

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

January 15, 2009

REPORT NO. PC-09-004

ATTENTION:

Planning Commission, Agenda of January 22, 2009

SUBJECT:

MARKET CREEK PLAZA - PROJECT NO. 117302. PROCESS 4

OWNER:

West Side Creek LLC and Market Creek Partners, LLC (Attachment 11)

APPLICANT:

Jacobs Center for Neighborhood Innovation

SUMMARY

<u>Issue(s)</u>: Should the Planning Commission approve a Vesting Tentative Map, Planned Development Permit and Site Development Permit (Amendment to Project No. 99-0156) to subdivide 3 lots into 8 lots with deviations to the lot standards in the Encanto Neighborhoods Community Planning area?

Staff Recommendation:

- CERTIFY the Mitigated Negative Declaration and ADOPT the Mitigation, Monitoring and Reporting Program; and
- APPROVE Vesting Tentative Map No. 396659, Planned Development Permit No. 582176 and Site Development Permit No. 619562.

<u>Community Planning Group Recommendation</u>: The Encanto Neighborhoods Community Planning Committee voted on February 4, 2008 to recommend approval of the project by a vote of 6-l-0 with no conditions (Attachment 10).

Environmental Review: A Mitigation Negative Declaration has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program will be implemented which will reduce to below a level of significance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement: None with this action.



Code Enforcement Impact: None with this action.

<u>Housing Impact Statement</u>: The Vesting Tentative Map, Planned Development Permit and Site Development Permit are not associated with a specific development project, therefore there is no direct housing impact associated with this action.

BACKGROUND

The proposed project is a Vesting Tentative Map (VTM), Planned Development Permit (PDP) and Site Development Permit (SDP) to allow the subdivision of 3 lots into 8 lots with deviations to the lot standards for property located at 324 Euclid Avenue at the intersection of Euclid Avenue and Market Street. The site is zoned CT-2 (Commercial Center) of the Southeastern San Diego Planned District Ordinance (PDO) and designated as General Commercial within the Encanto Neighborhoods Community Planning area. A portion of the site is within the Special Flood Hazard Area of the Las Chollas Creek. The property is within the Southeastern Economic Development Corporation's Central Imperial Redevelopment Area (Attachment 14).

The site currently consists of 3 legal lots, Parcel 1 and 2 of Parcel Map 18812 with frontage on Euclid Avenue (proposed lots 1 through 6 and Lot A), and Lot 1 of Brooks Subdivision Map No. 6506, with frontage on Market Street (proposed Lot 7). Parcels 1 and 2 of Parcel Map 18812 would be resubdivided into 7 lots. Lot 1 of Brooks Subdivision Map No. 6506, proposed Lot 7, would remain unchanged (Attachment 15).

The property is partially developed with a market (Food For Less), office and conference space, and commercial and retail uses as entitled under the Market Creek Plaza Project No. 99-0156, approved by the City Council in September 1999. The previous project approvals were a Community Plan Amendment and Rezone from industrial to commercial, a Southeastern San Diego Planned District Permit for new commercial development, and a Resource Protection Ordinance Permit for potential impacts to environmental resources. This discretionary permit allowed a mixed-use development consisting of a multi-purpose building, commercial and office space, retail and community uses and flood control improvements to the Las Chollas Creek (Attachment 1). Surrounding developments include the San Diego Trolley line, residential developments, the Malcolm X branch of the San Diego Public Library and the Elementary Institute of Science.

No new development is proposed with this application. The project would result in a total of 8 lots as noted below.

- 3 lots with existing developments (proposed Lots 3, 4 and 6)
- · 1 open space lot currently improved with the Las Chollas Creek (proposed lot A)
- 4 vacant lots (proposed Lots 1, 2, 5 and 7)

The table below outlines specific existing and proposed development as it relates to the VTM and the previously approved Resource Protection Ordinance/Southeastern San Diego Development (RPO/SESD) Permit No. 99-0156. Future development consistent with the RPO/SESD Permit may be allowed by right:

Proposed Lots	Lot Area (Acres)	Existing Building Identification Letter or Existing Development	Development within proposed lot areas pursuant to the VTM and as identified on Exhibit "A" RPO/SESD/RPO Permit No. 99-0156	
Lot 1	2.13	Surface Parking	Parking structure	
Lot 2	1.54	Surface Parking	Parking structure	
Lot 3	2.94	F	Jacob's Foundation Headquarter/Conference Center	
Lot 4	6.55	A, B, C, D, E	Shopping Center/Market	
Lot 5	1.86	Vacant	Multi-Purpose Recreation Center	
Lot 6	0.54	Outdoor Amphitheater	Outdoor Amphitheater	
Lot 7	1.66	Surface Parking	2 development pads/parking lot	
Lot A	3.27	Open Space Easement/Las Chollas Creek	Open Space Easement/Las Chollas Creel	
Total	20.49			

In February 2004, the City Council selected the *Village Center at Euclid and Market* proposal as one of five projects to become "Pilot Village demonstration projects" for the City of Villages strategy of smart growth. The subject property is included within this project area (Attachment 10). The existing development on the subject property implemented Phase I of the Pilot Village area.

The current proposal requires a Vesting Tentative Map for the subdivision of land, a Site Development Permit for the subdivision of land within the Southeastern San Diego Planned District and a Planned Development Permit (amending RPO/SESD Permit No. 99-0156) for proposed deviations to the lot standards.

DISCUSSION

Project Description/Project Deviations:

The subject property currently consists of 3 lots totaling 20.49 square feet with frontage on Euclid Avenue and Market Street. The VTM would incorporate one existing lot, Lot 1 of Brooks Subdivision Map No. 6506 and, subdivide Parcels 1 and 2 of Parcel Map 18812 into 7 new lots (for a total of 8 lots within the VTM). Six of the newly created 7 lots would not comply with the CT-2 zone lot standard requirements. A Planned Development Permit has been incorporated into the proposal to deviate from the street frontage and lot depth requirements.

Project Deviation

Proposed lots 1, 2, 3, 5, 6, and Lot A will have no street frontage where 100'-0" street frontage is required. Lot 6 will provide 63'-0" of lot depth where 100'-0" is required. (Lots 4 and 7 have street frontage from Euclid Avenue and Market Street respectively and are consistent with all other lot standard requirements). The VTM requires a PDP to allow deviations to the lot standard requirements. The applicant has submitted that the purpose of the VTM is to separate future development parcels from existing developed parcels in order to attract appropriate developers. The proposed subdivision would facilitate the build-out of the approved and permitted mixed use development of the Market Creek Plaza.

The Planned Development Permit Ordinance states the following:

The purpose of the Planned Development Permit is to provide flexibility in the application of development regulations for projects where strict application of the base zone regulations would restrict design options and result in a less desirable project. The intent of the regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, community and City benefits. Deviations shall be permitted only if it is shown that similar situations exists within the surrounding neighborhood, or, that the deviations to the regulations are beneficial to the neighborhood because of unique circumstances pertaining to the subject property.

Staff's analysis is that the proposed deviations will be beneficial to the neighborhood because of the unique circumstances pertaining to the subject property. The deviations will facilitate future development of parcels that have previously approved entitlements. The site is within a City Council approved Pilot Village and redevelopment area. The original permit approved for the project anticipated a mixed use development. The property has been partially developed with various uses including commercial, retail and community serving uses. Build-out of the proposed project will implement a development that will provide a wide range of commercial facilities and community oriented use that will serve the surrounding community. The proposed subdivision does not include any changes to these entitlements and no new development is proposed with this application. The existing vehicular circulation and parking layout will remain unchanged however, revised shared access and parking easements are required for Lots 1, 2, 3, 5, 6 and A (lots with no street frontage) to provide continued safe and efficient access from public rights-of-ways. The site is constrained in that the flood channel bisects the property. The deviations are appropriate for this location due to the unique circumstances of the property and the existing and future anticipated community and City benefits.

Community Plan Analysis:

The project would allow the subdivision of 3 existing lots into 8 lots. Three of the proposed lots are already developed, four are vacant and one open space lot is improved with a segment of the Las Chollas Creek. The flood channel has been improved in accordance with the Chollas Creek Enhancement Program. The four proposed vacant buildable lots would range in size from 1.54 to

2.13 acres.

The site of the proposed VTM and PDP is within the Market at Euclid Pilot Village project and is within the Encanto Neighborhoods Area of the Southeastern San Diego Community Plan. The project site is also within the boundaries of a proposed community plan amendment and rezone sponsored by the Southeastern Economic Development Corporation (SEDC) which would implement General Plan objectives of facilitating mixed use and transit-oriented development along major transit corridors. According to the applicant, the purpose of the VTM/PDP is to enhance marketability by creating separate parcels that can be individually marketed and to facilitate refinancing of already developed sites. It is anticipated that the new parcels that would be available for future development will be proposed for a Neighborhood Village designation in the SEDC amendment. To the extent that the VTM/PDP would enhance marketability of the future development parcels, it would contribute to the achievement of General Plan goals related to providing mixed use and transit-oriented development along a major transit corridor.

The currently adopted Southeastern San Diego Community Plan designates the proposed VTM/PDP/SPD site for General Commercial use. The proposed VTM/PDP/SDP is consistent with the current General Commercial designation since proposed uses are specified by RPO/SESD Permit No. 99-1056. Additionally, the furtherance of marketability of the future undeveloped parcels would contribute to the continued strengthening and vitality of the Market Creek Plaza area as called for in the currently adopted community plan. The deviations requested would result in 6 lots with no street frontage and 1 lot with a reduced lot width. These requested deviations would not adversely impact the Southeastern San Diego Community Plan since there would be easements in place to provide access to all lots. In addition, the lot proposed for a substandard width is where an outdoor amphitheater overlooking Chollas Creek is located. The nonbuildable lot is an open space easement consisting of a restored segment of Chollas Creek. This lot would not be developed.

Environmental Analysis:

The project required the preparation of a Mitigated Negative Declaration for potential impacts to transportation/parking. Mitigation measures require that the applicant provide a Shared Parking Agreement and a Mutual Access Agreement, satisfactory to the City Engineer. Implementation of these mitigation measures will ensure that any potential impacts to these issue areas will be reduced to below a level of significance.

CONCLUSION

Staff recommends approval of the proposal. The proposed project would subdivide existing parcels for the Market Creek Plaza development located within the Encanto Neighborhoods Community Planning Area. The property is zoned and designated for commercial uses, and entitled under Resource Protection Ordinance Permit/Southeastern San Diego Planned District Permit No. 99-0156 which permitted a mixed use development including commercial, retail, and community serving uses. The site is within the *Village Center at Euclid and Market Street Pilot Village* (redevelopment project area) adopted by the City Council in 2004 as a project which represents a "variety of approaches and styles that will demonstrate how Villages can revitalize

existing neighborhoods while retaining their individual character." Approval of the current Vesting Tentative Map, Planned Development Permit and Site Development and will assist in facilitating the future development of the vacant or partially developed portions of the property.

ALTERNATIVES

- 1. **Approve** Vesting Tentative Map No. 396659, Planned Development Permit No. 582176 Site Development Permit No. 619562 and, with modifications.
- Deny Vesting Tentative Map No. 396659, Site Development Permit No. 619562 and Planned Development Permit No. 582176, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake

Program Manager

Development Services Department

Sandra Teasley Project Manager

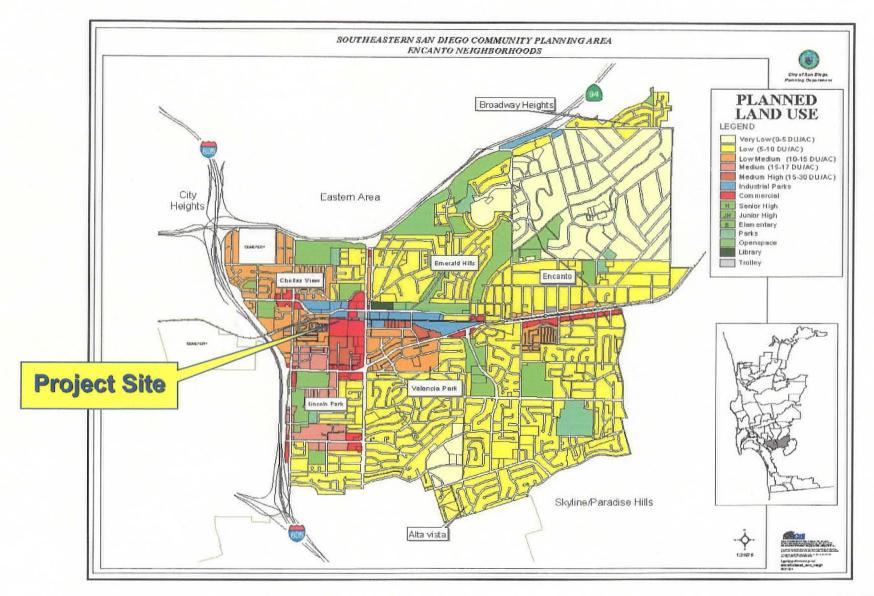
Development Services Department

KGB/SMT

Attachments:

