

REPORT TO THE HEARING OFFICER

HEARING DATE: May 14, 2014

REPORT NO. HO 14-028

ATTENTION: Hearing Officer

SUBJECT: PETRARCA WAREHOUSE PTS PROJECT NUMBER: 313279

LOCATION: 836 33RD Street

APPLICANT: Jennifer Robinson, Architect

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve a Southeastern San Diego Development Permit for the construction of a new 7,962 square-foot industrial building?

Staff Recommendation(s) -

1. APPROVE Southeastern San Diego Development Permit No. 1130593

<u>Community Planning Group Recommendation</u> – On Monday, April 11, 2014, the Southeastern San Diego Community Planning Group voted 13-0-0 recommending the Hearing Officer of the City of San Diego approve the project. Recommendations include a preferred color palette, include a roof mounted security sensor and the installation of a well planned landscape (Attachment 8).

<u>Environmental Review</u>: - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (in-fill development). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 10, 2014, and the opportunity to appeal that determination ended April 24, 2014 (Attachment 6).

BACKGROUND

The Petrarca project proposes a new 6,962-square-foot concrete tilt-up warehouse building on a vacant parcel located at 836 33rd Street on the south west corner of E Street and 33rd Street (Attachment 1) in the Southeastern San Diego Planned District Ordinance I-1 zone, within the Southeastern San Diego Community Plan area (Attachment 2). The site is within the Gateway Center of the community plan and designated for light industrial land use. Surrounding

properties are primarily developed with industrial or heavy commercial uses however, some residential development remains including the adjacent properties directly to the south and east of the project site. The California State Route 94 freeway right-of-way is within 300 feet north of the project site (Attachment 3).

DISCUSSION

The Petrarca warehouse project proposes a new 6,962-square-foot building that would be a dual purpose structure. Approximately 2,390 square-feet (34%) of the building interior would be used for the fabrication of wooden bird cages. Approximately 2,697 square-feet (38%) of the interior space would be dedicated to storage and warehousing operations and the remainder 1,875 square-feet (26%) of the building would be used as office space as well as a loading dock and trash and recycling facilities (Attachment 7). The project is the subject of a current Disposition and Development Agreement (DDA) with Civic San Diego which is the current land-owner and the City of San Diego. The DDA generally establishes the transfer of the property from the redevelopment agency to the developer once the terms of the agreement are fulfilled and the project is complete. The terms of the DDA have no regulatory bearing on this entitlement other to ensure all required land use permits are secured. The proposed development requires a Site Development Permit pursuant to the Southeastern San Diego Planned District Ordinance because the project is proposing new construction and requesting deviations to the applicable development regulations (Attachment 5).

The proposed use within the building includes the manufacturing, fabrication and warehousing of wooden ornamental bird cages. The power equipment used in the process are considered to be light industrial machines that generally cut and shape wood pieces while the majority of the assembly is done by hand. A permit condition (Condition No. 24) requires that all doors and windows be closed during the operation of any powered machine to ensure there is no noise nuisance associated with the daily operation in respect to adjacent residential uses.

The building proposed for the site is a 30-feet tall concrete tilt-up structure. The applicant is requesting deviations to the underlying I-1 zone to accommodate the size of the structure. The completed building would include ³/₄-inch deep reveals, solar blue windows with anodized aluminum frames and a multi-colored earth tone pallet for the exterior finish. Overall, the building would be consistent with the larger surrounding industrial buildings and the purpose and intent of the industrial zone development regulations.

Requested deviations include reduced street yard and street-side yard setbacks, an increase in the allowable lot coverage and the reduction of required motorcycle parking.

The deviation to reduce the street yard setback from the required ten feet to zero feet is to accommodate the size of the structure on the relatively small industrial sized lot. Staff considered the deviation and can support the request for the following reasons. The street yard is the only property fronting on a short cul de sac and faces the 94-freeway rendering this particular façade obscure from most vantage points. However, and more importantly, the street yard includes a 22-foot wide curb to property line distance that is a part of the E Street right-of-way and therefore,

provides the appearance of a generous setback. The area within the right-of-way includes a fourfoot wide noncontiguous sidewalk and the remaining 18-feet would be fully landscaped with street trees, shrubs and ground cover. Therefore, the project is heavily landscaped and well setback from the street which satisfies the purpose and intent of the setback regulation.

The second setback deviation is a request to allow a two-foot encroachment of the building into the required 10-foot wide street side-yard setback along the 33rd Street frontage. The deviation would allow for the loading dock area and would also provide some articulation to the building in the form of off-setting planes. The two-foot encroachment would apply to the middle 30-feet of the 117-foot wide building. Similar to the street yard setback, the street-side yard includes the ten-foot setback and an additional 10-feet of right-of-way between the curb and the property line. This area would be fully landscaped with large trees, shrubs and groundcover providing a 15foot wide green space in front of the building and a noncontiguous sidewalk. Therefore, staff can support the deviation as it continues to meet the purpose and intent of the development regulation.

The deviation to increase the allowable lot coverage from 50 percent to 66 percent is requested to again accommodate the industrial building on a relatively small industrial lot. Staff considered the deviation and determined the request can be supported based on the purpose and intent of the coverage regulation and due to the compatibility of the proposed project with the surrounding industrial buildings. The intent of the regulation limiting coverage to 50 percent of the lot in industrial zones is generally to ensure adequate paved area is provided for parking, truck storage and material storage inherent with larger industrial uses. Because the Petrarca project is contained within the structure, provides adequate off-street parking and has no exterior storage, the need for half the lot to be paved is not required in this instance. Additionally, the Gateway Center development area includes several similarly designed tilt-up concrete buildings that are two and three times larger in size commensurate with the industrial land use designation. Therefore, exceeding the lot coverage to provide a useable industrial structure is considered a reasonable deviation by the review staff.

The final requested deviation is to reduce the required off-street motorcycle parking spaces from two spaces to a single designated space. Staff concluded that the deviation is insignificant in that that there are only 12 employees and an abundance of on-street parking in the vicinity for a motorcycle.

CONCLUSION

The Petrarca Warehouse project is proposing a new 6,962 square-foot, industrial building on a vacant 0.24-acre parcel in the Southeastern San Diego community within the Gateway center development area. The proposed development is requesting deviations to the I-1 industrial zone development regulations to permit the reasonable use of the property. Staff considered the proposed development and concluded the project would be consistent with the industrial land use designation, conforms to the purpose and intent of the I-1 zone, would not be detrimental to the public health, safety or welfare and would be compatible with the larger Gateway Center complex. The proposed development would continue to revitalize the previous redevelopment

area and would be harmonious with planned and existing development in the community. Therefore, Development Services staff believes the required findings to approve the project can be affirmed (Attachment 4).

ALTERNATIVES:

- 1. Approve Southeastern San Diego Development Permit No. 1130593, with modifications; or
- 2. Deny Southeastern San Diego Development Permit No. 1130593, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

John P. Hooper, Development Project Manager

Attachments:

- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Permit Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Environmental Exemption
- 7. Project Plans
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure









Aerial Photo <u>PETRARCA WAREHOUSE – 836 33RD STREET</u> PROJECT NO. 323179



ATTACHMENT 3

HEARING OFFICER RESOLUTION NO. (DRAFT) SOUTHEASTERN SANDIEGO DEVELOPMENT PERMIT NO. 1130593 PETRARCA WAREHOUSE - PROJECT NO. 323179

WHEREAS, CIVIC SAN DIEGO (formerly the Center City Development Corporation), Owners, and MARK PETRARCA and SHARON PETRARCA, Permittees, filed an application with the City of San Diego for a Southeastern San Diego Site Development Permit to construct a new 6,962 square-foot warehouse facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Southeastern San Diego Site Development Permit No. 1130593, on portions of a 0.24-acre site; and

WHEREAS, the project site is located at 836 33rd Street on the south west corner of E Street and 33rd Street in the Southeastern San Diego Planned District Ordinance I-1 zone, within the Southeastern San Diego Community Plan area; and

WHEREAS, the project site is legally described as Lots 1, 2 and 3, Block 126, in Choate's Addition, Map No. 167, Filed in the Office of the County Recorder, County of San Diego; and

WHEREAS, on May 14, 2014, the Hearing Officer of the City of San Diego considered Southeastern San Diego Site Development Permit No. 1130593 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on April 11, 2014, 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 (In-Fill 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; and

WHEREAS, after the approval of the above referenced project by the Hearing Officer, Civic San Diego (formally the Center City Development Corporation) transferred the property to Mark Petrarca and Sharon Petrarca, thereby making Mark Petrarca and Sharon Petrarca the new owners of the Petrarca Warehouse project, NOW, THEREFORE, 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 May 14, 2014:

Southeastern San Diego Development Permit Findings Section 1519.0202

(1) The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

The Southeastern San Diego Community Plan locates the 0.24-acre site within the Gateway Center West industrial element and designates the property for industrial and business park land uses. The site is

zoned I-1 and specified in the Southeastern San Diego Planned District Ordinance for heavy commercial and light industrial uses. The proposed project would comply with the purpose and intent of the Planned District Ordinance and Community Plan land use designation by providing an industrial use with a warehouse and light manufacturing facility. The project would fulfill the objectives of the Community Plan and the City of San Diego General Plan by providing industrial development in appropriate areas, providing new industrial jobs within the community and providing in-fill development within an area once designated as a redevelopment project area. Further, the proposed development would incorporate defensible design features as recommended by the community plan and the San Diego Police Department. Design features include a well lit, secure facility with minimal nooks and insets that could be used as potential hiding places, and landscape elements that our open and well maintained.

(2) The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

The proposed development would be compatible with the majority of existing land uses as much of the surrounding acreage has been developed with the former Gateway Center redevelopment project that includes a wide array of heavy commercial, business park and industrial uses. The proposed project is adjacent to a few remaining single-family homes in the neighborhood, however the proposed use would not adversely affect the adjoining properties. The effect of the industrial use is lessened by the proposed uses within the building which would be used for the manufacture and storage of bird cages. In a real sense, the manufacturing element of the land use is more akin to an artist studio than a factory with much of the work being sculpted by hand. All of the bird cages are constructed of wood and only light industrial machines are used to cut and shape the material. An acoustical study concluded that noise would not adversely affect surrounding properties if the building doors are closed when a machine is in use and that has been made a condition of the permit. Further, the relatively small size of the structure (less than 7,000 square-feet) reduces the scale of the proposed operation or any subsequent use of the site in the future. The amount of area, for manufacturing and storage effectively insures the property would always be used for a small-scale operation. Additionally, the adjacent residential development is a previously conforming use and as such would be limited to future improvement or expansion. It is anticipated that no residential use will be maintained in the area in the near future but rather, will be replaced by other industrial uses. Lastly, the project would be architecturally harmonious with the Gateway Center industrial uses employing a similar concrete tilt-up structure with a flat roof, earth toned colors, aluminum window accents and three-inch deep reveals to add detail and break up the bulk and scale of the structure. The proposed development would also be in harmony with the residential uses to the extent practical by maintain one-story height at the maximum residential height of 30-feet and maintaining a small building that would be in scale with the lot size.

(3) The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other properties in the vicinity.

The proposed use would develop a warehouse and manufacturing operation for fabrication, storage and delivery of bird cages and related accessories and supplies. A majority of the building would be designated for storage and office use with approximately 1,900 square-feet dedicated to manufacturing. Additionally, a large portion of the fabrication is assembly is done by hand. The permit has been conditioned to provide a one-story building that is architecturally harmonious with the surrounding

community and includes a landscape plan that would screen and soften the industrial appearance of the structure. Permit conditions also include the requirement to conduct the use wholly within the closed building so noise or unsightly storage would not affect the adjacent properties. The operation is relatively small-scale and would not be a disruptive element in the neighborhood.

(4) The proposed use will comply with the relevant regulations of the Municipal Code.

The 0.24-acre site is zoned I-1 and designated for industrial uses by the Land Development Code. The specific land use of the property is regulated by the Southeastern San Diego Planned District Ordinance which establishes minimum development regulations for the proposed structure and use on the site. The project is requesting a number of deviations to the minimum requirements in order to fully utilize the property. The Southeastern San Diego Planned District Ordinance establishes a mechanism by which deviations can be requested, analyzed and approved through a public review process. The proposed development is requesting deviations that would allow for a portion of the building to observe a zero-foot setback where 10-feet is required; a deviation to encroach an additional two-feet into the side yard setback; a deviation to increase the allowable lot coverage from 50 percent to 60 percent and a deviation that would allow for the provision of one motorcycle space where two is normally required. Justification to support the deviations was provided to the reviewing staff and included the following reasons. The site is an existing small lot with an industrial land use designation and that type of land use and zoning are typically applied to larger lots. The deviations allow for the maximum utility of the site while providing building articulation and increasing the visual interest of the building. The purpose and intent of the regulations are being met with the provision of the deviations while allowing reasonable use of the industrial zone. The deviations do not affect the purpose and intent of the Southeastern San Diego Community Plan or Southeastern San Diego Planned District Ordinance. Staff has analyzed the requested deviations and concluded they are not significant and would be in harmony with the surrounding industrial development. The SESDPDO assumed deviations would be necessary for certain uses and development sites and established a procedure to incorporate them into the entitlement process, therefore, the proposed development would comply with the relevant regulations of the Municipal Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Southeastern San Diego Site Development Permit No. 1130593 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Southeastern San Diego Site Development Permit No. 1130593, a copy of which is attached hereto and made a part hereof.

John P. Hooper Development Project Manager Development Services

Adopted on: May 14, 2014

Internal Order No. 24003765

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RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES	
PERMIT INTAKE, MAIL STATION 501 WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501	
INTERNAL ORDER NUMBER: 2400376	5 SPACE ABOVE THIS LINE FOR RECORDER'S USE (DRAFT)

SOUTHEASTERN SAN DIEGO DEVELOPMENT PERMIT NO. 1130593 PROJECT NO. 323179 HEARING OFFICER

This Southeastern Development Permit No. 1130593 is granted by the Hearing Officer of the City of San Diego to MARK PRETARCA and SHARON PETRARCA, Owners, and Permittees, pursuant to San Diego Municipal Code [SDMC] section 1519.0202. The 0.24-acre site is located at 836 33rd Street on the south west corner of E Street and 33rd Street in the Southeastern San Diego Planned District Ordinance I-1 zone, within the Southeastern San Diego Community Plan area. The project site is legally described as: Lots 1, 2 and 3, Block 126, in Choate's Addition, Map No. 167, Filed in the Office of the County Recorder, County of San Diego

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a 6,962 square-foot warehouse and manufacturing facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 14, 2014, on file in the Development Services Department.

The project shall include:

- a. A new 6,962 square-foot industrial building;
- b. Deviations to allow a zero-foot street yard setback; two-foot encroachment into street side yard setback; 66% lot coverage and one motorcycle space.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- 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. This permit must be utilized by May 30, 2017.

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

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

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

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

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

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

7. 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.

8. 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.

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

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

10. 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.

ENGINEERING REQUIREMENTS:

11. This project proposes to export 240 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

12. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix G of the City's Storm Water Standards, satisfactory to the City Engineer.

13. The drainage system proposed for this development is private, shall be privately maintained and subject to approval by the City Engineer.

14. Prior to the issuance of building permit, the applicant shall assure by permit and bond the closure of the existing driveway with a full height curb and gutter and sidewalk satisfactory to the City Engineer.

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for sidewalk underdrains at 33rd Street and E Street satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall remove the existing fence from the public right-of-way to the satisfaction of the City Engineer.

17. Prior to the issuance of the Certificate of Occupancy, the Owner/Permittee shall dedicate and improve the adjacent alley along the property frontage, satisfactory to the City Engineer.18. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

19. Prior to the issuance of any construction permits, the Owner/Permittee 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, satisfactory to the City Engineer.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

21. All driveways and curb openings shall comply with City Standard Drawings SDG-163 and SDG-164, satisfactory to the City Engineer.

22. Prior to the issuance of building permit, the applicant shall assure by permit and bond the construction of a curb ramp at the intersection of 33rd Street and 'E' Street, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

23. All doors and windows must be completely closed during the operation of any powered machine used for cutting, shaping or fabricating any materials used in the production of this operation.

24. No fewer than 12 parking spaces (including 1 accessible space) shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

25. 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.

26. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

27. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

28. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

29. All proposed private sewer facilities must be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

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

31. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a plumbing permit to install above ground private back flow prevention as required to protect all water service lines (domestic, fire, and irrigation) in a manner satisfactory to the Director of Public Utilities and the City Engineer. BFPD's are typically located on private property, in-line with the water service, and immediately adjacent to the right-of-way. The Public Utilities Department will not permit BFPDs to be located below grade or within the structure.

32. Prior to the issuance of any engineering permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for any private improvements proposed within the project's associated public right-of-ways and/or easements. These encroachments include such items as private utilities, landscaping, enriched paving, and electrical conduits.

33. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten (10) feet of any sewer facilities or within five (5) feet of any water facilities.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on May 14, 2014 pursuant to Approved Hearing Officer Resolution Number (**DRAFT**).

Permit Type/PTS Approval No.: Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

NAME 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.

[NAME OF COMPANY] Owner/Permittee

By

NAME TITLE

[NAME OF COMPANY] Owner/Permittee

By

NAME TITLE

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

NOTICE OF EXEMPTION

TO: X Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422

> Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814

Project No.: 323179

Project Title: Petrarca Warehouse SDP

Development Services Department

1222 First Avenue, MS 501

San Diego, CA 92101

FROM: City of San Diego

Project Location-Specific: 836 33rd Street, San Diego, California 92102 Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: SITE DEVELOPMENT PERMIT (SDP) to allow construction of a onestory, 6,962 square-foot warehouse facility with accessory office on a vacant 0.24-acre site.

Name of Public Agency Approving Project: City of San Diego Name of Person or Agency Carrying Out Project: Mark Petrarca (Applicant), 4420 Rainer Avenue, #100, San Diego, California 92120, (619) 280-5134

Exempt Status: (CHECK ONE)

() Ministerial (Sec. 21080(b)(1); 15268);

() Declared Emergency (Sec. 21080(b)(3); 15269(a));

() Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))

(X) Categorical Exemption: CEOA Exemption 15332-(In-Fill Development Projects)

() Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEOA Section 15332. The project's proposal for a new warehouse facility with accessory office would be consistent with the existing land use designation (Industrial), and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than five acres and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects related to air quality, noise, traffic or water quality. The site can be adequately serviced by all required utilities and public services. In addition; the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a notice of exemption been filed by the public agency approving the project? () Yes () No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Mach. Man Senior Planner

Signature/Title

Check One: (X) Signed By Lead Agency () Signed by Applicant

Date Received for Filing with County Clerk or OPR:

April 10, 2014

Date

Revised 010410mjh









City of San Diego Development Services					Community Planning				
1222 First Ave., MS-302 San Diego, CA 92101			Committee						
THE CITY OF SAN DIEGO				Ι	Distribu	ition Fo	orm Part 2		
Project Name:			Project Number:			Distribut	ion Date:		
Petraca Warehouse			323179			4/15/2014			
Project Scope/Location:									
OUR FEATHERED FRIENDS, 830 33rd Street, G Application for a Site Development Permit (SDP),									
Applicant Name:				Applicant Phone Number:					
Mark Petraca									
Project Manager: Pr		hone Number:		Fax Number:		E-mail A	ddress:		
Patrick Hooper		(6		(619) 321-3200				
Committee Recommendations (To be completed for Initial Review):									
See Statement Attached									
Vote to Approve		Members Yes		Members No		Members A	bstain		
		10		ļ	0		0		
Vote to Approve With Conditions Listed Below		Members	ers Yes Me		embers No	Members A	bstain		
Vote to Approve With Non-Binding Recommendations Listed Below		Members	rs Yes Members No		embers No	Members A	bstain		
Vote to Deny		Members	Yes	M	embers No Members Abstain		bstain		
No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)							ed		
CONDITIONS:									
See Statement Attached									
NAME: Maria Riveroll, EA					TITLE:	C	hair		
SIGNATURE: March	?				DATE:	4/15	5/2014		
City of S Developm			Aanagement Division						

PETRACA WAREHOUSE PLANNING GROUP RECOMMENDATION 4/15/2014:

- 1. Color scheme, is now dark teal, gray and sand-beige. A line will be drawn around the building, along the top, to break-up the bulk.
- 2. Recommend a sensor on the roof to prevent break-ins.
- 3. Landscape Plan is adequate and well planned.

Consensus of the Committee: All PTS Issues must be cleared. All Police Recommendations must be implemented. We support all the Variances. We should proceed as soon as we have the draft environmental document. At that time, refer it to the Board with a recommendation of approval with the conditions listed above.

At the Meeting of April 14, 2014, the Motion was brought forward and seconded. Pisaño/Leif MSC 10/0/0

City of San Diego Development Services	ATTACHMENT
1222 First Ave., MS-302 San Diego, CA 92101 THE SITY OF SAN PERFO (619) 446-5000	Ownership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) requested:	
└── Neighborhood Development Permit └── Site Development Permit └── Planned └── Variance └── Tentative Map └── Vesting Tentative Map └── Map Waiver └── Lar	d Development Permit Conditional Use Permit
Project Title	Project No. For City Use Only
PETRARCA WAREHOUSE FACILITY	323179
Project Address:	· · ·
3272 E STREET, SAN DIEGO, CA 92102	
Part I - To be completed when property is held by Individual(s)	
bove, will be filed with the City of San Diego on the subject property, with the inte elow the owner(s) and tenant(s) (if applicable) of the above referenced property. T who have an interest in the property, recorded or otherwise, and state the type of pro- ndividuals who own the property). A signature is required of at least one of the pro- rom the Assistant Executive Director of the San Diego Redevelopment Agency shal bevelopment Agreement (DDA) has been approved / executed by the City Council fanager of any changes in ownership during the time the application is being proce he Project Manager at least thirty days prior to any public hearing on the subject information could result in a delay in the hearing process.	The list must include the names and addresses of all persons perty interest (e.g., tenants who will benefit from the permit, all <u>perty owners</u> . Attach additional pages if needed. A signature I be required for all project parcels for which a Disposition and I. Note: The applicant is responsible for notifying the Project ssed or considered. Changes in ownership are to be given to
dditional pages attached 🦳 Yes 🔀 No	
Name of Individual (type or print): Name	of Individual (type or print):
Mark Petrarca S KOwner Tenant/Lessee Redevelopment Agency Non	wher Tenant/Lessee Redevelopment Agency
Street Address:	Address:
	120 Rainier Ave # 100
San Dieco (a 92120 5	41 Dipio (a 92120
	No: <u> <u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> <u> </u> </u></u>
Phone No: Fax No: Phone 619 701 - 2813 619 282 - 8743 619	ire : Date:
leig 701 - 2813 leig 282 - 8743 leig Signature : Date: Signature Signature	
$\frac{619}{\text{Signature}} = \frac{701 - 2813}{\text{M} + 282 - 8743} \frac{619}{\text{Signature}} = \frac{619}{\text{Date}} = \frac{619}{\text{Signature}} = \frac{19}{\text{Signature}} = \frac{19}{Si$	5/1/13
6/9 70/-28/3 6/9 282-8743 6/9 Signature : Date: Date: Signature Mame of Individual (type or print): Name Name	
W19 701 - 2813 W19 282 - 8743 W19 Signature : Date: Date: Signature Mame of Individual (type or print): Name Name Owner Tenant/Lessee Redevelopment Agency Owner	of Individual (type or print): vner Tenant/Lessee Redevelopment Agency
W19 701 - 2813 W19 282 - 8743 W19 Signature : Date: Date: Signature Mame of Individual (type or print): Name Name Owner Tenant/Lessee Redevelopment Agency Owner	of Individual (type or print):
W19 701 - 2813 W19 282 - 8743 W19 Signature : Date: Date: Signature Mame of Individual (type or print): Name Name Owner Tenant/Lessee Redevelopment Agency Owner	of Individual (type or print): ner Tenant/Lessee Redevelopment Agency Address:
W19 701 - 2813 W19 282 - 8743 W19 Signature : Date: Signature Mame of Individual (type or print): Name Owner Tenant/Lessee Redevelopment Agency Street Address: Street Address:	of Individual (type or print): uner Tenant/Lessee Redevelopment Agency Address: ate/Zip:

