

Civic San Diego

DATE ISSUED: November 13, 2012 **REPORT NO. PC-12-114**

ATTENTION: **Planning Commission, Agenda of November 29, 2012**

SUBJECT: Appeal of the Civic San Diego Board of Directors' October 17, 2012 Approval of Centre City Planned Development Permit 2011-42 for the Palatine Project (north side of Elm Street between Columbia and State streets) – Little Italy Neighborhood of the Downtown Community Plan Area – **PROCESS THREE**

**OWNER/
APPLICANT:** **DPSS Properties, L.P.**

SUMMARY

Issue(s): “Should the Planning Commission (“Commission”) uphold the Civic San Diego (“CivicSD”) Board of Director's ("Board") decision to approve Centre City Planned Development Permit (CCPDP) 2011-42 for the Palatine project ("Project") located in the Little Italy Neighborhood of the Downtown Community Plan Area?”

Staff Recommendation: Staff recommends that the Commission deny the appeal and uphold the CivicSD Board's approval of CCPDP 2011-42 for the Project.

Community Planning Group Recommendation: On February 22, 2012, the Centre City Advisory Committee (CCAC) voted 16-4 to recommend Design Review approval and approval of CCPDP 2011-42 for the Project, subject to conditions as outlined in the Draft Permit.

Other Recommendations: The Little Italy Association (LIA) has reviewed the Project proposal. The LIA's letter of support is attached to this report.

Environmental Review: This Project is covered under the Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan (DCP), Centre City Planned District Ordinance (CCPDO), and 10th Amendment to the Centre City Redevelopment Plan, certified by the Former Redevelopment Agency (“Former Agency”) on March 14, 2006 (Resolution R-04001) and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Former Agency Resolution R-04544). The FEIR is a “Program EIR” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section

15168. Pursuant to the FEIR, an Environmental Secondary Study was prepared in accordance with CEQA, state, and local guidelines. The Environmental Secondary Study concluded that the potential environmental impacts of the Project were adequately addressed in the FEIR. The Project is within the scope of the development program described in the FEIR; therefore, no further environmental documentation is required under CEQA.

Fiscal Impact Statement: None.

Code Enforcement Impact: None.

Housing Impact Statement: None.

BACKGROUND

The proposed Project is an eight-story (approximately 87-foot tall) residential development comprised of approximately 101 residential units and includes indoor and outdoor amenity space and 115 subterranean parking spaces. A detailed description of the Project program can be found in the "Project Description" table below. The Project site is located on a 14,601 square-foot L-shaped parcel along the north side of Elm Street between Columbia and State streets in the Little Italy Neighborhood of the DCP area. A full description of the Project is located in the staff report to the CivicSD Board dated October 17, 2012, which is included as Attachment A.

On February 29, 2012, the CivicSD Board held a public hearing and granted Design Review approval and approved CCPDP No. 2011-42 for the Project. In August 2012, staff received correspondence from the adjacent property owner stating that they were not notified of the public hearing pursuant to the public notice requirements of Chapter 11, Article 2, Division 3 of the San Diego Municipal Code (SDMC). Upon review of available records, a determination was made that the required Notice of Application and Notice of Public Hearing were mailed to all required parties (including the adjacent property owner); however, the required notice was not placed in the newspaper. Due to this procedural error, the previous approval was voided and a new hearing took place on October 17, 2012. Upon review of the staff report and after hearing public testimony, the CivicSD Board granted Design Review approval and approved CCPDP 2011-42 for the Project. On October 30, 2012, 1835 Columbia Street, L.P. ("Appellant") submitted an appeal of the CivicSD Board's decision to approve the Project. The appeal application was accompanied by an appeal letter, prepared by the Appellant's legal counsel, which outlines the reasons for the appeal. The appeal letter is included as an attachment to this report.

DEVELOPMENT TEAM

ROLE	FIRM/CONTACT	OWNERSHIP
Owner/Developer	DPSS Properties, L.P. Duane E. Schinnik, Managing Partner	Duane E. Schinnik, Phyllis A. Schinnik, Samuel B. Schinnik, and Stephen W. Schinnik (Privately Owned)
Architect	Graham Downes Architecture Jon Starr, Project Architect	Graham Downes (Sole Owner) (Privately Owned)

DISCUSSION

Appeal:

In the attached appeal letter, the Appellant cites the following three reasons for appealing the approval of the Project: 1) that the proper notice was not given by CivicSD; 2) that the proposed Project is not consistent with the applicable zoning and development standards of the CCPDO; and, 3) that the findings for approval of a CCPDP cannot be supported. The Appellant's contentions are summarized below followed by staff's responses:

1. Proper notice was not given by CivicSD.

Staff Response

It should be noted that improper noticing is not considered a factual error and therefore not a valid reason for an appeal. However, as previously stated, when the Project was originally approved in February 2012 it was determined that a procedural error occurred related to the public notice and the approval was subsequently invalidated. A new hearing for the Project took place on October 17, 2012. All required noticing, including publication in a newspaper and mailing to property owners and tenants within a 300-foot radius, was provided in accordance with SDMC Chapter 11, Article 2, Division 3. The Appellant was present and provided testimony to the CivicSD Board. After consideration of the staff report and public testimony, the CivicSD Board granted Design Review approval and approved CCPDP 2011-42 for the Project.

2. Project is inconsistent with the surrounding neighborhood and the zoning and development standards.

Staff Response

Under the CCPDO deviations to the development regulations of the CCPDO may be approved, conditionally approved, or denied in accordance with Process Three (Public Hearing) as part of the Design Review approval process by CivicSD (subject to appeal to the Commission). The purpose and intent of a CCPDP is to provide flexibility in the application of development regulations for projects where the strict application of the development regulations would restrict design options and result in a less desirable project. The Project applicant submitted a request for approval of deviations to the LISA Overlay, Street Wall Height, Below-Grade Parking Encroachments and the off-street loading provisions of the CCPDO through the CCPDP process. A full discussion and evaluation are included in Attachment A. The appropriate process for approval of deviations to the development standards of the CCPDO was followed and the findings for approval were made by the decision maker at a properly noticed public hearing; therefore, the Project is consistent with the requirements of the zoning and development standards of CCPDO.

3. Findings for approval of CCPDP No. 2011-42 cannot be supported.

Staff Response

The findings for approval of a PDP are evaluated to determine if the proposed deviations facilitate development that is beneficial to the community and results in a more desirable project than could otherwise be achieved if the project were required to rigorously adhere to the development regulations. In order to grant approval of a PDP, the following findings must be made:

1. *The proposed development will not adversely affect the applicable land use plan;*
2. *The proposed development will not be detrimental to the public health, safety, and welfare;*
3. *The proposed development will comply to the maximum extent feasible with the regulations of the CCPDO, except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO; and,*
4. *The proposed deviations will result in a development exhibiting superior architectural design.*

The Appellant claims that the findings for approval of the CCPDP, particularly the deviations related to the LISA Overlay and the off-street loading zone, are not supported. However, after a thorough analysis of the Project and the requested deviations (including input obtained at various public meetings) CivicSD staff found that the required finding could be made and recommended approval of the Project to the CivicSD Board. The

CivicSD Board agreed and granted Design Review approval and approved the CCPDP. A thorough analysis of the requested deviations (including those pertaining to the LISA Overlay and the off-street loading) and the required findings for approval of a CCPDP are included in Attachment A to this report.

CONCLUSION

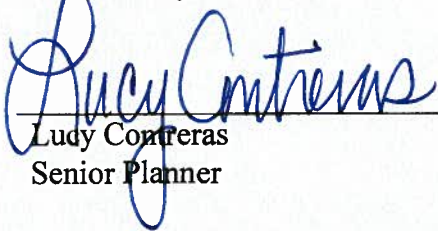
The Project will add an attractive new residential development in the Little Italy Neighborhood and results in redevelopment of an under-utilized parcel. Based on an analysis of the Project, the CivicSD Board has concluded that the findings for approval of a CCPDP can be made and found the Project to be in conformance with the land use and development regulations of the CCPDO and DCP. Therefore, staff recommends that the Commission deny the appeal and uphold the CivicSD approval of CCPDP 2011-42, subject to the conditions as listed in the attached Draft Permit.

ALTERNATIVES


1. Deny the appeal and uphold the CivicSD Board approval of CCPDP 2011-42, subject to conditions as listed in the attached Draft Permit.
2. Uphold the appeal and Deny CCPDP 2011-42 for the Project.

Respectfully submitted,

Concurred by:



Ludy Contreras
Senior Planner



Brad Richter
Assistant Vice President, Planning

Attachments: A – CivicSD Board Staff Report dated October 17, 2012
B – Appeal Application/Letter
C – LIA Meeting Minutes
D – Draft PDP 2011-42/Resolution
E – Secondary Study
Basic Concept/Schematic Drawings

Civic San Diego

Item #10

DATE ISSUED: October 9, 2012

ATTENTION: Civic San Diego
Meeting of October 17, 2012, Agenda 6

SUBJECT: Palatine (north side of Elm Street between Columbia and State streets) –
Design Review/Centre City Planned Development Permit 2011-42 – Little
Italy Neighborhood of the Downtown Community Plan Area – **Public
Hearing**

STAFF CONTACT: Lucy Contreras, Senior Planner

REQUESTED ACTION: That Civic San Diego ("CivicSD") reviews the design and the required findings for approval for Centre City Planned Development Permit (CCPDP) 2011-42 for the Palatine project ("Project").

STAFF RECOMMENDATION: That CivicSD grants Design Review approval and approves CCPDP 2011-42 for the Project, subject to conditions as outlined in the Draft Permit.

SUMMARY: DPSS Properties, L.P. ("Applicant") is requesting Design Review approval and approval of CCPDP 2011-42 for an eight-story (approximately 87-foot tall) residential building located on a 15,000 square-foot parcel located along the north side of Elm Street between Columbia and State streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area. The Project is comprised of 101 apartment units, including indoor and outdoor common areas, and 115 subterranean parking spaces.

FISCAL CONSIDERATIONS: None.

COMMITTEE RECOMMENDATION: None.

ECONOMIC IMPACTS: The Project will create approximately 197 construction jobs and four permanent jobs. As of December 31, 2011, approximately 63,630 construction jobs and 22,810 permanent jobs have been created as a result of Downtown development activities.

CENTRE CITY ADVISORY COMMITTEE RECOMMENDATION: On February 22, 2012, the Centre City Advisory Committee (CCAC) voted 16-4 to grant Design Review approval and approve CCPDP 2011-42 for the Project, subject to conditions as outlined in the Draft Permit.

OTHER RECOMMENDATIONS: The Little Italy Association (LIA) Project Review Committee reviewed the project at their November 2011 meeting and, overall, were enthusiastic about the Project. They recommended approval of the Project and the deviations proposed by the Applicant. The LIA recommended that a pop-out be included on the corner of State and Elm streets and recommended that the above-grade planters be taller to avoid loitering. The meeting minutes have been provided as an attachment to this report.

BACKGROUND

On February 29, 2012, CivicSD granted Design Review approval and approved CCPDP No. 2011-42 for the Project. In August 2012, staff received correspondence from the adjacent property owner stating that they were not notified of the public hearing pursuant to the public notice requirements of Chapter 11, Article 2, Division 3 of the San Diego Municipal Code. Upon review of available records, a determination was made that the required Notice of Application and Notice of Public Hearing were mailed to all required parties (including the adjacent property owner); however, the required notice was not placed in the newspaper. Therefore, due to this procedural error, the previous approval has been voided and a new hearing is required for CivicSD to consider the proposed Project. It should be noted that no program or design changes have been made to the Project since its original approval by CivicSD.

DEVELOPMENT TEAM

ROLE	FIRM/CONTACT	OWNERSHIP
Owner/Developer	DPSS Properties, L.P. Duane E. Schinnik, Managing Partner	Duane E. Schinnik, Phyllis A. Schinnik, Samuel B. Schinnik, and Stephen W. Schinnik (Privately Owned)
Architect	Graham Downes Architecture Jon Starr, Project Architect	Graham Downes (Sole Owner) (Privately Owned)

PROJECT DESCRIPTION

The following is a summary of the proposed project design and program:

Site Area (development site)	14,601 sq.ft.
Maximum FAR	6.0 (with TDR/FAR Bonuses)
Minimum FAR Required	3.5
Proposed FAR	6.0
FAR Incentives, Exemptions or Bonuses	N/A
Above Grade Square Footage	87,530 sq.ft.
Stories / Height	8 stories /87 feet
Amount of Retail Space	N/A
Amount of Office Space	N/A
Type of Housing	Apartments (Market Rate)

Total Number of Housing Units/ Total Residential Square Feet	101 apartments/72,945 sq.ft.
Types of Units (sizes)	7 Studios (510 sq.ft.avg.) 82 One-bedroom units (700 sq.ft.avg.) 12 Two-bedroom units (986 sq.ft.avg.)
Projected Rental Rates (Estimated)	Studios (\$1,785 max.) Market Rate One-bedroom (\$2,450 max.) Market Rate Two-bedroom (\$3,205 max.) Market Rate
Number of Units Demolished	1 single family home
Inclusionary Housing Ordinance Compliance/Number of Affordable Units	In-Lieu Payment
Parking Required (residential/guest) Proposed (residential/guest)	104 (1 per unit + 1 per 30 units for guests) 115 (1.1 per unit + 4 guest)
Common Outdoor Open Space Required Proposed	2,250 sq.ft. (15 percent of lot area) 2,840 sq.ft. (18 percent of lot area)
Common Indoor Open Space Required Proposed	500 sq.ft. 1,000 sq.ft.
Assessor's Parcel Nos.	533-241-04 and 11

DISCUSSION

Site Description

The Project site is located on a 14,601 square-foot L-shaped parcel along the north side of Elm Street between Columbia and State streets in the Little Italy Neighborhood of the DCP area. The site slopes ten feet down from State Street to Columbia Street. The site currently contains a one-story single-family home, a surface parking lot, and a one-story office building.

Uses surrounding the site include a variety of low- to mid-rise residential and commercial buildings and surface parking lots. Directly adjacent to the north and southwest interior property lines are the Porto Vista Hotel and Apartments and the Columbia Street Apartments projects, respectively, both of which are four stories in height. Across the street to the east are Interstate 5, Washington Elementary School, and Amici Park. Across Elm Street lies a low-rise apartment building and a Single-Room Occupancy hotel. A variety of single-family homes and businesses are located to the west.

Under the Centre City Planned District Ordinance (CCPDO), the Land Use District for the site is Residential Emphasis (RE). The RE district accommodates primarily residential development. Small-scale businesses, offices, services, and ground-floor active commercial uses are allowed, subject to size and area limitations. Within the RE District, at least 80 percent of the gross floor area must be occupied by residential uses. Non-residential areas may occupy no more than 20 percent of the gross floor area. The Base Minimum Floor Area Ratio (FAR) for the site is 3.5 and the Maximum FAR for the Project site is 6.0.

The site is also subject to the Fine Grain (FG) Overlay District of the CCPDO that requires developments to incorporate design standards that exhibit architectural form and variety at a less than full-block scale to ensure a pedestrian scale and diverse building designs. The site is also subject to the Little Italy Sun Access (LISA) Overlay District requirements, which establishes height limits in order to ensure developments maintain adequate sunlight and air to sidewalks and residential areas of Little Italy.

The Little Italy Focus Plan, adopted in 1993, serves as a non-regulatory planning document which establishes goals, policies, and programs for the Little Italy neighborhood. While development is regulated by the CCPDO, the Focus Plan establishes design guidelines for the neighborhood which encourage the preservation of neighborhood scale and compatibility with surrounding developments.

DESIGN REVIEW

The proposed eight-story building is designed with varying street wall heights, including a 74-foot street wall along Elm Street, a 79-foot street wall along Columbia Street and a taller 81-foot street wall along State Street. The Project's primary massing has been designed to be at the center of the Project, surrounded by a variety of glass, concrete and stone clad terraced garden elements. The ground level of the development consists of a residential lobby, leasing area and fitness center along State Street, and ground-level residential units accessed from the interior of the building facing Columbia and Elm streets. The development includes common outdoor spaces at the second level facing west on Columbia Street and on the seventh-floor deck facing east towards Washington Elementary School. Vehicular access to the Project's underground parking is provided via a driveway off Columbia Street.

The proposed design of the building is contemporary with a simple color and material palette. The building is composed primarily of concrete, wrapped by materials such as stucco, natural stone, glass, and metal accents. Changes in fenestration patterns, deep recesses, the use of natural stone clad elements and vertical terraced gardens break up the facades. The apartment units are arranged in an "L" configuration with views facing into the common courtyard and facing east and west along State and Columbia streets, respectively. The building shares a northern interior property line with the Porto Vista Hotel and Apartments project. To avoid a large blank wall appearance, this elevation has been designed to include deep score lines and reveals with a series of small horizontal openings, which will project hints of light in the evening. The street-level design consists primarily of clear frameless glazing, dark brown natural stone and a series of both at-grade and raised planters. The Project exhibits an aesthetically attractive and high-quality design and staff recommends Design Review approval.

The Project has been designed to require four deviations from the CCPDO development standards, thereby requiring approval of a CCPDP.

CENTRE CITY PLANNED DEVELOPMENT PERMIT

Under the CCPDO, deviations to the development regulations of the CCPDO may be approved, conditionally approved, or denied in accordance with Process Three (Public Hearing) as part of the Design Review approval process by CivicSD. The CivicSD decision on a Planned Development Permit (PDP) is subject to appeal to the Planning Commission.

The purpose and intent of a PDP is to provide flexibility in the application of development regulations for projects where the strict application of the development regulations would restrict design options and result in a less desirable project. The Project as designed does not comply with the following development regulations of the CCPDO:

1. LISA Overlay – The Project is subject to the CCPDO’s LISA overlay, which limits the height of the Project’s street wall along its three street frontages. The LISA overlay allows a maximum street wall height of 50 feet, above which the building height envelope is constrained by a 45-degree plane extending up from the north/south streets (Columbia and State streets), up to a maximum height of 150 feet. Elm Street is limited to a maximum street wall height of 50 feet, above which a 15-foot step back is required. The CCPDO allows up to 40 percent of the Project's street wall to extend to a maximum height of 85 feet to accommodate Fire Department access. The Project, as currently designed, encroaches significantly into the LISA overlay (see Sheet A.5.5 for an illustration of the proposed encroachments into the LISA step backs).

Initially, staff had strong concerns over the proposed encroachments into the LISA Overlay due to concerns related to precedent. After discussion during Preliminary Design Review meetings, staff feels that the proposed encroachments are less of a concern at this location based on the existing developments on the block. The block, with the exception of this 15,000 square-foot lot, is fully developed with newer and lower scale buildings. The likelihood of these being redeveloped is minimal. The proposed encroachments, in relation to the overall block, are far less than what the encroachment would be on a full-block development.

2. Street Wall Height – The CCPDO requires the street wall height for the Project to be a minimum of 40 feet along 100 percent of the total street frontage, with certain exceptions. The Project does not qualify for any of the exceptions under the CCPDO and is, therefore, requesting a deviation to allow the Project's street wall height to be reduced to 12 feet along 40 percent of the Columbia Street frontage in order to provide light and views into the interior courtyard facing units.
3. Below-Grade Parking Encroachment – The CCPDO limits below-grade encroachments located eight feet below grade to no more than six feet from the curb. The Applicant is seeking a deviation to encroach approximately 12 feet on all three levels of the subterranean garage along State and Elm streets. The initial concern with the encroachment was that there would not be sufficient room below grade to plant the trees required under the Centre City Streetscape Manual. Staff has worked with the design team to ensure that the tree wells are full depth and provide adequate room for tree planting.

4. Off-Street Loading Bay – Under the CCPDO, developments containing 100 or more dwelling units are required to provide one off-street loading bay at a minimum of 30 feet deep, 14 feet wide, and 14 feet tall (measured from inside walls). The proposed Project contains 101 dwelling units and would require the inclusion of one off-street loading bay. During the preliminary design review process, the CivicSD Real Estate Committee requested that the design team make an effort to incorporate an off-street loading bay. However, after further analysis, the design team is unable to accommodate an off-street loading bay in the design due to the site's irregular shape, limited street frontage, and minimum dimensions required for a loading zone. These constraints make it very challenging to reasonably accommodate a loading bay on the site, without significantly impacting the aesthetics and functionality of the Project. Therefore, the Applicant is proposing to utilize an on-street loading area (yellow curb) to be located along State Street.

Based on the site's size, configuration, and slope condition, staff can support approval of the deviations listed.

Findings

The findings for approval of a PDP are evaluated to determine if the proposed deviations facilitate development that is beneficial to the community and results in a more desirable project than could otherwise be achieved if the project were required to rigorously adhere to the development regulations.

In order to grant approval of a PDP, the following findings must be made:

1. *The proposed development will not adversely affect the applicable land use plan;*

The proposed Project is consistent with the objectives of the DCP and the CCPDO. The requested deviations will provide relief from the strict application of the development standards in order to allow for more efficient use of the site given the constraints associated with the size and configuration of the lot. The requested deviations meet the intent of the regulations and will have a negligible impact on the surrounding neighborhood.

2. *The proposed development will not be detrimental to the public health, safety, and welfare;*

The granting of the deviations and approval of the Project will not negatively impact the public health, safety and general welfare. Overall, the proposed development is consistent with the plans for this neighborhood and will contribute to its vitality by providing an attractive streetscape and development.

3. *The proposed development will comply to the maximum extent feasible with the regulations of the CCPDO, except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO; and,*

The proposed development will meet all the requirements of the Land Development Code and CCPDO with approval of the deviations, which are allowable under a CCPDP. With approval of the CCPDP, the Project will comply to the maximum extent feasible with all applicable regulations. The existing site has a number of challenges including, but not limited to, lot size, configuration and topographical constraints. Approval of the deviations facilitates the redevelopment of the site given these constraints. The benefits of the proposed Project outweigh any impacts associated with the proposed deviations. The Project will result in a unique design compatible with the surrounding neighborhood while increasing the density of the site, furthering the ability to meet employment and residential targets as anticipated in the DCP.

4. *The proposed deviations will result in a development exhibiting superior architectural design.*

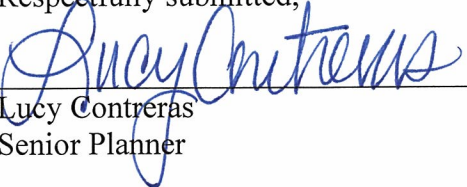
Approval of the requested deviations will result in the development of a high density mixed-use project exhibiting superior architectural design. The proposed deviations requested as a result of the site constraints will make it possible for the developer to construct a high-quality residential project on an underutilized site. The deviations allow the Project to be able to achieve the maximum density consistent with the goals and objectives of the DCP. The Project will result in a unique design compatible with the surrounding neighborhood while furthering the ability to meet employment and residential targets as anticipated in the DCP.

Environmental Impact – This project is covered under the Final Environmental Impact Report (FEIR) for the San Diego DCP, CCPDO, and 10th Amendment to the Centre City Redevelopment Plan, certified by the Former Redevelopment Agency (“Former Agency”) on March 14, 2006 (Resolution R-04001) and subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Former Agency Resolution R-04544). The FEIR is a “Program EIR” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. Pursuant to the FEIR, an Initial Study has been prepared in accordance with CEQA, state, and local guidelines. The Initial Study has concluded that the environmental impacts of the project were adequately addressed in the FEIR. The project is within the scope of the development program described in the FEIR, therefore, no further environmental documentation is required under CEQA.

CONCLUSION

The Project will add an attractive new residential development in the Little Italy Neighborhood and results in redevelopment of an under-utilized parcel. Staff recommends that CivicSD grants Design Review approval for the Project and grants approval of CCPDP 2011-42, subject to the conditions listed in the attached Draft Permit.

Respectfully submitted,



Lucy Contreras
Senior Planner

Concurred by:



Jeff Graham
Vice President, Redevelopment



Brad Richter
Assistant Vice President, Planning

Attachments: A – Architectural Narrative
B – LIA Meeting Minutes
C – Draft PDP 2011-42
Basic Concept/Schematic Drawings

Palatine

PROJECT NARRATIVE

Palatine Hill in Rome, Italy is centermost of the Seven Hills and one of the most ancient parts of Rome. It looks down over the Forum Romanum to one side and Circus Maximus to the other. Palatine is likely the site of some of the first Roman settlements dating back to the 10th Century BC. In the era of the Roman Empire, emperors built their palaces on the hill and eventually imperial palaces covered the entire hill. Palatine is the etymological origin of “palace”. According to legend, it was on this hill that Hercules defeated the monster, Cacus.

The early structures of Palatine were built from stacked tufa stones (reddish and gray rocks) quarried on the hill. Later palaces were built from travertine quarried elsewhere in Rome. Courtyards and sophisticated, often terraced, gardens were major features of the architecture of these hilltop palaces.



Palatine in Little Italy, San Diego, is a multi-family housing development providing 101 homes and proposed for the intersection of State and Elm Streets, extending west to Columbia Street. This site has one of the highest elevations in Little Italy. This will be one of only a few concrete structures in an area currently comprised mostly of wood-frame and stucco buildings. The project consists of 8 levels residential, 87' tall (from State Street), and 3 levels subterranean parking with 115 parking spaces.

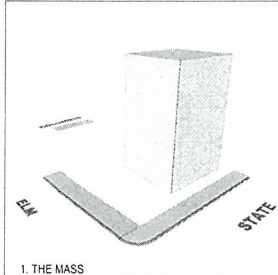
The project is close to many forms of transportation: planes, trains, trolleys, busses, and freeways. It offers panoramic views of the bay, city and Bankers Hill. The site slopes down 11' from State Street (pedestrian entrance and lobby), to Columbia (garage access).



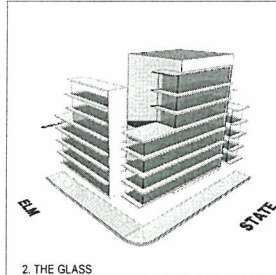
Stone cladding at walls with glass openings and garden treatments along State Street →

Palatine

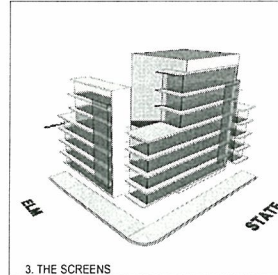
The concept for the project is comprised of 4 basic components:



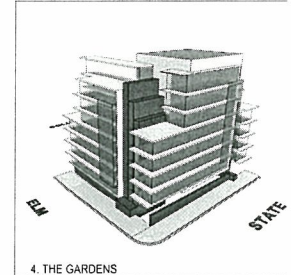
The Mass - the center of the project, around which the other components revolve. The Mass 'floats' above State Street.



The Glass - floor-to-ceiling glass forms, with concrete shells, surround The Mass, connecting residents to the City around them.



The Screens - oriel windows allowing private living spaces in the public realm above sidewalks. The Screens wrap the edges of The Glass forms.



The Gardens - reddish and gray stone-clad walls and planters separate The Glass and concrete forms, and create vertical, terraced gardens.



East elevation from across State Street, looking West →

Corner at State & Elm Streets

Combined, these components form a cohesive design scaled to fit within the fine-grain fabric of Little Italy. The terraced gardens rise between glass forms on Elm street and on the north side of the mass, highly visible to motorists arriving to San Diego via Highway 5 South.

The planters wrap along the sidewalks enhancing the pedestrian experience and step down along Elm where for the 5 feet of fall.

The stepped glass & concrete forms create private and shared roof terraces.





**Little Italy Project Review Committee
Little Italy Association Office, 2210 Columbia Street
November 4th, 2011, 9:00 a.m.**

Present: Mike Daniels, Steve Galasso, Lou Palestini

Staff: Marco Li Mandri

Presenter: Jon Starr

Notes for the meeting of Third Review of the Palatine Project by Duane Shinnick.

Original Minutes have been displaced so these are the comments to CCDC:

The project has been submitted for the third time to Project Review. These were our notes on the project:

There will now be:

- 102 apartments in the project with no commercial spaces. A condo map will be filed with the project so from the standpoint of the Little Italy Maintenance District, the project will be treated as a 102 condos, not an apartment complex;
- There will be 115 parking spaces in this new residential project;

Jon gave the background as to why the project was converted from mixed use to purely residential. The Committee agreed that outside of possible office use, retail on Elm or State would not really be viable.

After the presentation, the Committee is recommending to Mr. Shinnick and CCDC the following changes to the project:

1. Stoops which tie the residential to the Elm Street sidewalk are preferred if possible due to the slope along Elm Street. This would give it a much more residential character and not support the "walled city" approach to so many residential developments in Downtown. We asked Jon to see if this is possible within the constraints of the project.

LITTLE ITALY ASSOCIATION OF SAN DIEGO

1668 Columbia Street • San Diego, CA 92101 • Phone: 619-233-3898 • Fax: 619-233-4866
Email: mail@littleitalysd.com • Website: www.littleitalysd.com
Facebook: Little Italy Association of San Diego • Twitter: @LittleItalySD

2. We would also prefer to see stoops on State Street;
3. We would like to see the creation of perpendicular parking along the north side of Elm now that the curb cut has been eliminated from that side;
4. We would like to see raised walls along Elm Street as the street slopes westward. This will prevent sitting by non-residents;
5. We would like to see diagonal parking on the east side of State Street to take out a lane of traffic and slow down the traffic in front of the school;
6. We would like to see either liquidamber trees, Chinese Tallow or Chinese Pistache trees planted along the State Street side;
7. We would like to see Crape Myrtle trees planted along the Elm Street and Columbia Street sides;
8. We insist upon the installation of a pop out at the northwest corner of State and Elm, with a fountain or water feature and sculpture and a place where the developer can tell of the story of the Paletine Hill. The Association will work with the developer on this public space and will maintain it once completed.
9. The loading zone should be on State Street, with no additional driveway along Columbia. Residents can move in and out of the complex from the State Street side.
10. We do not have a problem with LISA or any of the other exceptions the developer is requesting.

Minutes taken by Marco Li Mandri, Chief Executive Administrator

RECORDING REQUESTED BY:

Civic San Diego
Planning Department
401 B Street, Suite 400
San Diego, CA 92101

WHEN RECORDED MAIL TO:

Civic San Diego
401 B Street, Suite 400
San Diego, CA 92101

THIS SPACE FOR RECORDER'S USE ONLY

**NOTE: COUNTY RECORDER, PLEASE
RECORD AS RESTRICTION USE OR
DEVELOPMENT OF REAL
PROPERTY AFFECTING THE TITLE
TO OR POSSESSION THEREOF**

**CENTRE CITY DEVELOPMENT PERMIT AND
PLANNED DEVELOPMENT PERMIT NO. 2011-43**

**Palatine
(APN#'s 533-241-04 and 11)**

**CIVIC SAN DIEGO
BOARD OF DIRECTORS
Palatine
CCDP/PDP No. 2011-43**

This Centre City Development Permit/Planned Development Permit (CCDP/PDP) No. 2011-43 is granted by the Civic San Diego (CivicSD) Board of Directors to DPSS Properties, L.P. (Owner/Permittee), pursuant to Centre City Planned District Ordinance (CCPDO) § 156.0304(e) and (f) for the 15,000 square-foot parcel located along the north side of Elm Street between Columbia and State streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area and more particularly described in "Exhibit A" in the City of San Diego, State of California, according to map thereof made on file in the office of the County Recorder of San Diego; and,

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to construct and operate uses as described and identified by size, dimension, quantity, type and location as follows and on the approved exhibits dated February 17, 2012, on file in the CivicSD Planning Department.

1. General

The Owner/Permittee shall construct, or cause to be constructed on the site, an 8-story (approximately 87-foot tall), residential development comprised of approximately 101 residential units and including indoor and outdoor amenity space and 115 subterranean parking spaces.

2. Centre City Planned Development Permit

The CivicSD Board of Directors hereby grants a Centre City Planned Development Permit allowing deviations to the following Development Regulations of the CCPDO:

- a. *§156.0310 (c) (1) Little Italy Sun Access (LISA) Overlay* - Deviations to LISA Overlay allowing the development to encroach into the LISA on Columbia Street (45% up to 79'), State Street (52.5% up to 81') and Elm Street (45.5% up to 74') a total of 48.3 % overall as shown in Exhibit A 5.5 attached to this Permit.
- b. *§156.0310 (D) Street Wall Height* - Deviations to the Street Wall Height allow the development's street wall height to be reduced from 30 feet to 12 feet along 40 percent of the Columbia Street frontage.
- c. *§156.0310 (h) (4) Subterranean Garages and Basements* - Deviations to the Below-Grade Parking Encroachment requirements allowing the below-grade parking garage to encroach approximately 12 feet on all three levels of the subterranean garage along State and Elm streets.
- d. *§156.0313 (a)(2) Off-Street Loading* - Deviations to the Off-Street Loading Bay

allowing the development to provide an on-street loading area along State Street.

3. Parking

The development includes approximately 115 parking spaces provided in a two below-grade parking levels. A minimum of 115 spaces shall be dedicated to the development's residential component. Of these 115 parking spaces, 101 shall be allocated to the development's residential units and 14 shall be provided for use by residential guests and service vehicles. In addition, a minimum of 5 motorcycle spaces shall be provided along with storage area for a minimum of 20 bicycles. An Encroachment Removal and Maintenance Agreement shall be obtained from the City to allow any encroachment of the garage into the public right-of-way.

AIRPORT REQUIREMENTS

4. Airport Approach Overlay Zone

The Owner/Permittee shall comply with the procedures established by the City of San Diego Airport Approach Overlay Zone (and any successor or amendment thereto) for structures which exceed 30 feet in height (Chapter 13, Article 2, Division 2 of the San Diego Municipal Code) and shall be required to obtain a valid Federal Aviation Administration (FAA) "Determination of No Hazard to Air Navigation" or a No FAA Notification Self-Certification Agreement under City of San Diego Information Bulletin No. 503 prior to issuance of any building permits.

5. Airport Environs Overlay Zone

Prior to issuance of any building permits, the Owner/Permittee shall grant an avigation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement, as required by the Airport Land Use Commission (ALUC). The Owner/Permittee shall use the avigation easement form provided by the San Diego County Regional Authority. A note shall be placed on all building plans indicating that an avigation easement has been granted across the property to airport operator. The note shall include the County Recorder's recording number for the avigation easement.

PLANNING AND DESIGN REQUIREMENTS

6. Residential Amenities and Facilities

The development includes the following residential amenities and facilities as illustrated on the approved Basic Concept/Schematic Drawings, which shall be required to be maintained within the development in perpetuity:

- a. Pet Open Space – A minimum of 100 square feet of contiguous area for use by pets and clearly marked for such exclusive use. The pet open space must contain permeable surface of gravel, sand, grass or similar, or a concrete surface connected to a drain in proximity to an outside faucet for washing down the surface. The development shall be responsible for daily cleaning and regular maintenance of this space. This open space shall be located within the interior of the development and shall not be located adjacent to public right-of-way areas.
- b. Common Outdoor Open Space – A minimum of 2,250 square feet of common outdoor space shall be provided. The dimensions of the common outdoor open space must not be reduced for the life of the development. A minimum of ten percent (10%) of each common outdoor open space area must be planted area and each area must be accessible to all residents of the development through a common corridor.
- c. Common Indoor Space – 500 square feet of common indoor amenity space. The spaces shall be maintained for use by residents of the development and must be accessible through a common corridor. The area may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space.

7. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual. These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.

- a. Architectural Standards – The architecture of the development shall establish a high quality of design and complement the design and character of the Little Italy neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with CivicSD. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale – The development shall consist of an 8-story building with a maximum building height of 87 feet measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDP and the FAA. All building elements shall be complementary in form, scale, and architectural style.
- c. Building Materials – All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within 1 (one) inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any plaster materials shall consist of a hard

troweled, or equivalent, smooth finish. Any stone materials shall employ larger modules and full-corner profiles to create a substantial and non-veneer appearance. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24.

All construction details shall be high quality and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public right of way. No substitutions of materials or colors shall be permitted without the prior written consent of the CivicSD. A final materials board which illustrates the location, color, quality, and texture of proposed exterior materials shall be submitted with 100% Construction Drawings and shall be consistent with the materials board approved with the Basic Concept/Schematic Drawings.

- d. Street Level Design – Street level windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors including garage/motor-court entrances shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings a minimum of ten feet.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and projection surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials and incorporate drip edges and other details to minimize staining and ensure long-term durability.

- e. Utilitarian Areas – Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the public right-of-way and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per Municipal Code Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building/garage area and shall be kept clean and orderly at all times. The development shall implement a recycling program to provide for the separation of recyclable materials from the non-recyclable trash materials.
- f. Mail/Delivery Locations – It is the Owner/Permittee’s responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal/loading use. The Owner/Permittee shall locate all mailboxes and parcel lockers outside of the public right-of-way, either within the building or recessed into a building wall. A single, centralized interior

mail area in a common lobby area is encouraged for all residential units within a development, including associated townhouses with individual street entrances. Individual commercial spaces shall utilize a centralized delivery stations within the building or recessed into a building wall, which may be shared with residential uses sharing a common street frontage address.

- g. Access – Vehicular access to the development's parking shall be limited to driveways on 16th and 17th Street; the curbcuts for the vehicular access driveways shall not exceed 30 feet-in-width. A driveway on 17th Street shall also be permitted in order to provide access to the development 's required loading space; the curbcut for the loading space driveway shall not exceed 13 feet, 5 inches in width.
- h. Circulation and Parking – The Owner/Permittee shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights. Such plan shall be submitted in conjunction with 100% Construction Drawings.

All subterranean parking shall meet the requirements of the Building Department, Fire Department and City Engineer. All parking shall be mechanically ventilated. The exhaust system for mechanically ventilated structures shall be located to mitigate noise and exhaust impacts on residential units, adjoining properties and the public right-of-way.

- i. Open Space/Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of water, and electrical hookups shall be submitted with 100% Construction Drawings.
- j. Roof Tops – A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted with 100% Construction Drawings. Any roof-top mechanical equipment must be grouped, enclosed, and screened from surrounding views (including views from above).
- k. Signage – All signs shall comply with the City of San Diego Sign Regulations and the CCPDO.
- l. Lighting – A lighting plan which highlights the architectural qualities of the proposed development and also enhances the lighting of the public right-of-way shall be submitted with 100% Construction Drawings. All lighting shall be designed to avoid illumination of adjoining properties.
- m. Noise Control – All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City of San Diego Noise Ordinance and California Noise Insulation Standards as set forth in Title 24 of the California Code of Regulations. All mechanical equipment shall be

located to mitigate noise and exhaust impacts on adjoining development, particularly residential. Owner/Permittee shall provide evidence of compliance at 100% Construction Drawings.

- n. Energy Considerations – The design of the improvements should include, where feasible, energy conservation construction techniques and design, including cogeneration facilities, and active and passive solar energy design.
- o. Street Address – Building address numbers shall be provided that are visible and legible from the public right-of-way.

8. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted with the 100% Construction Drawings. Any on-site landscaping shall establish a high quality of design and be sensitive to landscape materials and design planned for the adjoining public rights-of-way.

PUBLIC IMPROVEMENTS, LANDSCAPING AND UTILITY REQUIREMENTS

9. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual. The Manual is currently being updated and the Owner/Permittee shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

	Elm Street	Columbia Street	State Street
Paving	Little Italy Paving	Little Italy Paving	Little Italy Paving
Street Trees	Chinese Evergreen Elm	Raywood Ash	Chinese Tallow
Street Lights	Little Italy Street Lights	Little Italy Street Lights	Little Italy Street Lights

All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the Centre City Streetscape Manual, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject property.

The Owner/Permittee will be responsible for evaluating, with consultation with the CivicSD, whether any existing trees within the right-of-way shall be maintained and preserved. No trees shall be removed prior to obtaining a Tree Removal Permit from the Development Services Department per City Council Policy 200-05.

- a. Street Lights – All existing lights shall be evaluated to determine if they meet current CivicSD and City requirements, and shall be modified or replaced if necessary.
- b. Sidewalk Paving - Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement with the City.
- c. Litter Containers – Two (2) CivicSD public trash receptacles shall be provided (one at the lot corner on Elm Street and one at midblock on Columbia Street).
- d. Landscaping – All required landscaping shall be maintained in a disease, weed and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of CivicSD within 30 days of damage or Certificate of Occupancy.
- e. Planters – Planters shall be permitted to encroach into the right-of-way a maximum of three (3) feet along Elm Street as shown in the approved Basic Concept/Schematic Drawings. The planter encroachment shall be measured from the property line to the face of the curb/wall surrounding the planter.
- f. On-Street Parking – The Owner/Permittee shall maximize the on-street parking wherever feasible.
- g. Public Utilities – The Owner/Permittee shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City Utilities located in the public right-of-way. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Owner/Permittee may use existing laterals if acceptable to the City, and if not, Owner/Permittee shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals. Private sewer laterals require an Encroachment Maintenance and Removal Agreement.

If it is determined that existing water and sewer services are not of adequate size to serve the proposed development, the Owner/Permittee will be required to abandon (kill) any unused water and sewer services and installs new services and meters. Service kills require an engineering permit and must be shown on a public improvement plan. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of City of San Diego Water and Sewer Facility Design Guidelines and City regulations standards and practices pertaining thereto.

Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the Building Permit plan check. If and when the Owner/Permittee submits for a tentative map or tentative map waiver, the Water Department will require CC&Rs to address the operation and maintenance of the private on-site water system serving the development. No structures or landscaping of any kind shall be installed within 10 feet of water facilities.

All roof drainage and sump drainage, if any, shall be connected to the storm drain system in the public street, or if no system exists, to the street gutters through sidewalk underdrains. Such underdrains shall be approved through an Encroachment Removal Agreement with the City. The Owner/Permittee shall comply with the City of San Diego Storm Water Management and Discharge Control Ordinance and the storm water pollution prevention requirements of Chapter 14, Article 2, Division 1 and Chapter 14, Article 2, Division 2 of the Land Development Code.

- h. Franchise Public Utilities - The Owner/Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk right-of-way shall be removed and incorporated into the adjoining development where feasible.
- i. Fire Hydrants - If required, the Owner/Permittee shall install fire hydrants at locations satisfactory to the City of San Diego Fire Department and Development Services Department.
- j. Water Meters and Backflow Preventers - The Owner/Permittee shall locate all water meters and backflow preventers in locations satisfactory to the Public Utilities Department and CivicSD. Backflow preventers shall be located outside of the public right-of-way adjacent to the development's water meters, either within the building, a recessed alcove area, or within a plaza or landscaping area. The devices shall be screened from view from the public right-of-way. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City of San Diego's Engineering, Public Utilities and Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24 of the State Building Code.

10. Removal and/or Remedy of Soil and/or Water Contamination

The Owner/Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent public rights-of-way which the Owner/Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental agency, CivicSD, and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

STANDARD REQUIREMENTS

11. Environmental Impact Mitigation Monitoring and Reporting Program (MMRP)

As required by the San Diego Municipal Code Section 156.0304 (f), the development shall comply with all applicable MMRP measures from the 2006 Final Environmental Impact Report (FEIR) for the Downtown Community Plan as specified in the Environmental Secondary Study (ESS) prepared for the development.

12. Archaeological/Paleontological Protection

Qualified archaeological and paleontological monitors shall be retained to carefully monitor the excavation and grading activities while the development is underway, and to implement mitigation measures and/or mitigation monitoring requirements as identified in the Secondary Environmental Study. Prior to issuance of any excavation or Grading Permit, the Owner/Permittee shall submit a Letter of Qualifications for each monitoring agent to CIVICSD. The Letter of Qualifications shall include the name of the firm and

names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG); qualifications to perform the requisite monitoring and implementation measures; and, Monitoring Reports based on the results of a site specific record search (1/4 mile radius) on the subject property and the requirements of the MMRP mitigation measures in the FEIR Consistency Evaluation prepared for the development.

13. Development Impact Fees

The development will be subject to Centre City Development Impact Fees. For developments containing commercial space(s) the Owner/Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Owner/Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed.

14. Model

Prior to obtaining a Building Permit, the Permittee shall provide a one-inch (1") to fifty-foot (50') scale block building model which illustrates the true scale of the buildings on the site based on the building facade and the floor plate of the structure from the ground floor to and including the rooftop. No base is required. Landscaping at the ground level shall also be shown. Architectural detail such as windows, door, and balconies shall not be shown. Other building elements and articulation less than three feet in scaled dimension need not be shown.

The model shall be made of solid acrylic plastic (e.g., Lucite, Plexiglas), be colored solid white and be compatible with the scale and contours of CivicSD's scale model of downtown. Upon acceptance by CivicSD, the model shall be installed by the Owner/Permittee or his designated representative on the model of downtown and the model shall become the property of CivicSD for its use.

15. Construction Fence

Owner/Permittee shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the development's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.

16. Development Identification Signs

Prior to commencement of construction on the Site, the Owner/Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four (4) feet by six (6) feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- Completion Date
- For information call _____.

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 square feet per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to CivicSD for approval prior to installation.

17. Tentative Map

The Owner/Permittee shall be responsible for obtaining all map approvals required by the City of San Diego prior to any future conversion of the residential units and/or commercial spaces to condominium units for individual sale.

18. 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 (EOT) has been granted. Any such EOT must meet all SDMC and CCPDO requirements in effect at the time of extension are considered by the appropriate decision maker.
19. Issuance of this Permit by CivicSD does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies.
20. 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.
21. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
22. No permit for construction, operation, or occupancy of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be

**CIVIC SAN DIEGO
RESOLUTION NO. 2011-43
DEVELOPMENT PERMIT/PLANNED DEVELOPMENT PERMIT NO. 2011-43**

WHEREAS, DPSS Properties, L.P., Owner/Permittee, filed an application for Centre City Development Permit/Planned Development Permit No. 2011-43 to allow the construct an eight-story (approximately 87-foot tall) residential building located on a 15,000 square-foot parcel located along the north side of Elm Street between Columbia and State streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area and more particularly described in "Exhibit A" in the City of San Diego, State of California, according to map thereof made on file in the office of the County Recorder of San Diego; and,

WHEREAS, on October 17, 2012 the Civic San Diego Board of Directors held a duly noticed public hearing and considered Centre City Development/Planned Development Permit No. 2011-43, including a staff report and recommendation, and public testimony, and granted Centre City Development Permit/Centre City Planned Development Permit No. 2011-43 pursuant to San Diego Municipal Code Chapter 15, Article 3, Divisions 7 of the Municipal Code of the City of San Diego; and,

WHEREAS, the project is covered under the Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan (DCP), CCPDO, and 10th Amendment to the Centre City Redevelopment Plan, certified by the Redevelopment Agency ("Agency") on March 14, 2006 (Resolution R-04001) and subsequent addenda to the FEIR certified by the Agency on August 3, 2007 (Agency Resolution R-04193), April 21, 2010 (Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Agency Resolution R-04544). The FEIR is a "Program EIR" prepared in compliance with State CEQA Guidelines Section 15168. Pursuant to the FEIR, an Environmental Initial Study ("Initial Study") for the Project was prepared on February 22, 2012 in accordance with CEQA, State and local guidelines. The Initial Study concludes that the environmental impacts of the proposed project have been adequately addressed in the FEIR and that the proposed project is within the scope of the development program described in the FEIR; therefore, no further environmental review is required under CEQA.

