



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: June 12, 2013

REPORT NO. HO 13-049

ATTENTION: Hearing Officer

SUBJECT: TRIPLEX FOR WIR HOLDINGS, LLC.  
PTS PROJECT NUMBER: 290417

LOCATION: 2719 Bayside Walk

APPLICANT: Hilary Lowe, Mark Mitchell Architecture and Planning  
OWNER: Ronald J. Bills, Owner of WIR Holdings, LLC.

### SUMMARY

Issue(s): Should the Hearing Officer approve a Coastal Development Permit and Lot Line Adjustment to demolish an existing residential dwelling unit and construct a new three-story triplex located at 2719 Bayside Walk and a Lot Line Adjustment between 2719 Bayside Walk and 2715 Bayside Walk within the Mission Beach Precise Plan area?

### Staff Recommendation -

APPROVE Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742.

Community Planning Group Recommendation – On March 19, 2013, the Mission Beach Precise Planning Board voted 10-0-1 to recommend denial of the project. Reasons for their denial are included in Attachment 8.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 – Infill Development Projects (Attachment 7). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 12, 2013, and the opportunity to appeal that determination ended May 3, 2013.

### BACKGROUND

The 4,477 square foot project site is currently developed with a two-story residential building that was built in 1946. The property is located at 2719 Bayside Walk on the east side of Bayside Walk between Avalon Court and San Luis Rey Place, within the Mission Beach Precise Plan,

which designates the site for residential development at a maximum density of 36 dwelling units per acre, and the proposed development is consistent with this designation. The site is located in the MBPD-R-S zone of the Mission Beach Planned District, which allows for residential development. The site is also located in the Airport Environs Overlay Zone, the 60-65 CNEL noise contour, the Airport Influence Area (SD International Airport), the FAA Part 77 Notification Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Mission Beach Precise Plan and Local Coastal Program Area. (Attachments 1-3). The site is bordered by existing residential development to the north, south and west, with Mission Bay located to the east.

A Coastal Development Permit is required for the proposed demolition of the existing structure and construction of the new three-story triplex and a Lot Line Adjustment is required due to the property located at 2715 Bayside Walk constructing a garage over the shared property line.

A historic review of the existing residential building was conducted by staff in January 2013. Staff determined that the site does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board Criteria.

## DISCUSSION

A Coastal Development Permit (CDP) and Lot Line Adjustment are required to demolish the existing residential building and construct a new three-story, 5,276 square foot triplex located on a 4,477 square foot site. The site is east of the Pacific Ocean, east side of Bayside Walk between Avalon Court and San Luis Rey Place. The property located at 2715 Bayside Walk constructed a garage over a portion of the shared property line. This is the southern property line for the project site. The proposed redevelopment of the site cannot occur without this adjustment to the shared property line as the garage needs to be completely located on the site addressed as 2715 Bayside Walk. The total amount of the adjustment is approximately 8.2 square feet, which will then allow the project site to be redeveloped with the proposed three-story triplex.

The proposed triplex would consist of the following: a four car tandem garage, a two car tandem garage and a one bedroom unit on the first floor; a three bedroom unit on the second floor; a two bedroom unit on the third floor and a roof deck on the very top of the proposed residential structure.

The first floor consists of a one bedroom unit that includes a living room, dining room, kitchen, one bedroom, one bathroom, laundry area, storage area with outside patio areas. The garages for the entire building will also be located on the first floor of the building. The four car tandem garage will be assigned to the first and third floor units and the two car tandem garage will be assigned to the second floor unit.

The second floor consists of a three bedroom unit that includes a living room, dining room, kitchen, three bedrooms, three bathrooms, laundry area, storage area and exterior patio space.

The third floor consists of a two bedroom unit that includes a living room, dining room, kitchen, two bedrooms, two bathrooms, an office, laundry area, storage area, linen closet and exterior patio space.

The roof deck would be accessed from the stair well that starts on the first floor of the building and provides access to all three units within the building. There are approximately 600 square feet of solar panels proposed on the flat roof as well.

The proposed project would be consistent with the bulk and scale of the surrounding residential community. The three-story building would have a height not greater than 30' -0" as defined, which would comply with the Coastal Height Limitation Overlay Zone's maximum allowable height of 30 feet. Landscaping would conform to the Mission Beach Planned District minimum percentage and the City's Landscape Technical Manual.

The structure design includes stucco, glass, wood siding and stone veneer with a flat roof for a maximum building height of 30' to the roof deck rail. As designed the project complies with the 30-foot Coastal Height Limit Overlay Zone, Mission Beach Planned District requirements and the Mission Beach Precise Plan and Local Coastal Program policies (Attachments 5-6).

The project site is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP). Due to the project site location within the 60-65 dB CNEL noise contour, the project information was submitted to the San Diego County Regional Airport Authority (SDCRAA) for a determination of consistency. The SDCRAA, acting in its capacity as the San Diego County Airport Land Use Commission (ALUC), has determined that the proposed project is conditionally consistent with the SDIA ALUCP. Condition numbers 13-15 of the Coastal Development Permit are consistent with conditions presented in Resolution 2013-0008 ALUC, approved on April 4, 2013 by the ALUC (Attachment 9).

### COMMUNITY PARTICIPATION

On March 19, 2013, the Mission Beach Precise Planning Board (MBPPB) voted 10-0-1 to recommend denial of the project. The MBPPB denied the proposed project based on the fact that they believe the project to extend 6 inches into required yard setbacks for the project along Bayside Walk, Avalon Court and the interior side yard. Staff has analyzed the information provided by the MBPPB and determined that the project conforms to the underlying zone and the Mission Beach Precise Plan.

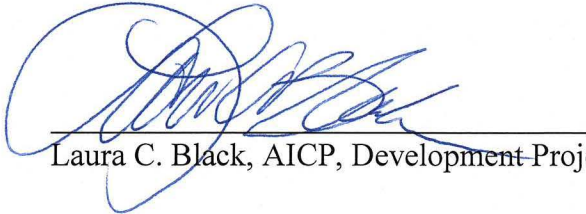
### CONCLUSION

Staff has reviewed the application for the Coastal Development Permit and Lot Line Adjustment and determined the project is consistent with the applicable Coastal Development Regulations, the Mission Beach Precise Plan and the City of San Diego Land Development Code. Staff recommends that the Hearing Officer approve the requested permits.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742, with modifications.
2. Deny Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Laura C. Black, AICP, Development Project Manager

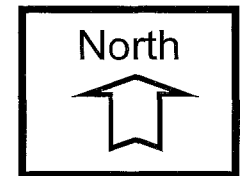
Attachments:

