REPORT TO THE HEARING OFFICER

HEARING DATE: February 11, 2015
REPORT NO. HO-15-014

ATTENTION: Hearing Officer

SUBJECT: MCMAKIN/CASTEEL SDP
PTS PROJECT NUMBER: 360706

LOCATION: 2730-2732 First Avenue

APPLICANT: Roy McMakin

SUMMARY

Issue(s): Should the Hearing Officer approve the construction of three new dwelling units in two detached buildings on a vacant lot within the Uptown Community Planning area?

Staff Recommendation(s) – APPROVE Site Development Permit No. 1307272

Community Planning Group Recommendation – On July 1, 2014, the Uptown Community Planning Group voted 13-0-1 to recommend approval without conditions (Attachment 9).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section (15303 (b) and (e) (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 12, 2015 and the opportunity to appeal that determination ended January 26, 2015 (Attachment 7).

BACKGROUND/DISCUSSION

The project proposes the construction of three dwelling units in two detached buildings, one containing duplex residences, to be approximately 5,167 square feet and one single residence with 4,590 square feet, with detached garages and carport on a vacant .20 acre site. The site is located at 2730-2732 First Avenue in the MR-1000 Zone of the Mid-City Communities Planned District, within the Uptown Community Plan area, which designates the site for residential use with a maximum density of 29 to 44 dwelling units per acre (Attachment 2).
The proposed three dwelling units on the 8,530 square foot lot will provide a density range of 15.3 dwelling units per acre. Although the proposed density is not consistent with the Community Plan designation, the Uptown Community Plan recommends that development maintain the historical scale and character on First Avenue south of Maple Canyon. The historical scale and character of this area consists of single-family residences and multiple dwelling units. The proposed project does increase the existing single residential use that had been on the site since 1910 by adding two additional units and provides a mix of single family and multiple family development. Therefore, the proposed project brings the project site closer into compliance with the Uptown Community Plan Land Use designation and maintains the character of the area.

The single family structure that was built in 1910 was removed in 2011 as part of a previously approved development permit (Rhude Residence 2010). The Rhude Residence permit has since expired. The property is currently vacant and under new ownership.

The north building, Building M, is a 5,167 square foot, four story duplex with a roof deck, garage and carport. Building C, the south building, is a 4,590 square foot three story building with a basement, roof deck, garage and carport. Both buildings will each have an elevator and external stairs (Attachment 11).

Since the site was previously developed, the majority of the site is flat. The proposed design and siting of the two buildings minimizes the need for grading and land form alteration by utilizing the existing pad area of the previous structure and development area. Except for the City required brush management activities, the project design would not intrude or alter the western edge of the parcel, which is situated at the top of City owned open space and canyon area and which is environmentally sensitive.

A Site Development Permit (SDP) is required for all development adjacent to or within environmentally sensitive lands. The project site is within 40 feet of the top of a steep slope and 100 feet of sensitive vegetation, and any project which utilizes the zero-foot side yard option requires an SDP. The project also proposes deviations to the Land Development Code which are permitted in conjunction with an SDP. The proposed project otherwise complies with the minimum standards of the Mid City Communities Planned District Ordinance.

Due to the lot constraints, proximity to the steep slope, and City Owned open space, the project is proposing alternative compliance for brush management. Therefore, a modified "Zone One" ranging from 29-feet to 32-feet shall extend from the southeast corner of Building M and the northeast corner of Building C, to the outer edge of the flow-through planter at top of slope, with a balance of Zone Two ranging from 15-feet to 30-feet extending down slope to the rear property line. To compensate for the lack of full defensible space, alternative compliance measures for the structures shall include opening protection upgraded to dual-glazed, dual-tempered panes along north, west, and south faces of the structures flanking the brush management zones and open space.
The following deviations are being proposed with this project:

1. Utilize the zero side yard option on the north property line to allow part of the first floor habitable area (22' 10") to be on the property line.

2. A 16.6% deviation to the side setback on the north side to have a 5-foot setback for the exterior stairs at the 3rd floor where a 6-foot side setback is required at the 3rd floor.

3. A 44.44% deviation to the side setback on the north side to have a 5-foot setback for exterior stairs at the 4th floor and a 19.9% deviation to the side setback to have a 7-foot 2.5-inch setback for the building wall at the 4th floor where a 9-foot side setback is required at the 4th floor.

4. Utilize the zero side yard option on the south property line to have part of the first and second floor habitable area 3.5 inches from the south property line (a single point).

5. A 19.4% deviation to the side setback on the south side to have a 4-foot, 10-inch setback for the 3rd floor where the 3rd floor is required to have a 6-foot side setback.

6. A 19.9% deviation to the side setback on the south side to have a 7-foot 2.5-inch setback for the building wall at the 4th floor where a 9-foot side setback is required at the 4th floor.

7. A 20% deviation the height limit by having a height of 48 feet where the building is not above enclosed parking where a maximum height of 40 feet is allowed for the portions of the building that are not above enclosed parking.

8. A 17.3% deviation to the allowed Floor Area Ratio (F.A.R.) to allow a total of 8,682 square feet of gross floor area where a maximum of 7,400 square feet is allowed (6,375 square feet, plus 1,025 square feet of enclosed parking).

These deviations are permitted exceptions to the code with an SDP which allows these deviations under certain criteria (SDMC Section 1512.0303 Residential Development Regulations). The proposed deviations have been reviewed by staff and been determined to meet the purpose and intent of the code. Additionally, the Community Planning Group also recommended approval to the Hearing Officer with the proposed deviations.
CONCLUSION

Staff has reviewed the proposed project and the proposed deviations and has found it is consistent with the development standards in effect for the site and with the adopted Uptown Community Plan, the City of San Diego Progress Guide and General Plan. Staff recommends approval of the project.

ALTERNATIVES

1. Approve Site Development Permit No. 1307272, with modifications.

2. Deny Site Development Permit No. 1307272, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Helene Deisher, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Environmental Notice of Right to Appeal
9. Community Planning Group Recommendation (Pages 5-6)
10. Ownership Disclosure Statement
11. Project rendering
12. Project Site Plan(s)
Community Plan Land Use Map

MCMAKIN/CASTEEL - Project No. 360706
2730-2732 First Avenue
# PROJECT DATA SHEET

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>McMakin/Casteel SDP PTS 360706</th>
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<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Construct one duplex approximately 5,167 square feet, one single family residence approximately 4,590 square feet with a basement. Both buildings also providing garages, carports roof deck and elevator</td>
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<tr>
<td>COMMUNITY PLAN AREA:</td>
<td>Uptown</td>
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<tr>
<td>DISCRETIONARY ACTIONS:</td>
<td>Site Development Permit</td>
</tr>
<tr>
<td>COMMUNITY PLAN LAND USE DESIGNATION:</td>
<td>Residential (29-44 Units)</td>
</tr>
</tbody>
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## ZONING INFORMATION:

- **ZONE:** MR-1000- Mid-City
- **HEIGHT LIMIT:** 40 feet (50 feet permitted where a building is above enclosed parking)
- **LOT SIZE:** 8500 square feet (0.20 acres)
- **FLOOR AREA RATIO:** (.75) Maximum enclosed parking excluded from calculation
- **LOT COVERAGE:** 40 percent
- **FRONT SETBACK:** 10-feet
- **SIDE SETBACK:** 6-feet
- **REAR SETBACK:** 15-feet

## ADJACENT PROPERTIES:

<table>
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<tr>
<th>NORTH:</th>
<th>LAND USE DESIGNATION &amp; ZONE</th>
<th>EXISTING LAND USE</th>
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## DEVIATIONS OR VARIANCES REQUESTED:

Deviations that are being requested are permitted exceptions to the Code as administrative if less than 20 percent or with a Site Development Permit which allows these deviations under certain criteria (SDMC Section 1512.0303 Residential Development Regulations). The proposed deviations have been reviewed by staff and been determined to meet the purpose and intent of the code.

## COMMUNITY PLANNING GROUP RECOMMENDATION:

On July 1, 2014, the Uptown Planners voted 13-0-1 to recommend approval of the project, without conditions.
WHEREAS, Pigeon Point LLC, a Washington Limited Liability Company, and Arroyo Park Properties LLC, a California Limited Liability Company, Owners/Permittees, filed an application for a Site Development Permit with the City of San Diego to allow the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant site (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1307272), on portions of a .20 acre site;

WHEREAS, the project site is located at 2730-2732 First Avenue in the MR-1000 Zone of the Mid-City Planned District Ordinance (PDO) & the Uptown Community Plan Area;

WHEREAS, the project site is legally described as Lot L and the North 35 feet of Lot H in Block 311 of Horton's Addition;

WHEREAS, on February 11, 2015, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1307272 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on January 12, 2015, 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 126.0502 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 February 11, 2015.

FINDINGS:

Site Development Permit – Land Development Code Section 126.0504.

A. Standard Findings for all Site Development Permits.

1. The proposed development will not adversely affect the applicable land use plan. The project proposes the construction of three dwelling units in two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is located in the Park West neighborhood of the Uptown Community Plan area, which designates the site for Residential Use and authorizes a maximum density of 29 to 44 dwelling units per acre. The project proposes to construct three dwelling units on an 8,530 square foot lot resulting in a density of 15.3 dwelling units per acre. The property had been the site of two story residential structure since 1910. This structure was demolished in 2011 as part of the previous discretionary permit, which is now expired, to build a new single family structure. The Uptown Community Plan recommends that development maintain the historical scale and character on First Avenue south of Maple Canyon.
The historical scale and character of this area consists of single-family residences and multiple dwelling units. The proposed project incorporates both a duplex and a single family residence. The project is otherwise consistent with the recommended land use and density, and maintains the historical scale of the neighborhood. For these reasons, the project will not adversely affect the applicable land use plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. Development of the vacant site is consistent with the Uptown Community Plan’s residential land use recommendation and complies with the development regulations of the underlying zone. The project was determined to be exempt from the California Environmental Quality Act (CEQA). The project has been designed and sited to avoid steep hillsides and to minimize land form alteration. The project will be designed, reviewed, permitted, constructed and inspected pursuant to the California Building Code. The project will, therefore, not be detrimental to the public health, safety, and welfare.

3. **The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is zoned MR-1000 of the Mid City Communities Planned District Ordinance. The project complies with the minimum standards of the Mid City Communities Planned District Ordinance with the exception of minor deviations (20 percent or less) which are permitted in conjunction with a discretionary permit. The deviations have been reviewed by City staff and by the decision-maker, and have been determined to be minor in nature and result in a better overall project by allowing design flexibility and reducing the grading and hillside disturbance that would be required with strict application of the development regulations. The project, therefore, complies with the applicable regulations of the Land Development Code.

**B. Supplemental Findings – Environmentally Sensitive Lands:**

1. **The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. Although the project site is currently vacant, the site was previously developed with a single-family residence and the site was disturbed due to previous grading activity that resulted in a relatively flat graded area on which the previous single-family residence was located. The site is, therefore, physically suitable for the design and siting of the new three dwelling unit project.
The design and siting of the new three dwelling unit project minimizes the need for grading and land form alteration by utilizing the existing pad area of the previous structure. No encroachment into the hillside is proposed with this project. The project, therefore, results in minimum disturbance to environmentally sensitive lands.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. Although the project site is currently vacant, the site was previously developed with a single-family residence and the site was disturbed due to previous grading activity that resulted in a relatively flat graded area on which the previous single-family residence was located. The project minimizes the alteration of the natural land form by locating the proposed structure on the previously graded and disturbed portion of the site.

