

DATE ISSUED: August 3, 2005 REPORT NO. 05-168

ATTENTION: Honorable Mayor and City Council
Docket of August 9, 2005

SUBJECT: River View Residential – Project No, 3938; Community Plan Amendment No. 7687; Rezone No. 7686; Tentative Map No. 7685; Planned Development Permit No. 7688; and Site Development Permit No. 7689, Council District 7, Process 5.

REFERENCE: Planning Commission Report No. PC-04-193 (Attachment 17); and Resolution No. 3619-PC (Attachments 20 and 21).

OWNER/
APPLICANT: Richard D. and Carolyn A. Van Derheyden, Trustees of the 3-V Trust and Barry C. and Connie Collins, Trustees of the Collins Family Trust (Attachment 23)

SUMMARY

Issues - Should the City Council approve an application to/for –

- 1) Amend the Navajo Community Plan to designate a 6.36-acre undeveloped site from light-industrial to single-family residential land use;
- 2) Rezone the site from AR-1-2 (Agricultural-Residential) to RX-1-1 (Single-Family Residential – Small Lot);
- 3) A Tentative Map to subdivide the site into 16 lots for single-family residential development and one (1) open-space lot;
- 4) A Planned Development Permit to allow a deviation for substandard lot area for one lot; and

5) A Site Development Permit to accommodate residential development on a premises containing environmentally sensitive lands, within the Navajo Community Plan Area?

Staff's Recommendation:

1. **CERTIFY** Mitigated Negative Declaration No. 3938, and **ADOPT** the Mitigation, Monitoring and Reporting Program (MMRP) covering this activity; and
2. **APPROVE** Community Plan Amendment (CPA) No. 7687, Rezone (RZ) No. 7686, Tentative Map (TM) No. 7685, Planned Development Permit (PDP) No. 7688, and Site Development Permit (SDP) No. 7689.

Planning Commission Recommendation – On December 16, 2004, the Planning Commission voted 6-0 to recommend approval of the project with modifications as discussed in this report (Attachments 19 and 20).

Community Planning Group Recommendation - On April 21, 2003, the Navajo Community Planning Group voted 13-2-0 to recommend approval of the project. A copy of the recommendation is included as Attachment 22.

Environmental Review - MND No. 3938 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A MMRP has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts to Biological or Paleontological Resources, Visual Quality, or Human Health and Public Safety.

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

Code Enforcement Impact - None with this action.

Housing Impact Statement - The site is currently designated for light industrial uses. The current land use designation of light-industrial does not allow residential development. The proposed low-density, single-family residential land use designation would allow a density range of 0-9 dwelling units per acre, with a potential maximum of 31 units. The proposed project would redesignate the site to a single-family residential zone and add 16 residential units. Therefore, there would be a net increase of 16 residential units in the Navajo community.

Water Quality Impact Statement - The project is classified as a priority project as defined by the City Storm Water Standards. The project is required to comply with the State Water Resources Control Board Order No.92-08-DWQ (NPDES General Permit No. CAS0000002). During construction, this project will comply with Best Management Practices (BMP's) through preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conjunction with the grading plans. The SWPPP will identify all BMP's to be implemented during the construction phase to reduce/eliminate discharges of pollutants from the project site to the maximum extent practicable.

The post development Best Management Practices (BMP's) 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 public storm drain system to be constructed in Wembley Street, which will connect to an existing storm drain system in Keighley Street. The project will incorporate an in line hydrodynamic separator device to treat the post development run off. The hydrodynamic system will be sized to meet the project's numeric sizing requirements. The post-construction BMP's detailed in the Water Quality Technical Report have been evaluated and accepted by the City Engineer. The Home Owners Association will be responsible for the long term maintenance of a hydrodynamic separator device.

