

# UPTOWN PLANNERS

## Project Pipeline: Oct 2009

**2155 FIRST AVENUE (“GRUENBERG OFFICE”)** – Process Three -- Bankers Hill/Park West – Site Development Permit to demolish two existing cottages and construct a 3,914 sq. ft. office building with zero yard setback on a 0.17 acre site with an existing designated historic building at 2155 First Avenue in the CV-4 Zone; FAA Part 77; Airport Influence Zone; AAOZ; Residential Tandem Parking; Transit Area.

*Distribution Form dated 9 Sep 2009; Notice of Application dated 22 Oct 2009.*

Site Plans:

*“Site Development Permit for MCCPD for the granting of a zero yard setback on the east side of the parcel 533-172-01.*

*To construct a new two story 3914 square foot office building on a parcel with existing 1902 Historic Landmark Structure*

*# 187. Demolition of two 1926 single story wood cottages 2155 First Avenue and 121 Ivy including two nonconforming offstreet parking spaces.”*

*Existing building area is 2696 sq. ft.; proposed total building area would be 6610 sq. ft. The height limit is 40’; proposed Building is 30’ high.*

**906 HAYES AVENUE SDP (“LEATHER RESIDENCE”)** – Process Three -- University Heights – Sustainable Building Expedite Program (Solar) --Site Development Permit for Environmentally Sensitive Lands for a 1,728 sq. ft. addition to an existing single family residence on a 0.46 acre site at 906 Hayes Street in the RS-1-7 and RS-1-1 Zone.

*Distribution Form dated 9 Jun 2009; Notice of Application dated 23 Jun 2009; 2<sup>nd</sup> Distribution Form dated 9 Oct 2009.*

*Project is in sustainable building expedite program because of proposed photovoltaic solar panels on rooftop – which will generate 11,216 kwh hours of electricity.*

*Site Plans: “Addition and renovation to existing house: include: (1.) Renovation of living room and master bedroom; (2.) removal of existing north wall and install new wall. Addition of new deck of living room, enlarge living room and two hobby rooms.*

*Existing house is 1,606 sq. ft; garage and storage 285 sq. ft. Total finished house will either 3,619 sq. ft.; 3,361 sq. ft. building footprint. Total flat area on lot is 12,450 sq. ft.; total lot is 20,000 sq. ft.*

Letter dated 7 Oct 2009 from project applicant:

“This letter is in response to the Development Services Assessment letter of July 8 ’09 which identified issues to be resolved in Resubmitting plans for the Site Development Permit approval. Besides the following description of the project as qualifying for the Expedite Program, attached to the letter is a list of the numbered reviewer issues with notes indicating how we have addressed each of the issues, and on which Plan sheets the corrections are located. A copy of the Issues Report response is included with each new plan set.

This property qualifies for the Expedite Program because a photovoltaic system will be installed that will supply more than 90% of the new and existing building energy consumption. . .”

**4295 PROCTOR PLACE SDP (“STEVENS RESIDENCE”)** – Process Three – University Heights -- Site Development Permit for Environmentally Sensitive Lands to construct an approximately 5,566 sq. ft. single-family residence on a 1.38 acre site at 4295 Proctor Place in the RS-1-7 and RS-1-1; FAA Part 77 Overlay Zone.

*Distribution Sheet dated 20 Aug 2009; Notice of Application dated 2 Sep 2009*

*Site Plans: (1.) Site Development Permit for Environmentally Sensitive Lands; (2.) Demolition of existing single family residence and covered carport (demolition permit # 172311); (3.) Demolition of all existing hardscape; existing pool to remain; (4.) construction of proposed two story custom residence (4,701 sq. ft living area, 885 sq. ft. garage.)*

**2400 SIXTH AVENUE CUP: BELLEFONTAINE (“AT&T SD0013 6<sup>TH</sup> AVE”)** Process Four – Bankers Hill/Park West -- Conditional Use Permit to extend the use of an existing wireless communication facility on an existing residential building at 2400 Sixth Avenue in the MR-800B Zone; Airport Approach Overlay Zone; Airport Influence Area; FAA Part 77

*Distribution Form dated 24 Sep 2009; Notice of Application dated 8 Oct 2009.*

*“Project Description: The project consists of a CUP for an existing WCF antennas and associated equipment cabinets for ATT&T’s wireless telecommunications network will remain unchanged.”*

**4225 SIXTH AVENUE STORM DRAIN REPAIR SDP** – Process Three -- Medical Complex – Site Development Permit for Environmentally Sensitive Lands to repair and replace existing storm drain located at 4225 Sixth Avenue, with 210 linear feet of 18-inch diameter HDPE pipe and reinforced concrete pipe (RCP) as well as new inlets, cleanouts, and anchors on the slope.

