

DATE ISSUED: March 9, 2005 REPORT NO. 05-036

ATTENTION: Honorable Mayor and City Council
Docket of March 15, 2005

SUBJECT: UNIVERSITY OF SAN DIEGO (USD) SCHOOL OF EDUCATION,
CONDITIONAL USE PERMIT (CUP) AND SITE DEVELOPMENT
PERMIT (SDP), AMENDING USD MASTER PLAN CONDITIONAL
USE AND RESOURCE PROTECTION ORDINANCE (RPO) PERMIT
NO. 92-0568, PROJECT NO. 6242, COUNCIL DISTRICT 6, PROCESS 5.

REFERENCE: Planning Report No. PC-04-181, and Planning Commission Resolution of
December 2, 2004, recommending approval of the application
(Attachments 17 and 18).

OWNER/
APPLICANT: University of San Diego, a Non-Profit California Corporation

SUMMARY

Issues - 1) Should the City Council APPROVE an application for a CUP/SDP to AMEND CUP/RPO Permit No. 92-0568 (USD Master Plan), to allow construction of a multi-story building containing a School of Education and a single-story building containing a child care center, on a 3.3-acre site located on a westerly portion of the campus?

Staff's Recommendation

1. CERTIFY Addendum to Environmental Impact Report (EIR) No. 92-0568 Project No. 6242, and ADOPT the Mitigation, Monitoring and Reporting Program (MMRP); and
2. APPROVE Conditional Use Permit (CUP) No. 10325, and Site Development Permit (Environmentally Sensitive Lands) No. 10326, Amending Conditional Use and Resource Protection Ordinance Permit No. 92-0568.

Planning Commission Recommendation – On November 4, 2004, the Planning Commission voted to continue this item to provide an opportunity for the Linda Vista Community Planning Group to consider the University’s request for an option to not provide the 207 parking spaces initially included and reviewed with the project. On December 2, 2004, the Group having recommended approval of a revised project, the Planning Commission voted 7-0 to recommend approval to the City Council. This approval included the option to not provide the 207 subterranean parking spaces. A condition was added to the Permit, intended to monitor the provision of required parking spaces on campus consistent with the need (Attachment 6).

Community Planning Group Recommendation - On August 23, 2004, the Linda Vista Community Planning Group voted 15-0-0 to recommend approval of the application, which included the provision of 207 subterranean parking spaces (Attachment 14). On November 22, 2004 as discussed within this Report and at the request of the Planning Commission, the Group reconsidered the project with an option to not provide the 207 parking spaces. The Group voted 11-0-0 to recommend approval of the revised project.

Environmental Review - An Addendum to Environmental Impact Report No. 92-0568, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Based on a review of the current project, it has been determined that:

- a. There are no new significant unmitigated environmental impacts not considered in the previous EIR;
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- c. There is no new information of substantial importance to the Master Plan.

A MMRP has been prepared and will be implemented which will reduce any potential impacts to Biological Resources to a level below significance.

Fiscal Impact Statement: Staff costs associated with processing this project are recovered from a separate deposit provided and maintained by the Applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The subject property is designated for "University" use in the Linda Vista Community Plan. As part of the University of San Diego campus, the project involves the construction of a new School of Education building and child care center. No residential development is proposed with this project. The project is not likely to generate the need for additional housing, as the proposed School of Education

building and child care center are intended to serve the existing student population and no increase to the student population on campus is proposed with this project.

Water Quality Impact Statement - Water Quality Impact Statement: During construction, this project will comply with Best Management Practices (BMP's) through preparation of a Water Pollution Control Plan (WPCP) in conjunction with the grading plans. The WPCP will identify all BMPs to be implemented during the construction phase to reduce/eliminate discharges of pollutants into the public storm drain system. The post-development Best Management Practices (BMPs) incorporated into the project consists of site design, source control and treatment. The project's post-development runoff will be collected and conveyed by a private drainage system to the public storm drain system. The post-construction BMP's detailed in the Water Quality Technical Report have been evaluated and accepted by the City Engineer. The property owner(s) will be responsible for the long-term maintenance of all post-development BMPs.

BACKGROUND

In 1992, the University of San Diego submitted an application for Master Plan and Conditional Use and Resource Protection Ordinance (CUP/RPO) Permit No. 92-0568. This Permit was the implementing document for the Master Plan and Design Guidelines. The Master Plan included a total of twenty-six specific projects proposed for phased development on individual sites throughout the 180-acre campus, located within the Linda Vista Community Plan Area. The campus is generally sited north of Linda Vista Road, south of Tecolote Canyon Natural Park, east of Cushman Avenue/Place, and west of Via Las Cumbres. University property is zoned RM-3-7 and RM-4-10 (Residential/Multi-Family) and CC-1-3 (Community Commercial), designated for Institutional "University" use in the adopted Linda Vista Community Plan and located within the Campus Parking Impact Overlay Zone. In 1996, twenty-three of the twenty-six proposed projects were approved for phased development on specific project sites (Attachment 10).

One of these approved projects, Project No. 3, included the School of Education which was to be located on an easterly portion of the campus adjacent to Linda Vista Road near the easterly entrance. This three-story, 48,159 square-foot building would have replaced an 11,292 square-foot structure. Based on the needs of the University this site was ultimately developed with the Alumni Center in lieu of the School of Education. As allowed in the CUP/RPO Permit (Attachment 8, Condition 2.), plans for the Alumni Center were reviewed and approved pursuant to the substantial conformance review process.

In March 2003, the University submitted an application seeking to amend the Master Plan to accommodate the relocated School of Education. The School of Education project seeks to develop two buildings totaling 91,250 square-feet, on an approximate 3.3-acre site located on a westerly portion of the campus at the northwesterly corner of Marian Way and Camino Way (North Perimeter Road). For purposes of the current application and to incorporate the development proposal into the Master Plan, the proposed site was designated 'Site No. 30'. An easterly portion of Site No. 30 is currently used as a surface parking lot consisting of 231 parking spaces. Implementation of the project may replace these spaces with 207 parking spaces, for a

net loss of 24 parking spaces. Upon build-out of the Master Plan, a total 4,683 off-street parking spaces will be provided on campus. The remaining westerly portion of Site No. 30 contains University owned undeveloped open space.

A 'site specific' Conditional Use Permit is required for the project because development is proposed on a site which was to remain a surface parking lot and undeveloped University owned open space in the approved Master Plan.

A Site Development Permit for Environmentally Sensitive Lands is required because a portion of the project site, located westerly of the surface parking lot, contains biologically sensitive, steep slope, and/or potentially sensitive cultural resource areas located outside of defined Master Plan project boundaries. Portions of these areas will be impacted by the proposed development. As required by the Resource Protection Ordinance, these areas were preserved under a 'Declaration of Restriction'. Pursuant to the 'Declaration of Restriction' and as provided for by the approved Master Plan, proposed development within these areas requires City Council approval pursuant to Process 5. These areas are depicted on Figures 0.5 (Sensitive Resources), 0.6 (Areas with Potential for Cultural Resources) and 0.7 (Resource Preservation/Declaration of Restriction), and are included as Attachments 11, 12 and 13 respectively.

DISCUSSION

Project Description

Building No. 1 comprises the School of Education which consists of classrooms, offices, teaching laboratories, and accessory spaces for the School of Education. The two- and three-story building contains four floors/levels totaling 83,900 square-feet. These levels include a 6,500 square-foot basement, 33,700 sq. ft. ground/entry floor, 30,700 sq. ft. second floor and 13,000 sq. ft. third floor. The basement contains multi-media classrooms and a total of 207 parking spaces on two levels; the ground/entry floor contains a rotunda, classrooms, meeting rooms, offices, laboratories, auditorium and patio areas; the second floor contains academic and faculty offices; and the third floor contains student related research and study area. These plans are included as Attachments 5.a. through 5.m.

Elevation Plans (Attachment 5.i.) indicate that three-levels of the building will be visible in the north, south and east elevations. A portion of the basement level will be visible as a fourth level in the west elevation. The elevations (north, south and east) also indicate that the total height of the building, which includes the entry/rotunda area at approximately 52'-0". The west elevation which includes a portion of the basement level indicates a total height of approximately 67'-0" at the entry/rotunda area.

Building No. 2 comprises a one-story, 7,350 sq. ft. Child Care Center and play area located to the west. The one-story building totals 7,350 square-feet and includes faculty offices, day care center and exterior play area.

Both buildings will utilize exterior cement plaster with medium gray contrast finials, molding

and detailing, dark anodized aluminum windows with bronze tinted glass, cobalt blue tile accents, stone composite veneer, and decorative metal guardrails. The architecture will incorporate 16th Century Spanish Renaissance style which is predominant throughout the campus, and consistent with architectural guidelines approved in the 1996 Master Plan.

The Concept Grading and Utility Level Plan (Attachment 5.m.) indicates that the entire 3.28-acre site will be graded. Of this area, ten percent (0.3-acres) or 1,307 sq. ft. is comprised of natural slopes 25 percent or greater which will be impacted. This area also contains approximately 0.04-acre, or 1,742 sq. ft. of coastal sage scrub which will be impacted. As noted in the Addendum to EIR No. 92-0568, impacts will be mitigated through a contribution to the City's Habitat Acquisition Fund.

Grading will include a total of 28,000 cubic yards of cut and 16,000 cubic yards of fill, with 12,000 cubic yards of earth exported off-site. Fill slopes a maximum of 15-feet in height, and plantable retaining walls a maximum of 34-feet in height will be utilized. The area most impacted by retaining walls is located at the southwesterly portion of the site. This area will be retained to support an access drive which will provide vehicular access from Marian Way to the subterranean parking. As noted on the Site Plan (Attachment 5.a.), plantable retaining walls will be utilized to minimize visual impacts of the retaining wall from residentially developed areas located west of the site, down the canyon. The proposed site design allows significant portions of existing native vegetation to remain.

Community Plan Analysis

The proposed project is located within the Linda Vista Community Plan area. The plan designates the University of San Diego campus for "university" use. The proposed project is in conformance with policies in the Linda Vista Community Plan relating to the University of San Diego campus. The University of San Diego occupies a 180-acre site on a mesa overlooking Tecolote Canyon, on the north side of Linda Vista Road. The University operates under a Conditional Use and Resource Protection Permit. The original Conditional Use Permit (CUP) was issued in 1960. A new Master Conditional Use Permit for the University was approved by the City Council in October 1996. The CUP increased enrollment to 7,000 full-time equivalent students and provides for the construction of several new academic buildings, sports facilities and parking facilities.

The community plan states that the University should continue to operate under the approved Master Conditional Use and Resource Protection Permits. Development that is in conformance with the Master CUP will not require additional discretionary permits. Development which is not currently addressed by the CUP will require a site-specific CUP amendment or other discretionary permit. In accordance with this requirement, the applicant is requesting a Conditional Use Permit (CUP) and Site Development Permit to amend CUP/RPO 92-0568 to construct a 83,900 sq ft School of Education Building and a 7,350 sq ft child care center. While the existing CUP/RPO proposed the development of the School of Education facility, the applicant is proposing a change in the location to an area outside of the Master Plan development footprint.

The community plan calls for the University and the Linda Vista Community Planning Committee to work together to ensure that the growth, development, and operation of the University are compatible with the surrounding neighborhoods and the City as a whole. The applicant has been working closely with the Linda Vista Community Planning Committee on this project, and the planning committee has recommended support of the project.

The community plan states that development on the campus should not encroach into designated open space and should respect and maintain scenic hillsides and sensitive vegetation. The structure is being placed in the area of an existing parking lot and previously graded slope. The proposed project does not encroach into plan-designated open space. The project does propose impacts to an area identified in the CUP/Master Plan as biologically sensitive/steep slope. An analysis of this area of encroachment shows that it has been previously graded during the construction of Marian Way and the existing parking lot. The project proposes some impacts to coastal sage scrub (0.04-acre) for which the project will be required to mitigate. In accordance with the Master Plan, impacts to areas of biologically sensitive, steep slope, and potentially sensitive cultural resources are subject to City Council approval.

The proposed project implements specific policies in the Linda Vista Community Plan relating to the University of San Diego campus. The community plan calls for the University to provide on-campus parking for students, faculty and employees, and for any future expansions to emphasize structured parking rather than surface lots. The proposed School of Education Building includes two levels of basement parking under the building. The community plan states that the University should maintain the existing 16th Century Spanish Renaissance theme in its new construction and rehabilitation of existing buildings. The proposed elevations reflect the recommendations for building architecture in the community plan. The proposed School of Education building and child care center are consistent with the USD Master Plan Design Guidelines with the utilization of Spanish Renaissance design elements. Overall, the proposed project is in conformance with the Linda Vista Community Plan.

Planning Commission Action

The School of Education project as reviewed by staff and the Linda Vista Community Planning Group included 207 off-street parking spaces located on two subterranean levels. On August 23, 2004, the Linda Vista Community Planning Group voted 15-0-0 to recommend approval of the project which included these spaces.

At the Planning Commission public hearing on November 4, 2004, the University requested that due to funding constraints, the Planning Commission consider an option to implement the project without the 207 parking spaces. The required number of off-street parking spaces on campus is regulated by the approved Master Plan CUP/RPO Permit No. 92-0568, approved by the City Council in 1996, and not on an individual project basis. A total of 4,683 parking spaces are required to be provided on campus at build-out of approved Master Plan projects, anticipated within 20-25 years. The Planning Commission agreed to consider this request provided that the University obtain a recommendation from the LVCPG and voted to continue a decision on the application to the public hearing of December 2, 2004.

On November 22, 2004, the LVCPG voted 11-0-0, to recommend approval of the project with an option to not provide the 207 subterranean parking spaces. There were no substantial changes to the site, elevations or other development plans.

On December 2, 2004, the Planning Commission voted 7-0 to recommend approval of the project which included an option to not provide the 207 parking spaces. This option is included as Condition Nos. 32. a-c in the draft Permit, Attachment 6. Also, in an effort to monitor the University's progress in providing the required number of parking spaces consistent with the need on campus, Condition No. 32. d. was added to the Permit (Attachment 6).

The Addendum to EIR No. 92-0568, analyzed the "worst case" scenario which included the 207 spaces. Should the University choose the option not to include the 207 subterranean parking spaces, project plans would be revised to reflect a reduction of the impacts related to biological resources, due to grading and driveway access from Marian Way.

Conclusion

Staff has reviewed the proposed project which will be developed on a portion of an existing surface parking lot. Loss of these parking spaces will be reduced with the addition of the parking spaces included with the project. As stated previously, upon build-out of the Master Plan, adequate parking spaces will be provided consistent with the parking calculation reviewed with the Master Plan traffic study. Significant areas adjacent to the project site which contain natural steep slopes and sensitive vegetation will remain as privately owned open space. Impacts to limited areas of the project site will be mitigated. Although not anticipated for development under the Master Plan as originally proposed and approved, the project is an example of the University's continuing efforts to accommodate an evolving academic environment consistent with its educational and community serving mission. Staff is able to support the request and recommends that draft findings noted in Attachment 7 be approved.

ALTERNATIVES:

1. Approve Conditional Use Permit No. 10325 and Site Development Permit (ESL) No. 10326, with modifications.
2. Deny Conditional Use Permit No. 10325 and Site Development Permit (ESL) No. 10326, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Gary W. Halbert
Development Services Director

Approved: Patricia T. Frazier
Deputy City Manager

HALBERT/WCT

Note: Attachments 4, 6, 7, 16 and 18 are available in electronic format. A complete copy for review is available in the Office of the City Clerk.

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. [Project Data Sheet](#)
5. Project Plans
 - a. Site Plan
 - b. Accessibility Plan
 - c. Parking Level Two Floor Plan
 - d. Parking Level B1 Floor Plan
 - e. Ground Floor Plan
 - f. Second Floor Plan
 - g. Third Floor Plan
 - h. Roof Plan
 - i. Exterior Elevations
 - j. Site Cross Sections
 - k. Photo Simulation
 - l. Existing Conditions
 - m. Concept Grading and Utility Plan
6. [Draft Permit with Conditions](#)
7. [Draft Resolution with Findings](#)
8. Copy of Recorded CUP/RPO Permit No. 92-0568 (Relevant Excerpts)
9. Copy of Approved Master Plan Design Guidelines (Relevant Excerpts)
10. Master Plan Page 0.1 (Master Site Plan)
11. Master Plan Page 0.5 (Sensitive Resources)
12. Master Plan Page 0.6 (Cultural Resources)
13.
 - a. Master Plan Page 0.7 (RPO Required Declaration of Restrictions)
 - b. City Council Resolution No. R-287982 (CUP/RPO/RPO Alt Compliance Findings)
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. [Project Chronology](#)
17. Planning Commission Report No. PC-04-181
18. [Planning Commission Resolution No. 3604-PC](#)