

Agenda Report

TO: CITY COUNCIL **DATE:** April 28, 2003

FROM: CYNTHIA J. KURTZ, CITY MANAGER

SUBJECT: PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED 81-UNIT MIXED-USE PROJECT AT 950 SAN PASQUAL ST./947 E. CALIFORNIA BL.

RECOMMENDATION:

This report is for information.

BACKGROUND:

The City's Predevelopment Plan Review (PPR) guidelines identify projects of "community-wide significance" that are presented to the City Council for informational purposes. The proposed mixed-use project at 950 San Pasqual St./947 E. California Bl.—combining 81 residential units with approximately 5,000 square feet of commercial space—qualifies as a project of "community-wide significance."

PROJECT DESCRIPTION:

The project is proposed for a 2.2-acre site (comprised of two lots) at the southeast corner of the Central District. The site occupies two zoning districts: CD5-3b (northern lot, fronting San Pasqual St.) and RM-48 (southern lot, fronting E. California Bl.). The surrounding uses are commercial to the west, a parking lot across the street to the north, and multi-family residential to the east and to the south.

The existing site is an asphalt parking area with 347 commercial parking spaces for Macy's employees. It contains three (3) trees that are protected under the Tree Protection Ordinance and are proposed for retention and/or relocation: an unhealthy Englemann Oak; a Horse Tail tree (resembling a pine tree); and a Guadalupe fan palm.

The new construction includes:

- 4-story building with 72 residential units and 5,000 square feet of ground-floor commercial space on San Pasqual St.;
- 3-story building with 9 residential units on E. California Bl.;
- 3-level subterranean parking with a total of 530 spaces: 183 spaces for residents and the commercial use, and 347 replacement parking spaces for Macy's employees.

Residential parking is accessed off a driveway from San Pasqual St.; commercial parking is accessed on the west off a driveway from Granite Dr.

The ground-floor spaces on San Pasqual St. are intended to be low-intensity commercial uses with areas set aside to serve as amenities for residents. The remainder of the project is developed with residential units, mostly two-bedroom and loft-style, arranged around landscaped courtyards. Each unit has a private terrace. The proposed height of the building is 50 feet on San Pasqual St. and 39 feet on E. California Bl. The schematic elevations show buildings with contemporary styling, referring to the rectilinear Late Moderne/International Style architecture of most buildings along of S. Lake Avenue. The San Pasqual St. elevation has large picture windows and a pedestrian-scaled ground floor.

As proposed, the project meets all CD-5 requirements except the front yard setback (required: 20 feet; proposed: 0 feet and 10 feet) for the San Pasqual St. lot, but is in non-compliance with several RM-48 requirements for the E. California Bl. lot, including building height (required: 36 feet or less; proposed: 39 feet); front yard setback (required: 20 feet minimum; proposed: 15 feet), and other City of Gardens standards. Consequently, zoning variances will be required to approve the project as proposed. At the PPR meeting, the staff advised the applicant to redesign the building on the E. California Bl. lot so that it complies with the RM-48 development standards in the zoning code. During the PPR process, the applicant was informed that the city's zoning code standards for mixed-use projects are currently being revised, and their revisions will most likely be adopted the City Council later this year. If the proposed revisions are adopted, several components of the proposed project (e.g. height) would not comply with the new standards.

Wasserman Realty, Inc. (the developer of the Shops on South Lake), is the developer. MDA Johnson Favaro is the architect.

REVIEW OF DISCRETIONARY ACTIONS:

The purpose of pre-development plan review (PPR), in Ch. 17.84 of the zoning code, is to identify the requirements of City departments, to offer direction to developers about their projects and to present a schedule and sequence for entitlements and permits for the new construction. In this instance, the staff conducted a PPR meeting with the project architects on March 21, 2003. Among the issues presented at that time were:

General Plan Review: The development proposal is consistent with the goals, policies and objectives of the General Plan's Land Use Element.

Environmental Review: An Initial Study is required. The final Initial Study will most likely include mitigation measures for traffic impacts.

Traffic and Transportation Assessment: A traffic study is required. The results of the traffic study will be used in the environmental review and incorporated into the Initial Study.

Current Planning Assessment: As proposed, the project requires several variances (height, setbacks, City of Gardens standards). A noticed public hearing before the Zoning Hearing officer will be the first discretionary action for the project unless the project is redesigned to comply with all zoning requirements. Since the proposed development shows removal or relocation of, and/or new construction near protected on-site trees, the applicant is required to submit: 1) a tree protection plan; and 2) an application and submittal checklist for private tree removal.

In addition, the proposed lot consolidation and creation of condominium air spaces require approval by the Subdivision Committee.

Design & Historic Preservation Assessment: The project requires concept design review and final design review by the Design Commission.

Inclusionary Housing: The Inclusionary Housing Ordinance (IHO) requires that 12 of the 81 proposed units be dedicated for affordable housing. The developer proposes to pay the in-lieu fee.

Cultural Affairs Review: As a mixed-use development, the project is subject to the public art requirement for new development, with 1% of the building valuation allocated for public art. The sequence for hiring an art consultant and presenting a proposal to the Arts Commission will be coordinated with submittals of applications for design review.

TIMELINE:

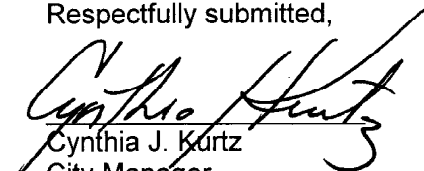
The following schedule outlines the major stages of reviews for this project:

Dates	Activity
02/03/03	Initial meetings between applicant and city staff.
03/21/03	PPR meeting between applicant and city staff.
04/28/03	PPR presentation to City Council.
05/01/03	Applicant submits variance application to Zoning Hearing Officer (ZHO).
07/04/03	Staff circulates draft Initial Environmental Study and notice of public hearing.
08/06/03	ZHO holds a public hearing for environmental clearance and variance application.
08/11/03	Design Commission reviews concept design.
09/03	The Design Commission conducts an advisory "50%" review—if needed—followed by final design review.

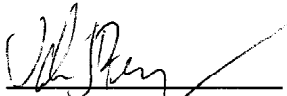
FISCAL IMPACT:

The developers will pay fees for the required discretionary actions. The project will also generate plan check and permit fees and a construction tax. Exact amounts cannot be determined at this time. Additionally, the project will generate increased revenues from property taxes.


Respectfully submitted,


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City Manager

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Approved by:


Richard J. Bruckner
Director of Planning and Development Department

Attachments:

- a) Plans and elevations for "San Pasqual Residential Development"
- b) PPR comments from City staff