

**DATE ISSUED:** April 14, 2005      **REPORT NO.** PC-05-126

**ATTENTION:** Planning Commission, **Agenda of April 21, 2005**

**SUBJECT:** BROOKER RESIDENCE – PROJECT NO. 13403  
PROCESS 4

**OWNER/** Michael and Dennis Brooker  
**APPLICANT:** Denise Tallarida (Attachment 9)

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Planned Development Permit and a Coastal Development Permit to demolish existing residential structures and to construct a single-family residence and a detached triplex?

**Staff Recommendations:**

1.      **CERTIFY** Mitigated Negative Declaration No. 13403 and **ADOPT** the Mitigation Monitoring and Reporting Program; and
2.      **APPROVE** Planned Development Permit No. 12746 and Coastal Development Permit No. 29229 with conditions (Attachment 6).

**Community Planning Group Recommendation:** On January 7, 2005, the Ocean Beach Community Planning Group voted 8-0-0 to approve the project with no conditions.

**Environmental Review:** A Mitigated Negative Declaration LDR No. 13403, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, with mitigation measures for potential impacts to historical resources.

**Fiscal Impact Statement:** None associated with this action. All cost associate with the processing o this project are paid by the applicant.

**Code Enforcement Impact:** None with this action

**Housing Impact Statement:** With the proposed demolition of two residential dwelling units and the construction of four new dwelling units, there will be a net gain of two dwelling units. The new construction is subject to the current regulations regarding inclusionary housing, which will be addressed during the construction permit review process. Condition 14 of the draft permit confirms the applicability of the Inclusionary Housing Ordinance.

## **BACKGROUND**

The .16 acre site is located at 4833 Cape May Avenue in the Ocean Beach Community Planning area. The site is designated for multi-family residential development at a density of 25 dwelling units per acre within the Ocean Beach Precise Plan and is zoned RM-2-4 zone, a citywide multi family zone, within the coastal overlay zone

The site is currently developed with a single story single family dwelling, a one story detached garage, and a detached one-bedroom unit. The project is bounded by single and multi-family residential developments to the west, east, south and north (Attachment 1).

A Coastal Development Permit is required in accordance with San Diego Municipal Code section 126.0702 to demolish existing residential structures and construct four dwelling units. The project proposes a single family residence fronting Cape May and a detached three unit residential triplex with garages in the rear of the lot.

A Planned Development Permit is required to allow for a deviation to reallocate gross floor area from the parking area or garage to the habitable area or living area. The project proposes 14 percent of gross floor area to be used towards the garage where 25 percent is required in accordance with SDMC 131.0446(e). The allocation of gross floor area from garage to livable area will have no affect on the required parking requirements and will be within the permitted floor area ratio of the RM-2-4 zone. The second deviation is an entry porch into the front yard setback observing a 10-foot setback where 20-feet is required.

## **DISCUSSION**

### **Project Description:**

The project proposes the demolition of an existing single-family residence, a detached garage, and a detached one-bedroom dwelling unit in order to construct four dwelling units and associated improvements. The residential development has been designed as a 2,937-square-foot two-story single-family dwelling fronting Cape May Avenue and a 1,160 square foot triplex. The triplex will include three units and a one and two-car garage located in the rear of the lot. The front structure, is a single-family residence would include a living room, dining room, study,

kitchen and a family room at the ground level, and three bedrooms at the upper level. The rear units would include two 440-square-foot one-bedroom units on the upper level and one 280-square-foot studio unit on the lower level. All parking to the development would be accessed from the alley and an existing nine-foot driveway curb cut on Cape May would be closed. The triplex is being developed as rental units.

The exterior treatments of the single family residence would include horizontal wood siding and a concrete veneer porch on the north and south side of the property. The multi-family unit will be constructed with a plaster exterior with alternating colors of forest green and cedar brown, wood trimming around the windows and shingle roofing. The front structure, when constructed, will exemplify a California bungalow or California craftsman architecture which is consistent in architecture with existing homes in the area. The style includes the use of porches, large overhangs, exposed eaves and roof brackets.

### **Community Plan Analysis:**

According to the Residential Land Use Element of the Ocean Beach Precise Plan, the site is designated for residential development at 25 dwelling units per acre. The 0.16 -acre site could therefore accommodate up to four residential dwelling units. The Precise Plan recommends a maximum floor area of 70 percent for residential development

The Residential Design Element of the plan recommends new construction be compatible with the existing architectural detail and overall appearance or the quality development in the surrounding neighborhood. The design of new buildings should be articulated as it relates to the bulk and scale of surrounding structures through the use of compatible setbacks, building coverage and floor area ratios. Further, a specific objective found in the Ocean Beach Precise Plan includes residential development be a mixture of small scale residential building types and styles. The proposed development exemplifies a craftsman style architecture which is similar to existing homes in the area and consistent with the goals of the Ocean Beach Precise Plan. The proposed design implements the Precise Plan goal of preserving the character of existing residential areas within this area of the community (Ocean Beach Precise Plan, pg. 8).

In support of these goals, the project has been revised to be consistent with the Precise Plan. The project as proposed would not exceed the floor area limitation of 0.70 identified within the Ocean Beach Precise Plan. The development as proposed meets the applicable goals and recommendations outlined in the Precise Plan.

### **Environmental Analysis/Historical Resources**

The existing home located at 4830 Cape May Avenue, was constructed around 1920 and was determined to not be significant according to the California Environment Quality Act . However it was determined that the existing structures have the potential to be a contributor to the Ocean Beach Cottage Emerging Historical District (Historical Resources Evaluation Report, prepared by Wendy Tinsley, July 4, 2004).

The Ocean Beach Cottage-Emerging Historical District (OBC-EHD) is made up of 70 properties which have volunteered for designation. The Emerging District provisions established that only volunteered sites be considered by the Board for designation during the district's evolution stage.

Given that the nature of district is voluntary, a property can only be considered for designation as a contributor to the Emerging District if the owner volunteers for designation. While any property can be considered for designation as an individually significant structure, the subject structure is not considered significance. In this instance, the historical evaluation has identified the structure as a potential contributor structure to the Historical District not as an individually significant structure.

Because the residence is within the Ocean Beach Cottage-Emerging Historic District, a Mitigation, Monitoring and Reporting Program was created for the project to mitigate potentially significant historical resource impacts to below a level of significance as it relates on to the district to the district as advised in the Historical Resources Evaluation Report.

### **Project-Related Issues:**

The proposed project is requesting a deviation from the citywide development regulations regulating front yard setback requirements, as well as, the reallocation of gross floor area required for required parking. The deviations were analyzed by staff to determine consistency with the goals and recommendations of the community plan. Staff has concluded that the proposed deviations will not adversely affect the Progress Guide and General Plan and the Ocean Beach Precise Plan. The proposed deviations were taken into consideration so that the project fully complies with the Ocean Beach Precise Plan.

#### *Front Yard Deviation*

The proposed entry porch to the front home will encroach into the front yard setback (FYSB) beyond what is permitted. The proposed entry porch would encroach 10-feet into the FYSB where a maximum encroachment of 6-feet is permitted in accordance with SDMC 131.0461(a)(6)(A). The encroachment will span half the length of the front façade or 16-feet. The porch is an element of a California bungalow or California craftsman style architecture. The style includes the use of porches, large overhangs, exposed eaves and roof brackets. This style is reminiscent of the character of the first homes built in the Ocean Beach and Point Loma neighborhoods and exemplifies the goal of the Ocean Beach Precise Plan by maintaining a small scale development similar to existing homes in the area. The Planned Development Permit supplemental regulations state that the overall design of the development should be comprehensive and demonstrate the relationship between on-site and off-site developments. Also, the development should be consistent with the neighborhood and should represent the dominant development pattern in the area. The craftsman design of the proposed units fits well within the neighborhood and meets the goals of enhancing and preserving the character of the area.

### *Floor Area Ratio Deviation*

The project as proposed would deviate from SDMC Section 131.0446(e), which requires that a minimum of one-fourth of the permitted floor area ratio (FAR) be reserved for required parking. The maximum floor area ratio for all structures on the premises would not exceed the maximum allowed per the underlying zone (0.70 per SDMC Table 131-04G) nor the maximum FAR recommended in the Community Plan (70 percent).

It should be noted that while citywide development regulations allow a FAR of up to 1.2 for the underlying zone (RM-2-4), the maximum FAR is limited to within the Ocean Beach Precise Plan based on recommendations found in the adopted community plan. The project as proposed would not exceed the maximum permitted FAR of .70. The deviation is sought in relation to SDMC Section 131.0446(e), which requires that a minimum of one-fourth of the permitted FAR be reserved for required parking.

The project is proposing to allocate fourteen percent of the gross floor area allotted to parking areas to the habitable area of the development. The deviation would allow an increase of the permitted gross floor area to be dedicated to habitable space (approximately 526 square feet). The project would not exceed maximum FAR limits and would not affect required parking for the project.

The associated Planned Development Permit allows flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. Staff can support the proposed deviation as the project conforms to the Precise Plan through sensitive design practices.

The proposed project is consistent with the purpose and intent of the Planned Development Permit Ordinance by incorporating the design criteria for residential developments and providing open space and landscaping in excess of what is required. The project will also provide additional housing stock for the community. The project is anticipated to visually enhance the site and neighborhood by designing the project to be consistent with the surrounding craftsman style housing and maintain a bulk and scale consistent with the goals of the Ocean Beach Community Plan. In addition, the project would result in the closure of an existing curb cut on Cape May, expanding available on-street parking within the Beach Parking Impact Overlay Zone. In accordance with all applicable standards, all the parking on site would be accessible from the alley once the development was completed.

### **Conclusion:**

Staff has reviewed the proposed project and has determined the project is in conformance with all applicable sections of the San Diego Municipal Code Sections. Staff has concluded that the proposed deviations will not adversely affect the Progress Guide, the General Plan, the Ocean Beach Precise Plan or the Ocean Beach Emerging Historical District. The proposed deviations were taken into consideration so that the project fully complies with the Ocean Beach

Community Plan. Staff has determined the required findings can be supported as the project meets the applicable San Diego Municipal Code requirements regulating multi-dwelling development, staff recommends approval of the project as proposed.

**ALTERNATIVES**

1. **Approve** Coastal Development Permit No. 29229 and Planned Development Permit No. 137774 **with modifications.**
2. **Deny** Coastal Development Permit No. 29229 and Planned Development Permit No. 137774 **if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Marcela Escobar-Eck  
Deputy Director, Customer Support and  
Information Division  
Development Services Department**

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**William Zounes  
Customer Support and  
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Development Services Department**

Attachments:

1. Aerial Photograph
2. Ocean Beach Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology
11. Project Elevation Plans