*Distribution Sheet dated 20 Apr 2009; Notice of Application dated 6 May 2009.*

*“The project requires a Process 3 Site Development Permit because it is less than 100 feet from sensitive biological resources – would require a Process 4 Site Development Permit if the impacts to the sensitive biological resources cannot be mitigated in accordance” . . .to the SDMC.*

*Planning staff requests a grading table with cut/fill and import/export quantities; license of engineer must be updated. A surficial slope failure and slope washout has been identified in the area of the proposed drain repair. A geological reconnaissance report is required.*

**666 UPAS STREET (“VERIZON SAN DIEGO ZOO”)** – Process Four – Hillcrest – Conditional Use Permit to extend the use of an existing wireless communication facility on the roof of an existing residential building at 666 Upas Street in the MR-400 Zone; FAA Part 77.

*Distribution Sheet dated 18 Sep 2009; Notice of Application dated 1 Oct 2009.*

*Site Plans: Will remove and replace three existing wireless panel antennas inside RF transparent boxes mounted to penthouse walls. Will also remove and replace two existing cabinets in rooftop equipment platform. Equipment is located on side of existing penthouse above the parapet.*

## Process Two Projects (Reviewed by Staff; Potential Appeal to Hearing Officer)

**4190 FRONT STREET (“FIRST UNITARIAN CHURCH”)** – Medical Complex – Neighborhood Development Permit to demolish and existing building and construct a 9.829 sq. ft. multipurpose building for an existing church with deviations to parking and driveway width on a 7.50 acres site at 4190 Front Street in the MR-3000 & RS-1-1 Zone; FAA Part 77; Residential Tandem Parking; Transit Area.

*Notice of Future Decision dated 13 Oct 2009;*

**1769 SAN DIEGO AVENUE NDP (“SAN DIEGO AVE MIXED USE”)** – Process Two – Middletown – Neighborhood Development Permit to demolish existing residential units and construct six residential units and 5,550 sq. ft. commercial space with reduced rear yard setback on a 0.26 acre site at 1769 San Diego Avenue in the CL-6 Zone; Airport Approach, FAA Part 77, Transit Area,

*Distribution Sheet dated 19 May 2009; Notice of Future Decision dated 3 Jun 2009*

*Site Plans: Demolition of six unit apartment building constructed in 1930; five new commercial office spaces and six new two bedroom residential units, all above parking garage. NDP for rear yard setback deviations.*

## Re-submittals/ Partial Reviews/Inactive Projects (No Activity for Six Months, or Previously Reviewed)

**3650 FIFTH AVENUE (“PAPPALECCO SIDEWALK CAFÉ”)** Process Two – Hillcrest – Neighborhood Use Permit for a sidewalk café for Pappalecco Café in the CN-1A and CV-1 Zone.

*Distribution Form dated 28 Aug 2009; Notice of Future Decision dated 14 Sep 2009.*

*Project located t 3650 Fifth Avenue, Suite 104, “Proposed sidewalk café to existing coffee/gelato shop.*

**2044 FIRST AVENUE NUP (“SD CREDIT ASSOCIATION WCF”)** – Process Two – Bankers Hill/ Park West – Neighborhood Use Permit to install a wireless communication facility with associated equipment on the roof of an existing building on a 0.28 site at 2044 First Avenue in the NP-3 Zone; Airport Approach Overlay Zone; Airport Influence Area; FAA Part 77; Residential Tandem Parking Area; Transit Area.

*Distribution Sheet dated 18 Aug 2008; Posted Notice of Future Decision dated 22 Sep 2008.*

**3252 FRONT STREET SDP (“MACKENZIE RESIDENCE”)** – Process Three – Bankers Hill/ Park West – Site Development Permit for Environmentally Sensitive Lands for a new pool with landscape improvements on a 0.45 acre site with an existing single family residence at 3252 Front Street in the RS-1-7 and RS-1-2 Zone; FAA Part 77; Residential Tandem Parking; Transit Area.