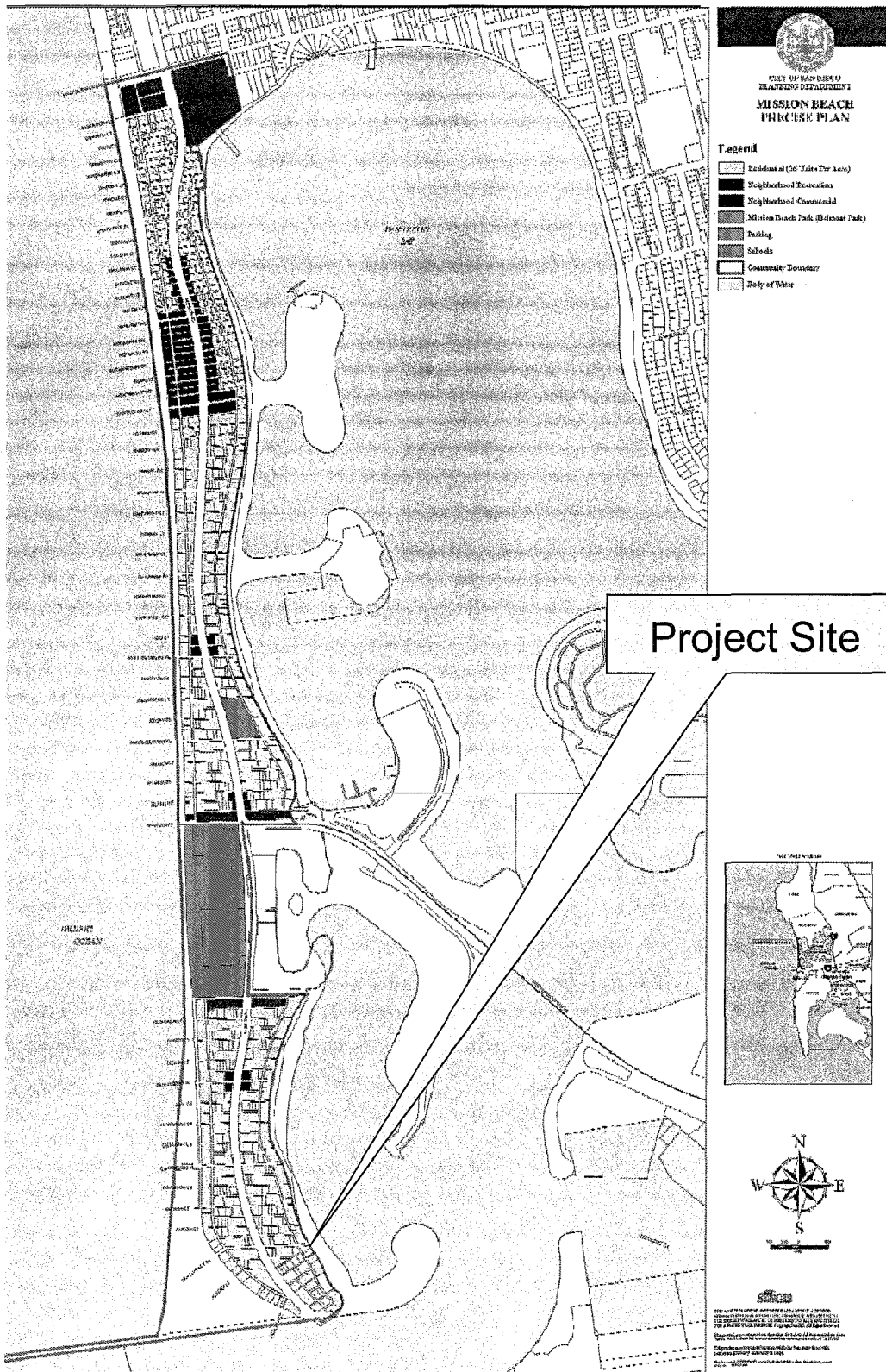
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation (including meeting minutes)
9. San Diego County Regional Airport Authority Review and Resolution No. 2013-0008  
ALUC
10. Ownership Disclosure Statement
11. Project Chronology
12. Project Plans/Parcel Map (Full size set provided to Hearing Officer)



## Aerial Photo

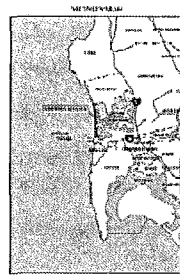
TRIPLEX FOR WIR HOLDINGS, LLC - 8469 2719 Bayside Walk  
PROJECT NO. 290417





- Legend**
- Residential (50' Side-Set Rule)
  - Neighborhood Recreation
  - Neighborhood Commercial
  - Mission Beach Park (Mission Park)
  - Parking
  - Schools
  - Community Boundary
  - Body of Water

Project Site

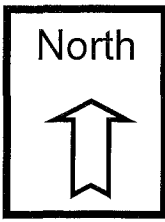


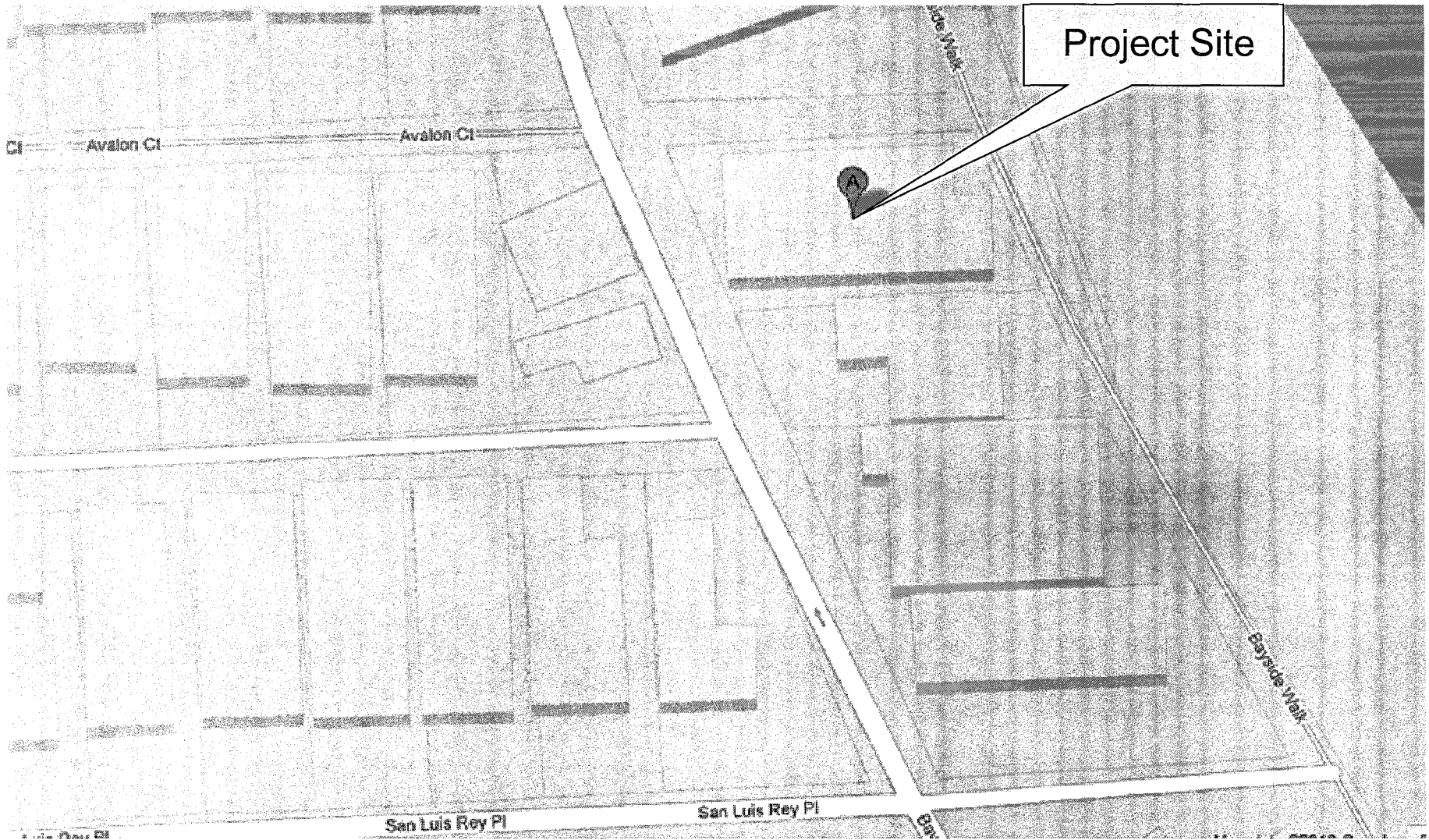
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# Land Use Map

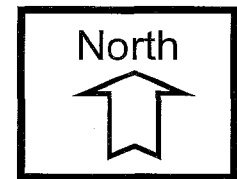
TRIPLEX FOR WIR HOLDINGS LLC – 2719 Bayside Walk  
PROJECT NO. 290417





## Project Location Map

**TRIPLEX FOR WIR HOLDINGS LLC – 2719 Bayside Walk**  
**PROJECT NO. 290417**



## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Triplex for WIR Holdings, LLC.	
<b>PROJECT DESCRIPTION:</b>	Demolition of an existing residential dwelling unit and the construction of a three-story, 5,276 square foot triplex on a 4,477 square foot lot.	
<b>COMMUNITY PLAN AREA:</b>	Mission Beach	
<b>DISCRETIONARY ACTIONS:</b>	Coastal Development Permit and Lot Line Adjustment	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Residential (Allows residential development to a maximum of 36 dwelling units per acre).	
<b><u>ZONING INFORMATION:</u></b>		
<p><b>ZONE:</b> MBPD- R-S: (A residential zone located in the Mission Beach Planned District)</p> <p><b>HEIGHT LIMIT:</b> 30-Foot maximum height limit / proposed 30' max height</p> <p><b>LOT SIZE:</b> Minimum lot area allowed 2,400 square feet / Proposed lot area – 4,477.44 square feet</p> <p><b>FLOOR AREA RATIO:</b> Max Allowed – 1.1 /Proposed 0.95 – Lot Coverage 0.65 max / proposed 0.49</p> <p><b>FRONT SETBACK:</b> 8.5 feet / 10 feet/ 11.5 feet required – 8.5 feet/ 10 feet/ 11.5 feet proposed</p> <p><b>SIDE SETBACK:</b> 5 feet required / 5 feet proposed</p> <p><b>REAR SETBACK:</b> 0 feet required / 0 feet proposed</p> <p><b>SIDE (AVALON CT.) SETBACK:</b> 13.5 feet/ 15 feet/ 16.5 feet required – 13.5 feet/ 15 feet/ 16.5 feet proposed</p> <p><b>PARKING:</b> 6 parking spaces required / 6 parking spaces provided (tandem)</p>		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Residential; R-S-MBPD	Single Family Residence
<b>SOUTH:</b>	Residential; R-S-MBPD	Single Family Residence
<b>EAST:</b>	Residential; R-S-MBPD	Single Family Residence
<b>WEST:</b>	Residential; R-S-MBPD	Single Family Residence
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On March 19, 2013, the Mission Beach Precise Planning Board voted 10-0-1 to recommend denial of the project.	



HEARING OFFICER RESOLUTION NO. HO-XXXX  
COASTAL DEVELOPMENT PERMIT NO. 1018896  
LOT LINE ADJUSTMENT NO. 1098742  
**TRIPLEX FOR WIR HOLDINGS, LLC. - PROJECT NO. 290417**

WHEREAS, WIR HOLDINGS, LLC., Ronald J. Bills, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish the existing residential dwelling unit and construct a three-story triplex (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742) on portions of a 4,477 square foot site;

WHEREAS, the project site is located at 2719 Bayside Walk in the MBPD-R-S zone of the Mission Beach Planned District, the Airport Environs Overlay Zone, the 60-65 CNEL noise contour, the Airport Influence Area (SD International Airport), the FAA Part 77 Notification Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Mission Beach Precise Plan and Local Coastal Program Area;

WHEREAS, the project site is legally described as Lot A of Mission Beach, Block 17, Map No. 1809;

WHEREAS, on June 12, 2013, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on April 12, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15332 (Infill Development Projects) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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 June 12, 2013.

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 proposed project is located at 2719 Bayside Walk within an urbanized and fully developed residential neighborhood in the Mission Beach Precise Plan and the Local

Coastal Program. The proposed project building footprint will not change substantially from the existing building on site that is proposed to be demolished as part of the project. The proposed building is setback according to the required minimum setback guidelines within the Mission Beach Planned District (MBPD). Although no specific views are identified through the project site in the precise plan, the plan states that views to, and along the shoreline from public areas shall be protected from blockage by development and or vegetation. In addition SDMC 132.0403(b) requires the preservation of a visual corridor of not less than the side yard setbacks or more than 10 feet in width, and running the full depth of the premises whenever there is a potential view to the water. Potential views to Mission Bay looking east from Bayside Lane and through the property will be improved with the proposed development. New open fences and landscape less than three feet in height may be located within the required yards provided they do not obstruct views. Condition Number 23 of the Coastal Development permit will require a view corridor easement 10 feet wide on the north side and 5 feet wide on the south side. Therefore, the proposed project would not encroach upon any existing physical accessway and would not impact the Mission Beach Precise Plan or Local Coastal Program.

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

The proposed project is located at 2719 Bayside Walk within an urbanized and fully developed residential neighborhood in the Mission Beach Precise Plan and the Local Coastal Program. The existing developed site is relatively flat with the proposed building situated very close to the existing structure proposed to be demolished as part of the project. The site is surrounded by development and there is no environmentally sensitive lands mapped on the project site, nor on the adjacent properties; therefore, the proposed project would not have an adverse affect on 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 proposed project is located at 2719 Bayside Walk within an urbanized and fully developed residential neighborhood in the Mission Beach Precise Plan and the Local Coastal Program. The project site is designated for residential development, with a maximum density of 36 dwelling units per acre, within the Mission Beach Precise Plan. The project proposes 3 dwelling units on a 4,477 square foot lot for a density of approximately 29 dwelling units per acre. The project is consistent with the designated use and density in the Mission Beach Precise Plan. Therefore, the proposed project conforms to the identified land use in the Mission Beach Precise Plan and the Local Coastal Program, and 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 proposed project is located at 2719 Bayside Walk within an urbanized and fully developed residential neighborhood in the Mission Beach Precise Plan and the Local Coastal Program. The project is located between the nearest public road, Bayside Lane and the sea or shoreline. Bayside Walk is adjacent to the shoreline and Bayside Walk is an area used by pedestrians. Bayside Lane is the first public road adjacent to the project site and to the west of the site. Therefore, the proposed development is located between the first public road and the shoreline of a body of water within the Coastal Overlay Zone. Although no specific views are identified through the project site in the Mission Beach Precise Plan, the plan states that views to, and along the shoreline from public areas shall be protected from blockage by development and or vegetation. In addition SDMC 132.0403(b) requires the preservation of a visual corridor of not less than the side yard setbacks or more than 10 feet in width, and running the full depth of the premises whenever there is a potential view to the water. Condition Number 23 has been added to the Coastal Development Permit to ensure this visual corridor is preserved adjacent to the project site. Potential views to Mission Bay looking east from Bayside Lane and through the property are currently obstructed by existing landscape and structures. The proposed development will remove all existing solid fences or walls or open fences greater than 3 feet in height from the required yards along Avalon Court and the south side yard. New open fences and landscape less than three feet in height may be located within the required yards provided they do not obstruct views. Therefore, the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

#### **Lot Line Adjustment - Section 125.0340**

**1. The proposed adjustment complies with the applicable provisions of the Subdivision Map Act.**

Parcel Map No. 1809 was recorded on November 13, 1924 creating the existing legal lot requesting redevelopment for a three-story triplex and the legal lot adjacent and to the south of the proposed development site. The existing residential dwelling unit was built in 1946. At some point, the property owner to the south of the project site built a garage on a portion of the shared property line between the two properties. This is the south property line for the proposed development. The proposed adjustment will not subdivide any lots. It will adjust the lot line between two existing parcels. Therefore, the proposed adjustment complies with the applicable provisions of the Subdivision Map Act.

**2. Before adjustment, all lots or parcels are existing parcels of land created by separate fee conveyance and meeting the criteria for determination of a lot as specified in Section 113.0237.**

Parcel Map No. 1809 was recorded on November 13, 1924 creating the existing legal lot requesting redevelopment for a three-story triplex and the legal lot adjacent and to the south of the proposed development site. The existing residential dwelling unit was built in 1946. At some point, the property owner to the south of the project site built a garage on a portion of the shared property line between the two properties. This is the south property line for the proposed development. Before the lot line adjustment, the individual parcels shown on Parcel Map No. 1809 have been recorded by the County Recorder and meets the criteria for determination of a lot as specified in SDMC Section 113.0237.

- 3. All adjusted lots or parcels comply with the minimum requirements of the Land Development Code and all existing structures comply with the established yards, except for property for which a Variance has been granted pursuant to Chapter 12, Article 6, Division 8 (Variances) and for previously conforming lots or structures, for which the Lot Line Adjustment shall not increase the existing noncompliance.**

Parcel Map No. 1809 was recorded on November 13, 1924 creating the existing legal lot requesting redevelopment for a three-story triplex and the legal lot adjacent and to the south of the proposed development site. The existing residential dwelling unit was built in 1946. At some point, the property owner to the south of the project site built a garage on a portion of the shared property line between the two properties. This is the south property line for the proposed development. The individual parcels comply with the minimum requirements of the Land Development Code, the Mission Beach Precise Plan and the General Plan. All existing structures comply with the established yards, no deviations or variances are requested from the regulations, so there is no existing noncompliance. Therefore, the proposed lot line adjustment shall not increase the existing noncompliance.

- 4. The Lot Line Adjustment will not result in the creation of any additional parcels.**

Parcel Map No. 1809 was recorded on November 13, 1924 creating the existing legal lot requesting redevelopment for a three-story triplex and the legal lot adjacent and to the south of the proposed development site. The existing residential dwelling unit was built in 1946. At some point, the property owner to the south of the project site built a garage on a portion of the shared property line between the two properties. This is the south property line for the proposed development. The proposed adjustment will not subdivide any lots. It will adjust the lot line between two existing parcels. Therefore, the proposed lot line adjustment will not result in the creation of any additional parcels.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742, a copy of which is attached hereto and made a part hereof.

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Laura C. Black, AICP  
Development Project Manager  
Development Services

Adopted on: June 12, 2013

Internal Order No. 24003080

**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: 24003080

COASTAL DEVELOPMENT PERMIT NO. 1018896  
LOT LINE ADJUSTMENT NO. 1098742  
**TRIPLEX FOR WIR HOLDINGS, LLC. - PROJECT NO. 290417**  
HEARING OFFICER

This Coastal Development Permit No. 1018896 and Lot Line Adjustment No. 1098742 is granted by the Hearing Officer of the City of San Diego to WIR HOLDINGS, LLC., Ronald J. Bills, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 125.0340. The 4,477 square foot site is located at 2719 Bayside Walk in the MBPD-R-S zone of the Mission Beach Planned District, the Airport Environs Overlay Zone, the 60-65 CNEL noise contour, the Airport Influence Area (SD International Airport), the FAA Part 77 Notification Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Mission Beach Precise Plan and Local Coastal Program Area. The project site is legally described as: Lot A of Mission Beach, Block 17, Map No. 1809.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish the existing residential dwelling unit and construct a three-story triplex, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 12, 2013, on file in the Development Services Department.

The project shall include:

- a. Demolition of the existing residential dwelling unit and the construction of a three-story, 5,276 square foot triplex on a 4,477 square foot lot;
- b. Lot Line adjustment for an approximate 8.2 square foot portion of Parcel 1 to be transferred to Parcel 2, along the southern property line for the project;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption in accordance with Council Policy 900-14; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**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 June 26, 2016.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. 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.
4. 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.
5. 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.



THE CITY OF SAN DIEGO

Date of Notice: April 12, 2013

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

Internal Order No. 24003080

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**PROJECT NAME/NUMBER:** TRIPLEX FOR WIR HOLDINGS LLC / 290417

**COMMUNITY PLAN AREA:** Mission Beach

**COUNCIL DISTRICT:** 2

**LOCATION:** 2719 Bayside Walk, San Diego, CA 92109

**PROJECT DESCRIPTION:** The applicant is requesting a COASTAL DEVELOPMENT PERMIT and a LOT LINE ADJUSTMENT for the demolition of the existing single-dwelling residence and subsequent construction of a three-story, 5,276-square foot triplex. Additionally, the project would construct various associated site improvements (e.g. hardscape and landscaping). The project would also incorporate a variety of sustainable features including photovoltaic roof panels to achieve a LEED Silver Certification. The developed 4,477.44-square-foot project site is located at 2719 Bayside Walk. The scope of work also includes a lot line adjustment to adjust a portion of the southern lot line. The land use designation for the project site is residential development (with a maximum density of 36 dwelling units per acre) within the community plan. The project site is located within MBPD-R-S zone of the Mission Beach Planned District, the Airport Environs Overlay Zone, the 60-65 CNEL noise contour, the Airport Influence Area (SD International Airport), the FAA Part 77 Notification Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Mission Beach Precise Plan and Local Coastal Program plan area. (LEGAL DESCRIPTION: Lot A of Mission Beach, Block 17, Map No. 1809).

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Hearing Officer Decision.

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332 (Infill Development Projects).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The project meets the criteria set forth in CEQA Section 15332 which allows for the construction of infill development within an urbanized area that can be adequately served by all required utilities and public services. The development occurs within the City of San Diego jurisdiction and the project site is less than five acres (0.103 acre) and is surrounded by urban uses; the project site does not contain any habitat for endangered, rare or threatened species; the project would not result in any significant impacts to biological resources, historical resources, traffic, noise, air quality, or water quality; and lastly, the project can be adequately be served by all required utilities and public services.

Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**DEVELOPMENT PROJECT MANAGER:** Laura Black  
**MAILING ADDRESS:** 1222 First Avenue, MS-501, San Diego CA 92101  
**PHONE NUMBER:** (619) 236-6327

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On March 6, 2013 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 15 business (May 3, 2013) from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.





City of San Diego  
Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101

THE CITY OF SAN DIEGO

## Community Planning Committee Distribution Form Part 1

<b>Project Name:</b> Triplex for WIR Holdings, LLC		<b>Project Number:</b> 290417	<b>Distribution Date:</b> 2/21/2013	
<b>Project Scope/Location:</b> MISSION BEACH *SUSTAINABLE EXPEDITE PROGRAM* (PROCESS 3) Coastal Development Permit and Lot Line Adjstmnt to demo the existing residence and construct a new three-story, 5,276 sq ft triplex on a 4,477 sq ft lot located at 2719 Bayside Walk in the R-S Zone of the Mission Beach Planned District, Airport Influence Area, FAA Part 77 Noticing Area, Coastal Height, Coastal (appealable), First Public Roadway, Parking Impact, Res Tandem Parking and Mission Beach Community Plan. CD 2. Notice Cards = 1.				
<b>Applicant Name:</b> Hilary Lowe			<b>Applicant Phone Number:</b> 858.274.5978	
<b>Project Manager:</b> Laura C. Black	<b>Phone Number:</b> (619) 236-6327	<b>Fax Number:</b> (619) 321-3200	<b>E-mail Address:</b> lblack@sandiego.gov	
<b>Project Issues (To be completed by Community Planning Committee for initial review):</b>  <i>See attach paper</i>				
<i>Attach Additional Pages If Necessary.</i>		<b>Please return to:</b> Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		
Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> . Upon request, this information is available in alternative formats for persons with disabilities.				



City of San Diego  
Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101

## Community Planning Committee

### Distribution Form Part 2

<b>Project Name:</b> Triplex for WIR Holdings, LLC		<b>Project Number:</b> 290417		<b>Distribution Date:</b> 2/21/2013	
<b>Project Scope/Location:</b> MISSION BEACH *SUSTAINABLE EXPEDITE PROGRAM* (PROCESS 3) Coastal Development Permit and Lot Line Adjstmnt to demo the existing residence and construct a new three-story, 5,276 sq ft triplex on a 4,477 sq ft lot located at 2719 Bayside Walk in the R-S Zone of the Mission Beach Planned District, Airport Influence Area, FAA Part 77 Noticing Area, Coastal Height, Coastal (appealable), First Public Roadway, Parking Impact, Res Tandem Parking and Mission Beach Community Plan. CD 2. Notice Cards = 1.					
<b>Applicant Name:</b> Hilary Lowe			<b>Applicant Phone Number:</b> 858.274.5978		
<b>Project Manager:</b> Laura C. Black		<b>Phone Number:</b> (619) 236-6327	<b>Fax Number:</b> (619) 321-3200	<b>E-mail Address:</b> lblack@sandiego.gov	
<b>Committee Recommendations (To be completed for Initial Review):</b>					
<input type="checkbox"/> Vote to Approve		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Conditions Listed Below		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below		Members Yes	Members No	Members Abstain	
<input checked="" type="checkbox"/> Vote to Deny		Members Yes 10	Members No 0	Members Abstain 1	
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				<input type="checkbox"/> Continued	
<b>CONDITIONS:</b>					
<b>NAME:</b> MIKE MEYER			<b>TITLE:</b>		
<b>SIGNATURE:</b> Mike Meyer			<b>DATE:</b> 3-28-13		
Attach Additional Pages If Necessary.			Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		
Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> . Upon request, this information is available in alternative formats for persons with disabilities.					

2719 BAYSIDE WALK

Project issues:

We are still having problem with projections into the Bayside Walk, Avalon Ct. and the interior side yard. The applicant has extended the floor joist beyond the walls into the setbacks. Some extends two feet (Bayside Walk and Court) and some extend 6 inches into interior side yard.

We do not allow these projections unless they are eaves.

These are not eaves. Using Google as definition of eaves and roofs. The whole first page defines eaves as overhang from a roof. Roofs are defined as tops of buildings.

These projection are coming off a deck on the Bayside Walk. They are not eaves.

Also the courts are not eaves.

The reason we have put the restriction of projections in front of the front yard setback because people have later after building or when redoing decks ten years later for water damage uses the projections to extend the decks into the setback.

The California Coastal Commission after the Planning Group had wanted to allow a three foot cover extended from the building over the front entry door was disallowed because of view corridor last summer.

The Mision Beach Planning Group voted to deny 2719 Bayside Walk 10-0-1 because of the intrusions into yard setback on the Bayside Walk, Avalon Ct. and the interior side yard.

**Mission Beach Precise Planning Board  
Tuesday, March 19, 2013  
Belmont Park Community Room  
Minutes of Meeting**

**Board Members Present:**

Peggy Bradshaw	Carole Havlat	Dennis Lynch	Mike Meyer
Carlton Nettleton	Robert Ondeck	John Ready	Mary Saska
Gernot Trof	John Vallas	Debbie Watkins	Mary Willmont

**Absent:**

Nick Cantalupo

**OPENING FUNCTIONS**

Meeting was called to order by Chair Debbie Watkins at 7:05 p.m.

- **Approval of Minutes** for February, 2013  
Copies of the draft of the February 19, 2013 Minutes of Meeting were distributed and reviewed. There were no changes. The Minutes were approved by unanimous consent as written.

**ADMINISTRATIVE ITEMS**

- **Revisions to Agenda**

Copies of the March 19, 2013 Agenda were distributed and reviewed. There were no additions to the Agenda.

- **Chair's Report**

(1) **Election Results** – Chair Watkins announced the results of the 2013 Election of Area Representatives held this night would be announced at the end of the meeting.

(2) **MB Precise Planning Board Appeals Update:**

(a) Project No. 271240 at 2975 Ocean Front Walk – The Board's Appeal to the Planning Commission filed on July 14, 2012 regarding the Map Waiver to convert to condominiums was heard on February 18, 2013. Chair Watkins and Dennis Lynch represented the Board. The Planning Commission directed the owner/developer to resubmit plans to alleviate the encroachments along Ocean Front Walk and the stairs on Ensenada Court, and present the revised plans to the Board before the next Planning Commission Hearing on March 28, 2013. Those plans will be reviewed tonight as an Action Item.

(b) Appeal of AT&T's 30-ft clock tower at Bonita Cove – Chair noted the alternative location at Belmont Park to install cell phone antennas and computer room equipment has been agreed to by AT&T and plans were filed with the City to accomplish this siting. According to the City's Project Manager, AT&T representatives and the new leaseholder are in the process of reviewing and signing the lease and are optimistically looking at March to get started.

- **Secretary's Report**

None.

**PUBLIC COMMENT (limited to 3 minutes per speaker)**

Destry Whitney of GoGreen4Education commented his organization is working with the Mission Bay Cluster Schools to assist with funding. Mr. Whitney explained that recycle bins are provided to businesses and residents and free pick-up is available. Proceeds are donated to the schools for their use. Mr. Whitney is working with Councilmember Faulconer's office to help alleviate the fly problem in Mission Beach caused by a reduced trash pick-up schedule and overflowing trash bins.

Resident Bob Craig distributed a flyer regarding the Sustainable Design Assistance Team that will come to San Diego in October 2013 to look at ways to improve the environment in Pacific Beach, Mission Beach and Mission Bay.

Dan Hayden, Director of Engineering at Pacifica Real Estate Services, Inc., the new Belmont Park Leaseholder, commented they are considering a roof-top bar/eatery. He will be conducting a second workshop to share their concept plans for Belmont Park and get feedback from the community on February 21, 2013 from 7:00 p.m. – 8:30 p.m. in the Belmont Park Community Room.

**REPORTS FROM GOVERNMENT OFFICIALS**

- **Ian Clampett**, (Community Representative - Office of Councilmember Kevin Faulconer) Mr. Clampett reported there was a beach clean-up last weekend at the South Mission Beach Jetty sponsored by Evans Hotel and Surfrider. He commented that the trash and flies problem in Mission Beach is a priority for Councilmember Faulconer, who is looking at the cost for a second trash pick-up to be restored. In addition, Mr. Faulconer is talking with GoGreen4Education to partner with to help alleviate the trash and flies problem, which would donate proceeds to schools. Mr. Clampett stated the Land Use and Housing Committee will take action on the oversized vehicle ordinance at its next meeting on March 22, 2013.

**OTHER****Possible Action Item**

- **Alternative uses for Mission Beach Elementary School** – Presented by Jennifer Tandy, Chair, Mission Bay Cluster Schools. Ms. Tandy stated she was interested in assuring the sale of the school would be used for the benefit of the community. She proposed setting up a meeting with Mayor Filner to determine whether the City would be interested in purchasing the property for use by different public entities such as Park and Recreation, Police or Homeland Security. Ms. Tandy pointed out that time is of the essence because the property will be sold at a public auction on May 1, 2013 to the highest bidder, and April 12, 2013 is the deadline for public entities to place a bid. She asked the Board whether it would be interested in setting up a subcommittee to look into the matter further and meet with the Mayor. Chair Watkins, Carole Havlat, Mike Meyer and Carlton Nettleton volunteered to sit on the subcommittee. After further discussion, the following motion was duly made to form an ad-hoc subcommittee to meet and develop a plan of action to present to Mayor Filner.

Motion 1 was made by Peggy Bradshaw and seconded by Gernot Trolf TO FORM an ad-hoc subcommittee for the purpose of formulating a plan of action for the sale of the Mission Beach Elementary School to be presented to Mayor Bob Filner as discussed above.

VOTE

For: 10

Against: 0

Abstain: 0

Motion passes. [Absent for vote: M. Willmont]

**Information Item**

- **West Mission Bay Bridge Project Update – City of San Diego Project Management Team**

Nitsuh Aberra, City Project Manager presented the project update. Ms. Aberra pointed out the bridge was built in 1950, and is functionally obsolete and structurally deficient. The City will get 80% of the funding from the Federal government and the City will pay for 20% of the cost. She reported the design stage is still in process. The current bridge will be replaced in two pieces at the eastern half and a free lane will be open to traffic during construction. It will be replaced with a 5-span haunched-box girder bridge structure with three thru lanes, an auxiliary lane to I-8, a 12-foot wide bicycle space, and pedestrian seating. The inside of the bridge will provide vehicular lighting. Construction is scheduled to start in 2015 and will take two years to complete. Several Board members expressed concern about the turn lanes off and onto I-8. Ms. Aberra stated she would look into the matter further and get back to the Board since the bridge is still in its design stage.

**BUILDING PLAN REVIEWS****Action Items:**

- **2719 Bayside Walk – Project No. 290417 (Triplex for WR Holdings, LLC):** Sustainable Expedite Program Coastal Development Permit and Lot Line Adjustment to demo existing residence and construct a new 3-story 5,276 sq. ft. Triplex on 4,477 sq. ft. lot – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Mark Mitchell of Mark Mitchell Architecture represented the owner.

The Board heard this project on January 15, 2013. The project plans were denied (9-0-1) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Mark Mitchell presented the revised project plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. They pointed out several areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) The interior side yard on the south can not have construction greater than 3 feet in height. Refuse/recyclable storage, steps, railings, etc. that exceed this height must be removed;
- (2) Our PDO allows for an 18-inch vertical offset from the setback line extending the full height of the building. This building is greater than 30 feet wide for which that offset becomes mandatory for the entire width of the building;
- (3) Walls, fences, planters and anything man-made greater than 36 inches in height can not be in the required yards along Avalon Court and Bayside Walk

However, the Plan Reviewers pointed out there is a problem with projections into Bayside Walk, Avalon Court and the interior side yard because the applicant extended the floor joist beyond the walls into the setback. Some extend two feet on Bayside Walk and Avalon Court and some extend six inches into the interior side yard. These projections are not allowed unless they are eaves. The Plan Reviewers explained that an eave is an overhang from a roof and these extensions are not considered eaves because they are coming off a deck on the Bayside Walk. After further discussion, a motion was duly made to deny the project as follows:

\* [ Motion 2 was made by Dennis Lynch and seconded by Mike Meyer TO DENY the project plans at 2719 Bayside Walk because the intrusions into the yard setbacks are violations of the new PDO requirements as discussed above.

VOTE For: 10 Against: 0 Abstain: 1

Motion passes. [Abstain: J. Ready]

- **3610 Bayside Walk – Project No. 296187 (Cadena Residence):** Sustainable Expedite Program Coastal Development Permit to demo SFR and construct a 2,762 sq. ft. SFR with attached 399 sq. ft. garage on a 0.06 acre site – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Architect Chad Beaver of Golba Architecture represented the owner.

The Board heard this project on November 20, 2012. The project plans were denied (8-0-0) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Chad Beaver presented the revised plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. Plan Review Lynch pointed out the problem areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) The open tandem parking space must be 36 feet long and 8 ½ feet wide [See: PDO, effective August 9, 2012, Section 1513.0403 (b) (4) (A)];
- (2) The eaves on the third floor roof can not encroach more than 6 inches into the interior side yard setbacks on the North and South elevations. This also applies to the first floor garage eave on the North interior side yard;
- (3) The railings have a curved portion that encroaches into the front yard second story setback on the East and into the side yard setbacks on the North third floor and on the second and third floors on the South.
- (4) Landscaping: No landscape plans were submitted. PDO requires 50% softscape 50% hardscape. Trees must be planted within 4 to 5 feet from the building, and no man-made objects greater than 36 inches shall be located in the required front yard setback.

After discussion, the following motion was duly made to approve the project because all concerns have been met to conform to the new PDO requirements.

Motion 3 was made by Dennis Lynch and seconded by Peggy Bradshaw TO APPROVE the project plans at 3610 Bayside Walk because all concerns have been met to conform to the new PDO requirements as discussed above.

VOTE For: 11 Against: 0 Abstain: 0

Motion passes.

- **729 Devon Court – Project No. 296192 (Nelson Duplex):** Sustainable Expedite Program Coastal Development Permit to demo SFR and construct a 2,646 sq. ft. Duplex with attached 496 sq. ft. garage on a 0.05 acre site – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Architect Chad Beaver represented the owner.

The Board heard this project on November 20, 2012. The project plans were denied (8-0-0) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Chad Beaver presented the project plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. Plan Review Lynch pointed out the problem areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) Tandem parking space on the Eastern portion of the lot must be 8 ½ feet wide [See: PDO, effective August 9, 2012, Section 1513.0403 (b) (4) (A)];
- (2) Roof eaves can not encroach into interior side yards more than 6 inches. Exact measurements of eaves are not noted on the plans; and
- (3) The tree located in the front yard setback must be planted within 4 to 5 feet of the primary structure [See: PDO, effective August 9, 2012, Section 1513.0402 (a) (1)]. No man-made objects greater than 36 inches shall be located in the required front yard setback.

After discussion, the following motion was duly made to approve the project because all concerns have been met to conform to the new PDO requirements.

**Motion 4 was made by Dennis Lynch and seconded by Carole Havlat TO APPROVE the project plans at 729 Devon Court because all concerns have been met to conform to the new PDO requirements as discussed above.**

**VOTE For: 11 Against: 0 Abstain: 0**

**Motion passes.**

- **2975 Ocean Front Walk (Review pursuant to Appeal before Planning Commission on February 28, 2013):** Map Waiver application to waive the requirements of a Tentative Map to convert 3 existing residential units to condominiums – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Matthew Peterson, Attorney/Lobbyist represented owner/developer.

The Board heard this project on March 20, 2012. The Map Waiver Application was denied (8-0-0) because several areas in the plans did not confirm to the PDO requirements. The Board filed an Appeal of the Hearing Officer Decision on July 14, 2012 to the Planning Commission, and the Appeal before the Planning Commission was heard on February 28, 2013. On that date, the Planning Commission directed the owner to resubmit plans to alleviate the encroachments along



Ocean Front Walk and the stairs on Ensenada Court, and present the revised plans to the Board before the next Planning Commission Hearing on March 28, 2013.

Matthew Peterson presented the revised project plans. Mr. Peterson pointed out the encroachments along Ocean Front Walk have been removed.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. They confirmed several areas in the project plans were corrected to conform to the PDO requirements as follows:

- (1) The stair case and underlying substructure encroaches into the required front yard setback along Ocean Front Walk at a height in excess of 36 inches; and
- (2) The concrete planter and concrete entry steps encroach into the required front Yard setback along Ocean Front Walk by a height in excess of 36 inches

With regard to the stairs and railing encroaching into the required front yard setback in excess of 36 inches on Ensenada Court, Mr. Peterson distributed copies of the Ensenada Court plans. He stated the owner/developer does not want to make any changes regarding the concrete stairs along Ensenada Court except to add a glass railing.

Plan Reviewer Dennis Lynch pointed out that prior to the March 19<sup>th</sup> Board Meeting, he met with Matthew Peterson along with Chair Watkins and Mike Meyer at the project site to discuss ways to alleviate the stairs and railing along Ensenada Court. At that time, a viable solution was suggested to remedy the violation. Plan Reviews Lynch and Meyer explained the remedy to the Board. Mr. Peterson stated the remedy recommended would cost \$30-\$40,000 to accomplish.

Plan Reviewer Lynch advised these concrete entry stairs are a violation of our PDO, and an obstruction of the Ensenada Court view corridor. He pointed out that our PDO was in full force at the time this project was built in 1986; and as a result, these items must be corrected whether they were or were not in the original approved plans before a tentative map waiver can be issued.

After further discussion, the following motion was made to deny the project:

**Motion 5 was made by Dennis Lynch and seconded by Peggy Bradshaw TO DENY the Tentative Map Waiver Application at 2975 Ocean Front Walk because the concrete entry stairs along Ensenada Court need to be resolved to conform to the new PDO requirements.**

**VOTE                      For: 10                      Against: 1                      Abstain: 0**  
**Motion passes.**

#### **BOARD COMMUNICATIONS**

##### **Information Items:**

- **Mission Boulevard Maintenance Assessment District Ad-hoc Subcommittee Update**

Chair John Vallas distributed the subcommittee's report dated March 19, 2013. He reported that 98% of the property owners responded to the community survey to gauge public interest in expanding the Mission Boulevard Maintenance Assessment District ("MBMAD") beyond its current purpose of providing for the maintenance of landscaped right-of-way trees and planters located on Mission Boulevard. Mr. Vallas pointed out that this is a statistically valid data sample with an error

correction rate of +/-6% points. He apprised the Board that 90.38% of survey responders support expanding the scope of the MBMAD, with 67.49% supporting increasing their Maintenance Assessment Fee from the current \$14.68 per year to \$34.69 - \$64.88. He noted the responders' levels of importance include clean streets and sidewalks, extra trash and recycling pickup, and improved pedestrian lighting.

