

DATE ISSUED: November 28, 2005

REPORT NO. PC-05-360

ATTENTION: Planning Commission, Agenda of December 15, 2005

SUBJECT: MUIR RESIDENCES – PROJECT NO. 72747
PROCESS 4

OWNER/APPLICANT: David Loseke/Lantana Property Group Muir, LLC.

SUMMARY

Issue(s): Should the Planning Commission approve a Coastal Development Permit (CDP) and a Planned Development Permit (PDP) to construct two new single family residences on a 5,003 square-foot vacant site and to allow for a deviation to reallocate Gross Floor Area from the parking area to the habitable area of the development at 4929 Muir Avenue?

Staff Recommendation:

1. **APPROVE** Coastal Development Permit No. 222199
2. **APPROVE** Planned Development Permit No. 276882

Community Planning Group Recommendation: The Ocean Beach Community Planning Group considered the project at their meeting on August 3, 2005 and voted 7-0-0 to recommend approval of the project, expressing concerns about the 171-square-foot carport within the required side yard.

Environmental Review: The project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with the State CEQA Guidelines, Article 19, Section 15332, Infill Development.

Fiscal Impact: The cost of processing this application is paid for by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The Inclusionary Housing Ordinance requires all new residential development of two units or more to provide affordable housing. The proposed project would result in a net gain of two (2) new units in the Ocean Beach community planning area, and would be subject to the current regulations regarding inclusionary housing, which will be addressed during the construction permit review process.

BACKGROUND

The 0.15 acre site (consists of two legal lots) is located at 4929 Muir Avenue, south of Muir Avenue between Cable Street and Bacon Street in the RM-2-4 Zone, Coastal Overlay Zone (non-appealable area), Coastal Height Limit Overlay Zone, Airport Approach Overlay Zone, Airport Environs Overlay Zone, Beach Parking Impact Overlay Zone, and the Ocean Beach Emerging Historic District within the Ocean Beach Precise Plan and Local Coastal Program Land Use Plan (LCP) (Attachment 2). The site is designated multi-family residential use at a density of 25 dwelling units per acre.

Currently the site is vacant and is bounded by established single and multi-family residential developments to the west, east, south and north (Attachment 1).

A Coastal Development Permit is required for the construction of the new two dwelling units. The proposed multi-family project is designed as two separate single family residences, one on each lot fronting Muir Avenue.

The purpose of the Planned Development Permit (PDP) is to provide 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. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, site constraints, and community and City benefits.

A Planned Development Permit is required for this project to allow a deviation from a code requirement and is not a hardship due to lot constraints, and to allow reallocating Gross Floor Area from the parking area to the habitable area of the development.

The site is currently vacant, and this project proposes the construction of two (2) new 1,748 square foot two story, single-family residences, one on each lot. City staff has determined that the site is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the State CEQA Guidelines "In-Fill Development Projects."

DISCUSSION

Project Description:

The proposed project proposes the construction of two dwelling units. The two units will be developed as two separate single family residences, one on each lot; the first floor would contain

the main body of the residence with a living room, kitchen, and dining room comprising 742 square-feet of area, a 210 square-foot attached garage, and a 171-square-foot carport with alley access. The second floor with an area of 796 square-feet would contain three-bedrooms, two baths, and a deck.

The exterior treatments of the single family residence would include horizontal siding wood Navaho Beige select cedar mill board, a porch with cedar natural light stain post/rails on the south side of the property, an entry porch on the north side of the first story, carried upward with a deck off the master bedroom, and bay window on the first story which is carried vertically to the second story with a bay window in the master bedroom. The multi-family unit will be constructed with cool pastel colors, Hardie trimming “Rustic grain” and composition shingle roofing which speaks to the “Cape Cod” look in keeping with the coastal nature of the homes and differentiating them from the “tile roof and stucco” look. The development includes landscape in a simple and clean fashion with a water element, turf, stamped concrete, and a white picket fence. Both structures, when constructed, will have a cottage feel that exemplify a California bungalow or California craftsman architecture.

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 0.15 acre-site could therefore accommodate up to three residential dwelling units.