*Distribution Form dated 18 Jul 2008 and 5 Dec 2008; Notice of Application dated 1 Aug 2008.*

*Assessment Letter dated 2 Sep 2008; applicant needs to prepare draft written findings for the SDP; Biology Letter Report must be submitted. A Brush Management Plan required; if project cannot comply with the 100 foot buffer, then an alternative method of compliance must be worked out with staff. A determination must be made if any sensitive biological resources exist on the site.*

*Responses to 1<sup>st</sup> Assessment Letter, (1.) Biological Report has been submitted; all areas within the limit of work have been previously disturbed.*

**ST. PAUL'S CATHEDRAL SDP, NDP, Tentative Map – (Process Five) -- Affordable Expedite Program** – Bankers Hill/Park West – Site Development Permit and Tentative Map to construct 112 residential condominiums with reduced setbacks & increased building height and renovate the 18 existing residential units and rent as affordable housing on a 1.01 acre site at 2665 & 2761 Fifth Avenue in the CV-1 & MR-400 Zone of the Mid-City Communities Planned District; Includes encroachment into the PROW

*Distribution Sheet dated 8 Apr 2009; Revised Notice of Application dated 22 Apr 2009.*

*Notice of Preparation of a Draft Environmental Impact Report dated 7 Oct 2009.*

*Letter from Don Hinderliter, Tucker Sadler Architects, dated 3 Apr 2009:*

*“The project is proposing a 13-story, 45 unit Mixed-Use condominium building with underground parking; a 17 story, 65 unit Mixed-Use condominium building with underground parking; and completion of the Saint Paul’s Episcopal Cathedral. The La Moderne Apartments are no longer a part of the proposed development. The affordable housing component of the development is now 11 units for sale to households at or below 100% AMI; six in the Olive tower and five in the Nutmeg tower. Because the affordable units are not required to be as large as the very generous market rate units, two additional units per tower fit in the same building envelope as previously proposed. The project exterior design and site plan remain exactly as in the last submittal except for the deletion of Le Moderne. The Site Plan, Tentative Mpa, and Landscape Plans have been revised to omit Le Moderne.*

*. . . Parking has been revised to add three spaces to the Olive garage and four spaces to the Nutmeg garage.*

*The Project Data Sheet has been revised to omit the Le Moderne Apartments and revise site, floor area, and density calculations, unit counts, parking summary, and scope of work. Additionally, the resultant loss of site area results in an FAR greater than 10 above a height of 100’ in the MR-400 Zone and so a corresponding deviation request has been added.”*

*Distribution Sheet dated 25 Mar 2008; Previous Distribution Sheets dated 13 Nov 2006 and 25 Jul 200; Distribution Form dated 25 Apr 2008 26 new Distribution Form dated Jun 2008*

*Previous Assessment Letters/ Cycle Issues dated 16 Aug 2007; 7 Dec 2006:*

*The project would construct 130 residential condominiums (18 of the “new” units would be from rehabilitating the existing La Modern Apartments: Deviations requested include: (1.) reduced setbacks; (2.) reduced front yard requirements; (3.) lack of off-street loading area; (4.) reduced street wall heights in setback; (5.) deviation from the allowed percentage of vision glass; (6.) deviation to allow a higher building then allowed by the zoning;(6.) and permission to build into the Airport Approach Overlay Zone.*

*Proposed project would conform with Council Policy 600-26 criteria for Affordable/ In-Fill Housing Expedite Program by setting aside 10% of the dwelling units on-site (18 units) as rental units for households with income below 65% of the area medium income.*

*Assessment Letter and Cycle Issued 16 Jan 2008: Summary of issues indicated in latest review stated below, with comments from previous documents in indented text.*

*Environmental Review: Whether an EIR will be required will not be determined until more information provided regarding the project—remains in Extended Initial Study.*

*The Environmental Analysis Section (EAS) requests further information, to determine the potential impacts of the project, appropriate mitigation, and whether an EIR are required.*

*A traffic report must be prepared, before the Environmental determination is made. The Airport Authority should also provide a consistency determination.*

*Environmental issues include potential visual impacts resulting from large buildings, and possible bulk and scale issues. Staff recommends scaling down of current height, bulk and scale.*

*Long Range Planning: "Large uniformly flat, repetitive glass facades are not characteristic of the development in the nearby vicinity. The upper tower glass curtain walls of the Nutmeg tower should sufficiently include wall texture variation, façade off-sets, 'setbacks' or material articulation, etc."*

*One of the findings requires that the proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood will be achieved as far as practicable. It does not appear that this finding can be made.*

*Planning Review: Issues 20, 36, and 43 remain; the project has been redesigned to comply with the AAOZ; planning staff cannot support the deviations requested for height. "The proposed project does not relate to the scale and design of the neighborhood.*

*1. "The requested deviation from the underlying base zone 150 – foot height limit would be inconsistent with the purpose and intent of the AAOZ as stated by the City Council in Ordinance Number 0-17756. In adopting 0-17756, the City Council established a criteria for determining public health, safety, and welfare more restrictive than the criteria established by FAA Part 77 approach and transitional surfaces to runway 27 for Lindbergh Field."*2.