NOW, THEREFORE, BE IT RESOLVED by the Civic San Diego of Directors as follows:

DEVELOPMENT PERMIT FINDINGS

- 1. The proposed development is consistent with the Downtown Community Plan, Centre City Planned District Ordinance, San Diego Land Development Code, and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed development is consistent with the DCP, CCPDO, San Diego Land Development Code, and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District as the development advances the goals and

objectives of the DCP and Centre City Planned District by:

- Adding to the range of downtown housing opportunities;
- Contributing to the vision of downtown as a major residential neighborhood; and,
- Increasing the downtown residential population.

In addition, with approval of the Planned Development Permit, the development will be consistent with the requirements of the Land Development Code and CCPDO.

CENTRE CITY PLANNED DEVELOPMENT PERMIT FINDINGS

1. *The proposed development will not adversely affect the applicable land use plan;*

The proposed Project is consistent with the objectives of the DCP and the CCPDO. The requested deviations will provide relief from the strict application of the development standards in order to allow for more efficient use of the site given the constraints associated with the size and configuration of the lot. The requested deviations meet the intent of the regulations and will have a negligible impact on the surrounding neighborhood.

2. *The proposed development will not be detrimental to the public health, safety, and welfare; and,*

The granting of the deviations and approval of the Project will not negatively impact the public health, safety and general welfare. Overall, the proposed development is consistent with the plans for this neighborhood and will contribute to its vitality by providing an attractive streetscape and development.

3. *The proposed development will comply to the maximum extent feasible with the regulations of the CCPDO, except for any proposed deviations which are appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO; and,*

The proposed development will meet all the requirements of the Land Development Code and CCPDO with approval of the deviations, which are allowable under a CCPDP. With approval of the CCPDP, the Project will comply to the maximum extent feasible with all applicable regulations. The existing site has a number of challenges including, but not limited to, lot size, configuration and topographical constraints. Approval of the deviations facilitates the redevelopment of the site given these constraints. The benefits of the proposed project outweigh any impacts associated with the proposed deviations. The project will result in a unique design compatible with the surrounding neighborhood while increasing the density of the site, furthering the ability to meet employment and residential targets as anticipated in the DCP.

4. *The proposed deviations will result in a development exhibiting superior architectural design.*

Approval of the requested deviations will result in the development of a high-density mixed-use project exhibiting superior architectural design. The proposed deviations requested as a result of the site constraints will make it possible for the developer to construct a high-quality residential project on an underutilized site. The deviations allow the Project to be able to achieve the maximum density consistent with the goals and objectives of the DCP. The Project will result in a unique design compatible with the surrounding neighborhood while furthering the ability to meet employment and residential targets as anticipated in the DCP.

THEREFORE, BE IT FURTHER RESOLVED that based on the findings, hereinbefore adopted by Civic San Diego, CCDP/PDP No. 2011-43 is hereby **GRANTED** to the referenced Owner/Permittee, subject to the terms and conditions set forth in the Permit a copy of which is attached hereto and made part hereof.

ADOPTED AND APPROVED by CIVIC SAN DIEGO ON OCTOBER 17, 2012

Lucy Contreras
Senior Planner

**Note: Notary Acknowledgement
must be attached per Civil Code
Section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

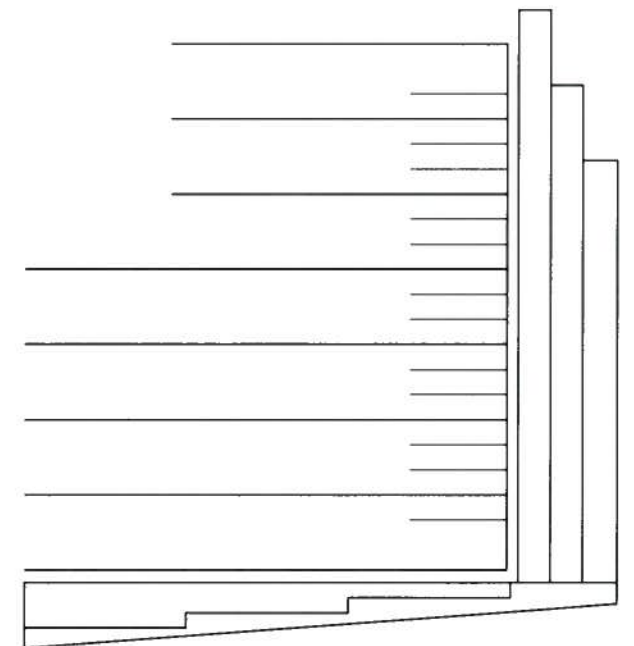
By: _____
Duane Schinnick
Managing Partner
DPSS Properties, L.P.
Owner/Permittee

**Note: Notary Acknowledgement
must be attached per Civil Code
Section 1189 et seq.**

Palatine

101 New Multi-Family Homes in San Diego's Little Italy

CCDC SUBMITTAL 02.17.12
DPSS Properties, LP
GRAHAM DOWNES ARCHITECTURE



PROJECT DESCRIPTION

NEW TYPE 1A CONCRETE RESIDENTIAL DEVELOPMENT IN SAN DIEGO'S LITTLE ITALY.
TWO LEVELS OF PARKING FULLY BELOW GRADE, ONE LEVEL PARKING PARTIALLY BELOW GRADE COMMERCIAL SPACES AT COLUMBIA AND STATE STREET LEVELS
8 LEVELS RESIDENTIAL UNITS

LEGAL DESCRIPTION

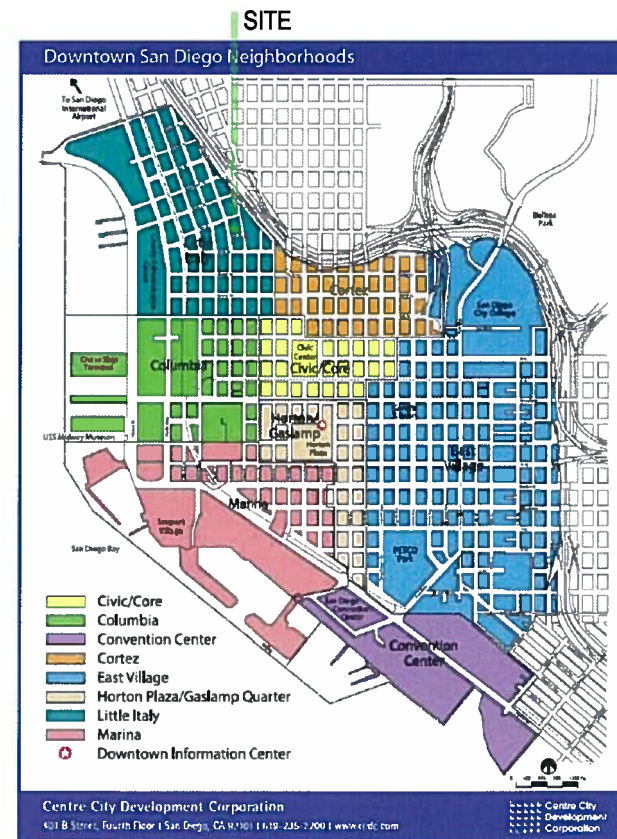
LOTS 5, 7 AND 8 IN BLOCK F OF MIDDLETOWN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEROF J.E. JACKSON, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ASSESSOR'S PARCEL NUMBERS: 533-241-04 & 533-241-11

EXCEPTIONS REQUESTED

PLEASE SEE SHEET A5.5 FOR DETAILED EXCEPTION REQUESTS FOR THE FOLLOWING:

1. LITTLE ITALY SUN ACCESS ENVELOPE
2. STREET WALL MINIMUM HEIGHT (ON COLUMBIA)
3. RAISED PLANTERS IN THE R.O.W. (ON ELM)
4. STREET WALL 3' SETBACK FOR STREET LEVEL RESIDENTIAL
5. OFF-STREET LOADING / SERVICE AREA FOR RESIDENTIAL PROJECTS WITH 100 OR MORE UNITS



VICINITY MAP

PROJECT DATA

CODES:
CITY OF SAN DIEGO MUNICIPAL CODE (SDMC)
- LAND USE IS RESIDENTIAL EMPHASIS
- LAND USE OVERLAYS ARE FINE GRAIN DEVELOPMENT AND LITTLE ITALY SUN ACCESS
2010 CALIFORNIA BUILDING CODE (CBC)

CONSTRUCTION TYPE 1A,
FULLY SPRINKLERED

NON-HIGH RISE PER CBC SECTION 403.1,
STATE STREET PROVIDES THE MOST LOGICAL AND ADEQUATE FIRE DEPARTMENT ACCESS

OCCUPANCY TYPES:
RESIDENTIAL: R-2
PARKING: S-2

OWNER: DPSS PROPERTIES, LP
CONTACT: DUANE SHINNICK

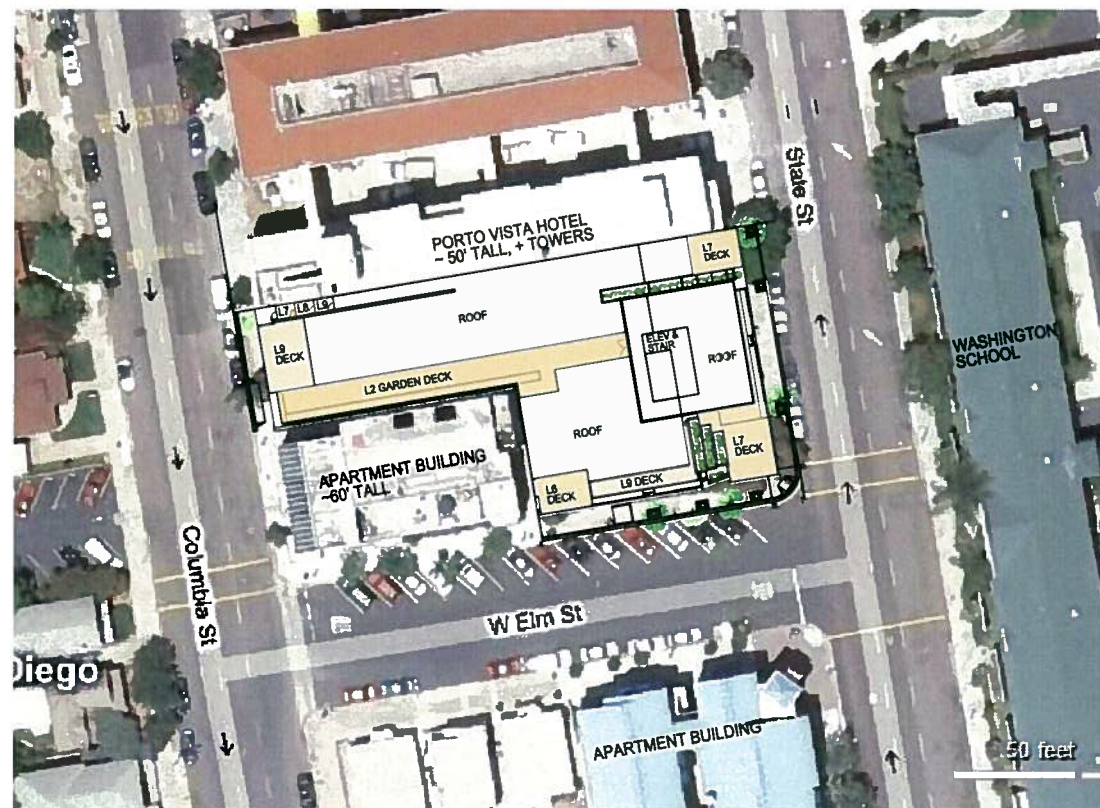
ARCHITECT: GRAHAM DOWNES ARCHITECTURE
CONTACT: JON STARR
858 254 4381 JSTARR@BLOKHAUS.COM

DEVELOPMENT SUMMARY

SITE AREA: 14,601 SF
BASE FAR: 6.0
FAR AREA ALLOWED: 87,606 SF
FAR AREA: 87,400 SF
NON-FAR AREA: 40,780 SF
TOTAL ENCLOSED AREA: 128,180 SF

RESIDENTIAL UNITS
STUDIO: 7
1 BEDROOM: 82
2 BEDROOM: 4
DOUBLE MASTER: 6
PENTHOUSE SUITES: 2
TOTAL: 101

PARKING
REQUIRED RESIDENTIAL: 101
REQUIRED GUEST: 4
PARKING STALLS PROVIDED: 115
BICYCLE SPACES PROVIDED: 12



DECKS / SITE PLAN

SHEET INDEX

COVER
T1 SUMMARY & INDEX
T2 SITE INFLUENCES
T3 DATA
T4 VICINITY PHOTO SURVEY

C.1 TOPOGRAPHIC SURVEY

A2.B2 BASEMENT 2 PLAN
A2.B1 BASEMENT 1 PLAN
A2.1 LEVEL 1 PLAN
A2.2 LEVEL 2 PLAN
A2.3 LEVEL 3 PLAN
A2.4 LEVEL 4 PLAN
A2.5 LEVEL 5 PLAN
A2.6 LEVEL 6 PLAN
A2.7 LEVEL 7 PLAN
A2.8 LEVEL 8 PLAN
A2.9 LEVEL 9 PLAN
A2.10 ROOF PLAN

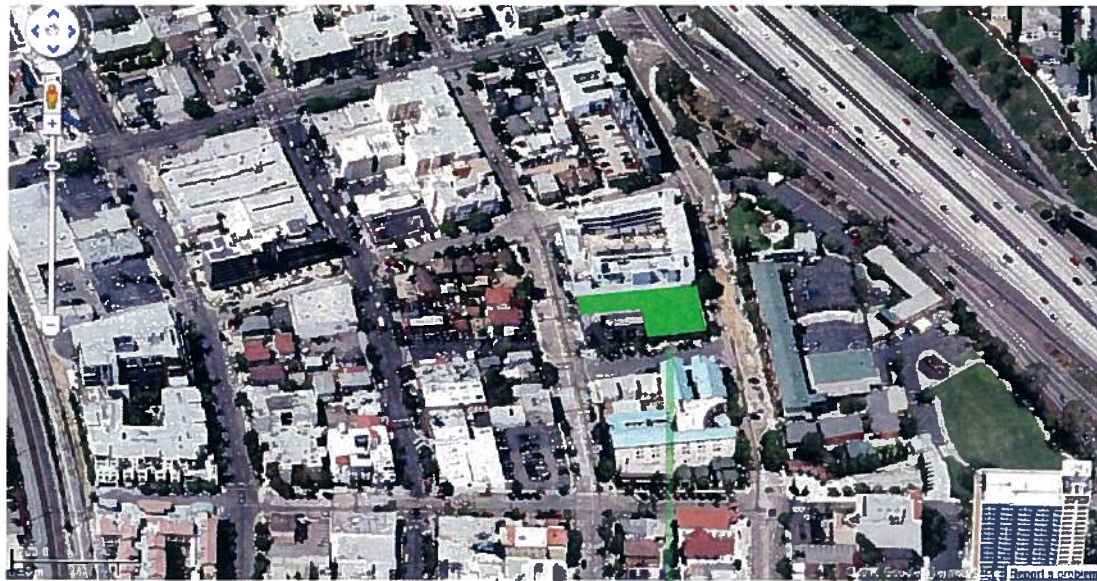
A3.1 EAST ELEVATION
A3.2 SOUTH ELEVATION
A3.3 WEST ELEVATION
A3.4 NORTH ELEVATION
A3.5 COURTYARD SOUTH ELEVATION
A3.6 BUILDING SECTION
A3.7 BUILDING SECTION
A3.8 BUILDING SECTION
A3.9 BUILDING SECTION
A3.10 SOUTHEAST ISOMETRIC
A3.11 SOUTHWEST ISOMETRIC
A3.12 NORTHWEST ISOMETRIC
A3.13 NORTHEAST ISOMETRIC
A3.14 STATE STREET SIDEWALK
A3.15 ELM STREET SIDEWALK

A4.01 UNIT 01 PLAN
A4.02 UNIT 02 PLAN
A4.03 UNIT 03 PLAN
A4.07 UNIT 07 PLAN
A4.08 UNIT 08 PLAN
A4.09 UNIT 09 PLAN
A4.09u UNIT 09 upper PLAN
A4.10 UNIT 10 PLAN
A4.11 UNIT 11 PLAN
A4.12 UNIT 12 PLAN
A4.14 UNIT 14 PLAN
A4.14u UNIT 14 upper PLAN
A4.15 UNIT 15 PLAN

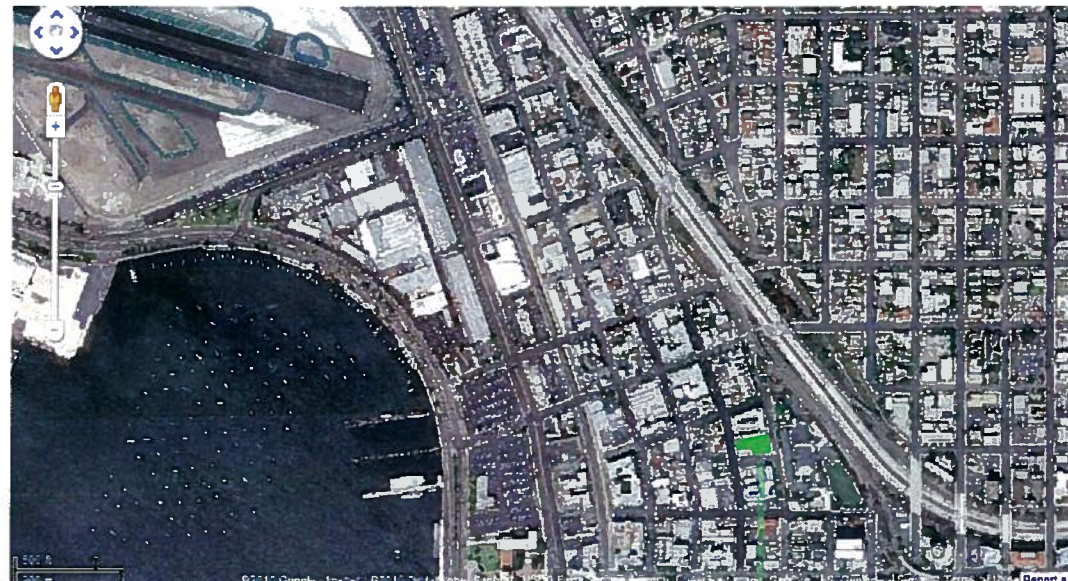
A4 SERIES,
LARGE SCALE
UNIT PLANS,
ARE NOT PART
OF THIS
SUBMITTAL

A5.1 EAST ELEVATION RENDERING
A5.2 SOUTH ELEVATION RENDERING
A5.3 WEST ELEVATION RENDERING
A5.4 NORTH ELEVATION RENDERING
A5.5 LISA EXHIBIT & COLUMIA ST. RENDERING
A5.6 STREET LEVEL RENDERINGS
A5.7 CONCEPT DIAGRAMS
A5.8 STATE & ELM RENDERING

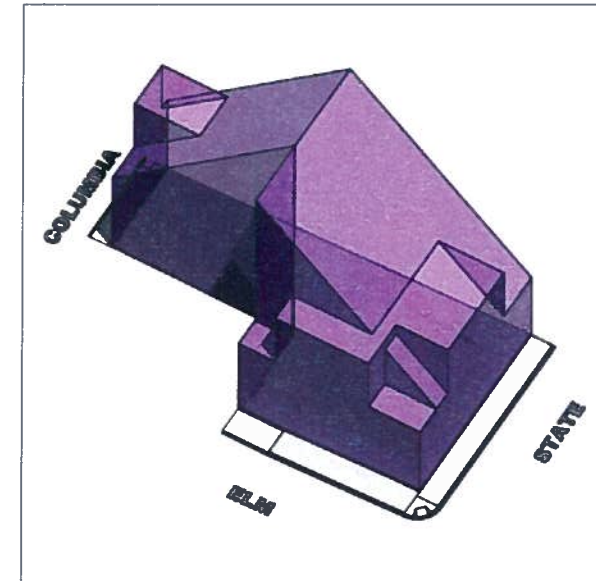
SITE PLAN & DEVELOPMENT



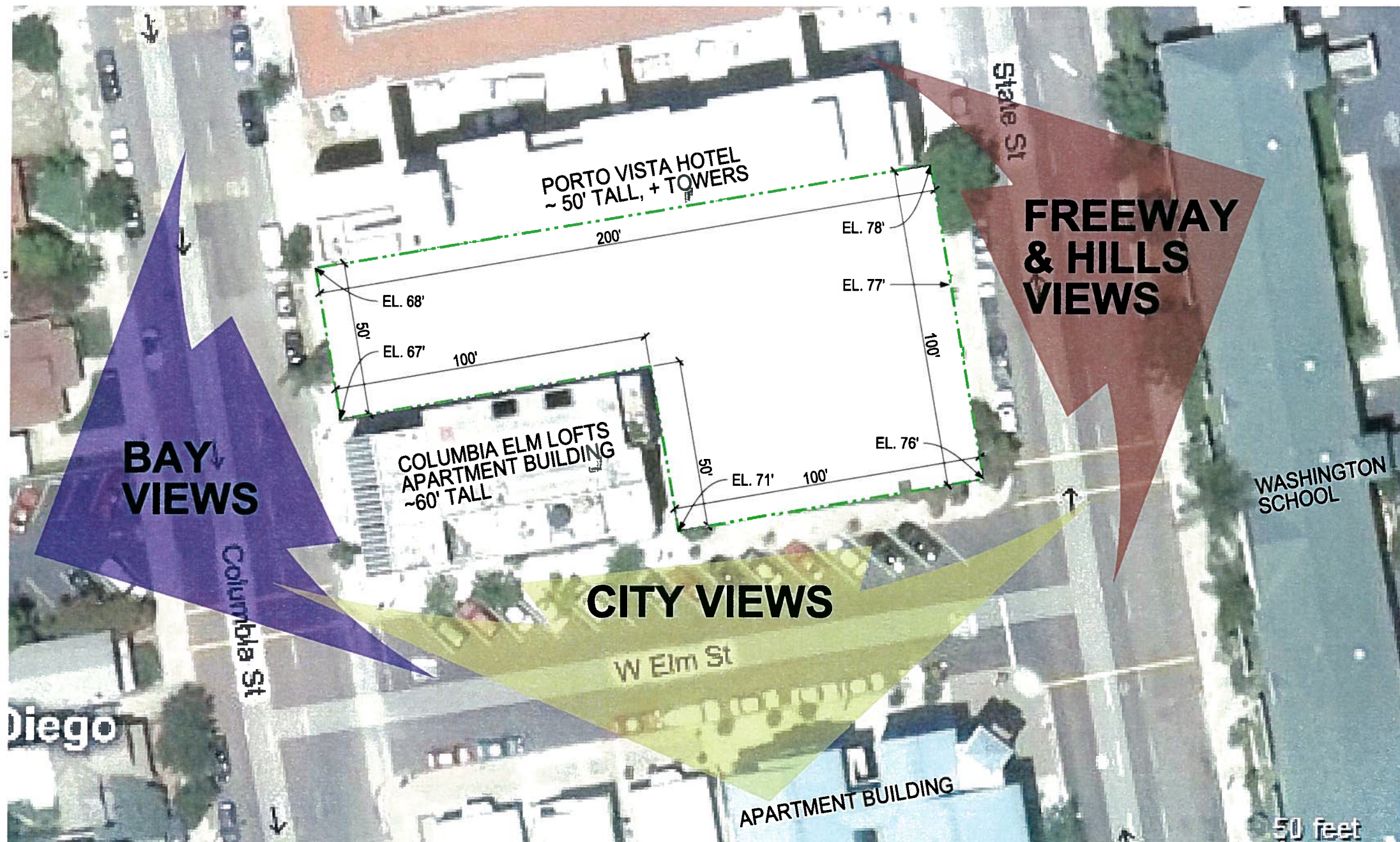
VIEW FROM SOUTH, OVER DOWNTOWN



LITTLE ITALY and VICINITY

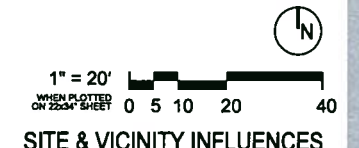


LITTLE ITALY SUN ACCESS ENVELOPE, SITE SPECIFIC



SITE INFORMATION

SITE AREA:	14,601 SF
TOTAL PERIMETER:	600 LF
PERIMETER on R.O.W.:	250 LF
PERIMETER on INTERNAL PROP. LINE:	350 LF
HIGH POINT ELEVATION:	78 FT
LOW POINT ELEVATION:	67 FT
DISTANCES TO:	
15 FREEWAY:	380 FT
15 SOUTH ON RAMP:	590 FT
15 NORTH ON RAMP:	1460 FT
TRAIN STATION (COASTER):	2800 FT
TROLLEY STOP (BLUE LINE):	1900 FT
BUS STOP:	920 FT
SD INT. RUNWAY TOUCH-DOWN:	4900 FT
SD INT. COMMUTER TERMINAL:	1.6 MI
SAN DIEGO BAY:	
NEW FEDERAL COURTHOUSE:	1850 FT
CIVIC CENTER:	3100 FT
BALBOA PARK:	3400 FT
HORTON PLAZA:	3300 FT
NEAREST HOTEL:	4800 FT
	NEXT DOOR