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City of San Dieg Development S 1222 First Ave., San Diego, CA (619) 446-5000	ervices MS-302	Owner	ship Disclosure Statement			
Approval Type: Check appropriate box t	for type of approval (s) reques	ted: 🦳 Neighborhood Use Permit 👘	Coastal Development Permit			
Neighborhood Development Permit	X Site Development Permi Sing Tentative Map Map W	aiver Cand Use Plan Amendment •	Conditional Use Permit Other			
Project Title Petrarca Warehouse	2018-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1917-00-1		Project No. For City Use Only 3231 79			
Project Address: 830 33rd Street, San Diego, CA 9	2102					
Part I - To be completed when prop By signing the Ownership Disclosure State above, will be filed with the City of San D	ment, the owner(s) acknowle	toe that an application for a permit, map				
below the owner(s) and tenant(s) (if applic who have an interest in the property, recor- ndividuals who own the property). <u>A signa</u> rom the Assistant Executive Director of th Development Agreement (DDA) has been Manager of any changes in ownership dur he Project Manager at least thirty days p nformation could result in a delay in the he Additional pages attached Yes	cable) of the above reference ded or otherwise, and state the ature is required of at least of e San Diego Redevelopment a approved / executed by the ing the time the application is prior to any public hearing or paring process.	d property. The list must include the name type of property interest (e.g., tenants <u>ne of the property owners</u> . Attach additi Agency shall be required for all project p City Council. Note: The applicant is re- being processed or considered. Chang	mes and addresses of all persons who will benefit from the permit, all ional pages if needed. A signature parcels for which a Disposition and esponsible for notifying the Project tes in ownership are to be given to			
Name of Individual (type or print): Scott Chadwick, Interim Chief Operatin		Name of Individual (type or prin				
Owner Tenant/Lessee X R Street Address:	Redevelopment Agency	Owner Tenant/Lessee	Redevelopment Agency			
401 B street Suite 401 City/State/Zip:		City/State/Zip:	5			
San Diego, CA 92101 Phone No:	Fax No:	Phone No:	Fax No:			
(619)53 3-174 Signature :	(619)236-9148 Date: May 16, 2013	Signature :	Date:			
Name of Individual (type or print):		Name of Individual (type or print):				
Owner Tenant/Lessee Re	development Agency	Owner Tenant/Lessee	Redevelopment Agency			
Street Address:	energi menangan kenya menangkan kenya kanya k	Street Address:				
City/State/Zip:		City/State/Zip:				
Phone No:	Fax No:	Phone No:	Fax No:			
Signature :	Date:	Signature :	Date:			
			n na na mana ang kanana na mang kanana na kanana di kanana na kanana na kanana na kanana na kanana na kanana na T			

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DS-318 (5-05)