

DRAFT CITY COUNCIL
RESOLUTION NO. _____
SITE DEVELOPMENT AND MID-CITY DEVELOPMENT PERMIT NO. 41-0464
NOB HILL

WHEREAS, CARTER REESE NO 14 LP, A CALIFORNIA LIMITED PARTNERSHIP, Owner/Permittee, filed an application with the City of San Diego to/for 1) Amend the Uptown Community Plan and the City's Progress Guide and General Plan to redesignate a 25,000 square-foot portion of a 40,000 square-foot project site from NP-3 (Office and Medium-Density Residential - Density 3) to NP-1 (Office and High-Density Residential - Density 5); 2) Rezone a 25,000 square-foot easterly portion of the 40,000 square-foot site from NP-3 (15-29 du/ac) to NP-1 (44-73 du/ac), the remaining 15,000 square-foot portion being zoned MR-1000(B) - Mid-City Communities Planned District; 3) a Site Development and Mid-City Development Permit to accommodate the development of six, rowhouses, and a 51-unit apartment complex; and 4) a Tentative Parcel Map to consolidate existing legal lots to accommodate apartments (Parcel 1) and rowhouses (Parcel 2), to accommodate the future sale of the rowhouses as condominiums (CPA/RZ/SDP/MCD/TM), (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 41-0464), on portions of a 0.92-acre site; and

WHEREAS, the project site is located at 2330 First Avenue in the MR-1000(B) and NP-3 (NP-1 proposed) Zone(s) of the Mid-City Communities Planned District and Uptown Community Plan Area; and

WHEREAS, the project site is legally described as Lots D, E, F, G, H, I, in Block 266 of Horton's Addition, according to map thereof by L.L. Lockling; Together with Parcel 2 of Parcel Map No. 18651; and

WHEREAS, on March 21, 2002, the PLANNING COMMISSION of the City of San Diego considered AND RECOMMENDED APPROVAL TO THE CITY COUNCIL of said CPA/RZ/SDP/MCD/TM No. 41-0464 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the CITY COUNCIL of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated _____, 2002.

I. Site Development Permit - Municipal Code Section 126.0504**1. The proposed development will not adversely affect the applicable land use plan.**

The Uptown Community Plan includes a number of recommendations to achieve the stated goals and objectives, many of which this project addresses. The project meets the overall concept of the Plan to shift higher residential density away from the more isolated, lower scale neighborhoods and focus development on the major transportation corridors. Large scale developments should be limited to areas where they are more compatible with existing development patterns. Redevelopment of underutilized commercially zoned areas is encouraged by permitting residential use in these areas. Transit use is encouraged by the placement of residential units adjacent to transit routes. Pedestrian activity is encouraged by intensifying residential use within commercial areas.

Additionally, the project is also consistent with recommendations which include providing floor area ratio bonuses to encourage high intensity development along transportation corridors, limiting development intensities in the airport impact area, enhancing the existing pedestrian orientation of commercial areas through controls on the design of development; improving the design of multi-family development with offsetting building walls, screened or underground parking, minimal curb cuts, private open space and improved landscaping, and implementing land use recommendations through special zoning regulations (MCCPD) tailored to meet the needs of the area. The project also provides public right-of-way improvements which include street trees, decorative paving and pedestrian pathways.

The Residential Element of the Uptown Community Plan indicates that Uptown is characterized by the age and quality of its housing stock. Deteriorating units comprise a portion of the available housing stock. This portion is nearly double the City-wide incidence of three percent. Portions of multi-family areas west of Balboa Park have a high percentage of dwelling units in deteriorated condition. Southerly portions of the area are subject to building height limitations of the Airport Approach Overlay Zone and are impacted by airport noise.

The project proposes to provide new housing stock, both for sale (single-family row houses) and multi-family apartments. This will add to the housing stock for the area and assist in the revitalization of a portion of the Uptown Community. The project will comply with relevant portions of the Comprehensive Land Use Plan (CLUP) for Lindbergh field and is within allowable intensity parameters.

The project is consistent with several objectives of the Uptown Community Plan (Page 37) including those that seek to locate medium and high density residential development in selected areas with provision of adequate design controls to provide compatibility with existing lower

density development. The project also concentrates medium and high density housing adjacent to established commercial areas, near transit and higher volume traffic corridors. Design controls have been implemented through the Site Development Permit process. The amendment of the Community Plan from medium high density residential land use to high density residential land use is consistent with this effort.

The project is also consistent with several goals of the Community Plan related to residential development including provision of a wide variety of housing types for all age, income and social groups, retention of the character of residential neighborhoods, and the prevention of the intrusion of incompatible uses into neighborhoods. The project is also sensitive to the Urban Design goals which recommend that projects enhance the diverse and unique character of the community, ensure compatibility of neighboring uses, and encourage the design of buildings and circulation systems to be sensitive to the needs of the pedestrian.

The deviations requested for the project will assist in meeting an identified need for additional housing of varying types and will provide for flexibility in design. The project will assist in implementation of urban design goals of the Community Plan by providing enhanced landscape for perimeter walls surrounding the site.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project has been reviewed by staff. Revisions have been made to the project to address concerns including those related to public health, safety and welfare. Permit conditions have been included to further address these concerns. Prior to project implementation, plans will be submitted and reviewed for compliance with applicable Uniform Codes to ensure that these concerns are further implemented in the built environment. The project is consistent with applicable requirements of the Comprehensive Land Use Plan for Lindbergh Field. Plans have been reviewed by staff representing the Airport Land Use Commission (ALUC), the San Diego Association of Governments, and the San Diego Unified Port District. No adverse comments have been received and pursuant to Land Development Code provisions, concurrence of these agencies has been established. Therefore, it is not anticipated that the proposed development will be detrimental to the public health, safety or welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The project has been reviewed by staff for compliance with applicable regulations, ordinances and policies. Modifications have been made to the project to address these issues. Staff has determined that the requested deviations comply with the purpose and intent of the Mid-City Communities Planned District, and are appropriate. Conditions have been added to the draft

permit to ensure that the project will comply with relevant policies, regulation and ordinances, including the Uniform Codes, upon project implementation.

II. MID-CITY (PDO) ~ MUNICIPAL CODE SECTION 103.1504)

A. Conformance With Community Plan and Design Manuals. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 103.1501), and the Uptown Community Plan; and will not adversely affect the Uptown Community Plan or the City's Progress Guide and General Plan.

While the project does not provide a 15-foot setback along Juniper Street, as recommended in the community plan, it does meet the intent of the setback by offering other design features that create a visual entranceway into Balboa Park, such as entry stoops, balconies, trellises and landscape elements designed to enhance the visual experience of pedestrians and drivers on Juniper Street.

B. Compatibility With Surrounding Development. The proposed development will be compatible with existing and planned land uses on adjoining properties and will not constitute a disruptive element to the surrounding neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable.

The apartments on First Avenue are 'Uptown modern historic' , and include common architectural elements found in the houses and commercial building of the surrounding neighborhood, notably structures clustered around a common courtyard, entry stoops, stucco exterior walls, roof parapets, eyebrow eaves, trellised patios and entries, and rusticated bases.

The row homes have been designed in the 'California Arts and Crafts' style, and incorporate sloped tile roofs, wide overhanging roof eaves, corbels, entry trellises, and articulated detailing at windows and doors. The design of the sidewalks at the project site also conforms to the historic "triple-score" patterned paving of sidewalks at adjacent properties

C. No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

The project has been reviewed by staff. Revisions have been made to the project to address

concerns including those related to public health, safety and welfare. Permit conditions have been included to further address these concerns. Prior to project implementation, plans will be submitted and reviewed for compliance with applicable Uniform Codes to ensure that these concerns are further implemented in the built environment. The project is consistent with applicable requirements of the Comprehensive Land Use Plan for Lindbergh Field. Plans have been reviewed by staff representing the Airport Land Use Commission (ALUC), the San Diego Association of Governments, and the San Diego Unified Port District. No adverse comments have been received and pursuant to Land Development Code provisions, concurrence of these agencies has been established. Therefore, it is not anticipated that the proposed development will be detrimental to the public health, safety or welfare.

D. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 103.1504(h)(1)(A)(i) or Section 103.1504(h)(1)(A)(ii), the proposed development provides a minimum of 75-square-feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located with in any area of the site used for vehicle parking, or ingress or egress, and shall be configured to have a minimum of ten feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities.

This project is not located within an identified park-deficient neighborhood as shown on Map Number B-4101. The parks located within the Uptown Community have been determined to be adequate to serve projects in this area. Therefore this finding does not apply.

E. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site.

Conditions have been added to the draft Permit to require project compliance with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 769830, filed January 30, 1997) and the amendment to Council Policy 200-18 approved by City Council on January 10, 2000, to the satisfaction of the City Engineer. This will ensure provision of adequate neighborhood-serving security lighting on-site consistent with the Municipal Code.

F. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

Staff review has determined that with the conditions included in the draft permit, the project will comply with the relevant regulations in the San Diego Municipal Code. Conditions 18 and 19

ensure that the project will conform with the CLUP and AEOZ by requiring an avigation easement to permit the operation of aircraft in the airspace above the project and to acknowledge potential interference with the residents' quiet enjoyment of their property. The CLUP also limits project density to 110% of development within a one-quarter mile radius. Staff performed a density study for the project and determined that the project will not exceed the CLUP density limit.

Prior to implementation of the Project, grading and building plans will be reviewed and approved to ensure compliance with current standards, ordinances and policies of the City of San Diego and related Uniform Codes.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the CITY COUNCIL, CPA/RZ/SDP/MCD/TM No. 41-0464 is hereby Approved by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 41-0464, a copy of which is attached hereto and made a part hereof.

City Attorney

Adopted on: _____, 2002

By a Vote of: