



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** March 17, 2011 **REPORT NO. PC-11-032**

**ATTENTION:** Planning Commission, Agenda of March 24, 2011

**SUBJECT:** FLEISHER RESIDENCE - PROJECT NO. 218795  
PROCESS TWO

**OWNER:** Mark R. Fleisher and Bruce R. Fleisher, Trustees of the Fleisher Family Trust (Attachment 12)

**APPLICANT:** Michael E. Turk, Permittee

### SUMMARY

**Issue(s):** Should the Planning Commission approve or deny an appeal of the staff decision to approve the construction of a three story, 2,226 square foot single family residence on a vacant lot at 1056 Chalcedony Street in the Pacific Beach Community Planning Area?

**Staff Recommendation:** Deny the appeal and uphold the staff decision to Approve Coastal Development Permit No. 779217.

**Community Planning Group Recommendation:** The Pacific Beach Planning Board voted to recommend denial of the project on October 27, 2010, by a vote of 11-0-0 with recommendations (Attachment 11).

**Environmental Review:** This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 1, 2010, and the opportunity to appeal that determination ended October 22, 2010 (Attachment 8).

**Fiscal Impact Statement:** None. All staff costs associated with the processing of this project are paid from a deposit account maintained by the owner.

**Code Enforcement Impact:** There are no zoning or building code violations on the property.

**Housing Impact Statement:** The Pacific Beach Community Plan designates the 0.07 acre site as low-medium residential density at 9 to 15 dwelling units per acre. Based on this land use designation the project could accommodate 1 dwelling unit. The proposed project would result in construction of 1 single-family dwelling unit on a vacant lot. The proposed project is not subject to the Affordable Housing requirements of the City's Inclusionary Housing Ordinance. The project qualified for the Affordable-In-Fill Housing and Sustainable Building Expedite Program because it will provide 50% or more of its projected total electrical energy consumption by utilizing a photovoltaic renewable energy system. Therefore, the project meets the "sustainable buildings" definition as established by Council Policy 900-14.

## **BACKGROUND**

The 0.07 acre project site is located at 1056 Chalcedony Street in the Pacific Beach Community (Attachments 1 and 2). The property is located in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Attachment 3).

The rectangular shaped flat lot is vacant and was previously utilized as a landscaped open yard for the residence on the lot to the west. The southern property boundary fronts on Chalcedony Street, and the northern property boundary fronts on an unnamed 20 foot wide alley. Residential properties are adjacent to the western and eastern property boundaries. The adjacent land uses are residential. Site elevations range from approximately 74 feet at the southern property boundary to approximately 76 feet Mean Sea Level at the northern property boundary. The project is located above the 100-year floodplain, is not located within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA), and is not located in or adjacent to any Environmentally Sensitive Lands. The property is located approximately a half mile from the waters of the Pacific Ocean. No public views are impacted by the development. The proposed development will take place entirely within private property and will not encroach onto or impact any existing or proposed physical public access ways.

## **DISCUSSION**

### **Project Description:**

The proposed development is located in the non-appealable Coastal Overlay Zone requiring a Coastal Development Permit. The project proposes construction of a new sustainable three story 2,226 square foot single family residence on a vacant lot (Attachments 5 and 9). Construction includes a detached 400 square foot two car carport, a 66 square foot second story balcony, and a 338 square foot third story roof deck. The carport and decks total 804 square feet and are not included as gross floor area. Solar panels will be located on the roof of the residence. The three story residential building will be a maximum height of 29 feet 9 inches, and the carport 12 feet 1 inch in height. The buildings will be under the maximum 30 foot Coastal Height Limit allowed by the zone.

The zone designates the property as multi-family residential RM-1-1. The purpose of the RM zones is to provide for multiple dwelling unit development at varying densities. The RM zones individually accommodate developments with similar densities and characteristics. Each of the RM zones is intended to establish development criteria that consolidates common development regulations, accommodates specific dwelling types, and responds to locational issues regarding adjacent land uses. The RM-1-1 zone allows a maximum permitted density of 1 dwelling unit for each 3,000 square feet of lot area. The lot is a 3,125 square foot site allowing 1 unit. The lot width and frontage are 25 feet. However, the minimum required lot size is 6,000 square feet, with a 50 foot wide lot and frontage. Though the project does not meet these criteria, the lot is a legal lot as defined by SDMC 113.0237(a). The SDMC states that any lot or parcel that does not comply with the minimum lot area or required lot dimensions may nevertheless be used in compliance with the applicable zone if the lot is a legal lot as determined by Section 113.0237(a). The required lot depth is 90 feet and the lot depth exceeds this amount at a depth of 125 feet.

The project does not exceed the gross floor area allowed by the zone. The zone allows a maximum Floor Area Ratio (FAR) of 0.75 and the project is designed at 0.71 FAR. The maximum FAR of 0.75 times the 3,125 square foot lot area allows a 2,344 square feet FAR. The project requests 2,226 square feet FAR meeting this requirement. The FAR does not include 404 square feet of decks and 400 square feet for the carport as these areas are exempt from the FAR calculation. The project meets the required zoning yard setbacks. The front yard setbacks are 15 feet for 50% of the width of the building and 20 feet for the remaining area, along the southern frontage on Chalcedony Street. The minimum side setbacks adjacent to the western and eastern residential properties are 3 feet based on the premises that is 25 feet wide or less (SDMC 131.0443(d)(2)(B)). The rear yard abuts the alley, therefore the allowed setback is 5 feet. The project will provide 2 off-street automobile parking spaces in the carport which is accessed from the alley. The project was designed in conformance with the underlying zones and is not requesting deviations or variances to the Land Development Code (Attachments 4, 6 and 7).

### **Community Plan Analysis:**

The purpose and intent of the Pacific Beach Community Plan is to promote the development of a variety of housing types and styles to provide a greater opportunity for housing that is both affordable and accessible to everyone. The residential goals are to enhance the neighborhoods by establishing and maintaining street tree patterns and promoting general maintenance and improvement. Design standards are to be implemented to ensure properties reflect the scale and character of the established neighborhood. The implementation of the Community Plan policies and recommendations are accomplished by applying the Land Development Code regulations in effect for the site. The RM-1-1 Zone in combination with the Coastal Height Limit Overlay Zone effectively limits the bulk and scale of the building by placing a height limit, establishing staggered setbacks which create off-setting planes and building articulation.

The project is located at 1056 Chalcedony Street within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan. The Pacific Beach Community Plan designates this site for Low-Medium Density (9 to 15 dwelling units per acre). This density category is characterized by lower intensity multifamily housing, such as two-on-ones or duplexes. The project proposes 1 dwelling unit on a 0.07 acre legal lot for a density of 14 dwelling units per acre. The project is therefore consistent with the prescribed density in the community plan.

Development in the vicinity is characterized by one, two, and three story single and multi-family homes with various architectural styles. The proposed three story residence is consistent with the surrounding development. Although the project site is not located within a designated view corridor in the Community Plan, a view to the ocean exists through Chalcedony Street looking west. The project observes the required front setbacks, therefore the functional view corridor down the street is maintained. The project site is located within Community Tree District 3 in the community plan. The proposed street tree selections are consistent with the allowable trees in District 3. The Conservation Element of the City's General Plan contains Climate Change and Sustainable Development Goals and Policies which exceed the expectations of the Sustainable Building Expedite Program. The project is a "sustainable building" as established by Council Policy 900-14, therefore will provide photovoltaic panels for electrical energy located on the roof top of the buildings. The building also adds sustainable features which include energy star appliances, high efficiency lighting, natural ventilation, dual pane low-E glazing on windows, low VOC materials, engineered wood, permeable paving areas, water conserving native and pest resistant plants, rain sensor shut off devices, and a high efficiency irrigation system. The project is consistent with the Conservation Element of the General Plan.

The proposed structure is designed in a Spanish Colonial style of architecture with white stucco, dark wood accents, variegated clay roof tile and hammered iron railings. The building exterior will be stepped several times and use detailed architectural features to create a textural change and an offset appearance for the walls. Beyond physical setbacks, several decks, railings and balconies were included to soften and delineate the three levels for a stepped back appearance for the structure. The landscape plan includes native and accent planting to create a stylistically appropriate setting as well as comply with the sustainable features of the project design criteria. The project conforms to the 30 foot Coastal Height Limit requirement, and meets the required zoning yard setbacks. No public view or public access to the water would be adversely affected by the approval of this project. The project meets the intent of the guidelines for the Coastal Overlay and Coastal Height Limitation Overlay zones, and the Pacific Beach Community Plan and Local Coastal Program Land Use Plan.

### **Project Appeal Issues:**

A Process 2 decision for this project was approved by the Development Services Department (DSD) staff on December 17, 2010. An appeal of this decision was filed January 11, 2011 by the neighbors (Attachment 10). The appeal issue with a response is provided below:

#### **Issue - Bulk and Scale:**

The appeal states that the project does not conform to the community due to bulk and scale. The neighbors feel that the proposed project is an eyesore for the community with no aesthetic value to the look of the height, lacking consistency with the existing structures in the area.

*Staff Response* – Staff found the project to meet the requirements of the Community Plan and the underlying zones. Staff notes that the implementation of the Community Plan policies and recommendations are accomplished by applying the Land Development Code regulations in effect for the site. The RM-1-1 Zone in combination with the Coastal Height Limit Overlay Zone effectively limits the bulk and scale of the building by placing a height limit, requiring staggered

yard setbacks which create off-setting planes and building articulation. The proposed single family residence does not exceed the allowed density. No variance or deviations to the SDMC are being requested. The project meets the required step-backs and yard setbacks which limit construction in the setback areas. The proposed landscaping meets the landscape regulations. The project is limited to a maximum height of 30 feet by the Coastal Height Limit Overlay Zone. Neither the Community Plan nor SDMC limit a structure to two stories. Applying the RM-1-1 development regulations effectively regulates the bulk and scale of the new development per the recommendations of the Community Plan.

**Community Group:**

The Pacific Beach Planning Board voted to recommend denial of the project on October 27, 2010, by a vote of 11-0-0 with recommendations (Attachment 11). The denial was based on the Board's opinion that the carport should be included in the FAR as historically these carports have been enclosed after completion.

*Staff Response* – SDMC 113.0234(a)(6) exempts carports from the FAR calculation when they are constructed and maintained with more than two elevations of the element that are at least 75 percent completely open. The proposed carport meets this criteria, therefore is not included in the total FAR for the project. The project does not exceed the FAR allowed by the zone. Any future conversion to enclose an approved carport would become a neighborhood code compliance issue. To address the Board's concern, staff and the applicant agreed to add Permit Condition No. 17 to clarify the requirement for an open carport otherwise the project might exceed the allowable FAR for the zone (Attachment 6).

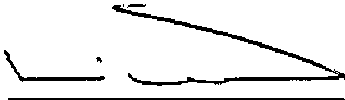
**Conclusion:**

In summary, staff recommends denying the appeal and upholding the DSD decision to approve the project as the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted Land Development Code, Pacific Beach Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan.

**ALTERNATIVE(S)**

1. **Deny** the appeal and **Approve** Coastal Development Permit No. 779217, with modifications.
2. **Approve** the appeal and **Deny** Coastal Development Permit No. 779217, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



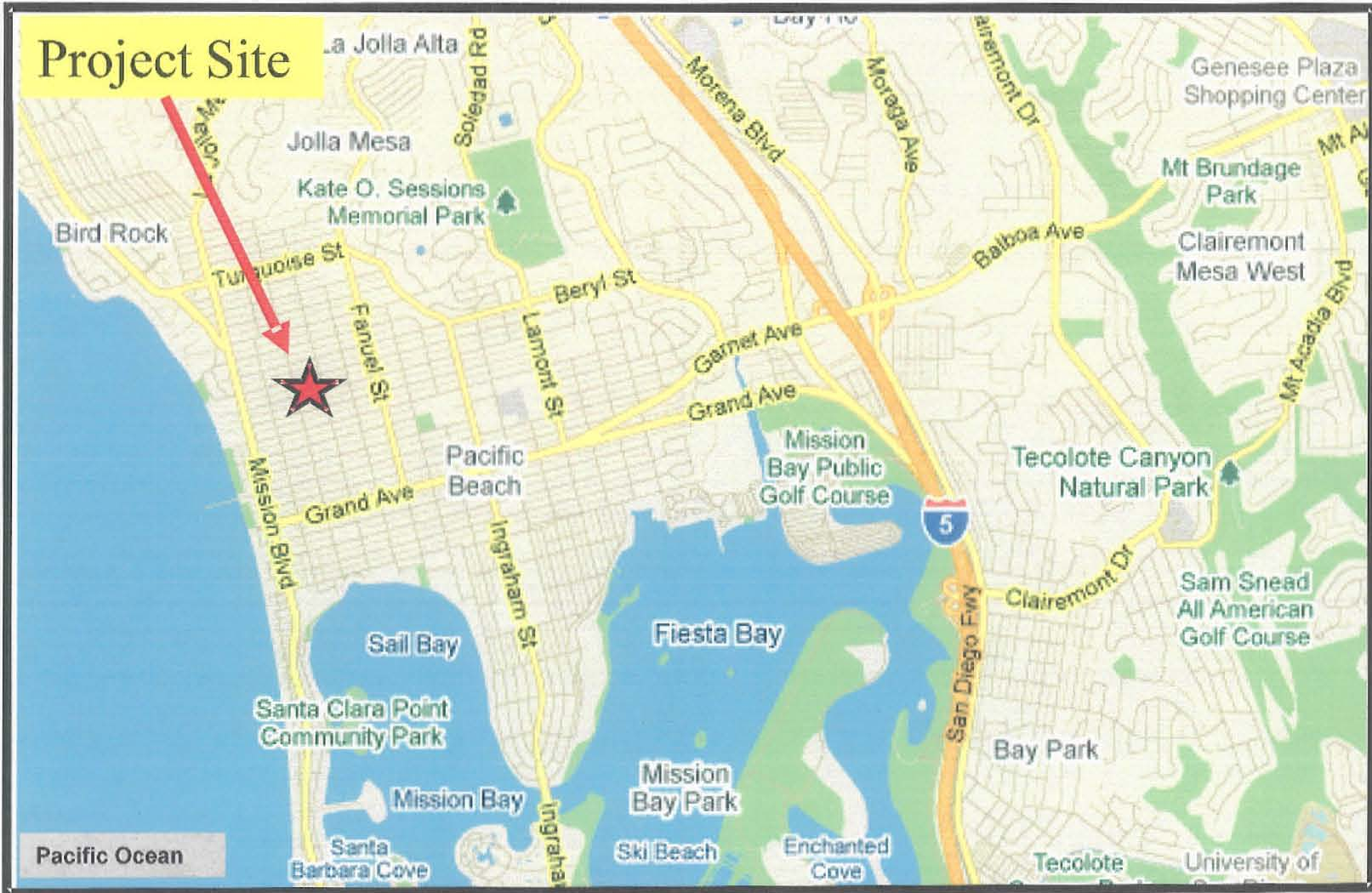
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Diane Murbach  
Project Manager  
Development Services Department

MW/DM

Attachments:

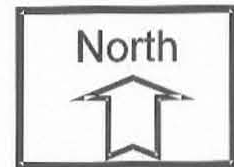
1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Project Data Sheet
5. Project Rendering
6. Draft Permit with Conditions
7. Draft Permit Resolution with Findings
8. Environmental Exemption
9. Project Plans
10. Copy of Appeal
11. Community Planning Group Recommendation
12.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



# Project Location Map

**FLEISHER RESIDENCE - PROJECT NO. 218795**

**1056 Chalcedony Street - Pacific Beach**

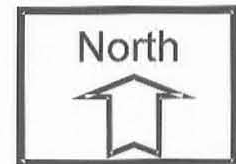




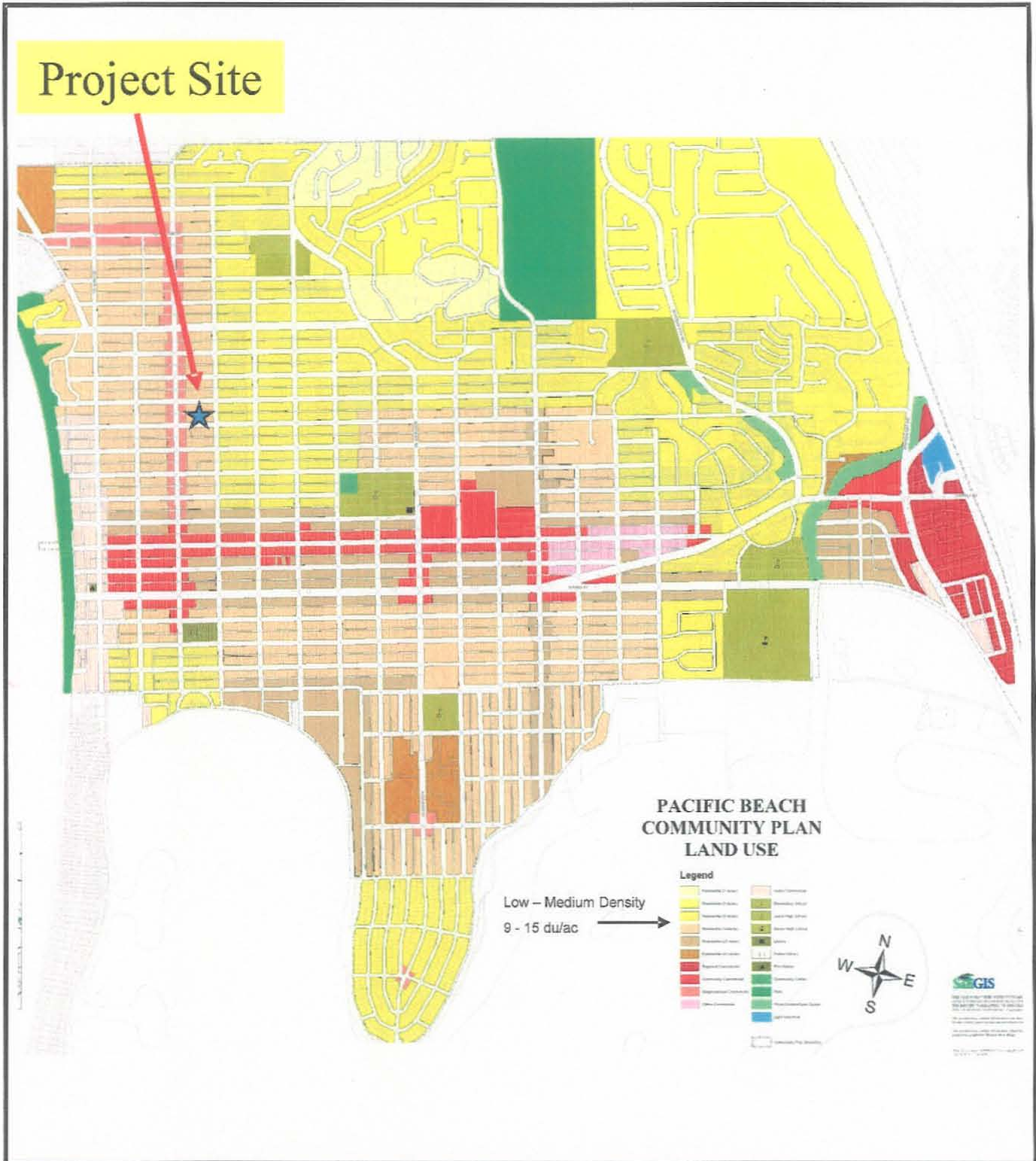
## Aerial Photograph

FLEISHER RESIDENCE - PROJECT NO. 218795

1056 Chalcedony Street - Pacific Beach







## Community Plan Land Use Map

**FLEISHER RESIDENCE - PROJECT NO. 218795**

**1056 Chalcedony Street - Pacific Beach**



<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	<b>Fleisher Residence – Project 218795</b>	
<b>PROJECT DESCRIPTION:</b>	<b>Construction of a three story 2,226 square foot single family residence on a vacant lot at 1056 Chalcedony Street</b>	
<b>COMMUNITY PLAN AREA:</b>	<b>Pacific Beach</b>	
<b>DISCRETIONARY ACTIONS:</b>	<b>Coastal Development Permit</b>	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	<b>Low-Medium Density Residential (9-15 du/ac).</b>	
<b>ZONING INFORMATION:</b>		
<b>ZONE: RM-1-1</b>		
<b>HEIGHT LIMIT: 30 feet Coastal Height Limit Overlay Zone</b>		
<b>LOT SIZE: 6,000 square feet</b>		
<b>FLOOR AREA RATIO: 0.75</b>		
<b>FRONT SETBACK: 15 feet/20 feet</b>		
<b>SIDE SETBACK: 3 feet minimum</b>		
<b>STREETSIDE SETBACK: NA</b>		
<b>REAR SETBACK: 5 feet/Alley</b>		
<b>PARKING: 2 spaces required</b>		
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	<b>Low - Medium Density Residential and RM-1-1</b>	<b>Multi Family Residential</b>
<b>SOUTH:</b>	<b>Low - Medium Density Residential and RM-1-1</b>	<b>Multi Family Residential</b>
<b>EAST:</b>	<b>Low - Medium Density Residential and RM-1-1</b>	<b>Multi Family Residential</b>
<b>WEST:</b>	<b>Low - Medium Density Residential and RM-1-1</b>	<b>Single Family Residence</b>
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	<b>None</b>	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	<b>On October 27, 2010, the Pacific Beach Planning Board voted 11-0-0 to deny the project with recommendations.</b>	



## Project Rendering

FLEISHER RESIDENCE - PROJECT NO. 218795

1056 Chalcedony Street - Pacific Beach



ATTACHMENT 5

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001121

**COASTAL DEVELOPMENT PERMIT NO. 779217**  
**FLEISHER RESIDENCE – PROJECT NO. 218795**  
 PLANNING COMMISSION

This Coastal Development Permit No. 779217 is granted by the Planning Commission of the City of San Diego to Mark R. Fleisher and Bruce R. Fleisher, Trustees of the Fleisher Family Trust, Owner, and Michael E. Turk, Inc., Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.07 acre site is located at 1056 Chalcedony Street in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, within the Pacific Beach Community Plan. The project site is legally described as: Lot 27, Block 113, Map 1042, Pacific Beach, City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a three story 2,226 square foot single family residence and detached carport on a vacant lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 24, 2011, on file in the Development Services Department.

The project shall include:

- a. Construction of a three story 2,226 square foot single family residence on a vacant lot. Construction allows a 400 square foot two vehicle carport, a 66 square foot second story balcony, and a 338 square foot third story roof deck for a total of 804 square feet not included as gross floor area;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;

- d. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption in accordance with Council Policy 900-14; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. 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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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/SUSTAINABLE HOUSING REQUIREMENTS:**

11. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in accordance with Council Policy 900-14.

**ENGINEERING REQUIREMENTS:**

12. 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 in accordance with the approved plans.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

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

15. This project proposes to export 8 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

**PLANNING/DESIGN REQUIREMENTS:**

16. Owner/Permittee shall maintain a minimum of 2 off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

17. The carport shall be constructed and maintained with at least two sides that are at least 75 percent completely open. The carport shall be included in the calculation of Floor Area Ratio (FAR) if less than two sides of the carport are 75 percent completely open. The project may not exceed the allowable FAR of the zone.

18. 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.

19. 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.

**WATER & SEWER REQUIREMENTS:**

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

21. The Owner/Permittee agrees to design and construct all proposed public water and sewer facilities in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water and sewer facilities as shown on the approved Exhibit "A," shall be modified at final engineering to comply with standards.

22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

23. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities, including services and meters, shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on March 24, 2011 and Resolution No. PC-\_\_\_\_\_.



Permit Type/PTS Approval No.: CDP No. 779217/PTS 218795  
Date of Approval: March 24, 2011

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Diane Murbach  
Development Project Manager

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

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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.

**[FLEISHER FAMILY TRUST]**

Owner

By \_\_\_\_\_

Mark R. Fleisher  
Trustee

**[MICHAEL E. TURK, INC.]**

Permittee

By \_\_\_\_\_

Michael E. Turk  
President

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

PLANNING COMMISSION  
RESOLUTION NO. PC-\_\_\_\_\_  
COASTAL DEVELOPMENT PERMIT NO. 779217  
**FLEISHER RESIDENCE – PROJECT NO. 218795**

WHEREAS, Mark R. Fleisher and Bruce R. Fleisher, Trustees of the Fleisher Family Trust, Owner, and Michael E. Turk, Inc., Permittee, filed an application with the City of San Diego for a permit to construct a three story 2,226 square foot single family residence and detached carport on a vacant lot, as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 779217, on portions of a 0.07 acre site;

WHEREAS, the project site is located at 1056 Chalcedony Street in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, within the Pacific Beach Community Plan;

WHEREAS, the project site is legally described as Lot 27, Block 113, Map 1042, Pacific Beach, City of San Diego, County of San Diego, State of California;

WHEREAS, on December 17, 2010, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 779217 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated March 24, 2011.

FINDINGS:

**Coastal Development Permit Findings – Section MC 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 is located at 1056 Chalcedony Street in the Pacific Beach Community. The southern property boundary fronts on Chalcedony Street, and the northern property boundary fronts on an unnamed alley. Residential properties are adjacent to the western and eastern property boundaries. The adjacent land uses are residential. The project is located in the non-appealable Coastal Overlay Zone requiring a Coastal Development Permit. The project is not located on or adjacent to a coastal bluff, coastal beach, or any Environmentally Sensitive Lands. The project is located approximately a half mile from the waters of the Pacific Ocean.

The 0.07 acre parcel is vacant and was previously utilized as a side yard with landscaping for the residence on the lot to the west. The project site is a rectangular shaped flat lot. Site elevations range from approximately 74 feet at the southern property boundary to approximately 76 feet Mean Sea Level at the northern property boundary. The project proposes a new 2,226 square foot single family sustainable residence with a detached 400 square foot two car carport, 66 square foot second story balcony, and a 338 square foot third story roof deck. The carport and decks total 804 square feet and are not included as gross floor area. The three story residential building will be a maximum height of 29 feet 9 inches, and the carport 12 feet 1 inch. The buildings will be under the maximum 30 foot Coastal Height Limit allowed by the zone. The residential building will include a photovoltaic system supplying more than 50% of the project's total electrical energy consumption in conformance with Council Policy 900-14 requirements. The solar panels will be located on the roof of the residence.

The proposed development will take place entirely within private property and will not encroach onto or impact any existing or proposed physical public access ways. Access to the coastline is provided via the adjacent public right-of-ways. The proposed development is not located between the shoreline and the first public roadway, therefore no views to the ocean are required to be preserved. The proposed development will adhere to the required yard area setbacks pursuant to the Land Development Code in conformance with the underlying RM-1-1 Zone. No public access will be affected by this project. The proposed development will not impact any physical access way and will protect public views as recommended in the Pacific Beach Community Plan and Local Coastal Program Land Use Plan. Therefore, the proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the 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.

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

The project is located at 1056 Chalcedony Street in the Pacific Beach Community. The adjacent land uses are residential. The proposed development will take place entirely within private property. The City of San Diego conducted an environmental review of this project and determined that the project was exempt per the State of California Environmental Quality Act (CEQA) Section 15303. The project site is above the 100 and 500-year floodplain, is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area, and is not located in or adjacent to Environmentally Sensitive Lands. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The project is located at 1056 Chalcedony Street within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan. The Pacific Beach Community Plan designates this site for Low-Medium Density (9 to 15 dwelling units per acre). The project proposes 1 dwelling unit

on a 0.07 acre legal lot for a density of 14 dwelling units per acre. The project is therefore consistent with the prescribed density in the community plan. Development in the vicinity is characterized by one, two, and three story single and multi-family homes with various architectural styles. The proposed three story residence is consistent with the surrounding development. Although the project site is not located within a designated view corridor in the Community Plan, a view to the ocean exists through Chalcedony Street looking west. The project observes the required front setbacks, therefore the functional view corridor down the street is maintained.

The project conforms to the 30 foot Coastal Height Limit requirement, and meets the required zoning yard setbacks. No public view or public access to the water would be adversely affected by the approval of this project. The proposed development is not located between the shoreline and the first public roadway, therefore no public views to the ocean shall be preserved. The project meets the intent of the guidelines for the Coastal Overlay and Coastal Height Limitation Overlay zones, and the Pacific Beach Community Plan and Local Coastal Program Land Use Plan. Therefore, 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.

**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 subject property is not located between the nearest public road and the sea or the shoreline of any body of water. Therefore, the project is not required to demonstrate conformance with the public access and recreation policies of the California Coastal Act as required by this finding.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 779217 is hereby GRANTED by the Planning Commission to the referenced Owner(s)/Permittee(s), in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 779217, a copy of which is attached hereto and made a part hereof.

---

Diane Murbach  
Development Project Manager  
Development Services

Adopted on: March 24, 2011

Internal Order No. 24001121

## NOTICE OF EXEMPTION

*(Check one or both)*

TO:  RECORDER/COUNTY CLERK  
 P.O. BOX 1750, MS A-33  
 1600 PACIFIC HWY, ROOM 260  
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO  
 DEVELOPMENT SERVICES DEPARTMENT  
 1222 FIRST AVENUE, MS 501  
 SAN DIEGO, CA 92101

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

PROJECT TITLE/ NO.: FLEISHER RESIDENCE /218795

PROJECT LOCATION-SPECIFIC: 1056 Chalcedony Street, San Diego, CA 92109

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Applicant is requesting a COASTAL DEVELOPMENT PERMIT to construct a 2,226-square foot three-story single-family residence with 239 square feet of balcony and roof deck area combined, and a 400-square-foot carport. In addition the project would also construct various site improvements, which includes associated hardscape and landscaping. The 0.0717-acre project site is located 1056 Chalcedony Street; the project site is designated Low-Medium Density (9 to <15 dwelling units per acre) and is within the RM-1-1 (Residential-Multiple Unit) Zone, the Coastal Overlay Zone (Non-Appealable 2 Area); and the Coastal Height Limit Overlay Zone within the Pacific Beach Community Plan and Local Coastal Program Area. (LEGAL: Lot 27, in Block 113, Map No. 1042).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: West of Ingraham, LLC, 4641 Ingraham Street, San Diego, CA 92109, (858) 488-2382.

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268)
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTION: 15303 (New Construction or Conversion of Small Structures)
- STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an Initial Study that determined that the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the density as determined by the community plan and implemented by the applicable zone. The project would not result in any significant impacts to biological resources, historical resources, traffic, noise, air quality, or water quality. The project meets the criteria set forth in CEQA Section 15303 which allows for the construction of a duplex in an urbanized area; and CEQA Section 15332 which allows for the construction of infill development within an urbanized area that can be adequately served by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: E. Shearer-Nguyen

TELEPHONE: (619) 446-5369

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

October 1, 2010

DATE OF PROJECT APPROVAL

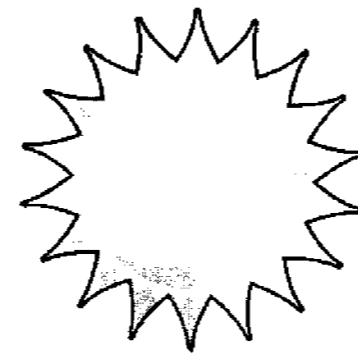
CHECK ONE:

- SIGNED BY LEAD AGENCY  
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

# FLEISHER RESIDENCE

1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109



## A SOLAR POWERED PROJECT COASTAL DEVELOPMENT PERMIT

Prepared By:  
REBECCA MARQUEZ  
1025 West Laurel Street  
Suite 106  
San Diego, CA 92101  
(619) 231-9905  
fax: 231-4288

Project Address:  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109

Project Name:  
CHALCEDONY RESIDENCE

Revision 14:  
Revision 13:  
Revision 12:  
Revision 11:  
Revision 10:  
Revision 9:  
Revision 8:  
Revision 7:  
Revision 6:  
Revision 5:  
Revision 4:  
Revision 3:  
Revision 2: 11-30-10  
Revision 1: 09-03-10

Sheet 1 of 12

Sheet Title:  
**COVER SHEET**

Architecture ■ Space Planning ■ Interior Design  
1025 West Laurel St. #106 San Diego, California 92101  
Phone: (619) 231-9905 Fax: (619) 231-4288

FLEISHER RESIDENCE  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA

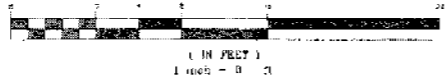




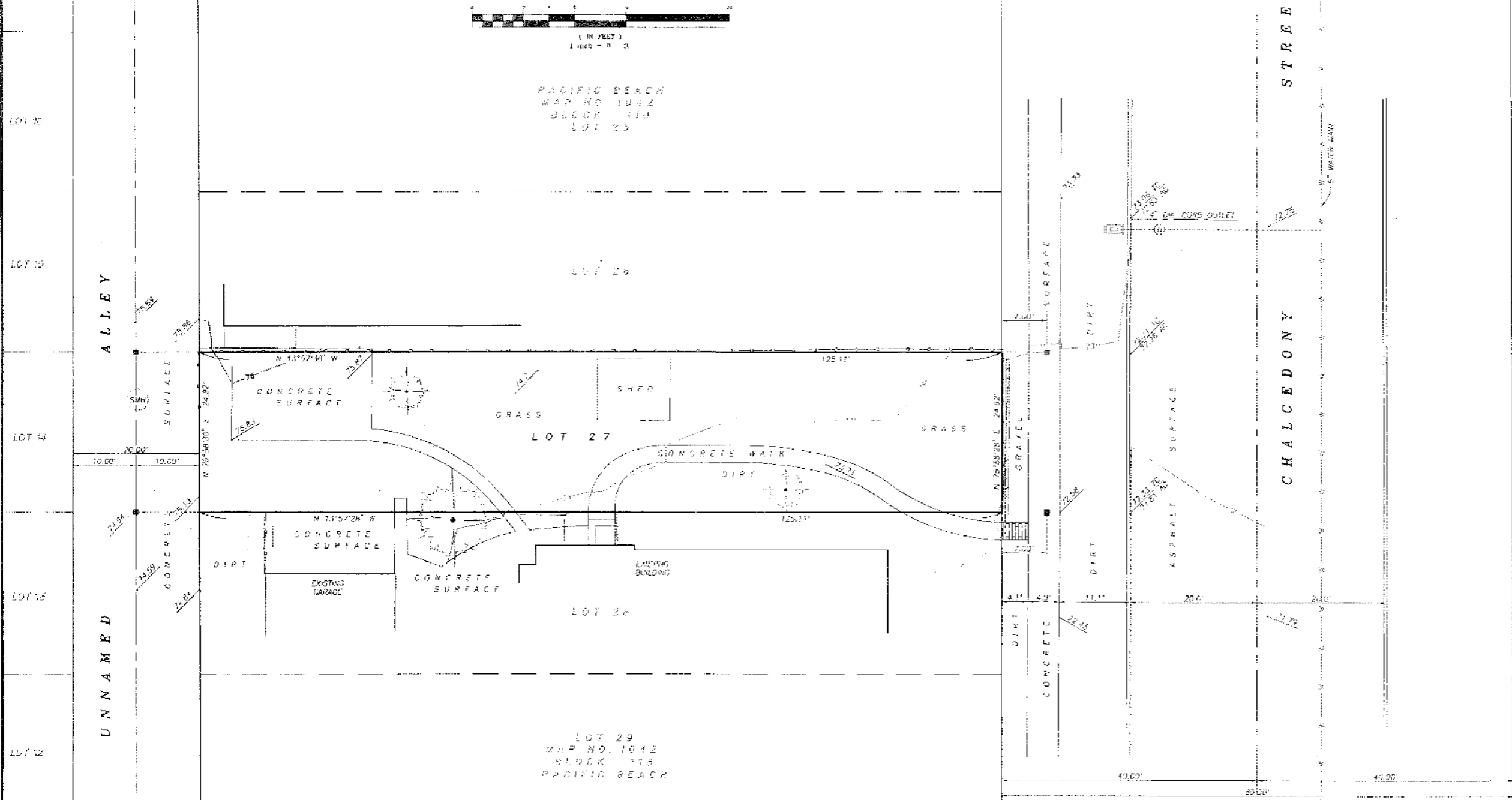




GRAPHIC SCALE



PACIFIC BEACH  
MAP NO. 1042  
BLOCK 118  
LOT 26



**LEGAL DESCRIPTION:**

LOT 27 IN BLOCK 118 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1042 FILED IN OFFICE OF THE COUNTY OF RECORDER OF SAN DIEGO COUNTY, APRIL 9, 1977

**SITE ADDRESS:**

1036 CHALCEDONY STREET  
SAN DIEGO, CA 92109

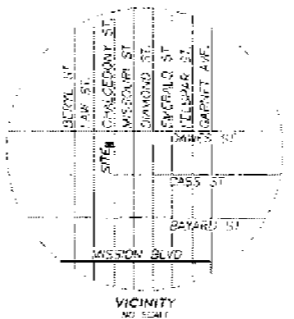
**BENCH MARK:**

SOUTHEAST CORNER, BRASS PLUG, AT THE INTERSECTION OF CHALCEDONY STREET AND DAVIS STREET PER CITY OF SAN DIEGO NEIGHBORHOOD CONTROL BOOK. ELEVATION=73.500, M.S.L. NOV. 1929.

**LEGEND:**

- PROPERTY LINE
- EXISTING BRICK WALL
- EXISTING WATER METER
- EXISTING WOOD FENCE
- EXISTING SPLIT RAIL FENCE
- EXISTING SEWER MANHOLE
- EXISTING BRICK SURFACE
- ASPHALT SURFACE
- FLOW LINE
- TOP OF CURB
- EXISTING WATER SOURCE
- INDICATES FOUND SURVEY MONUMENT

ZONING DATA	
DISTRICT	RM-118 RESIDENTIAL-MULTIPLE
MINIMUM YARD REQUIREMENTS	
MINIMUM FRONT	15'
STANDARD FRONT	20'
MINIMUM SIDE	5'
STANDARD SIDE	8'
MINIMUM STREET SETBACK	10'
MINIMUM REAR	15'



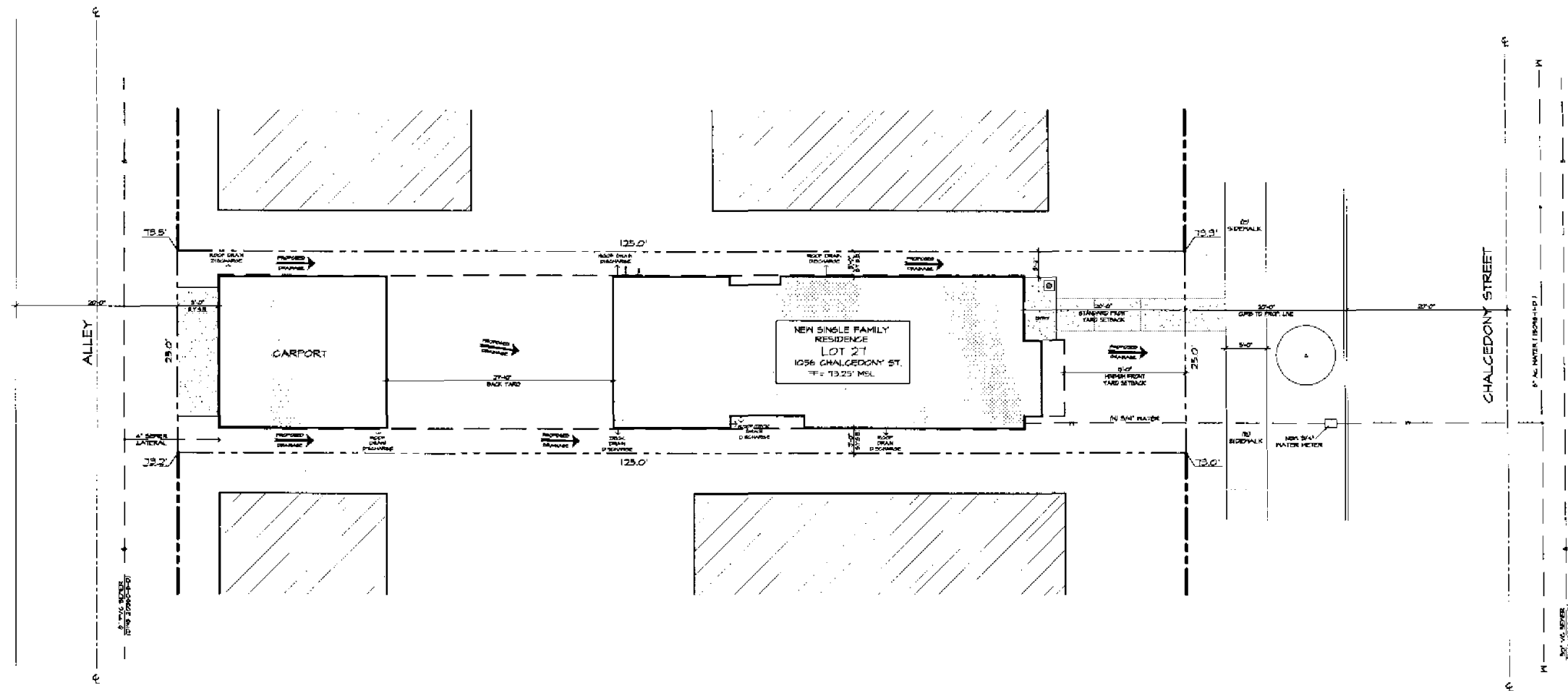
Robert J. Bateman  
ROBERT J. BATEMAN, P.L.S. 7048

**TOPOGRAPHICAL SURVEY**  
For the exclusive use of  
**KD DEVELOPMENT**  
4641 INGRAHAM STREET  
SAN DIEGO, CA 92109

**San Diego Land Surveying & Engineering, Inc.**

9660 Chesapeake Drive, Suite 445, San Diego, California 92123-1054  
Phone (619) 565-0362 Fax (619) 565-4354

Date: 10/21/2019	Revised:	Revised:
Scale: 1"=20'	Drawn by: R.P.L.	Sheet 4 of 12 Sheets
Drawing: CHALCEDONY190815		A.P.N. 415-490-15



PLANTING LEGEND	
SYMBOL	BOTANICAL NAME - COMMON NAME
<b>TREES SUCH AS:</b>	
<b>STREET TREES</b>	
	Bauhinia blakeana (ORCHID TREE)
	Cassia leptophylla (GOLD MEDALLION TREE)
	Melaleuca quinquenervia (CAJEPUT TREE)
	Podocarpus gracilior (FERN TREE)

- PLANTING NOTES**
- All required landscape areas shall be maintained by the owner. Landscape areas shall be maintained free of debris and litter; all plant material shall be maintained in a healthy growing condition. Diseases or dead plant material shall be satisfactorily treated or replaced per the conditions of the permit.
  - Trees to be of a variety, with non-invasive roots so as not to damage adjacent improvements.
  - Minimum tree-improvement separation distances:  
 Traffic signals/stop sign 30 Feet  
 Street lines 10 Feet  
 Under-ground utility lines 8 Feet  
 Above-ground utility structures 10 Feet  
 Driveways 10 Feet  
 Intersections 25 Feet
  - All landscape and irrigation shall conform to the Land Development Code Landscape Regulations and the City of San Diego Land Development Manual Landscape Standards and all other related City and Regional standards.

**SPECIAL PLAN NOTE #1:**  
 THE HIGHEST POINT OF THE ROOF EQUIPMENT, OR ANY VENT, PIPE, ANTENNA, OR OTHER PROJECTION SHALL NOT EXCEED 30'-0" ABOVE THE GRADE (SDMC 109.0326.12)

**SPECIAL PLAN NOTE #2:**  
 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 SDMC, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

**SPECIAL PLAN NOTE #3:**  
 THIS IS A SUSTAINABLE PROJECT PER SAN DIEGO CITY COUNCIL POLICY 400-14. ALL UNITS WILL GENERATE MORE THAN 50% OF THEIR ELECTRICITY FROM SOLAR PHOTOVOLTAIC SYSTEMS.

**SPECIAL PLAN NOTE #4:**  
 ALL PROPOSED PUBLIC WATER FACILITIES, INCLUDING SERVICES AND METERS, MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH ESTABLISHED CRITERIA IN THE MOST CURRENT EDITION OF THE CITY OF SAN DIEGO WATER FACILITY DESIGN GUIDELINES AND CITY REGULATIONS, STANDARDS AND PRACTICES PERTAINING THERETO.

**SPECIAL PLAN NOTE #5:**  
 PRIOR TO FOUNDATION INSPECTION, THE APPLICANT SHALL SUBMIT A BUILDING PAD CERTIFICATION SIGNED BY A REGISTERED CIVIL ENGINEER OR A LICENSED LAND SURVEYOR, CERTIFYING THAT THE PAD ELEVATION BASED ON UBS9 DATUM IS IN ACCORDANCE WITH THE APPROVED PLANS.

**SPECIAL PLAN NOTE #6:**  
 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.

**SOIL DISTURBANCE:**  
 CUT: 18 YARDS  
 FILL: 10 YARDS  
 8 CUBIC YARDS EXPORT  
 CUT DEPTH: MAX 18"  
 MAX FILL: 6"

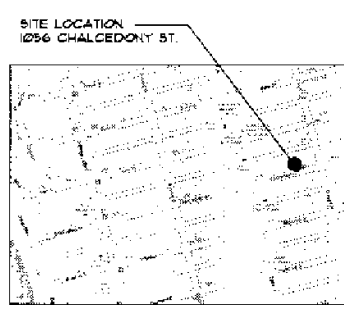
**SPECIAL PLAN NOTE #7:**  
 FOR THE SOURCE, DATE, AND DATUM USED FOR TOPOGRAPHY SEE SHEET CH.

- GENERAL NOTES:**
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE LANDSCAPE TECHNICAL MANUAL AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
  - IRRIGATION TO BE PROVIDED BY AN UNDERGROUND IRRIGATION SYSTEM. IRRIGATION TO BE DESIGNED TO INCORPORATE STATE OF THE ART IRRIGATION HEADS AND CONTROLLERS TO PROVIDE EFFICIENT APPLICATION OF WATER TO THE PLANT MATERIAL WITHOUT GENERATING RUN-OFF.
  - THE PROPERTY OWNER WILL BE THE RESPONSIBLE PARTY FOR THE LONG TERM LANDSCAPE AND SITE MAINTENANCE FOR THIS PROJECT.
  - LANDSCAPING MATERIALS SHALL NOT ENCROUGH OR OVERHANG INTO LAMONT STREET RIGHT-OF-WAY BELOW A HEIGHT OF (8') FEET ABOVE THE FINISH SURFACE OR FINISH GRADE AS MEASURED FROM THE TRUNK.
  - MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED IN A FREE OF DEBRIS AND LITTER CONDITION AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

- SITE NOTES:**
- THIS PROJECT SHALL NOT EXCEED 30' IN HEIGHT IN CONFORMANCE WITH SDMC.
  - THERE ARE NO EXISTING OR PROPOSED EASEMENTS.
  - THERE ARE NO EXISTING OR PROPOSED BUS/TRANSIT STOPS.
  - PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. (MFC 401.4.4)

**SITE KEY:**

- AREA OF PROPOSED RESIDENCES
- INDICATES PROPERTY LINE
- INDICATES SETBACK LINE
- NEW ELECTRIC METER
- SPOT ELEVATIONS



SCALE: 1/8"=1'-0"

**Prepared By:**  
 REBECCA MARQUEZ  
 1025 West Laurel Street  
 Suite 108  
 San Diego, CA 92101  
 (619) 231-9905  
 fax: 231-4288

**Project Address:**  
 1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA 92104

**Project Name:**  
 CHALCEDONY RESIDENCE

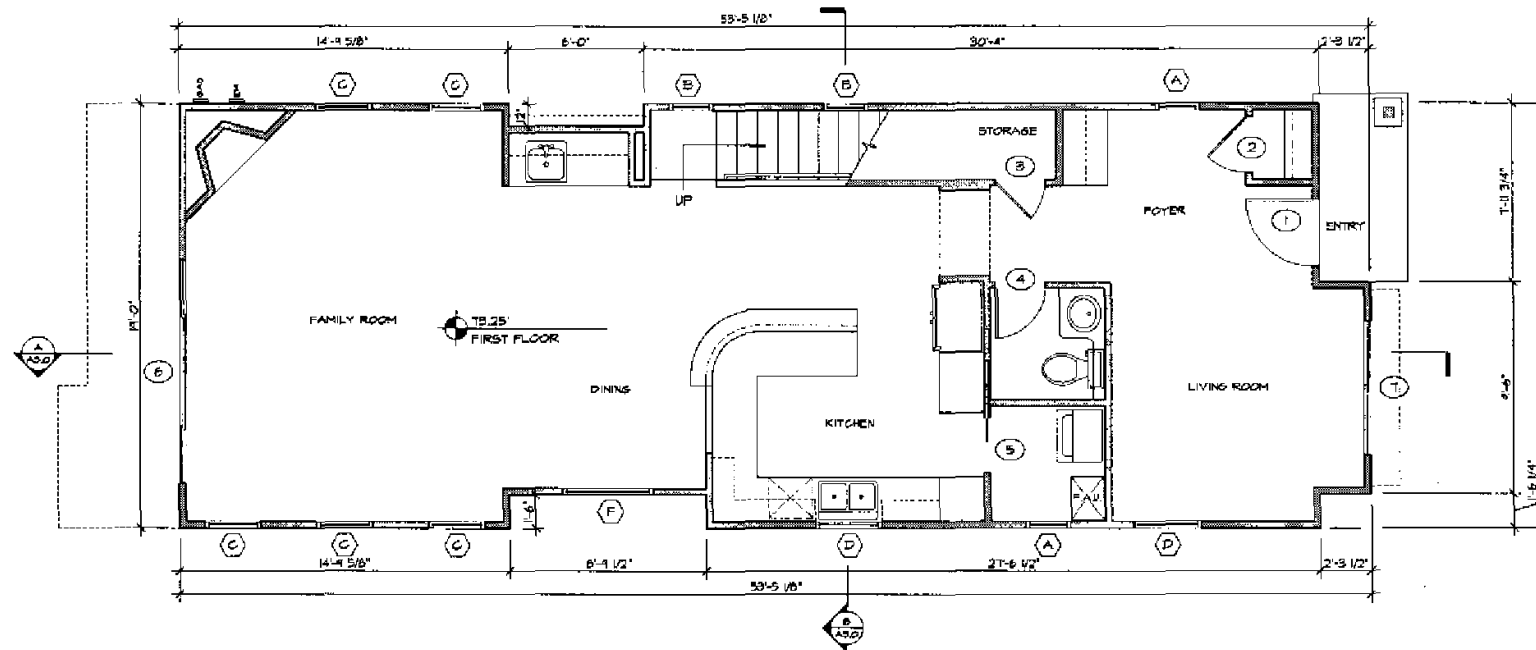
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**SITE PLAN**

Revision 14:  
 Revision 13:  
 Revision 12:  
 Revision 11:  
 Revision 10:  
 Revision 9:  
 Revision 8:  
 Revision 7:  
 Revision 6:  
 Revision 5:  
 Revision 4:  
 Revision 3:  
 Revision 2: 11-30-10  
 Revision 1: 04-03-10

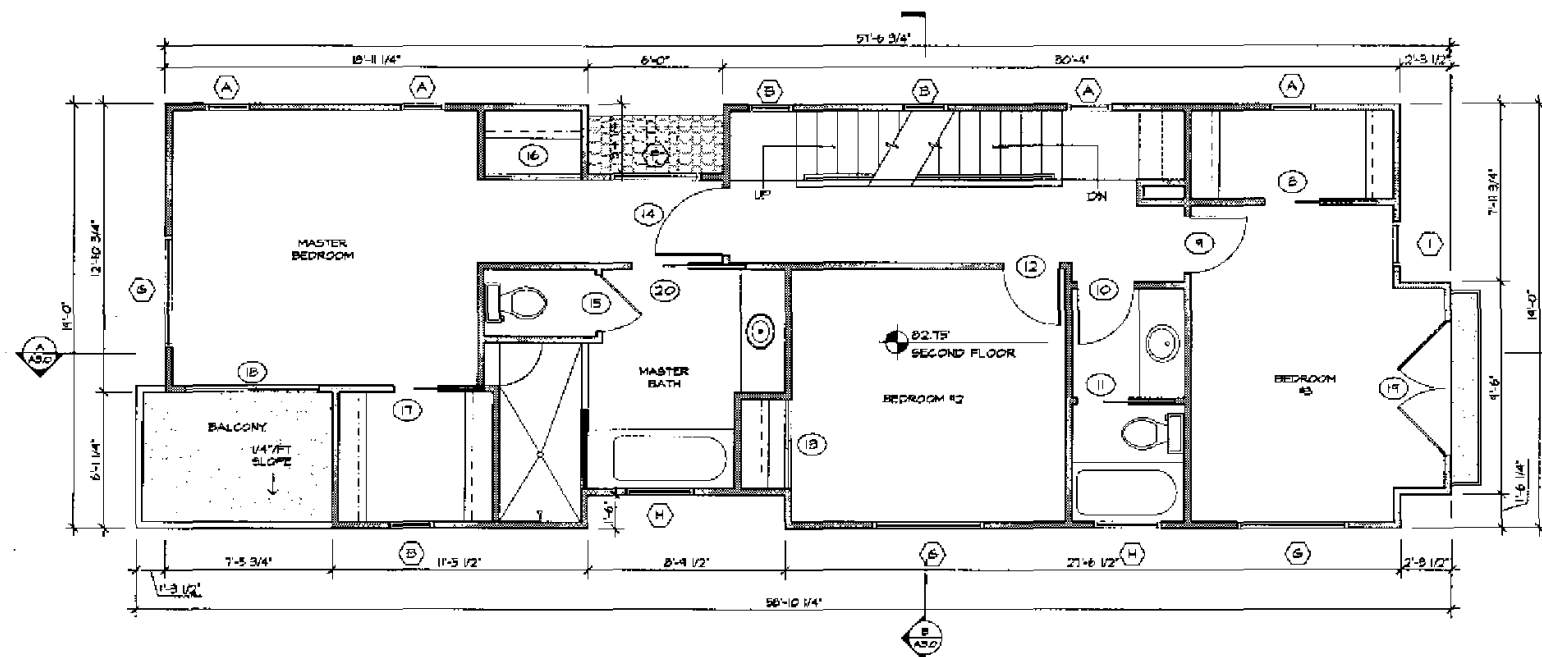
08-24-10  
 Sheet 5 of 12

Architecture ■ Space Planning ■ Interior Design  
 1025 West Laurel St. # 106 San Diego California 92101  
 Phone: (619) 231-9905 Fax: (619) 231-4288

**FLEISHER RESIDENCE**  
 1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA



**FIRST FLOOR PLAN**  
SCALE: 1/4"=1'-0"



**SECOND FLOOR PLAN**  
SCALE: 1/4"=1'-0"

SCALE: 1/4"=1'-0"



**Prepared By:**  
REBECCA MARQUEZ  
1025 West Laurel Street  
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San Diego, CA 92101  
(619) 231-9905  
Fax: 231-4288

**Project Address:**  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109

**Project Name:**  
CHALCEDONY RESIDENCE

- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2: 11-30-10
- Revision 1: 09-03-10

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Sheet 6 OF 12

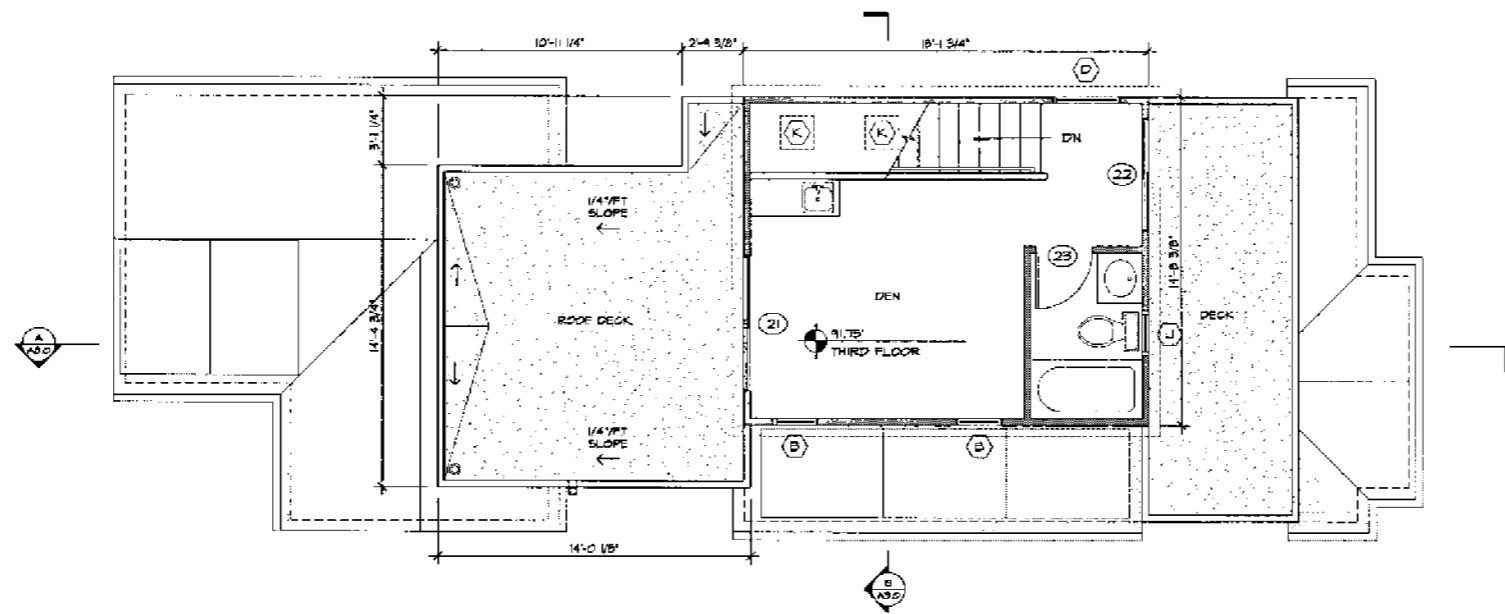
**Sheet Title:**  
**FIRST & SECOND FLOOR PLAN**

Architecture ■ Space Planning ■ Interior Design  
1025 West Laurel St. #106 San Diego California 92101  
Phone: (619) 231-9905 Fax: (619) 231-4288

**FLEISHER RESIDENCE**  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA

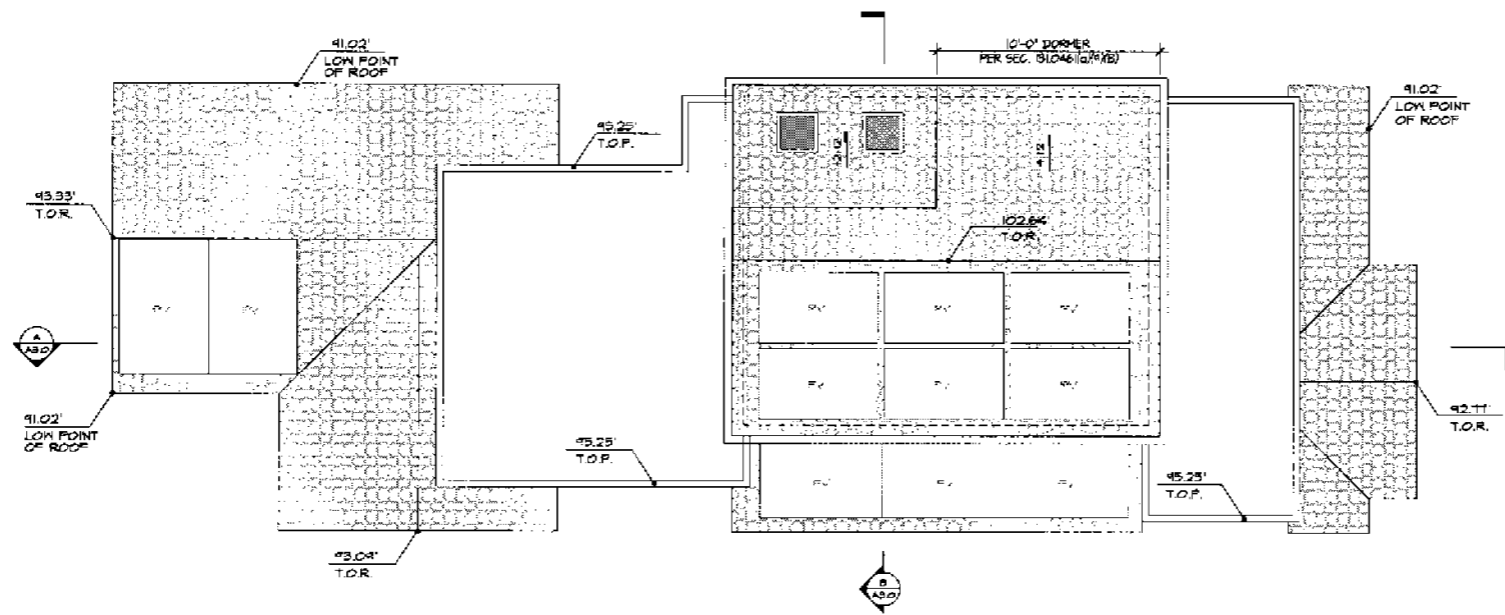
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DATE: 10/14/10 REV: DATE: △



THIRD FLOOR PLAN

SCALE: 1/4"=1'-0"



ROOF PLAN

SCALE: 1/4"=1'-0"

SCALE: 1/4"=1'-0"



Prepared By:  
REBECCA MARQUEZ  
1025 West Laurel Street  
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(619) 231-9905  
fax: 231-4288

Project Address:  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109

Project Name:  
CHALCEDONY RESIDENCE

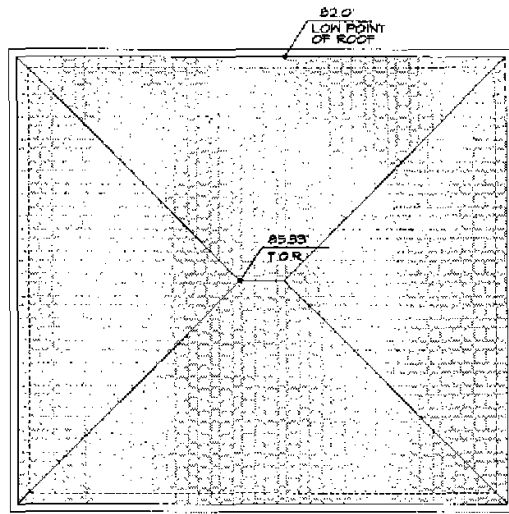
Sheet Title:

**THIRD FLOOR &  
ROOF PLAN**

- Revision 14:
- Revision 15:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2: 11-30-10
- Revision 1: 09-03-10

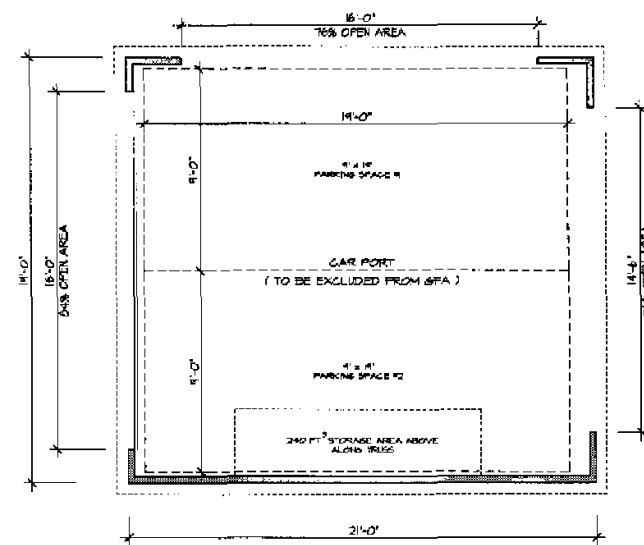
08-24-10

Sheet 7 OF 12



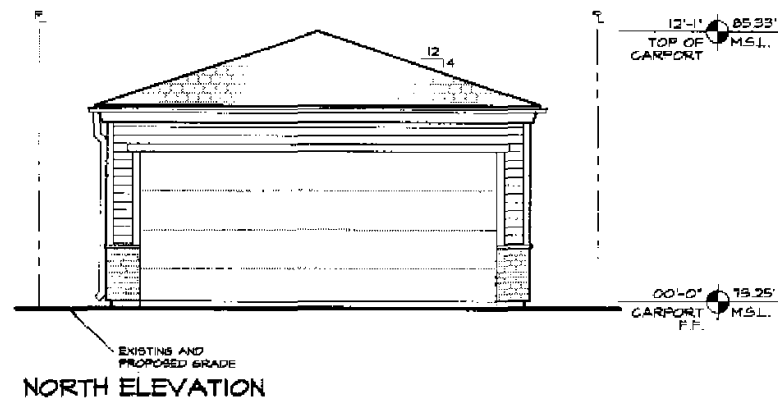
**CARPORT ROOF PLAN**

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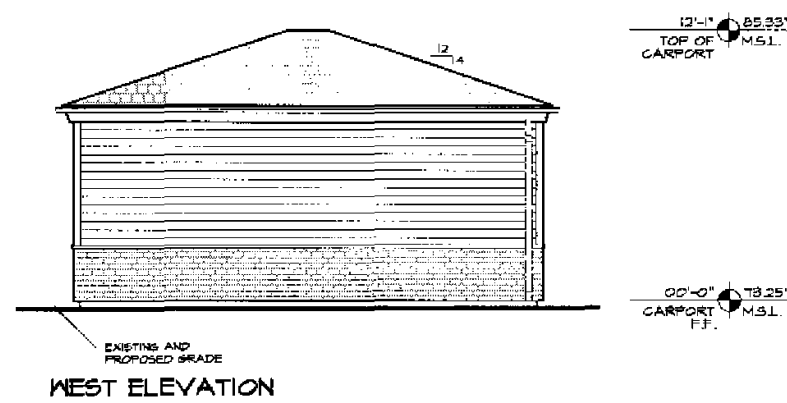


**CARPORT PLAN**

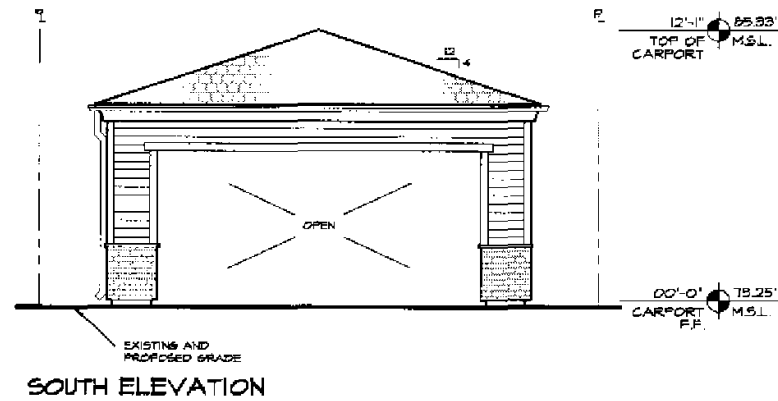
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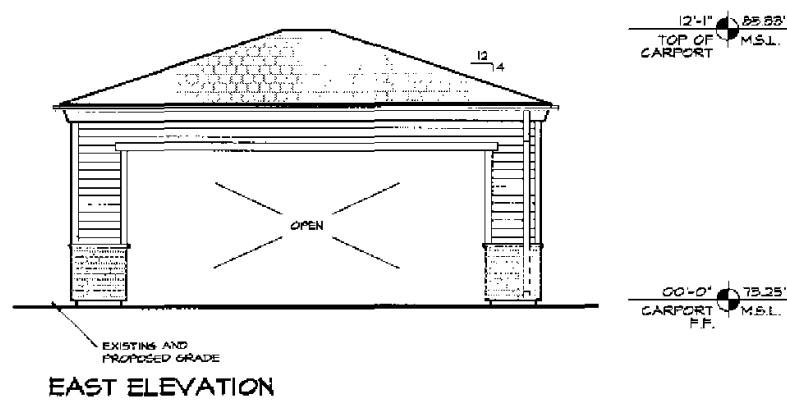
**NORTH ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**



**EAST ELEVATION**

**ELEVATIONS**

SCALE: 1/4"=1'-0"

SCALE: 1/4"=1'-0"



Prepared By:  
REBECCA MARQUEZ  
1025 West Laurel Street  
Suite 106  
San Diego, CA 92101  
(619) 231-9905  
fax: 231-4288

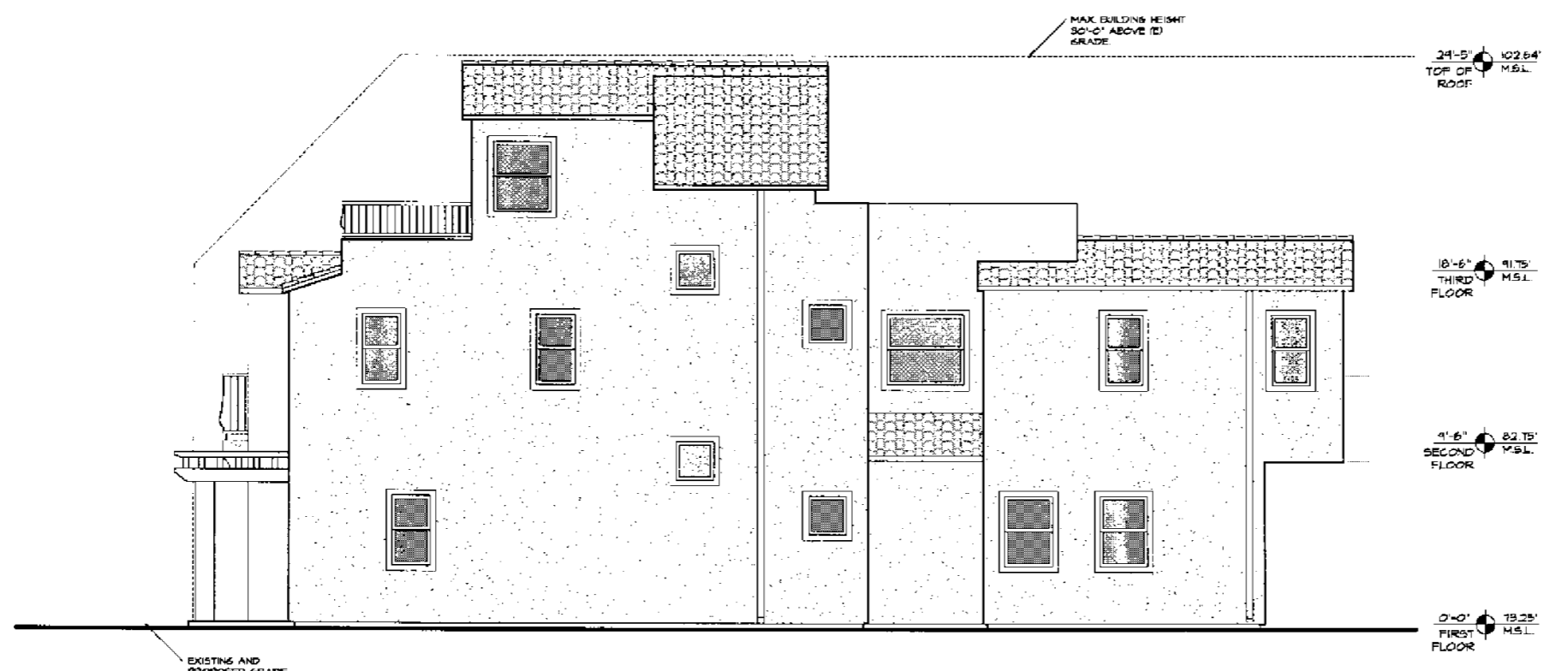
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- Revision 7:
- Revision 6:
- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2: 11-30-10
- Revision 1: 09-08-10

Project Address:  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109

Project Name:  
CHALCEDONY RESIDENCE

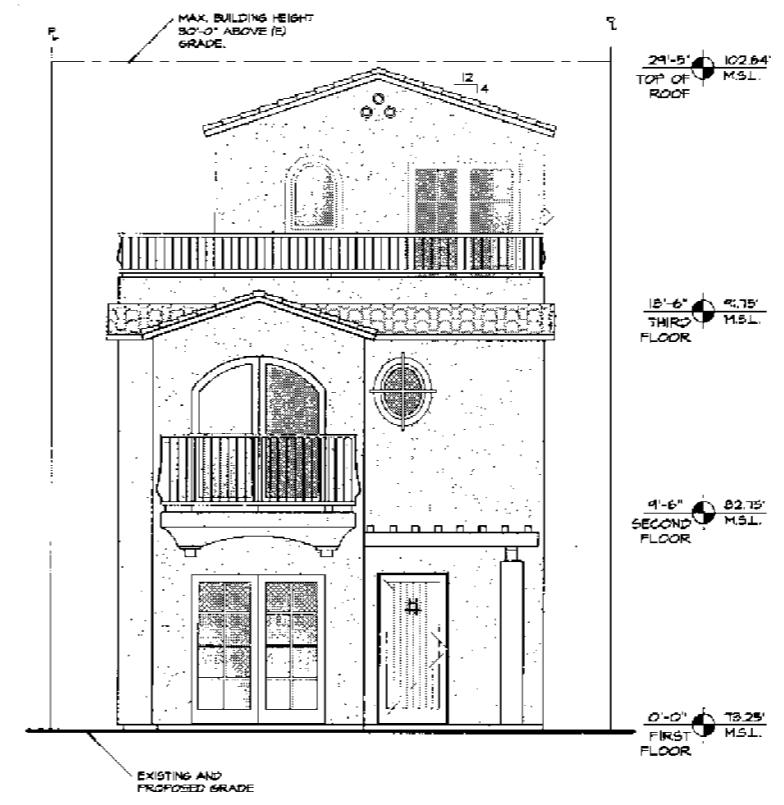
08-24-10  
Sheet 8 of 12

Sheet Title:  
**CARPORT PLANS  
& ELEVATIONS**



**EAST ELEVATION**

SCALE: 1/4"=1'-0"



**SOUTH ELEVATION**

SCALE: 1/4"=1'-0"

**Prepared By:**  
 REBECCA MARGUEZ  
 1025 West Laurel Street  
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 San Diego, CA 92101  
 (619) 231-4905  
 fax: 231-4288

**Project Address:**  
 1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA 92109

**Project Name:**  
 CHALCEDONY RESIDENCE

**Sheet Title:**

**ELEVATIONS**

- Revision 14:
- Revision 13:
- Revision 12:
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- Revision 2: 11-30-10
- Revision 1: 09-03-10

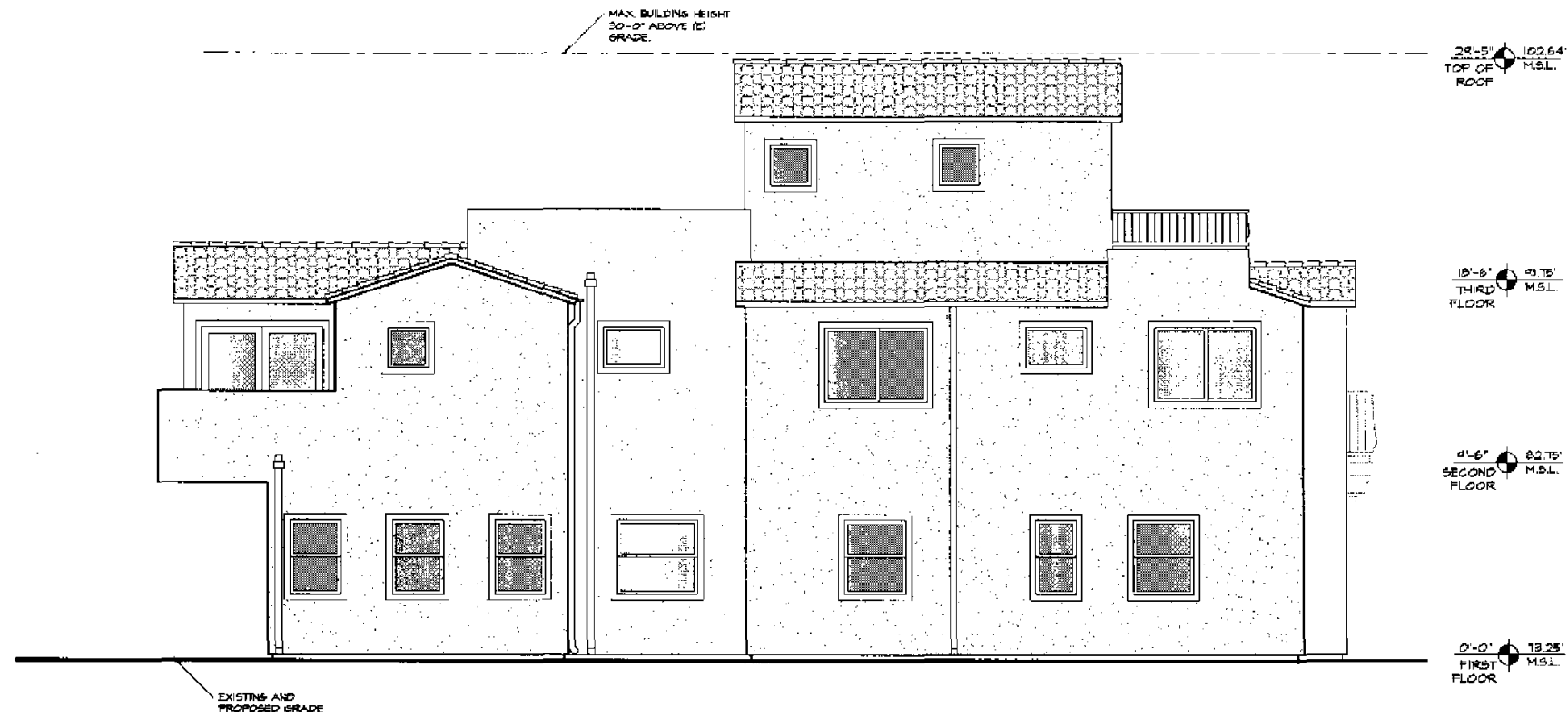
08-24-10

Sheet 9 of 12

**FLEISHER RESIDENCE**

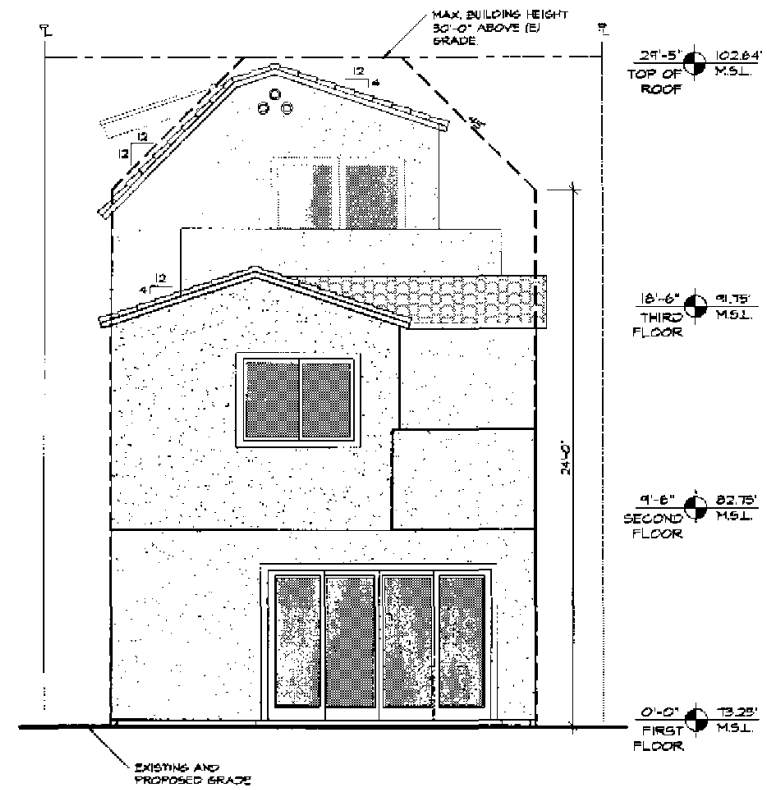
1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA

Architecture ■ Space Planning ■ Interior Design  
 1025 West Laurel St. #106 San Diego California 92101  
 Phone: (619) 231-9905 Fax: (619) 231-4288



WEST ELEVATION

SCALE: 1/4"=1'-0"



NORTH ELEVATION

SCALE: 1/4"=1'-0"

Prepared By:  
REBECCA MARQUEZ  
1025 West Laurel Street  
Suite 106  
San Diego, CA 92101  
(619) 231-9905  
fax: 231-4288

Project Address:  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA 92109

Project Name:  
CHALCEDONY RESIDENCE

Sheet Title:

**ELEVATIONS**

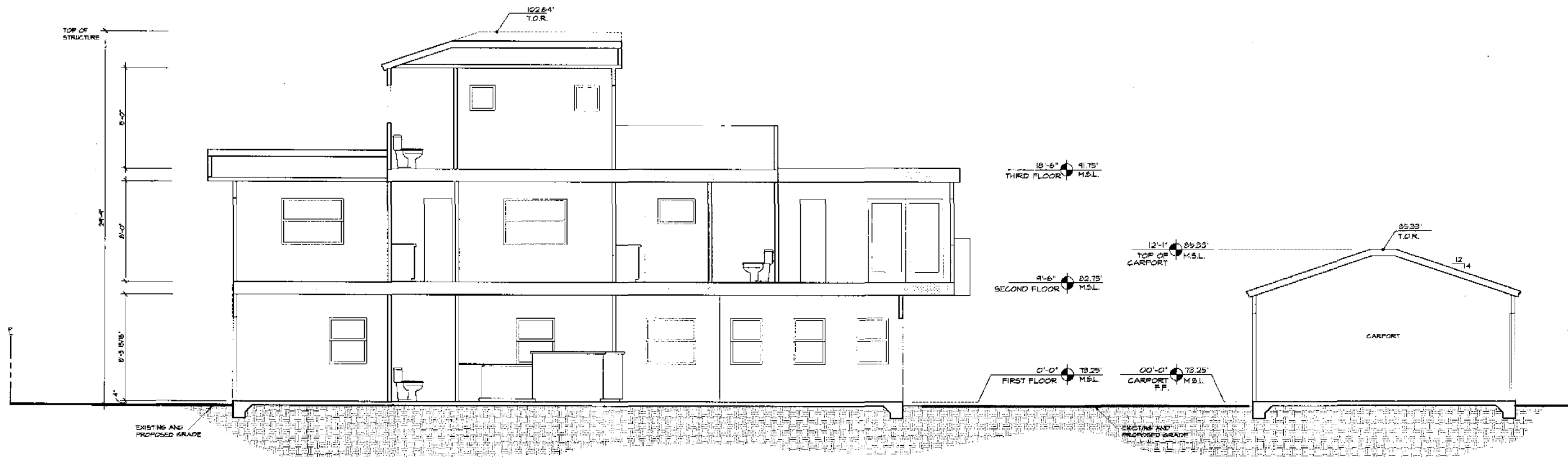
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- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5:
- Revision 4:
- Revision 3:
- Revision 2: 11-30-10
- Revision 1: 09-03-10

08-24-10  
Sheet 10 OF 12

Architecture ■ Space Planning ■ Interior Design  
1025 West Laurel St. #106 San Diego California 92101  
Phone: (619) 231-9905 Fax: (619) 231-4288

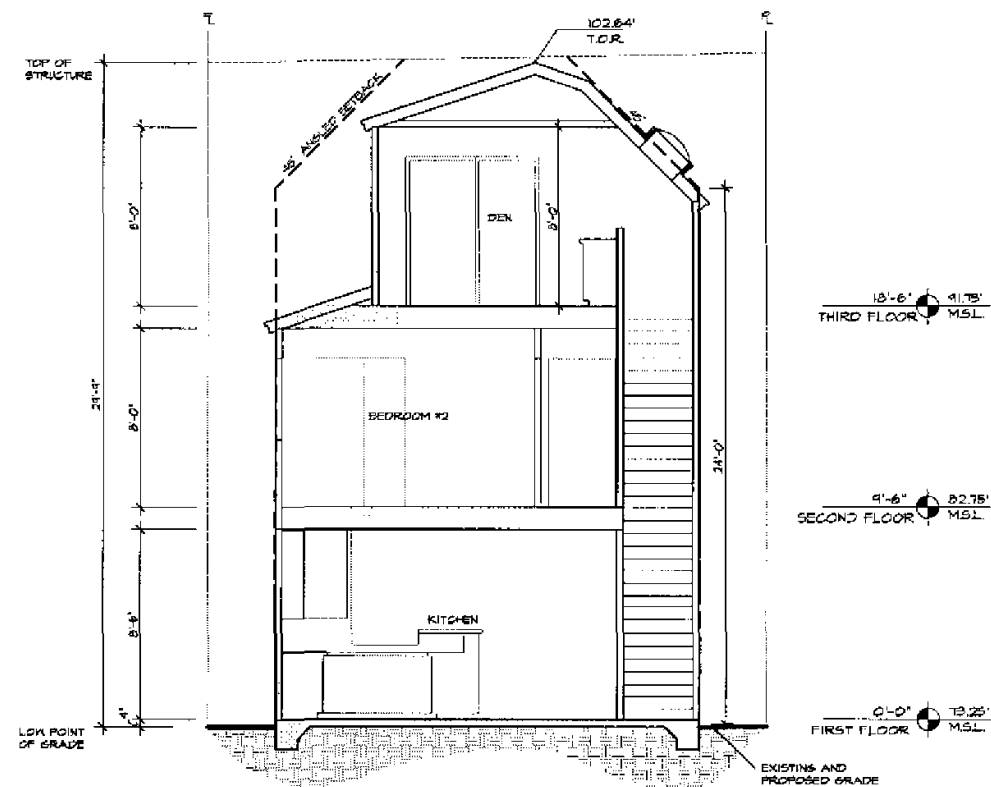
**FLEISHER RESIDENCE**  
1056 CHALCEDONY ST.  
PACIFIC BEACH, CA





BUILDING SECTION 'A'

SCALE: 1/4"=1'-0"



BUILDING SECTION 'B'

SCALE: 1/4"=1'-0"

Prepared By:  
 REBECCA MARQUEZ  
 1025 West Laurel Street  
 Suite 106  
 San Diego, CA 92101  
 (619) 231-4905  
 fax: 231-4288

Project Address:  
 1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA 92109

Project Name:  
 CHALCEDONY RESIDENCE

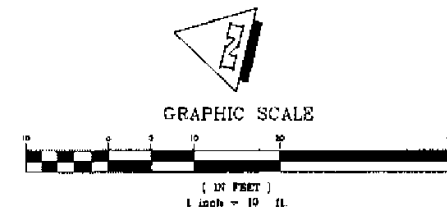
Sheet Title:  
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- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5:
- Revision 4:
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08-24-10  
 Sheet 11 of 12

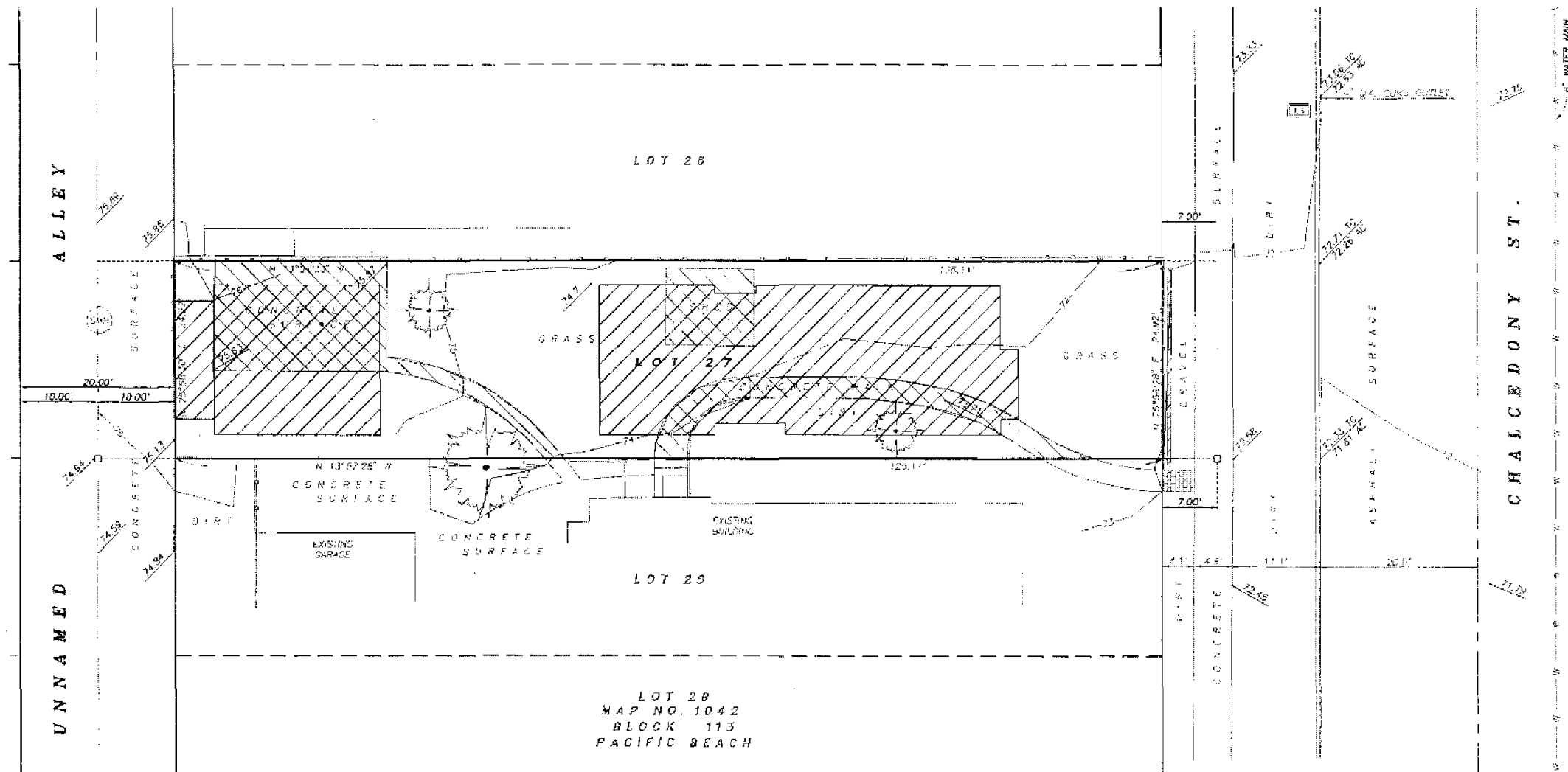
Architecture ■ Space Planning ■ Interior Design  
 1025 West Laurel St. #106 San Diego California 92101  
 Phone: (619) 231-9905 Fax: (619) 231-4288

**FLEISHER RESIDENCE**  
 1056 CHALCEDONY ST.  
 PACIFIC BEACH, CA



# 1056 CHALCEDONY STREET

## WATER QUALITY STUDY



- LEGEND:**
- PROPERTY LINE
  - EXISTING BLOCK WALL
  - EXISTING WATER METER
  - EXISTING WOOD FENCE
  - EXISTING WROUGHT IRON FENCE
  - EXISTING SEWER MANHOLE
  - EXISTING BRICK SURFACE
  - ASPHALT SURFACE
  - FLOW LINE
  - TOP OF CURB
  - EXISTING WATER SERVICE
- EXISTING SITE IMPERVIOUS AREA = 687 SF
- PROPOSED SITE IMPERVIOUS AREA = 1433 SF
- TOTAL SITE AREA = 3118 SF OR 0.0718 ACRES

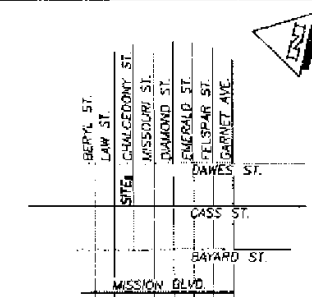
**ENGINEER OF WORK:**  
 SAN DIEGO LAND SURVEYING & ENGINEERING, INC.  
 9685 CHESAPEAKE DRIVE, SUITE 446  
 SAN DIEGO, CA 92123  
 Phone: 619-595-6382 Fax: 619-595-4354  
 Web: www.sdlse.com Email: rbt@sdls.com

PROJECT NO. 414-490-15  
 CHALCEDONYST1056 BMP.DWG  
 12-13-2010  
 MICHAEL L. SMITH, R.C.E. 35471  
 REGISTRATION EXPIRES SEPTEMBER 30, 2011



**Prepared By:**  
 SAN DIEGO LAND SURVEYING AND ENGINEERING, INC.  
 9685 CHESAPEAKE DRIVE, SUITE 446  
 SAN DIEGO, CA 92123  
 Phone: 619-595-6382 Fax: 619-595-4354  
 Web: www.sdlse.com Email: rbt@sdls.com

**Consultants:**  
 ARNDT:  
 GOLBA ARCHITECTURE, INC.  
 1025 WEST LAUREL STREET, SUITE 108  
 SAN DIEGO, CA 92101  
 PHONE: 619-231-9998 FAX: 619-231-4288



- ### LOW IMPACT DEVELOPMENT BMPs REQUIREMENTS
1. CONSERVE NATURAL AREAS - THIS SITE WAS 100% DEVELOPED PRIOR TO THE PROPOSED PROJECT. THERE ARE NO NATURAL AREAS REMAINING.
  2. MINIMIZE IMPERVIOUS FOOTPRINT - THIS PROJECT IS AN INFILL PROJECT WITH 46% ROOF AND DRIVEWAY COVERAGE (IMPERVIOUS AREA) WHICH IS BELOW THE 5% IMPERVIOUS FOR THIS TYPE OF ZONE. FURTHER RESTRICTION OF THE IMPERVIOUS AREA IS LIMITED BY THE 30 FOOT HEIGHT LIMIT. PER CITY OF SAN DIEGO DRAINAGE DESIGN MANUAL FOR SINGLE FAMILY RESIDENTIAL USE THE COEFFICIENT OF RUNOFF "C" IS 35.
  3. MINIMIZE DIRECTLY CONNECTED IMPERVIOUS AREA - THIS PROJECT IS AN INFILL PROJECT WITH A LARGE SINGLE FAMILY HOME AND A GARAGE WHICH IS SEPARATE FROM THE HOME TO ALLOW STORM WATER INFILTRATION WITHIN THE LOT.
  4. MINIMIZE SOIL COMPACTION IN LANDSCAPE AREAS - THE AREA OF LANDSCAPING WITHIN THE PROJECT WILL BE COMPACTED TO SUPPORT LAWN AND GARDEN USE.
  5. SOIL AMENDMENTS - FULL USE OF SOIL AMENDMENTS WILL BE MADE BY THIS PROJECT IN THE LANDSCAPED AREAS.
  6. CONVEY RUNOFF SAFELY FROM THE TOPS OF SLOPES - THERE ARE NO SLOPES WITHIN THE BOUNDARY OF THIS PROJECT.
  7. VEGETATE SLOPES WITH NATIVE OR DROUGHT TOLERANT VEGETATION - THERE ARE NO SLOPES WITHIN THE BOUNDARY OF THIS PROJECT.
  8. STABILIZE PERMANENT CHANNEL CROSSINGS - THERE ARE NO CHANNEL CROSSINGS WITHIN THE BOUNDARY OF THIS PROJECT.
  9. INSTALL ENERGY DISSIPATORS - ALL STORM DRAIN WATER IS DIRECTED TO IMPROVE PUBLIC RIGHT OF WAYS TO LIMIT ANY EROSION EFFECTS. THE EXISTING STORM DRAIN SYSTEM OF CURB AND GUTTERS DISCHARGE TO MISSION BAY.

- ### POTENTIAL POLLUTANTS GENERATED BY SITE
- HOUSING DEVELOPMENT - SEDIMENTS, NUTRIENTS, TRASH AND DEBRIS, OXYGEN DEMANDING SUBSTANCES, OIL AND GREASE, BACTERIA AND VIRUSES, AND PESTICIDES.
- ### SOURCE CONTROL BMPs
1. NO OUTDOOR MATERIAL STORAGE AREAS ARE PROPOSED FOR THIS PROJECT. ALL MATERIAL STORAGE WILL TAKE PLACE WITHIN THE SINGLE FAMILY HOME.
  2. TRASH STORAGE WILL BE EITHER INSIDE THE SINGLE FAMILY HOME OR IN THE "CITY APPROVED TRASH CONTAINER" PROVIDED FOR SINGLE FAMILY HOMES.
  3. PEST MANAGEMENT PRINCIPLES WILL INCLUDE PEST RESISTANT PLANTS.
  4. IRRIGATION AND LANDSCAPE DESIGN - THE IRRIGATION SYSTEM WILL EMPLOY RAIN SHUTOFF DEVICES TO PREVENT UNNECESSARY IRRIGATION. EACH LANDSCAPED AREA IS TO BE IRRIGATED ACCORDING TO ITS REQUIREMENTS. FLOW REDUCERS AND SHUTOFF VALVES WILL BE INSTALLED TO SHUT DOWN THE IRRIGATION SYSTEM IN THE EVENT OF A BROKEN SPRINKLER HEAD OR LINE.
  5. NO STORM DRAIN FACILITIES ARE PROPOSED FOR THE SITE SO NO STAMPING OR SIGNAGE IS REQUIRED.
  6. THIS SINGLE FAMILY HOME WILL NOT HAVE A FIRE SPRINKLER SYSTEM THAT COULD IMPACT THE EXISTING STORM DRAIN SYSTEM.

<b>Benchmark:</b> SOUTHEAST CORNER, BRASS PLUG, AT THE INTERSECTION OF CHALCEDONY STREET AND DAVIES STREET PER CITY OF SAN DIEGO VERTICAL CONTROL BOOK, ELEVATIONS 74.808, M.S.L. NGVD 1928.	<b>Project Soil Condition:</b> Existing developed site.
<b>Project Legal Description:</b> LOT 27 IN BLOCK 113 OF PACIFIC BEACH IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1042 FILED IN OFFICE OF THE COUNTY CLERK OF RECORD OF SAN DIEGO COUNTY, APRIL 9, 1907.	<b>Source of Topography:</b> A field survey by San Diego Land Survey on 10-22-2010.
<b>Project Name:</b> <b>1056 CHALCEDONY STREET</b>	<b>Project Permits Required:</b> Coastal Development Permit Building Permit
<b>Project Address:</b> 1056 Chalcedony Street San Diego, CA 92109 A.F.Z. 415-490-15	<b>Project Data:</b> Construction Type: 5 Number of Stories: 3 Proposed Use: Single Family Res. Existing Use: Single Family Res. Zone Designation: RS-1 Building Code: CBS/2008 & UBC 2008 Year of Construction (est. structure): x Gross Floor Area (GFA): 2,228 SF Floor Area Ratio (FAR): 0.71
<b>Project Owner:</b> Mark Fletcher 0185 Grossmont Blvd. La Mesa, CA	<b>Project Data:</b> Occupancy Classification: R-3 Building Height: 30'
<b>Sheet Title:</b> <b>WATER QUALITY STUDY</b>	<b>Scale:</b> 1" = 10' Original Date: November 3, 2010 Revised: 12-13-2010
	Sheet 1 of 1

 THE CITY OF SAN DIEGO	City of San Diego Development Services 1222 First Ave, 3rd Floor San Diego, CA 92101 (619) 446-5210	<h2 style="margin:0;">Development Permit/ Environmental Determination Appeal Application</h2>	FORM <b>DS-3031</b> MAY 2010
--	---	---	------------------------------------

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

**1. Type of Appeal:**

<input checked="" type="checkbox"/> Process Two Decision - Appeal to Planning Commission	<input type="checkbox"/> Environmental Determination - Appeal to City Council
<input type="checkbox"/> Process Three Decision - Appeal to Planning Commission	<input type="checkbox"/> Appeal of a Hearing Officer Decision to revoke a permit
<input type="checkbox"/> Process Four Decision - Appeal to City Council	

**2. Appellant Please check one**  Applicant  Officially recognized Planning Committee  "Interested Person" (Per M.C. Sec. 119.0103)

Name: Eddie Silverberg & Stephanie Roth		E-mail Address: Eddie@FlexibleAssembly.com	
Address: 1050 Chalcedony Street	City: San Diego	State: CA	Zip Code: 92109 Telephone: (408) 307-1117

**3. Appellant Name** (As shown on the Permit/Approval being appealed). Complete if different from appellant.

**FLEISHER RESIDENCE**

<b>4. Project Information</b>	Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
	PTS 218795	December 17th, 2010	Diane Murbach

**Decision** (describe the permit/approval decision):  
 On December 17, 2010, Development Services Staff APPROVED an application for a Coastal Development Permit to construct a three story 2,226 square foot single family residence and detached carport on a vacant 0.07 acre site located at 1056 Chalcedony St

**5. Grounds for Appeal (Please check all that apply)**


<input type="checkbox"/> Factual Error (Process Three and Four decisions only)	<input type="checkbox"/> New Information (Process Three and Four decisions only)
<input type="checkbox"/> Conflict with other matters (Process Three and Four decisions only)	<input type="checkbox"/> City-wide Significance (Process Four decisions only)
<input type="checkbox"/> Findings Not Supported (Process Three and Four decisions only)	

**Description of Grounds for Appeal** (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

I appreciate you taking the time to review our request for appeal. Our appeal to this development is related to the bulk and scale of the proposed project. The proposed construction is an eyesore for the community with no ascetic value to the look or the height. The design of this construction lacks any consistency with the existing structures in the area. This kind of development would have a severe impact on the local Pacific Beach environment & community. We are not against new construction in the area however we are against construction that takes away from the flavor of the neighborhood and this proposed development negatively impacts Pacific Beach. The reason we moved to Pacific Beach and I believe others feel the same way is because of the charm of the area. To start building homes that lack any integrity will have a negative impact on the whole community. This kind of construction will set a precedent for other builders to construct oversized structures in other parts of Pacific Beach.

I would like to emphasize that the Pacific Beach Planning Group (PBPG) recommended that the city deny the proposed development. Their rationale being that there is a code compliance issue. It does not comply with the community plan in terms of bulk and scale of established neighborhoods. Among other reasons for denial the PBPG stated that the same developer has just completed and put for sale a project on Honeycutt with completely enclosed garages, clearly in violation of approved plans.

**6. Appellant's Signature:** I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:  Date: 4/10/11

**Note: Faxed appeals are not accepted. Appeal fees are non-refundable.**

JAN 11 2011 Printed on recycled paper. Visit our web site at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services). CITY PLANNING COMMISSION  
 Upon request, this information is available in alternative formats for persons with disabilities.

DEVELOPMENT SERVICES DS-3031 (05-10) JAN 13 2011 RECEIVED

Attention: City Of San Diego Development Service Department

RE: Appeal of Project "FLEISHER RESIDENCE", Permit # PTS 218795

The appeal to this development is related to the bulk and scale of the proposed project. The proposed construction is an eyesore for the community with no ascetic value to the look or the height. The design of this construction lacks any consistency with the existing structures in the area. This kind of development would have a severe impact on the local Pacific Beach environment & community.

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We are only a few of the local residents who are speaking out against this however we feel that our opinions regarding the denial of this development represent an overwhelming majority of the community in Pacific Beach.

Concerned Residents:

WILLIAM R. FULSON WRF Fulson Jan. 10 - 11 1042 CHALCEDONY  
Name Signature Date Street Address

Rob Wherste Rob Wherste 1/14/11 1065 Chalcedony Unit B  
Name Signature Date Street Address

VIVIAN BUTLER Vivian Butler 1-16-11 1068 Chalcedony  
Name Signature Date Street Address

Lisa Heinz Lisa Heinz 1/10/11 1053 Chalcedony ST.  
Name Signature Date Street Address

Jason W... Jason W... 1-10-11 1053 Chalcedony  
Name Signature Date Street Address 4804 M...  
Street Address

Steve M... Steve M... 1-10-11  
Name Signature Date Street Address

Jason Kamiski Jason Kamiski 1-10-11 1064 Chalcedony Unit C  
Name Signature Date Street Address

Attention: City Of San Diego Development Service Department

RE: Appeal of Project "FLEISHER RESIDENCE", Permit # PTS 218795

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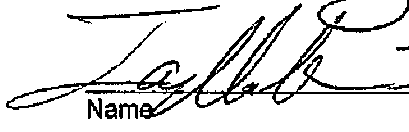
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Concerned Residents:

Stephanie Roth  1/10/11 1050 Chalcedony  
Name Signature Date Street Address

Eddie Silverberg  1/10/11 1050 Chalcedony St.  
Name Signature Date Street Address

Taylor  Ian Monahan 1/10/11 1829 Chalcedony St.  
Name Signature Date Street Address

 TALIA HERMAN 1/10/11 1829 Chalcedony St.  
Name Signature Date Street Address

Name Signature Date Street Address

Name Signature Date Street Address

Name Signature Date Street Address

**TO: Kelly Broughton, Development Services Director**  
**From: John Shannon, Chairperson, Pacific Beach Planning Group (PBPG)**  
**RE: "Carports" loophole exploited by developers in Pacific Beach**  
**Date : December 8, 2010**  
**CC: Kevin Faulconer, Councilmember District 2, Bill Anderson, Director of Planning, Lesley Henegar, Senior Planner, Thyme Curtis, District 2, Robert Vacchi, Deputy Director of Code Compliance, Jerry Sanders, Mayor, San Diego Community Planning Committee**

The PBPG voted to send this letter informing you of a loophole in the municipal code that adversely affects the Community of Pacific Beach and wastefully increases workload on City staff. Using the loophole developers obtain approval for projects that are contrary to the community plan. Additionally, these projects are problematic and require more staff time for plan review, building inspection and code enforcement.

Over the last few years, several residential projects have included carports that misuse Municipal Code. Section 113.0234(a) (6) regarding gross floor area (GFA) calculations. The municipal code allows carports to be built and not included in the GFA if they maintain 2 elevations at least 75% open. Excluding Carport square footage, allows for more square footage in the primary building structure.

Not in compliance with Community Plan Adding more square footage to the building creates a more massive structure, effectively exceeding the Municipal code maximum GFA and conflicting with our community plan in terms of bulk and scale and established neighborhood standards. Most of these projects are created by demolishing a residential structure(s) on a 50 foot wide property and developing two separate 25 foot wide lots, thereby further emphasizing tall narrow structures, not in character with our community. See Attachment "A"

Plan Review Phase: In reality the carports, once built, appear like enclosed garages. As seen in attachment "B", they do not comply with the intent of an "open elevation". In terms of visual bulk and scale there is no difference between these garages and any garage not using this loophole in the municipal code. Considerable staff time has already been spent interpreting the complaints of our planning group and trying to add conditions the approval process.

Building Phase: Approved plans are vague in details for open walls. Building inspectors can't be expected to interpret and enforce the confusing "75% open elevation rule". As seen in attachment "C" buildings pass final inspection and do not comply with the 75% rule nor the intent of an "open elevation".

Code Compliance: Typically, after final building inspection, the developer sells the property and the new owner encloses the two "open elevations" with either rolling garage doors, windows, bars and nylon mesh or studs / drywall / stucco. Attachment "D" illustrates several projects in Pacific Beach with enclosed walls that are now code violations. Does neighborhood code compliance have the resources to play cat and mouse with these projects that were obvious code compliance disasters at the time of plan review?

The PBPG has been raising this issue with developers, architects and city planners for 3 years now. The only solution offered is a condition on the permit stating that the open walls will not be enclosed. We do not consider this an acceptable solution. Four of these projects have come before the PBPG in the last 2 months and we will continue to deny them. The situation is only getting worse and the code violations continue to proliferate. Do we really want to burden our community with regular reporting of violations and our Neighborhood Code Compliance Department with regular inspections?

This problem can be resolved by either a change in the municipal code or a change during the approval process. We respectfully request that you respond with a plan for resolving this issue

Tall Massive Narrow Structures



1161-1167 Oliver



4052 and 4056 Promontory



3943 thru 3947 Sequoia

Attachment B  
Carports appear like Garages



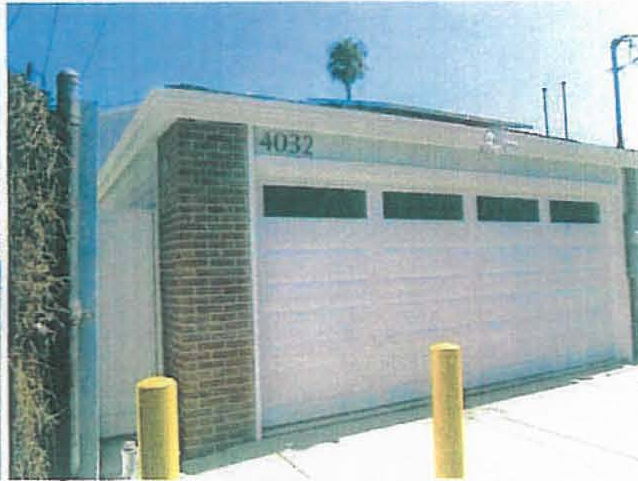
1161-1167 Oliver Ave



4052 and 4056 Promontory



1058 and 1064 Diamond



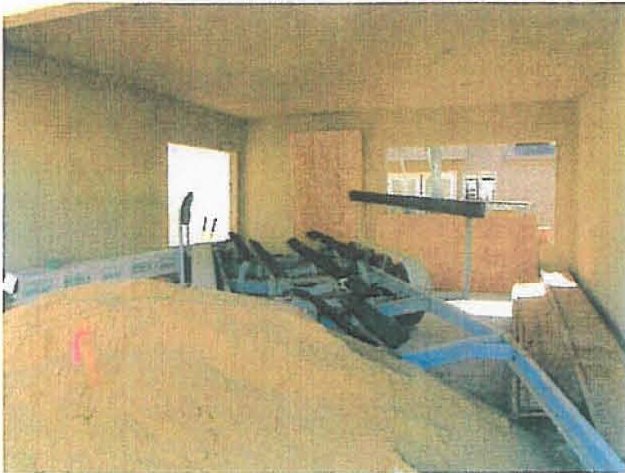
4032 Honeycutt



Attachment C  
Open Walls "as built" not in compliance with "75% open elevation rule"



Carports at 1058 & 1064 Diamond with 75% open elevations as they are typically approved and pass final building inspection



