



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: October 9, 2013 REPORT NO. HO 13-087  
ATTENTION: Hearing Officer  
SUBJECT: OSTEND COURT DUPLEXES  
PTS PROJECT NUMBER: 321731  
LOCATION: 3677-3681 Mission Boulevard  
APPLICANT: Ostend Court, LLC

### SUMMARY

Issue(s): Should the Hearing Officer approve an Extension of Time to previously approved Coastal Development Permit No. 575089 to demolish three (3) residential units and construct two (2) for-rent duplexes, on a 0.112-acre site at 3677-3681 Mission Boulevard, within the Mission Beach Community Plan Area?

Staff Recommendation – APPROVE Extension of Time No. 1123886.

Community Planning Group Recommendation – On July 28, 2013 the Mission Beach Precise Planning Board voted 12-0-0 to recommend approval of the Extension of Time, noting the new Planned Development Ordinance (PDO) requires trees be within four to five feet of structures.

Environmental Review: Pursuant to CEQA Section 15378(c) the term project refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The project does not mean each separate governmental approval, therefore, this action would not constitute a separate project under CEQA. The previous action was the approval for the demolition of three existing residential units (duplex and a single family residence) and the construction of a total of four units in the form of two three story duplexes, which was exempt pursuant to CEQA Section 15302, "Replacement and Reconstruction."

### BACKGROUND

On April 21, 2010 the Hearing Officer approved Coastal Development Permit No. 575089 associated with the Ostend Court Duplexes project. That permit was set to expire on May 5, 2013. On April 25, 2013 the applicant applied for an Extension of Time.

## DISCUSSION

### Project Description:

The present application is requesting an Extension of Time to the previously approved Ostend Court Duplexes project. The time allowed in the original development permit to construct the Ostend Court Duplexes project has expired. No changes to the originally approved project are proposed.

The project would demolish three (3) residential units and construct two (2) for-rent duplexes. The project would total 5,093 square feet, with four (4) attached two-car garages (tandem parking) totaling 1,450 square feet. The project includes photovoltaic panels (solar panels) on the roof. The project requires no deviations.

### Project-Related Issues

In accordance with Land Development Code (LDC) regulations, requests for Extensions of Time have a limited review. The LDC Section 126.0111, "Extensions of Time of a Development Permit," regulates the circumstances under which a previous approval may be extended. The LDC addresses the development permit expiration date, maximum extension allowed, Extension of Time (EOT) request timing, EOT application review, the decision process and the required approval findings. The Section also addresses conditional approval findings, Coastal Development Permit EOT findings and denial findings.

In LDC Section 126.0111(e) the approval findings state:

"An extension of time, except for a Coastal Development Permit, may be approved without new conditions if the decision maker makes both of the following findings:

- (1) The project as originally approved and without any new conditions would not place the occupants of the proposed *development* or the immediate community in a condition dangerous to their health or safety; and
- (2) No new condition is required to comply with state or federal law.

In LDC Section 126.0111(f) the findings for conditional approval state:

"An extension of time, except for a Coastal Development Permit, may be approved with new conditions if the decision maker makes one of the following findings:

- (1) New conditions are necessary to protect the health or safety of the residents of the *development* or the immediate community; or
- (2) New conditions are necessary to comply with applicable state or federal law."

Section 126.0111(2)(g) *Findings* for approval for Extension of Time for a Coastal Development Permit states; An extension of time for a Coastal Development Permit may be approved only if the decision maker makes all of the following findings:

- (1) The project as originally approved would not place the occupants of the proposed *development* or the immediate community in a condition dangerous to their health or safety;
- (2) There are no changed circumstances which would affect the project's consistency with the *Local Coastal Program*; and
- (3) No new condition is required to comply with state or federal law.

These findings are the legal basis for approving an EOT for a Coastal Development Permit with or without conditions. The law limits the decision makers to these considerations. While changes in the circumstances may suggest additional conditions would be desirable, the law limits new conditions to two situations. Decision makers may add new conditions where doing otherwise would place occupants or the immediate community in a situation dangerous to their health or safety, or where omitting new conditions would result in a breach of state or federal law.