*2. "San Diego Municipal Code (SDMC) Section 132.0205 states that "No structure shall be constructed or altered and no use shall be established that results in any permanent encroachment within 50 feet of the FAA-established approach paths as set forth in Drawing No. C – 926." As such, the proposed 150-foot height limit deviation for the Nutmeg St. building does not comply with the AAOZ supplemental development regulations where the deviation would exceed the AAOZ height limit."*

*3. "City staff is requesting that the proposed Nutmeg St. Building be redesigned, so that it does not exceed the AAOZ surfaces. This includes locations where the AAOZ surfaces limit heights would restrict building heights below the Mid-City Communities Plan District CV-1 base zone 150-foot height limit."*

*4. "Although building heights are regulated by zoning, recommendations in the community plan call for limiting development intensities where it could affect airport operations for the purpose of ensuring public safety. Based on comments provided by LDR-Planning and Planning-Airport, outstanding issues remain. Staff recommends reducing building heights to comply with applicable height regulations and/ considering a reduction in market-rate unit size to add more for-sale units."*

*5. "The Uptown Community Plan designates the 1.95 acre proposed project site for Commercial/ Residential (approx. 1.15 acres) and Very High Residential (approx. 0.80) acres. Both land use designations allow a residential density of 73 to 110 dwelling units per acre. Based on the proposed area of the site, 142 to 215 dwelling units would be*

allowed on site. A development proposal consisting of a total of 130 units would not meet the recommended density called for by the community plan.”

6. “Staff calculates 212 units are permitted under the base zones. The base zone allows 1 dwelling unit per 400 square feet of lot area. Since the project proposes 130 units, the project is not eligible for an affordable housing density bonus.”

“Staff recommends that the applicant not request a deviation from the Airport Approach Overlay Supplemental Development Regulations, and lower the height of the Nutmeg structure to comply with the Airport Approach Path Buffer. The justification for requesting this deviation is flawed, as the proposed project does not exceed the allowable density of the base zone and is not eligible for an affordable housing density bonus.”

“Staff strongly recommends eliminating any height deviations requested both for the zone height and for the Airport Approach Path Buffer. The Determination of No Hazard Letters from the FAA, dated 5-31-07 are recognized, the SDRAA has not yet reviewed the project to determine whether or not they concur with the FAA determination.”

“Due to the height of the proposed project (2 towers), and possible bulk and scale issues associated with the development, a potential visual impact is present. In order to reduce the potential impacts to below a level of significance, staff recommends scaling down your current height, bulk and scale.”

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Acoustical report must be prepared; visual simulations also need to be prepared, which provide numerous angles designed to demonstrate the buildings from public view locations.

Transportation Review: A conceptual traffic plan must be submitted, showing pedestrian pathways, proposed vehicle routes and widths, number of lanes, areas of closure, impacts on neighboring properties, etc.

6.) The project proposes 112 dwelling units which will generate 672 average car trips a day, and there will be additional impacts resulting from the church and rental property. A traffic study will be required. The La Modern will retain its previously conforming rights to have no onsite parking – however, St. Paul’s will still be expected to provide the 36 spaces that would have been waived by this variance.

Housing Commission: The proposal to use the existing La Modern apartments as the site of the 18 affordable units; the La Modern will provide 8,900 sq. ft. of affordable housing, the project is required to provide 12,100 sq. ft. Another 3,200 sq. ft must be provided, or in lieu fees paid.

Question if any parking is provided for the affordable units in the La Modern Apartments.

Encroachment Review: City staff continues to oppose the proposed subterranean encroachment in the public right of way.

7. “The underground encroachments depicted on the project exhibits cannot be supported. Underground encroachments only up to the curb line can be supported.”

The proposed underground encroachment into the street right-of-way is required to be

*scheduled for early consideration by the City Council in accordance with Council Policy 699-19;*

*Historic Resource Related Issues:*

*Historic assessment of queen palms needed, including for each tree that could be removed during construction*

*Two towers proposed are a significant departure in architectural style and theme from the existing cathedral. Applicant encouraged to redesign project to incorporate various styles, elements, themes, building materials, etc of the existing cathedral and/or La Moderne Apartments...”and emphasize the significance of these historic properties on a more grand and comprehensive scale, while also incorporating wall texture variations, façade offsets, upper story setbacks, and utilizing varied roof forms.”*

*Applicant’s Letter in Response dated 24 Jul 2008:*

*+ Plan and elevation had been revised to show a new pedestrian entrance on Washington Street.*

*+ Project has been redesigned; a Water Quality Study has been submitted; demolition of existing driveways and new entrances included on site plans*