Open wall at 1165 Oliver

Attachment D  
Open Elevations in-filled after final inspection

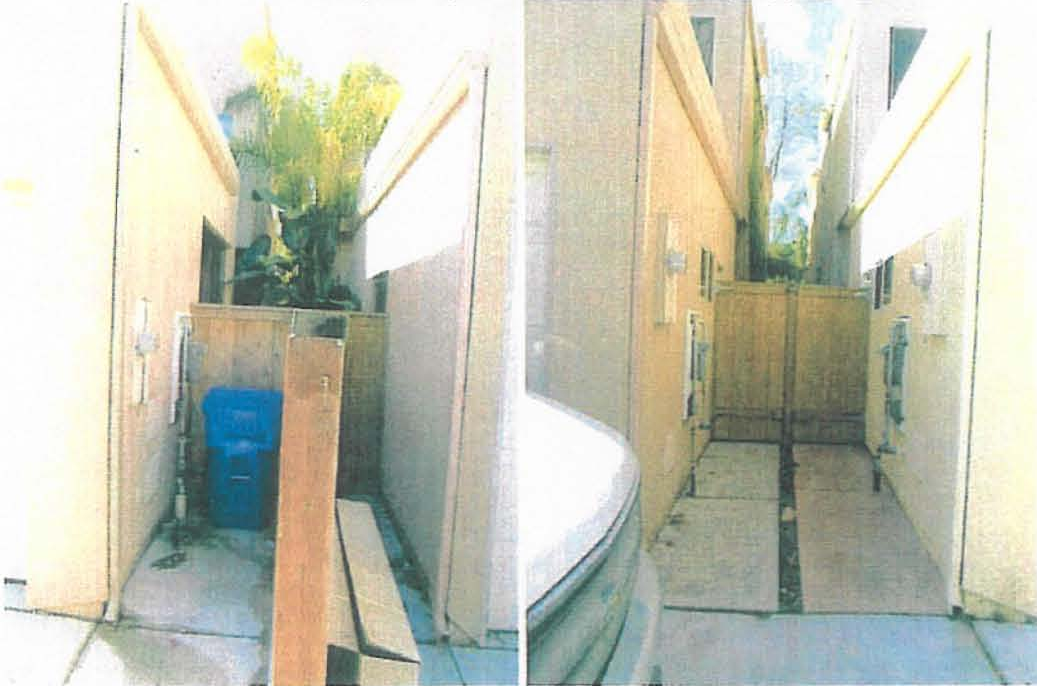
4052 and 4056 Promontory  
Approved by City in 2008  
Carport "open elevation" in-filled with studs / drywall / stucco



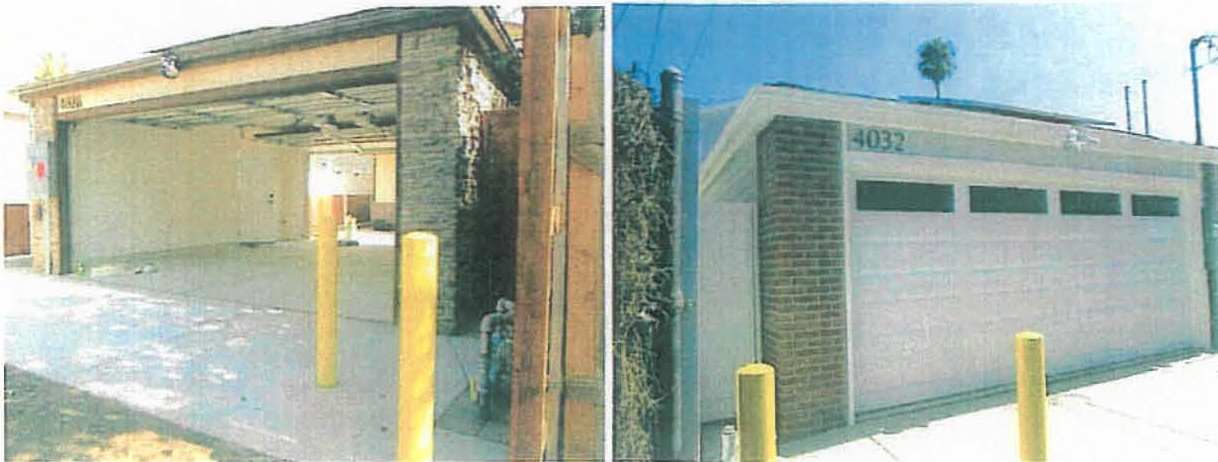
1161-1167 Oliver Ave  
Approved by City 2007, Project #106427  
In-fill with bars and nylon mesh or studs / drywall / stucco



3943 thru 3947 Sequoia  
Approved by City in 2008, Project #137821  
Carport "open elevations" as they appear now



4028 and 4032 Honeycutt  
Approved by City in 2009  
Carport "open elevations" in-filled with rolling garage doors



FLEISHER

218795

ATTACHMENT 11

**Murbach, Diane**

---

**From:** Chris Olson [surferoly7@att.net]  
**Sent:** Monday, November 01, 2010 5:56 PM  
**To:** Peterson, Jeff; Murbach, Diane  
**Subject:** Fleisher and Mudgett  
**Attachments:** PBPG\_MinutesOct2010.doc

Diane and Jeff

Attached are the draft minutes from the last meeting and it includes your project. You each have a project that is essentially identical with the same issues. You might want to read the portion just prior and just after the votes as it gives background information and the committee decision that we will hereafter deny all projects with carport / garages having 2 "open" walls and not included in the FAR calculation. The PBPG will be drafting a letter stating our rationale for denying these projects and we will send it to the Director of Planning and Development. I tried the motion to approve with the condition on the title regarding the carport and the group did not accept it.

Thanks, Chris

PACIFIC BEACH PLANNING GROUP  
EARL AND BIRDIE TAYLOR LIBRARY  
DRAFT OCTOBER 27, 2010 MEETING MINUTES

**6:34 p.m. meeting called to order**, quorum established. **Attendees:** John Shannon, Marcie Beckett, Scott Chipman, Greg Daunoras, Diane Faulds, Blake Hysni, Chris Olson, Rosalie Schwartz, Baylor Triplett, Barbara Williams, Jim Morrison (6:40 p.m.) and Clif Smith (6:40 p.m.).

**Agenda & Minutes:** Chris Olson motioned to adopt the meeting agenda for the evening, Barbara Williams seconded, motion **passed 9-0-0**. Blake Hysni motioned to approve the September 2010 minutes, Diane Faulds seconded, motion **passed 7-0-2**. Those abstaining did not attend the September 2010 meeting.

**Chair's Report:** John Shannon discussed vacancies on the PB Planning Group and the upcoming city engineering meeting regarding the comfort station construction at Palisades Park.

**Government Office Reports:**

Mayor Sander's Office – Not Present

City Council District 2 – Not Present

Long Range Planner – Not Present

**Non-Agenda Public Comment:**

Marcie Beckett discussed some misinformation regarding Proposition 19 on the upcoming Midterm election here in California.

**Informational Items:**

Don Gross provided an update on the Rose Creek Bridge Project.

**Action Items:**

**PBPG Vice-Chairperson Election:** Jim Morrison nominated Diane Faulds for the vacant position of PB Planning Group Vice-Chairperson, Scott Chipman seconded the nomination. After confirming with Diane Faulds that she would accept the nomination, Marcie Beckett motioned to elect Diane Faulds as PBPG Vice-Chair, Scott Chipman second. Motion **passed 10-0-1**. Diane Faulds abstained from voting.

**Mission Bay High School Modernization Plan and Fund Allocation:** Scott Chipman briefed the planning group on how Mission Bay HS did not receive an adequate amount of Proposition S funds as compared to other high schools within San Diego Unified and how certain areas of the campus such as the athletic fields are showing a deteriorating condition. Because of the poor condition of the athletic fields, many sporting events such as Track & Field must be held at other campuses throughout San Diego.

**Vacation Rental Issue in residential areas and letter proposal** was discussed by Rosalie Schwartz. The issue involves the question of whether a person or entity offering visitor accommodations in a residential dwelling within certain residential zones constitutes a commercial service.

The second question raised is, if a residential dwelling is offered for visitor accommodations in a residential zone (RS or RM) does this commercial service provider violate Section 131.0420 of the San Diego Municipal Code? Chris Olson motioned to send a letter to the city attorney and councilman for District 2 asking these questions, Scott Chipman second, motion **passed 11-0-0**.

CPC request of PBPG feedback on Council Policy 600-27 and proposed regulations for medical marijuana dispensaries. With regards to Council Policy 600-27, Scott Chipman motioned that the PBPG should consider affordable housing and sustainable development as separate issues, Clif Smith second. Motion passed 11-0-0. Regarding sustainable development, Marcie Beckett motioned that the PBPG oppose any incentive that compromises the Pacific Beach Community Plan on density bonuses, parking ratio reduction, conforming setbacks and allowing deviations from height limits, Scott Chipman second. Motion passed 11-0-0.

Regarding proposed regulations for medical marijuana dispensaries, Marcie Beckett motioned to support Community Planners Committee (CPC) Motion Number 2, Rosalie Schwartz second, PBPG motion passed 11-0-0. Marcie Beckett then motioned to support CPC Motion Number 1, excluding paragraph C, Scott Chipman second, PBPG motion passed 9-2-0.

#### **Residential/ Mixed Use/ Commercial Subcommittee Report**

Chris Olson stated that the subcommittee met on October 14, 2010 and there were 5 committee members present and 2 persons representing applicants. The next subcommittee meeting is scheduled for November 11, 2010 at 12:00 p.m.

1). Oliver Avenue Oceanfront Public Land: Development plan for the "paper street" and adjacent public right of way. Chris stated that Lane Mackenzie of the City of Sand Diego Real Estate Services Division has been working to get a title search and related restrictions and interpretation of the title language. His report is still forthcoming. Subcommittee members brought forth some possible uses: a) Meeting Hall / Community Room that will bring revenue, b) Concept like Spanish village in Balboa Park, c) Per community plan all unused right of ways should be used for pocket parks. Paul Ross added that the property is owned by the streets division and we should ask our councilmember to get it transferred to park division, carry out a short term plan (e.g. water meter and palm trees) then long term something else. Tim Golba agreed with Mr. Ross and added we might learn something from the experience of the OB gateway park which is a similar situation.

2). Development of RM-1-1 zoned properties: Chris Olson provided the background that is pertinent to these developments. There is a trend over the past few years to demolish existing structures built across two 25 foot wide lots and develop each 25 foot lot separately. This allows for each home to have a street front and alley access. It also gives the builder the advantage of a reduced parking requirement (5 for a 50ft wide development versus 2 for each 25ft wide development) and a reduced side yard setback (5 ft for a 50ft wide lot versus 3ft for a 25 foot wide lot). It is Mr. Olson's opinion that this creates the look of tall narrow structures that are very close together as seen in Mission Beach. Additionally, some developers have taken advantage of a municipal code loophole regarding "carports" built with "2 Open walls". The open walls allow that carport square footage is not included in the maximum square footage for the development. Thereby, the developer increases the square footage of the house and builds a more massive structure. These "carports" actually appear to be garages. Once the house is sold, the new owner encloses the open holes in the walls and it becomes a completely enclosed garage. Almost all of these structures built in the last couple years are now enclosed garages. Since it is obvious that buyers want an enclosed garage, they should be designed and built that way in the first place.

3). 4080 and 4084 Morrell St. Project #218555: CDP to demolish 2 existing residential units and construct 2 residential units zoned RM-1-1. Chris Olson explained that this project was similar to 4028 and 4032 Honeycutt (also presented by Golba Architecture) to the PBPG in June of 2008. The PBPG approved the Honeycutt project however Mr. Olson voted against it due to the issues already stated and especially the carport / open walls.

The Honeycutt project is now completed and the garage walls are enclosed. Mr. Olson has discussed the issue with the city planners and they have proposed a permit condition to address this problem. Mr. Golba presented the project and pointed out that these types of developments allow the lots to be developed as single family developments rather than multi-family developments.

The side yard setback for the two lots provide 4 X 3ft = 12 ft total which is more than 2 X 5ft = 10ft total for a 50ft lot. Thereby, more open space is provided. The detached garage allows for a backyard between the house and the garage. The new design for the garage shows open walls on the side. Now, the owners will not need to enclose the garage for security reasons. Although, the two structures have the same floor plan they will have a different front design.

Chris Olson motioned to approve with the following condition placed upon the permit: "The carport shall be constructed and maintained with at least two sides that are at least 75 percent completely open. The carport shall be included in the calculation of FAR if less than two sides of the carport are 75 percent completely open. The project may not exceed the allowable FAR of the zone." This condition regarding the carport and FAR shall be reflected and disclosed on any future sale or lease agreement(s) of the dwelling units on this property, Barbara Williams second.

**Motion failed to pass 0-10-1.**

Jim Morrison motioned to extend the PBPG meeting by 10 more minutes, Scott Chipman second, motion passed 11-0-0.

Chris Olson motioned to deny the project as the carport / garage should be included in the FAR and historically these carports / garages have been enclosed after completion, Diane Faulds second, motion passed 11-0-0.

4). 1056 Chalcedony St. Project #218795: CDP to construct a 2,226 square foot single family residence on a 0.07 acre site in the RM-1-1 zone. Mr. Golba presented the project and the primary difference is that this is a vacant 25ft wide lot that was recent sold separately from a larger parcel with a house on it. The lot is deeper than the previous projects and allows for a bigger rear yard.

Chris Olson motioned to deny the project as the carport / garage should be included in the FAR and historically these carports / garages have been enclosed after completion, Barbara Williams second, motion passed 11-0-0.

Chris Olson motioned to reschedule November's PBPG meeting within the first two weeks of December 2010, Scott Chipman second, motion passed 11-0-0.

**Subcommittee Reports:**

Alcohol License Review: Scott Chipman stated the next subcommittee meeting will be on Nov 9<sup>th</sup> at 6:30 p.m. here in the PB Library.

Election and Vacancies: No report

Traffic and Parking: Jim Morrison

Neighborhood Code Compliance: No report

Special Events and Community Advisory: No Report

**Meeting adjourned at 8:52 p.m.**



City of San Diego  
 Development Services  
 1222 First Ave., MS-302  
 San Diego, CA 92101  
 (619) 446-5000

# Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  
 Variance  Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  Other \_\_\_\_\_

Project Title \_\_\_\_\_ Project No. For City Use Only \_\_\_\_\_

Project Address: 1056 Chalcedony  
1056 Chalcedony St

**Part I - To be completed when property is held by individual(s)**

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

Additional pages attached  Yes  No

Name of Individual (type or print):  
MARK FLEISHER  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
9185 GROSSMONT BLVD.  
 City/State/Zip:  
LA MESA CA 91941  
 Phone No: 619-890-6337 Fax No: \_\_\_\_\_  
 Signature: [Signature] Date: 8-19-10

Name of Individual (type or print):  
BRUCE FLEISHER  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
SAME  
 City/State/Zip:  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print):  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
 \_\_\_\_\_  
 City/State/Zip:  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print):  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
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 City/State/Zip:  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Fleisher Residence - Project No. 218795****PROJECT CHRONOLOGY**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
09/03/10	Project Deemed Complete and accepted into the Affordable Sustainable Housing Expedite Program.	Applicant paid Affordable Housing Expedite program fees. Project distributed for City staff review as a Process 2.		
09/03/10 - 10/01/10	First Review and preparation of Initial Assessment Letter	Initial/First Assessment Letter to Applicant	19 days	
10/01/10	CEQA Notice of Exemption (NOE)	Environmental Exemption Determination		
10/02/10 - 11/29/10	Applicant resubmits for City review	2 <sup>nd</sup> project review resubmittal from applicant		38 days
10/22/10	NOE Final	Environmental determination final		
11/30/10- 12/14/10	2 <sup>nd</sup> Expedite staff review	Second Review to Applicant	10 days	
12/17/10	Process 2 Decision Noticed	Staff Decision - APPROVAL		
11/11/11	Appeal	Appeal of Staff Decision		
03/24/11	Public Hearing	Planning Commission		
<b>TOTAL STAFF TIME</b>		Review Working Days	29 working days	
<b>TOTAL APPLICANT TIME</b>		Review Working Days		38 working days
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete submittal to Staff Decision - Approval (09/03/10 to 12/17/10)	3 Months, 14 days (Calendar Days)	