The property is located within Geologic Hazard Category 52, which is considered a favorable geologic condition and low risk. A Preliminary Geotechnical investigation was prepared for the site, and reviewed and accepted by the Development Services Department. This preliminary report concluded that the site is favorable from a geologic standpoint for the proposed development. The City reviewed the project for compliance with the City of San Diego Landscape Regulations and a Brush Management Plan will be implemented for the project. The project is not susceptible to flooding due to the hillside location. The project, therefore, will minimize the alteration of the existing landform and would not result in undue risk from geologic and erosional forces, flood hazard, or fire hazard.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. Although the project site is currently vacant, the site was previously developed with a single-family residence and the site was disturbed due to previous grading activity that resulted in a relatively flat graded area on which the previous single-family residence was located. The project would not encroach onto any steep hillsides. Furthermore, the three dwelling units will be located on the previously graded and disturbed portion of the site on which the previous single-family residence was located. The proposed development is, therefore, sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The project is not located within the MSCP Subarea Plan boundary and is, therefore, consistent with the MSCP Subarea Plan.
5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The project is located several miles from any public beach and will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The project is exempt from the California Environmental Quality Act (CEQA) Section 15303 (b) and (e) (New Construction or Conversion of Small Structures), therefore no mitigation is required or necessary. The project will be sited on the previously graded and disturbed portion of the site thereby avoiding any encroachments onto the steep hillsides located on the site. Additionally, permit conditions have been added to ensure sound attenuation to 45 decibels, brush management and an appropriate planting plan for development adjacent to open space. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

Mid-City Communities Development Permit Findings SDMC 1512.0204(a).

1. Conformance with Community Plan and Design Manuals. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.), Sears Site Development Program (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Greater North Park Community Plan, the Uptown Community Plan or the General Plan of the City of San Diego. The project proposes the construction of three dwelling units in two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is located in the Park West neighborhood of the Uptown Community Plan area and within the Mid-City Communities Planned District.

The Park West neighborhood of the Uptown Community Plan area designates the site for Residential Use and authorizes a maximum density of 29 to 44 dwelling units per acre. The project proposes to construct three dwelling units on an 8,530 square foot lot resulting in a density of 15.3 dwelling units per acre. The property had been the site of two story residential structure since 1910. This structure was demolished in 2011 as part of the previous discretionary action, which is now expired, to build a new single family structure. The Uptown Community Plan...
recommends that development maintain the historical scale and character on First Avenue south of Maple Canyon. The historical scale and character of this area consists of single-family residences and multiple dwelling units. The proposed project incorporates both a duplex and a single family residence. The project is otherwise consistent with the recommended land use and density, and maintains the historical scale of the neighborhood. For these reasons, the project will not adversely affect the Uptown Community Plan or General Plan.

2. Compatibility with surrounding development. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable. The project proposes the construction of three dwelling units in two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is located in the Park West neighborhood of the Uptown Community Plan area, which designates the site for Residential Use and authorizes a maximum density of 29 to 44 dwelling units per acre. The project proposes to construct three dwelling units on an 8,530 square foot lot resulting in a density of 15.3 dwelling units per acre. Since 1910, the property had been the site of a two story residential structure. The original structure was demolished in 2011 as part of a previous discretionary approval to build a new single family structure which was never completed and is now expired. The Uptown Community Plan recommends that development maintain the historical scale and character on First Avenue south of Maple Canyon. The historical scale and character of this area consists of single-family residences and multiple dwelling units. The proposed project incorporates both a duplex and a single family residence. The project is consistent with the recommended land use and density, and maintains the historical scale of the neighborhood. For these reasons, the project will not adversely affect the applicable land use plan.

3. No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity. The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. Development of the vacant site is consistent with the Uptown Community Plan’s residential land use recommendation and complies with the development regulations of the underlying zone. The project was determined to be exempt from the California Environmental Quality Act (CEQA). The project has been designed and sited to avoid steep hillsides and to minimize land form alteration. The project will be designed, reviewed, permitted, constructed and inspected pursuant to the California Building Code. The project will, therefore, not be detrimental to the public health, safety, and welfare.
4. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities. The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is adjacent to Olive Park located across the street. This location is not within the park-deficient neighborhoods shown on Map Number B-4104 and therefore is not required to provide 750 square feet of on-site usable recreational open space.

5. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site. The project site is located at 2730-2732 First Avenue and there is a city street light north of the property and within 150 feet. Therefore, there is adequate neighborhood-serving lighting consistent with the Municipal Code.

6. The proposed use will comply with the relevant regulations in the San Diego Municipal Code. The project proposes the construction of two detached buildings, one containing duplex residences and one a single residence, with detached garages and carport on a vacant .20 acre site at 2730-2732 First Avenue. The site is zoned MR-1000 which supports residential uses. This is a residential project which complies with the relevant regulations contained in the San Diego Municipal Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 1307272 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. 1307272, a copy of which is attached hereto and made a part hereof.

Helene Deisher
Development Project Manager
Development Services

Adopted on: February 11, 2015

Internal Order No. 24004477
This Site Development Permit No. 1307272 is granted by the Hearing Officer of the City of San Diego to Pigeon Point LLC, a Washington Limited Liability Company and Arroyo Park Properties LLC, a California Limited Liability Company Owner and Permittees, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The vacant 0.20-acre site is located at 2730-2732 First Avenue in the MR-1000 Zone zone(s) of the Mid-City Planned District and the Uptown Community Plan area. The project site is legally described as: Lot L and the North 35 feet of Lot H in Block 311 of Horton's Addition.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct three dwelling units (one duplex and one single family residence) with detached garages and carports described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 11, 2015 on file in the Development Services Department.

The project shall include:

a. Construct one duplex approximately 5,167 square feet, one single family residence approximately 4,590 square feet with a basement. Both buildings also providing garages, carports roof deck and elevator;

b. Deviations:
   1. Utilize the zero side yard option on the north property line to allow part of the first floor habitable area (22' 10'') to be on the property line.

