

DATE ISSUED: August 18, 2005

REPORT NO. PC-05-204

ATTENTION: Planning Commission, Agenda of August 25, 2005

SUBJECT: PALAZZO - PROJECT NO. 19379. PROCESS 4

**OWNER/
APPLICANT:** Intergulf Development Group (Attachment 13)

SUMMARY

Issue(s): Should the Planning Commission approve the demolition of an existing hotel to construct a 30-unit condominium complex at 2402 Torrey Pines Road within the La Jolla Shores Community Plan area?

Staff Recommendation:

1. CERTIFY Mitigated Negative Declaration No. 19379
2. APPROVE Planned Development Permit No. 207962
3. APPROVE Coastal Development Permit No. 46240;
4. APPROVE Site Development Permit No. 46241; and
5. APPROVE Tentative Map No. 219822

Community Planning Group Recommendation: On October 14, 2004, the La Jolla Community Planning Association (LJCPA) voted 10-0-2 to recommend approval of the project with conditions (Attachment 11).

Other Recommendations: On October 22, 2004, the La Jolla Shores Advisory Board (LJSAB) voted 4-0-1 recommending denying the project due to nonconformity with the criteria and design standards adopted by the City Council (Attachment 12).

Environmental Review: Mitigated Negative Declaration No. 19379 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigated 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: All costs associated with the processing of this project are paid by the applicant through a deposit account with the City of San Diego.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The proposed project is subject to the 1975 La Jolla Community Plan, the 1972 La Jolla Shores Precise Plan and the 1985 La Jolla – La Jolla Shores Local Coastal Program. The La Jolla Shores Precise Plan designates the subject property for Visitor Oriented use. The La Jolla Shores Precise Plan contains a provision which permits residential uses within the hotel-motel designation at one dwelling unit for each 1,000 square feet of lot area. Based on this formula, the approximately 1.21 acre subject property could yield a maximum of 52 units. The residential project proposes 30 dwelling units, creating a net increase of 30 condominium units in the La Jolla community.

This project is subject to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance. The applicant has the option to include affordable units on site or provide an in lieu fee to meet the requirements. The property owner has opted to pay the in-lieu fee established by the Inclusionary Housing Ordinance rather than providing affordable housing units on site. Based on if the building permit for the project was issued August 25, 2005, and the number of units, the in-lieu fee for this project would be calculated at \$2.50 per square foot. The gross floor area for this project is 61,189.4 square feet. The in-lieu fee would be \$152,973.50

BACKGROUND

The proposed project site is a long narrow tapering 52,853 square-foot lot located at 2402 Torrey Pines Road (Attachment 1). The property acts as an intersection between two intersecting rows of development fronting the curving Torrey Pines Road. The property lies on the northeast corner of Torrey Pines Road and Caminito Del Cid, east of the intersection of Torrey Pines Road and La Jolla Parkway, in the Visitor (V) zone of La Jolla Shores Planned District, Coastal Overlay (non-appealable), and Coastal Height Limitation Overlay zones within the La Jolla Community Plan and La Jolla Shores Precise Plan (Attachment 2).

The subject property currently supports the 50-room, two story, Andrea Villa Inn constructed in 1960. The property also supports a swimming pool along the west side of the hotel and asphalt covered parking and driveway areas along the south and east sides of the hotel. The northern portion of the site is characterized by a landscape area. A masonry block retaining wall of up to

approximately ten feet in height runs along the eastern perimeter of the site.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 1.21 acre site into one lot for a 30-unit residential condominium development.

The project involves the demolition of the existing hotel building and all of the existing site improvements; excavation for a new underground parking structure to provide subsurface parking spaces for 45 cars, 8 bicycles and 5 motorcycles; and the construction of a new 30-unit residential complex (Attachment 5). The new 30-unit residential complex will consist of a three-story, 16-unit condominium building and 14 detached townhouses, each having an attached two-car garage. The 14 detached townhouses will consist of five three-story, two-unit townhouses; one, two- and three-story, two-unit townhouse; and two, two story, one-unit townhouses (Attachment 6). The project also proposes a site wall, perimeter wall, landscaping, miscellaneous pathways and patios. Access to the proposed project site would be provided by adding a fourth leg to the Torrey Pines Road/Ardath Lane intersection.

