

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	May 28, 2014	REPORT NO. HO-14-032
ATTENTION:	Hearing Officer	
SUBJECT:	FELSPAR TOWNHOMES	- PROJECT NUMBER: 330425
LOCATION:	1135 Felspar Street	
APPLICANT:	Dan Linn on behalf of Pacif	ic Beach 2012, LTD

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve a Coastal Development Permit and Tentative Map to demolish a residence and construct one three-story, four-unit condominium building within the Pacific Beach Community Planning area?

<u>Staff Recommendation</u> - **APPROVE** an application for a Coastal Development Permit No. 1154398 and Tentative Map No. 1155397.

<u>Community Planning Group Recommendation</u> – On September 25, 2013, the Pacific Beach Community Planning Group voted 5-11-0 to approve the project but the motion did not pass an there was no motion for a new vote. As such, the item did not receive an official vote from the community group (Attachment 9).

<u>Environmental Review</u> - On February 10, 2014, the City of San Diego conducted an analysis of this project and determined the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guideline Sections 15303 (New Construction). The opportunity to appeal that determination ended on February 25, 2014.

BACKGROUND

The project proposes a Coastal Development Permit and Tentative Parcel Map to construct four residential condominiums and waive the requirement to underground existing overhead utilities. The project is located at 1135 Felspar Street in the RM-2-5 zone of the Pacific Beach Community Plan. The property is designated multi-family residential within the community plan. The site currently contains one single family residence and a detached garage. Surrounding the site are single story and multi-story multi-family and single family dwelling units. A Coastal

Development Permit is required for the proposed development of four condominiums in accordance with San Diego Municipal Code section 126.0702. A Tentative Parcel Map is required in accordance with San Diego Municipal Code (SDMC) section 144.0210 for the condominium development.

DISCUSSION

The proposed project design meets all requirements of the Land Development Code including setbacks, floor area ratio, landscaping, parking, and height. The three-story, four-unit condominium development would contain two bedrooms each with four garages and four surface parking spaces accessed off the alley at the rear and total 6,975 square foot. The entire site will be landscaped with a mixture of trees, shrubs, and ground cover.

Project Related Issues

Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines SDMC section 144.0242, *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities*, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and the conversion would not represent a logical extension to an underground facility.

The applicant will be required to underground all existing service. The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision.

The neighborhood currently contains power poles and overhead utilities lines within the alley. The utility lines to these poles extend to other properties located north and south. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground offsite adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan designates the site within Block 2X2, and the date for undergrounding has been established for the year 2047 (Attachment 11).

Street Light Requirement:

The project is conditioned by the Tentative Map to construct a street light adjacent to the property. (Reference Attachment 8, condition 12 of the Tentative Map). The applicant does not agree to this condition relaying to staff that such a public improvement is a significant financial burden to a single applicant. The applicant has stated that they will appeal to the Hearing Officer to remove this condition of the map. As additional background information regarding recently processed projects, on June 19, 2013 and February 26, 2014, the Hearing Officer waived the requirement for street lights for properties seeking Coastal Development Permits and Tentative

Maps for four-unit condominium developments located at 3945 - 3947 Lamont Street (Project No. 319096) and 3953 - 3959 Lamont Street (Project No. 304111). Staff response to this issue is that the Land Development Code and current policy do not provide regulations or guidelines to allow this requirement to be waived.

Conclusion:

Staff has reviewed the proposed project and has found it is consistent with the development standards in effect for the site and with the adopted Pacific Beach Community Plan, Local Coastal Program Land Use Plan, and the City of San Diego Progress Guide and General Plan. Staff recommends approval of the project.

ALTERNATIVES:

1. Approve Coastal Development Permit No. 1154398 and Tentative Map No. 1155397

with modifications.

2. **Deny** Coastal Development Permit No. 1154398 and Tentative Map No. 1155397, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

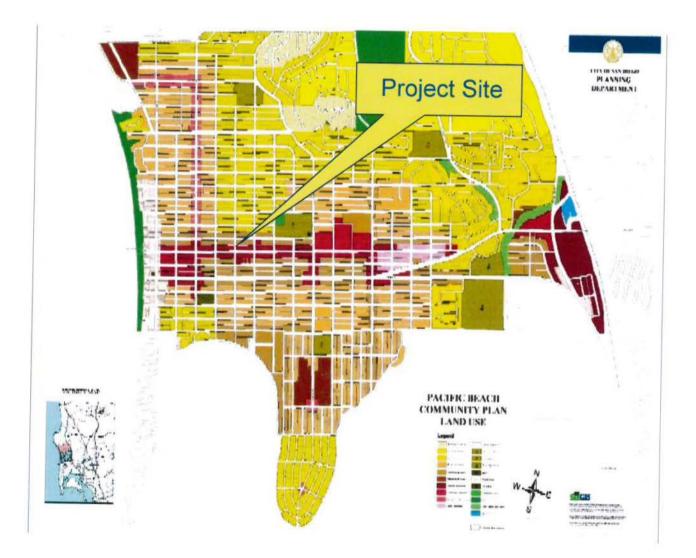
easley Sandra Teasley.

Development Project Manager

Attachments:

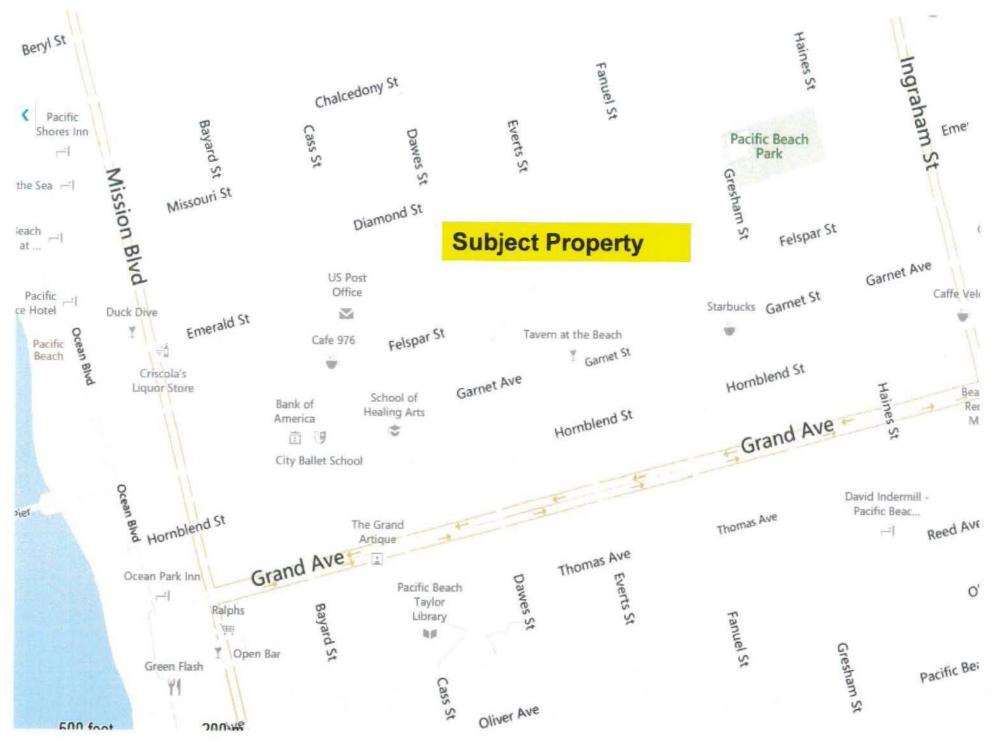
- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Draft Tentative Map Resolution with Findings
- 8. Draft Tentative Map Conditions
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure Statement
- 11. Utility Undergrounding Schedule
- 12. Notice of Environmental Exemption
- 13. Project Plans











PROJ	ECT DATA S	HEET
PROJECT NAME:	Felspar Townhomes (PT	°S#330425)
PROJECT DESCRIPTION:	Construction of a new 3- building at Felspar Stree	-story, 4-unit condominium
COMMUNITY PLAN AREA:	Pacific Beach Communi	ity Plan
DISCRETIONARY ACTIONS:	Process 3 Coastal Devel	opment Permit and Tentative Map
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residentia 14-29 dwelling units per	al (Allows residential development, acre).
FLOOR AREA RATIO: 1.3 FRONT SETBACK: 15 SIDE SETBACK: 5 fo STREETSIDE SETBACK: 10 REAR SETBACK: 15	feet. eet. feet.	lot size.
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential, RM-2-5	Multi-Family Residential
SOUTH:	Commercial, CC-4-2	Commercial use
EAST:	Multi-Family Residential, RM-2-5	Multi-Family Residential
WEST:	Multi-Family Residential, RM-2-5	Multi-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	

HEARING OFFICER RESOLUTION NO. CM-XXX COASTAL DEVELOPMENT PERMIT NO. 1154398 FELSPAR STREET TOWNHOMES - PROJECT NO. 330425

WHEREAS, PACIFIC BEACH 2012, LTD, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing single-family residence and construct a three-story, four-unit condominium project totalling 6,099 square feet with four attached garages totaling 876 square feet and, four surface parking spaces (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1154398), on portions of a 0.143-acre site;

WHEREAS, the project site is located at 1135 Felspar Street in the RM-2-5 Zone within the Pacific Beach Community Plan;

WHEREAS, the project site is legally described as Lots 9 and 10, Block 197, Map 791;

WHEREAS, on May 28, 2014, the Development Services Department of the City of San Diego considered Coastal Development Permit No. 1154398 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 10, 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 15303 (new construction) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Hearing Officer adopts the following written Findings, dated May 28, 2014.

FINDINGS:

Coastal Development Permit - Section 126.0708

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.

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for

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residential development within the Pacific Beach Community Plan. The property is located approximately five blocks from the Pacific Ocean. The property is not located on or adjacent to an existing or proposed physical access way. The Pacific Beach Community Plan does not identify a public view corridor on or adjacent to the site, therefore the coastal development permit will not encroach upon on existing or purposed access way nor affect existing views to and along the ocean or other scenic coastal areas.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan. The project is proposed to be developed on a site that is located in a built, urban environment, and does not contain environmentally sensitive lands. The site is not located adjacent to any sensitive resources, and not within, or adjacent to, the Multi-Habitat Planning Area (MHPA). The proposed project is exempt from the California Environmental Quality Act (CEQA). As the project is not located within, or adjacent to, any sensitive resources areas, the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan. The proposed project is consistent with the land use designations of the Pacific Beach Community Plan by continuing to maintain a density range of 14 dwelling units per acre. The plan recommends new multi-family residential developments provide articulated facades, reduce the impact of driveways on the street by placing parking off the alley and increasing front yard landscaping thereby creating a more "street friendly" development. The proposed residential development and not interfering with public access or public views to the beaches. Parking will be accessed from the alley and the proposed front yard landscaping meets the citywide landscape standards. Facade articulation facing Missouri Street includes a variety of windows including a bay windows, guard rails, and off-setting plans

The proposed development will meet the land use regulations of the certified Implementation Program including compliance to the San Diego Municipal Code development regulations to include but not limited to height, setbacks, and, floor area ratio. Therefore, the proposed development is in conformity with the Pacific Beach Community Plan and Local Coastal Program and complies with the regulations of the certified Land Development Code.

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 existing site is not located between the sea or shoreline of any body of water and first public right-ofway.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Coastal Development Permit No. 1154398 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. 11543982, a copy of which is attached hereto and made a part hereof.

Sandra Teasley Development Project Manager Development Services

Adopted on: May 28, 2014 Job Order No. 24003924 RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003924

COASTAL DEVELOPMENT PERMIT NO. 1154398 FELSPAR TOWNHOMES - **PROJECT NO. 330425** HEARING OFFICER

This Coastal Development Permit No. 1154398 is granted by the Hearing Officer of the City of San Diego to PACIFIC BEACH 2012, LTD, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The 0.143-acre site is located at 1135 Felspar Street in the RM-2-5 zone of the Pacific Beach Community Plan. The project site is legally described as Lots 9 and 10, Block 197, Pacific Beach Map No. 854;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for demolition a residence and the construction of a new residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 28, 2014, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing residence and construction of a four-unit condominium development containing two bedrooms each with four garages and four surface parking spaces, totaling 6,975 square foot;
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

11. The Coastal Development shall comply with all conditions of the Final Map for the Tentative Map No.1155397.

12. The project proposes to export 52 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

14. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that

the pad elevation based on USGS datum is consistent with Exhibit "A", satisfactory to the City Engineer.

15. The Owner/Permitteer shall reconstruct the damaged alloy with current City Standards Concrete Pavement Full Width Alley, in the alley adjacent to the site.

16. The Owner/Permittee shall kill the existing water service at the main and install a current City Standard 1" water service a minimum of 30 inches from the existing water service.

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

18. Prior to the issuance of any construction permit, 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.

19. Prior to the issuance of any construction permit the Owner/Permittee 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.

PLANNING/DESIGN REQUIREMENTS:

20. The Owner/Permittee shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.

21. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

22. A topographical survey conforming to the provisions of the Municipal/Land Development Code 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 regulations of the underlying zone. The cost of any such survey shall be borne by the Permittee.

PUBLIC UTILITIES DEPARTMENT

23. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall provide evidence, satisfactory to the Director of Public Utilities, indicating that each condominium will have its own sewer lateral, or provide CC&R's for the operation and maintenance of private sewer facilities that serve more than one ownership.

24. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all public water and sewer facilities necessary to serve the property, including all water services and sewer laterals, are connected and operational in a manner satisfactory to the Director of Public Utilities.

25. Prior to the issuance of any construction permit, the Owner/Permittee shall ensure that the sewer lateral proposed for reuse has been located, internally inspected and recorded via CCTV by a CA Licensed Plumbing Contractor for the purpose of verifying to the satisfaction of the Director of Public Utilities and the City Engineer that the sewer lateral does not cross any property lines, that it is not being utilized by any other property, and that it is properly connected to the sewer main.

26. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all water supply systems include a permitted above ground private backflow prevention device (BFPD).

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

LANDSCAPING REQUIREMENTS:

28. No trees or shrubs exceeding three feet in height at maturity are permitted within five feet (5') of any public water facilities or ten feet (10') of any public sewer facilities.

29. Prior to the issuance Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permitee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label and dimension a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

30. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

31. In the event hat a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of

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the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

32. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

33. 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 unless specifically noted in this Permit.

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

TRANSPORTATION REQUIREMENTS:

35. A minimum of 8 automobile spaces are required by the Land Development Code. 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 Director.

36. The "Den" area as shown on the Exhibit "A" shall not be converted to any other use including a bedroom at any time.

37. The restriction on the change of use for "Den" area shall be reflected and disclosed on any future lease agreement(s) of the dwelling units on this property.

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 28, 2014 and approved Resolution No. HO-XXXX.

Permit Type/PTS Approval No.: CDP NO. 1154398 Date of Approval: May 28, 2014.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Sandra Teasley 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.

PACIFIC BEACH 2012, LTD OWNER/PERMITEE

By_

TED MONTAG, President San Dieguito Development Inc

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

ATTACHMENT 7 (R-[Reso Code])

HEARING OFFICER RESOLUTION NUMBER HO-XXXX-1 TENTATIVE PARCEL MAP NO. 1155397, FELSPAR STREET TOWNHOMES- PROJECT NO. 330425

WHEREAS, PACIFIC BEACH 2012, LTD, Subdivider, and VERNON V. FRANCK, Land Surveyor, submitted an application to the City of San Diego for a tentative parcel map (Map No. 1155397) to construct eight residential condominiums, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 1135 Felspar Street in the RM-2-5 zone of the Pacific Beach Community Plan. The property is legally described as Lots 9 and 10 in Block 197, Pacific Beach Map No. 854; and

WHEREAS, the Map proposes the Subdivision of a 0.143-acre site into eight residential condominiums; and

WHEREAS, on February 10, 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 15303 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, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

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

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of guidelines SDMC section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and the conversion would not represent a logical extension to an underground facility; and

WHEREAS, on May 28, 2014, the Hearing Officer of the City of San Diego considered Tentative Parcel Map No. 1155397, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 1155397:

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building on a 0.143-acre site located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The proposed project is consistent with the residential land use designations of the Pacific Beach Community Plan by continuing to maintain a density range of 14-29 dwelling units per acre. The

-PAGE 2 OF 6-

plan recommends that new multi-family residential developments conform to area-specific streetscape recommendations for landscape, lighting, sidewalk treatment and signage and be implemented through the citywide landscape ordinance. Additionally the plan recommends that residential neighborhoods be enhanced by establishing and maintaining street tree patterns and promoting general maintenance and improvement of residential properties.

The proposed residential condominiums would meet the goals of the Pacific Beach Community Plan/Local Coastal Program by providing the appropriate residential density and implementing the community plan's street tree pattern. Additionally, the project is required to install a street light adjacent to the site which is consistent with Pacific Beach Community Plan regarding lighting standards.

The proposed development will meet the land use regulations of the certified Implementation Program including compliance to the San Diego Municipal Code development regulations to include but not limited to height, setbacks, landscape, and, floor area ratio. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The project is consistent with the development regulations of the RM-2-5 zone. The proposed project meets all land development requirements of the Land Development Code to include setbacks, floor area ratio, landscaping, parking, storm water runoff, architectural design, and height. City staff has determined the undergrounding waiver request qualifies under the guidelines SDMC section 144.0242, *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities*, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and the conversion would not represent a logical extension to an underground facility. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The project site is flat and has been previously graded. The site has frontage on Felspar Street with alley access at the rear. Surrounding the site are one and two-story single family and multi-family developments. The RM-2-5 zone allows one dwelling unit for every 1,500 square feet of site area. The existing site is 5,459 square feet which will accommodate four dwelling units. The Pacific Beach Community Plan designates the site as residential allowing up to 29 dwelling units per acre. The addition of four units for the site is within the community plan's density range. Therefore, the site is physically suitable for the type and density of the development.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

Minor land modifications are proposed with this Tentative Map to include the closure of an existing curb cut adjacent to the site. The Tentative Map was reviewed by the City of San Diego for conformance to the Land Development Regulations, Californian Building Code, and Land Use Policies. The Tentative Map included a review for compliance for storm water runoff requirements during and after construction. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 and 15303 of the State CEQA Guidelines. The project is located within an urbanized and built out environment where there are no watercourses on or adjacent to the site. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The project has been reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map and associated development permit includes conditions and corresponding exhibits of approvals including undergrounding new utilities, storm water and construction water runoff, adequate parking, public improvements, installation of a street light and paying applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Therefore the project will not be detrimental to the public health, safety, and welfare.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The proposed subdivision does not contain or propose any new easements for the development. The subdivision proposes public improvements. The public improvements include the closure of an existing curb cut along Felspar Street adjacent to subject site and replacing it with a City standard curb, gutter and sidewalk satisfactory to the City Engineer. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The potential and opportunity to implement sustainable building techniques during building permit review that utilize photovoltaic systems (solar panels) to generate a certain percentage of the project's energy needs exists. The project site is located on Felspar Street which runs north and south which will allow for maximum solar orientation for future solar hearing. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The project proposes to demolish an existing residential structure and construct a four-unit condominium building with two bedrooms each, attached garages and surface parking spaces. The structure would total 6,975 square feet. The property is located at 1135 Felspar Street, zoned RM-2-5 and designated for residential development within the Pacific Beach Community Plan.

The site contains currently contains one dwelling unit. The decision maker has reviewed the administrative record including the project plans, environmental documentation and public

testimony to determine the effects of the proposed subdivision on the housing needs of the region. The decision maker has determined that the provision of four residential units and the associated increase in the need for public services and the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

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

Hearing Officer, Tentative Map No. 1155397, hereby granted to PACIFIC BEACH 2012, LTD

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

By

Sandra Teasley Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24003924

HEARING: [¬] OFFICER CONDITIONS FOR TENTATIVE PARCEL MAP NO. 1155397 FELSPAR STREET TOWNHOMES- PROJECT NO. 330425 ADOPTED BY RESOLUTION NO. HO-XXXX ON MAY 28, 2014

GENERAL

- 1. This Tentative Parcel Map will expire June 12, 2017.
- 2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
- 3. Prior to the Tentative Map expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
- 4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
- 5. The Tentative Parcel map shall conform to the provisions of Coastal Development Permit No. 1154398.
- 6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and

Project No. 330425 TM No. 1155397 May 28, 2014

-PAGE 1 OF 5-

Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

- 7. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
- 8. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
- 9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 10. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
- 11. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.
- 12. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install a new street light adjacent to the site on Felspar Street.
- 13. The Subdivider 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 Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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MAPPING

- 14. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
- 15. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
- 16. A Final Map would be required to be recorded prior to the expiration of the Tentative Map.
- 17. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

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- 18. Prior to the recordation of the Final Map taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder must be provided to satisfy this condition.
- 19. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.

PUBLIC UTILITIES DEPARTMENT

- 20. The Subdivider Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall provide evidence, satisfactory to the Director of Public Utilities, indicating that each condominium will have its own sewer lateral, or provide CC&R's for the operation and maintenance of private sewer facilities that serve more than one ownership.
- 21. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all public water and sewer facilities necessary to serve the property, including all water services and sewer laterals, are connected and operational in a manner satisfactory to the Director of Public Utilities.
- 22. Prior to the issuance of any construction permit, the Owner/Permittee shall ensure that the sewer lateral proposed for reuse has been located, internally inspected and recorded via CCTV by a CA Licensed Plumbing Contractor for the purpose of verifying to the satisfaction of the Director of Public Utilities and the City Engineer that the sewer lateral does not cross any property lines, that it is not being utilized by any other property, and that it is properly connected to the sewer main.
- 23. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all water supply systems include a permitted above ground private backflow prevention device (BFPD).
- 24. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with the criteria established in the most current versions of the City's Water and Sewer Facility Design Guidelines, regulations, standards and practices pertaining thereto.
- 25. No trees or shrubs exceeding three feet in height at maturity are permitted within five feet (5') of any public water facilities or ten feet (10') of any public sewer facilities.

Project No. 330425 TM No. 1155397 May 28, 2014

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.

Internal Order No. 24003411

Project No. 330425 TM No. 1155397 May 28, 2014



Pacific Beach Planning Group

Minutes – September 25, 2013

1. 6:33pm meeting called to order, quorum established. Attendees: Bran Curry, Curtis Patterson, Hilary Lowe, Michael Beltran, Scott Chipman, Kathy Combs, Deborah Conca, Larry Emlaw, Paul Falcone, Tricia Fox, Don Gross, Ryan Murphy, Chris Olson, John Shamon, John Skober, Baylor Triplett, and Joe Wilding. **Members not present:** Eve Anderson, Imelda McClendon, William Ramirez

2. Current Agenda - Modification & Approval:

Modifications: note John Skober made a motion to approve the agenda. Deborah Conca seconded, **Motion Passed 14-0-0**.

3. August 28, 2013 Minutes - Modifications and Approval:

Modifications: none John Skober made a motion to approve May minutes as amended. Paul Falcone seconded,

Motion Passed 14-0-0.

4. Chair's Remarks

-Plastic Bag Ordinance

-Move November & December Meeting Scheduling

Scott Chipman made a motion to move the November Board meeting to Dec 4, Joe Wilding seconded,

Motion Passed 13-1-0.

Against: Michael Beltran because he will be out of town.

5. Non-Agenda Public Comments (Note: 2 minutes maximum per speaker)

-Larry Emlaw: Elections Subcommittee

-Fran Humphrey: Mission Bay High School Athletic Field – Conversion to artificial turf field & Prop. S

-Chris Olson: PBPG needs to prioritize time for planning rather than simple residential projects

-Michael McQuary: Rotary Club of Mission Beach every Monday at noon at the Catamaran Hotel, Bocce Ball Tournament on October 26, 12-5pm at Vacation Island east

-Joe Wilding: Paesan, Beach Clean-Up Crown Point -Michael Beltran; Beachfest 10/5/2013

6. Government Office Report: (Informational Item)

City Council District 2-lan Clampett was absent.

Raul Falcone made the motion, Don Gross seconded, **Mation Passed 16-0-0**

2. Informational Items:

10. Other Reports to PBPG (Time Permitting)

Communications Subcommittee - John Shannon

-John Shannon resigned as Chair. Baylor Triplett will be taking the position of

Chair.

-Add GIP info to website

-Need Agendas and Minutes on website

-Need social media

Code Compliance Joe Wilding

-Focusing on Gamet and PROW program

-Deborah has been educating businesses about PROW program

-Party busses are cleaned up

-Pacifico sign at McDonalds removed

Special Events Committee – Deborah Conca -No meeting last month

Beautiful PF/ PB Parks – Chris Olson -Booth at Beachfest

-Eco District Meeting upcoming

Mission Bay Gateway Project – Scott Chipman -No news

Remaining Commercial and Residential Projects - Curtis Patterson

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3. Felspar Townhomes 1135-1141 Felspar Street Presenter: Dan Linn

Curtis Patterson made a motion to approve the project. John Skober seconded, **Motion Did Not Pass 5-11-0.**

There was a concern that the proposed "dens" would be converted or used as bedrooms and the proposed parking would not be sufficient to meet the new demand.

Joe Wilding motion to extend the meeting 20 minutes, Scott Chipman seconded, **Motion Passed 12-4-0**

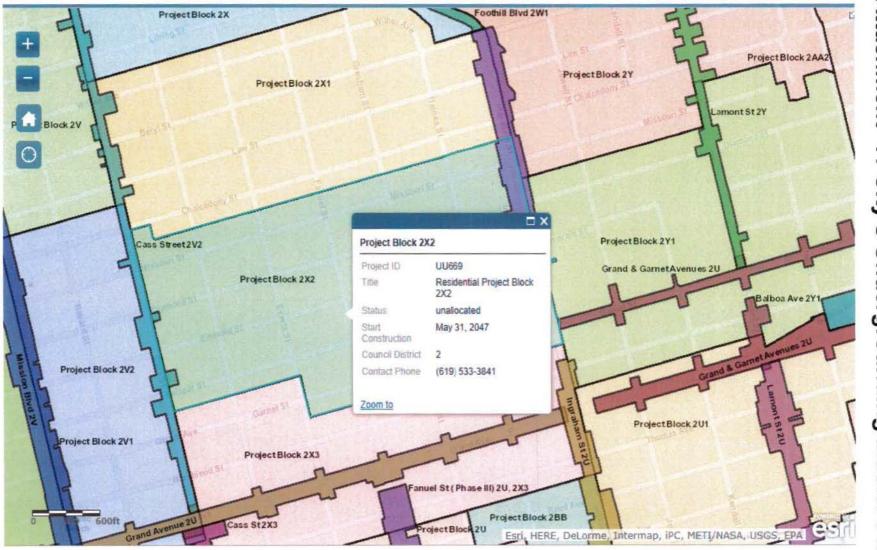
4. Missouri Residences CD 1066 Missouri Street Presenter: Dan Linn

Curtis Patterson made a motion to approve the project, Tricia Fox seconded,

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Project Title: F1/3par Tormho	nes Project No (For City User Only)
Part II - To be completed when property is held by a corport	ation or partnership
Legal Status (please check):	
Corporation Klimited Liability -or- General) What Sta Partnership	ate? Corporate Identification No
the property. Please list below the names, titles and addresses otherwise, and state the type of property interest (e.g., tenants w in a partnership who own the property). A signature is required property. Attach additional pages if needed. Note: The applican ownership during the time the application is being processed or	te subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or who will benefit from the permit, all corporate officers, and all partners d of at least one of the corporate officers or partners who own the at is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project ubject property. Failure to provide accurate and current ownership
Corporate/Partnership Name (type or print): Vacivi - Beach 2013 UU	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address: 1106 2nd 51. #255	Street Address:
City/State/Zip: Encinitios. Ca 92024	City/State/Zip:
Phone No: 7/635 -7633 Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): San Dicsuft Developmint In	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature: T.W. MontAgen Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
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Street Address:	Street Address:
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Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

8.9



Attachment 11 City's Undergrounding Master Plan

NOTICE OF EXEMPTION

(Check one or both)

TO: <u>X</u> Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422 FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH 1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814

PROJECT TITLE/ NO.: FELSPAR TOWNHOMES / 330425

PROJECT LOCATION-SPECIFIC: 1133-1139 Felspar Street, San Diego, California 92109

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: COASTAL DEVELOPMENT PERMIT and TENTATIVE PARCEL MAP to demolish an existing structure and construct two, three-story, 6,935-squarefoot, duplex multi-dwelling residences. Additionally, the project would construct various associated site improvements (e.g. hardscape and landscaping). The project site is located at 1133-1139 Felspar Street. The land use designation for the project site is Residential (density of 14-29 dwelling units per acre) per the community plan. Furthermore, the project site is located in the RM-2-5 zone, the Coastal Overlay Zone (Non-Appealable 2 Area), the Coastal Height Limit Overlay Zone, the Parking Impact Overlay Zone (Coastal Impact Area), and the Pacific Beach Community Plan and Local Coastal Program Area. (LEGAL DESCRIPTION: Lots 9 and 10, Block 197 of Pacific Beach, Map 791).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Ted Montag, 1106 2nd Street, Encinitas, California 92024, (760) 635-7633.

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: 15303 (New Construction)
- () STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined that the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15303 which allows for a duplex structure totaling no more than four dwelling units. Furthermore, the exceptions listed in 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: Scott Cooper

Telephone: 619.446.5378

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.

Sr. Planner

February 7, 2014_____ DATE

SIGNATURE/FITLE

CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

	Entry Entry						
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SPRINKLER NOTES (SEE NODITION, TO. NOTES SHT. AZ)

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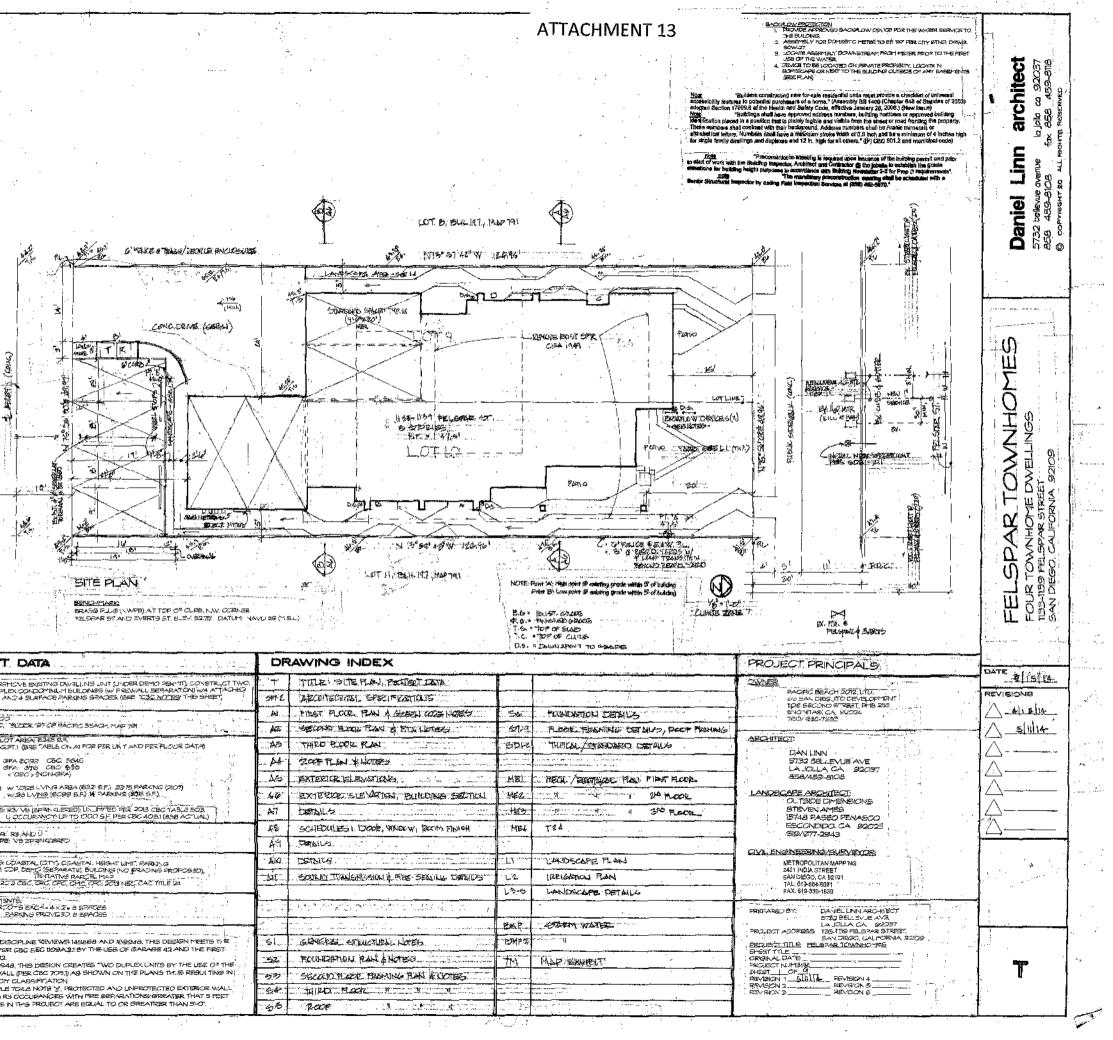
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	LNNG: GFA & ORA COSC 5645 SARAGE GFA: 376 CBC: \$10	. P4	2007 FLAN \$ HOTES		
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	FAR ACLIGAVED: 125 W 10725 LVING AREA (632 5 F) 2315 PARCING (2107) FAR ACTUAL: III W 32 LVING (6093 5 F) 1 PARKING (\$26 5 F)	. 46	EXTERIOR SELEVATION, BUILDING SECTION.	ME2	the way and the
	ALLOWABLE AREAS: R3/ VB (BP3N 4LERED): UNLITHED FER 2013 CBC 1A3LE 508. 1 U CCULANCY: LP TO 1000 S.F. PER CBC 4031 (838 ACTUAL)	AT	DETAILS		SPC FLOOP
	OCO IPANCY CLASS: RS AND U	48	SCHEDULES 1. DODE, WINDOW, BOOM FINISH	Met	T24
THE HOHEST POINT OF THE ROOF, BOULEMENT, OR ANY VENT REE, ANTENNA, OR OTHER PROJECTION SHALL NOT EXCEED SCI ASYNG BRADEN	CONSTRUCTON TYPE: VS SPANCES	A-1	TANKA.		
SHALL NOT SKOEED SKI ASKAYS GRADE: 1. THS PROJECT MUST COMPLY WITH "IINMUM CODE REQUERIMENTS FOR MANIMUM EGHT OF STRUCTURES	ZONING OVERLAYS: LÖASTAL (CTY), CRASTA, HEIGHT WMT, PARKING	AUKO	DETDICH		LANDSCOPE FLAN
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STE IS NOT IN AN HISTORIC DISTRICT Zaught in NTE FAA PART 77 NOTEGATION AREA	PAKANA REQUIRE YEATS 4 INTS & 2 BETROMS BACH = 4 × 21 & SPRCES 2ARKING REAMES & SPACES		a hata tha fair an		
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A FRONTYARD (FELEPAR STREET)	ICEC NOTES: PER SINGLE DISCIPLINE SEVIEWS 145668 AND 159948, THIS DESIGN MEETS THE		GENERAL ESPUCIUSAL NOTES	2 9 HE	······································
STANDARD: 20 MINIMUM: 15 (MAX 50% OF BULDING ENVELOPE WOTH)	REQUESTIONED FOR GRO SEC 1093-2.1 BY THE USE OF GARAGE 42 AND THE FIRST FLOOR OF UNIT #2.	57	FOUNDATION ROLL NOTES		MAP/EXHIBIT:
R/VELOFE W/D1+=47 (\$32 305 YARD EEGUR3MENT\$) 3. <u>51857 1902 YA30</u> W/A 3. 505 YARD	2. PER SDR 169848, THIS DESIGN CREATES "WO DUPLEX UNITS BY THE USE OF THE" TWO HOUR FIREWALL (PER CEC 7051) AS SHOWN ON THE PLANS THRUS RESULTING IN ;	29.27	SECOLD THERE TRAVING PLAN & CLOTHES		L Libert Terrésalo, 72-194 p
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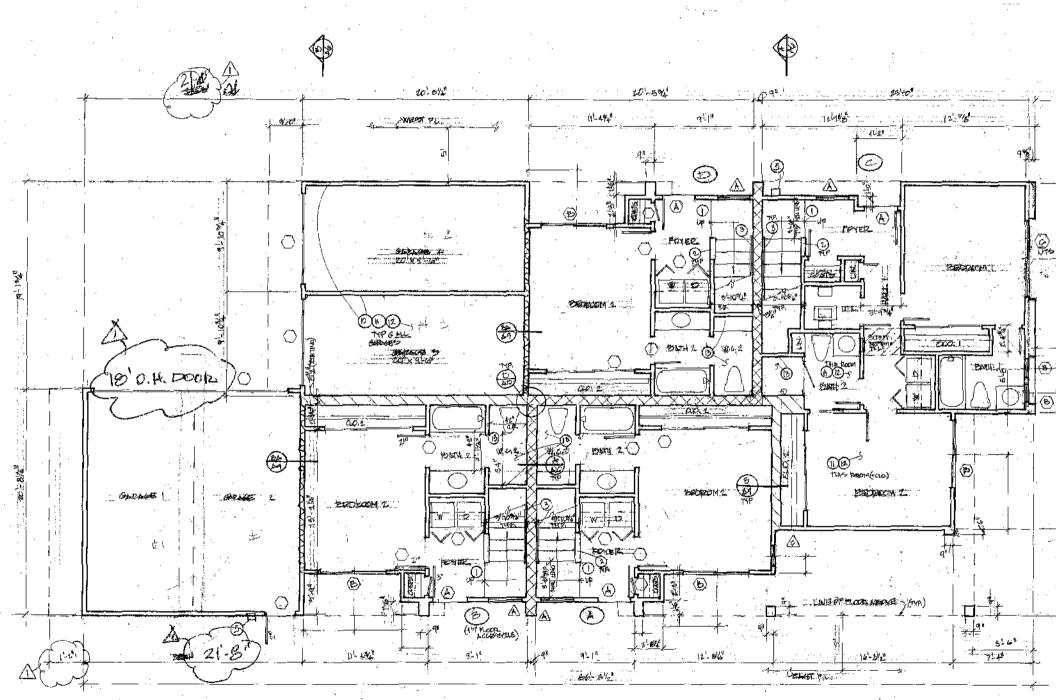
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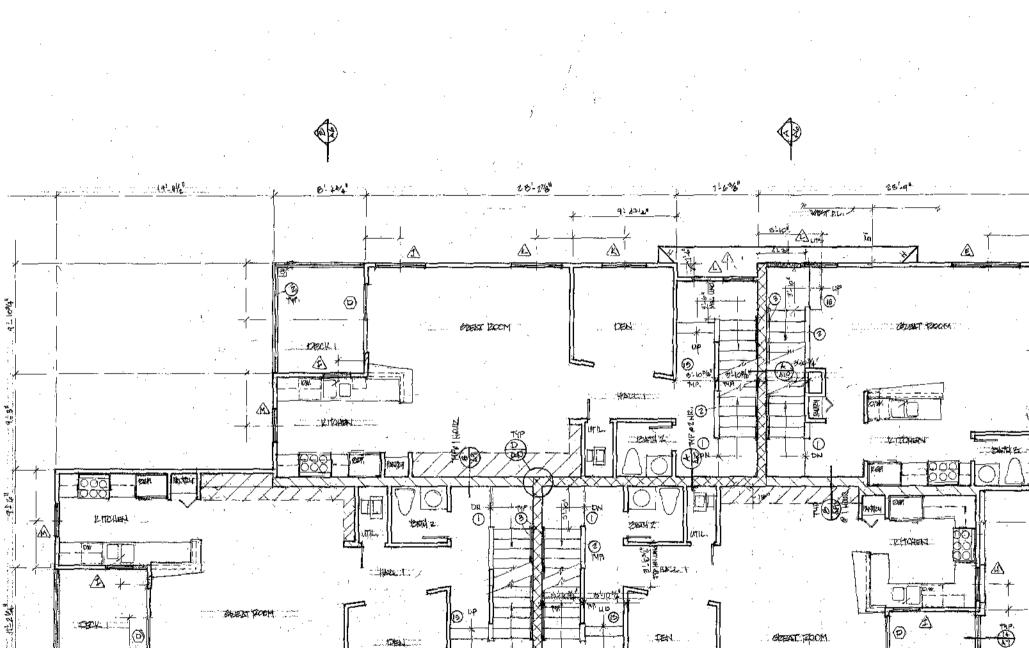
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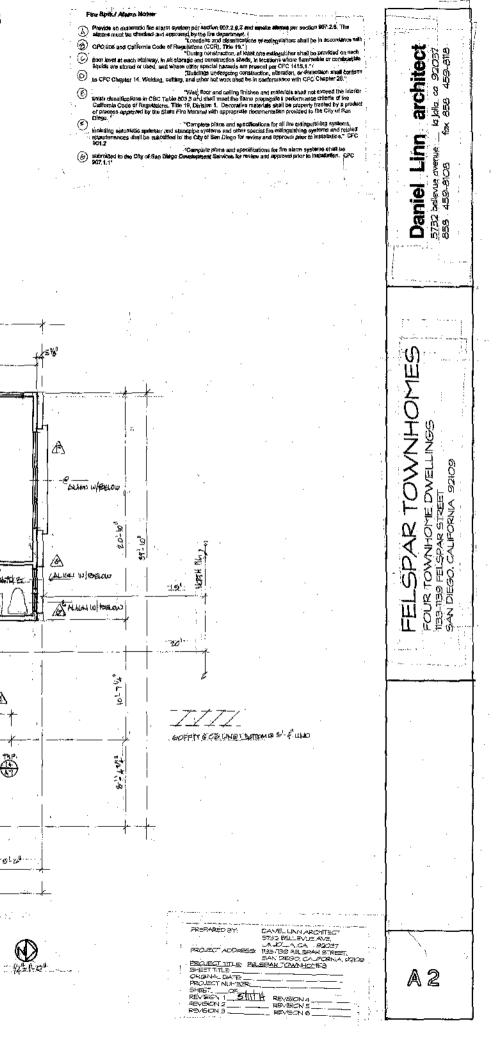


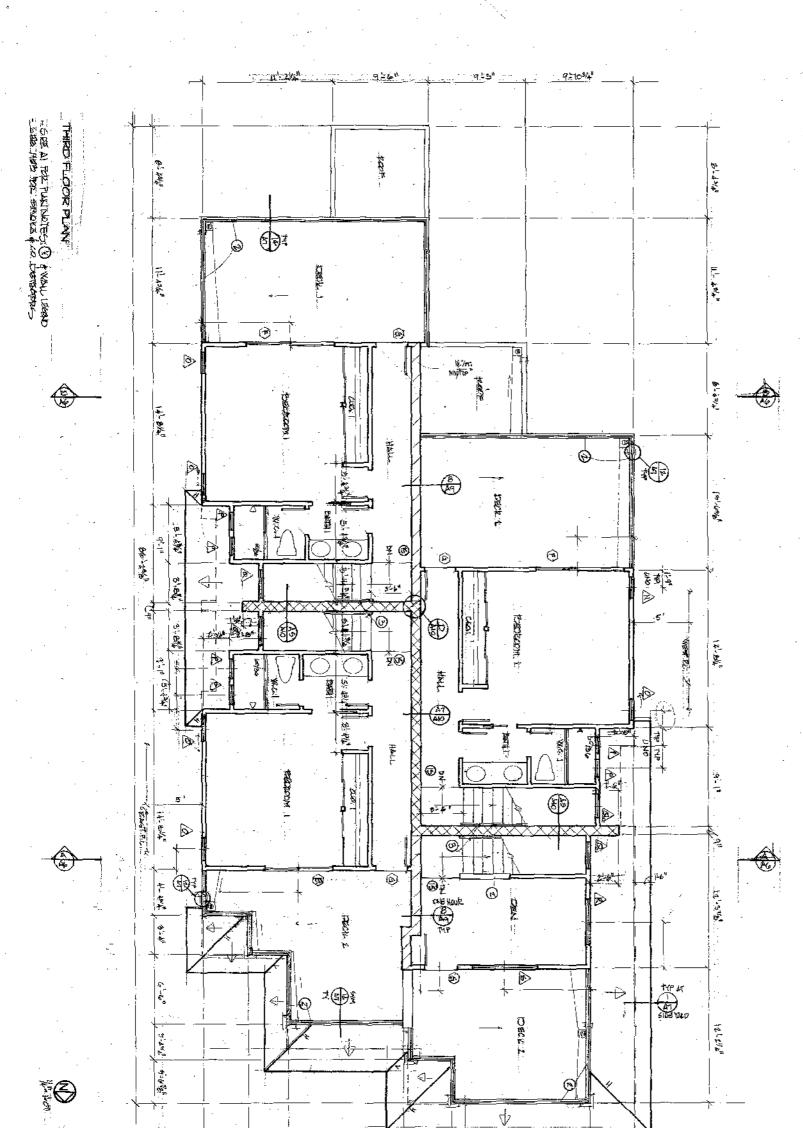
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Daniel Linn architect

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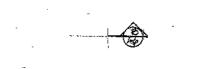
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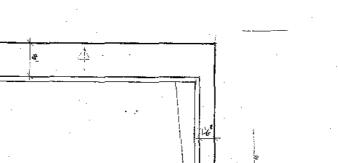


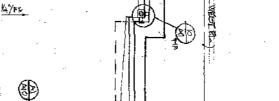
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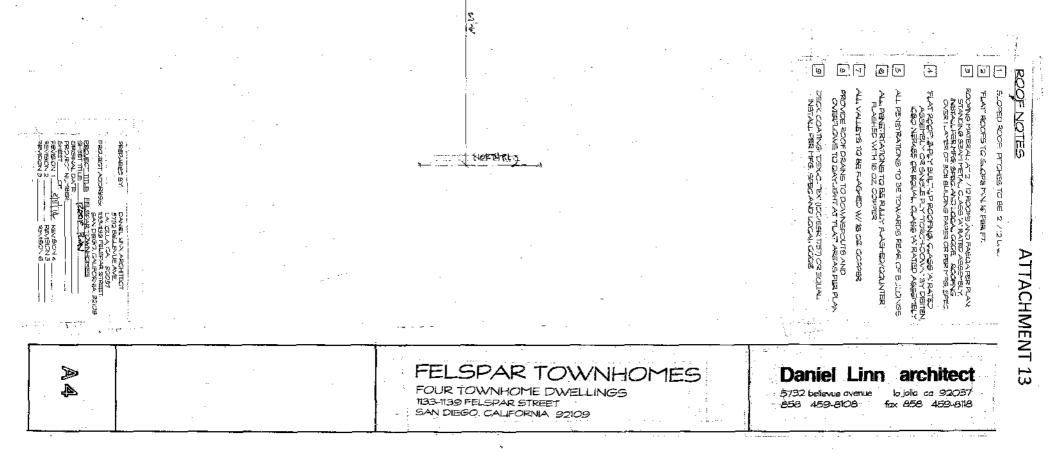


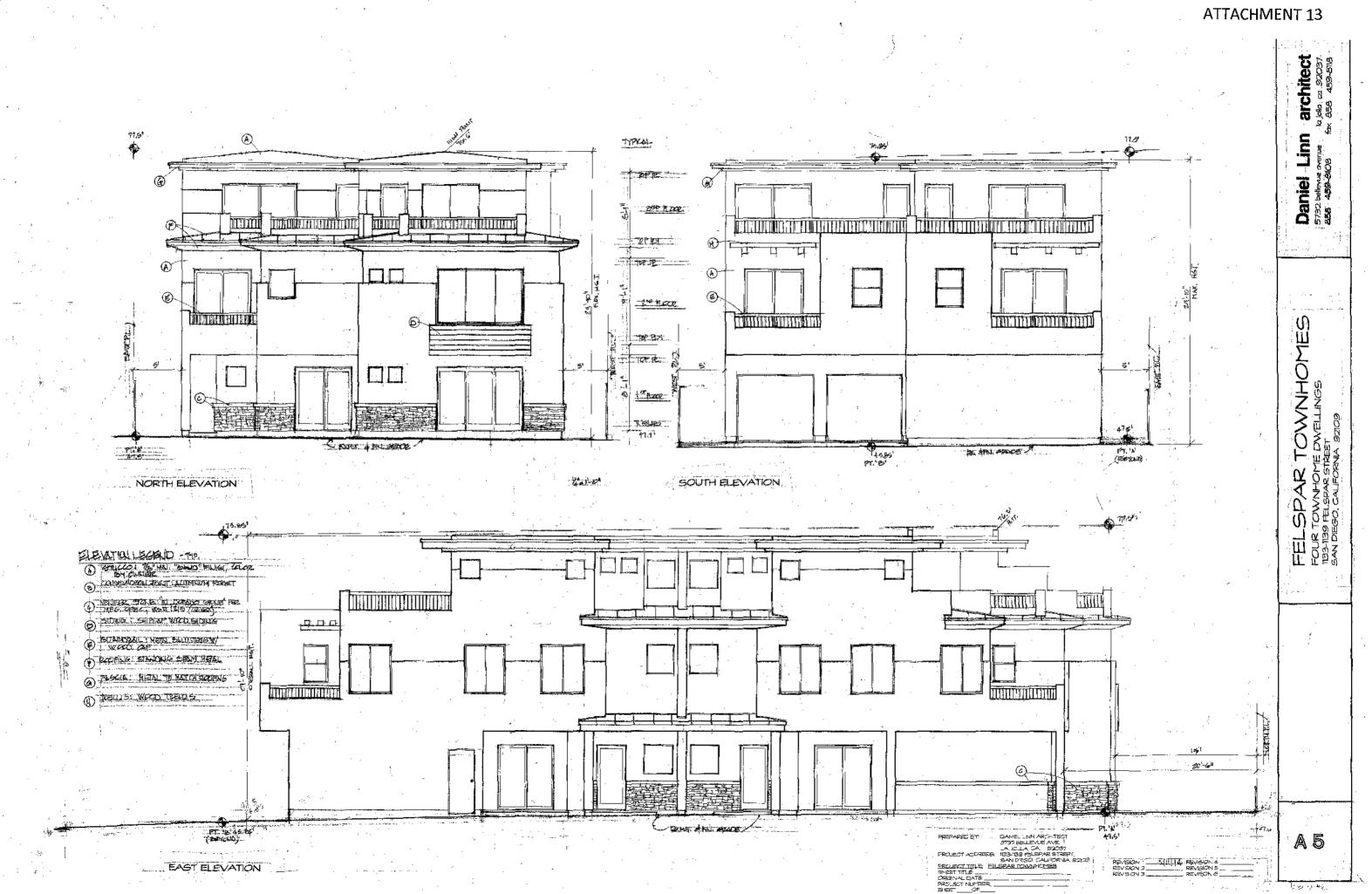


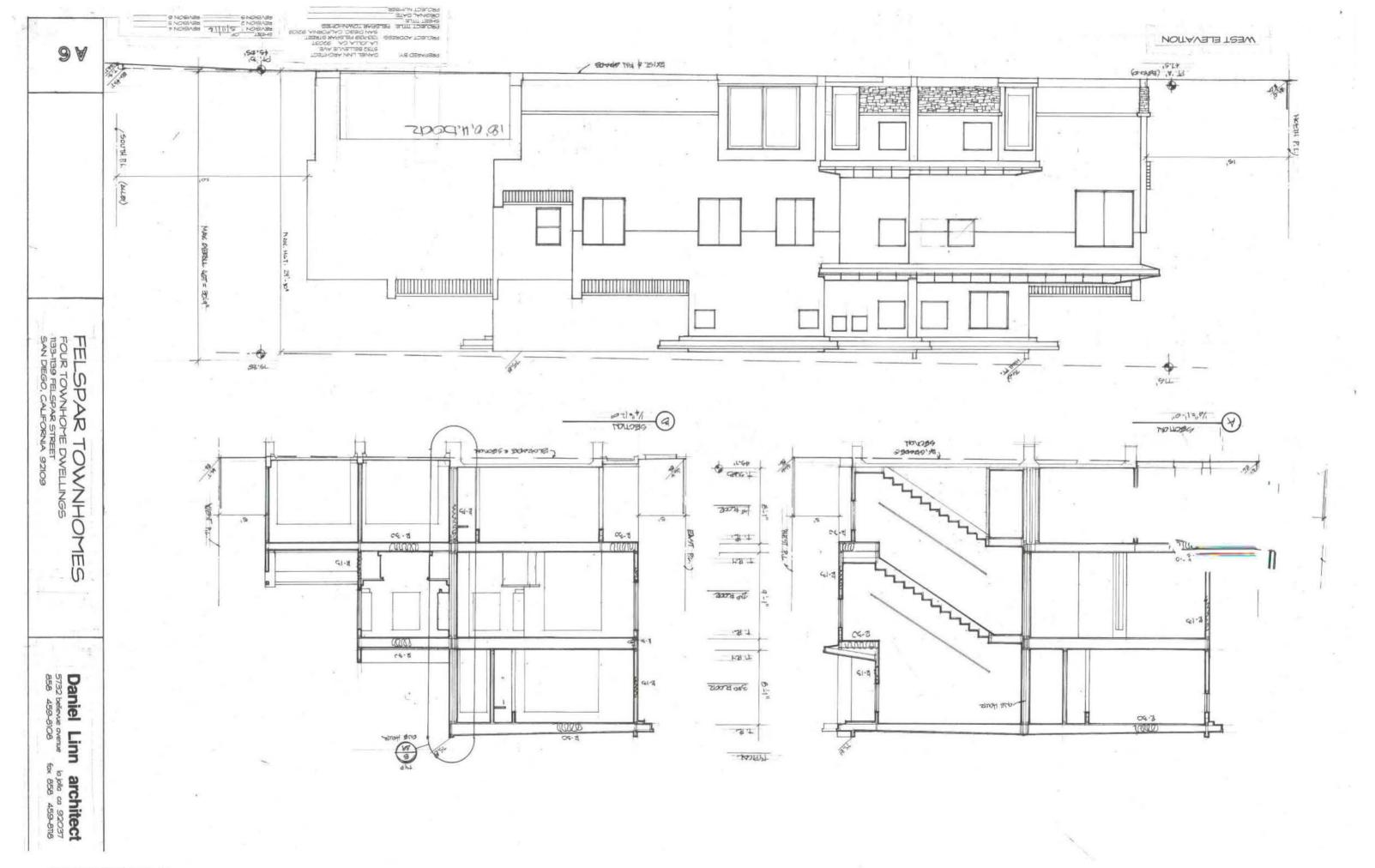
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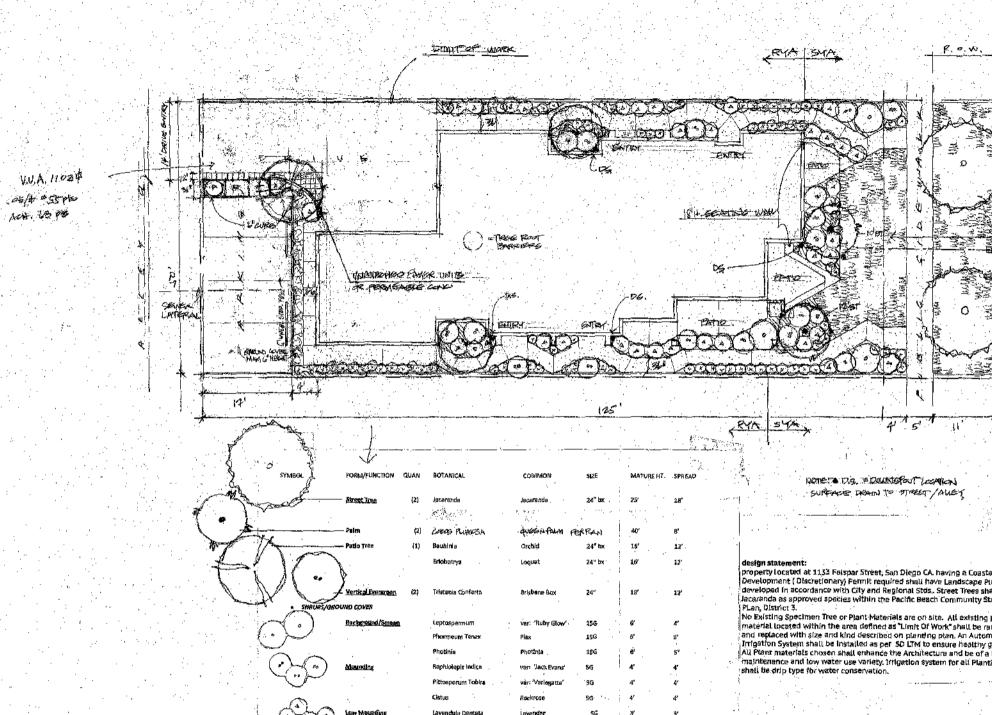
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