



**SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
Airport Land Use Commission
STAFF REPORT**

Item No.

4

Meeting Date: **JANUARY 6, 2011**

Subject:

Consistency Determination – San Diego International Airport - Airport Land Use Compatibility Plan – Construction of Medical Office Building at 300 Fir Street, City of San Diego

Recommendation:

Adopt Resolution No. 2011-0002 ALUC, making the determination that the project is not consistent with the San Diego International Airport ALUCP.

Background/Justification:

The City of San Diego submitted an application for determination of consistency with the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP) on December 2, 2010, for a project located at 300 Fir Street. The project proposes to construct a three-story medical office building of 66,000 square feet on a currently vacant, 1.38 acre property. Pursuant to the adopted noise contours of the ALUCP, the subject property is located within the 70-75 decibel Community Noise Equivalent Level (dB CNEL) and is outside the Runway Protection Zone (RPZ) (see attached map). The property is owned by Sharp Properties of San Diego. The project architect is AVRVP Studios of San Diego.

The project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ). The maximum allowable height for a project on this site is approximately 300 feet Above Mean Sea Level (AMSL). The elevation of the site is approximately 226 feet AMSL and the structure is another 52 feet, resulting in a total project height of approximately 278 feet AMSL. Additionally, the project provided a determination of no hazard to air navigation from the Federal Aviation Administration (FAA).

The SDIA ALUCP provides that projects located within the approach surfaces of the AAOZ, with certain limited exceptions, may not "intensify human occupancy of the site to an extent greater than 110 percent of the average intensity of existing uses...within a one quarter mile radius of the project site." The City of San Diego provided documentation that the proposed project complies with these intensity limitations. Compliance with safety zone, airspace, and infill intensity factors is not a complete determination of consistency.

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The Aeronautics Division of the California Department of Transportation (Caltrans) administers the California Airport Noise Regulations (21 Cal. Code Regs §§5000, et seq.), which were adopted in 1971 pursuant to statutory mandate (Cal. Pub. Util. Code §21669.4). For an airport such as SDIA which has been designated as having a noise problem pursuant to 21 Cal. Code Regs §5020, these regulations establish 65 dB CNEL as a noise impact boundary within which there shall be no incompatible land uses.

The SDIA ALUCP states that "the 70 dB CNEL noise contour defines a boundary in which the area is not suitable for numerous land uses, such as office buildings, auditoriums, churches, concert halls, and indoor arenas." The proposed project does not contain in-patient facilities for overnight use, and per building code occupancy classification, it is considered to be an office for out-patient medical treatment. While the ALUCP does have a compatibility category for hospitals, this project does not qualify as a hospital because the project does not include in-patient surgical facilities or other overnight convalescent capacity. Moreover, if the project were to be considered a hospital, the ALUCP designates hospitals as an incompatible land use within the approach surfaces of the AAOZ in which the project is located.

By the standards of the adopted SDIA ALUCP, the project is an office use located in a noise contour in excess of 70 dB, and therefore is considered inconsistent by the SDIA ALUCP.

Fiscal Impact:

This program is funded through the Airport Planning FY11 operating budget.

Environmental Review:

- A. This ALUC determination is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. Section 15378. This ALUC determination is not a "project" subject to CEQA. Pub. Res. Code Section 21065.
- B. California Coastal Act Review: This ALUC determination is not a "development" as defined by the California Coastal Act. Pub. Res. Code Section 30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

KEITH WILSCHETZ,
DIRECTOR, AIRPORT PLANNING

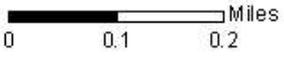


Legend

**CNEL Contours
dB Level**

- 60-65
- 65-70
- 70-75
- 75-80
- 80+
- RPZ
- fwy
- major rds
- roads

**300 Fir Street
(APN: 533-291-001)**



RESOLUTION NO. 2011-0002 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF MEDICAL OFFICE BUILDING AT 300 FIR STREET, CITY OF SAN DIEGO, IS NOT CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT ALUCP

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: Construction of Medical Office Building at 300 Fir Street, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of a medical office building; and

WHEREAS, the proposed project is in compliance with the Airport Approach Overlay Zone (AAOZ) height restrictions and a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA); and

WHEREAS, the proposed intensity of the project is in compliance with the ALUCP intensity limitations for the approach surfaces of the AAOZ as determined by the City of San Diego; and

WHEREAS, the proposed project is located outside the Runway Protection Zone (RPZ) of SDIA; and

WHEREAS, the proposed project would be located within the 70-75 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies office uses located within any noise contour in excess of 70 dB CNEL as incompatible with airport uses; and

WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

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WHEREAS, the ALUC has provided an opportunity for the City of San Diego and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Construction of Medical Office Building at 300 Fir Street, City of San Diego, is not consistent with the San Diego International Airport ALUCP, which was adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the construction of a medical office building.
- (2) The proposed project is located within the AAOZ for the SDIA. The maximum allowable height for a project on this site is approximately 300 feet AMSL. The maximum height of the proposed project is approximately 278 feet AMSL. The proposed project is therefore in compliance with the height limitations identified in the SDIA ALUCP. Additionally, a determination of no hazard to air navigation has been issued by the FAA.
- (3) The SDIA ALUCP requires that a proposed project located within the approach surfaces of the AAOZ not increase density greater than 110 percent of the average intensity of existing uses within a one-quarter mile radius of the project site. Based upon information provided by the City of San Diego, the proposed project complies with these intensity limitations.
- (4) The proposed project is located outside the RPZ of SDIA.
- (5) The proposed project is located within the 70-75 dB CNEL noise contour. The ALUCP identifies office uses located within any noise contour in excess of 70 dB CNEL as incompatible with airport uses.
- (6) Therefore, the proposed project is not consistent with the adopted Airport ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 6th day of January, 2011, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
**DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK**

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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Facilities Management & Development

November 21, 2010

Chairman Robert Gleason
 San Diego Regional Airport Authority
 P.O. 82776
 San Diego, California, 92138-2776

**RE: Sharp Rees-Stealy Request for Approval of a
 Consistency Determination for the Proposed
 Replacement Clinic at 4th & Fir Streets**

Dear Chairman Gleason, Members of the Commission and Staff,

After 86 years of providing healthcare services to downtown San Diego, our Clinic on the north-east corner of 4th and Fir Streets has served its useful life. We are excited with the prospect of building a fine new medical clinic just across the street. Our new facility will continue to provide the *Sharp Experience* in healthcare service to the downtown community.

The proposed new facility has been reviewed by the City of San Diego and found consistent with all zoning and setback requirements. The FAA has also issued "No Hazard" reports for all four corners of the site.

A few features of this proposed new medical facility are noted below.

- This is a three story, 66,000 square foot medical clinic.
- The site has been designed to protect a Historically Designated Morton Bay Fig Tree, which was planted on the site over a hundred years ago by Kate Sessions.
- The building is being designed to achieve US Green Building Council's LEED GOLD standards.
- The structural system and components of the building have been selected to achieve an interior noise level less than 45 decibels; and, this will be verified by an acoustical engineer prior to occupancy.

In reviewing our project with the ALUC staff, we have been informed that the project is not consistent with the Airport Land Use Plan. Staff has also indicated that they believe our project has merit, and that we have good reasons to support our request for the Commission to find our project "Conditionally Consistent" with the Airport Land Use Plan.

Facilities Management & Development

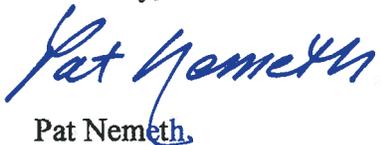
Please find attached a report which presents the reasons why we request your approval of a Consistency Determination for our new Clinic. We have organized our reasons into the following four main points:

1. The Airport Land Use Plan recognized Clinics as comparable to Hospitals, through the establishment of the Land Use Category titled "Hospitals, Clinics" on the Existing Land Use Map. Therefore, Clinics should be considered as consistent as Hospitals.
2. The project meets the in-fill development criteria of the plan; and therefore should be found to be consistent.
3. The Commission has established "past practice" for approval of office buildings in comparable and higher noise contours. Therefore, this project should also be favorably considered.
4. The logic of using "best planning practices" supports the use of the latest adopted 2008 City of San Diego Noise Contour maps. These maps place the project site in a 65 to 70 CNEL. Thus the fact that the plan does not list a clinic as an acceptable land use in a 70 plus contour is no longer factually germane, since the site is actually in a quieter location. Finally, it should also be noted that the Commission's recently adopted Airport land Use Plans recognize medical clinics as conditionally compatible in areas up to 75 decibels.

For all of these reasons, we request the Commission's approval of the proposed Sharp Rees-Stealy Wellness Clinic. This project has been promised for a number of years to our patients and medical staff. It is the right thing to do to support downtown San Diego; and, it is the right thing to do under the Airport Land Use Plan.

Thank you for your consideration of our request.

Sincerely,



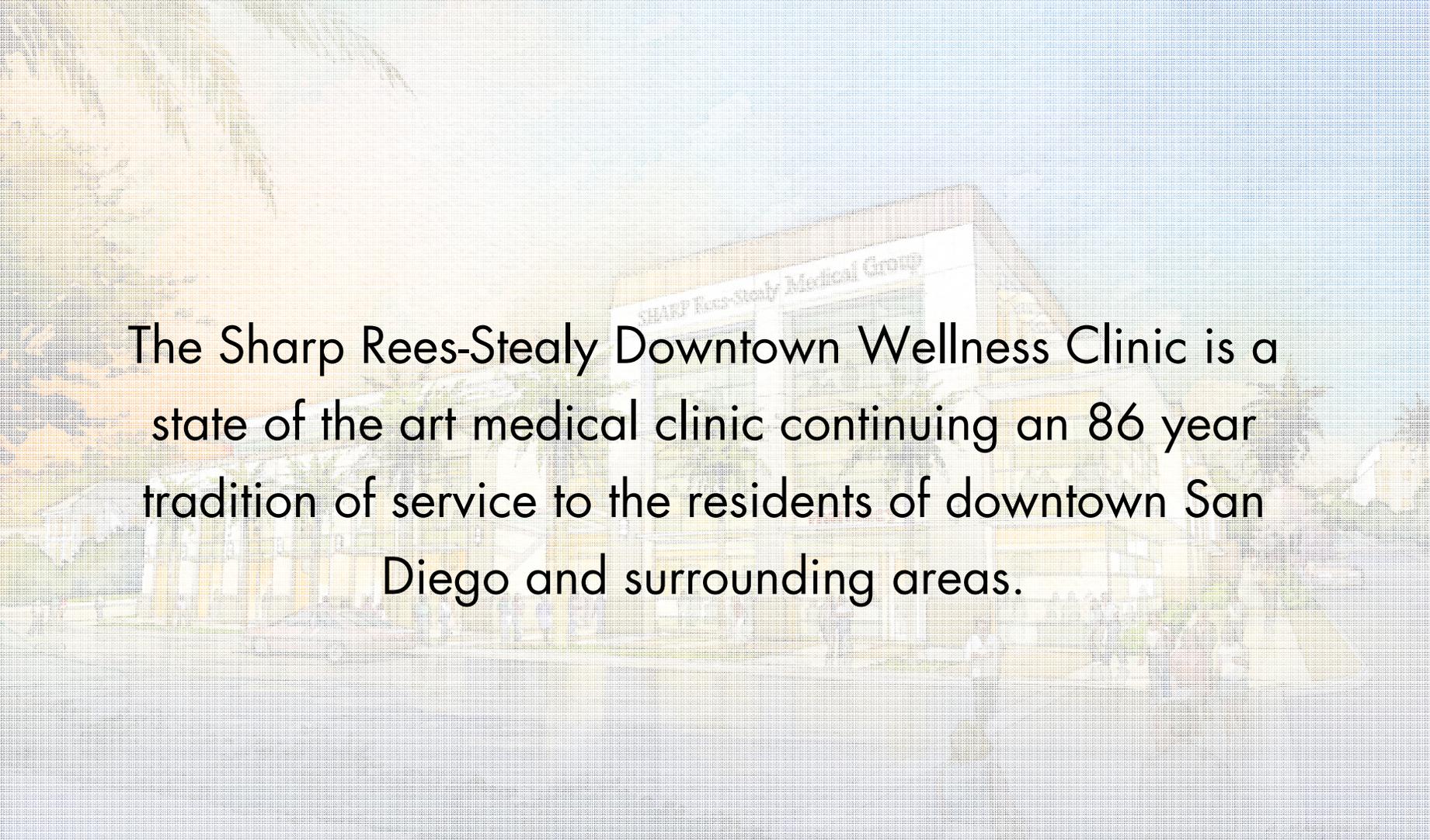
Pat Nemeth
Vice President, Facilities Management & Development



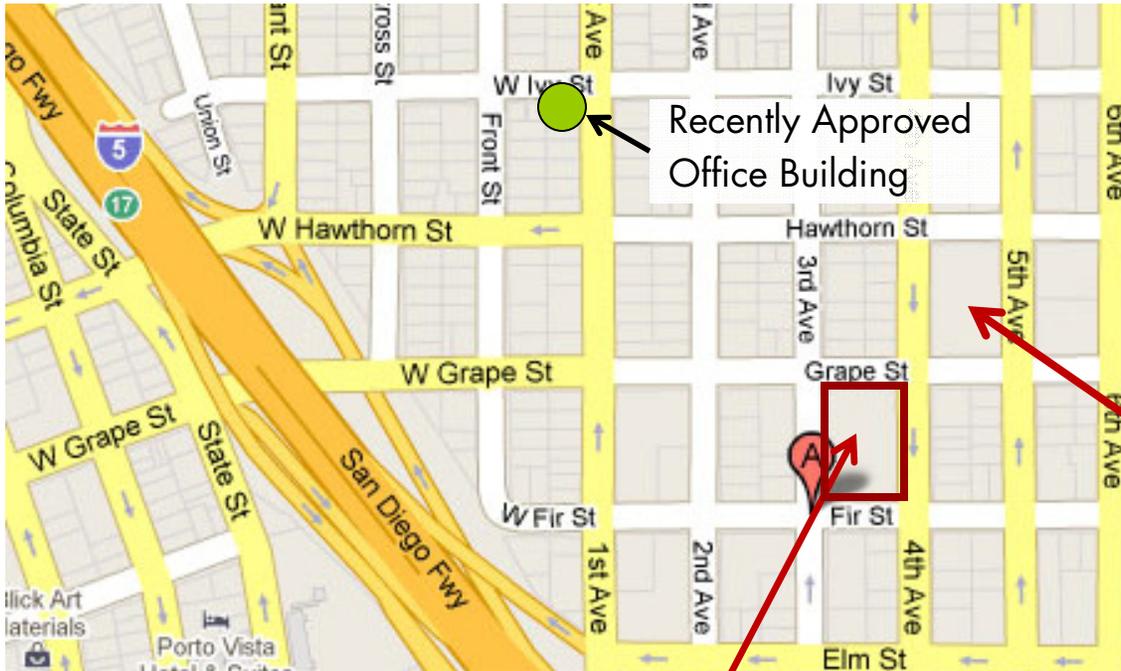
SHARP
Rees - Stealy

Downtown Wellness Clinic
300 Fir Street, San Diego, CA



An architectural rendering of the Sharp Rees-Stealy Downtown Wellness Clinic. The building is a modern, multi-story structure with a prominent sign that reads "SHARP Rees-Stealy Medical Group". The rendering shows the building from a low angle, with palm trees and other vegetation in the foreground and background. The overall style is a soft, painterly architectural visualization.

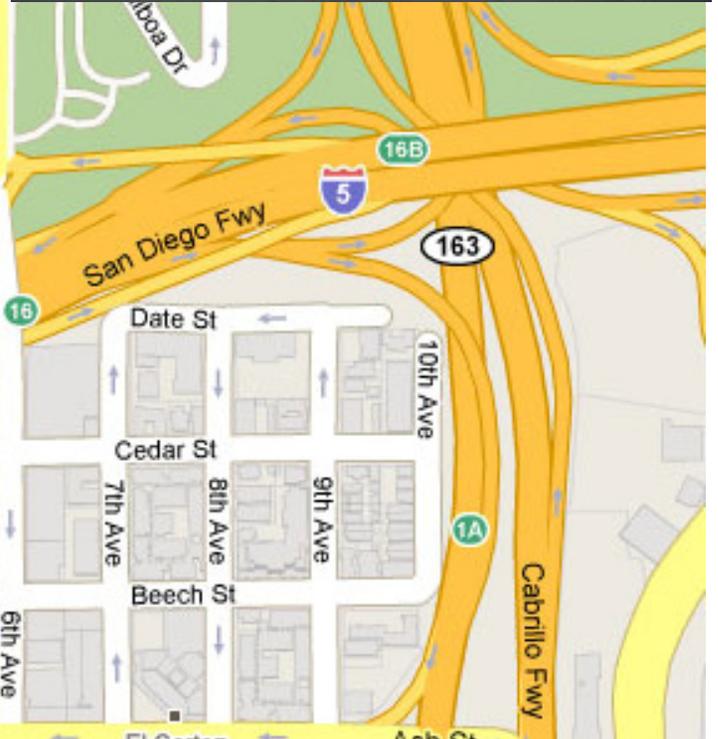
The Sharp Rees-Stealy Downtown Wellness Clinic is a state of the art medical clinic continuing an 86 year tradition of service to the residents of downtown San Diego and surrounding areas.



Recently Approved Office Building



Existing Sharp Rees-Stealy Facility



Proposed Project

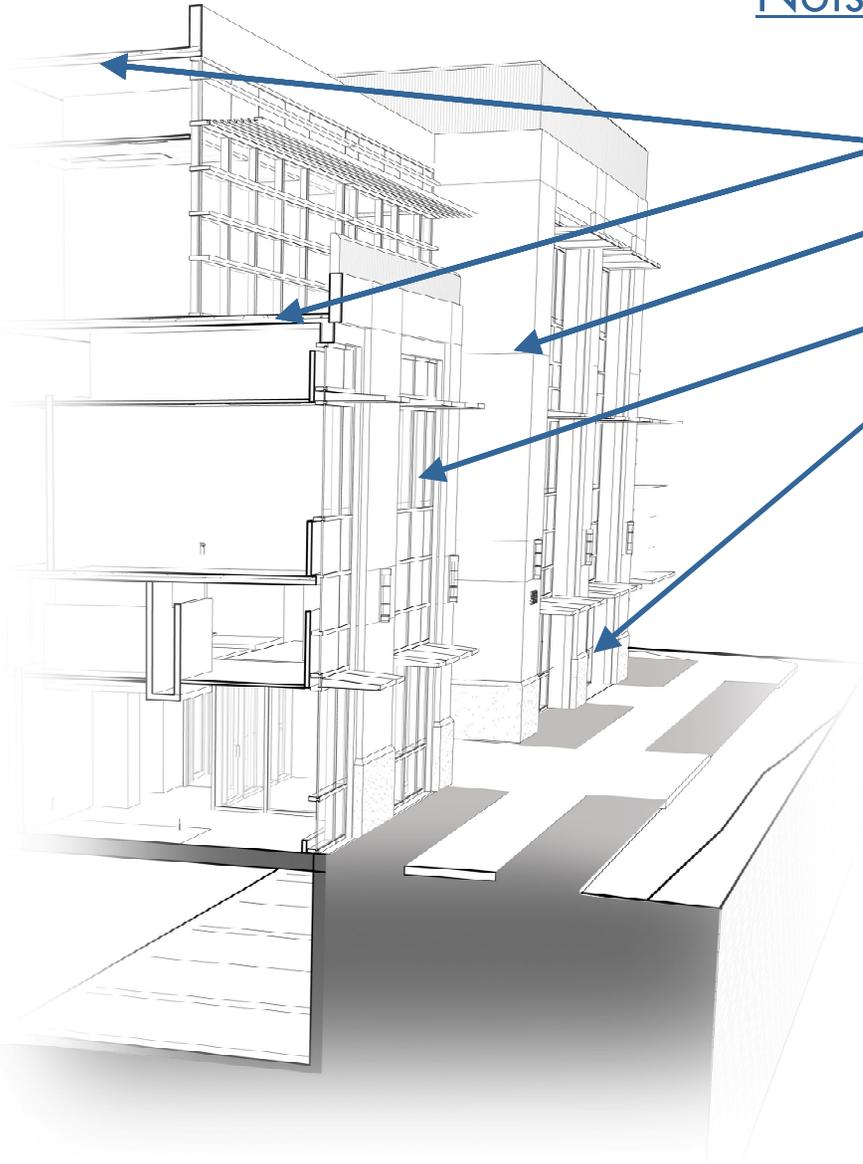


Designed to achieve LEED Gold Certification



The building is designed to mitigate exterior noise, achieving an internal sound level of 45 dB. This meets the requirements of an aviation easement for any use.

Noise Attenuation Design Features:



STC 45 Roof/Ceiling Assembly

STC 50 Exterior Walls

STC 35 Exterior Windows

STC 35 Exterior Doors

Total 25-30 dB Interior Noise Reduction

70 to 75 dB Exterior

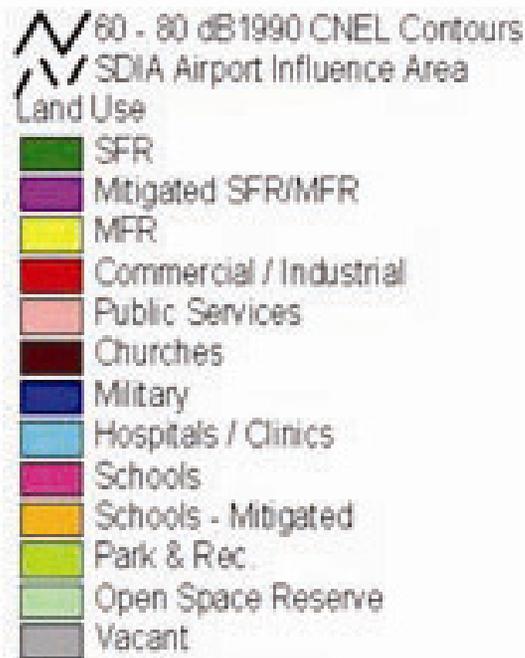
- 25 to 30 dB Noise Reduction

45 dB Interior Sound Level

The Sharp Rees-Stealy Downtown Wellness Clinic is consistent with the Airport Land Use Compatibility Plan:

- 1) The "Medical Clinic" use falls within the "Hospitals/Clinics" use category, which is consistent with existing uses on the ALUCP.
- 2) If the project is categorized as an "Office Building" it is consistent with the ALUCP provisions provided for infill development.
- 3) Precedent is found in recent hearings of the Airport Land Use Commission finding other office buildings to be conditionally consistent within the immediate area.
- 4) Based on best airport land use practice, office buildings are one of the easiest occupancy groups in which to mitigate noise. Other airports within the San Diego ALUC jurisdiction have updated their plans to allow office buildings in areas above 70 dB.

1) The “Medical Clinic” use falls within the “Hospitals/Clinics” use category, which is consistent with existing uses on the ALUCP.



The proposed project is replacing the existing medical clinic.

2) If the project is categorized as an Office Building, it should be found consistent with the ALUCP under the provisions provided for infill development.

**Quarter Mile Average Intensity Study for Infill Development
2001 Fourth Avenue Project**

Average Intensity Quarter Mile Radius from the Proposed Infill Project Location as

Averages within 1/4 Mile Radius of the Project Site		
	People Per Acre	Housing Units Per Acre
Employment Average	71.26	n.a.
Residential Average	99.13	60.80
Total Average	86.36	60.80
110% of Total Average	95.00	66.88
Proposed Project	90.60	

*The proposed project is below the average and 110 percent of the average people intensity of the existing uses.

ALUCP pg 19:

“...owners of vacant lots should be allowed to develop their property...”

“The proposed project would not intensify human occupancy of the site to an extent greater than 110% of the average intensity of existing uses within a 1/4 mile radius of the project site.”

1/4 mile radius
Average Intensity:
86.36 People Per Acre

Proposed Clinic
1.38 Acres

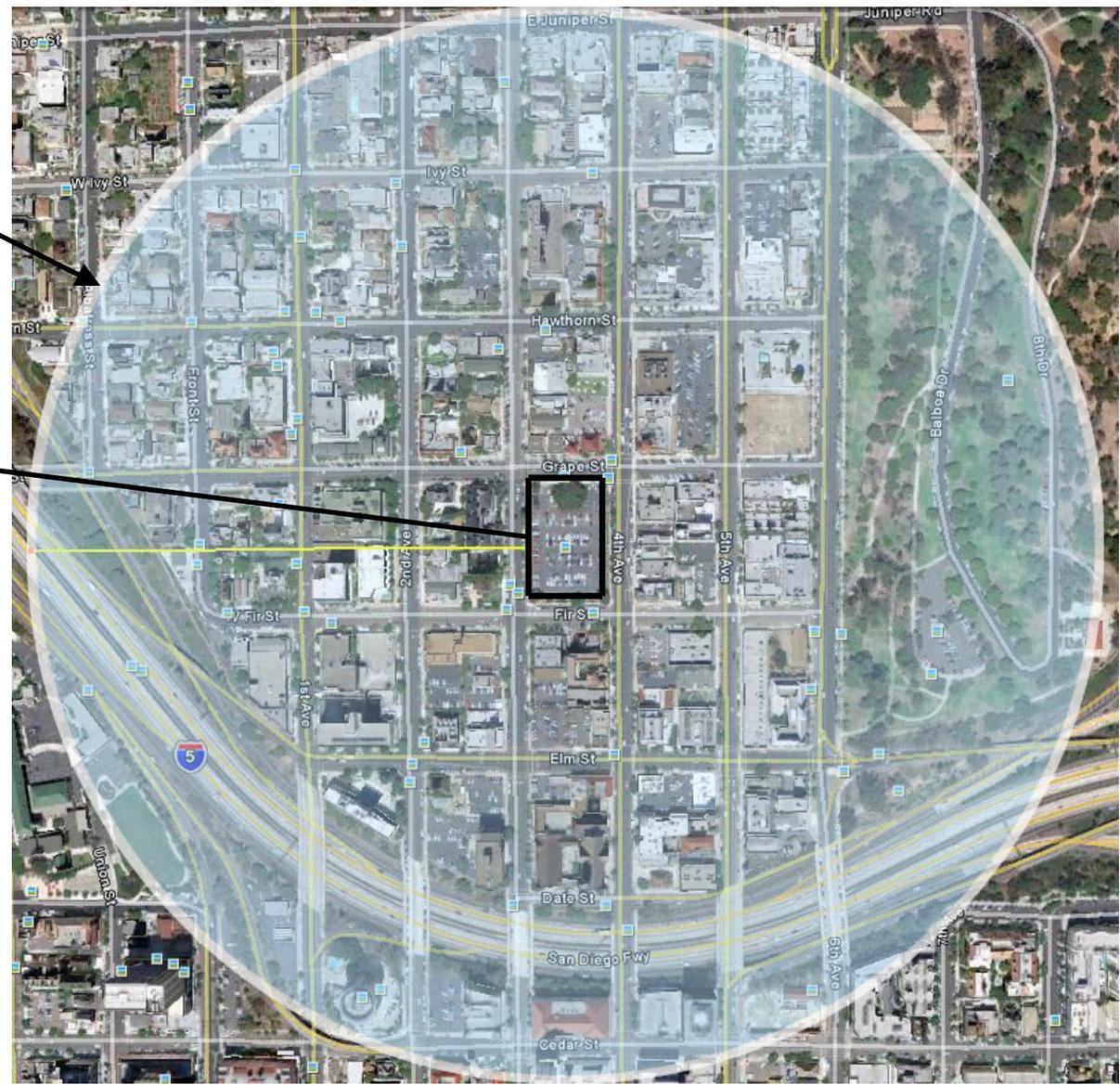
125 Total Occupancy

90.6 People Per Acre

Density allowed under infill
provisions is

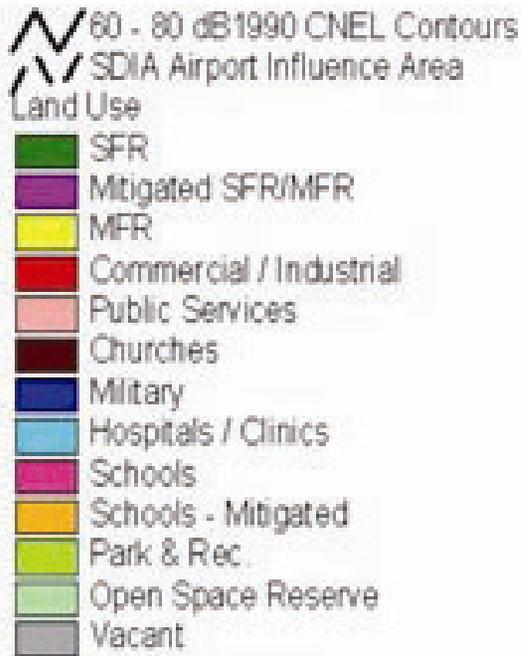
$$110\% \times 86.36 =$$

95 People Per Acre





Picture of existing site showing infill applicability



Recently Approved Office Building inside the 75 dB contour

Proposed Project

Existing Clinic

80 dB
75 dB
70 dB
65 dB



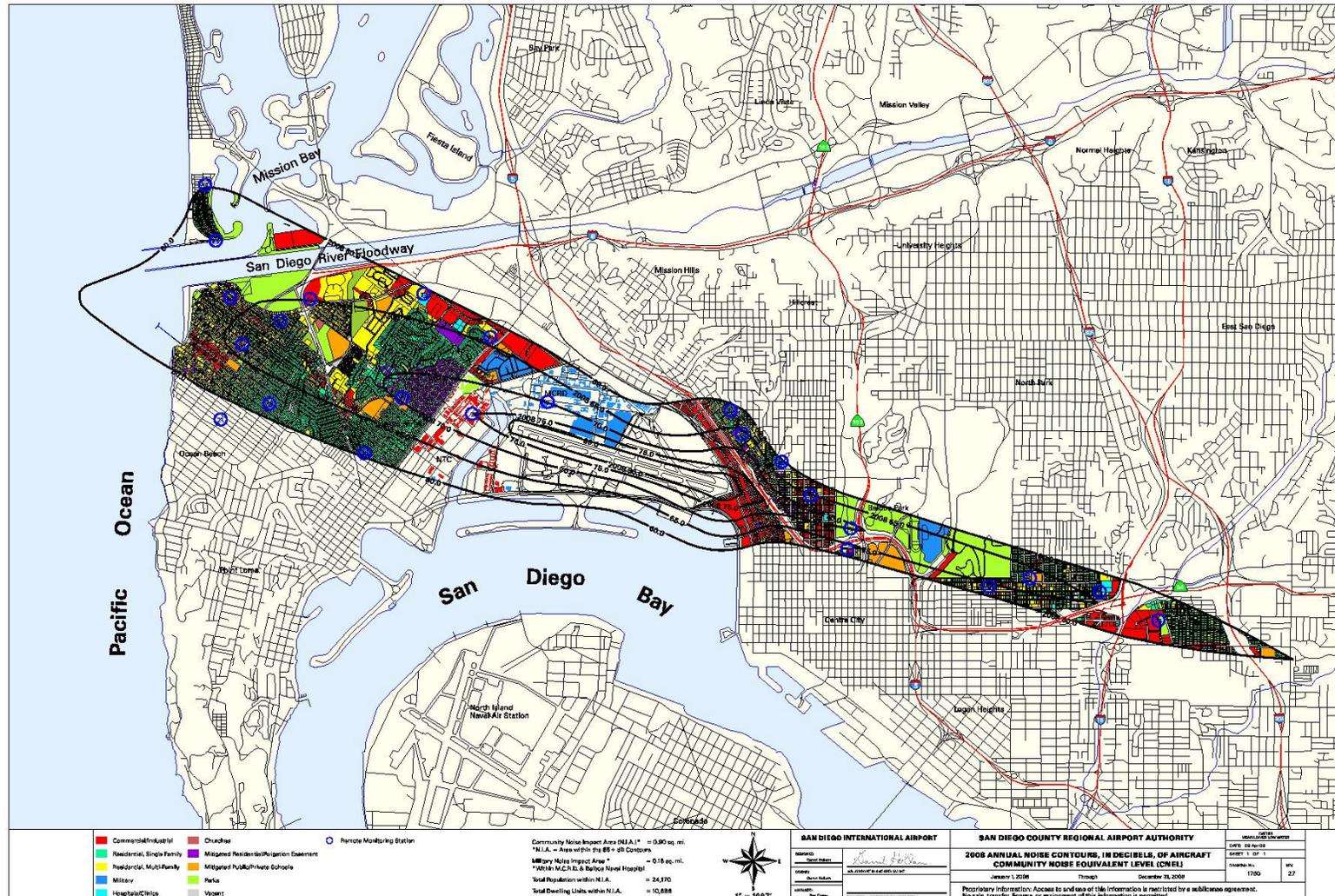
3) Precedent is found in recent hearings of the Airport Land Use Commission finding other office buildings to be conditionally consistent within the immediate area.

4) Based on best airport land use practice, office buildings are one of the easiest occupancy groups in which to mitigate noise.

- The proposed building depends on mechanical HVAC with closed windows, making noise mitigation possible
- There are no overnight occupants sleeping in the building
- Other San Diego Airports have updated their Land Use Compatibility Plans to consistently allow office buildings in areas above 70 dB.
- The 2008 City of San Diego General Plan includes updated noise contour maps. These maps change the contours for this site from "70 to 75 dB" as noted on the ALUCP map, to "65 to 70 dB". Therefore, in reality the site does not exceed the 70 dB level and as such the prohibition of office buildings on sites with 70 dB and greater is no longer relevant. (See map on next page)

San Diego County Regional Airport Authority

2008 Annual Noise Contours, in Decibels, of Aircraft Community Noise Equivalent Level (CNEL)



The updated 2008 contours define the proposed site in the 65 to 70 dB range