   2. A 16.6% deviation to the side setback on the north side to have a 5-foot setback for the exterior stairs at the 3rd floor where a 6-foot side setback is required at the 3rd floor.
3. A 44.44% deviation to the side setback on the north side to have a 5-foot setback for exterior stairs at the 4th floor and a 19.9% deviation to the side setback to have a 7-foot 2.5-inch setback for the building wall at the 4th floor where a 9-foot side setback is required at the 4th floor.

4. Utilize the zero side yard option on the south property line to have part of the first and second floor habitable area 3.5 inches from the south property line (a single point).

5. A 19.4% deviation to the side setback on the south side to have a 4-foot, 10-inch setback for the 3rd floor where the 3rd floor is required to have a 6-foot side setback.

6. A 19.9% deviation to the side setback on the south side to have a 7-foot 2.5-inch setback for the building wall at the 4th floor where a 9-foot side setback is required at the 4th floor.

7. A 20% deviation the height limit by having a height of 48 feet where the building is not above enclosed parking where a maximum height of 40 feet is allowed for the portions of the building that are not above enclosed parking.

8. A 17.3% deviation to the allowed Floor Area Ratio (F.A.R.) to allow a total of 8,682 square feet of gross floor area where a maximum of 7,400 square feet is allowed (6,375 square feet, plus 1,025 square feet of enclosed parking).

c. Landscaping and brush management (planting, irrigation and landscape related improvements);

d. Off-street parking; and

e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer’s requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by February 26, 2018.
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.

AIRPORT REQUIREMENTS:

11. The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies all uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residences must be sound attenuated to 45 dB CNEL interior noise level.

12. The proposed project is located within the over-flight notification area. The ALUCP requires recordation of an over-flight notification with the County Recorder for new residential land uses or other alternative notification method as approved by the ALUC. Therefore, as a condition of project approval, an over-flight notification shall be recorded with the County Recorder or other alternative notification method as approved by the ALUC.
ENGINEERING REQUIREMENTS:

13. The project proposes to export 142 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.

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 the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized driveway with current City Standard curb and gutter, adjacent to the site on First Avenue, satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 20 foot wide concrete driveway, adjacent to the site on First Avenue, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on First Avenue, satisfactory to the City Engineer.

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

20. 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.

21. 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.

22. Prior to the issuance of any building permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the Right-of-Way due to the design of the existing First Avenue Right-of-Way.
GEOLOGY

23. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

24. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

LANDSCAPE/BRUSH MANAGEMENT

25. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards, Storm Water Standards Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

26. 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 show, label, and dimension a 40 square foot 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.

27. Prior to issuance of any construction permits for structures, 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 square foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

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 Final Inspection.

31. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A' Brush Management Plan on file in the Office of the Development Services Department.

32. A modified Zone One ranging from 29-feet to 32-feet shall extend from the southeast corner of Building M and northeast corner of Building C to the outer edge of the Flow-through Planter at top of slope, with a balance of Zone Two ranging from 15-feet to 30-feet extending down slope to the rear property line. To compensate for the lack of full defensible space, alternative compliance measures shall include opening protection upgraded to dual-glazed, dual-tempered panes along north, west, and south faces of the structures flanking the Brush Management zones as shown on exhibit A.

33. Prior to issuance of any Engineering Permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zone on the property in substantial conformance with Exhibit 'A.'

34. Prior to issuance of any Building Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.

35. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible, one-hour fire-rated, and/or heavy timber accessory structures may be approved within the designated Zone One area subject to Fire Marshal’s approval.

36. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego’s Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

39. Prior to the issuance of construction permits, the fence/wall proposed within the street yard area will be redesigned so that portions of the fence/wall above 3 feet in height will be open enough so that the minimum amount of required street yard area (1,700 square feet) will be clearly visible from the street.
37. Prior to the issuance of construction permits, the construction documents will show that all windows in the project will be recessed at least 2 inches.

38. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under-construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

39. 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.

TRANSPORTATION REQUIREMENTS

40. No fewer than 5 parking spaces (8 spaces proposed) shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

41. Prior to the issuance of any building permits, the Owner/Permittee shall sign and provide to the City a letter acknowledging their obligation and intent to create, via CC&Rs on each Unit's title, provisions for the continuous future operation and maintenance of the development's private sewer main in a manner satisfactory to the Public Utilities Director and the City Engineer.

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 February 11, 2015, by Resolution Number XXX.
ATTACHMENT 6

Site Development Permit Approval No.:1307272
Date of Approval: February 11, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Helene Deisher
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.

Arroyo Park Properties LLC
Owner/Permittee

By
NAME: Michael A. Casteel
TITLE: Manager

Pigeon Point LLC
Owner/Permittee

By
NAME: Roy McMakin
TITLE: Manager

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

TO: Recorder/County Clerk
FROM: City of San Diego

Recipient:
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814.

Project No.: 360706
Project Title: McMakin/Casteel SDP

Project Location-Specific: 2730-2732 First Avenue, San Diego, California 92103
Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project:
SITE DEVELOPMENT PERMIT(SDP) FOR ENVIRONMENTALLY SENSITIVE LANDS (ESL) AND FOR DEVIATIONS TO THE DEVELOPMENT REGULATIONS OF THE MID-CITY COMMUNITIES PLANNED DISTRICT ORDINANCE to allow construction of three dwelling units in two buildings, 1 duplex and 1 single-family residence each with a carport and a detached garage on a vacant, 0.20-acre site. One residential building would be approximately 4,590 square-feet with 1 unit; while the other building is an approximately 5,167 square-feet duplex.