The basis for denial of an EOT is found in LDC Section 126.0111(h) which states: "The decision maker shall deny the extension of time if the project, even as conditioned, would place residents of the proposed *development* or the immediate community in a condition dangerous to their health or safety, or would not comply with state or federal law."

### Conclusion

Staff has review the proposed Extension of Time and determined the project would not place residents of the proposed development, or the immediate community, in a condition dangerous to their health or safety. In addition, the project would comply with all state and federal laws without any new conditions being added to the approval. Staff has provided draft findings supporting EOT approval (Attachment 4). Staff recommends the Hearing Officer approve the proposed Extension of Time permit as proposed (Attachment 5).

### ALTERNATIVES

1. **Approve** Extension of Time No. 1123886 with modifications.
2. **Deny** Extension of Time No. 1123886 **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



---

Morris E. Dye, Development Project Manager

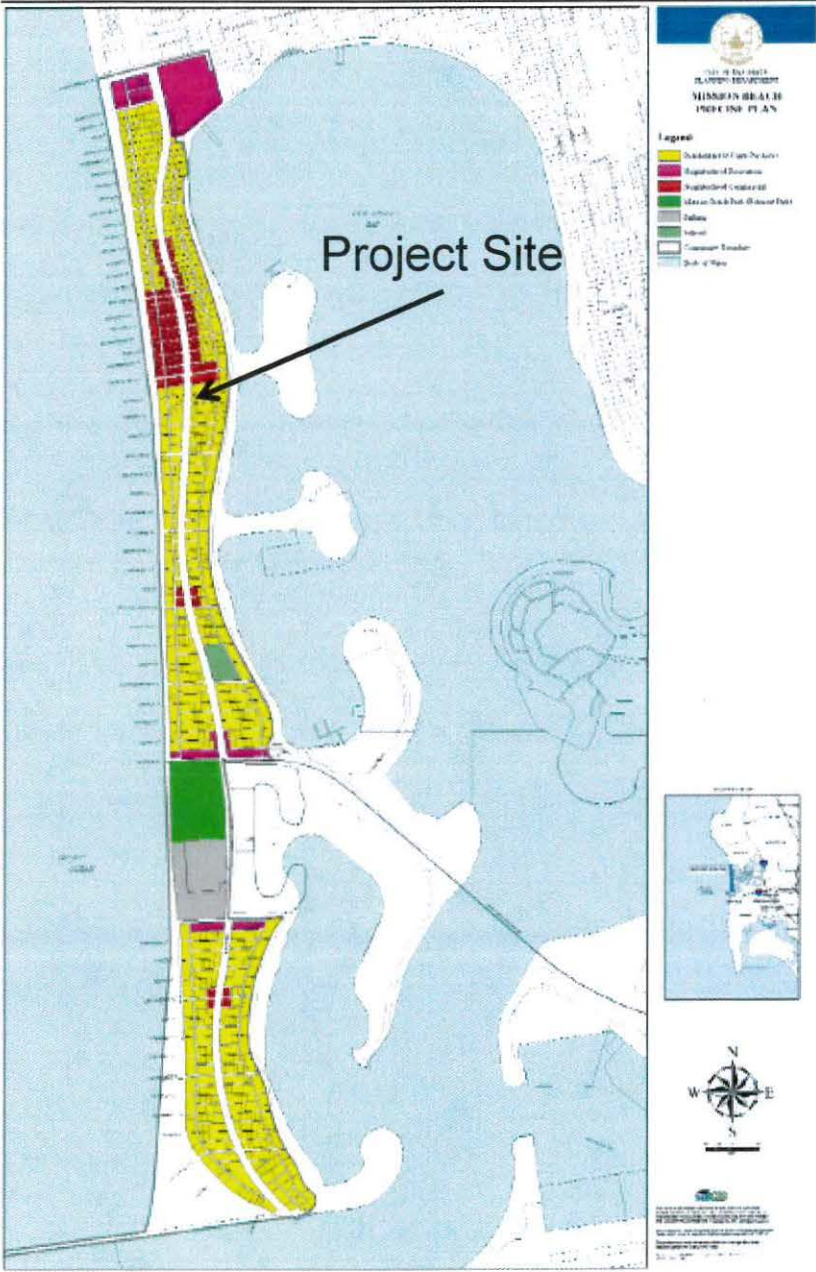
Attachments:

1. Aerial Photograph
2. Community Plan Land Use
3. Project Location Map
4. Draft EOT Resolution with Findings
5. Draft EOT Permit
6. Copy of Recorded Coastal Development Permit No. 575089
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement



**Location Aerial Photo**  
**Ostend Court Duplexes, 3677 Ostend Court**  
**PROJECT NO. 321731**

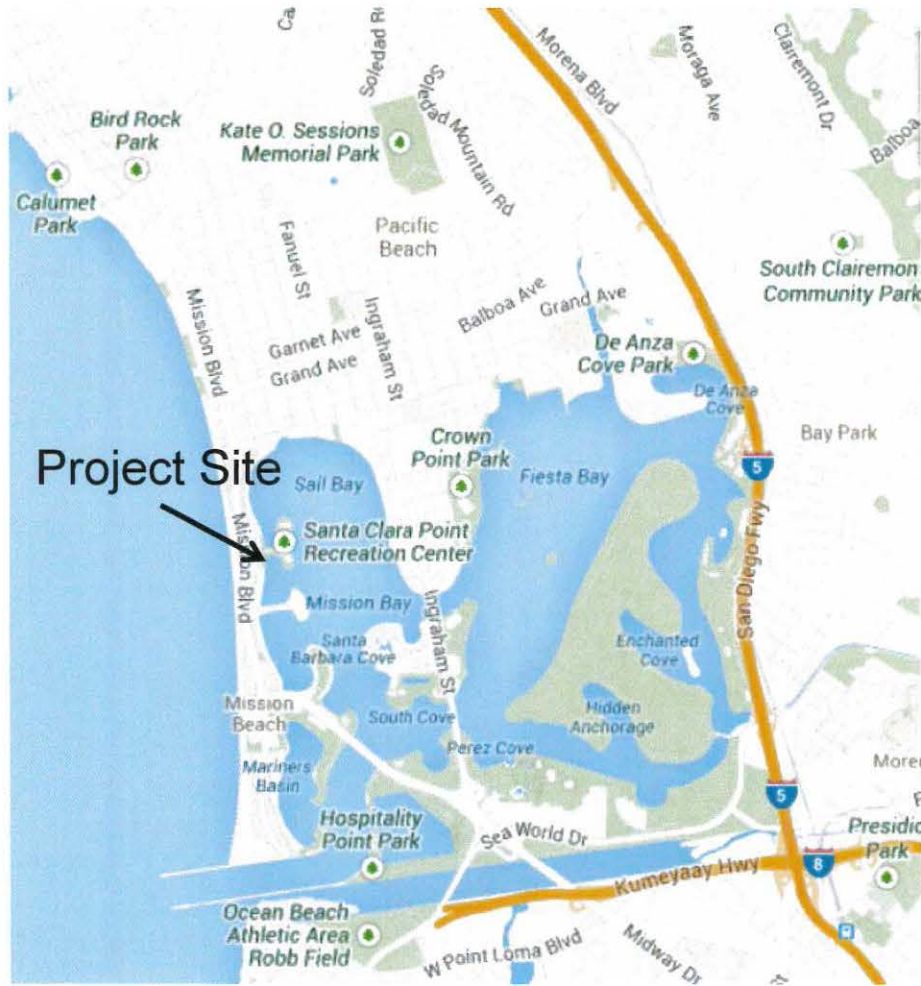




# Land Use Map

**OSTEND COURT DUPLEXES— 3677 Ostend Court**  
**PROJECT NO. 321731**





## Project Location Map

**OSTEND COURT DUPLEXES- 3677 OSTEND COURT  
PROJECT NO. 321731**



HEARING OFFICER  
 RESOLUTION NO. \_\_\_\_\_  
 EXTENSION OF TIME NO. 1123886  
 COASTAL DEVELOPMENT PERMIT NOS. 575089  
**OSTEND COURT DUPLEXES - PROJECT NO. 321731**

WHEREAS, OSTEND COURT, LLC Owner/Permittee, filed an application with the City of San Diego for a three-year Extension of Time to Coastal Development Permit No. 575089 to demolish three (3) residential units and construct two (2) for-rent duplexes, on a 0.112-acre site at 3677-3681 Mission Boulevard, within the R-S- Zone of Mission Beach Planned District and within the Mission Beach Community Plan Area, Coastal Overlay, Coastal (appealable area) Overlay, Coastal Height Limitation Overlay, Beach Impact Area of the Parking Impact Overlay, Residential Tandem Parking Overlay, and Transit Overlay Zones. The project site is legally described as: Lots Q and R, Block 171 of Mission Beach, according to Altered Map No. 1809, filed in the Office of the County Recorder of San Diego County, on November 13, 1924.

WHEREAS, all associated permits shall conform to the previously approved Exhibit "A" and conditions on file with the Development Services Department pursuant to Coastal Development Permit No. 575089, and Project No. 321731 with the exception of the expiration date.

WHEREAS, the activity is covered under Exemption No. 161139 as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15378(c).

BE IT FURTHER RESOLVED, by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Extension of Time No. 1123886 for Coastal Development Permit No. 575089:

1. The project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety.

The project proposes no changes to the approved Coastal Development Permit. Conditions of the previously approved permit provide for construction of all proposed sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Also, all proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code. Furthermore, each dwelling unit will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one unit. Therefore, the project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety.

2. There are no changed circumstances which would affect the project's consistency with the Local Coastal Program.

There are no proposed changes to the project. Therefore, there are no changed circumstances which would affect the project's consistency with the Local Coastal Program.



3. No new condition is required to comply with state or federal law.

No new conditions are required for approval of the Extension of Time to comply with state or federal law.

The above findings are supported by the minutes and exhibits, all of which are herein incorporated by reference; and

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Extension of Time No. 1123886 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Extension of Time No. 1123886, a copy of which is attached hereto and made a part hereof.

PASSED AND ADOPTED BY THE HEARING OFFICER OF THE CITY OF SAN DIEGO, CALIFORNIA, ON October 9, 2013.

By

\_\_\_\_\_  
Morris E. Dye  
Development Project Manager  
Development Services Department

24003727

**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**

JOB ORDER NUMBER: 24003727

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**EXTENSION OF TIME NO. 1123886**  
**EXTENSION OF TIME TO COASTAL DEVELOPMENT PERMIT NO. 575089**  
**OSTEND COURT DUPLEXES – PROJECT NO. 321731**  
**HEARING OFFICER**

This EXTENSION OF TIME No. 1123886 is a three-year Extension of Time to previously approved Coastal Development Permit No. 575089 and is hereby granted by the Hearing Officer of the City of San Diego to Ostend Court, LLC., a Nevada Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code Section 126.0111. The 0.112-acre site is located at 3677-3681 Mission Boulevard, within the R-S- Zone of Mission Beach Planned District and within the Mission Beach Community Plan Area, Coastal Overlay, Coastal (appealable area) Overlay, Coastal Height Limitation Overlay, Beach Impact Area of the Parking Impact Overlay, Residential Tandem Parking Overlay, and Transit Overlay Zones. The project site is legally described as: Lots Q and R, Block 171 of Mission Beach, according to Altered Map No. 1809, filed in the Office of the County Recorder of San Diego County, on November 13, 1924.

Subject to the terms and conditions set forth in this Permit, and previously approved Coastal Development Permit No. 575089, permission is granted to Ostend Court, LLC., Owner/Permittee to demolish three (3) residential units and construct two (2) for-rent duplexes described and identified by size, dimension, quantity, type, and location on the previously approved exhibits [Exhibit "A"] and conditions on file in the Development Services Department. The original Project No. 161139 and Coastal Development Permit No. 575089 approved by the Hearing Officer on April 21, 2010 are hereby extended as indicated within this permit until May 5, 2016.

The project shall include:

- a. A three year extension of time for the previously approved Coastal Development Permit No. 575089.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized prior to May 5, 2016 which does not exceed thirty-six (36) months from the expiration date of the original permit. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit.
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. No further Extension of Time may be granted pursuant to SDMC Section 126.0111(a).
4. Construction plans shall be in substantial conformity to Exhibit "A," per the previously approved Exhibits and conditions on file with Development Services for Coastal Development Permit No. 575089, Project No. 161139 recorded with the County of San Diego Recorder on July 16, 2010 Document Number 2010-0356832 with the exception of the expiration dates. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
5. The Owner/Permittee 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 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.

**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 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 Hearing Officer of the City of San Diego on October 9, 2013 by Resolution No. \_\_\_\_\_.

EXTENSION OF TIME 1123886  
EXTENSION OF TIME TO COASTAL DEVELOPMENT PERMIT NO. 575089,  
OCTOBER 9, 2013

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

---

Morris E. Dye  
Development Project Manager

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

---

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

**Ostend Court, LLC.**  
Owner/Permittee

By \_\_\_\_\_  
David Lessnick  
Owner/Manager, Ostend Court, LLC

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

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

**PROJECT MANAGEMENT**  
 PERMIT CLERK  
 MAIL STATION 501

THE ORIGINAL OF THIS DOCUMENT  
 WAS RECORDED ON JUL 16, 2010  
 DOCUMENT NUMBER 2010-0356832  
 DAVID L. BUTLER, COUNTY RECORDER  
 SAN DIEGO COUNTY RECORDER'S OFFICE  
 TIME: 8:32 AM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 23431328

**COASTAL DEVELOPMENT PERMIT NO. 575089**  
**OSTEND COURT DUPLEXES - PROJECT NO. 161139**  
 HEARING OFFICER

This Coastal Development Permit No. 575089 is granted by the Hearing Officer of the City of San Diego to OSTEND COURT, LLC, a Nevada Limited Liability Company, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.112-acre site is located at 3677-3681 Mission Boulevard, on the northeastern corner of Ostend Court and Mission Boulevard, in the R-S Zone of Mission Beach Planned District within the Mission Beach Precise Plan Area, Coastal Overlay Zone (Appealable Area), Coastal Height Limitation Overlay Zone, Beach Impact Area of the Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 2. The project site is legally described as: Lots Q and R, Block 171 of Mission Beach, according to Altered Map No. 1809, filed in the Office of the County Recorder of San Diego County on November 13, 1924.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish three existing residential units for the construction of two (2) duplexes (for rent), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 21, 2010, on file in the Development Services Department.

The project shall include:

- a. The demolition of three existing residential units (duplex and a single family residence) and the construction of a total of four (for rent) units in the form of two three-story duplexes, 5,093 square feet, with four (4) attached two-car garages (tandem parking) totaling 1,450 square feet. The project includes photovoltaic panels (solar panels) on the roof;
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking;
- d. 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
- e. 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.
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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary 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" condition(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.

11. The Owner/Permittee 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 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.



**AFFORDABLE HOUSING / SUSTAINABLE BUILDINGS REQUIREMENTS:**

12. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.) by paying an in-lieu fee.

13. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of 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.

**ENGINEERING REQUIREMENTS:**

14. Prior to the issuance of any construction permits, the applicant shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance.

15. Prior to the issuance of any construction permits, 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 permits, 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 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 in accordance with the approved plans.

18. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the replacement of damaged sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Mission Boulevard and Ostend Court, satisfactory to the City Engineer.

19. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the reconstruction of two existing curb ramps, to current City Standards, at the alley entrance on Mission Boulevard adjacent to the site, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

20. Prior to issuance of any construction permits for buildings complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted 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.

21. Prior to final inspection or issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

22. 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, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy or a Final Landscape Inspection.

23. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Required shrubs or trees that die 3 years or more after installation shall be replaced with 15 gallon size or 60-inch box size material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material where material replacement would occur in inaccessible areas or where the existing plant being replaced is larger than a 15 gallon shrub or 60-inch box tree.

24. All required landscape shall be maintained 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.

25. The Owner/Permittee shall install and maintain all landscaping proposed in public view corridors to not obstruct public views of the ocean as specified in Section 132.0403(e) of the Land Development Code [LDC], Coastal Overlay Zone Regulations. Landscaping materials shall not encroach or overhang into the Courts and Places rights-of-way below a height of 8 feet above the finish surface or finish grade, as measured at the trunk [LDC 1513.0402(a)(2)].

#### **PLANNING/DESIGN REQUIREMENTS:**

26. Owner/Permittee shall maintain a minimum of eight (8) 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.

27. Prior to the issuance of any construction permits, the Permittee or Subsequent Owner shall record a Deed Restriction Easement preserving a visual corridor at a minimum of 10 feet wide within the front yard setback along Ostend Court as shown on the approved Exhibit "A," in accordance with the requirements of SDMC Section 132.0403(b) and the Mission Beach Planned District Ordinance.

28. Prior to the issuance of a Certificate of Occupancy; the Permittee or Subsequent Owner shall remove any existing encroachments over 36 inches in height, including landscape within

the recorded Deed Restricted Easement which preserves a 10-foot wide visual corridor along the front setback on Ostend Court, in accordance with the requirements of San Diego Municipal Code Section 132.0403(b).

29. 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.

30. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of 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.

31. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

32. 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.

#### **WASTEWATER REQUIREMENTS:**

33. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.

34. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

35. Owner/Permittee will be required to provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each dwelling unit will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one unit.

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

37. All on-site sewer facilities shall be private.

38. Sewer lateral connections shall be made in accordance with Table 2-6 Of the City of San Diego sewer design guide.

### **WATER REQUIREMENTS:**

39. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
40. Prior to the issuance of any building permits, the Owner/Permittee shall grant a minimum 5-foot by 5-foot wide easement for the proposed domestic meter to be located within the proposed property, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
41. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
42. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
43. 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 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 April 21, 2010, and Resolution No. HO-6307.

Permit Type/PTS Approval No.: CDP/161139

Date of Approval: April 21, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT



Jeffrey A. Peterson  
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.

Ostend Court, LLC  
Owner/Permittee

By   
David M. Lessnick  
Manager

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

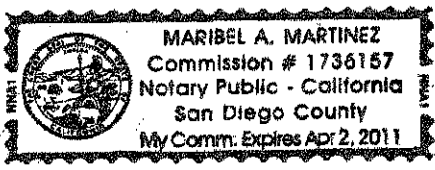
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Diego

On July 14, 2010 before me Maribel A. Martinez, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Jeffrey A. Peterson  
Name(s) of Signer(s)



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 laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Maribel A. Martinez  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Extend Court Order Pt # 101139

Document Date: April 21, 2010 Number of Pages: 8

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_

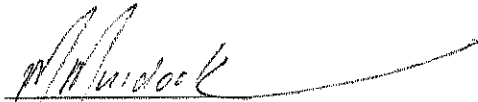


Signer Is Representing: \_\_\_\_\_

**ORIGINAL**

State of Nevada  
County of Clark

This instrument was acknowledged before me on July 7, 2010 by David Lessnick.



Signature of Notary

NOTARY STAMP



**ORIGINAL**

HEARING OFFICER RESOLUTION NO. HO-6307  
COASTAL DEVELOPMENT PERMIT NO. 575089  
**OSTEND COURT DUPLEXES - PROJECT NO. 161139**

WHEREAS, OSTEND COURT, LLC, a Nevada Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish three existing residential units for the construction of two (2) duplexes (for rent) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 575089), on portions of a 0.112-acre site;

WHEREAS, the project site is located at 3677-3681 Mission Boulevard, on the northeastern corner of Ostend Court and Mission Boulevard, in the R-S Zone of Mission Beach Planned District within the Mission Beach Precise Plan Area, Coastal Overlay Zone (Appealable Area), Coastal Height Limitation Overlay Zone, Beach Impact Area of the Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, and Council District 2;

WHEREAS, the project site is legally described as Lots Q and R, Block 171 of Mission Beach, according to Lots Q and R, Block 171 of Mission Beach, according to Altered Map No. 1809, filed in the Office of the County Recorder of San Diego County on November 13, 1924;

WHEREAS, on April 21, 2010, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 575089 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 12, 2009, 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 Article 19, Section 15302, Replacement or Reconstruction, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

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 April 21, 2010.

FINDINGS:

Coastal Development Permit - Section 126.0708

**A. Findings for all Coastal Development Permits**

- 1. The proposed coastal development will not encroach upon any existing physical access way 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; and**



The 0.112-acre site is located at 3677-3681 Mission Boulevard, on the northeastern corner of Ostend Court and Mission Boulevard. The property is a corner lot on the east side of Mission Boulevard, and is located approximately 290-feet from the Pacific Ocean and 260-feet from the shoreline of Mission Bay. The property is not located between the sea and the first public roadway paralleling the sea. Ostend Court is designated as a physical accessway and public view corridor within the adopted Mission Beach Precise Plan (MBPP) and Local Coastal Program Land Use Plan. The proposed project has been designed to meet the development regulations such as building height and bulk, setback, on-site residential parking, and would not affect any physical accessway and/or public views to the Pacific Ocean and Mission Bay. Residential land uses exist on all sides of the property and the proposed development would occur on private property.

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

The project proposes to demolish three existing residential units (duplex and a single family residence) and the construction of four (for rent) units in the form of two three-story duplexes, 5,093 square feet, with four (4) attached two-car garages (tandem parking) totaling 1,450 square feet. The property is a corner lot on the east side of Mission Boulevard, and is located approximately 290-feet from the Pacific Ocean and 260-feet from the shoreline of Mission Bay. The site is approximately 5.5 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA).

The City of San Diego conducted an environmental review of this site in accordance with State of California Environmental Quality Act (CEQA) guidelines. The project was determined to be categorically exempt from CEQA pursuant to Guidelines Section 15302, Replacement or Reconstruction. Therefore, it has been determined that the development site does not contain environmentally sensitive lands and would not adversely affect these resources.

**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; and**

The project proposes to demolish three existing residential units (duplex and a single family residence) and the construction of four (for rent) units in the form of two three-story duplexes, 5,093 square feet, with four (4) attached two-car garages (tandem parking) totaling 1,450 square feet. The project is not requesting or requires any deviations to the regulations and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the MBPP, the Local Coastal Program Land Use Plan, and the General Plan.


The property is not located between the sea and the first public roadway paralleling the sea. Ostend Court is designated as a physical accessway and public view corridor within the adopted MBPP and Local Coastal Program Land Use Plan. The proposed project has been designed to meet the development regulations such as building height and bulk, setback, on-site residential parking, and would not affect any physical accessway and/or public views to the Pacific Ocean and Mission Bay. In addition, the project proposes to utilize renewable technology, self-

generating at least 50 percent of its electrical energy needs through photovoltaic technology (solar panels), thus meeting the requirements of Council Policy 900-14, the City Council's Sustainable Building Policy.

**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 demolish three existing residential units (duplex and a single family residence) and the construction of four (for rent) units in the form of two three-story duplexes, 5,093 square feet, with four (4) attached two-car garages (tandem parking) totaling 1,450 square feet. The property is a corner lot on the east side of Mission Boulevard, and is located approximately 290-feet from the Pacific Ocean and 260-feet from the shoreline of Mission Bay. The property is not located between the sea and the first public roadway paralleling the sea. Ostend Court is designated as a physical accessway and public view corridor within the adopted MBPP and Local Coastal Program Land Use Plan. The proposed project has been designed to meet the development regulations such as building height and bulk, setback, on-site residential parking, and no public view, public access to the water, public recreation facilities, or public parking facilities would be adversely affected by the approval of this development. Therefore, the proposed development has demonstrated conformance with the public access and recreation policies of the California Coastal Act as required by this finding.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 575089 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. 575089, a copy of which is attached hereto and made a part hereof.



Jeffrey A. Peterson  
Development Project Manager  
Development Services

Adopted on: April 21, 2010

Job Order Number 43-1328 / Internal Order No. 23431328



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

## Community Planning Committee Distribution Form Part 1

|   |  |  |  |   |  |
|---|--|--|--|---|--|
| <b>Project Name:</b><br>OSTEND COURT DUPLEXES EOT   |  | <b>Project Number:</b><br>321731       |  | <b>Distribution Date:</b><br>5/7/2013       |  |
| <b>Project Scope/Location:</b><br>MISSION BEACH. Extension of Time (Process 3) for Coastal Development Permit #575089 to demolish existing structures & construct 4 residential units on a 0.11 acre site at 3677-3681 Mission Blvd. in the R-S zone of the Mission Beach Planned District within the Mission Beach Community Plan, Coastal Overlay (appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area, Geo 52, Council District 2, Notice Cards=2. |  |  |  |   |  |
| <b>Applicant Name:</b><br>Torres, Ricardo   |  |  | <b>Applicant Phone Number:</b><br>(619) 231-9905   |   |  |
| <b>Project Manager:</b><br>DYE, Morris  |  | <b>Phone Number:</b><br>(619) 446-5201 | <b>Fax Number:</b><br>(619) 446-5245   | <b>E-mail Address:</b><br>MDye@sandiego.gov |  |
| <b>Project Issues (To be completed by Community Planning Committee for initial review):</b><br><br><div style="text-align: center; font-size: 2em; font-family: cursive;">See Form Part 2</div>   |  |  |  |   |  |
| <i>Attach Additional Pages If Necessary.</i>  |  |  | Please return to:<br>Project Management Division<br>City of San Diego<br>Development Services Department<br>1222 First Avenue, MS 302<br>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> .<br>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><br>OSTEND COURT DUPLEXES EOT | <b>Project Number:</b><br>321731 | <b>Distribution Date:</b><br>5/7/2013 |
|---|----------------------------------|---------------------------------------|

**Project Scope/Location:**  
 MISSION BEACH. Extension of Time (Process 3) for Coastal Development Permit #575089 to demolish existing structures & construct 4 residential units on a 0.11 acre site at 3677-3681 Mission Blvd. in the R-S zone of the Mission Beach Planned District within the Mission Beach Community Plan, Coastal Overlay (appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area, Geo 52, Council District 2, Notice Cards=2.

|   |  |
|---|--|
| <b>Applicant Name:</b><br>Torres, Ricardo | <b>Applicant Phone Number:</b><br>(619) 231-9905 |
|---|--|

|  |  |                                      |   |
|--|--|--------------------------------------|---|
| <b>Project Manager:</b><br>DYE, Morris | <b>Phone Number:</b><br>(619) 446-5201 | <b>Fax Number:</b><br>(619) 446-5245 | <b>E-mail Address:</b><br>MDye@sandiego.gov |
|--|--|--------------------------------------|---|

**Committee Recommendations (To be completed for Initial Review):**

|   | Members Yes | Members No | Members Abstain                    |
|---|-------------|------------|------------------------------------|
| <input type="checkbox"/> Vote to Approve  |             |            |                                    |
| <input checked="" type="checkbox"/> Vote to Approve<br>With Conditions Listed Below                                   | 12          | 0          | -                                  |
| <input type="checkbox"/> Vote to Approve<br>With Non-Binding Recommendations Listed Below                             |             |            |                                    |
| <input type="checkbox"/> Vote to Deny   |             |            |                                    |
| <input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) |             |            | <input type="checkbox"/> Continued |

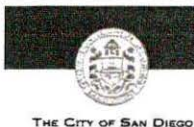
**CONDITIONS:** *Under our new revised PDO-trees must be within 4-5 feet of structure*

|                         |                             |
|-------------------------|-----------------------------|
| <b>NAME:</b> MIKE MEYER | <b>TITLE:</b> PLAN REVIEWER |
|-------------------------|-----------------------------|

|                                     |                      |
|-------------------------------------|----------------------|
| <b>SIGNATURE:</b> <i>Mike Meyer</i> | <b>DATE:</b> 7-28-13 |
|-------------------------------------|----------------------|

*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



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 EOT for CDP #575089

**Project Title**

Ostend Court Duplexes

**Project No. For City Use Only**

321731

**Project Address:**

3677-81 Mission Blvd.

**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:

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:

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:

Ostend Court Duplexes

Project No. (For City Use Only)

321 731

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

Legal Status (please check):

Corporation [ ] Limited Liability -or- [x] 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): Ostend Court LLc
[ ] Owner [x] Tenant/Lessee
Street Address: 2775 S. Jones Blvd., Suite 100-A
City/State/Zip: Las Vegas, NV 89146
Phone No: (702) 353-0104 Fax No: (702) 448-6232
Name of Corporate Officer/Partner (type or print): David Lessnick
Title (type or print): Owner/Manager
Signature : [Signature] Date: 04/18/2013

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: