

DATE ISSUED: September 23, 2005 **REPORT NO. PC-05-221**

ATTENTION: **Planning Commission, Agenda of September 29, 2005**

SUBJECT: MONARCH – PROJECT NO. 6285
PROCESS 4

**OWNER/
APPLICANT:** Monarch at Scripps Ranch L.L.C. (Attachment 14)

SUMMARY

Issue(s): Should the Planning Commission approve the application for a Vesting Tentative Map and Planned Development Permit to create a mixed-use commercial and residential development by subdividing the existing 15.621 acre site into three (3) parcels to convert 262 existing residential units to condominiums, convert an existing office building to 30 commercial condominiums, and construct a new building for 30 commercial condominiums with a two-story parking structure at 10776 Scripps Ranch Boulevard within the Scripps Miramar Ranch Community Planning area?

Staff Recommendations:

1. **Certify** Mitigated Negative Declaration No. 6555, and **Adopt** the MMRP; and
2. **Approve** Planned Development Permit No. 229919 and Vesting Tentative Parcel Map No. 10399.

Community Planning Group Recommendation: On July 7, 2005, the Scripps Ranch Community Planning Group voted 18-0-0 to recommend approval of the project with conditions as follows:

1. The Scripps Ranch Community Planning Group will be involved in the preparation and review of the traffic study and all improvements, and;
2. The traffic study will not be conducted without the concurrence of the Scripps Ranch Community Planning Group, six months after the completion of the Mira Mesa median improvements and eighty percent occupancy of proposed commercial office

building No. 2.

Environmental Review: A Mitigated Negative Declaration No. 6285 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program (MMRP) has been prepared and will be implemented which will reduce any potential impacts identified in the environmental review process to a level below significance.

Fiscal Impact Statement: All costs associated with the processing of this project are paid for by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: With the proposed conversion of the 262 existing apartments to condominiums, there would be a loss of 262 rental units and a gain of 262 for-sale units. This condominium project is not required to comply with the Inclusionary Affordable Housing Ordinance as the application for the Vesting Tentative Map was deemed complete prior to adoption of the Inclusionary Affordable Housing Ordinance by City Council.

BACKGROUND

The project site is located at 10776 Scripps Ranch Boulevard within the CC-1-3 Zone of the Scripps Miramar Ranch Community Plan area. The approximately 15.62-acre, irregularly-shaped parcel of land was previously developed with a large K-Mart commercial retail building and parking lots. Consistent with the previous CA (commercial neighborhood) zone and built by right, the site has been redeveloped with commercial office and a residential mixed-use development that includes an existing three-story office building and a multi-family residential complex with 262 units that includes ten apartment buildings, two recreation buildings, and a pool/spa area. The redevelopment also considered a second, identical three-story office building with a parking structure. The site grading and backbone drainage system for the entire residential and commercial complex was approved and constructed under Work Order number 400033, Drawing No. 30372-D. The mixed-use area is bounded to the north by Mira Mesa Boulevard, existing office buildings to the south, Treena Street to the west, and Scripps Ranch Boulevard to the east.

The applicant submitted an application to the City of San Diego for a Vesting Tentative Map (VTM) and Planned Development Permit to create a mixed-use commercial and residential development by subdividing the existing 15.62-acre site into three (3) parcels to convert 262 existing residential units to condominiums, convert an existing office building to 30 commercial condominiums and construct a new building for 30 commercial condominiums with a two-story parking structure. The City deemed the application complete on March 4, 2003 prior to the adoption of the Inclusionary Affordable Housing Ordinance by City Council and therefore, the project is not subject to provisions of the ordinance.

DISCUSSION

Project Description:

The project proposes a VTM to create three individual parcels from the existing 15.62-acre site. Parcel "A" would be approximately 2.7 acres in size and contain the existing two-story, 60,000 square-foot commercial building with the associated parking lot. Parcel "B" would create an approximately 3.8-acre lot and be developed with three-story, 60,000 square-foot commercial building and a 46,275-square-foot, two-story parking structure. Parcel "C" would be an approximately 9.1-acre lot containing the multi-family residential apartment building complex. The VTM would also convert the existing office building into thirty commercial condominiums, create thirty commercial condominiums for the proposed office building, and convert the existing 262-unit multi-family residential apartment complex into condominiums.

In January 2000, the City adopted the current Land Development Code and changed the sites' CA Zone designation to CC-1-3 (Commercial-Community). The proposed subdivision of land with existing constructed development would require processing a Planned Development Permit to accommodate deviations to zones' required street frontage, side yard setback, building height, and commercial component for each lot.

Community Plan Analysis:

The project proposes the subdivision of a 15.62 acre site into three (3) parcels to convert 262 residential apartment units to condominiums, convert an existing office building to 30 commercial condominiums and construct a previously approved parking structure and office building for 30 commercial condominiums. The 15.62 acre project site is located within a larger twenty four acre area designated "Community Shopping" by the Scripps Miramar Ranch Community Plan (SMRCP). Existing community and neighborhood commercial uses are adjacent to the site within the twenty four acre area to the north and west. The site is also bounded by Mira Mesa Blvd to the north, Scripps Ranch Blvd. to the east, and commercial office uses to the south.

Although existing uses on the property are not "Community Shopping" uses, the previous CA zone used to implement the SMRCP land use designation allowed seventy percent residential and thirty percent commercial uses. No new development is proposed on-site and no changes to land use would occur through approval of the requested Vesting Tentative Map and Planned Development Permit. The project would contribute a fair share contribution to median construction along the project frontage for completion of Mira Mesa Blvd and Scripps Ranch Blvd as a six-lane major street and a four-lane major street respectively, consistent with the SMRCP street designations for both these two segments. This project would not adversely affect the SMRCP.

Environmental Analysis:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, Article 6: Section 15070, a Mitigated Negative Declaration (MND) has been prepared for the proposed project. The Environmental Analysis Section staff has identified and discussed in the Initial Study that the proposed project may have potentially significant impacts to Waste Management.

Substantial evidence (i.e. project revisions, technical reports, etc.) has been provided which concluded that significant impacts to Waste Management issues can be mitigated to a level below significance with the implementation of the required conditions included in the Mitigation, Monitoring, and Reporting Program (MMRP).

In addition, traffic circulation issue was also considered and discussed in the Initial Study but determined to not have a significant effect on the environment and no mitigation was required.

Waste Management

According to the City of San Diego's Significance Thresholds, projects that propose commercial construction of over 40,000 square feet may result in significant solid waste impacts. Such impacts are required to prepare a solid waste generation/disposal plan which addresses demolition, construction and the occupancy phases of the project. As mitigation for cumulative impacts to the landfill, a waste management plan must be prepared by the applicant and approved by the Environmental Services Department. Compliance with this mitigation condition would reduce the project's contribution to cumulative waste management impacts to less than considerable.

Project-Related Issues:

Deviations Requested

The proposed project's lot line layout as indicated on the VTM exhibit creates lots that comply with all of the Minimum Development Regulations listed in Table 131-05E of the Land Development Code except for required street frontage, side yard setback, and building height. Also, the Land Development Code section 131.0540 provides that residential development is permitted only when a commercial structure is located on the premises or is part of the proposed development. A Planned Development Permit (PDP) is being processed in order to allow for the four deviations requested for the development.

A deviation is being requested for Parcel "A" which would allow for a reduction of the street frontage to 83 feet where 100 feet is required. Currently, the parcel has 61.96 feet of frontage on Mira Mesa Boulevard and 21.03 feet on Scripps Ranch Boulevard, resulting in the need for a 17-foot deviation from the 100-foot requirement. Both Parcels "B" and "C" satisfy this requirement, with Parcel "B" having 100 feet of frontage on Mira Mesa Boulevard and Parcel "C" having 726.85 feet of frontage on Scripps Ranch Boulevard.

Parcel “C” would require a 4-foot deviation from the required 10-foot side yard setback. The residential portion of the project was constructed with a 6-foot setback from the south boundary to the rear of the walls of the garages located along that portion of the development. Since the project was developed and complied with the original zone, the project cannot be brought into compliance with the new setback requirements.

The CC-1-3 zone limits the height of buildings to 45 feet. The property was developed in accordance with the previous CA zone which had a 65-foot height limit. The existing commercial office building on Parcel “A” is 55.6 feet in height. Therefore, a deviation would be required to allow the proposed commercial office building on Parcel “B” to exceed the 45-foot height requirement by 10.6 feet, therefore providing symmetry between the two commercial office buildings.

Finally, the CC-1-3 zone requires that a residential use only be allowed when a commercial component is part of the proposed development. As stated earlier the original project was constructed under the previous CA zone which allowed seventy percent residential and thirty percent commercial uses. Therefore, Parcel “C” does not include a commercial component, but only residential uses. In addition, the recreation and exercise buildings located within Parcel “C” are for use of the residents only. The existing commercial office building on Parcel “A” and the future building on Parcel “B” would act as the commercial component required of the CC-1-3 zone. The proposed deviations will result in a more logical and efficient site and facility design, and is therefore supported by Staff.

Conclusion:

Revisions to the plans and the mitigation measures identified in the MMRP will reduce environmental impacts to a level below significance. The proposed project is consistent with the Scripps Miramar Ranch Community Plan, the General Plan and Progress Guide, and other related regulations. Therefore, staff recommends the Planning Commission approve Planned Development Permit No.229919 and Vesting Tentative Parcel Map No. 10399.

ALTERNATIVES

1. **Approve Planned Development Permit No. 229919 and Vesting Tentative Parcel Map No. 10399, with modifications.**
2. **Deny Planned Development Permit No. 229919 and Vesting Tentative Parcel Map No. 10399, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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and Information Division
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Tim Daly
Development Project Manager,
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STROHMINGER/TPD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Vesting Tentative Map
7. Project Plans
8. Draft Map Conditions and Subdivision Resolution
9. Draft Permit with Conditions
10. Draft Resolution with Findings
11. Community Planning Group Recommendation
12. Certification of Tenant Notice and Tenant List
13. Sample of “ Information for Tenants” letter and Tenant Notices
14. Ownership Disclosure Statement
15. Project Chronology

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