Name of Public Agency Approving Project: City of San Diego
Name of Person or Agency Carrying Out Project: Roy McMakin (Applicant), 415 West Nutmeg Street, San Diego, CA, 92103, (206) 409-7747

Exempt Status:
( ) 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: CEQA Exemption 15303(b) and (e)-(New Construction or Conversion of Small Structures)

( ) Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303(b) which allows for the construction of a duplex or similar multi-family residential structure, totaling no more than four dwelling units, and (e) the construction of accessory (appurtenant) structures including garages and carports. The exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally
Telephone: (619) 446-5468

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

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

Signature/Title

Date:
January 12, 2015

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

Date Received for Filing with County Clerk or OPR:

Revised 010410mja
THE CITY OF SAN DIEGO

Date of Notice: January 12, 2015

NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
SAP No. 24004477

PROJECT NAME/NUMBER: McMakin/Casteel SDP/360706
COMMUNITY PLAN AREA: Uptown Community Plan
COUNCIL DISTRICT: 3
LOCATION: 2730-2732 First Avenue, San Diego, California 92103

PROJECT DESCRIPTION: SITE DEVELOPMENT PERMIT(SDP) FOR ENVIRONMENTALLY SENSITIVE LANDS (ESL) AND FOR DEVIATIONS TO THE DEVELOPMENT REGULATIONS OF THE MID-CITY COMMUNITIES PLANNED DISTRICT ORDINANCE to allow construction of three dwelling units in two buildings, 1 duplex and 1 single-family residence each with a carport and a detached garage on a vacant, 0.20-acre site. One residential building would be approximately 4,590 square-feet with 1 unit; while the other building is an approximately 5,167 square-feet duplex.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: CEQA Exemption 15303 (b) and (e)-(New Construction or Conversion of Small Structures)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303(b) which allows for the construction of a duplex or similar multi-family residential structure, totaling no more than four dwelling units, and (e) the construction of accessory (appurtenant) structures including garages and carports. The exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Helene Deisher
MAILING ADDRESS: 1222 First Avenue, MS 301
San Diego, CA 92101
PHONE NUMBER: (619) 446-5223
On January 12, 2015, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (January 26, 2015). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
Meeting called to order by at 6:00 p.m. by Chair Leo Wilson


Absent: Chris Ward, Joe Naskar, Jim Mellos

Approximately 70 individuals in attendance:

Adoption of Agenda

Chair Wilson indicated San Diego Pride had inadvertently not obtained a letter of support from Uptown Planners for the 40th Annual Pride Event to be held July 18-20, 2014, Wilson requested that the letter of support be added to the agenda as an action item. It would take a 2/3 vote to add the letter of support as an urgency item. Ferrier made a motion to add the 40th Annual Pride Event letter of support to the agenda, seconded by Winney – motion passed by a 14-0-1 vote, with non-voting chair abstaining.

Motion by Butler, seconded by Ferrier, to move Action Items VI, nos. 4 and 5: Letter of Support for the Nightmare on Normal Street, and Letter of Support for the 25th Annual AIDS Walk, as well as the Letter of Support for 40th Annual Pride, to the Consent Agenda. The motion passed by a 13-0-1 vote, with non-voting chair abstaining.

Motion to approve the July 1, 2014 agenda, as amended, made by Bonn, seconded by Daniel; approved by a 13-0-1 vote; with non-voting chair abstaining.

Approval of Minutes:

Motion to approve the April 8, 2014 minutes by Ferrier, seconded by Daniel, approved by a 12-0-1 vote; non-voting Chair Wilson abstaining;

Treasurer’s Report:

Treasurer Fox reported that the bank account had a total of $265.05. Tony Winney provided the Treasurer an invoice for the website of $119.40.
Chair's Report:

Chair Wilson announced that board member Joe Naskar had submitted his resignation; Naskar was moving out-of-state. Chair stated the vacancy would be formally noticed on the August agenda, and the vacant seat filled at the September board meeting.

Chair recommended that the Uptown Planners Design Review Subcommittee again meet on a regular basis, since there was likely going to be an increase in projects coming before Uptown Planners.

Non Agenda Public Comment

Walt Chambers, from Hillcrest, spoke regarding mobility issues in Uptown, and the need to encourage alternative transportation to address climate change. Chambers distributed a hand-out entitled Uptown21C that addressed transportation issues.

Susan McNeil Schreyer, the new director of the Mission Hills BID, introduced herself.

Ken Tablang spoke about a special event Independence Day event sponsored by the Mission Hills Town Council was putting on July 4, 2014, that would involve both a parade and paella.

Luke Terpstra, President of the Hillcrest Town Council, spoke about that organization's next meeting on July 8, 2013; at which representatives from San Diego Pride would in attendance.

Emrie Bonn, from the University Height Community Development Corporation, provided an update that organization's summer concert series in the Trolley Barn Park.

Representatives of Elected Officials:

Jessica Poole, representing Congressman Susan Davis, passed distributed her office’s monthly news letter; and spoke about the town hall meetings that Susan Davis would be attending.

Adriana Martinez spoke regarding the legislative activities of Council President Todd Gloria, including his proposal to raise the minimum wage; Gloria was now supporting a compromise proposal to raise the minimum wage less than he had originally suggested.

Consent Agenda:

Motion by Ferrier, seconded by Bonner, to approve the consent agenda consisting of the following three letters of support; the motion passed by a vote of 13-0-1, non-voting chair abstaining.

1. LETTER OF SUPPORT FOR NIGHTMARE ON NORMAL STREET – Hillcrest – The event will take place on October 25, 2014, at the corner of Normal Street and University Avenue.

2. LETTER OF SUPPORT FOR AIDS WALK – Hillcrest – The 25th Annual AIDS Walk will be held at a new location on Normal Street, between University Avenue and Lincoln Street on September 27, 2014.

3. LETTER OF SUPPORT FOR 40TH ANNUAL PRIDE EVENT – Hillcrest/Balboa Park – The event will take place from July 18, 1014 to July 20, 2014.
Informational Items:

1. **AIRPORT DEVELOPMENT LANDS USE PLAN OVERVIEW** — Presentation by Keith Wilschetz of the San Diego Regional Airport Authority; the Airport Development Plan (ADP) is the next master planning phase for the San Diego International Airport. The ADP is designed to identify improvements that will enable the airport to meet demand through 2035, which is approximately when projected passenger activity levels will reach capacity for the airport's single runway. An additional runway is not being considered.