BACKGROUND

In 1995, the City Council approved Planned Industrial Development, Hillside Review and Resource Protection Overlay Zone (PID/HRP/RPOZ) Permit No. 88-0794, the Mission Trails Industrial Park Project. This approval allowed the subdivision of a 48-acre site for development as a light-industrial park, located on the south side of Mission Gorge Road between Princess View Drive and Old Cliffs Road. A copy of the recorded Permit No. 88-0794 is included as Attachment 16. This development resulted in a 6.36-acre remainder parcel located at a southerly corner of the development, which was not a part of the PID/HRP/RPOZ Permit No. 88-0794. This parcel has remained undeveloped and is the subject of the current development application. The parcel has remained designated for light-industrial use in the Navajo Community Plan. However, the site is zoned AR-1-2, which would allow for a maximum of six dwelling units. The project proposal includes a request to amend the Navajo Community Plan to designate the site from light-industrial to single-family residential land use, and to rezone the property to RX-1-1, which would allow residential development of a maximum of 16 units.

The subject property is located at the terminus of Wembley Street, south of Mission Gorge Road and west of Princess View Drive, and north of Fontaine Street, within the Allied Gardens neighborhood. The proposed residential development is located in the southwest corner of the site and would occupy approximately 3.4-acres (one-half) of the property area. The remaining northwest portion of the parcel will remain undeveloped as a privately owned and maintained open space easement.

Surrounding land uses consist of commercial and warehouse development to the north and northwest (Mission Trails Industrial Park); commercial, undeveloped, and an elementary school uses to the east; and the Allied Gardens residential neighborhood located to the south and east of the site. The project site is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA).

DISCUSSION

The proposed subdivision includes 17 lots, 16 of which will be developed with a two-story, single-family residence. Lot sizes range from 3,921 sq. ft. to 33, 857 sq. ft. in area. Development includes four-bedroom models from 2,477 sq. ft. to 2,672 sq. ft. of area, and five-bedroom models approximately 3,440 sq. ft. in area (including garage). Residences would be constructed utilizing varied setbacks to achieve variation in design and streetscape, and vary in height from 26'-10" to 28'-4" depending on elevation. Lots 10-16 include open space easements for brush management purposes. Copies of project plans are included as Attachment 5.

Lot 17 consists entirely of a 1.53-acre open space easement, which would remain in private ownership and be maintained by a homeowner's association. The remainder of the subdivision would be utilized for use as public right-of-way including street, curb, gutter and sidewalk. Two, off-street parking spaces within garages are provided for each residence, for a total of 32-spaces.

Vehicular access is provided from the extension of an existing public street (Wembley Street) via a 50-foot-wide public road. Wembley Street is currently a dead-end roadway which provides access to four, existing single-family detached homes. With the addition of the project, Wembley Street would remain a dead-end, cul-de-sac roadway.

A total of 3.43-acres, or 54%, of the 6.36-acre site would be graded including 43,000 cubic yards of excavation (cut) to a maximum depth of 22-0feet, and 7,000 cubic yards of fill to a maximum depth of 42-feet, with 36,000 cubic yards exported off-site. Retaining walls and crib walls are proposed to minimize the amount of grading required for development, while preserving portions as open space.

Retaining walls a maximum of eight-feet in height would be utilized to support building pads for residential development. Visual impacts of these walls would be minimized with installation of a variety of landscaping including trees, shrubs and groundcover. Three terraced retaining walls each a maximum height of 12-feet, would be located along a steep westerly facing portion of the extension of Wembley Street. These walls would support the access roadway at the entrance to the development, which varies in elevation from 110- to 190-feet. Landscaping would be provided in the area between the terraced walls to reduce visual impacts.

The extension of Wembley Street would be landscaped with flowering shrubs and trees. Slope revegetation would be planted, irrigated and maintained in accordance with Landscape Standards of the Landscape Development Manual. The site landscaping consists of a mixture of native and non-native street trees, shrubs, and groundcovers. All manufactured slopes along the north and west side of the property (adjacent to the proposed open space) would be planted with a mixture of native trees and shrub species including coast live oak and a hydroseed mixture of black sage, coastal sagebrush, white sage, and coast deerweed. Modified Brush Management would incorporate firewalls and other fire prevention measures to the satisfaction of the City Fire Marshal and Development Services Director.

Community Plan Amendment Analysis

On May 2, 2002, the Planning Commission considered an initiation for an amendment to the Navajo Community Plan and the Progress Guide and General Plan to allow the redesignation of a 6.36-acre light-industrial site to single-family residential use. At the hearing, the Planning Commission voted to approve the initiation of the amendment, requesting that a staff analysis include several issues (Planning Commission Report No. P-02-054 and Resolution No. 3260-PC, Attachment 15). These issues and staffs response are included below.

1. The compatibility of the proposed development with surrounding uses.

Staff response – The site is located directly north of an existing single family residential neighborhood with access off of Wembley Street, to the south. The site is at a slightly lower elevation than the neighborhood to the south and will preserve views from the existing homes. The site is more suitable to be designated as single family residential than industrial as the only access is through the existing single family neighborhood. Therefore, the proposed development will function as an extension of the single family neighborhood to the south. The remaining portion of the industrial land to the north is at a much lower elevation and is accessed from the north.

2. An appropriate level of density for the proposed residential development.

Staff response – The level of residential density proposed is similar to the existing single family residential development to the south. The proposed zone is RX-1-1, which allows for 1 dwelling unit on a minimum of 4,000 square foot lot. The existing single family residential development directly adjacent to the south is comprised of average of 5,000 square foot lots. Higher density residential units were not proposed for this site due to the existing single family character in the neighborhood and the desire to have the proposed project fit into the neighborhood.

3. The provision for affordable housing.

Staff response – The inclusionary ordinance allows the requirement to be met by provision or payment of in lieu fees. The applicant is not proposing to include affordable housing on site. Therefore, the applicant will be providing in lieu fees to address this issue. In lieu fees are calculated at \$1.75 per square foot of gross floor area of development and payable at the building permit issuance.

4. The adequacy of public services and facilities, including schools, parks, fire, and police services, to determine whether additional units proposed would negatively impact the current levels of these services.

Staff response – Public services such as water, sewer, roads, etc, are in place to support this development. The proposed project will pay hook up fees for access to water and sewer services. Public facilities will not be negatively impacted by the approval of this proposed project as the project will pay development impact fees (\$2,162/dwelling unit) to contribute to the Navajo parks and fire departments. Police services are provided from the General fund. School fees are an additional fee paid by the developer to the San Diego School District. In addition, according

to the draft mitigated negative declaration, issued September 15, 2004, the proposed project does not require the construction or expansion of recreational facilities.

5. The impacts of the proposed residential development to any existing biological resources on the subject property.

Staff response – According to the draft mitigated negative declaration, issued September 15, 2004, a biological survey was performed on January 29, 2002. The results were published in a survey report entitled “River View Village Biological Resources Technical Report San Diego, California” in June 2004. The report concluded that construction of 16 single-family residential homes would result in the permanent impacts to 0.08 acres coast live oak woodland and 2.79 acres of coastal sage scrub would be considered significant and require mitigation. Staff analysis concluded that the residential development is proposed on the most practicable area on the site.

6. Sensitive grading techniques for development of the site.

Staff response - Of the 6.36 acre site, a total of 3.45 acres are being graded for development. Sensitive grading techniques were employed with the proposed project to contour the graded and fill slopes into the hillside, consistent with the community plan. Grading was minimized for the site and the total number of dwelling units originally submitted reduced to be able to keep grading and fill on the site to a minimum.

7. Appropriate design of the proposed residential units to minimize visual impacts of the project as viewed from Mission Gorge Road and adjacent public rights-of-way.

Staff response – The applicant conducted a visual analysis for the view corridors towards the proposed project as seen from Mission Gorge Road. The proposed project will include landscaping in the rear of the dwelling units to screen the proposed homes, provide varied off-setting planes to the rear of the buildings, provide several building models for more variation and paint colors to blend into the landscaping. The dwelling units are located lower than the existing single family homes in the neighborhood and therefore do not create a visual focal point on the ridgeline. With maturing landscape, the homes will blend into the hillside. As a result, and per the visual simulation study, the buildings will not adversely affect the public views from Mission Gorge Road or Princess View Street.

8. Evaluation of alternative access to the site, other than Wembley Street; this will include an analysis of the impacts of traffic and vehicle circulation patterns for the proposed development.

Staff response – Alternative access to the site was explored but ultimately not recommended by the city’s traffic engineering due to steep topographic issues (access greater than 15% as allowed per City of San Diego design standards). Access to the site via Wembley Street is the preferred access point and traffic analysis was conducted to determine the impacts to the surrounding streets to include Keighley and Fontaine Street. Traffic impacts to surrounding streets were

determined to be below a level of significance and are expected to operate at acceptable service levels consistent with existing conditions.

9. Minimizing construction impacts on adjacent single-family residences; this will include preparation of a traffic plan for trucks and construction vehicles to alleviate construction impacts on the surrounding neighborhood.

Staff response – According to the draft mitigated negative declaration, issued September 15, 2004, construction traffic will be minimized and be restricted to activity from Monday to Friday, between the hours of 8:30 AM to 3:30 PM. This time frame is outside of peak traffic hours and should not conflict with rush hour traffic in the morning or evening. Subsequently, construction traffic is not expected to cause daily traffic levels on the surrounding roadways to exceed their service capacities.

10. Identification of opportunity areas within the Navajo community for additional industrial development to recapture the loss of the 6.36 acres.

Staff response – The usable area of the site is approximately 3.43 acres of land due to the steep topography of the site. Because of this, staff considered this amount of acreage for industrial replacement. There are other sites nearby, notably west on Mission Gorge Road that are currently zoned commercial that could potentially be redesignated as industrial, should the market demand arise. Identification of additional industrial areas can be considered the next time the community plan is updated or an amendment in that vicinity is requested.

11. Analysis of the type of industrial development that could occur on the site under the current “light industrial” designation, including uses, building type, size, and traffic impacts.

Staff response - The light-industrial land use designation allows a variety of uses as listed in the Municipal Code for the industrial zones, which include types of industrial, research and development, office and a variety of retail and commercial services. The likelihood of light industrial development on the site is very low, due to the grade of the public streets and difficult access from the single family residential neighborhood. Distribution or high tech uses are not likely to be located there, however, possibly some office use could be feasible, although traffic from an office use would exceed that produced by industrial or residential uses. Building types, sizes and traffic impacts would be a function of the current light industrial zone, IL-2-1, which allows a maximum floor area ratio (FAR) of 2.0 and no limit on building height.

12. Impact of the proposed development on the adjacent elementary school.

Staff response - The proposed project will not have any physical impacts on the adjacent elementary school. There is no off site grading for the proposed project, nor any encroachment into the school site, nor are there any topographic changes from the proposed project to the school. Early discussions with the applicant included the possibility of including a path that connected the housing to the school site, but this was deleted pursuant to community input.

13. Verification of the subject property as a remainder parcel and not part of the PID for the adjacent industrial development.

Staff response – Staff has reviewed the Mission Trails Industrial Park Subdivision Map No. 13703, filed with the Office of the County Recorder on December 11, 1998, pursuant to Council approval of the Tentative Subdivision Map on November 28, 1995. This Map indicates that pursuant to provisions of the California State Subdivision Map Act, the 6.36-acre subject property was designated “Not a Part” of the approved Subdivision, and is not included as part of the PID for the adjacent industrial development. The remainder parcel is noted in EIR No. 88-0794 (Pages 1 and 8) as having been designated a remainder parcel for potential future development.

Planning Commission Action

On December 2, 2004, the Planning Commission voted 7-0 to continue the public hearing to provide an opportunity for the Applicant to meet with staff in an effort to consider project modifications to address impacts to steep slopes, retaining wall height, and public right-of-way width/site access. A copy of the minutes of this meeting is included as Attachment 17. On December 9, 2004, staff met with the Applicant and discussed several options to address the identified issues.