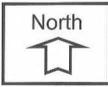
- 1. Aerial of Existing Uses
- 2. Community Plan Land Use Map
- 3. Project Location Map
- Project Data Sheet
- 5. Project Plans
- 6. Draft VTM Conditions and Subdivision Resolution
- 7. Draft PDP/SDP Permit with Conditions
- 8. Draft PDP/SDP Resolution with Findings
- 9. Copy of Recorded Permit No. 99-0156
- 10. Community Planning Group Recommendation
- 11. Ownership Disclosure Statement
- 12. Project Chronology
- 13. Pilot Village Map (Euclid @ Market Street)
- 14. Central Imperial Redevelopment Area
- 15. Parcel Map 18812 Excerpt







Land Use Map MARKET CREEK PLAZA - PROJECT NUMBER 117302 324 EUCLID AVENUE



Emerald Hills Park

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Home Av

C St

Hilltop Dr

F St

Greenwood Cemetery

Franklin Av

Mountain

Jew Park

(0)

No.

Project Site

Imperial Av

Logan Av

30(1) 51

Beech St

-Ash St

38th

Park

lvk Hope

Cemetery

· co

(1)

Teak St

Logan Av

T S

Ocean View Blvd

National Liv

Project Location Map

Benfield Ot

46th

Ocean View Blvd

T St

MARKET CREEK PLAZA - PROJECT NUMBER 117302 **324 EUCLID AVENUE**

John F

Kennedy

Elm St

Beech St

Duval St

Federal Blvd

Holy Cross Cemetery

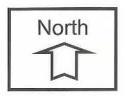
F-St-

Market St

Date St

Elm St

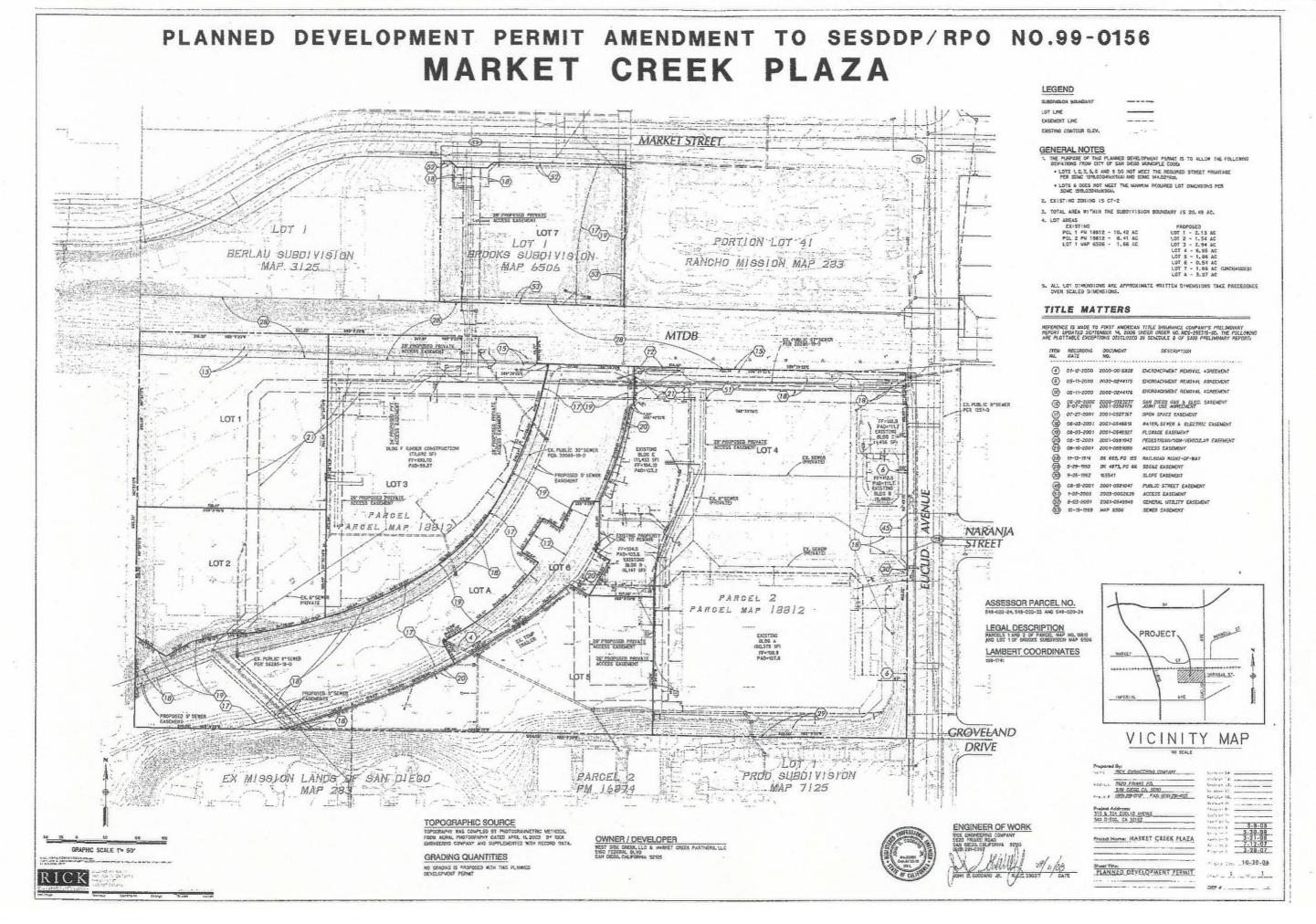
Federal Blvd

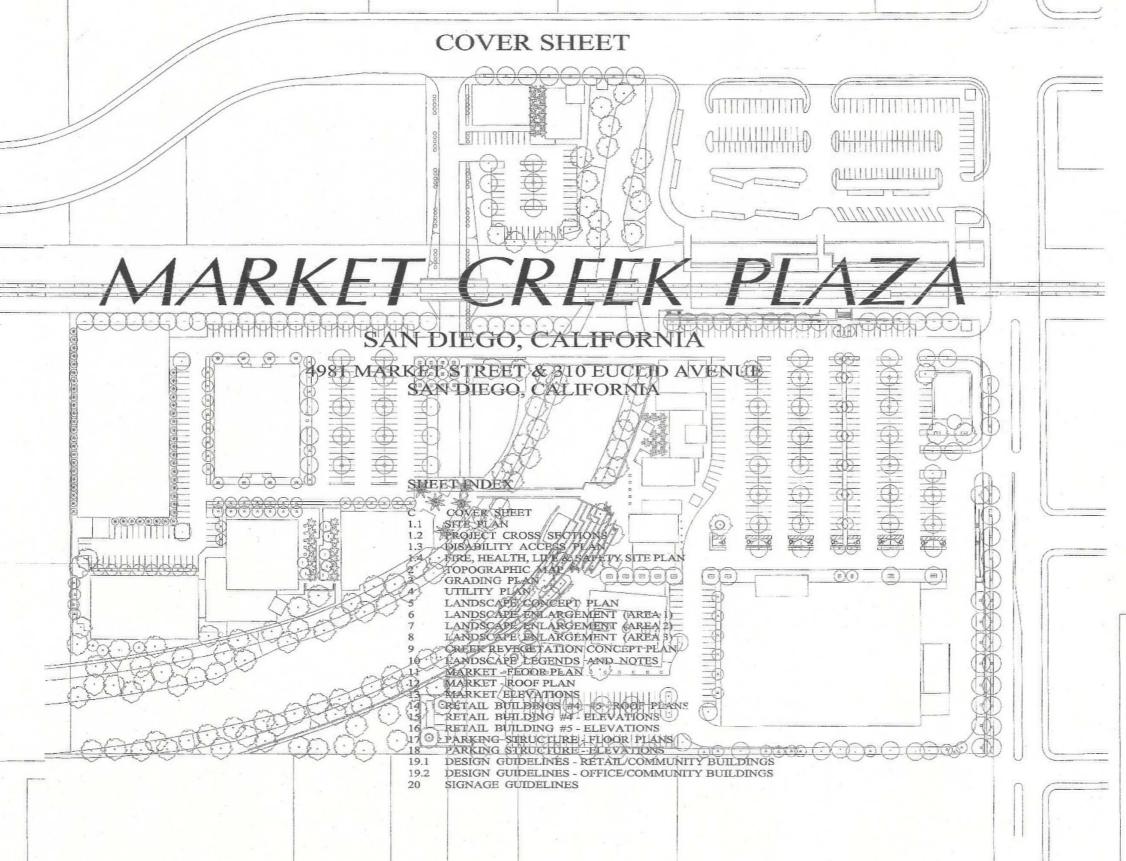


PRO	JECT DATA SHEET	
PROJECT NAME:	Market Creek Plaza Vesting Tentative Map, Project 117302 VTM/PDP/SDP to subdivide 3 lots into 8 lots	
PROJECT DESCRIPTION:		
COMMUNITY PLAN AREA:	Encanto Neighborhoods	
DISCRETIONARY ACTIONS:	Vesting Tentative Map; Planned Development Permit; Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	General Commercial	
	-2 SESD Southeastern San Diego Planned District IZE: 10,000 square feet	
DEVIATIONS OR VARIANCES REQUESTED:	LOT DIMENTIONS: DEVIATIONS TO ALLOW 63' 0" LOT DEPTH AND NO STREET FRONTAGE	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Approve with no conditions in February 2009	

Attachment 5 VESTING TENTATIVE MAP NO. 396659 MARKET CREEK PLAZA Project Plan EXISTING WATER EXISTING FORE WAY EXISTING ELEC. / GAS -E-G-EXISTRIC STORM DRAW! ITEM IND. IN TITLE REPORT EXISTING TRAFFIC SIGNAL THE PURPOSE OF THIS TENTATIVE MAP IS TO DIVIDE THE EXISTING 2 PARCELS INTO 6 BUILDABLE LOTS AND I REMAINDER OPEN SPACE LOT. 2. EXISTING ZONING IS CT-Z 3. TOTAL AREA WITHIN THE SUBDIVISION BOUNDARY IS 20.49 AC. 4. LOT AREAS EXISTING FCL 1 PH 18812 - 10.42 AC PCL 2 PH 18812 - 8.41 AC LOT 1 MAP 6505 - 1.65 AC PORTION LOT 41 LOT: 1 RANCHO MISSION MAP 203 BROOKS SUBBIYISIDN BERLAU SUBDIVISION MAP 6506 -MAR 3/25 TITLE MATTERS (5) 06-20-2000 2000-0323237 SAN DIECO GAS A ELEC. EASEMENT 2010/1 USE AGREEMENT (17) 07-27-2001 2001-0527167 OPEN SPACE EASEMENT 08-03-2001 2001-0548818 WATER, SEWER & ELECTRIC EASENED LOT 1 Lot 3 20 08-15-2001 2001-0581043 PEDESTRIAN/NON-VEHICULAR EASEMENT 21 08-15-2001 2001-0581050 ACCESS EASEMENT Lot GO 11-13-1914 BK 669, PG 155 RATERDAD RIGHT-OF-KAY 5-29-1953 BK 4873, PG 66 SDGAE EASEWENT 9-76-1962 165541 SLOPE EASEMENT (6) 08-15-2001 2001-0581047 PUBLIC STREET EASEMENT LOT 3 1-02-2003 2003-0002639 ACCESS EASEMENT 60 8-03-2001 2001-0548949 GENERAL UTILITY EASEMENT (5) 10-15-1969 MAP 6506 SEWER EASEMENT Lot 4 PARDEL NARANJA PARCEL MAP 18812 STREET Lot 2 PARCEL 2 ASSESSOR PARCEL NO. ARCEL MAP 18812 PROJECT, LAMBERT COORDINATES Lot A NARAHJA ST. Lot 5 GROVELAND VICINITY MAP DRIVE LOT : PROO SUBDIVISION reported By: --- BEK ENGINEERING CONFANT EX MISSION LANDS OF SAN DIEGO MAP 283 Project Name: MARKET CREEK PLAZA NOTES NO DEVELOPMENT IS PROPOSED WITH THIS YESTERD TENTATIVE UA-GRAPHIC SCALE 15 50"

MO GRAPHS IS PROPOSED AFTH THE TENEATIVE MAP





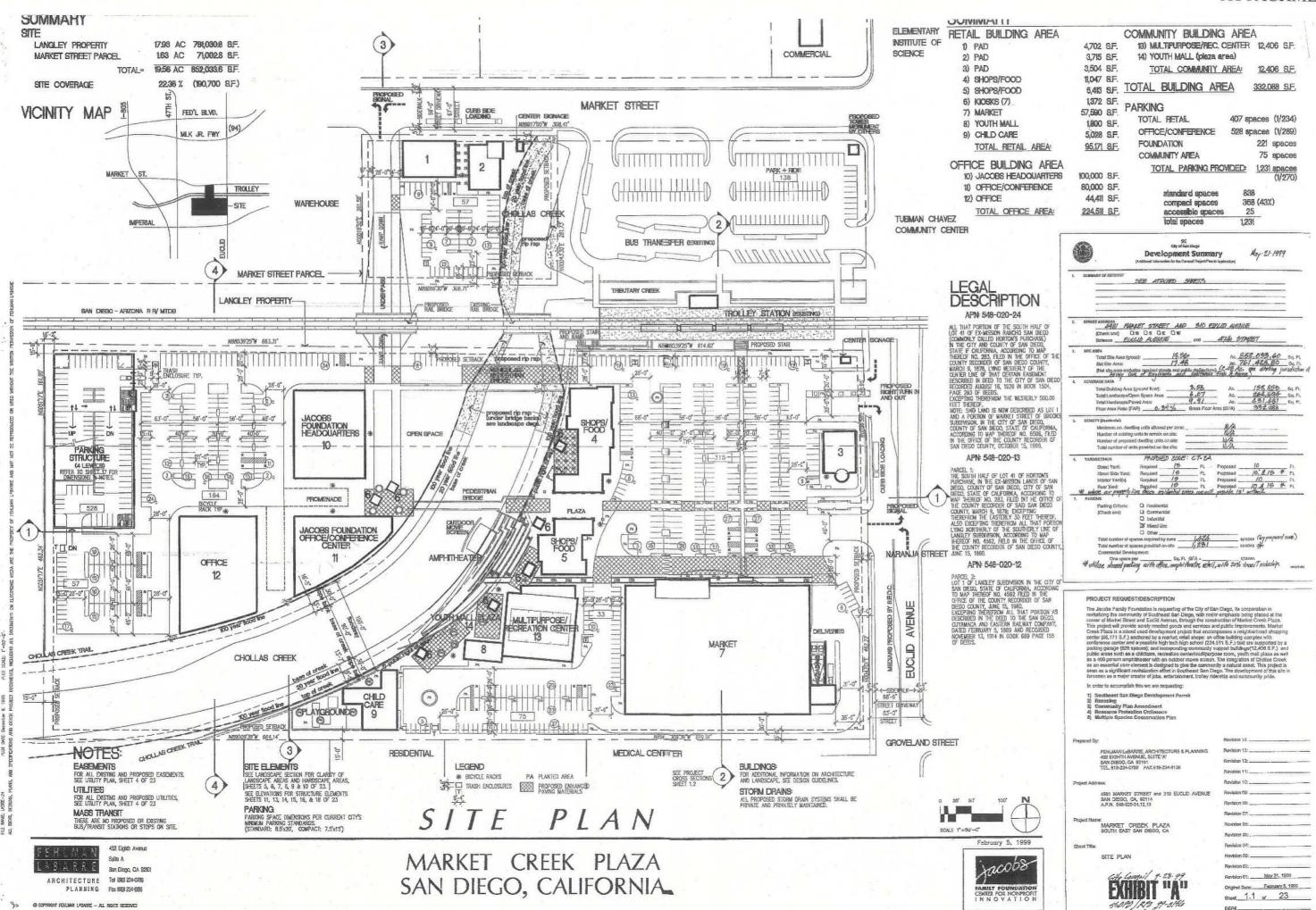
MARKET CREEK PLAZA SAN DIEGO, CALIFORNIA

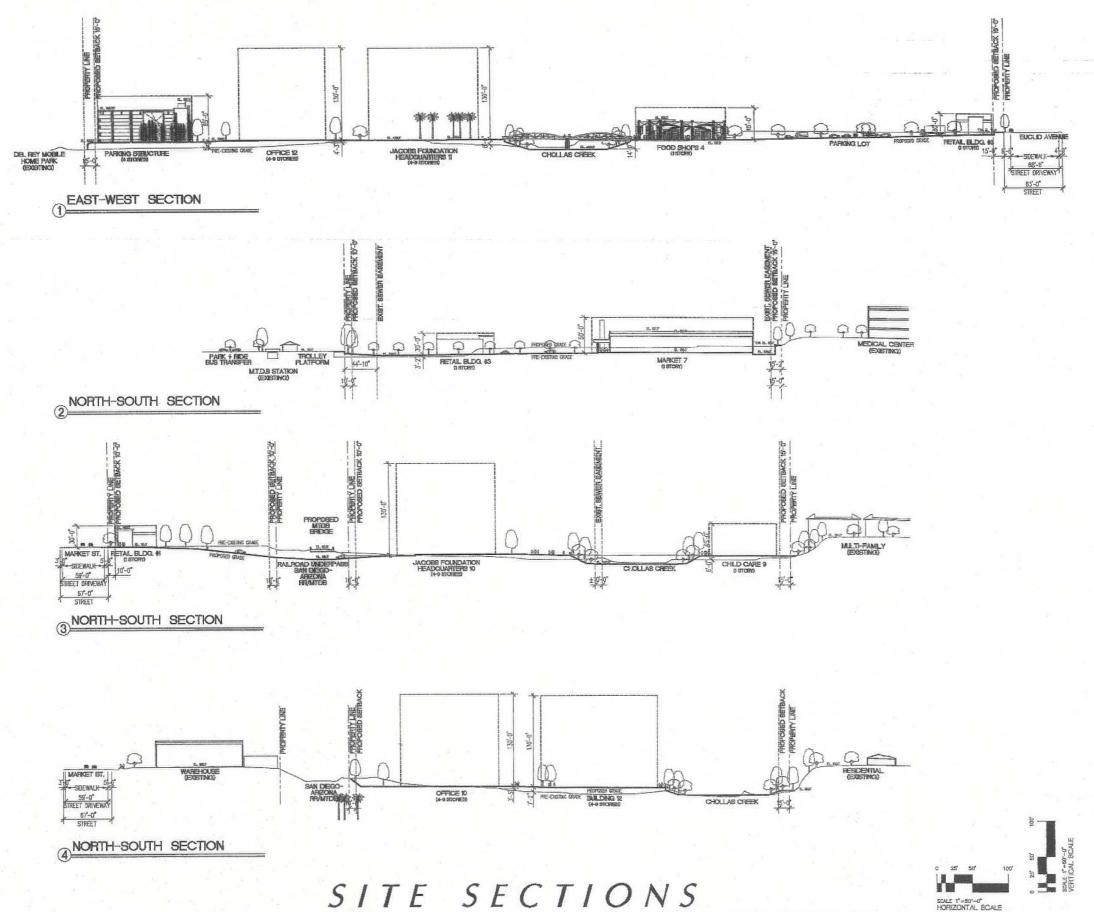


COVER - INDEX

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452 Eighth Averuse
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Sen Diego, CA 82001
ARCHITECTURE
PLANNING For 6981 204-0789

MARKET CREEK PLAZA SAN DIEGO, CALIFORNIA



NOTES:

 REFERENCE ALL BUILDING ENVELOPES TO BUILDING HEIGHT TABLE.

 SEE DESIGN GUIDELINES FOR ADDITIONAL REFERENCE AND INFORMATION.

Prepared By:

FEHLMAN LIBARRE, ARCHITECTURE & PLANNIN 452 BIGHTH AVENUE, SUITE 'A' SAN DIEGO, CA 92101

Project Address:

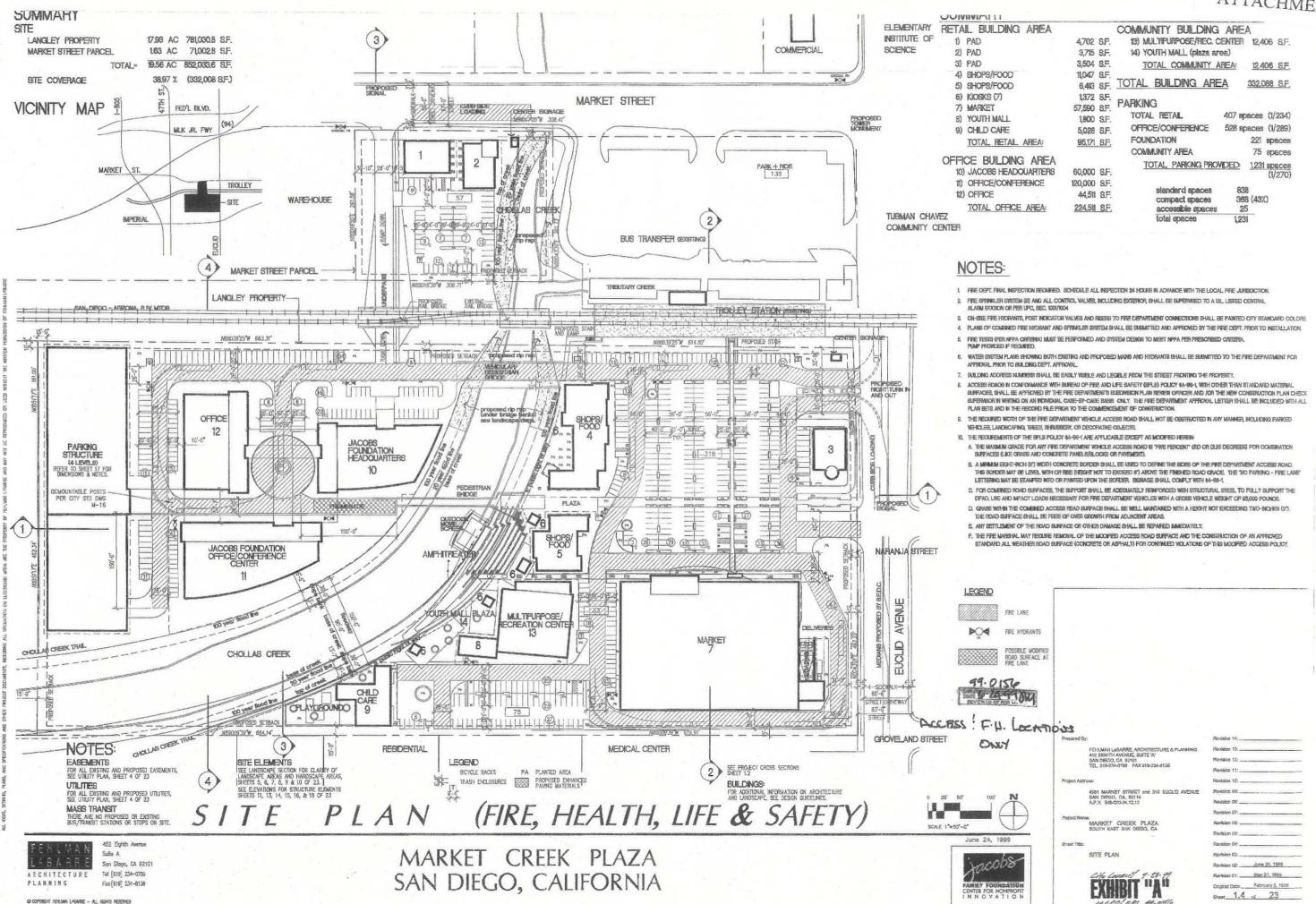
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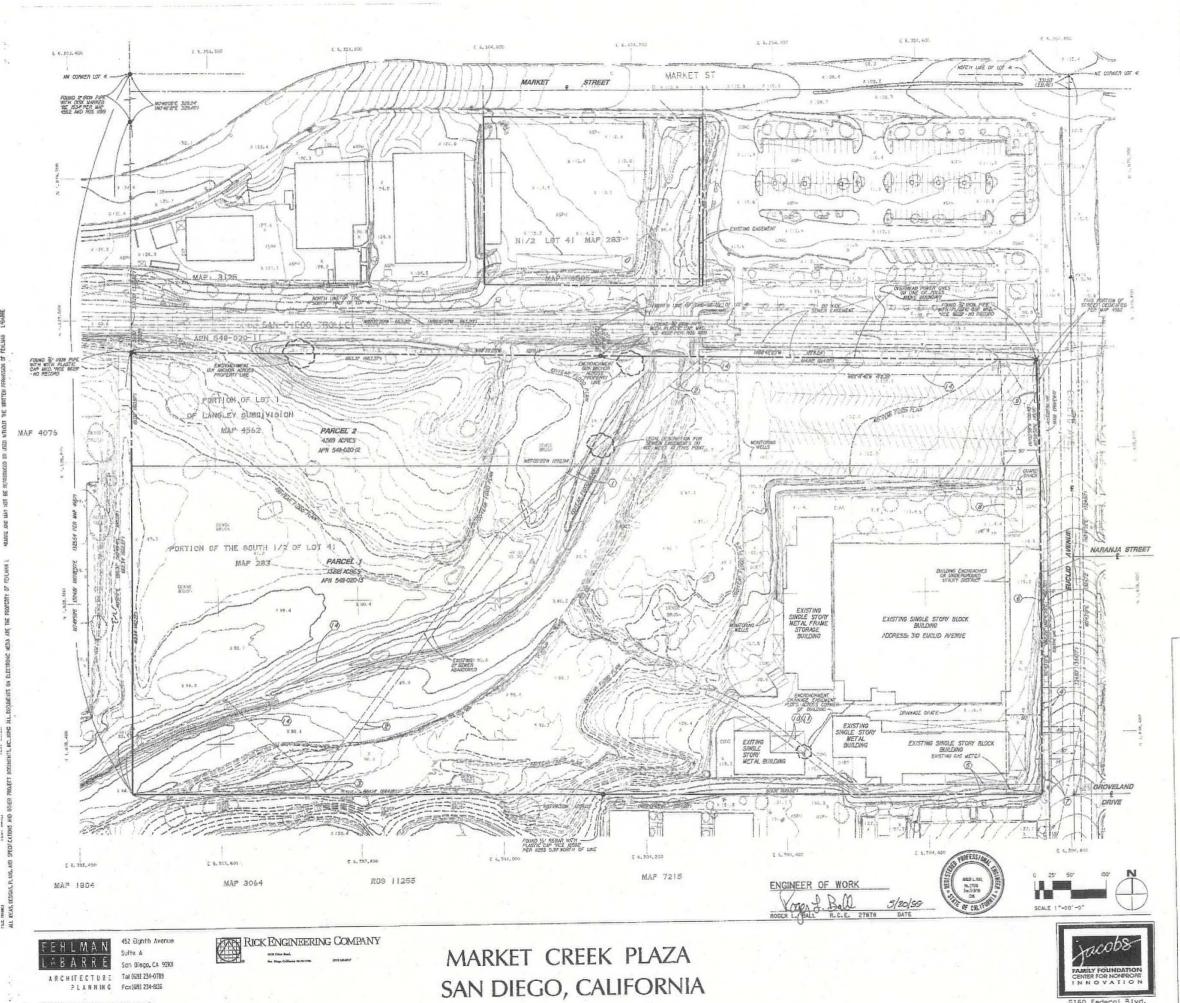
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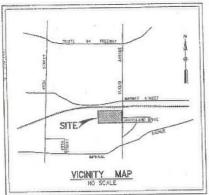
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Revision 00:
Revision 01:
May 21, 1959
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February 3, 1998
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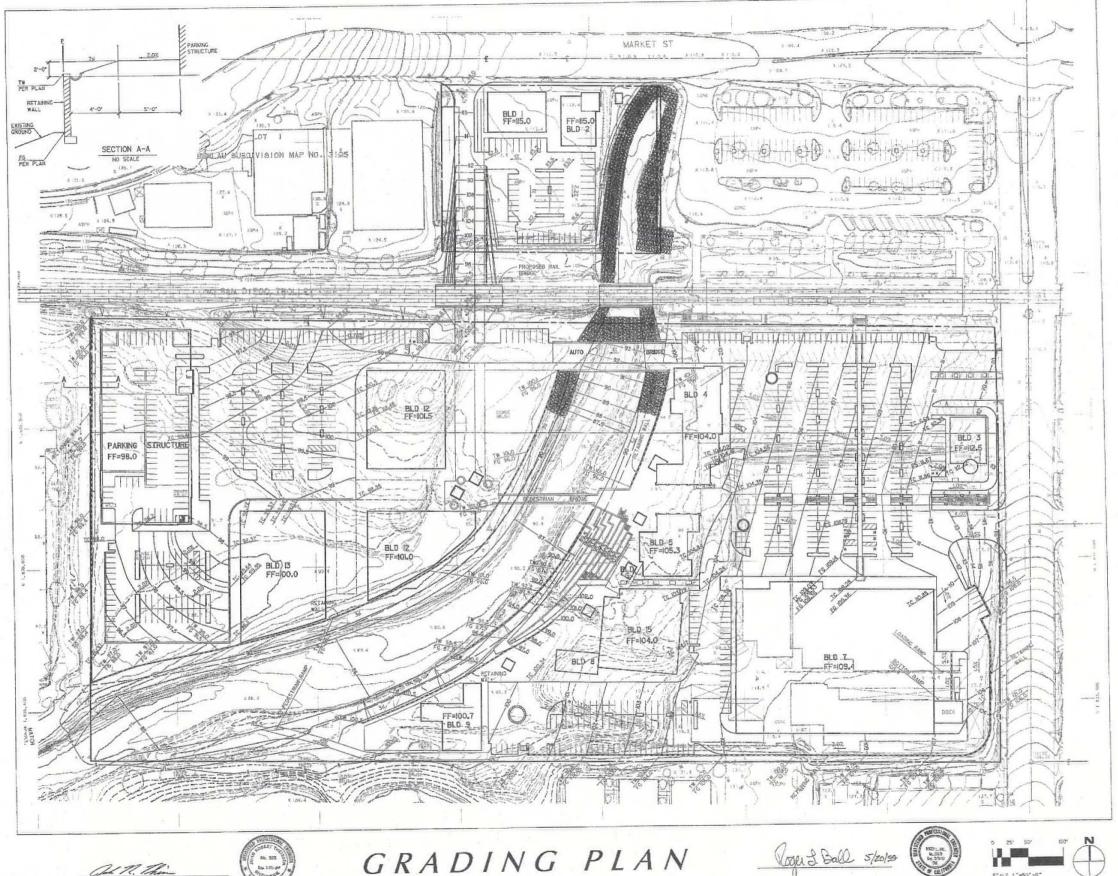
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NO.	RECORDING DATE	DOCUMENT NO.	DESCRIPTION	REMARKS
1	8-16-1928	BK 1504 PG 295	SEWER EASEMENT	PLOTTE
2	9-18-1942	BK 1411 PG B	SEWER EASEMENT	PLOTTER
(3)	8-30-1946	BK 2204 PG 460	SEWER EASEMENT	PLOTTE
4	7-13-1951	BK 4167 PG 162	PUBLIC STREET EASEMENT	PLOTTE
(8)	8-29-1953	BK 4873 PG 66	SDORE EASEMENT	PLOTTE
(6)	9-26-1962	165541 & 165542	SLOPE EASEMENT	PLOTTE
7	10-02-1972	263597	SDONE EASEMENT	PLOTTE
(3)	8-28-1974	74-234724	UNDERGROUND UTILITY	PLOTTE
(9)	7-29-1975	75-197558	SOGNE EASENENT	PLOTTE
(10)	9-17-1982	82-289183	ENCROACHMENT RE- MOVAL AGRESMENT	PLOTTE
(11)	11-24-1982	82-363206	DRAINAGE EASEMENT	PLOTTE
(14)	8-27-1993	93-0561572	SEMER EASEMENT	PLOTTE



TOPOGRAPHIC MAP



A R C H IT E C T U R E Tel (69) 234-0789 P L A N N IN G FGX(89) 234-836

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452 Eighth Avenue

San Diego, CA 92101

RICK ENGINEERING COMPANY

1013 Now float
1013 Only Market
1014 Only Market

MARKET CREEK PLAZA SAN DIEGO, CALIFORNIA





- PRIOR TO ISSUANCE OF A GRADING PERMIT"LETTERS OF PERMISSION" FOR OFFSITE GRADING SHALL BE REQUIRED.

- 4. EXISTING DRAINAGE NOTE: THIS SITE IS DIVIDED BY A MAJOR NORTH/SOUTH DRAINAGE CHANNEL THAT CONVEYS LARGE ANDUNTS OF OFFSITE WATER FROM THE NORTH & EAST AND OUTLETS IT AT THE SOUTHWEST CORNER OF THE PROPERTY. THE SITE SURFACE BRAINS INTO SAID DRAINAGE CHANNEL.
- TOTAL ACREAGE = 19.56 AC. TOTAL AMOUNT OF SITE TO BE GRADED = 19.17 AC.
- PERCENT OF TOTAL SITE GRADED = 98% AMOUNT OF SITE #1TH 25 PERCENT SLOPES OR GREATER = 1.47 AC.
- AMOUNT OF STEE WITH 25 PERCENT SLOPES OR GREATER = 7.5%.
 AMOUNT OF SITE WITHIN HILLSIDE REVIEW = 0.0 SO. FT.
 PERCENT OF TOTAL SITE WITHIN HILLSIDE REVIEW = 0X

- PERCENT OF CUIT 120-COO CUBIC YARDS

 AMOUNT OF FILL 60-600 CUBIC YARDS

 AMOUNT OF FILL 60-600 CUBIC YARDS

 MAXIMUM HEIGHT OF FILL SLOPE(S) 14'-CORAINAGE CHANNEL WALL!

 MAXIMUM HEIGHT OF CUIT SLOPE(S) 14'-(ORAINAGE CHANNEL WALL!

 AMOUNT OF EXPORT SOIL 60-600 CUBIC YARDS
- RETAINING/CRIB WALLS = 6 LOCATIONS

MAXIMUM LENGTH - 1000 FEET MAXIMUM HEIGHT = 20 FEET

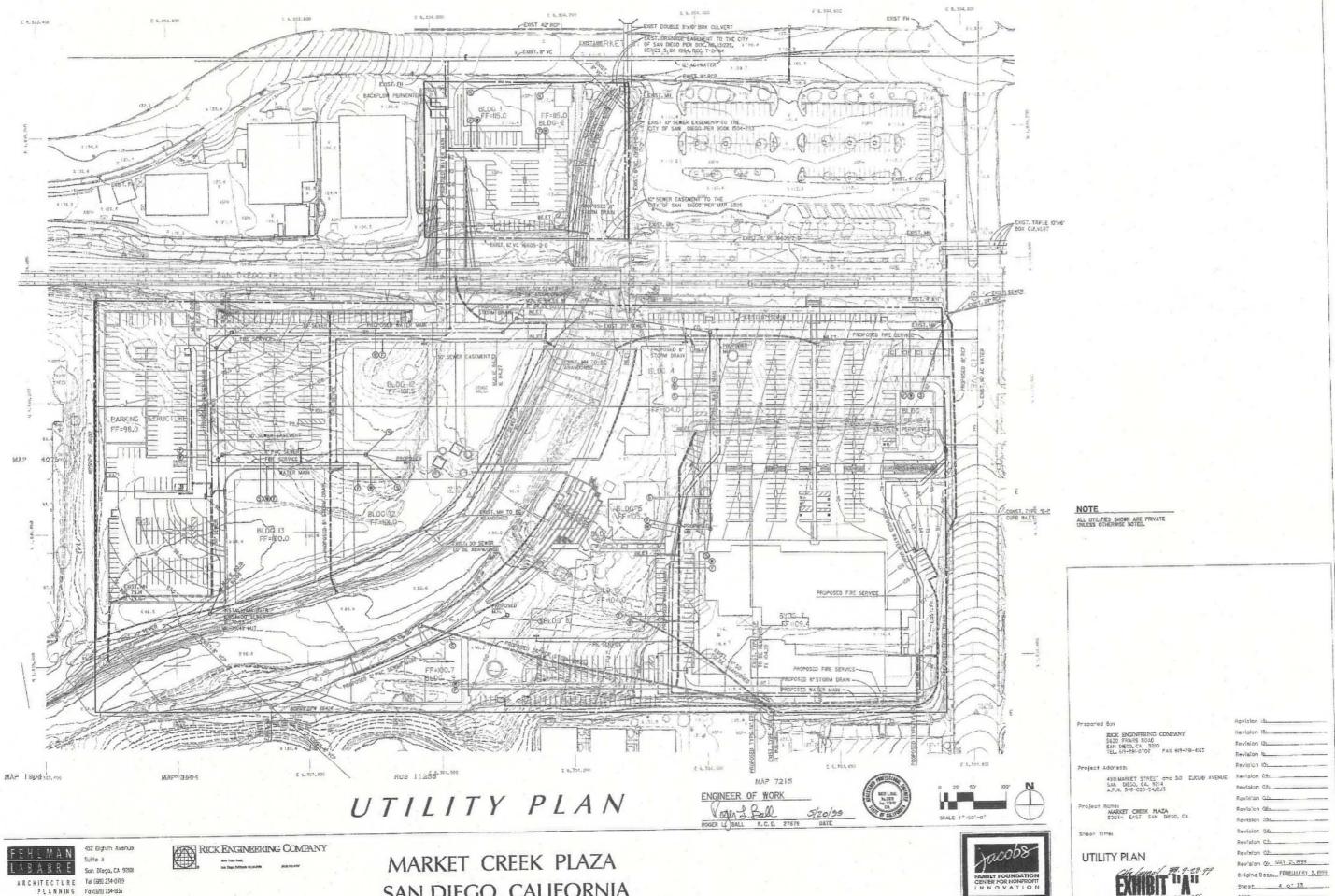
Prepared By:

MARKET CREEK PLAZA SDUTH EAST SAN DIEGO, CA

GRADING PLAN



Revision Cis MAY 21, 1999 Original Data- FEBRUATRY 5, 1999 3 of 23



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