Chair Vallas stated the next step in the process is to work with Park and Recreation to create a petition to distribute and collect signatures of at least 30% of property owners in order to utilize the Formation Fund to pay for the engineer's report and mail-in balloting. He requested an Action Item be placed on the April 16, 2013 Agenda to discuss and approve the creation of a Petition to move forward with the Ballot measure.

- **March 2013 Board Election for Area Representatives Results**

Election Secretary Mary Saska reported the results of the 2013 Election of Area Representatives as follows:

**Area I (between San Diego Pl & South Side of Capistrano Pl)**

Dennis Lynch – Term expiring 2016

John Ready – Term expiring 2015

**Area II (between North Side of Capistrano Pl & South Side of W. Mission Bay Dr and Ventura Pl)**

Nick Cantalupo – Term expiring 2016

**Area III (between North Side of W. Mission Bay Dr and Ventura Pl & South Side of El Carmel Pl)**

Carole Havlat – Term expiring 2016

**Area IV (between North Side of El Carmel Pl & South Side of San Jose Place)**

Gernot Trolf – Term expiring 2016

**Area V (between North Side of San Jose Place & South Side of Pacific Beach Drive)**

Peggy Bradshaw – Term expiring 2014

Tim Cruickshank – Term expiring 2016

Chair Watkins certified the results of the March 19, 2013 Election of Area Representatives.

Chair Watkins pointed out Agenda Items need to be submitted to the Chair 10 days PRIOR to the scheduled Board meeting. The next Board Meeting is **Tuesday, April 16, 2013** in the Belmont Park Community Room.

**ADJOURNMENT**

Motion 6 was duly made and seconded to ADJOURN the meeting.

VOTE

For: Unanimous

Against:

Abstain:

Respectfully submitted,  
Debbie Watkins, Secretary

## RESOLUTION NO. 2013-0008 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF 3 MULTI-FAMILY RESIDENTIAL UNITS AT 2719 BAYSIDE WALK, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN

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 3 Multi-Family Residential Units at 2719 Bayside Walk, 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 3 attached residential units and associated parking; and

WHEREAS, the proposed project would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level, and that an aviation easement is recorded with the County Recorder; and

WHEREAS, the proposed project is located outside the City of San Diego Airport Approach Overlay Zone (AAOZ) and is in compliance with the ALUCP airspace protection surfaces because the project proponent has certified that notification to the Federal Aviation Administration (FAA) is not required pursuant to Section 77.15 of Title 14 of the Code of Federal Regulations (FAR Part 77) if a structure is located within an urbanized area and shielded by existing structures or natural terrain of equal or greater height and could not reasonably pose adverse safety to air navigation; and

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

Resolution No. 2013-0008 ALUC  
Page 2 of 3

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

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 3 Multi-Family Residential Units at 2719 Bayside Walk, City of San Diego, is conditionally consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the construction of 3 attached residential units and associated parking.
- (2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the residences must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.
- (3) The proposed project is located outside the AAOZ. The proposed project is in compliance with the ALUCP airspace protection surfaces because the project proponent has certified that notification to the FAA is not required pursuant to FAR Part 77 if a structure is located within an urbanized area and shielded by existing structures or natural terrain of equal or greater height and could not reasonably pose adverse safety to air navigation.
- (4) The proposed project is located outside the RPZ.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA 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.

Resolution No. 2013-0008 ALUC  
Page 3 of 3

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego  
County at a regular meeting this 4<sup>TH</sup> day of April, 2013, by the following vote:

AYES: Commissioners: Alvarez, Cox, Desmond, Gleason, Hubbs,  
Robinson, Sessom, Smisek

NOES: Commissioners: None

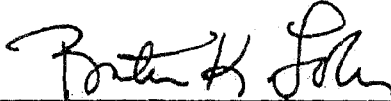
ABSENT: Commissioners: Boland

ATTEST:



\_\_\_\_\_  
TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
BRETON K. LOBNER  
GENERAL COUNSEL



City of San Diego  
 Development Services  
 1222 First Ave., MS-302  
 San Diego, CA 92101  
 (619) 446-5000

# Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  
 Variance  Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment •  Other \_\_\_\_\_

Project Title: BILLS RESIDENCE Project No. For City Use Only: 29047

Project Address: 2719 BAYSIDE WALK, SAN DIEGO, CA 92109

**Part I - To be completed when property is held by individual(s)**

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached  Yes  No

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: 2719 BAYSIDE WALK  
 City/State/Zip: SAN DIEGO CA 92109  
 Phone No: 619/794-3054 Fax No: \_\_\_\_\_  
 Signature: RODNEY BULLOCK Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: BILLS RESIDENCE Project No. (For City Use Only)

**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

Corporation  Limited Liability -or-  General) What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached**  Yes  No

Corporate/Partnership Name (type or print):  
HTR HOLDING LLC

Owner  Tenant/Lessee

Street Address:  
2719 BAYSIDE AVE.

City/State/Zip:  
SAN DIEGO, CA

Phone No: 760/944-3054 Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):  
RONALD J. BILLS

Title (type or print):  
RONALD J. BILLS

Signature : Ronald J. Bills Date: 7/20/2012

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

## DEVELOPMENT SERVICES

**Project Chronology****Triplex for WIR Holdings, LLC – Project No. 290417**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time (Working Days)</b>	<b>Applicant Response (Working Days)</b>
09/20/2012	First Submittal	Project Deemed Complete		
10/16/2012	First Assessment Letter		18 days	
12/19/2012	Second Submittal			45 days
01/11/2013	Second Assessment Letter		11 days	
02/21/2013	Third Submittal			27 days
03/07/2013	Third Assessment Letter		10 days	
04/10/2013	Fourth Submittal			23 days
04/23/2013	Fourth Assessment Letter/Final Review		9 days	
04/12/2013	Environmental Determination – Exempt, Section 15332 Infill Development			
05/03/2013	Environmental Determination – Exempt, Section 15332 Infill Development		8 days	
06/12/2013	Hearing Officer - Public Hearing		27 days	
<b>TOTAL STAFF TIME</b>		(Does not include City Holidays or City Furlough)	<b>83 days</b>	
<b>TOTAL APPLICANT TIME</b>		(Does not include City Holidays or City Furlough)		<b>95 days</b>
<b>TOTAL PROJECT RUNNING TIME</b>			<b>178 days</b>	