On December 16, 2004, staff and the Applicant presented a total of nine options to the Planning Commission for discussion. Of these nine options, a variation of “Option 1”, identified as “Option 1a” was selected by the Planning Commission. The Planning Commission voted 6-0 to recommend approval of this Option and directed the Applicant to prepare revised plans consistent with this Option for review by staff. Staff review of these plans determined that they satisfactorily incorporated the project modifications as approved by the Planning Commission. These revised plans are included as Attachment 5. A copy of the minutes of the Planning Commission hearing is included as Attachment 18.

Project Description - Option 1a. (Attachment 5)

This Option, presented by the Applicant and reviewed by staff, was selected by the Planning Commission and is recommended for approval. Revised plans were submitted and reflect these project modifications. This Option provides the following:

- 1) A 50-foot wide public right-of-way (45-foot wide at the access entrance retaining wall;
- 2) A 30-foot wide curb-to-curb section, including sidewalks on both sides of the street with an increased roadway grade;
- 3) Three, terraced retaining walls, each a maximum of 12-feet in height not to exceed a total maximum of 35-feet in height; and
- 4) A reduction of approximately 900 sq. ft. of encroachment into environmentally sensitive lands.

Environmental Analysis

Site grading to accommodate the residential lots and construction of the 16, single-family residences will result in mitigable impacts to biological and paleontological resources, visual quality, human health and public safety. These impacts are addressed in MND No. 3938, and an MMRP will be implemented to ensure that these impacts are reduced to a level below significance.

Conclusion

After analyzing a series of issues related to the proposed project, staff has found the project to not create an adverse visual impact to the surrounding neighborhood due to sensitive siting of the project on the site, minimum grading and adequate landscaping to buffer the building development. The site will be accessed off of Wembley Street which allows the continuation of the single family residential use and creates a separation from the industrial activity to the north of the site. The site was determined not to be a viable parcel for industrial use and therefore the redesignation request is an appropriate land use designation change from industrial to single family. The project relates to the immediate neighborhood and will not cause negative impacts to the adjacent homes or school to the east of the site. Because of the extensive analysis conducted on the proposed project, staff is in support of the land use designation change and proposed project. The project has been revised to reduce the height of a retaining wall required for access to the site and to reduce impacts to environmentally sensitive lands. Conditions have been added to the draft permit to minimize impacts of the development and to support the findings. Staff can support this project with the draft findings included in Attachments 11 and 13.

ALTERNATIVES

1. Approve Community Plan Amendment No. 7687; Rezone No. 7686; Tentative Map No. 7685; Planned Development Permit No. 7688 and Site Development Permit No. 7689, with modifications.
2. Deny Community Plan Amendment No. 7687; Rezone No. 7686; Tentative Map

No. 7685; Planned Development Permit No. 7688 and Site Development Permit No. 7689, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Gary W. Halbert
Development Services Director

Approved: Ellen Oppenheim
Deputy City Manager

HALBERT/WCT

Note: Attachments 4, 8, 9, 11-13, 19, and 20 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
6. Community Plan Documents (Existing)
7. Community Plan Amendment Documents (Proposed)
8. [Draft Community Plan Amendment Resolution](#)
9. [Draft Rezone Ordinance](#)
10. Rezone - B Sheet, B-4187
11. [Draft Subdivision Resolution with Tentative Map Conditions](#)
12. [Draft Permit with Conditions](#)
13. Draft Permit Resolution with Findings
14. Planning Report No. P-02-054 (CPA Initiation)
15. Planning Commission Resolution No. 3260-PC (CPA Initiation)
16. Planning Report No. PC-04-193
17. Planning Commission Minutes of December 2, 2004
18. Planning Commission Minutes of December 16, 2004
19. [Planning Commission Resolution with Conditions \(Tentative Map\) No. 3619.1-PC](#)
20. [Planning Commission Resolution \(Permit - CPA/RZ/PDP/SDP\) No. 3619-PC](#)
21. Copy of Recorded PID/HRP/RPOZ Permit No. 88-0794
22. Community Planning Group Recommendation
23. Ownership Disclosure Statement
24. Project Chronology