REPORT TO THE HEARING OFFICER

HEARING DATE: December 3, 2014

ATTENTION: Hearing Officer

SUBJECT: GRAND AVENUE TOWNHOMES
PTS PROJECT NUMBER: 355642

LOCATION: 1119 Grand Avenue

APPLICANT: PACIFIC BEACH 2013, LTD, Property Owner (Attachment 10);
Dan Linn, Architect/Agent.

SUMMARY

Issue(s): Should the Hearing Officer approve the demolition of an existing single-family residence and construction of a new 4-unit townhouse condominium project, and waive the requirement to underground existing overhead utilities, within the Pacific Beach Community Plan area?

Staff Recommendation(s) – APPROVE Coastal Development Permit No. 1244878 and Tentative Parcel Map No.1244879.

Community Planning Group Recommendation – On July 23, 2014, the Pacific Beach Planning Group voted 15-0-1 to recommend approval of the proposed project with no conditions.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(1) (Existing Facilities) and Section 15303(b) (New Construction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 8, 2014, and the opportunity to appeal that determination ended on May 25, 2014.

BACKGROUND

The project site is located at 1119 Grand Avenue in the RM-2-5 Zone, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay
Zone within the Pacific Beach Community Plan area (Attachment 1). The project site is legally described as Lots 5 and 6, Block 256 of Pacific Beach, Map Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County, on January 18, 1892 and September 28, 1898. The project site is designated for Medium Density residential land use in the Pacific Beach Community Plan (PBCP), with a residential density between 14-29 dwelling units per acre, allowing for four units to be built on the 0.143 acre property (Attachment 2). The surrounding area is primarily developed with single and multi-story multi-family residential development and single-family homes (Attachment 3). The project site is located on private property approximately four (4) blocks east of the Pacific Ocean and five (5) blocks north of the shoreline of Mission Bay.

The proposed demolition, construction and subdivision requires a Coastal Development pursuant to San Diego Municipal Code (SDMC) Section 126.0702. A Tentative Parcel Map is required in accordance with San Diego Municipal Code (SDMC) Section 144.0210 for the creation of four residential condominium interests.

DISCUSSION

The project proposes to demolish an existing single-family residence and construct a new 6,099 square foot building comprised of four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities. The proposed project will include a total of eight (8) parking spaces (four (4) spaces within attached garages and four (4) surface parking spaces), with all parking to be accessed from the alley. An existing driveway along the Grand Avenue property frontage will be closed and reconstructed with curb, gutter and sidewalk to meet current engineering standards. The site will be landscaped with a mixture of trees, shrubs, and ground cover, including two (2) street trees within the Grand Avenue public right-of-way.

The character of this neighborhood along Grand Avenue is a mixture of architectural building forms, masses, and articulation of structures. Existing residential housing in the vicinity of the project site represents a blend of development types, including newer three-story condominium buildings alongside one story single-family homes from the 1940’s and two-story multi-family residential complexes dating to the 1950’s. The proposed development is reflective of the architectural design and scale characteristic of the project vicinity, and is consistent with the General Plan and PBCP goals encouraging neighborhood "compatibility and continuity". The proposed project complies with the RM-2-5 zone and applicable regulations of the Land Development Code, including setbacks, floor area ratio, landscaping, parking and height.

Underground Waiver Request

The neighborhood currently contains power poles and overhead utility lines which run along south side of the alley adjacent to the project site. The City’s current Undergrounding Master Plan designates the site within Block 2X3, and the date for undergrounding has been established for the year 2044 (Attachment 9). San Diego Municipal Code Section 144.0240(b) 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 of the 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 a full block in length) and would not represent a logical extension to an underground facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 14 of the draft Tentative Map conditions (Attachment 8).

CONCLUSION

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

ALTERNATIVE

1. Approve Coastal Development Permit No. 1244878 and Tentative Parcel Map No. 1244879, with modifications.

2. Deny Coastal Development Permit No. 1244878 and Tentative Parcel Map No. 1244879, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

[Signature]

Patricia J. Fitzgerald, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Coastal Permit Resolution with Findings
6. Draft Coastal Permit with Conditions
7. Draft Map Resolution
8. Draft Map Conditions
9. Underground Master Plan
10. Ownership Disclosure Statement
11. Project Site Plans - Map Exhibit-Map Waiver
PROJECT LOCATION

PROJECT LOCATION

ATTACHMENT 1

North
Project Site

Land Use Map
4 @ Lamont
PROJECT NO. 319096
## PROJECT DATA SHEET

<table>
<thead>
<tr>
<th><strong>PROJECT NAME:</strong></th>
<th>GRAND AVENUE TOWNHOMES - PROJECT NO. 355642</th>
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<tbody>
<tr>
<td><strong>PROJECT DESCRIPTION:</strong></td>
<td>CDP and TM for demolition of an existing single-family residence and construction of a new 4-unit townhouse condominium project</td>
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<tr>
<td><strong>COMMUNITY PLAN:</strong></td>
<td>Pacific Beach</td>
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<tr>
<td><strong>DISCRETIONARY ACTIONS:</strong></td>
<td>Coastal Development Permit and Tentative Parcel Map</td>
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<tr>
<td><strong>COMMUNITY PLAN LAND USE DESIGNATION:</strong></td>
<td>Medium Density Residential (14-29 DUs per acre)</td>
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### ZONING INFORMATION:

- **ZONE:** RM-2-5 Zone  
- **HEIGHT LIMIT:** 30-Foot max;  
- **LOT SIZE:** 0.143 acre (5,000 min required)  
- **FLOOR AREA RATIO:** 1.35  
- **FRONT SETBACK:** 15/20 feet  
- **SIDE SETBACK:** 4 feet  
- **REAR SETBACK:** 15 feet from centerline of alley  
- **PARKING:** 8 parking spaces required; 8 provided

### ADJACENT PROPERTIES

<table>
<thead>
<tr>
<th><strong>PROPERTY</strong></th>
<th><strong>LAND USE DESIGNATION &amp; ZONE</strong></th>
<th><strong>EXISTING LAND USE</strong></th>
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<tr>
<td>NORTH</td>
<td>Multi-Family, RM-2-5</td>
<td>Multi-Family &amp; SF Residential</td>
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<td>SOUTH</td>
<td>Multi-Family, RM-2-5</td>
<td>Multi-Family &amp; SF Residential</td>
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<td>EAST</td>
<td>Multi-Family, RM-2-5</td>
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<tr>
<td>WEST</td>
<td>Multi-Family, RM-2-5</td>
<td>Multi-Family &amp; SF Residential</td>
</tr>
</tbody>
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### DEVIATIONS OR VARIANCES REQUESTED:

None.

### COMMUNITY PLANNING GROUP RECOMMENDATION:

On July 23, 2014, the Pacific Beach Planning Group voted 15-0-1 to recommend approval of this proposed project with no conditions.
HEARING OFFICER RESOLUTION NO. ____
COASTAL DEVELOPMENT PERMIT NO. 1244878
GRAND AVENUE TOWNHOMES - PROJECT NO. 355642

WHEREAS, PACIFIC BEACH 2013, LTD, a California Limited Partnership, Owner and Permittee, filed an application with the City of San Diego for a permit to demolish an existing single-family residence and construct a new 6,099 square foot building with four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1244878), on portions of a 0.143-acre site; and

WHEREAS, the project site is located at 1119 Grand Avenue in the RM-2-5 zone, Coastal Overlay Zone (Non-Appealable Area 2) and Parking Impact Overlay Zone, within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan area; and

WHEREAS, the project site is legally described as Lots 5 and 6, Block 256 of Pacific Beach, Map Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County, on January 18, 1892 and September 28, 1898; and

WHEREAS, on December 3, 2014, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1244878, pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on May 8, 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 15301(1) (Existing Facilities) and Section 15303(b) (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;

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 December 3, 2014.

FINDINGS:

Coastal Development Permit – SDMC 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 single-family residence and construct a new 6,099 square foot building comprised of four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities. The project site is located on private property approximately four (4) blocks east of the Pacific Ocean and five (5) blocks north of the shoreline of Mission Bay, and the proposed development will not encroach upon any existing or proposed physical public access to the coast. The project site is not located on or adjacent to an identified visual access corridor, and will enhance and protect public views to and along the ocean and other scenic coastal areas as specified within the Pacific Beach Community Plan and Local Coastal Land Use Plan.

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

The project proposes to demolish an existing single-family residence and construct a new 6,099 square foot building comprised of four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities. An environmental review was conducted which determined that the project would not have a significant environmental effect on environmentally sensitive lands and the project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(1) (Existing Facilities) and Section 15303(b) (New Construction). The site does not contain environmentally sensitive lands, and therefore, 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 single-family residence and construct a new 6,099 square foot building comprised of four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities. The Pacific Beach Community Plan (PBCP) designates the project site for Medium Density residential land use (between 14-29 dwelling units per acre), and the project density is consistent with this designation. The character of the neighborhood along Grand Avenue is a mixture of architectural building forms, masses, and articulation of structures. Existing residential housing in the vicinity of the project site represents a blend of development types, including newer three-story condominium buildings alongside one story single-family homes from the 1940’s and two-story multi-family residential complexes dating to the 1950’s. The proposed development is reflective of the architectural design and scale characteristic of the project vicinity, and is consistent with the General Plan and PBCP goals encouraging neighborhood "compatibility and continuity". The proposed project complies with the RM-2-5 zone and applicable regulations of the Land Development Code, and conditions of approval require the continued compliance with all relevant regulations of the City of San Diego.
effective for this site and incorporated into Coastal Development Permit No. 1244878. The proposed coastal development is in conformity with the Pacific Beach Community Plan and Local Coastal Land Use Plan, and complies with all regulations of the certified Implementation Program.

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

The project proposes to demolish an existing single-family residence and construct a new 6,099 square foot building comprised of four (4) residential townhouse units, and to subdivide the property into four (4) condominium interests, including a waiver to the requirement to underground existing overhead utilities. The project site is located on private property approximately four (4) blocks east of the Pacific Ocean and five (5) blocks north of the shoreline of Mission Bay, and is not located between the nearest public roadway and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The proposed coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1244878, 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. 1244878, a copy of which is attached hereto and made a part hereof.

Patricia J. FitzGerald  
Development Project Manager  
Development Services

Adopted on: December 3, 2014

Job Order No. 24004358
COASTAL DEVELOPMENT PERMIT NO. 1244878
GRAND AVENUE TOWNHOMES - PROJECT NO. 355642

HEARING OFFICER

This Coastal Development Permit No. 1244878, is granted by the Hearing Officer of the City of San Diego to PACIFIC BEACH 2013, LTD, a California Limited Partnership, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.143 acre site is located at 1119 Grand Avenue in the RM-2-5 Zone, Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone within the Pacific Beach Community Plan area. The project site is legally described as Lots 5 and 6, Block 256 of Pacific Beach, Map Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County, on January 18, 1892 and September 28, 1898.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing residence and construct a new 4-unit townhouse condominium project, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit “A”] dated December 3, 2014, on file in the Development Services Department.

The project shall include:

a. Demolition of an existing single-family residence, and construction of four (4) residential units within two (2), three story, duplex buildings totaling 6,099-square-feet, with four (4) attached parking spaces and four (4) surface parking spaces;

b. Subdivision of the property into four (4) condominium interests (including a waiver to the requirement to underground existing overhead utilities);

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 December 18, 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 determined
necessary to make the findings required for approval of this Permit. The Permit holder is
required to comply with each and every condition in order to maintain the entitlements that are
granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is
found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable,
this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right,
by paying applicable processing fees, to bring a request for a new permit without the "invalid"
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.

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the
affordable housing requirements of the City's Inclusionary Affordable Housing Regulations
(SDMC § 142.1301 et seq.).

ENGINEERING REQUIREMENTS:

12. The Coastal Development Permit shall comply with all Conditions of the Final Map for the
Tentative Map No.1244879.

13. 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

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

15. 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.

16. 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.

17. 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.

18. 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.

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

**TRANSPORTATION REQUIREMENTS:**

20. A minimum of eight (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.

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

22. 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.
PLANNING/DESIGN REQUIREMENTS:

23. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

24. 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.

LANDSCAPING REQUIREMENTS:

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

26. 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.

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

28. 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

29. 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.

30. 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 Certificate of Occupancy.
PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

31. 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 abandonment of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

32. The Owner/Permittee shall apply for and obtain 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.

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

34. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

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 December 3, 2014, by Resolution No. HO-_______.

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AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Patricia J. FitzGerald
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 2013, LTD, a
California Limited Partnership
Owner/Permittee

By

Title:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
HEARING OFFICER RESOLUTION NUMBER HO-____

TENTATIVE PARCEL MAP NO. 1244879
GRAND AVENUE TOWNHOMES - PROJECT NO. 355642

WHEREAS, PACIFIC BEACH 2013, LTD, Subdivider, and METROPOLITAN MAPPING, VERNON FRANCK, Engineer, submitted an application to the City of San Diego for a tentative parcel map (Map No. 1244879) to construct four residential condominiums, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 1119 Grand Avenue in the RM-2-5 zone of the Pacific Beach Community Plan. The property is legally described as Lots 5 and 6, Block 256 of Pacific Beach, Map Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County, on January 18, 1892 and September 28, 1898; and

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

WHEREAS, on May 8, 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 Guidelines Section 15301(1) (Existing Facilities) and Section 15303(b) (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; 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
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 December 3, 2014, the Hearing Officer of the City of San Diego considered Tentative Parcel Map No. 1244879, 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. 1244879:

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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of 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. This density occurs primarily along Sail Bay, Grand Avenue,
Hornblend Street and Lamont Street, and is characterized by four-plexes or four-unit condominium developments, as noted in the Pacific Beach Community Plan.

The 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. There is one (1) existing fan palm adjacent to the site along the Grand Avenue public right-of-way, which will be replaced with two (2) new street trees to meet the Community Corridor ‘M’ recommendations of street tree species for Grand Avenue pursuant to the Pacific Beach Community Plan, Appendix D.

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 is 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of 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, including 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of the Pacific Beach Community Plan.

The project site is flat and has been previously graded. The site has frontage Grand Avenue 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, and the existing 0.143-acre site can 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of the Pacific Beach Community Plan.

Minor land modifications are proposed with this Tentative Parcel Map to include the closure of an existing curb cut adjacent to the site on Grand Avenue. The Tentative Parcel 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 Parcel 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(1) (Existing Facilities) and Section 15303(b) (New Construction) 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of 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 Parcel 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, 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 Sections 15301 and 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of the Pacific Beach Community Plan.

The proposed subdivision does not contain or propose any new easements for the development. Grand Avenue fronts the property to the west and an existing alley runs north and south adjacent to the site, neither is required to be vacated as a result of this Tentative Parcel Map. The subdivision proposes public improvements. The public improvements include the closure of an existing curb cut along Grand Avenue 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of 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 Grand Avenue which runs east and west and will allow for solar orientation for future solar heating. 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 a single family home with detached garage and replace it with four, two-bedroom condominiums located at 1119 Grand Avenue in the RM-2-5 zone of the Pacific Beach Community Plan.

The site contains currently contains two dwelling units. 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. The Crown Point Community Park is
located approximately an eighth of a mile to the south and retail shopping exists approximately four blocks north of the site. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Parcel Map No. 1244879, hereby granted to PACIFIC BEACH 2013, LTD, subject to the attached conditions which are made a part of this resolution by this reference.

By
Patricia J. FitzGerald
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions
Internal Order No. 24004358
HEARING OFFICER
CONDITIONS FOR TENTATIVE PARCEL MAP NO. 1244879
GRAND AVENUE TOWNHOMES - PROJECT NO. 355642
ADOPTED BY RESOLUTION NO. HO-____ ON DECEMBER 3, 2014

GENERAL

1. This Tentative Parcel Map will expire December 3, 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 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.

4. 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.

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

6. “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].

7. “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.”

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

9. Prior to the Tentative Parcel 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.

ENGINEERING

10. 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.

11. The Tentative Map shall comply with the conditions of the Coastal Development Permit No. 1244878.

12. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service Project No. 355642
    TM No. 1244879
(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.

13. 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.

14. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

15. 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.

16. The Subdivider shall close the non-utilized driveway with City Standard curb and gutter, adjacent to the site on Grand Avenue.

17. 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.

**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. 24004358

Project No. 355642
TM No. 1244879
Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):
- [ ] Corporation
- [ ] Limited Liability -or- [ ] General
- [x] Partnership

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

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UNIT FLOOR AREA TABULATIONS

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GRAND TOTAL: 10,906

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GRAND AVE TOWNHOMES

FIRST FLOOR PLAN

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Daniel Linn Architect

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TALL LEGEND

1. Exterior 12' 6" Elevation
2. Interior 9' Elevation
3. Standard 9' Elevation
4. Exterior 12' 6" Door
5. Interior 9' Door
6. Standard 9' Door
7. Exteri1or 12' 6" Window
8. Interior 9' Window
9. Standard 9' Window

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GRAND AVE TOWNHOMES

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A1

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ROOF NOTES:

1. SLOPED ROOF, PITCHES TO BE 3/12 AND
2. "FLAT ROOF" SLOPES TO SLOPE OF 2", PER FT.
3. ROOFER SUBMIT AT 2"/12 INDIAN APRON AND PARAPET DEC COURSE.
4. INSTALL SHEET METAL EDGES AND ROOF Edge.
5. INSTALL CLASS "A" FIRE-RESISTANT ROOFING SHEET METAL.
6. "FLAT ROOF", TRAY BUILT ROOFERS CLASS "A" RATED ASSEMBLY OR SHALL PUT "COPING" COAT OVER ROOFING CLASS "A" RATED ASSEMBLY.
7. ALL PENETRATIONS TO BE TANKED BEFORE INSTALLATION.
8. ALL PENETRATIONS TO BE FULLY FLASHED AND COVERED.
9. INSTALL WITH 16 GA. COPPER.
10. ALL VENTS TO BE PLUMBED WITH 16 GA. COPPER.
11. PROVIDE ROOF DECK TO DOWNSPOUTS AND OVERFLOW TO DRAINAGE AT SURFACE LEVEL PER PLAN.
12. DECK COATING TO BE D-C-F-TEX (EFLGEFTEX) OR EQUAL.
13. INSTALL PER TYP. SHEET AND LOCAL CODES.