The project also proposes deviation to the La Jolla Shores Planned District Ordinance (LJSPDO) Section 103.0304.3 (f)(1) Landscape Regulations that states “In the Visitor Zone, designated on that certain map referenced in Section 103.0301, all of the property not used or occupied by structures, unplanted recreational areas, walks and driveways, shall be landscaped which may include native materials and in no case shall this landscaped area be less than thirty percent (30%) of the total parcel area.”

Community Plan Analysis:

The Palazzo project is located in the La Jolla Shores area of the La Jolla community. The 1.21-acre subject property is located along Torrey Pines Road just east of the La Jolla Parkway/Torrey Pines Road merge (Attachment 1). The proposed project was submitted in 2003 and is subject to the 1975 La Jolla Community Plan, the 1972 La Jolla Shores Precise Plan and the 1985 La Jolla – La Jolla Shores Local Coastal Program.

The La Jolla Shores Precise Plan designates the project site for Visitor Oriented use. The Plan allows multi-family residential as an alternative use within designated Visitor Oriented land uses and provides direction on determining residential density. A residential project within a Visitor Oriented land use is allowed one dwelling unit for each 1,000 square feet of lot area. In addition, under the La Jolla Shores Planned District Ordinance, which implements the community plan, the subject site is located in the Visitor Zone and provides a corresponding calculation for determining residential density in the Visitor Zone.

The La Jolla Shores Precise Plan’s density ratio, one dwelling unit for every 1,000 square feet, was used to determine the allowable dwelling units for the 1.21 acre site. Based on this formula,

the subject property would permit up to 52 dwelling units (du). This translates into a density of 43 du/acre. The project proposes a total of 30 residential units and a density of 24 du/acre. The La Jolla Shores Precise Plan and the La Jolla Shores Planned District Ordinance do not identify a minimum density requirement for residential projects within Visitor Oriented areas. Although the proposed number of units is lower than the permitted maximum allowed under the Precise Plan, the proposed number of units is within the allowed limits of the La Jolla Precise Plan and the La Jolla Shores Planned District Ordinance.

The proposed project is located along Torrey Pines Road, a major arterial and entrance into the La Jolla Community. Torrey Pines Road, as it reaches the intersection with La Jolla Parkway, accommodates a high volume of traffic and is fronted with a variety of uses at varying intensities, building heights, sizes and architectural styles. Uses along this segment of Torrey Pines Road are primarily characterized by large lot multi-family developments with hotel and commercial uses in the general vicinity.

West of the subject property near the corner of La Jolla Shores Drive sits the 11-story Hotel La Jolla, a gas station, Starbucks Coffee and Subway Sandwiches. Adjacent to the project towards the east and west are condominium complexes. To the north, adjacent to the rear property line, are single family homes. Directly to the south of the property, across Torrey Pines Road, is Fire Station 9.

The La Jolla Community Plan recommends projects be compatible with existing development and should be encouraged to use natural building materials, muted colors and well organized and balanced architectural elements.

As recommended by the plan, the scale of the proposed project is compatible with the existing multi-story residential developments to the east and west. The project's proposed condominium building fronts Torrey Pines Road while the townhouses are arranged on a larger area of the property providing a good transition and buffer between the busy street at the front of the property and the single family homes at the rear of the property. In addition, the project proposes a Mediterranean influenced architecture. The front elevation is well articulated and exhibits numerous windows, balconies, various architectural details and landscaping. The townhouses contain similar exterior details providing architectural interest throughout the project.

The community plan encourages better pedestrian connections particularly when located near amenities. The subject property is located within a short distance from retail and transit services. The site and landscape plans show an internal pedestrian network defined by enhanced paving which will connect to the noncontiguous sidewalk proposed along the front of the property at Torrey Pines Road. The intent is to provide a safer and more appealing pedestrian circulation route along a primarily auto-oriented road.

The proposed project is consistent with the scale of adjacent development and addresses policies in the La Jolla Community Plan to create visual relief through building articulation, design, colors and material. Although the project requests a deviation for landscaping the inclusion of landscaping along balconies and in various planter boxes throughout the project will provide

additional visual relief. The proposed project conforms with the policies of the La Jolla Community Plan and La Jolla Shores Precise Plan. The existing development in the area is varied in scale and character, and the project is compatible with the surrounding neighborhood.

La Jolla Community Planning Association:

On October 14, 2004, the LJCPA on consent of the La Jolla Shores Permit Review Committee (subcommittee met on 9/2/04) motioned and voted to approve the project with conditions:

1) Greenscape ratio to be verified with La Jolla Planned District Ordinance regulations since roof terrace is being calculated as required greenscape and 2) Right turns from proposed complex drive onto Torrey Pines do not activate the smart signal (Attachment 11).

Staff has reviewed the LJCPA conditions for approval and has determined: 1) The applicant is requesting a PDP to allow the roof terrace and planter boxes on the building facades be included in the landscape calculations to help meet the intent of the LJSPDO landscape regulations. With a PDP the roof terrace landscape can be included in the landscape calculations due to constraints to the site caused by the required fire access driveway running through the middle of the site. In addition, landscaping in and adjacent to the right-of-way has been upsized from standard container stock sizes, such as 36-inch box street trees instead of 24-inch box trees. 2) The project driveway is one lane each way. This means that the one lane exiting the project must be shared by the project traffic turning left, going thru, or turning right. The right turns have no choice but to trigger the signal. Staff recommends the applicant post a “No Right Turn On Red” sign at the project driveway. The project acknowledges in the traffic study that there will be a fourth leg added to the existing intersection of Torrey Pines Road and Ardath Lane. The addition of the fourth leg has been made a condition of the discretionary permit.

La Jolla Shores Advisory Board:

The La Jolla Shores Advisory Board (LJSAB) meeting on October 22, 2004, concluded that the project as proposed does not conform to the criteria and design standards adopted by the City Council and voted recommending denial. Their reasons for determining nonconformity are: 1) High density; 2) Bulk and Scale; 3) Lack of Landscaping; 4) Inadequate traffic study; and 5) Inadequate setbacks (Attachment 12).

Staff has reviewed the LJSAB concerns and has determined that 1) The proposed 30 dwelling units is within the allowable density of the LJSPDO that permits up to 52 dwelling units on the site. 2) The project’s bulk and scale is consistent with existing development in the neighborhood. The project height is a maximum 30 feet of which is compatible with the surrounding neighborhood. There are also two high-rise structures on Torrey Pines Road that were constructed prior to Proposition D. 3) Due to constraints to the site caused by the required fire access driveway running through the middle of the site, the project proposes to deviate from the LJSPDO landscape requirement. Staff can support the deviation because the project as proposed will landscape 26.2 percent where 30 percent is required for the site by adding landscape on the buildings and through the use of larger upscale plant material such as 36-inch box trees. 4) A traffic study was prepared that evaluated the traffic implications of the proposed

project, including a roadway segment and intersection capacity analysis. 5) The LJSPDO does not contain a required setback for the Visitor zone. The project proposes variable setbacks, including setbacks ranging from 24 feet to four feet along the side property line which results in an articulated building facade.

Environmental Analysis:

Staff conducted an Initial Study which determined that the proposed project could have a significant environmental effect. Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project per Mitigated Negative Declaration No. 19379.

- Historical Resources (Archaeology)

The project site is located in an area of high cultural and historical resource sensitivity. Several known archaeological sites are located within a half mile of the project site. Excavation for the proposed basement could have a significant impact to historical resources. However, a Mitigation, Monitoring and Reporting Program will be implemented to reduce potentially adverse impacts to historical resources (archaeology) to below a level of significance.

- Geology

The project site is located within geologic hazard zone 52 as shown on the City of San Diego's Seismic Safety Study Geologic Hazards Maps. Zone 52 is assigned to areas of level or sloping terrain with favorable geologic structure, where the potential risks are classified as low. Three geotechnical reports were prepared for the proposed project. According to the reports, the project site is underlain by approximately five feet of artificial fill materials and approximately 56 feet of alluvial deposits that are underlain at depth by deposits of the Tertiary-age Ardath Shale. The reports include a recommendation to remove the fill and the upper portions of the alluvium layer and replace as a uniform mat of properly compacted fill.

Perched groundwater was encountered within the lower, clayey portions of the alluvium at depths from approximately 35 feet to 56 feet below existing site grades. The perched ground water at the site appears to be confined within the lower portions of the alluviated canyon that underlies the central portion of the site. Based on the observed depth to the top of the perched groundwater table, no major groundwater-related hazards are anticipated to affect the site provided proper drainage is maintained. No active or potentially active faulting or significant geologic hazards are known to exist on the site.

One of the issues raised during the early stages of the plan review process was the design of the underground garage at a 65 foot depth having adequate drainage. However, since then the underground garage has been redesigned to an approximate 15 foot depth

indicating the garage should not hit any groundwater. The 15 foot depth would ensure that the potential for geologic impacts from regional hazards would not be significant. Therefore, no mitigation is required.

- Traffic

A traffic study was prepared that evaluated the traffic implications of the proposed project, including a roadway segment and intersection capacity analysis. The queuing analysis that was performed determined the project will add no vehicles to the existing and two vehicles to future vehicle queues to southbound right turn on Torrey Pines Road westbound La Jolla Parkway/Torrey Pines Road. The roadway segments were analyzed under existing and future conditions with and without the proposed project. Torrey Pines Road west of La Jolla Shores Drive to Ardath Lane and La Jolla Shores Drive north of Torrey Pines Road operate at Level Of Service F under near term conditions and future conditions. The proposed project accounts for 0.004 or less of the total increase in volume to capacity ratio. Therefore, no mitigation is required because the proposed project is not anticipated to significantly impact intersections, queues, or roadway segments.

- Hydrology/Water Quality

Roof drains and a series of area drains would collect the on-site drainage. The runoff will then be routed to a new on-site storm drain system. The small amount of storm water that currently runs across the property boundary from the adjacent property to the north would be collected by a future swale to be constructed alongside a future retaining wall and directed to the new on-site storm system. A Continuous Deflective Separation (CDS) storm water pollution control device would be installed to treat runoff discharge into a new storm drain lateral connected to the existing public storm drain in Torrey Pines Road. The CDS is designed for the sustainable removal and retention of suspended solids and floatables from storm water runoff. Construction Best Management Practices will be utilized to protect storm water from pollutants and sedimentation during construction.

Landscape Deviation:

In lieu of a strict application of the 30 percent landscape requirement, the applicant proposes a site design that utilizes its interior private street and landscaping to create a park-like atmosphere in a townhouse neighborhood setting, simultaneously meeting density goals and fire, life and safety access to all units. The use of large 36-inch box trees will help to create the neighborhood atmosphere while adding shade and filtered views from adjacent properties. The project proposes to give better buffering and sensitivity to neighboring properties by including landscaping not only around the buildings, but on the buildings, similar to options set forth in the La Jolla Planned District Ordinance. The incorporation of enhanced paving, used to clearly delineate pedestrian and vehicular pathways, will also contribute to the park-like atmosphere. The lush landscaping proposed for the interior portion of the project is carried through to the public right-of-way with the use of at-grade and elevated facade planting, complimenting the Mediterranean

style architecture. The required canopy street trees, as well as trees in the remainder of the required front yard shall all be 36-inch box size. The scale of these trees will provide an immediate sense of mature landscaping, increasing the walkability of the street frontage along Torrey Pines Road with added shade and enhanced visual interest.

Conclusion:

The proposed development implements the community goals for good building design, permanent control of height and building bulk so that structures in La Jolla will be in conformity with the adopted La Jolla Community Plan, La Jolla Shores Precise Plan and the La Jolla/La Jolla Shores Local Coastal Program Land Use Plan. With the exception of the proposed landscaping deviation the proposed development complies with applicable regulations for parking, density, height, setbacks, and floor area ratio of the V Zone of La Jolla Shores Planned District, and with the Coastal Overlay and Coastal Height Limitation Overlay zones of the Land Development Code.

Staff recommends the Planning Commission certify Mitigated Negative Declaration No. 19379 and approve Planned Development Permit No. 207962, Coastal Development Permit No. 46240, Site Development Permit No. 46241 and Tentative Map No. 219822

ALTERNATIVES

1. Approve Planned Development Permit No. 207962, Coastal Development Permit No. 46240, Site Development Permit No. 46241, and Tentative Map No. 219822, with modifications.
2. Deny Planned Development Permit No. 207962, Coastal Development Permit No. 46240, Site Development Permit No. 46241, and Tentative Map No. 219822, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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MEE/VSL

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan (Landscape Concept Plans)
6. Project Elevation/Landscape Plan
7. Tentative Map
8. Draft Tentative Map Resolution with Findings
9. Draft Permit with Conditions
10. Draft Resolution with Findings
11. LJCPA Recommendation
12. LJSAB Recommendation
13. Ownership Disclosure Statement
14. Project Chronology