

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-339: Kensington Terrace, Project No. 105244, Appeal by Margaret B. McCann from the decision by the Planning Commission. (Mid-City Community Plan Areas. District 3.)

► View referenced exhibit back-up material ([Part 1 of 7](#)); ([Part 2 of 7](#)); ([Part 3 of 7](#)); ([Part 4 of 7](#)); ([Part 5 of 7](#)); ([Part 6 of 7](#)); ([Part 7 of 7](#)).

Matter of the appeal by Margaret B. McCann from decision of the Planning Commission certifying a Mitigated Negative Declaration, adopting a Mitigation Monitoring and Reporting Program and approving an application for a Planned Development Permit and Vesting Tentative Map to demolish the existing structures and construct a mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, 3-bedroom Penthouse units and three, 3-bedroom Townhome units, totaling 9 for-sale units) on a 0.78 acre site. The property is located at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road in the CN-1-3 and CU-3-3 Zones of the Central Urbanized Planned District within the Kensington-Talmadge Neighborhood of the Mid-City Community Plan Areas and Council District 3.

(See Report to the City Council No. 08-003.)

**STAFF'S RECOMMENDATION:**

Take the following actions:

Subitem-A:

Adopt a Resolution certifying that the information contained in Mitigated Negative Declaration No. 105244, on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this City Council in connection with the approval of a Planned Development Permit and Vesting Tentative Map for the Kensington Terrace project;

Certifying that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study to a level below significance and incorporating by reference, Mitigated Negative Declaration, a copy of which is on file in the Office of the City Clerk and incorporated by reference;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-339: (Continued)

Declaring that pursuant to California Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project;

Directing the City Attorney to prepare the appropriate resolution according to Section 40 of City Charter.

Subitem-B:

Adopt a Resolution granting or denying the appeal and granting or denying Planned Development Permit No. 360181 and Vesting Tentative Map No. 360180, with appropriate findings to support Council action;

Directing the City Attorney to prepare the appropriate resolution according to Section 40 of City Charter.

**OTHER RECOMMENDATIONS:**

Planning Commission on November 15, 2007, voted 5-1-1 to approve this project, was opposition.

Ayes: Schultz, Ontai, Smiley, Naslund, and Griswold.

Nays: Garcia.

Not Present: Otsuji.

The Kensington Talmadge Community Planning Group has recommended approval of this project by a vote of 9-0-0, with no conditions.

**STAFF SUPPORTING INFORMATION:**

REQUESTED ACTION:

Should the City Council deny the appeal and affirm the Planning Commission approval of a mixed-use development at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-339: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

STAFF RECOMMENDATION:

**Deny** the appeal; **Certify** Mitigated Negative Declaration No. 105244; and **Approve** Planned Development Permit No. 360181 and Vesting Tentative Map No. 360180.

EXECUTIVE SUMMARY:

The project site is located at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area and the Central Urbanized Planned District, approximately 0.18 mile east of State Route (SR) 15. The 0.78-acre site is surrounded by Adams Avenue on the south, Marlborough Drive on the west, an alley to the north, and Edgeware Road to the east. The project site has two zones. The western portion of the site (0.31 acres) is zoned CU-3-3 and the eastern portion of the site (0.47 acres) is zoned CN-1-3. The Mid-City Communities Plan designates the site for Commercial and Mixed-Use development at a maximum density of 29 dwelling units per acre, with a density bonus of up to 43 dwelling units per acres for mixed-use projects. Based on the existing land-use designation, approximately 23 dwelling units would be allowed on-site and ultimately 34 units would be allowed through the mixed-use density bonus. The project site has been previously graded and is developed with a gas station, convenience store, and four residential structures.

The project requires a Planned Development Permit and Vesting Tentative Map to demolish the existing development and construct a 56,643 square-foot, 3-story mixed-use development, consisting of approximately 16,550 square feet of retail space, 16,255 square feet of office space, and 19,614 square feet of residential space. The residential component would include six, three-bedroom, three-bath penthouse units and three, three-bedroom, three-bath townhome units. All nine units would be sold for private ownership at market rates.

The project incorporates a variety of various architectural features. These include features similar in design with historic craftsmen style, Spanish themed arches and a variety of materials reflecting the surrounding neighborhood. Two corner plazas of approximately 500 square feet each set the building back at the intersections to open up space and create public plazas. Each plaza features enhanced landscaping, seat walls and future outdoor seating areas relating to the retail uses adjacent to the plaza.

The project design incorporates a solar electricity generation system through the installation of photovoltaic solar panels sufficient to generate at least 50 percent of the on-site residential energy demand and 30 percent of the on-site commercial energy demand. In addition, approximately 10,000 square feet of the third floor is proposed as a "green roof." The green roof would be planted with drought tolerant grasses, herbaceous and succulent plant species and reduce surface water run-off during storm events by capturing the water in the roof top soil and making it available to the plants.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-339: (Continued)

**STAFF SUPPORTING INFORMATION:** (Continued)

A traffic study was conducted by LOS Engineering to evaluate potential project impacts on surrounding streets and intersections. The study determined that direct and cumulative impacts would occur in the near and long term on Adams Avenue and Marlborough Drive and at the intersection of Adams Avenue and Kensington Drive. As a result of these impacts, the project was conditioned to mitigate the traffic impacts resulting from implementation of the project. The mitigation measures are further discussed in the attached City Council Report.

On November 15, 2007 the Planning Commission heard a staff presentation and public testimony in favor and opposition during a noticed public hearing. After considering the information presented and associated discussion, the Planning Commission voted 5:1:0 to approve the project. On November 29, 2007 the project was appealed. The appeal issues and staff responses to the appeal issues are included as Attachment 4 to the City Council Report.

**FISCAL CONSIDERATIONS:**

All costs associated with the processing of this project are recovered from a deposit account maintained by the applicant.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:** None with this action.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

On October 10, 2007, the Kensington-Talmadge Planning Committee voted 9-0-0 to approve the project as presented. On November 14, 2007 City staff participated in a community meeting held at a church in the community to answer community questions and provide information regarding the entitlement process. Attendance was estimated to be between 250 and 300 community residents. In opposition to the project is the Heart of Kensington, a local residents' group.

**KEY STAKEHOLDERS:**

Terrace Partners, L. P.

Broughton/Anderson/DS

**LEGAL DESCRIPTION:**

The project site is legally described as Lots 9, 10, 11, 12, and 13 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California, According to Map No. 1245 filed in the Office of the County Recorder of San Diego County, April 8, 1910.

Staff: Dan Stricker – (619) 446-5251  
Andrea Dixon – Deputy City Attorney

**NOTE:** This item is not subject to Mayor's veto.