND, would therefore mitigate these impacts to a level below significance.

The following environmental issues were considered in depth during review of the project and determined not to be significant: Historical (Architecture), Biological Resources, Visual Quality, Parking, Geology, Water Quality, and Hydrology.

Project Related Issues:

Deviations from the San Diego Municipal Code (SDMC) - The project proposal includes a request for deviations as follows:

1. Height Deviation - A Deviation from the requirements of SDMC Section 158.0301(b)(3), to allow for the building height within the center of the property (within the Motor Court area) to exceed the 40-foot height limit for the buildings along C Street (Deviation Exhibit- Attachment 8). The property slopes approximately 19 feet from the western property line to the eastern property line along the street frontage on C Street, and slopes approximately three-feet to nine-feet from C-Street to the rear of the property along the northern property line. The requested deviation ranges from one-foot two-inches to approximately three-foot ten-inches to allow for the roof parapet within the Motor Court area to screen the photovoltaic equipment (solar panels) located on the roof. Staff supports the deviation based on the topography of the property and that the requested deviation will screen the roof equipment from the public view along the upper street (B Street).

2. Supplemental Parking Deviation - A Deviation from SDMC Section 142.0525(d), which requires that any multiple dwelling unit with a garage that does not provide a driveway that is at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk (as illustrated in Diagram 142-05A, Section 142.0520 - Attachment 9), shall provide one additional parking space. This additional parking space may be on-street, abutting the property.

The proposed project provides access to the attached two-car garages from an interior motor court; however, the project would still be required to provide the supplemental parking pursuant to SDMC Section 142.0525(d). The project consists of 10 two-bedroom and 10 three-bedroom units within a transit area and pursuant to SDMC Table 142.05C requires 38 parking spaces, two being accessible, one of which is van accessible, and two motorcycle spaces. As no unit has a 20 foot driveway in front of its garage the project would be required to provide 20 supplemental parking spaces for a total of 58 parking spaces. The project provides for 40 enclosed spaces (20 two-car garages), three on-site spaces with one of them being van accessible, 10 on-street parking space abutting the property along C Street for a total of 53 parking spaces. Staff supports the deviation for the five supplemental parking spaces based on the topography of the property, that the project is providing an additional 40% of the total off-street parking spaces in supplemental parking, and that the project has minimized curb allocation for vehicular access by proposing only one driveway which allows for maximum on-street parking spaces and reduces the potential auto/pedestrian conflict along C Street for a better pedestrian friendly environment.

Airport Environs Overlay Zone/Federal Aviation Administration- The proposed project is located within the 65-70 dB CNEL noise contours for the San Diego International Airport (SDIA) and within the Airport Approach Overlay Zone (AAOZ) for the SDIA Airport Land Use Compatibility Plan (ALUCP). On November 13, 2006, a consistency determination was made by the San Diego County Regional Airport Authority (SDCRAA), acting in its capacity as the San Diego Airport Land Use Commission (ALUC). The ALUC determined that the proposed project is conditionally consistent with the SDIA ALUCP provided that (a) the project is sound attenuated to the 45 dB CNEL interior noise level, (b) an avigation easement for aircraft noise and height is provided to the airport operator, and (c) the project complies with the AAOZ density and height restrictions and Federal Aviation Regulations (FAR) Part 77 requirements (SDCRAA letter dated December 13, 2006- Attachment 10). The ALUC conditions have been incorporated within the draft Site Development Permit (Condition No. 39 through 41- Attachment 13).

The proposed project is located within the Airport Environs Overlay Zone (AEOZ) Federal Aviation Administration (FAA) Part 77 for the SDIA and required notification to the FAA for the proposed project. The FAA conducted an Obstruction Evaluation and Airport Airspace Analysis as required by the Code of Federal Regulations Title 14 Part 77, Subpart B. On July 25, 2007, the FAA issued a "Determination of No Hazard to Air Navigation" letter for the proposed project (Attachment 10).

Undergrounding Waiver Request - The project site is located on the north side of C Street, south of Roosevelt Avenue, within Council District Eight. SDMC Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-of-way. City

staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense*, in that the conversion involves a short span of overhead facility and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area.

This portion of the neighborhood currently contains power poles and overhead utilities lines within the alley right-of-way. On November 13, 1989, the portion of the alley along the northern property line was vacated, which includes the area containing the ESL in the form of sensitive biological resources and does not contain overhead utilities lines or power poles. The pole closest to this property, which carries the line serving this site, is located at the western property line within the portion of the alley right-of-way that was not vacated (Attachment 11). The proposed subdivision shall be undergrounded and the waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties within the abutting alley rights-of-ways.

The City's Undergrounding Master Plan for Fiscal Year 2007 designates the site within Block 8C and a date for undergrounding has been established for the year 2009 (Attachment 12). The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 12 and 13 of the draft Tentative Map resolution (Attachment 15).

Affordable and Inclusionary Housing - This project is subject to the requirements of the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). The applicant has elected to pay an in-lieu fee to meet these requirements and prior to receiving the first residential building permit; the applicant must pay the entire in-lieu fee amount.

Conclusion:

Other then the two deviations, the project meets all applicable regulations and policy documents, and 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 and the Golden Hill Planned District, the Progress Guide and General Plan, the Strategic Framework Element, and the Housing Element.

As a component of the proposed project, the buildings will utilize renewable energy technology, self-generating at least 50% of the projected total energy consumption on site through photovoltaic technology (solar panels), thus meeting the requirements of Council Policy 900-14, the City Council's Sustainable Building Policy.

ALTERNATIVES

1. **APPROVE** Site Development Permit No. 347167, Tentative Map No. 347168, and the waiver to the requirement for the undergrounding of the existing overhead utilities, **with modifications.**

2. **DENY** Site Development Permit No. 347167, Tentative Map No. 347168, and the waiver to the requirement for the undergrounding of the existing overhead utilities, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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WESTLAKE/JAP

Attachments:

1. Location Map
2. Aerial Photographs
3. Community Plan Land Use Map
4. Zoning Map
5. Project Data Sheet
6. Project Plans
7. Color Renderings
8. Deviation Exhibit
9. Diagram 142-05A, Section 142.0520
10. SDCRAA Letter and FAA Letter
11. Existing Overhead Utilities
12. City's Undergrounding Master Plan for Fiscal Year 2007 - Block 8C
13. Draft SDP Permit with Conditions
14. Draft SDP Resolution with Findings
15. Draft Tentative Map Conditions and Subdivision Resolution
16. Community Planning Group Recommendation
17. Ownership Disclosure Statement
18. Project Chronology

Job Order Number 42-6525