Keith Wilschetz spoke on behalf of the San Diego Regional Airport Authority, and presented a PowerPoint presentation. He indicated the airport was in the process of preparing its next airport master plan, which would last until the year 2035. At that point, the one runway of the airport would be at capacity; there would be no way for the airport to accommodate further demand. The existing airport is only 661 acres; the average airport is 3,000 acres.

Among other improvements, Terminal One would be replaced, and more close-in parking would be built. Southwest Airlines, which accounts for 40% of the passengers at the airport, would have a new facility. There were plans to decrease Harbor Island traffic, and have a separate access road from the east side of the airport to the west side, relieving traffic congestion. Among users of the new road would be shuttles serving the rental car agencies on the east side of the airport. The expansion would allow for more passenger gates at the terminals, and more jet parking.

During public comment, Renee Bonner inquired how much traffic would be diverted off Harbor Drive by the proposed plan; it was indicated that the shuttle would likely be used by 20% of the airport users. Roy Dahl and Rich Gorin spoke of the impact of the project upon Hillcrest.

After public comment, board members commented, inquiring, among other things, if an underground tunnel between the west and east side of the airport was feasible (it was not because of the high water table); and whether they had considered an overhead tramway or solar roads.

2. **NEW MISSION HILLS/ HILLCREST LIBRARY** — Mission Hills/ Hillcrest — Presentation about the design of the new Mission Hills/ Hillcrest Library; Mosher Drew Architects; the new library will be a single-story, 15,000 sq. ft. building on top of two levels of underground parking that will contain approximately 85 parking spaces. The building will be LEEDS Silver certified. A $10 million dollar private donation helped fund the project.

Anthony Bernal, from the City Council President’s Office, made the presentation of the project. Also present was Charles Goldberg, from city capital projects; and Bruce Johnson, from city library staff. Bernal indicated two large donors had come forward, and it was considered important to move the project forward in an expedited manner.

Eric Soldau spoke on behalf of the architect for the project, Mosher Drew. The donors have requested the project be designed to fit in with the existing community character of Mission Hills. The design incorporated traditional materials, and is in a craftsman style. Comments on the design had been obtained from Friends of the Library, Mission Hills Town Council, Mission Hills Heritage, and Hillcrest Town Council.

The library would be two stories; and about 15,000 square feet in size. Entry would be from Front Street to avoid the noise on Washington Avenue. There would be transparency along Washington Avenue and Front Street to increase lighting.

There would be 85 parking spaces in an underground parking garage. The landscaping would be drought resistant. The RFP process for the project will begin in approximately April 2015.
During public comment, Barry Hager, of Mission Hills Heritage, spoke in favor of the project. Walt Chambers, Hillcrest resident, felt a craftsman design was out of place on Washington Street. Emily Yeazell, Peggy H. from Mission Hills, Rich Gorin and Patricia Lundberg from Hillcrest; and Ben Baltic from Bankers Hill spoke in favor of the project. Baltic inquired if there would be bicycle facilities; Gorin inquired about access to the library from Hillcrest to the south. Sharon Gehl felt there should also be a garden on the site, and thought the library might be too small.

Board comments were favorable to the project; in particular supporting the addition of more parking in the area the library will be located.

3. UNIVERSITY AVENUE REGENTS CENTER (“HUB — HILLCREST UPTOWN PLAZA”)  
- Hillcrest — Presentation by Greg Sadowsky, VP Regency Centers, regarding the revitalization plan for the Uptown District Shopping Center, originally built in 1989; which will include custom murals, sculptural art and new landscaping, as well as colorful way-faring signs and additional outdoor space.

Greg Sadowsky made the presentation on behalf of the applicant. The architect who originally did the new design for the project was Graham Downes, who died in 2013. The current project design has retained the concept plan Downes developed. The project will have Leed lighting and there will be signage changes. The project will incorporate art, and create a more open feel and greater connectivity with the surrounding street. The name will be changed to HUD; and there will be new restaurants and possible nightspots.

During public comment Mat Wahlstrom commented on the jaywalking that regularly takes place on University Avenue between 10th Street and Vermont; Jim Frost inquired whether a crosswalk could be placed mid-block on University Avenue. Roy Dahl pointed out that the current Uptown Center turned its back on University Avenue, and need to have more of a street-oriented focus.

The board comments were generally favorable; issues were raised regarding the proposed planters and the entryways.

4. 2850 SIXTH AVENUE (“SIXTH AVENUE MEDICAL CENTER”) DEVELOPMENT PROJECT: — Substantial Conformance Review — Bankers Hill/Park West — Presentation by Jim McMenamin, of Zephyr Partners, about modifications to a previously entitled 75-unit residential project that will be built at the current site of the Sixth Avenue Medical Center, located at 2850 Sixth Avenue; the project consists of a 13-story residential tower along Fifth Avenue with commercial and retail space, and three stories of townhomes and residential flats along Sixth Avenue; above three levels of underground parking.

Jim McMenamin made the presentation on behalf of Zephyr Partners. A project had been approved at the site in 2006, which was never built. Zephyr Partners has purchased the site and will build under the existing plans, with some modifications which will be subject to the substantial conformance review process. The project is 13-stories tall, and approximately 150-feet in height. There will be 84 condominiums in the east tower of the project which will border Fifth Avenue; low rise townhomes will be on the Sixth Avenue side of the project. The condos will be at a high end price range.

The proposed modifications to the project include reducing the unit count to 64 from 75; and reducing the size of the project to 147,000 sq. ft. There will be an active street scene, including 4,300 sq. ft. of retail — although the applicant indicated some hesitancy about restaurant use.

During public comment, Ed Samiljan, a Bankers Hill resident indicated a concern over the 150-foot height of the building. John Lamb inquired on height compared with the previously approved project (they are about the same), and Ben Baltic questioned if the tower would create a shadow over Balboa Park — the applicant pointed out the tower was on the Fifth Avenue side of the project, and there would not be any shadowing. Jeff Gilbert and Alex B. also commented on the project; several public comments suggested...
a restaurant be included in the retail; Matt Wahlstrom suggested preference be given to local businesses for the retail.

Potential Action Item: Planning and Special Events:

1. **2604 FIFTH AVENUE SDP & VESTING TENTATIVE MAP ("THE REGENT ON 5^{th}")** - Process Four - Bankers Hill/Park West -- Site Development Permit & Vesting Tentative Map to consolidate lots, demolish an existing restaurant, & construct 37 residential condominium units in a 124,255 sq. ft. residential bldg., with deviations to sight angle & street wall setbacks at 2604 Fifth Avenue & no development at 406 Maple Street. The 0.69 acre site is in the CV-1 & NP-1 zones.

   Bruce Leidenberger made the presentation on behalf of the applicant. The project was continued from the May 6, 2014 meeting of Uptown Planners, after concerns were raised regarding the project's parking being above ground, and no retail being located on the ground floor.

   Leidenberger indicated he the project design had been revised to place parking underground, and to include retail on the corner of the ground floor. The building height had been reduce two floors, so the north side that had been at 124-feet in height, was now 113 feet in height; and the south side that had been 104-feet in height, was reduce to 97-feet. Although the height would be reduced, the residential unit count increased from 37 to 41, with an additional residential floor. Additional setbacks had also been added; to help break up the massing. Leidenberger did respond to criticism of the survivability of a "living wall" which had been expressed at the May meeting, and pointed out there was a very successful living wall at Fashion Valley Mall in Mission Valley.

   Public comment was made by Jim Frost, who had made the power point presentation in opposition to the original project in May Frost indicated he had meet with Leidenberger, and he had reviewed the revised project and was now in support of the project. Frost submitted correspondence in support of the project prior to the meeting, which had been distributed to the board. Frost spoke highly of the collaborative effort to resolve the issues the community had with the applicant.

   Bruce Dammann and John Percy, Bankers Hill residents, also spoke in favor of the revised project; and supported Frost's comments. Roy McMakin spoke in favor of the revised project, and in particular about the addition of retail.

   Board comments were all favorable to the revised project. Motion by Ferrier, seconded by Grinchuk, to approve the revised project as presented at the July 1, 2014 meeting; motion passed 13-0-1, with non-voting chair abstaining.

2. **2730-2732 FIRST AVENUE ("MCMAKIN/CASTELL NDP AMENDMENT")** - Process Three - Bankers Hill/Park West -- Application for a Site Development Permit (for ESL and deviations per a Mid-City Development Permit) to construct three dwelling units (duplex and single family residence) with detached garages and carports on a vacant 0.20 acre site. One residential building is approximately 3,515 sq. ft. with one unit; while the other is an approximately 5,167 sq. ft. duplex. MR-1000 Zone, Brush Management, Very High Fire Hazard Severity Zone, Outdoor Lighting Zone, Resident Tandem Parking Overlay, AAOZ, Part 77.

   Roy McMakin, who is the co-applicant along with Mike Jacobs, made the presentation.

   The project site formerly had a single family house on it that was built in 1910 it had been previously removed from the site. A new single family home project had been presented to Uptown Planners in April 2010 with the name "Rhude Residence." It had not been built.
Project site contains sensitive lands, and is in a high fire propensity zone.

McMakin explained the project deviations, and other issues contained in the assessment letters. There was disagreement with staff as to whether the outdoor covered parking proposed in the project would be considered enclosed parking. The project also was in an area adjacent to canyons with flammable brush, which required other forms of fire protection. The zoning for the site called for a higher unit count; however, the amount of units was limited by the sensitive lands and it being located in a high fire propensity zone.

Public comment in support of the project was made by Walt Chambers and Jeannie Rawlings, who liked the unique design.

The majority of board members expressed support for the project; however, Bonner objected to the setbacks and indicated it was "the wrong project for the site." Butler did not like the brick feature of the walls.

Motion by Winter, seconded by Pesqueira, to approve the project as presented; Motion passed by a vote of 9-4-1; Winter, Pesqueira, Grinchuk, Daniel, Winney, Tablang, Ferrier, Fox, Mullaney, Jaworski voting in favor; Bonner, Bonn, Butler, Winney voting against; non-voting chair Wilson abstaining.

3. **4235 THIRD AVENUE TENTATIVE MAP – Process Four – Hillcrest – Tentative Map to convert six existing two-bedroom residential units into condominiums on a 0.206 acre lot; MR-800B Zone.**

Nancy Cole, engineer for the project, spoke on behalf of the applicant. The project already has been permitted and the applicant is presenting the tentative map which divides the project into separate condominium units pursuant to state law, with the potential for each to have independent ownership. Uptown Planners review is limited to ensuring that the tentative map is in compliance with state and municipal law.

The applicant was informed by the Chair that a standard condition attached to all condominium projects in Uptown by the board includes the requirement of undergrounding of utilities. There was no public comment.

Motion by Fox, seconded by Grinchuk, to approve the 4235 Third Avenue Tentative Map as presented, subject to the standard Uptown Planners conditions regarding condominium conversions; motion passed by a 13-0-1 vote, with non-voting chair abstaining.

**Community/Board Reports:**

Stephen Whitburn, the Director of San Diego Pride, spoke briefly, and thanked the board for voting to approve the belated letter of support for the July Pride event.

**Adjournment:**

Motion to adjourn approved at approximately 9:00 p.m.

Respectfully submitted,

Leo Wilson
Acting Secretary
# Ownership Disclosure Statement

**Approval Type:** Check appropriate box for type of approval(s) requested:

- [ ] Neighborhood Use Permit
- [ ] Coastal Development Permit
- [X] Neighborhood Development Permit
- [ ] Site Development Permit
- [ ] Planned Development Permit
- [ ] Conditional Use Permit
- [ ] Variance
- [ ] Tentative Map
- [ ] Vesting Tentative Map
- [ ] Map Walker
- [ ] Land Use Plan Amendment
- [ ] Other

**Project Title:**

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<tr>
<th>Name of Individual (type or print):</th>
<th>Name of Individual (type or print):</th>
</tr>
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<tbody>
<tr>
<td>[ ] Owner</td>
<td>[ ] Owner</td>
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<tr>
<td>[ ] Tenant/Lessee</td>
<td>[ ] Tenant/Lessee</td>
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<tr>
<td>[ ] Redevelopment Agency</td>
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**Project Address:**

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<tbody>
<tr>
<td>2730/2732 FIRST AVE, SAN DIEGO, CA</td>
<td>3607 DOL</td>
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**Project No. For City Use Only:**

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<th>City/State/Zip:</th>
<th>City/State/Zip:</th>
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<tbody>
<tr>
<td>SAN DIEGO, CA 92103</td>
<td>3607 DOL</td>
</tr>
</tbody>
</table>

**Part I - To be completed when property is held by individuals**

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

**Additional pages attached:**

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**Phone No.:**

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<th>Signature :</th>
<th>Date:</th>
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<tr>
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**Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.**

Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (5-00)
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<tr>
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<td>Phone No:</td>
<td>206.528.4862</td>
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<td>Fax No:</td>
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<tr>
<td>Name of Corporate Officer/Partner (type or print):</td>
<td>Michael A. Castell</td>
</tr>
<tr>
<td>Title (type or print):</td>
<td>Manager</td>
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<tr>
<td>City/State/Zip:</td>
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<tr>
<td>Phone No:</td>
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<tr>
<td>Fax No:</td>
<td>206.323.9993</td>
</tr>
<tr>
<td>Name of Corporate Officer/Partner (type or print):</td>
<td>Ryan McMain</td>
</tr>
<tr>
<td>Title (type or print):</td>
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FIRE ACCESS PLAN NOTES

1. BUILDING ADDRESSES MUST BE VISIBLE AND LEGIBLE FROM THE STREET PER FIRE POLICY

2. "AN APPROVED VEHICLE STROBE DETECTOR SYSTEM, WITH KEY SWITCH OVERRIDE, SATISFACTORY TO THE FIRE MARSHAL, SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT."

3. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELLS ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE STRUCTURE.

4. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION SHALL BE INSTALLED AND MADE SERVICABLE PRIOR TO AND DURING TIME OF CONSTRUCTION. CPFD CH 14

5. PROVIDE FIRE ACCESS ROADWAYS IN ACCORDANCE WITH FIRE POLICY 10-1

6. PAVER AREA M (DRIVESWAY TO WERTANACK) WOULD BE FOR FIRE DEPT ACCESS

7. WHERE SECURITY GATES ARE INSTALLED, THEY MUST HAVE AN APPROVED MEANS OF EMERGENCY OPERATION. THE SECURITY GATES AND EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PRESENT, SHALL BE LINED IN ACCORDANCE WITH UL 325. GATES INSTALLED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200.

EAST ELEVATION

SOUTH ELEVATION - BLDG M

INTERIOR SPACE

FIRE TRUCK ACCESS AREA

25'-10" WIDE, SEATING 24'-10" FROM EAST FACE OF NORTH BUILDING TO STREET

DEVELOPMENT PERMIT SET

Sheet No: A0.5

1ST AVE RESIDENCES
2700-32 1ST AVE.
SAN DIEGO, CA 92103

Designer: Domestic Architecture

112424/14 PERMIT RE- SUBMISSION 5
102/14 PERMIT RE- SUBMISSION 4
9/14 PERMIT RE- SUBMISSION 3
4/2014 PERMIT RE- SUBMISSION 2
1/8/14 PERMIT RE- SUBMISSION 1
3/2014 DEV- PERMIT 1
2/21/12 PERMIT SET
### Site Plan Key

- **Building Volume & Space**
  - Office Pavilion
  - Concrete Plan
  - Concrete Pavement
  - Landscaped Area
  - Visibility Area
  - Parking Space

- **Parking**
  - Required Car Spaces
  - Required Motorcycle Spaces
  - Total Required Car Spaces
  - Total Required Motorcycle Spaces
  - Total Required Bicycles Spaces

### Project Data

**Building**:
- **Type**:
  - 2-Bedroom Unit
  - 2-Bedroom Unit
- **Stories**:
  - 2-Story Unit
  - 2-Story Unit
- **Square Footage**:
  - 1,390 sq. ft.
- **Paving**:
  - Brick Pavers
  - Site Paving

**Parking**:
- **Carport**
- **One Carport**
- **Two Carports**
- **Total Carports**
- **Total Spaces**

**Architectural Features**:
- **Exterior**:
  - Roofing
  - Siding
  - Windows
  - Doors

**Construction**:
- **Materials**:
  - Stucco
  - Wood
  - Brick
- **Access**:
  - Public Right-Of-Way
  - Street Access

**Permits**:
- **Building Permit**
- **Land Use Permit**
- **Construction Permit**

**Dates**:
- **Building Permit**
  - 7/14
- **Construction Permit**
  - 9/15
- **Land Use Permit**
  - 10/16
1ST AVE RESIDENCES
2735 1ST AVE
SAN DIEGO, CA 92103

Designer:
Domestic Architecture
1422 34th Avenue
Seattle, WA 98122
101 206.323-0111
fax 206.323-6993

ISSUES

Date
Description
REV# 1
2/22/14
SDG
2
3/11/14
PE/CM RES SUBM#1

SUBMITAL
PERMIT
RE-
SUBMITAL
PERMIT
RE-

SUBMITAL
PERMIT
SET

DEVELOPMENT
PERMIT SET

Project Start Date: 2012
Date Drawn: 11/30/14
Drawn By: 28/30

“A BUILDING M

EXTERIOR
ELEVATIONS

Sheet No. A3.1