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 Plan for Ocean Beach 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 addresses 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 addition, it meets the design criteria for a Planned Development Permit.

Project-Related Issues:

Municipal Code Conformance - The 5,003-square-foot site is currently zoned RM-2-4, a multiple unit residential zone permitting one unit per 1,750-square-feet of lot area. The zone was applied in January 2000. This density would allow for up to three (3) units where only two (2) are proposed.

Coastal Overlay Zone – The proposed project includes the construction of two (2) residential units and is located within the Coastal Overlay Zone (Map C-730), and is within the permit

jurisdiction of the City of San Diego. Pursuant to §126.0708(a) of the San Diego Municipal Code, findings for Coastal Development Permit 222199 are substantiated in the attached Resolution. The project site contains no Environmentally Sensitive Lands, is a consistent land use as designated in the Ocean Beach Precise Plan and Local Coastal Program and does not encroach on physical or visual access to the ocean.

Airport Environs Overlay Zone (AEOZ) - The project site is within the Airport Environs Overlay Zone (AEOZ) and within the 65 decibel (dB) Community Noise Equivalent Level (CNEL) for Lindbergh Field operations. The applicant has satisfied this requirement and provided a copy of the recorded Avigation Easement that was granted to the San Diego County Regional Airport Authority on October 5, 2005.

Airport Approach Overlay Zone (AAOZ) - The project site is within the Airport Approach Overlay Zone (AEOZ) for Lindbergh Field operations. Pursuant to §132.0202, structures less than 30 feet high are exempt from further requirements of the AAOZ.

Environmental Analysis - The Environmental Analysis Section (EAS) of the Development Services Department has reviewed the above referenced project and has determined that it is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the State CEQA Guidelines "In-Fill Development Projects."

Community Planning Group Recommendation – The Ocean Beach Community Planning Group considered the project at their meeting on August 3, 2005 and voted 7-0-0 to recommend approval of the project, as long as the carport parking does not encroach upon the side yard setback. City staff has reviewed the project and determined that open parking within required side yard is allowed in accordance with the Land Development Code.

Parking Requirements - 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.

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 0.70 within the Ocean Beach and Peninsula community planning areas based on recommendations found in the adopted community plans. The deviation is sought in relation to 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.

This project proposes an alternative means to provide two (2) off-street parking spaces for each unit by providing one parking space in an enclosed parking garage, and one parking space in an open carport. The open carport area is not included in the FAR calculation but the project still complies with the two (2) parking space requirement and the goal of the Ocean Beach Precise Plan to provide two (2) off-street parking spaces for each unit. The project would conform to all

applicable parking standards and will be screened from the street and accessed from the alley. The project as proposed would allocate twelve percent (12%) of the maximum permitted gross floor area to parking areas rather than the required twenty-five percent (25%). The deviation would allow more of the permitted gross floor area to be dedicated to habitable space (approximately 22&square feet).

Planned Development Permit - 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 (SDMC 143.0410 (a)). Staff can support the proposed deviation as the project conforms to the Community Plan through sensitive design practices.

The proposed project is consistent with the purpose and intent of the Planned Development Permit Ordinance requesting deviations to one development regulation, incorporating the design criteria for residential developments and providing open space with decks and terraces, which meets the open space requirements in accordance with [SDMC Section §131.045**(b)** & Table 143 04B]. The project also is in compliance with the landscape requirements within the Ocean Beach Precise Plan (20 % of the lot shall be landscaped), and in fact provides landscaping in excess of what is required. The project will provide several benefits to the City. The project will 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 by maintaining a bulk and scale consistent with the goals of the Ocean Beach Precise Plan.

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 regarding the RM-2-4 Zone, as allowed through the Planned Development Permit Process. Staff has concluded that the proposed deviation will not adversely affect the General Plan, the Ocean Beach Precise Plan, and is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. Staff believes the required findings can be supported as substantiated in the Findings (Attachment 7) and recommends approval of the project as proposed.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 222199 and Planned Development Permit No. 276882 with modifications.**
- 2. Deny Coastal Development Permit No. 222199 and Planned Development Permit No. 27882 if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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STROHMINGER/LSI

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Project Plans (Include as appropriate/relevant.)
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology