

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	October 17, 2012	REPORT NO. HO 12-082
ATTENTION:	Hearing Officer	
SUBJECT:	CLIFF RESIDENCE PROJECT NUMBER: 281171	
LOCATION:	4594 Point Loma Avenue and 1407 I	Froude Street
APPLICANT/ OWNER:	Jose Gomez Cliffs, L.P.	

SUMMARY

<u>Requested Action</u> - Should the Hearing Officer approve a Coastal Development Permit and Tentative Parcel Map to create two residential condominiums and waive the requirement to underground existing overhead utilities within the Peninsula Community Plan area?

<u>Staff Recommendations</u> - APPROVE Coastal Development Permit No. 987626 and Map Waiver No. 1000153.

<u>Community Planning Group Recommendation</u> – On August 12, 2012, the Peninsula Planning Board voted 9-1-0 to recommend approval of the project with no conditions.

<u>Environmental Review</u> - Environmental Analysis Section (EAS) staff has reviewed the project and determined that the project will comply with previous Negative Declaration No. 134353. No new impacts would apply and no new environmental document or determination is required.

BACKGROUND

The project proposes a Tentative Parcel Map and Coastal Development Permit to create two residential condominiums on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone (non-appealable).

Coastal Development Permit No. 467679 was approved on October 23, 2008 as a Process 2 action by the Development Services Department and included the demolition of a single family home to be replaced with a 2,210 square-foot, two bedroom, two story single family home and a

2,210 square-foot, three bedroom, two story single family home. Building Permit Nos. 841734 and 841735 were issued on August 1, 2011 for the construction of the two homes. Both units feature an attached ground level parking structure on the north side of the property and landscaped areas in the front yard and along the perimeter of the building. The site is surrounded by single family residential dwellings.

A Coastal Development Permit is required for proposed coastal development as referenced within San Diego Municipal Code (SDMC) section 126.0702 and 113.0103 (definition of a Coastal Development).

A Tentative Parcel Map is required for the creation of two residential condominiums as on multiple lots defined in San Diego Municipal Code section 125.0430.

DISCUSSION

The project proposes a Coastal Development Permit and Tentative Parcel Map to create two residential condominiums located at 4594 Point Loma Avenue and 1407 Froude Street. The Tentative Parcel Map application does not include any new construction and is processed to create two residential condominiums. An affordable housing fee was paid prior to the issuance of the building permit to comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, and Division 13, of the Land Development Code).

Project Related Issues

Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense*, in that the conversion involves a short span of overhead facility (less than a full block in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area.

The applicant is required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 8 of the draft Tentative Parcel Map conditions (Attachment 9).

The neighborhood currently contains power poles and overhead utilities lines within the alley. The utility lines to these poles extend to other properties located east and west. All utilities serving this property are being undergrounded in association with the building permits issued for the two residential condominiums.

Conclusion

Staff has determined that the project complies with the development regulations of all applicable sections of the Land Development Code. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 987626 and Map Waiver No. 1000153 with modifications; or
- 2. Deny Coastal Development Permit No. 987626 and Map Waiver No. 1000153 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

William Zounes,

William Zounes, Development Project Manager

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Project Plans
- 6. Draft Coastal Permit with Conditions
- 7. Draft Coastal Resolution with Findings
- 8. Draft Tentative Parcel Map Resolution
- 9. Draft Tentative Parcel Map Conditions
- 10. CDP No. 467679
- 11. Community Planning Group Recommendation
- 12. Ownership Disclosure Statement
- 13. Project Chronology





Aerial Photograph (Birds Eye)

Cliff Residence - Project No. 281171 4594 Point Loma Avenue and 1407 Froude Street Project t Site 4594 Point Loma Avenue and 1407 Froude Street





Attachment 2 and Use Plan



Attachment 3 Project Location Map

PROJECT DATA SHEET				
PROJECT NAME:	CLIFF RESIDENCES – Project No. 281171			
PROJECT DESCRIPTION:	The project proposes a Tentative Parcel Map and Coastal Development Permit to create two residential condominiums on a 0.16-acre site			
COMMUNITY PLAN AREA:	Peninsula			
DISCRETIONARY ACTIONS:	Coastal Development Permit/Tentative Parcel Map			
COMMUNITY PLAN LAND USE DESIGNATION:	Residential			
ZONING INFORMATION: ZONE: RM-1-1 HEIGHT LIMIT: 30 feet LOT SIZE: 0.16-acres FLOOR AREA RATIO: 0.75 FRONT SETBACK: 15/20 feet SIDE SETBACK: 5/8 feet STREETSIDE SETBACK: 10 REAR SETBACK: 15 feet PARKING: 2 spaces required				
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Residential/RM-1-1	Multi/Single Family Homes		
SOUTH:	Single Family Residential/RS-1-7 Single Family	Single Family Homes Single Family Homes		
EAST:	Residential/RS-1-7 Residential/RM-1-1	Multi/Single Family Homes		
WEST: DEVIATIONS OR VARIANCES REQUESTED:	None			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 10, 2012, the Peninsula Community Planning Group voted 9-1 to recommend approval of the project with no conditions.			





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RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002674

COASTAL DEVELOPMENT PERMIT NO. 987626 CLIFF RESIDENCE PROJECT NO. 281171 HEARING OFFICER

This Coastal Development Permit No. 987626 is granted by the Hearing Officer of the City of San Diego to CLIFFS, L.P., Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0701. The 0.16 -acre site is located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan. The project site is legally described as: Lots 1 and 2 Block 14 of the Ocean Beach Subdivision, Map 279;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to create two residential condominiums described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 17, 2012, on file in the Development Services Department.

The project shall include:

- a. Creation of two residential buildings into two condominium units;
- b. No additional development rights are granted as a result of this subdivision of land.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 31, 2015.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, 7. officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

8. All of the conditions contained in this Permit have been considered and were determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENGINEERING REQUIREMENTS:

9. This Permit shall comply with all Conditions of the Tentative Parcel Map No. 1000153.

PLANNING/DESIGN REQUIREMENTS:

10. Owner/Permittee shall maintain a minimum of four off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

11. The Owner/Permittee shall comply with all conditions and requirements in Coastal Development Permit No. 467679.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on October 17, 2012.

Permit Type/PTS Approval No.: 987626 Date of Approval: October 17, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

W/11:	
William Zounes Development Project Manager	
Development i toject Managei	
NOTE: Notary acknowledgment	
must be attached per Civil Code	
section 1189 et seq.	
	ecution hereof, agrees to each and every condition of
this Permit and promises to perform each an	d every obligation of Owner/Permittee hereunder.
	The according to the second se
	Owner/Permittee
	Der
	By Cliffs, L.P.

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

HEARING OFFICER RESOLUTION NO. XXXXXX COASTAL DEVELOPMENT PERMIT NO. 987626 CLIFF RESIDENCE PROJECT NO. 281171

WHEREAS, CLIFFS, L.P., Owner/Permittee, filed an application with the City of San Diego for a permit to create two residential condominiums (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 987626, on portions of a 0.16-acre site;

WHEREAS, the project site is located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan;

WHEREAS, the project site is legally described as Lots 1 and 2 Block 14 of the Ocean Beach Subdivision, Map 279;

WHEREAS, on October 17, 2012, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 987626 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, Environmental Analysis Section (EAS) staff has reviewed the project and determined that the project will comply with the previous Negative Declaration No. 134353. No new impacts would apply and no new environmental document or determination is required;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated October 17, 2012.

FINDINGS:

Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

No new development is proposed with this application. The existing development was reviewed in accordance with Coastal Development Permit No. 467679 and was determined to not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan and the proposed coastal

development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The project was determined to be consistent with Negative Declaration No. 134353 which allowed for the construction of two residential units on the subject project's site. The Negative Declaration was certified by the Hearing Officer October 23, 2008. Section 15162 of the California Environmental Quality Act Guidelines states when a Negative Declaration has been previously adopted, that no subsequent or supplemental Negative Declaration needs to be prepared for that project unless one or more of the following events occur:

- a. Substantial changes are proposed to the project;
- b. Substantial changes occur with respect to circumstances under which the project is being undertaken;
- c. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

Because none of the three above criteria have occurred, a subsequent or supplemental environmental document for Tentative Parcel Map project is not required. All project issues and mitigation for significant impacts have been adequately addressed pursuant to the California Environmental Quality Act for the project. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3.

The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The project is in conformity with the City's certified Local Coastal Program Land Use Plan, which designates the site for multi-family residential development, and is consistent with the land use and development standards of the Peninsula Community Plan. The subdivision would meet the goals of the Peninsula Community Plan/Local Coastal Program by maintaining residential development and not interfering with public access or public views to the beaches and bays. The

Attachment 7 Draft Coastal Resolution with Findings

proposed creation of two residential units to condominiums will meet the land use regulations of the certified Implementation Program including compliance to the San Diego Municipal Code development regulations, which include setbacks, parking, and public improvements. Therefore, the proposed development is in conformity with the certified Local Coastal Program land use plan and complies with the regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The site is not located between the nearest public road and the sea or the shoreline of the Pacific Ocean located within the Coastal Overlay Zone or on or adjacent to a public access or public recreational area. This site is approximately four blocks east of the shoreline of the Pacific Ocean.

BE IT FURTHER RESOLVED that, based on the findings herein adopted by the Hearing Officer, Coastal Development Permit No. 987626 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 987626, a copy of which is attached hereto and made a part hereof.

William Zounes Development Project Manager Development Services

Adopted on: October 17, 2012

Job Order No. 24002674

HEARING OFFICER RESOLUTION NUMBER XXXXXX TENTATIVE PARCEL MAP NO. 1000153, CLIFF RESIDENCE-PROJECT NO. 281171.

WHEREAS, CLIFFS, L.P., Subdivider, and JOSE GOMEZ, engineer, submitted an application to the City of San Diego for a tentative parcel map for the creation of two residential condominiums and to waive the requirement to underground existing offsite overhead utilities.

WHEREAS, the project site is located 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan. The property is legally described as Lots 1 and 2 Block 14 of the Ocean Beach Subdivision, Map 279; and

WHEREAS, the Map proposes the Subdivision of a 0.16-acre site into two residential condominiums; and

WHEREAS, on June 18, 2012, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is in conformance with Negative Declaration No. 134353, and that, under the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.), and under CEQA Guideline 15162, there is no need for further environmental review, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to (Subdivision Map Act) sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is two; and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that the creation involves a short span of overhead facility (less than 600 feet in length) and the creation would not represent a logical extension to an underground facility. It has been determined that such creation is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area.

WHEREAS, on October 17, 2012, the Hearing Officer of the City of San Diego considered Tentative Parcel Map No. 1000153, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code sections 125.0440 and 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 1000153:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal

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Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The project is in conformity and is consistent with the Peninsula Community Plan which designates the site for multi-family residential development. The subdivison would meet the goals of the Peninsula Community Plan by maintaining residential development and not interfering with public access or public views to the beaches and bays. The proposed creation of two residential units to condominiums will meet the land use regulations of the San Diego Municipal Code development regulations which include setbacks, parking, and public improvements. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The proposed condominiums are currently in construction under Building Permits No. 841734 and 841735 issued on August 1, 2011. The development includes the construction one 2,210 square-foot, two-bedroom, two-story dwelling unit and a 2,210 square-foot, three bedroom, two-story dwelling unit. The construction was determined to be consistent with the development regulations of the RM-1-1 zone and Coastal Development Permit No. 467679 to include height, setbacks, floor area ratio, landscaping and architectural design. The project does not include deviations from the regulations. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code § 125.0440(b)).

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The site is relatively flat and has been previously graded. The two residential units are currently under construction and received building permits on August 1, 2011. The site fronts Point Loma Avenue and Froude Street. The RM-1-1 zone allows one dwelling unit for every 3,000 square feet of site area. The existing site is 7,000 square feet which will accommodate two dwelling

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units. The Peninsula Community Plan designates the site as multi-family residential. The creation of two residential condominiums is consistent with the community plan's land use designation and within the RM-1-1 zone density range. Therefore, the site is physically suitable for the type and density of the development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The project was determined to be consistent with Negative Declaration No. 134353 which allowed for the construction of two residential units on the subject project's site. The Negative Declaration was certified by the Hearing Officer October 23, 2008 when Coastal Development Permit No. 467679 was issued.

The project is located within an urbanized and built-out environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. Therefore, the subdivision or the proposed improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

Minor land modifications/improvements are proposed with this Tentative Parcel Map to include the reconstruction of curb ramps at the intersection of Froude Street and Point Loma Avenue.

The project has been reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Parcel Map includes conditions and corresponding exhibits relevant to obtaining permits for the work within the Public Right-of-Way and paying applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed sidewalk improvements should further improve safety conditions by providing an easier path of travel for pedestrians through these areas. Therefore, the design of the subdivision

or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The proposed subdivision will not conflict with existing public easements as there are none on the site. The site has frontage on Froude Street and Point Loma Avenue which are dedicated public rights-of-ways. Additionally, general utilities run along the public rights-of-ways and not through the existing project site. The subdivision proposes public improvements to include the reconstruction of curb ramps at the intersection of Point Loma Avenue and Froude Street. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The potential and opportunity exists to implement sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a certain percentage of the project's energy needs. The two units incorporates roofs which may facilitate solar panels in the future and both units face the southwest, conducive to effective solar utilization. Additionally, new dual-glazed windows having Low E Glazing will be installed which will help reduce solar heat gain within the units. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The project proposes to create two residential condominiums out of two residential units under construction on a 0.16-acre site located at 4594 Point Loma Avenue and 1407 Froude Street in the RM-1-1 Zone within the Peninsula Community Plan area and Coastal Overlay Zone. Coastal Development Permit No. 467679 was approved by the Hearing Officer on October 23, 2008, permitting the construction of the two residential units and associated site improvements.

The decision maker has reviewed the administrative record including the project plans and environmental documentation to determine the effects of the proposed subdivision on the housing needs of the region. With the proposed creation of two residential condominiums, there would be a loss of two rental units and a gain of two for-sale units. The two residential units are within a built out urbanized community with adequate infrastructure. The decision maker has determined that the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. The project is within a block from public transit and retail services and sales. In addition, Sunset Cliffs Natural Park is located within two blocks from the site. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the

Hearing Officer, Tentative Parcel Map No. 1000153, hereby granted to CLIFFS, L.P subject to

the attached conditions which are made a part of this resolution by this reference.

By

William Zounes Development Project Manager Development Services Department

Tentative Map Conditions

Internal Order No. 24002674

ATTACHMENT:

HEARING OFFICER CONDITIONS FOR TENTATIVE PARCEL MAP NO. 1000153, CLIFF RESIDENCE-PROJECT NO. 281171 ADOPTED BY RESOLUTION NO. XXXXXX ON OCTOBER 17, 2012

GENERAL

- 1. This Tentative Parcel Map will expire October 17, 2015.
- 2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
- 3. Prior to the Tentative Map expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
- 4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
- 5. The Tentative Parcel Map shall conform to the provisions of Coastal Development Permit No. 987262.
- 6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, or proceeding, or if City fails to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 281171 TM No. 1000153

ENGINEERING

- 7. Prior the recordation of the Final Parcel Map, the Subdivider shall construct the required Public Improvements per approved Right-of-Way Permit No. 603711 including new curbs, gutters, sidewalks, driveway and curb ramp, adjacent to the site on Point Loma Avenue and Froude Street.
- 8. Prior the recordation of the Final Parcel Map, the Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 9. Prior the recordation of the Final Parcel Map, the Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
- 10. Prior the recordation of the Final Parcel Map, the Subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
- 11. Prior the recordation of the Final Parcel Map, the Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
- 12. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Parcel Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

- 13. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
- 14. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The

Project No. 281171 TM No. 1000153

-PAGE 2 OF 4-

specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."

- 15. The Final Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - **b.** Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground

INFORMATION:

- The approval of this Tentative Parcel Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC §-1531 et seq.).
 - If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Parcel Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Parcel Map, may protest the imposition within ninety days of the approval of this

Project No. 281171 TM No. 1000153 Tentative Parcel Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

• Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.



Project No. 281171 TM No. 1000153

-PAGE 4 OF 4-

Attachment 10 CDP No. 467679 Page 1 of 9

THE

WAS RECORDED ON NOV 20, 2006 DOCUMENT NUMBER 2008-0610356 GREGORY J. SMITH, COUNTY RECORDER SAN DIEGO COUNTY RECORDER'S OFFICE TIME: 9:37 AM

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-8071

MOUZAS RESIDENCES COASTAL DEVELOPMENT PERMIT No. 467679 DEVLOPMENT SERVICES DEPARTMENT

This Coastal Development Permit is granted by the Development Services Department of the City of San Diego to Alexandra Mouzas, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0702. The 7,000 square-foot site is located at 4594 Point Loma Avenue in the RM-1-1 Zone and Coastal Zone of the Peninsula Community Plan. The project site is legally described as Lots 1 and 2, Block 14 of the Ocean Beach Subdivision, Map 279.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Alexandra Mouzas, Permittee to demolish an existing one-story single dwelling unit and construct two new two-story dwelling units, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 23, 2008, on file in the Development Services Department.

The project shall include:

- a. One 2,210 square-foot, two-bedroom, two-story, dwelling unit with a 415 square-foot attached garage and a 546 square-foot deck, and one 2,210 square-foot, three-bedroom, two-story, dwelling unit with a 415 square-foot attached garage and a 546 square-foot deck;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the

ORIGINAL

adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.



8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend. indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

AFFORDABLE HOUSING REQUIREMENTS:

11. Upon issuance of a building permit, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code.)



ENGINEERING REQUIREMENTS:

12. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

13. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

14. Prior to the issuance of any construction permit, the Applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permit, the Applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

16. Prior to the issuance of any construction permit the Applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

17. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to construct a current City Standard sidewalk, adjacent to the site on Point Loma Avenue

18. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to reconstruct the damaged and uplifted portions of sidewalk, with current City Standard sidewalk, adjacent to the site on Froude Street.

19. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to reconstruct the existing curb ramp at the southeast corner of Point Loma Avenue and Froude Street, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-135 with truncated domes. Applicant shall preserve the contractor's stamps per current City Standard SDG-115.

20. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the construction of a current City Standards12-foot wide driveway, adjacent to the site on Froude Street.

21. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.



22. Prior to foundation inspection, the applicant shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit "A", satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

24. Prior to issuance of any construction permits for buildings; the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A", Landscape Development Plan, on file in the Office of the Development Services Department.

25. Prior to Final Inspection, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

26. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

27. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

28. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

29. No fewer than four off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall



comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

30. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

31. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

32. The applicant shall provide and maintain adequate visibility area along the front setback 10' at the intersection of Froude Street and the Alley and 25' at the intersection of Point Loma Avenue and Froude Street. No obstacles higher than 36" shall be located within this area (e.g. walls, landscaping, shrubs, etc).

33. The applicant shall close the existing driveway on Froude Street and replace with standard height of curb, gutter and sidewalk, satisfactory to the City Engineer.

34. The applicant shall construct a minimum of 12' wide driveway along the project's frontage on Froude Street, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

35. The developer shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be redesigned or private.

36. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

37. All on-site wastewater systems shall be private.

38. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

39. f these unit become condominiums, the developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer facilities that serve more than one lot.



WATER REQUIREMENTS:

40. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

41. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner the Director of Public Utilities and the City Engineer.

42. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

• Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.

• This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Development Services Department of the City of San Diego on October 23, 2008.

Attachment 10 CDP No. 467679 Page of 9

Coastal Development Permit No. 467679

October 23, 2008

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Peter Lynch Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

x ander Mar Alexandra Mouzas

Owner/Permitee

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.



State of California	
County of Sam Diego	}
On November 6, 2008 before me, _	Tonnie M. Marias, Notary Public Here Insert Name and Tille of the Officer Mouzas
Date Alexandra	Here Insert Name and Title of the Officer
personally appeared	Name(s) of Signer(s)
TONNIE M. MACIAS Commission # 1563450 Notary Public - California San Diego County My Comm. Expires Mar 22, 2009	who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the law of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.
	Signature Tomie M. Marian Signature of Notary Public
Place Notary Seal Above	Signature of Notary Public
Though the information below is not required by	OPTIONAL
	y law, it may prove valuable to persons relying on the document
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City of San Diego Development Services 1222 First Ave., MS-302

THE CITY OF SAN DIEGO

San Diego, CA 92101

Community Planning Committee **Distribution Form Part 2**

Project Name:			Project Number:		Distribution Date:
CLIFF RESIDENCES MAP WAIVER			2	81171	5/18/2012
Project Scope/Location:	u			an a	
PENINSULA (PROCESS 3) Coastal Development Per Map to create 2 residential condominium units (under c Zone within the Peninsula Community Plan, Coastal Ov Notice Cards=2.	constru	uction) on a 0.	16 acre	e site at 4594 l	Point Loma Ave in the RM-1-1
			<u></u>		
Applicant Name:			Applicant Phone Number:		
Gerardo Garcia			(619) 210-3371		
Project Manager: Phone Numbe		ne Number:	Fax Number:		E-mail Address:
Will Zounes	(61	9) 687-5942	(619	9) 446-5245	WZounes@sandiego.gov
Committee Recommendations (To be completed for	c Initi	al Review):			
	•	· · · · · · ·			
Vote to Approve		Members Y	es N	Iembers No	Members Abstain
Vote to Approve With Conditions Listed Below		Members Y	es N	lembers No	Members Abstain
Vote to Approve With Non-Binding Recommendations Listed Below	ow	Members Y	es N	lembers No	Members Abștain
Vote to Deny		Members Y	es N	lembers No	Members Abstain
I No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			Continued		
CONDITIONS:					
NAME: GEOFF PAGE				TITLE:	CHAIR
SIGNATURE: 2007 Page	Carl State State State			DATE:	8-10-12
Attach Additional Pages If Necessary.		Please return t Project Manag City of San Die Development S 1222 First Aye San Diego, CA	ement l ego ervices nue, MS	Department S 302	
Printed on recycled paper. Visit ou Upon request this information is ave					

	Attachment 1 Ownership Disclosure Statemen
Project Title:	
Part II - To be completed when property is held by a corpora	tion or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What Sta	te? Corporate Identification No
the property Please list below the names, titles and addresses of	subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or ho will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project bject property. Failure to provide accurate and current ownership
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address: HOTETENSIA STREET	Street Address:
City/State/Zip: SAW DIEGO . CA 92110	City/State/Zip:
Phone No: (619) 523 - 0133 (619) 523 - 0342	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): NAPOLEON ZERVAS (PANTNER	Name of Corporate Officer/Partner (type or print):
Title (type or print): UNVAGING PARTNER	Title (type or print):
Signature : Date: 5/14/12	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

Project Chronology Cliff Residence PROJECT NO. 281171

Date	Action	Description	City Review Time	Applicant Response
5/18/12	First Submittal	Project Deemed Complete and distributed		
6/12/12	First Submittal Assessment Letter out		25 days	
8/24/12	Second submittal In	Normal Submittal		73 days from First Assessment Letter
9/12/12	Second Submittal Assessment Letter out		19 days	
10/17/12	Hearing Officer Hearing		35 days	
TOTAL STA	AFF TIME**		2 month 19 days	
TOTAL APPLICANT TIME**				2 months 13 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to HO Hearing	5 months 2 day	78

**Based on 30 days equals to one month.