SITE & VICINITY INFLUENCES
T.2

Program Calculations, 1810 State Street, February 17, 2012

Level	Non FAR Gross	FAR Gross	Residential Rentable	Commercial Rentable	# Parking Stalls	# Res Units	1B	1B	1B	1B	1B	1B	1B	2B	1B	1B	1B	1B	1B,2B	S	Units/Floor:	Studio	1B	2B	2M	P Suites
							Unit 01	Unit 02	Unit 03	Unit 04	Unit 05	Unit 06	Unit 07	Unit 08	Unit 09	Unit 10	Unit 11	Unit 12	Unit 14	Unit 15						
roof																										
9		8,730	7,480			10		850	570	725	725	725		1,150	620			890	715	510	10	1	6		1	2
8		9,600	8,625			12	730	725	570	725	725	725		1,170	660		680	690	715	510	12	1	10		1	
7		9,700	8,795			12	780	725	570	725	725	725		1,170	660		800	690	715	510	12	1	10		1	
6		10,600	9,825			14	830	725	570	725	725	725	670	905	630	715	690	690	715	510	14	1	12	1		
5		11,400	10,170			14	830	725	570	725	725	725	670	905	630	715	690	670	1,080	510	14	1	11	1	1	
4		11,700	10,170			14	830	725	570	725	725	725	670	905	630	715	690	670	1,080	510	14	1	11	1	1	
3		11,200	10,070			14	830	725	570	725	725	725	670	905	590	715	650	650	1,080	510	14	1	11	1	1	
2		10,800	8,980			10		725	570	725	725	725	600			680	600	600	1,030		10		10			
1	10,750	3,800			33	1	1,200														1		1			
B1	16,400				40																					
B2	16,400				42																					
Totals:	43,550	87,530	72,115	0	115	101															101	7	82	4	6	2

Planning / Zoning:

Site Area:		14,601 sf
FAR allowed:	6.00	87,606 sf
FAR:	5.99	87,530 sf
Unused FAR:		76 sf

Parking:

Required For:	Rate:	Per	Totals:
Units	1	1	101
Guest			4
Commercial			0
Total Required:			105
Provided:			115

2,240



PORTO VISTA HOTEL



RESIDENTIAL



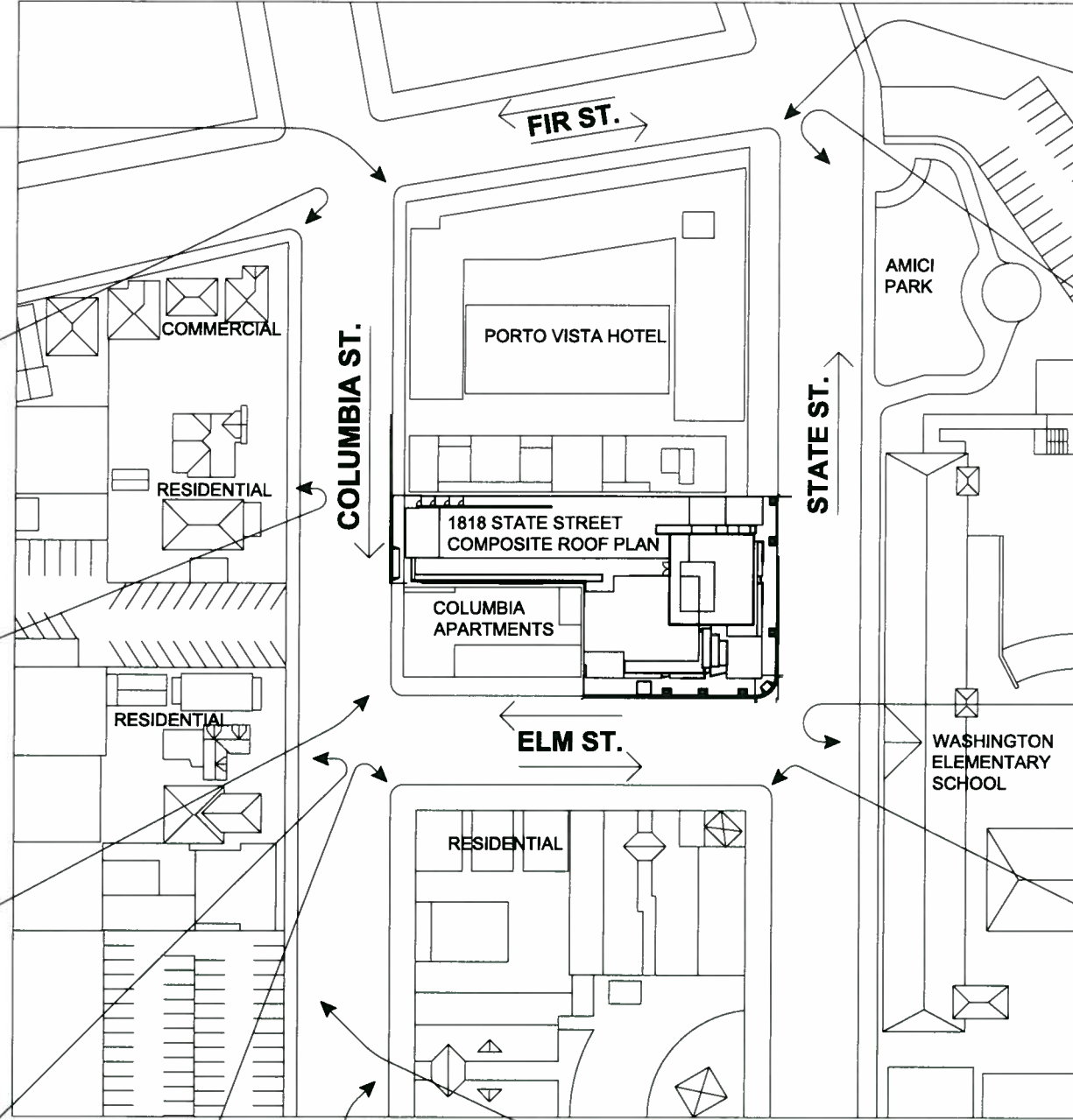
RESIDENTIAL



COLUMBIA ELM LOFTS



RESIDENTIAL



PORTO VISTA HOTEL



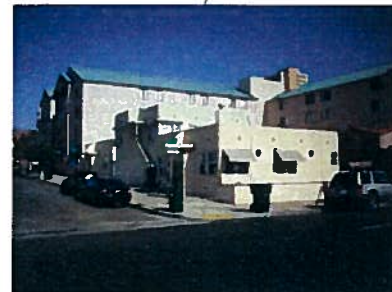
AMICI PARK



WASHINGTON ELEMENTARY SCHOOL



RESIDENTIAL



RESIDENTIAL

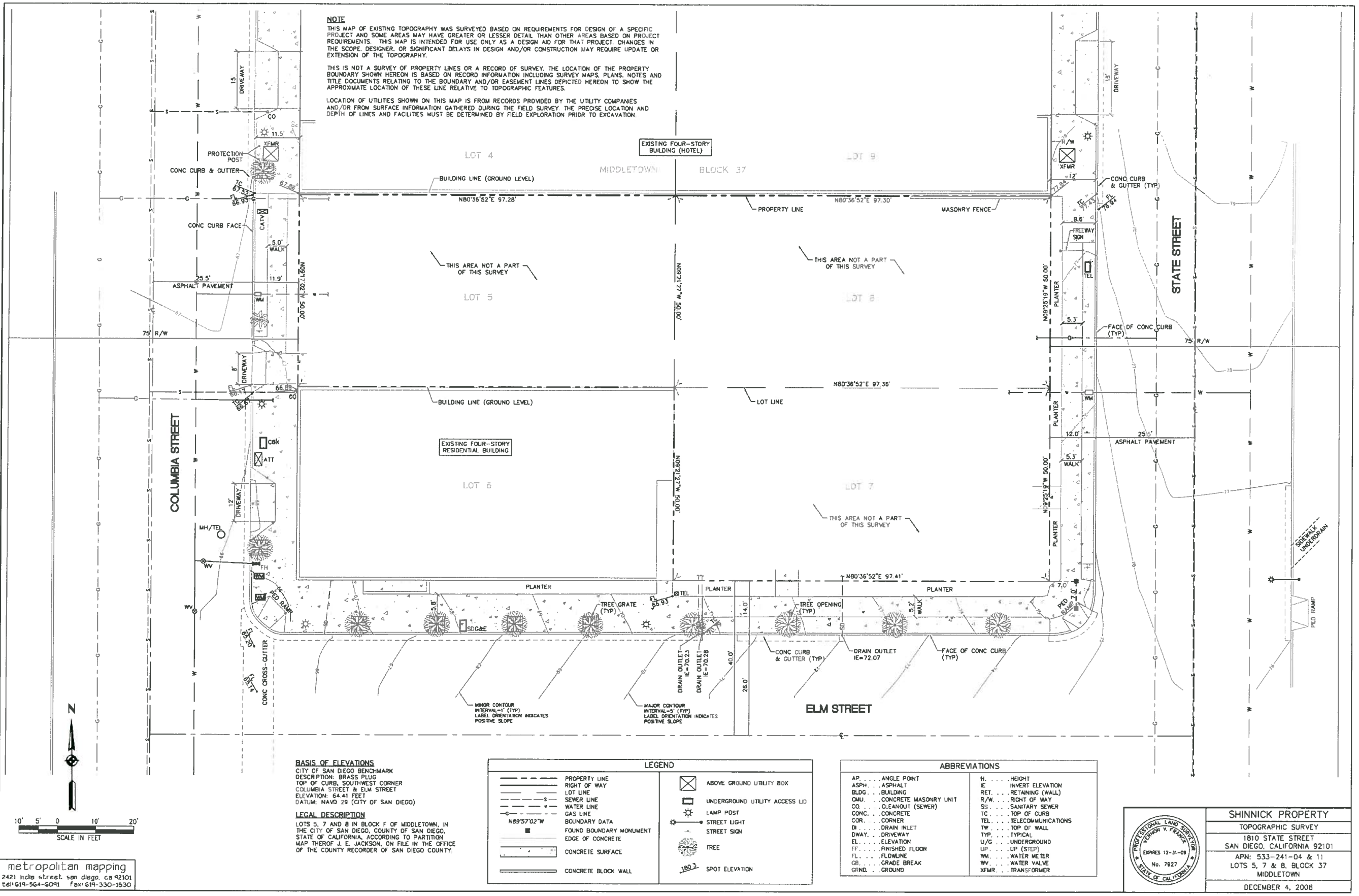


RESIDENTIAL



PARKING LOT





NOTE
THIS MAP OF EXISTING TOPOGRAPHY WAS SURVEYED BASED ON REQUIREMENTS FOR DESIGN OF A SPECIFIC PROJECT AND SOME AREAS MAY HAVE GREATER OR LESSER DETAIL THAN OTHER AREAS BASED ON PROJECT REQUIREMENTS. THIS MAP IS INTENDED FOR USE ONLY AS A DESIGN AID FOR THAT PROJECT. CHANGES IN THE SCOPE, DESIGNER, OR SIGNIFICANT DELAYS IN DESIGN AND/OR CONSTRUCTION MAY REQUIRE UPDATE OR EXTENSION OF THE TOPOGRAPHY.

THIS IS NOT A SURVEY OF PROPERTY LINES OR A RECORD OF SURVEY. THE LOCATION OF THE PROPERTY BOUNDARY SHOWN HEREON IS BASED ON RECORD INFORMATION INCLUDING SURVEY MAPS, PLANS, NOTES AND TITLE DOCUMENTS RELATING TO THE BOUNDARY AND/OR EASEMENT LINES DEPICTED HEREON TO SHOW THE APPROXIMATE LOCATION OF THESE LINES RELATIVE TO TOPOGRAPHIC FEATURES.

LOCATION OF UTILITIES SHOWN ON THIS MAP IS FROM RECORDS PROVIDED BY THE UTILITY COMPANIES AND/OR FROM SURFACE INFORMATION GATHERED DURING THE FIELD SURVEY. THE PRECISE LOCATION AND DEPTH OF LINES AND FACILITIES MUST BE DETERMINED BY FIELD EXPLORATION PRIOR TO EXCAVATION.

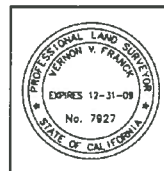
BASIS OF ELEVATIONS
CITY OF SAN DIEGO BENCHMARK
DESCRIPTION: BRASS PLUG
TOP OF CURB, SOUTHWEST CORNER
COLUMBIA STREET & ELM STREET
ELEVATION: 64.41 FEET
DATUM: NAVD 29 (CITY OF SAN DIEGO)

LEGAL DESCRIPTION
LOTS 5, 7 AND 8 IN BLOCK F OF MIDDLETOWN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEROF J. E. JACKSON, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

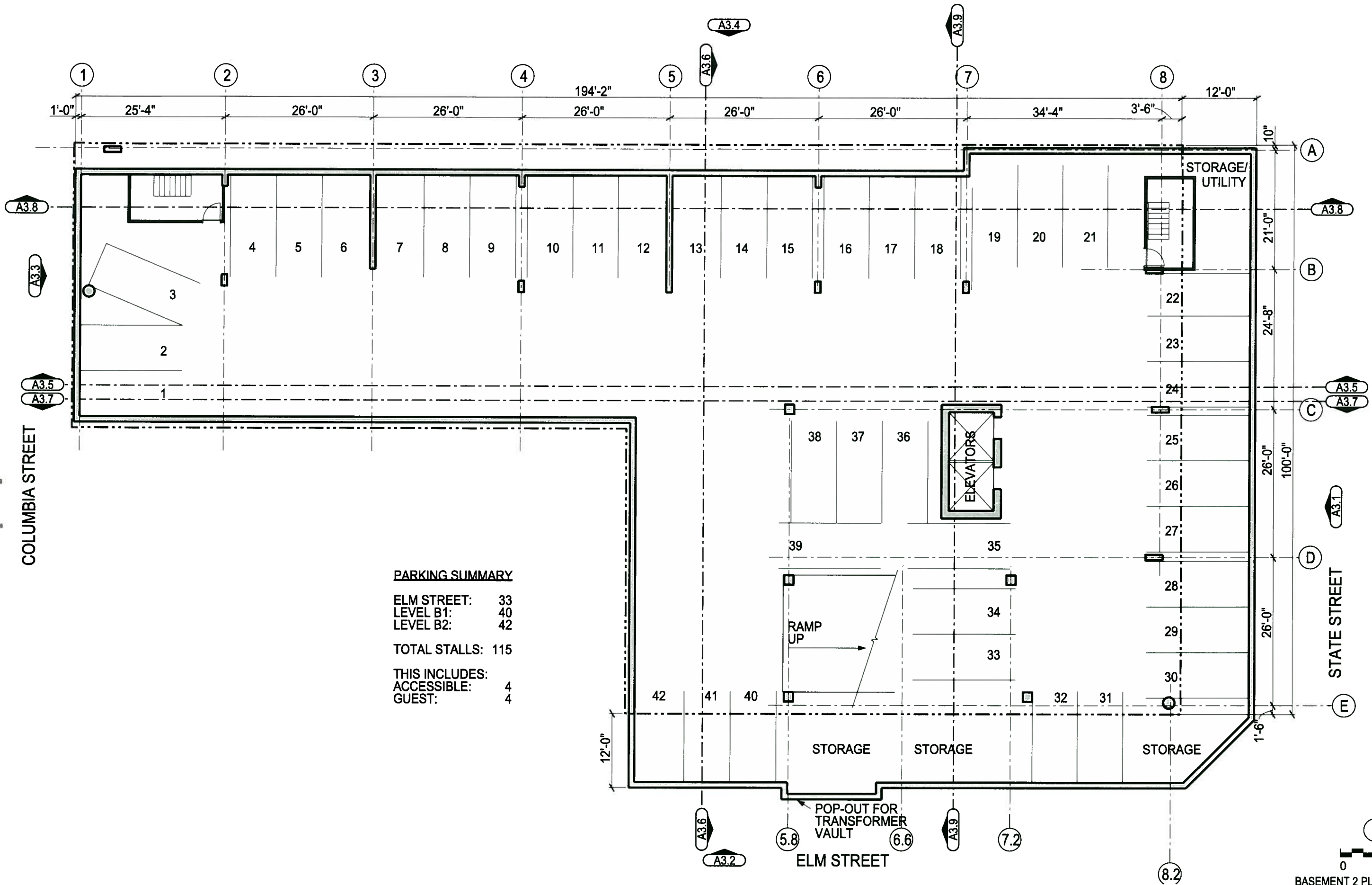
LEGEND	
	PROPERTY LINE
	RIGHT OF WAY
	LOT LINE
	SEWER LINE
	WATER LINE
	GAS LINE
	BOUNDARY DATA
	FOUND BOUNDARY MONUMENT
	EDGE OF CONCRETE
	CONCRETE SURFACE
	CONCRETE BLOCK WALL
	ABOVE GROUND UTILITY BOX
	UNDERGROUND UTILITY ACCESS LID
	LAMP POST
	STREET SIGN
	TREE
	SPOT ELEVATION

ABBREVIATIONS	
AP	ANGLE POINT
ASPH	ASPHALT
BLDG	BUILDING
CMU	CONCRETE MASONRY UNIT
CO	CLEANOUT (SEWER)
CONC	CONCRETE
COR	CORNER
DI	DRAIN INLET
DWAY	DRIVEWAY
EL	ELEVATION
FF	FINISHED FLOOR
FL	FLOWLINE
GB	GRADE BREAK
GRND	GROUND
H	HEIGHT
IE	INVERT ELEVATION
RET	RETAINING (WALL)
R/W	RIGHT OF WAY
SS	SANITARY SEWER
TC	TOP OF CURB
TEL	TELECOMMUNICATIONS
TW	TOP OF WALL
TYP	TYPICAL
U/G	UNDERGROUND
UP	UP (STEP)
WM	WATER METER
WV	WATER VALVE
XFMR	TRANSFORMER

metropolitan mapping
2421 inda street san diego, ca 92101
tel: 619-564-6091 fax: 619-330-1630



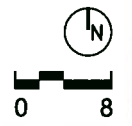
SHINNICK PROPERTY
TOPOGRAPHIC SURVEY
1810 STATE STREET
SAN DIEGO, CALIFORNIA 92101
APN: 533-241-04 & 11
LOTS 5, 7 & 8, BLOCK 37
MIDDLETOWN
DECEMBER 4, 2008

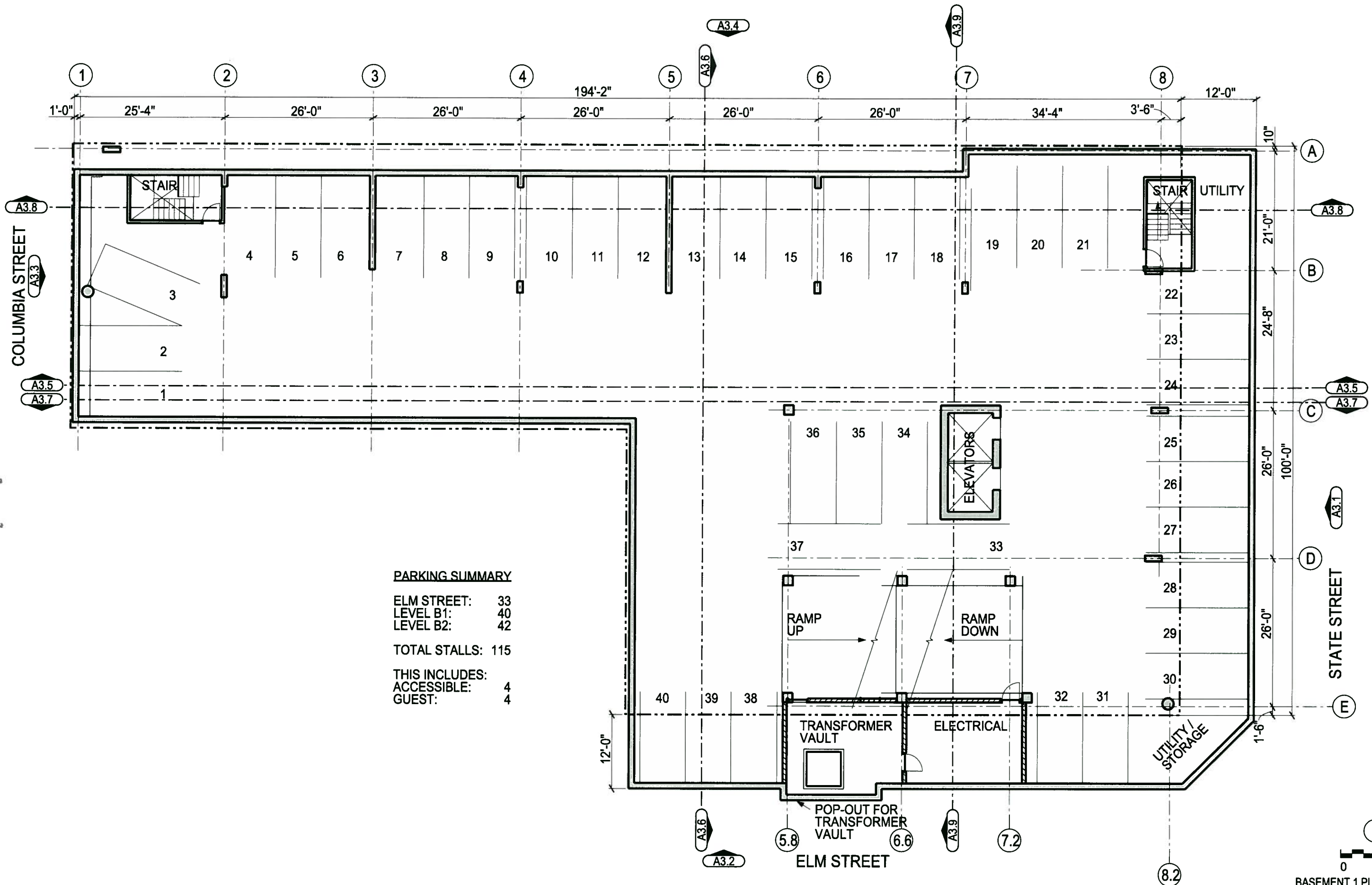


PARKING SUMMARY

ELM STREET:	33
LEVEL B1:	40
LEVEL B2:	42
TOTAL STALLS:	115
THIS INCLUDES:	
ACCESSIBLE:	4
GUEST:	4

BASEMENT 2 PLAN
BASEMENT 2 PARKING LEVEL A2.B2





PARKING SUMMARY

ELM STREET: 33
 LEVEL B1: 40
 LEVEL B2: 42
 TOTAL STALLS: 115
 THIS INCLUDES:
 ACCESSIBLE: 4
 GUEST: 4

BASEMENT 1 PARKING LEVEL A2.B1

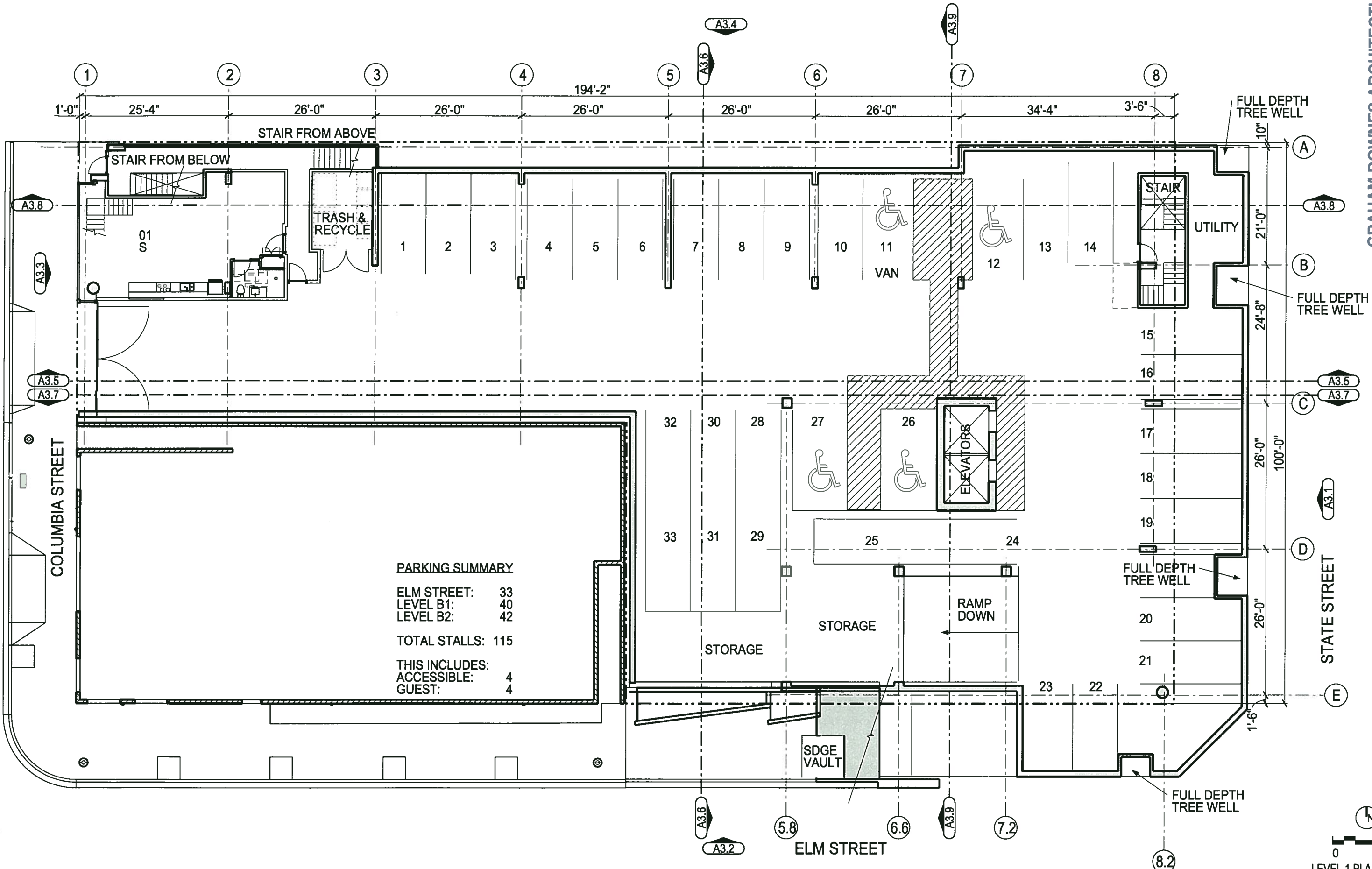
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
 02.10.12

PALATINE APARTMENT HOMES · LITTLE ITALY, SAN DIEGO, CA

BLOKHAUS

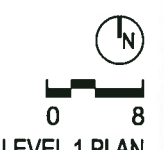
BLOKHAUS

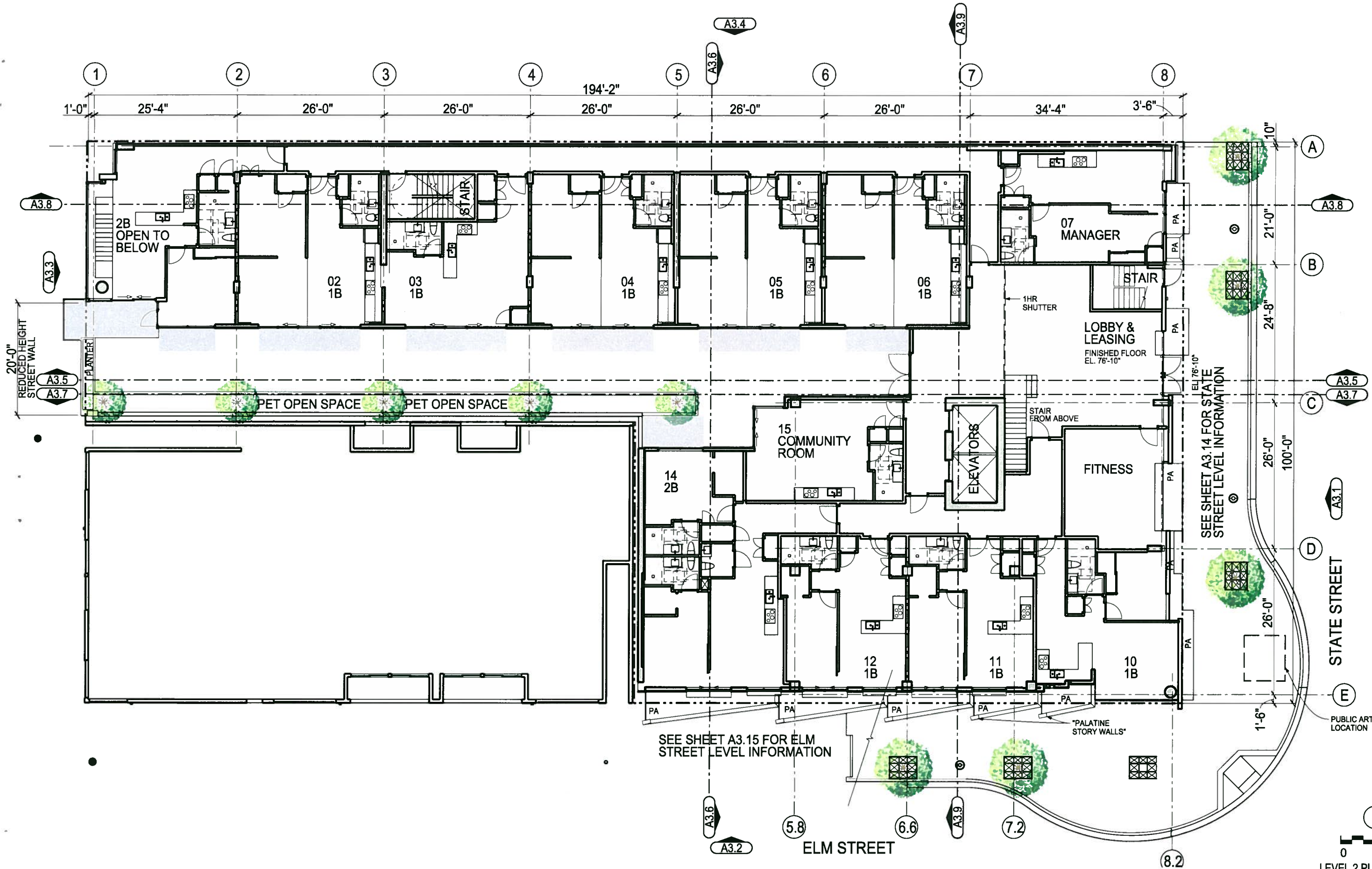


PARKING SUMMARY

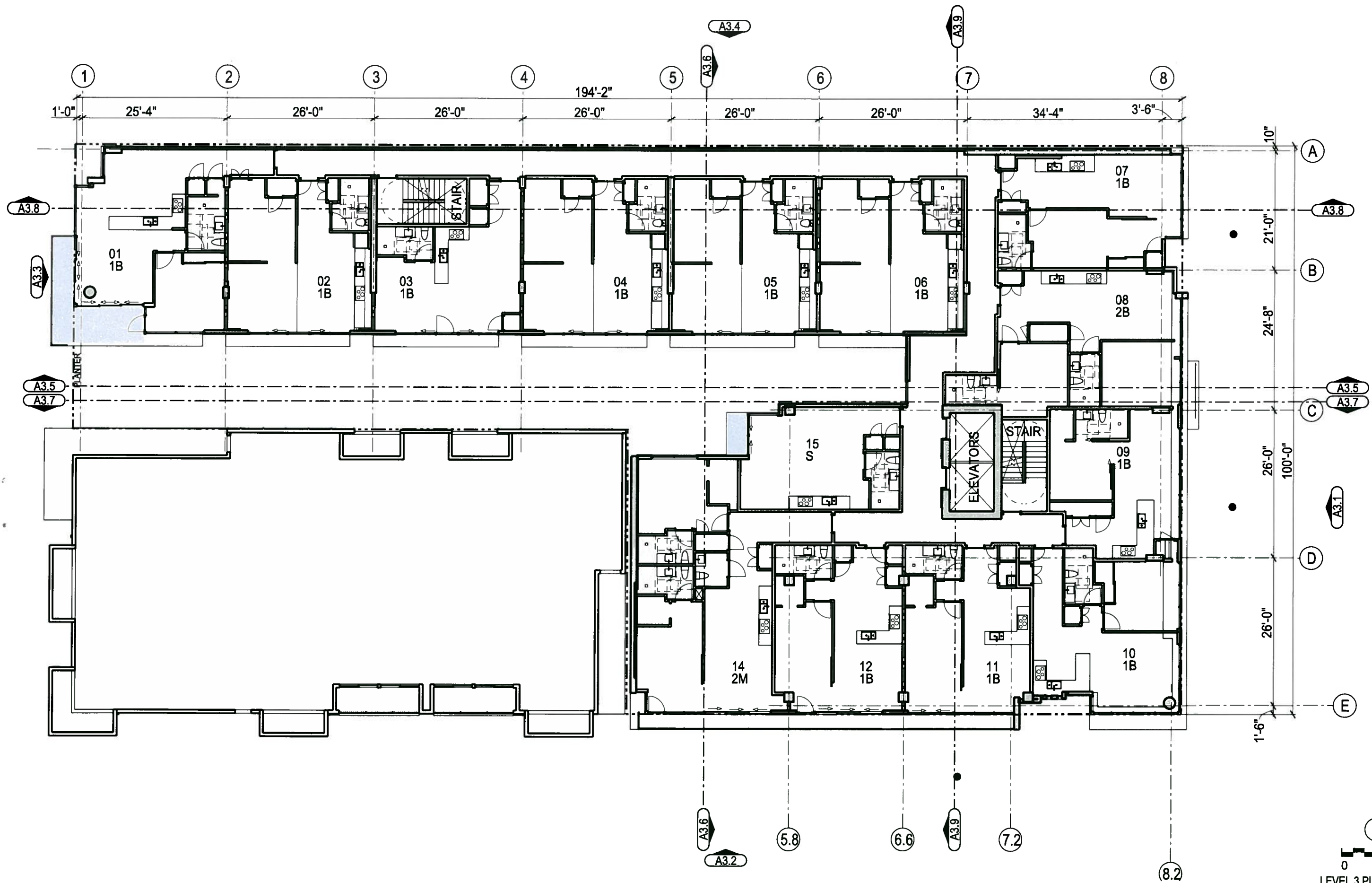
ELM STREET:	33
LEVEL B1:	40
LEVEL B2:	42
TOTAL STALLS:	115
THIS INCLUDES:	
ACCESSIBLE:	4
GUEST:	4

ELM STREET PARKING LEVEL A2.1
LEVEL 1 PLAN

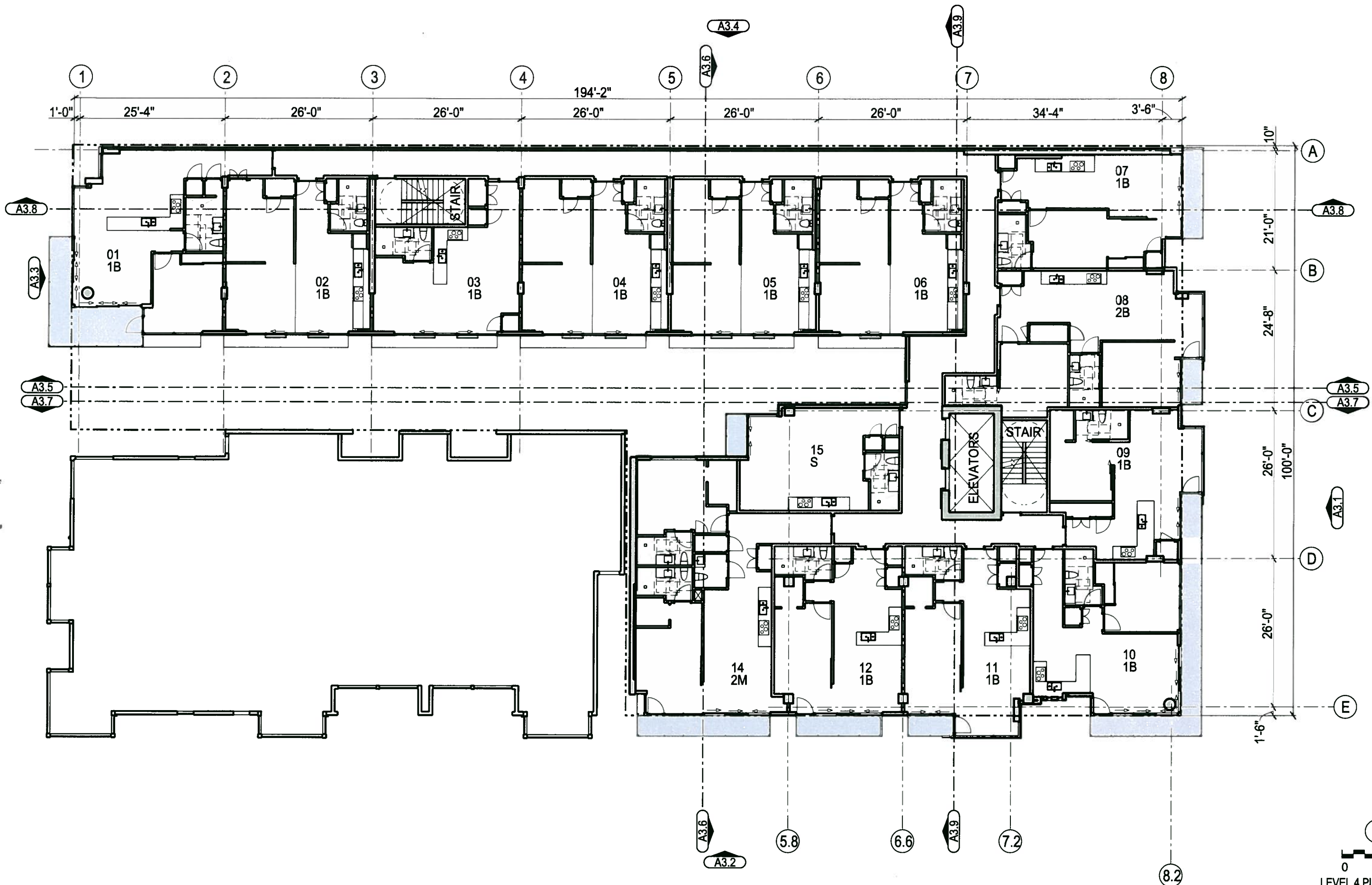




STATE STREET, LOBBY LEVEL A2.2



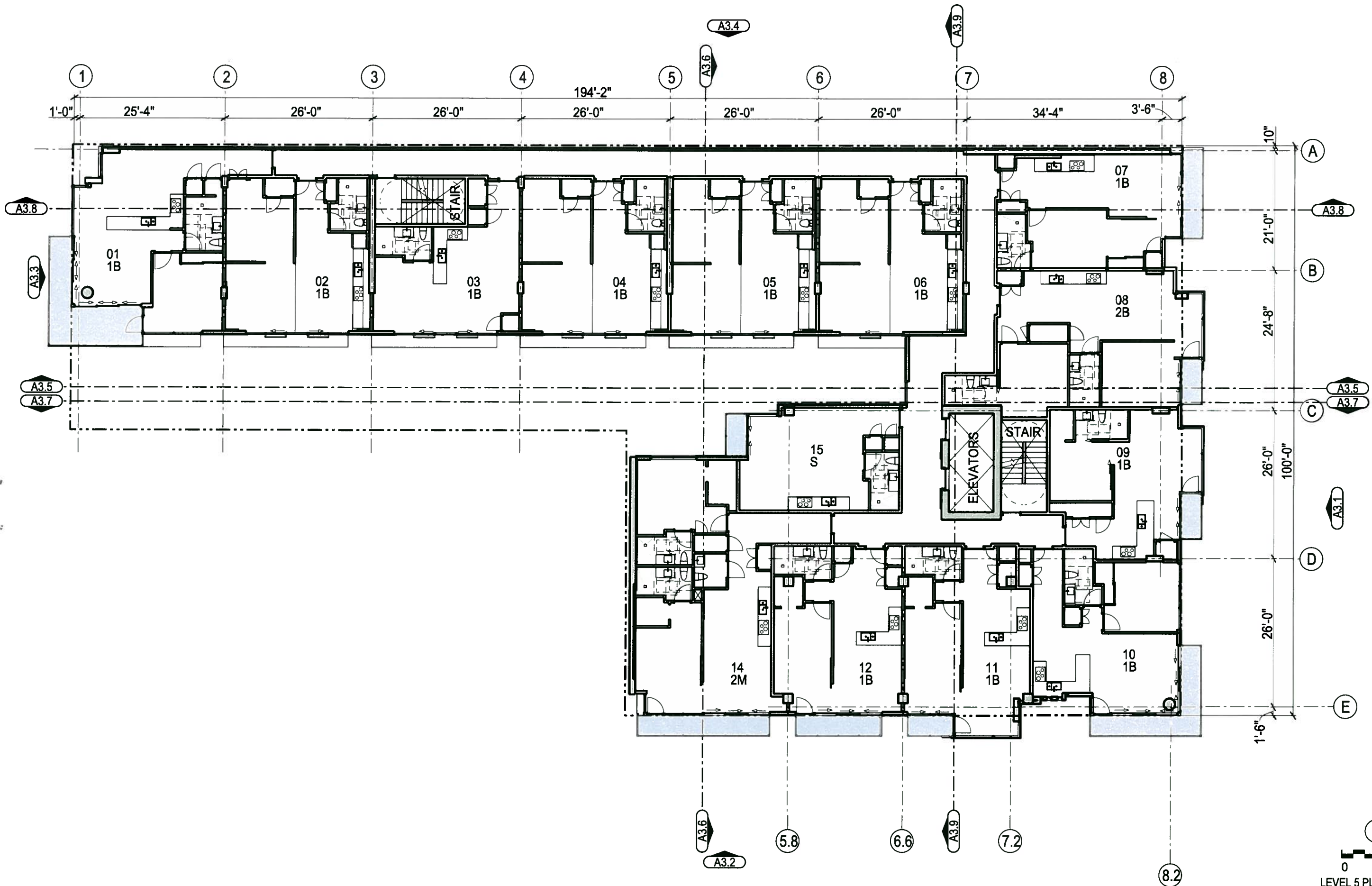
RESIDENTIAL LEVEL 3 A2.3



RESIDENTIAL LEVEL 4 A2.4

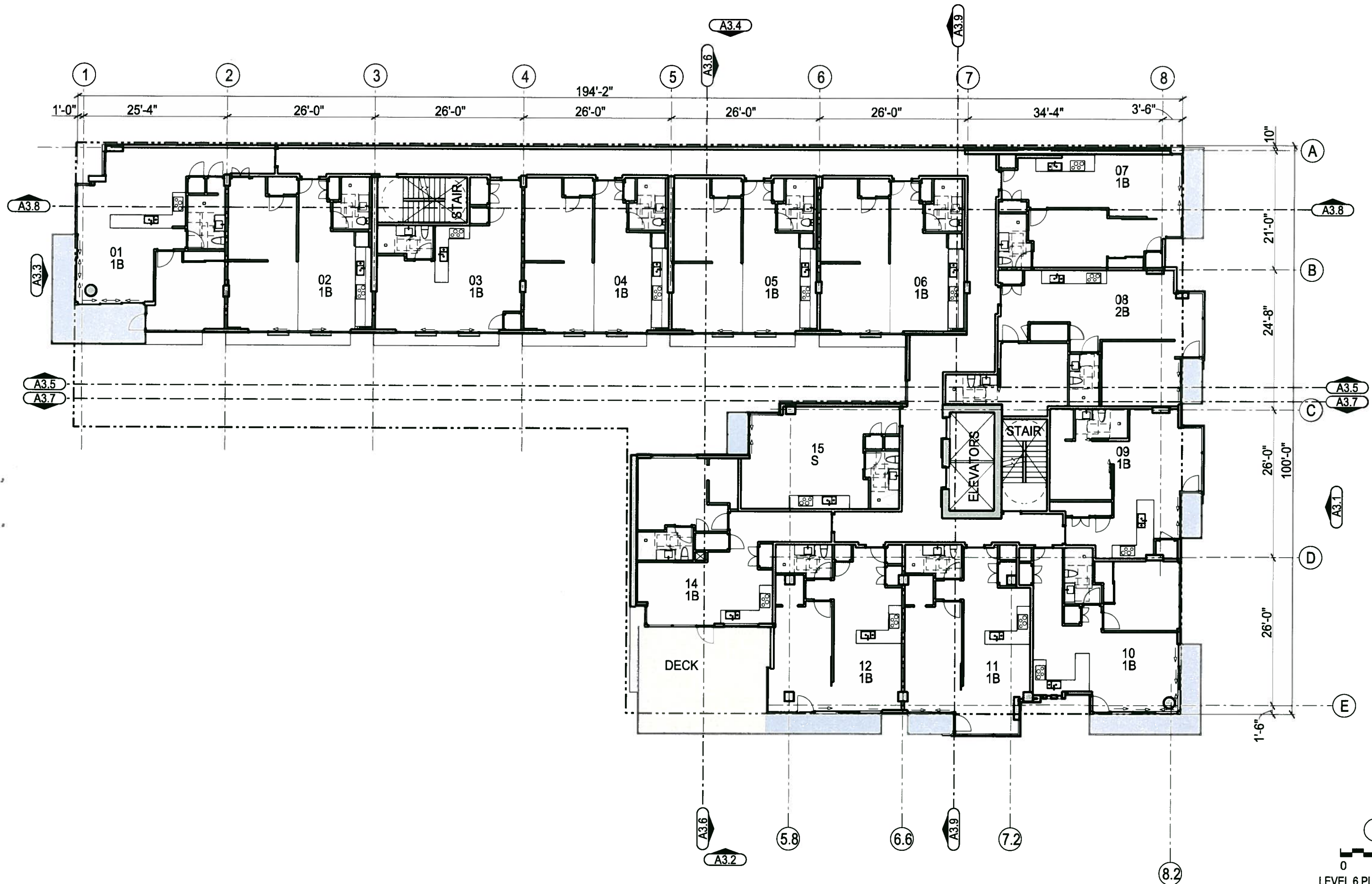
LEVEL 4 PLAN





RESIDENTIAL LEVEL 5 A2.5

LEVEL 5 PLAN



RESIDENTIAL LEVEL 6 A2.6

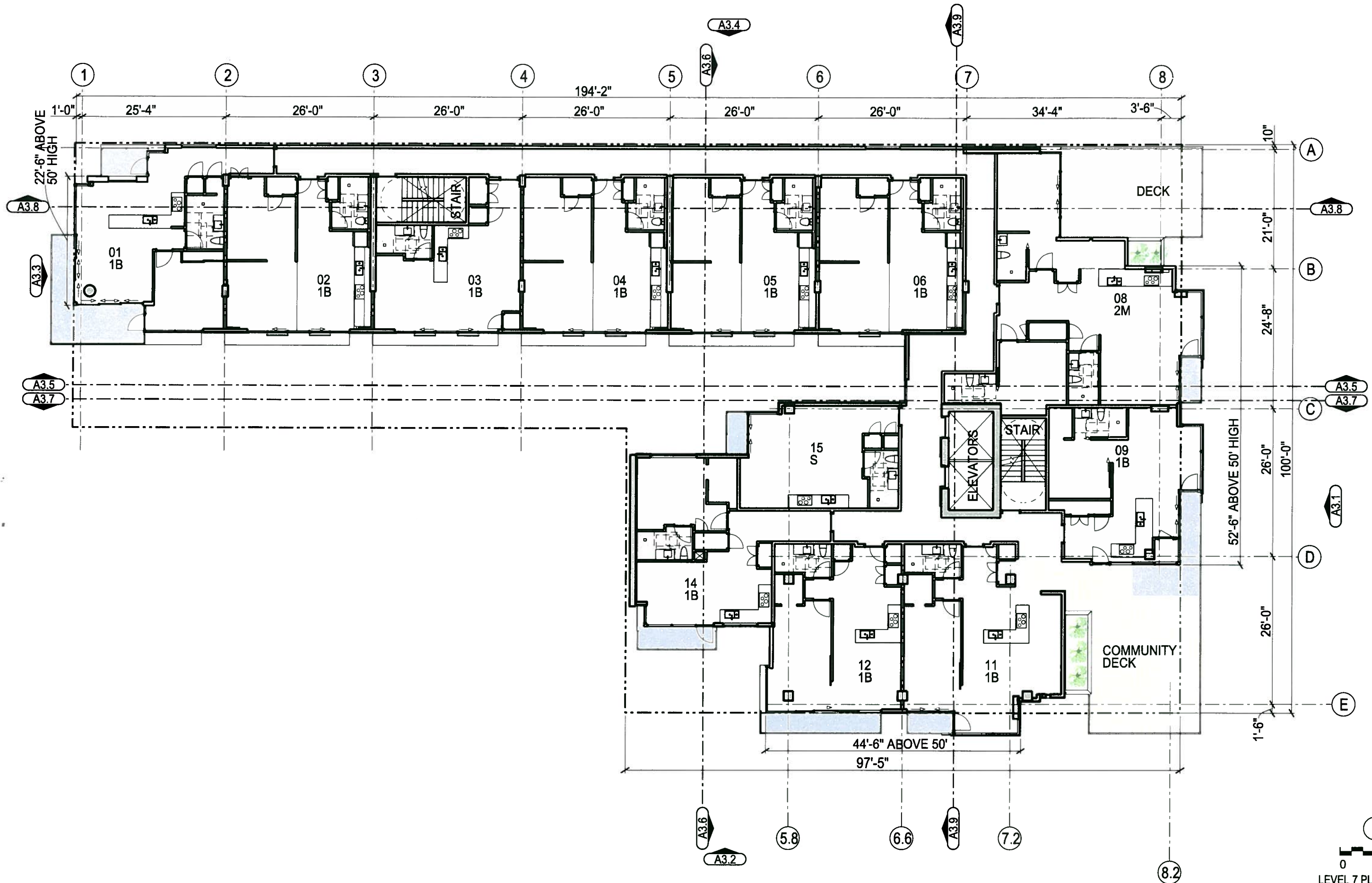
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.10.12

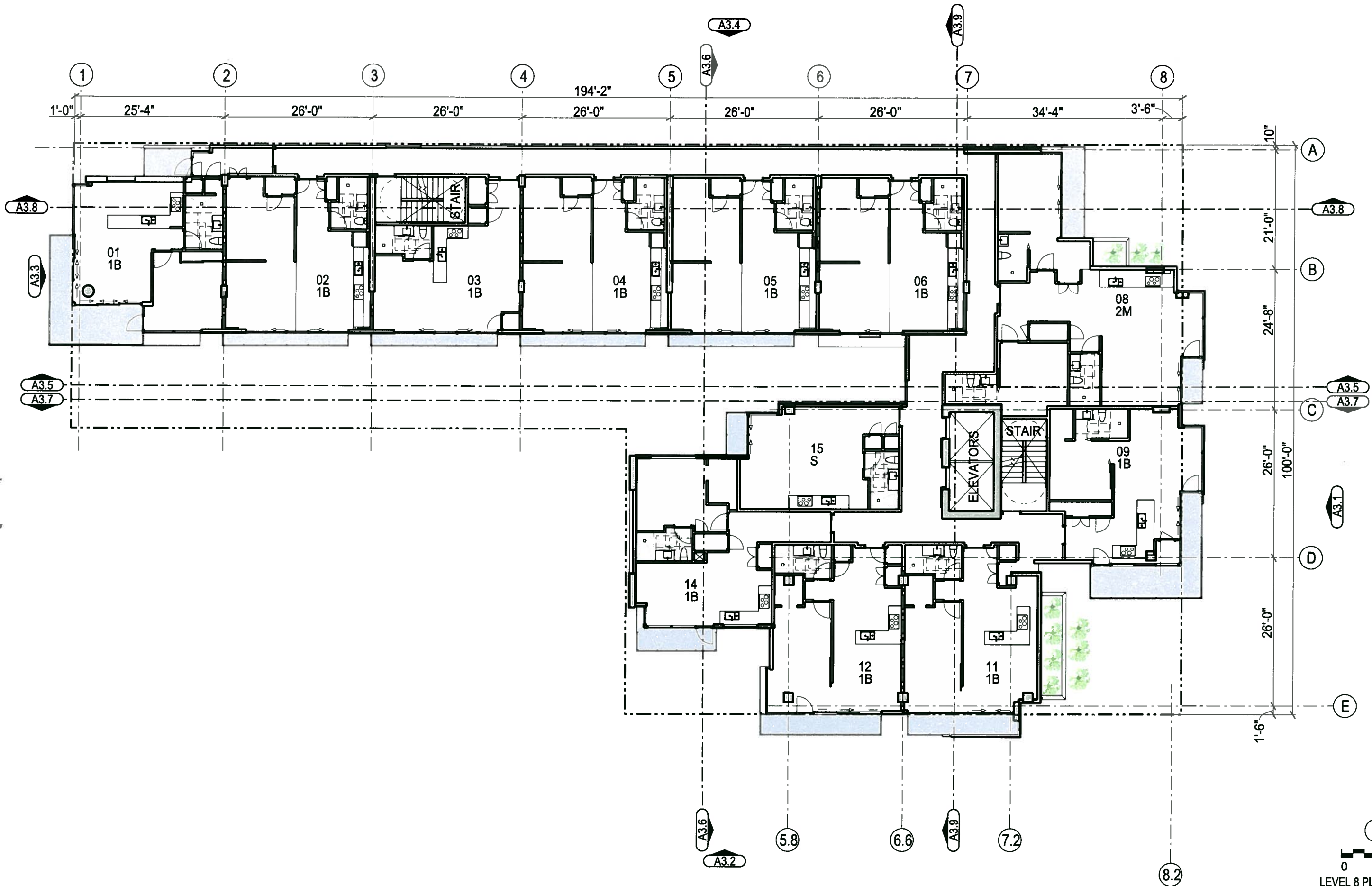
LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

BLOKHAUS



RESIDENTIAL LEVEL 7 A2.7



RESIDENTIAL LEVEL 8 A2.8

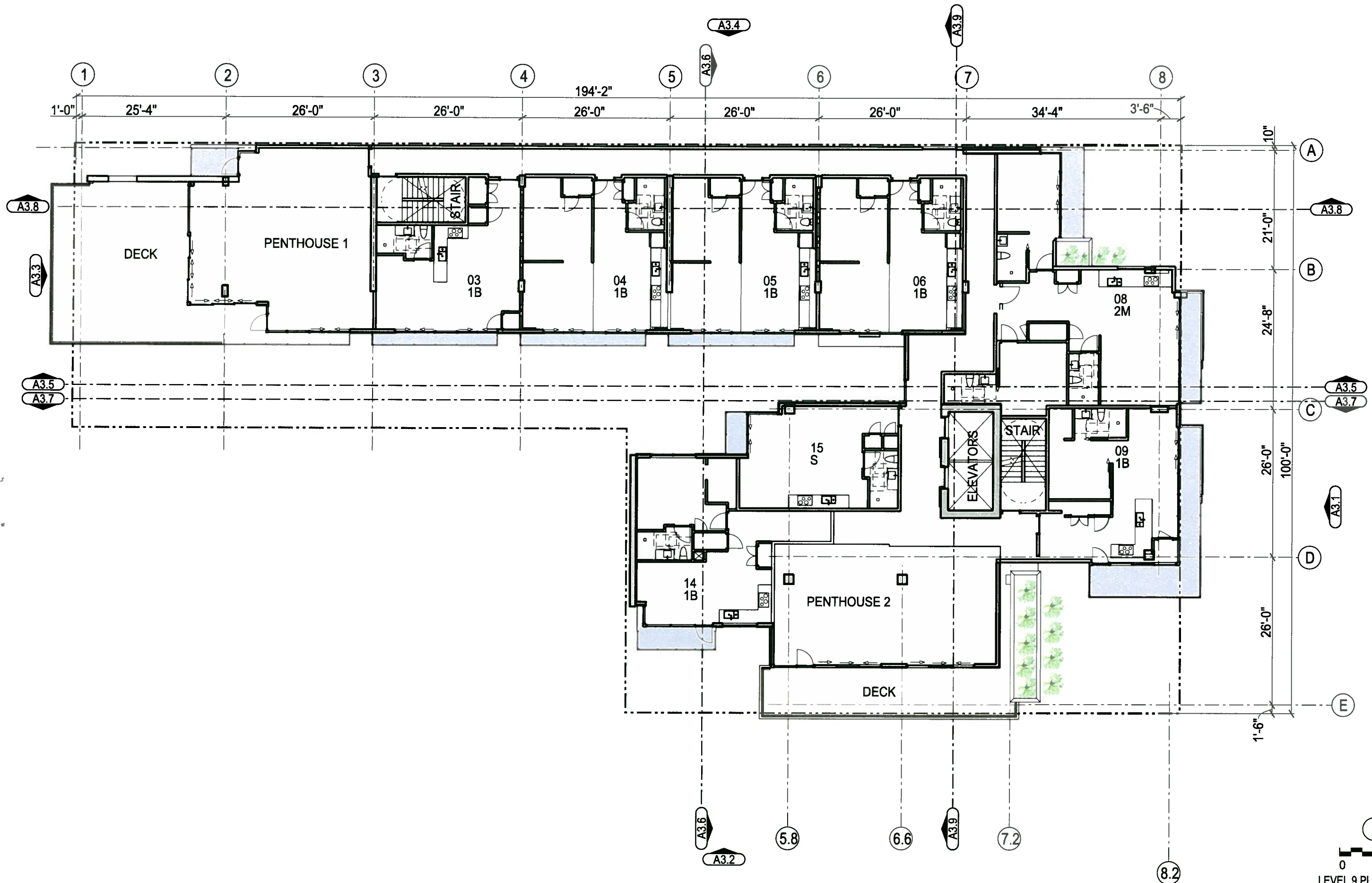
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.10.12

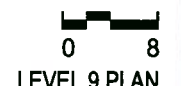
LITTLE ITALY, SAN DIEGO, CA

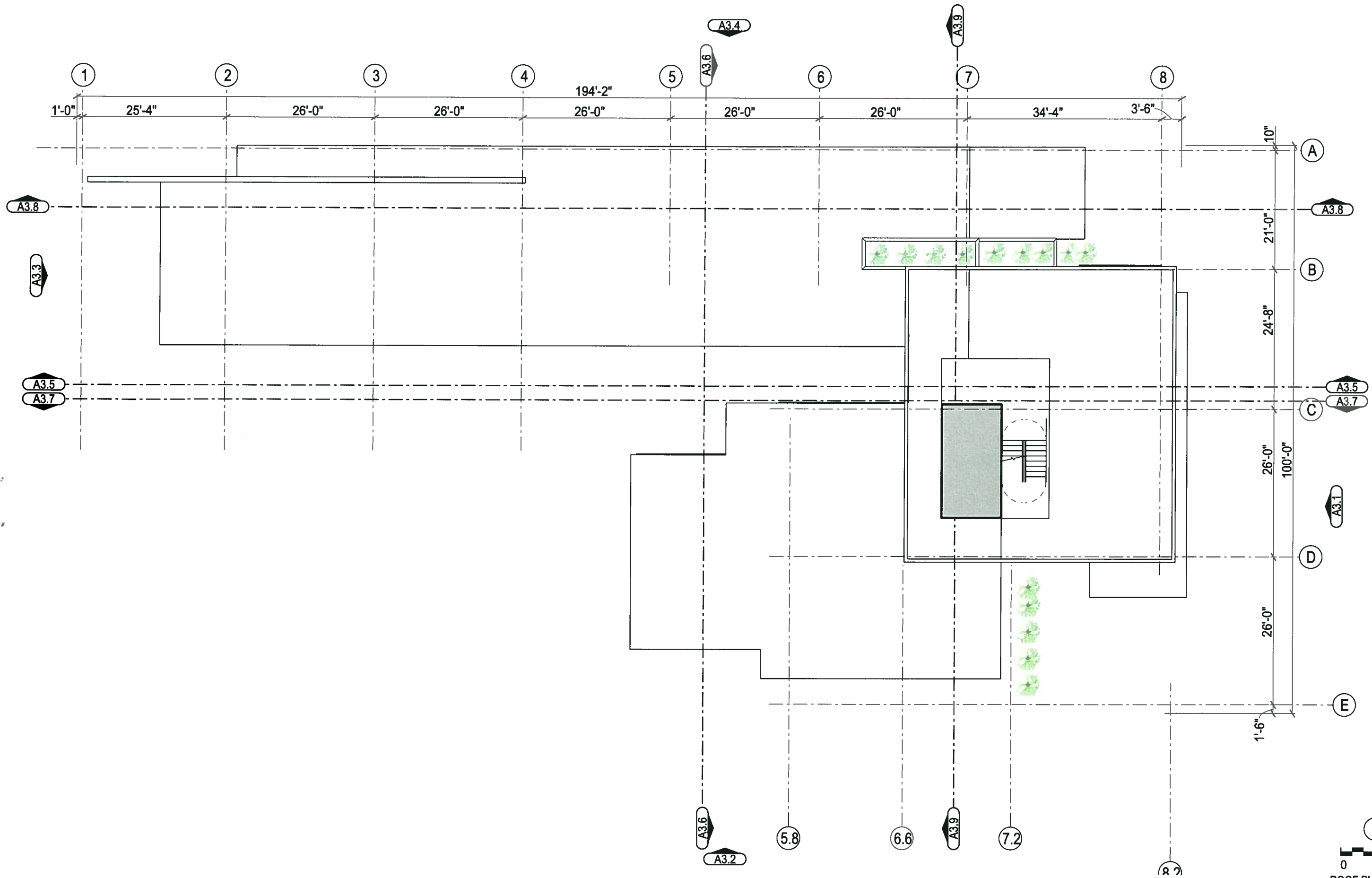
PALATINE
APARTMENT HOMES

BLOKHAUS



RESIDENTIAL LEVEL 9 A2.9





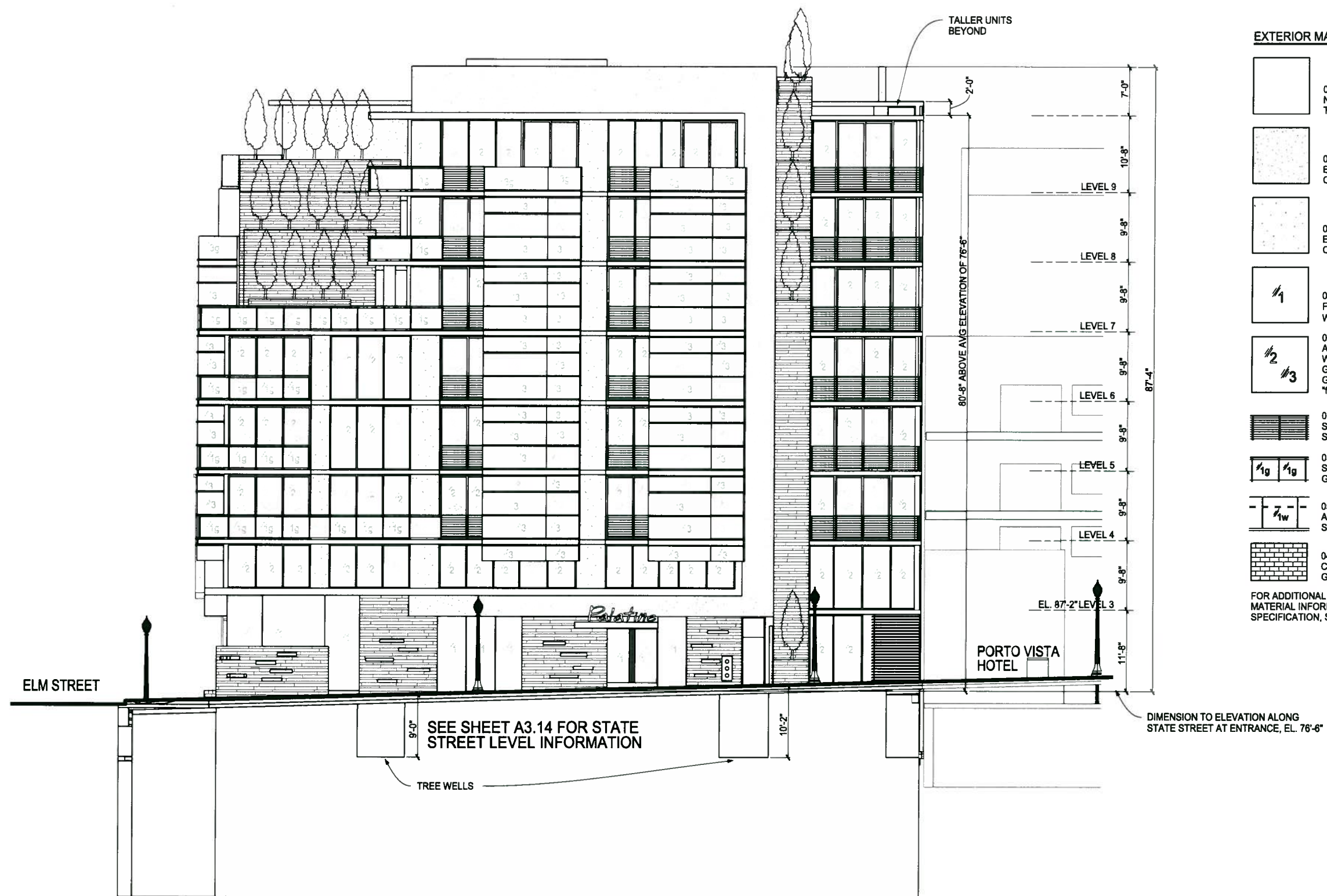
0 8
 ROOF PLAN
 ROOF A2.10

GRAHAM DOWNES ARCHITECTURE










CCDC SUBMITTAL
 02.10.12

PALATINE
 APARTMENT HOMES
 LITTLE ITALY, SAN DIEGO, CA

BLOKHAUS



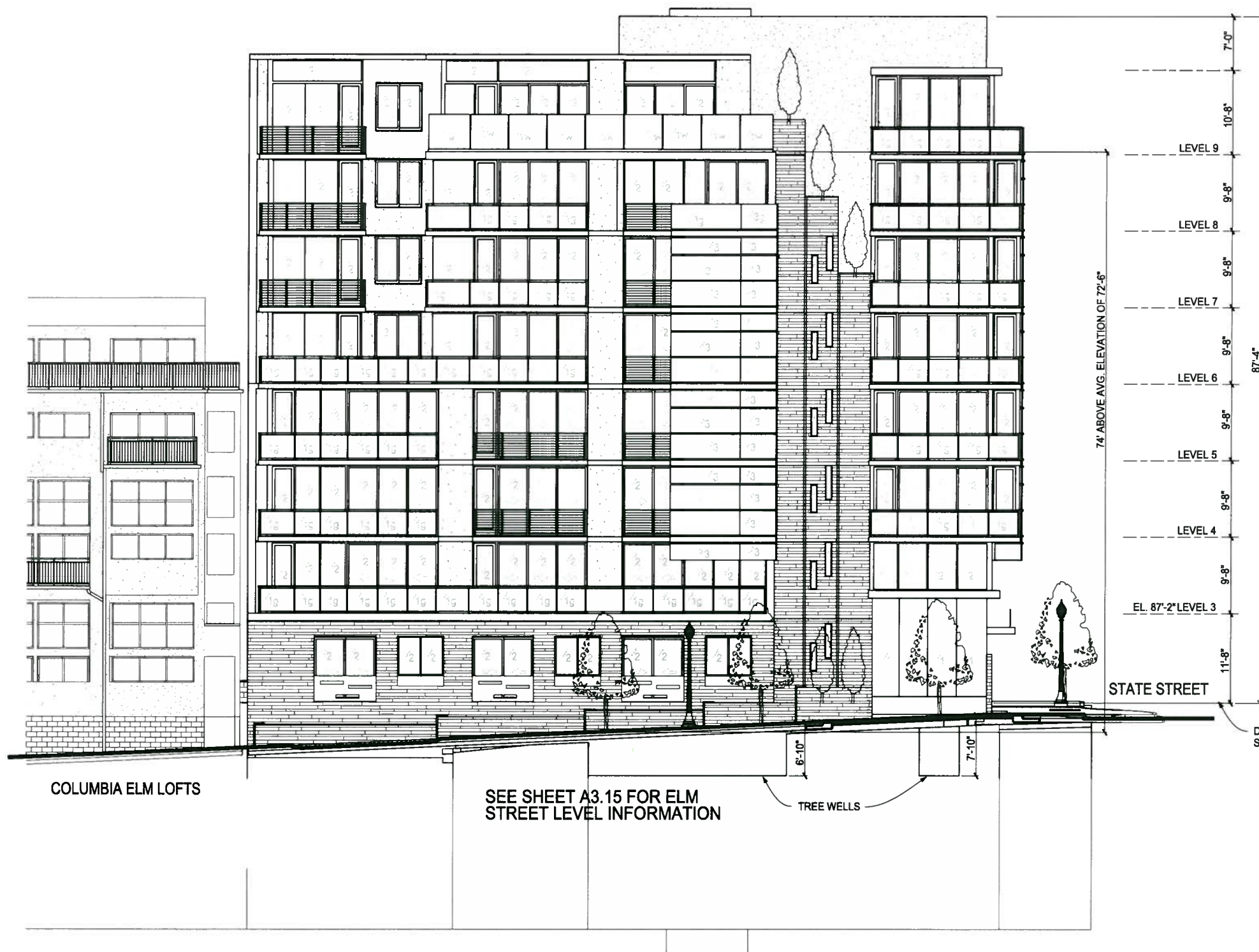
EXTERIOR MATERIALS LEGEND

-  09385.1
NATURAL STONE
TYPE 1
 -  09220.1
EXTERIOR PLASTER
COLOR 1
 -  09220.2
EXTERIOR PLASTER
COLOR 2
 -  08400.1
FRAMELESS GLAZING
WITH 1/2" CLEAR GLASS
 -  08400.2
ALUMINUM FRAME STOREFRONT
WITH 1" INSULATED LOW E GLASS
GLASS TYPE 2: CLEAR
GLASS TYPE 3: TINT OR FRIT TBD
"F" INDICATES FIRE RATED GLASS
 -  05700.ST & 05700.SSC
STEEL RAIL SYSTEM WITH
STAINLESS STEEL CABLES
 -  05721.GG1
STEEL RAIL SYSTEM WITH
GLASS PANELS
 -  05721.WS1
ALL GLASS WINDSCREEN W/
STAINLESS STEEL RAIL
 -  04810
CONCRETE MASONRY UNITS
GROUND FACE
- FOR ADDITIONAL MATERIALS AND
MATERIAL INFORMATION SEE OUTLINE
SPECIFICATION, SECTION 01990



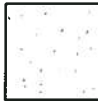
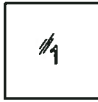




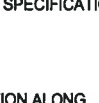
EAST (STATE) ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
A3.1



EXTERIOR MATERIALS LEGEND

-  09385.1
NATURAL STONE
TYPE 1
-  09220.1
EXTERIOR PLASTER
COLOR 1
-  09220.2
EXTERIOR PLASTER
COLOR 2
-  08400.1
FRAMELESS GLAZING
WITH 1/2" CLEAR GLASS
-  08400.2
ALUMINUM FRAME STOREFRONT
WITH 1" INSULATED LOW E GLASS
GLASS TYPE 2: CLEAR
GLASS TYPE 3: TINT OR FRIT TBD
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STEEL RAIL SYSTEM WITH
STAINLESS STEEL CABLES
-  05721.GG1
STEEL RAIL SYSTEM WITH
GLASS PANELS
-  05721.WS1
ALL GLASS WINDSCREEN W/
STAINLESS STEEL RAIL
-  04810
CONCRETE MASONRY UNITS
GROUND FACE

FOR ADDITIONAL MATERIALS AND MATERIAL INFORMATION SEE OUTLINE SPECIFICATION, SECTION 01990

DIMENSION TO ELEVATION ALONG STATE STREET AT ENTRANCE, EL. 76'-6"

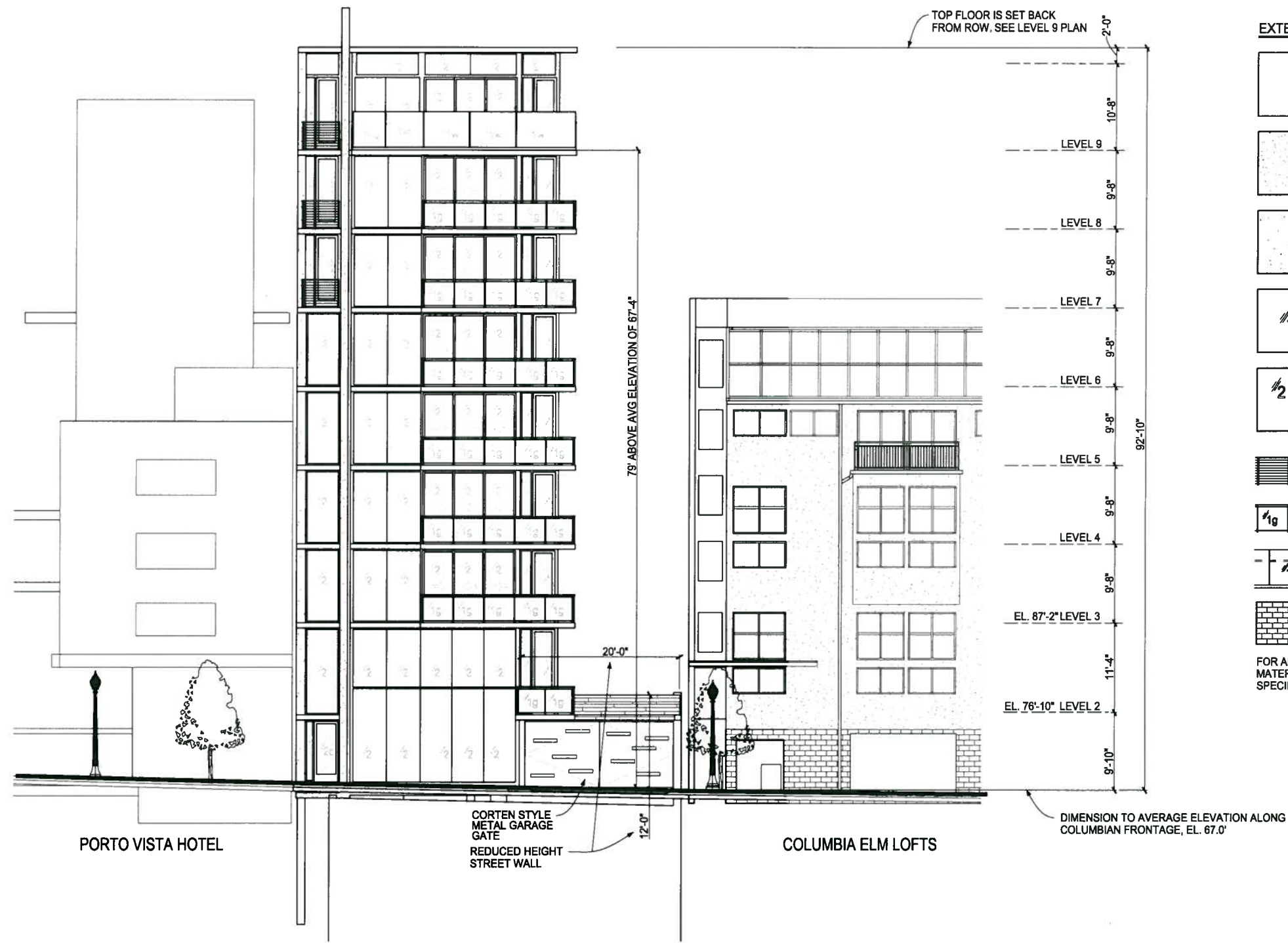
SOUTH (ELM) ELEVATION

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


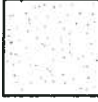
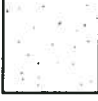

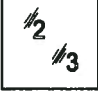

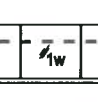




SOUTH ELEVATION

A3.2



EXTERIOR MATERIALS LEGEND

-  09385.1
NATURAL STONE
TYPE 1
-  09220.1
EXTERIOR PLASTER
COLOR 1
-  09220.2
EXTERIOR PLASTER
COLOR 2
-  08400.1
FRAMELESS GLAZING
WITH 1/2" CLEAR GLASS
-  08400.2
ALUMINUM FRAME STOREFRONT
WITH 1" INSULATED LOW E GLASS
GLASS TYPE 2: CLEAR
GLASS TYPE 3: TINT OR FRIT TBD
" INDICATES FIRE RATED GLASS
-  05700.ST & 05700.SSC
STEEL RAIL SYSTEM WITH
STAINLESS STEEL CABLES
-  05721.GG1
STEEL RAIL SYSTEM WITH
GLASS PANELS
-  05721.WS1
ALL GLASS WINDSCREEN W/
STAINLESS STEEL RAIL
-  04810
CONCRETE MASONRY UNITS
GROUND FACE

FOR ADDITIONAL MATERIALS AND MATERIAL INFORMATION SEE OUTLINE SPECIFICATION, SECTION 01990

WEST (COLUMBIA) ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
A3.3

Palatine

FIRE RATED GLASS, TYPICAL

PLASTER COLOR 2 & FIRE RATED GLASS AT PROP. LINE CONST.

GROUND FACE C.M.U. AT PROP. LINE CONST.

COLUMBIA STREET

STATE STREET

PORTO VISTA HOTEL ELEVATION IS OVERLAYED SEE ISOMETRIC ON SHEET A3.12 FOR CONSTRUCTION ADJACENT TO/ OBSCURED BY HOTEL

NORTH ELEVATION

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



NORTH ELEVATION

A3.4

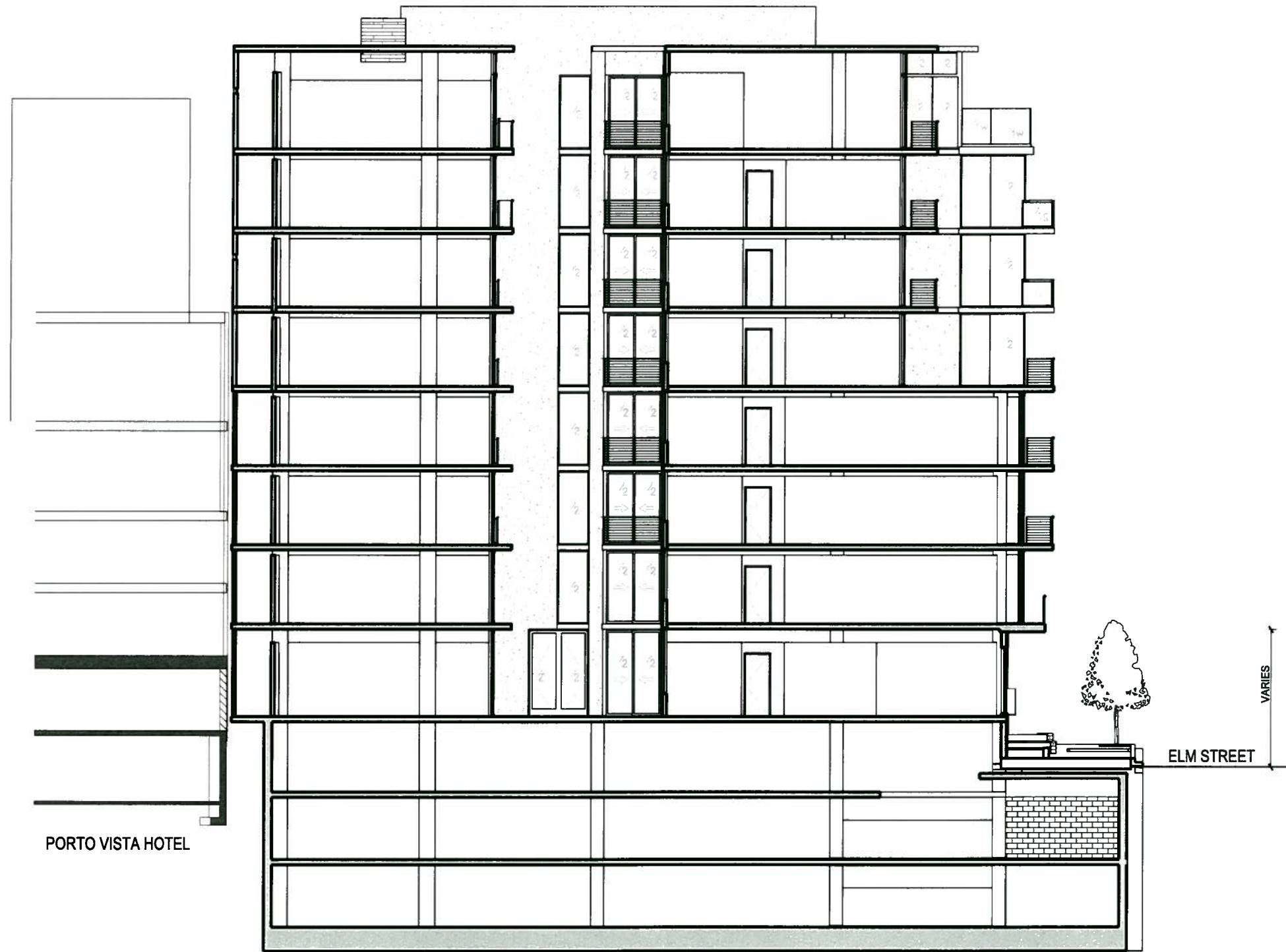


SOUTH COURTYARD ELEVATION

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



A3.5



PORTO VISTA HOTEL

ELM STREET

VARIES

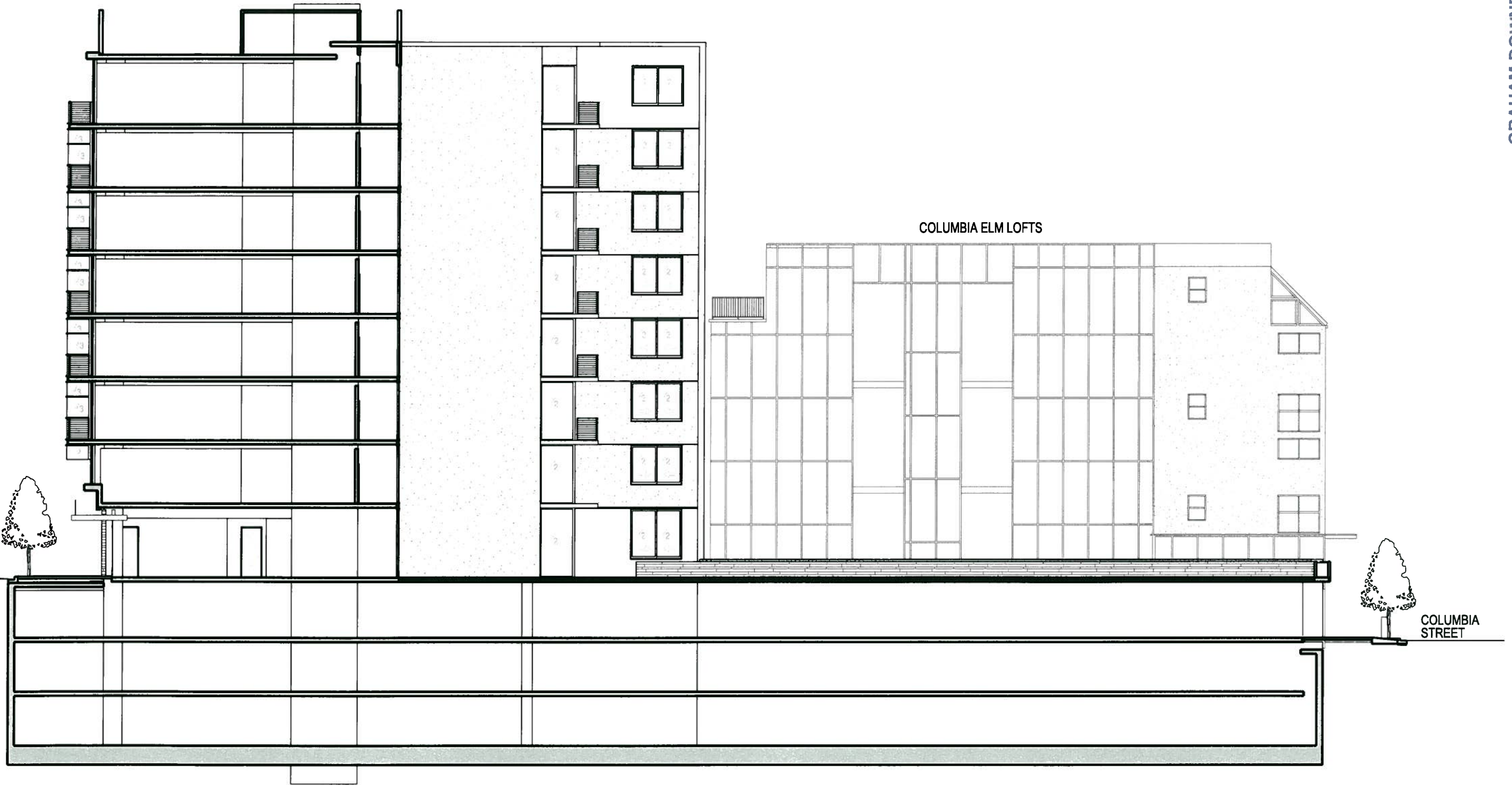
**BUILDING SECTION /
WEST COURTYARD ELEVATION**

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



BLDG SECTION / COURTYARD ELEVATION

A3.6



BUILDING SECTION / NORTH COURTYARD ELEVATION

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



1/8" = 1' WHEN PLOTTED ON 22x34" SHEET

BLDG SECTION / COURTYARD ELEVATION

A3.7

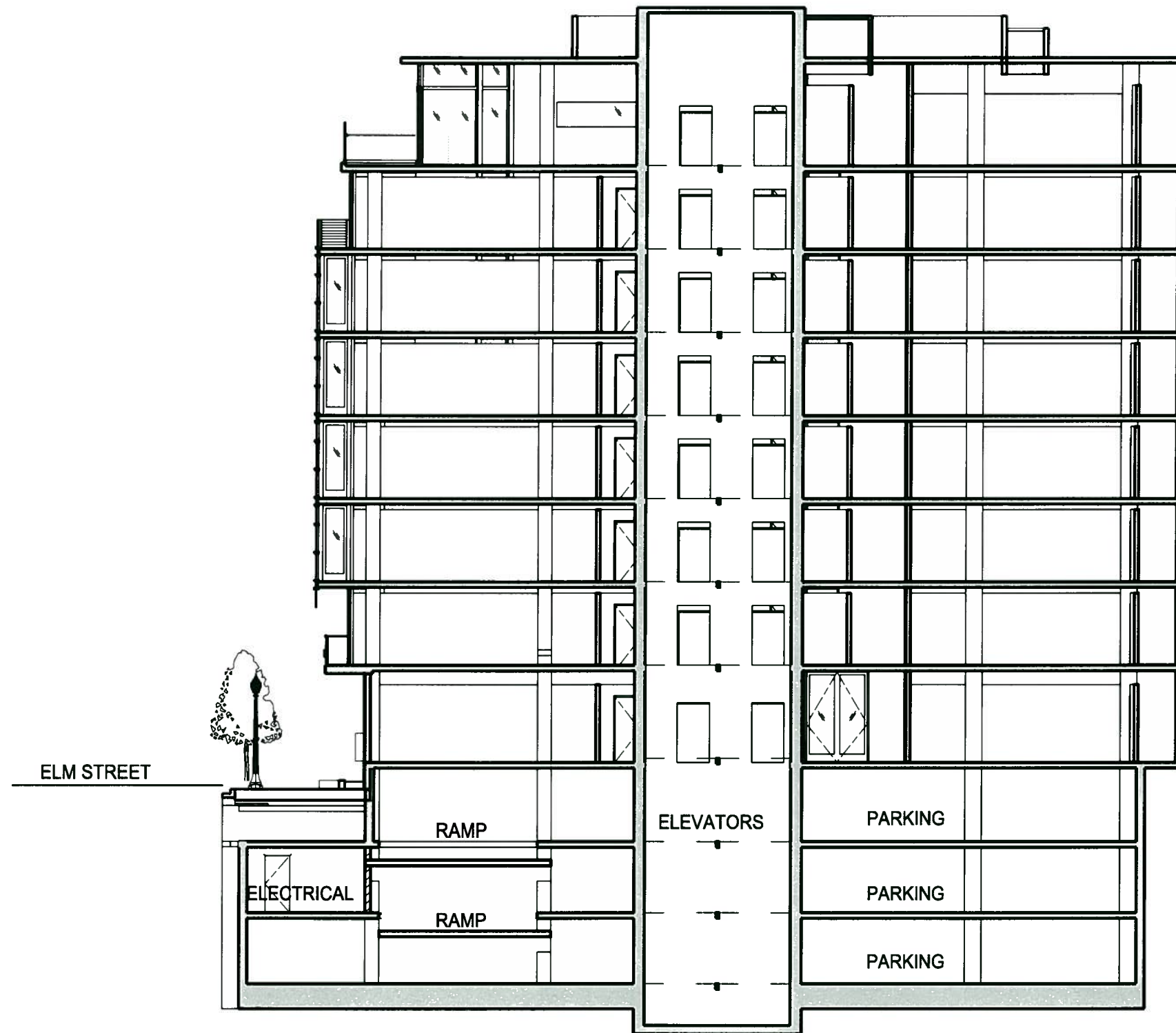


EAST-WEST BUILDING SECTION

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



A3.8



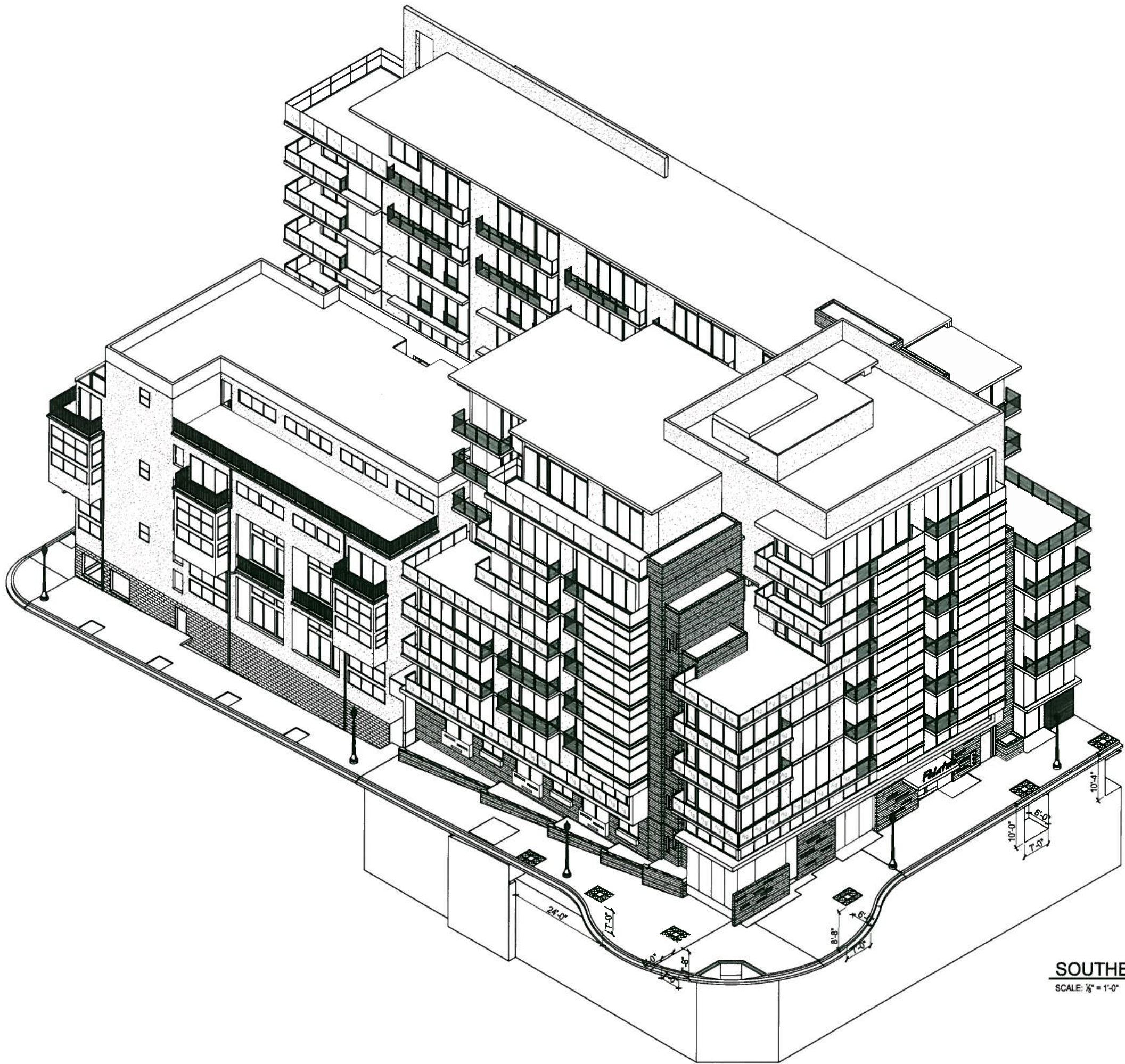
NORTH SOUTH
BUILDING SECTION

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



NORTH-SOUTH BUILDING SECTION

A3.9



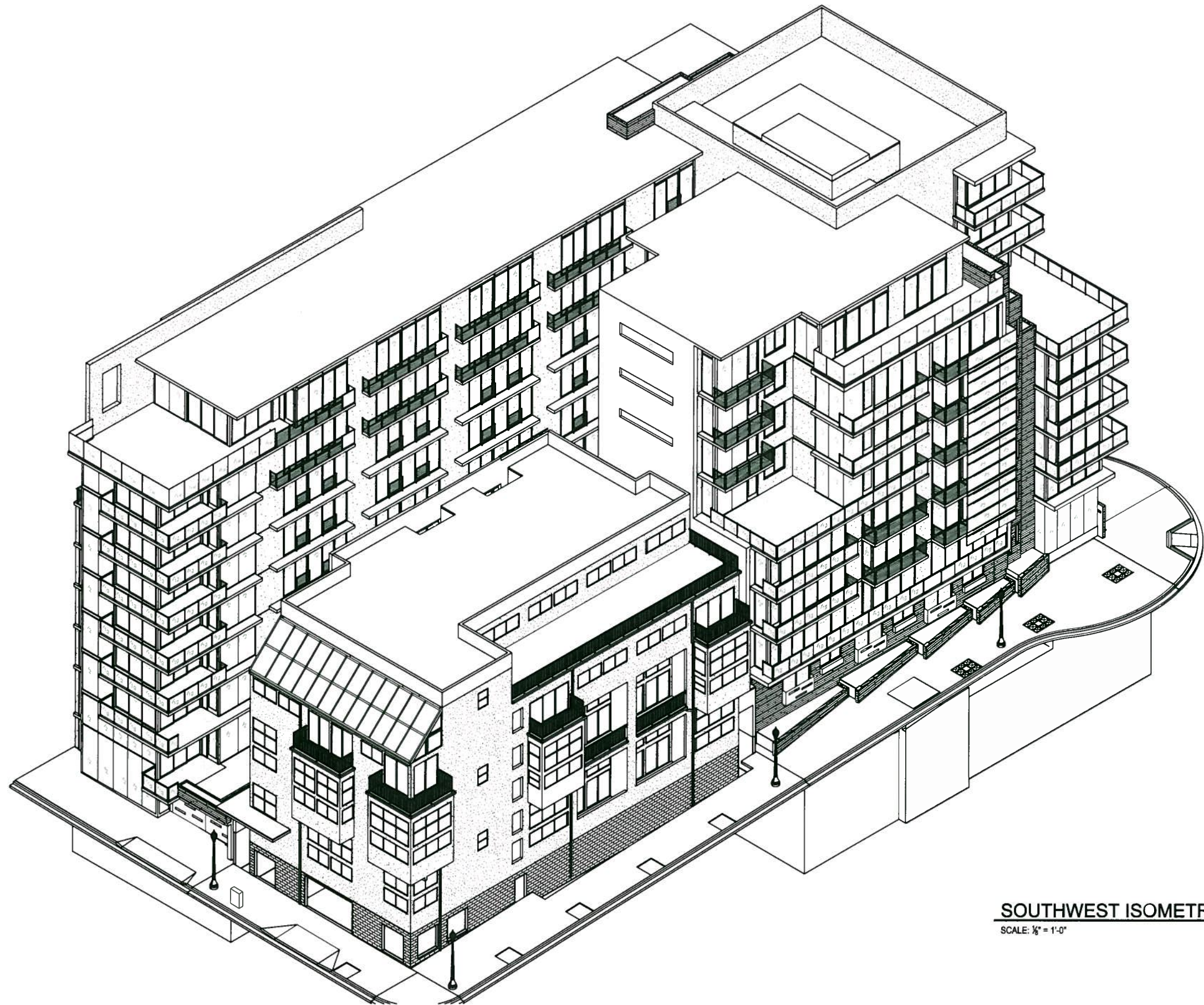
SOUTHEAST ISOMETRIC

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

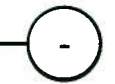


SOUTHEAST ISOMETRIC

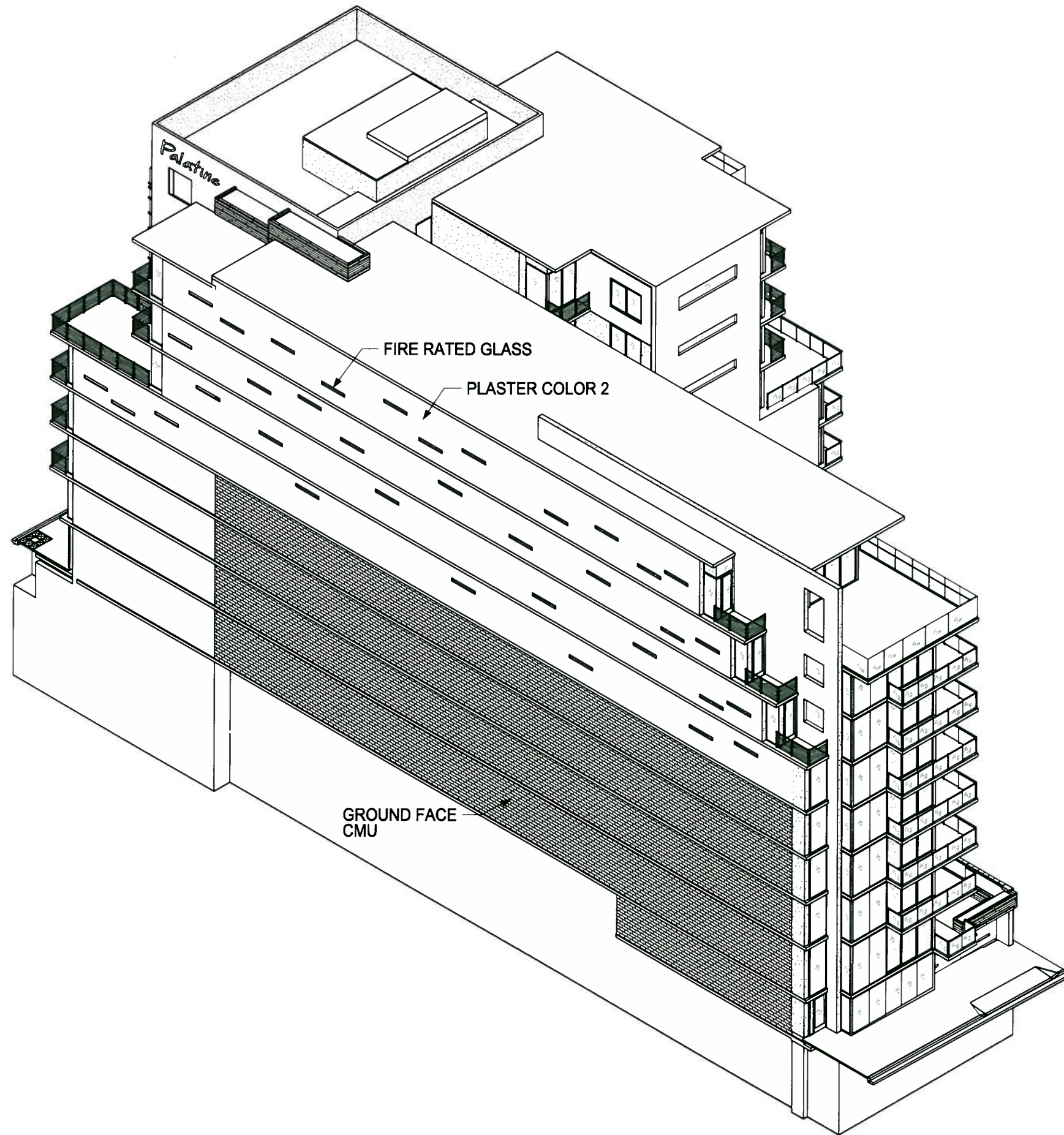
A3.10



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



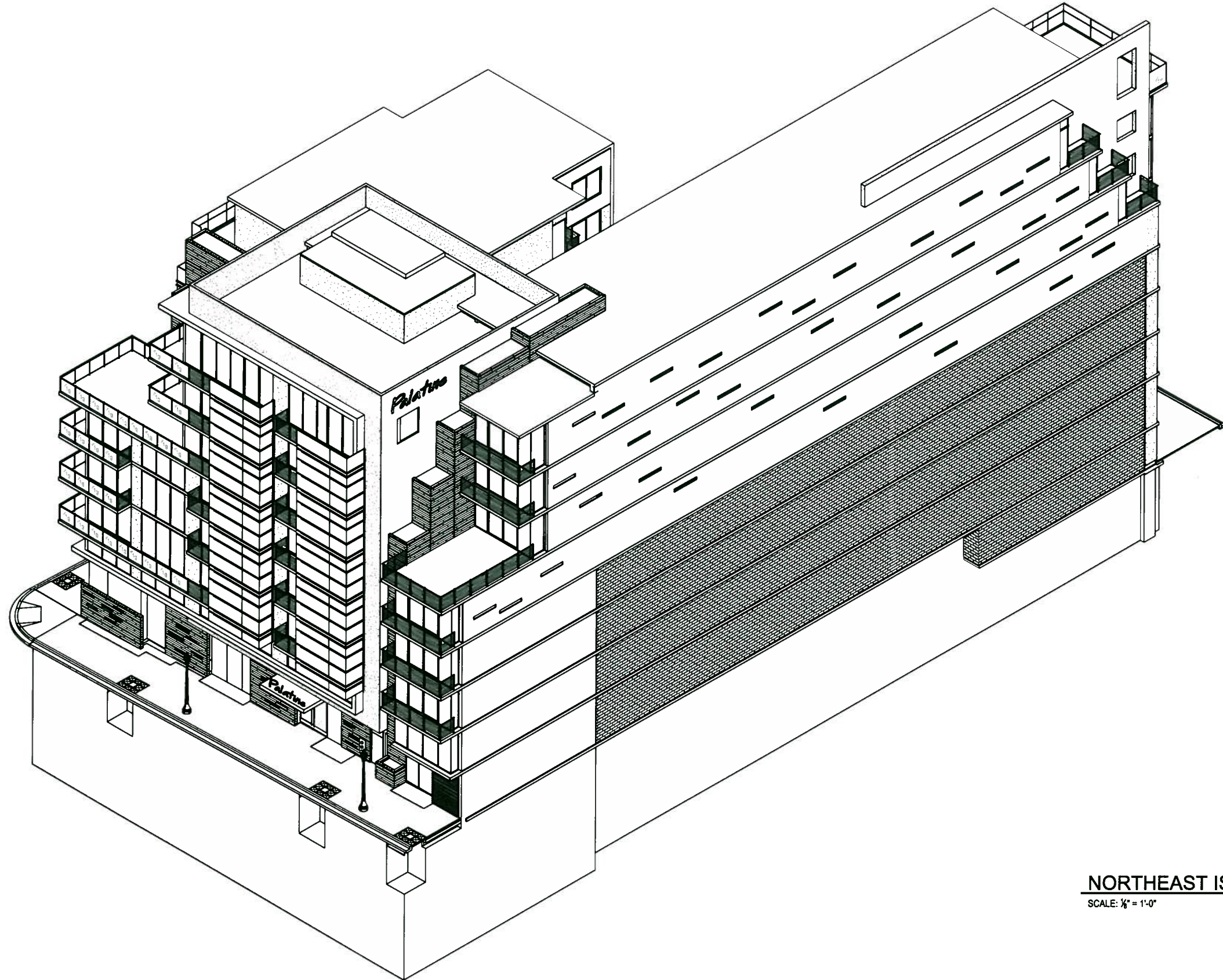
SOUTHWEST ISOMETRIC
A3.11



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

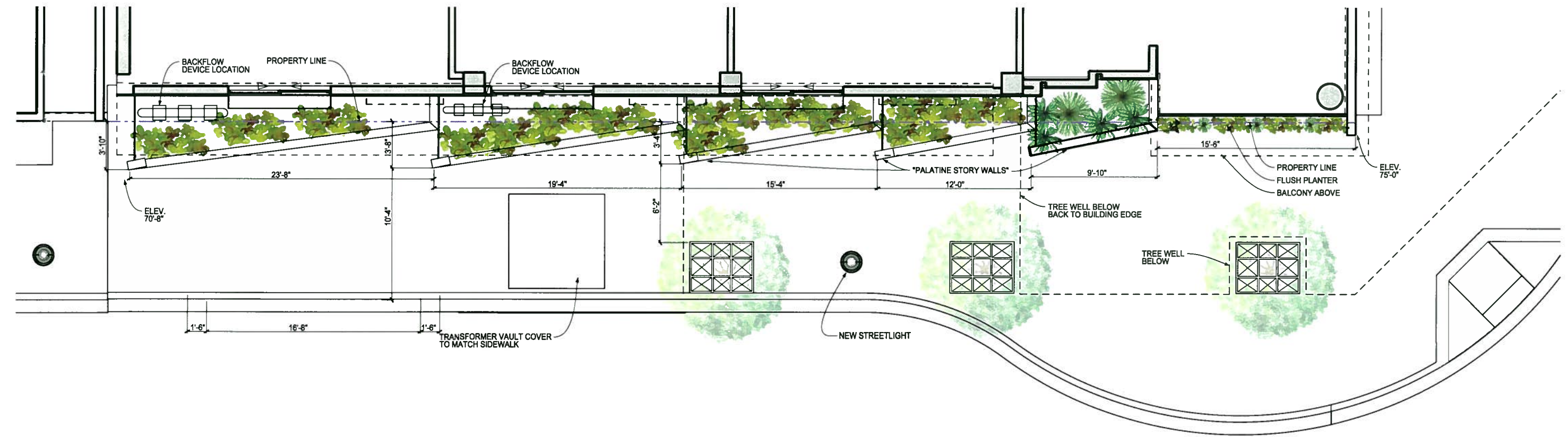
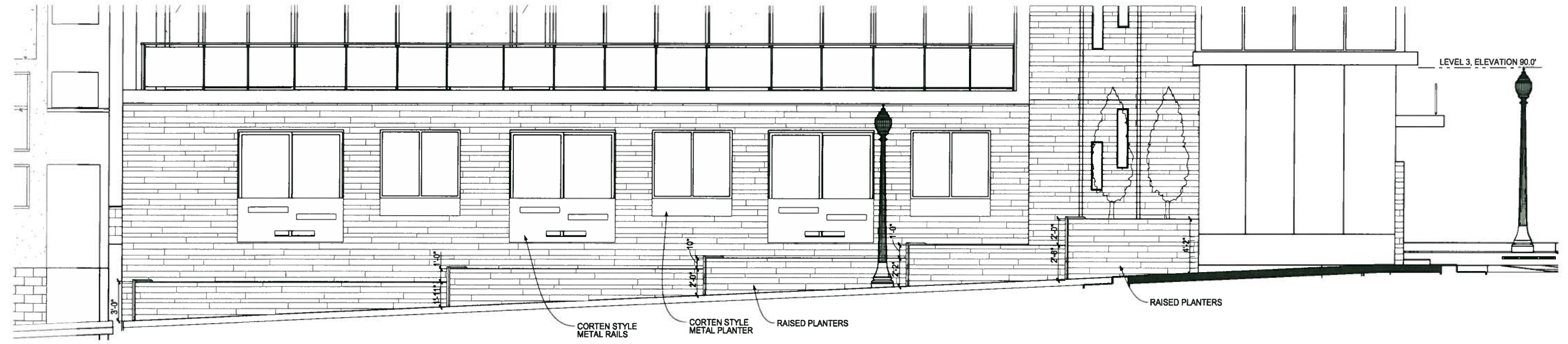


NORTHWEST ISOMETRIC
 A3.12



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





ELM STREET SIDEWALK
 PEDESTRIAN EXPERIENCE A3.15



- 05721.GG1 STEEL RAIL WITH GLASS PANELS
- 0330.1 NATURAL CONCRETE
- 09220.1 PLASTER COLOR 1
- 09220.2 PLASTER COLOR 2
- 05700.ST STEEL RAIL WITH STAINLESS CABLES
- 08400.2 ALUMINUM GLAZING WITH GLASS TYPE 2
- 08400.3 ALUMINUM GLAZING WITH GLASS TYPE 3

- 08400.1 FRAMELESS GLAZING WITH 1/2" CLEAR GLASS
- STAINLESS STEEL AWNING & SIGNAGE
- 09385.1 NATURAL STONE
- 09220.1 PLASTER COLOR 1

GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
09.20.11

PALATINE
APARTMENT HOMES LITTLE ITALY, SAN DIEGO, CA



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
09.20.11

PALATINE
APARTMENT HOMES LITTLE ITALY, SAN DIEGO, CA

SOUTH ELEVATION - ELM STREET RENDERINGS
A5.2

BLOKHAUS



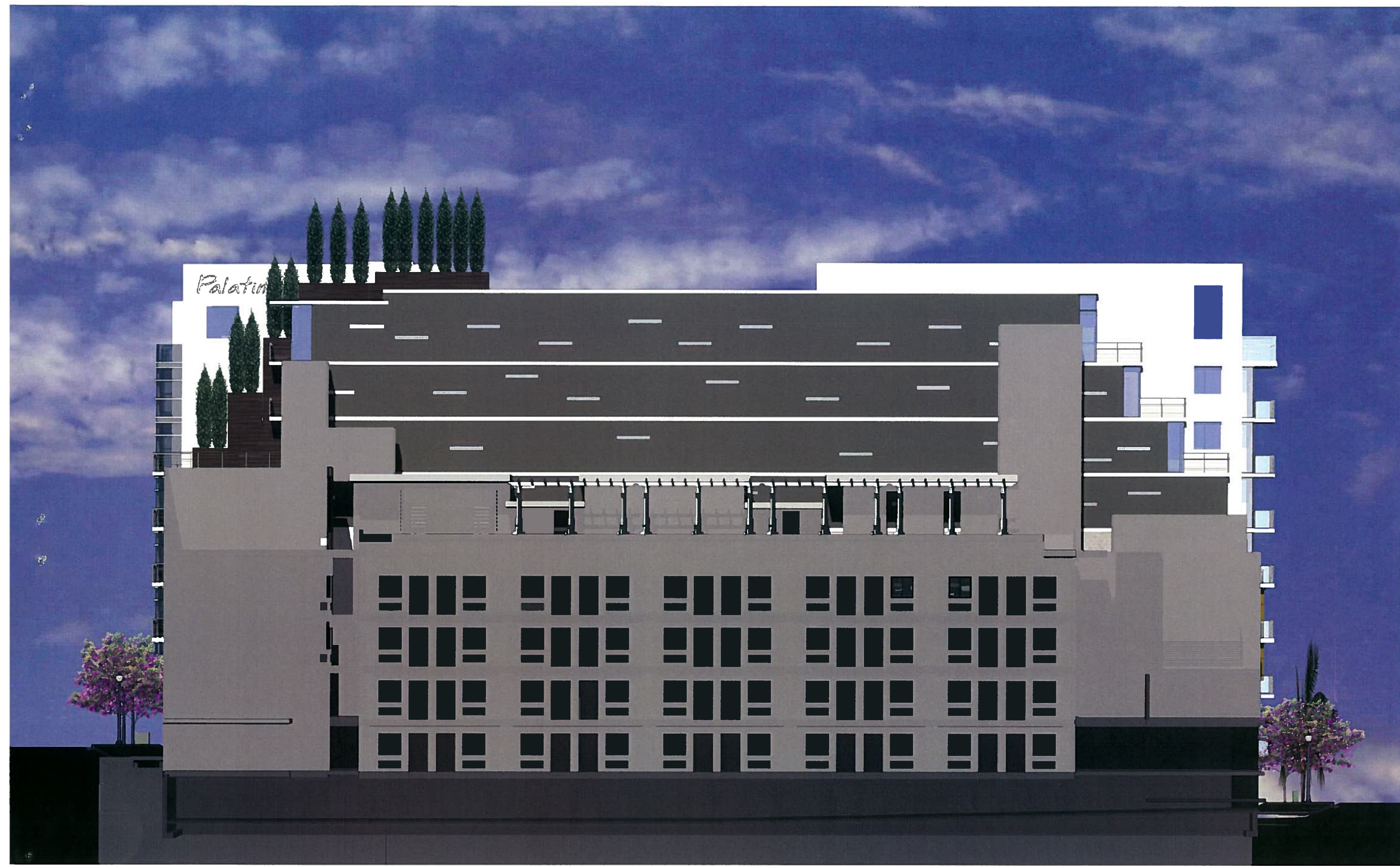
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
09.20.11

PALATINE
APARTMENT HOMES LITTLE ITALY, SAN DIEGO, CA

WEST ELEVATION - COLUMBIA STREET RENDERINGS
A5.3

BLOKHAUS



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
09.20.11

PALATINE
APARTMENT HOMES LITTLE ITALY, SAN DIEGO, CA

NORTH ELEVATION - PV HOTEL IN FOREGROUND RENDERINGS A5.4

BLOKHAUS



LITTLE ITALY SUN ACCESS ENVELOPE
SHOWN IN PURPLE

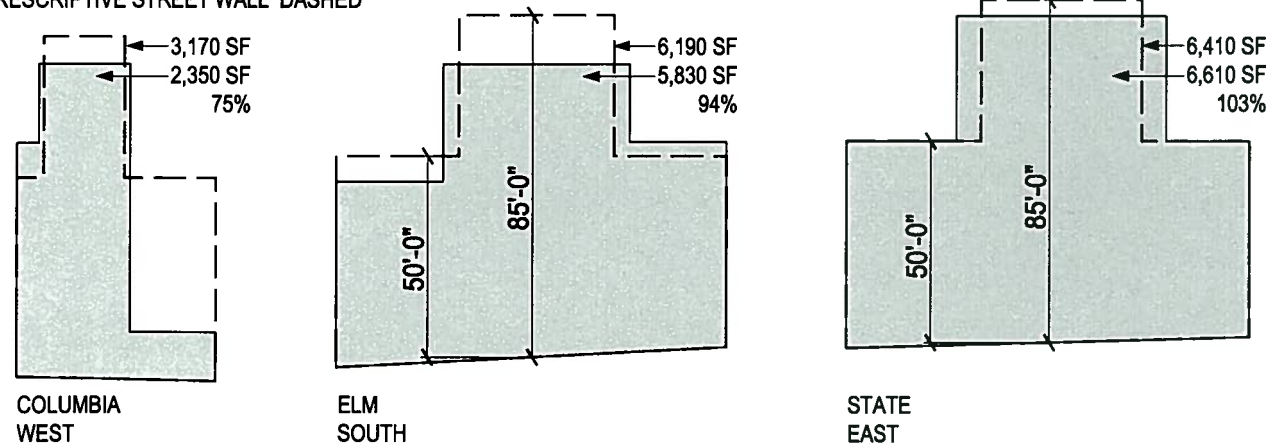
EXCEPTIONS REQUESTED

1. SDMC SECTION 156.0310(c)(1)(C), LITTLE ITALY SUN ACCESS ENVELOPE: DUE TO THE CONSTRAINTS OF THIS SITE, WE REQUEST THE FOLLOWING AMOUNT OF STREET FRONTAGE BE ALLOWED UP TO 85':

STATE:	52.5 FEET OUT OF 100=	52.5% (up to 81')
ELM:	44.5 FEET OUT OF 97.5=	45.5% (up to 74')
COLUMBIA:	22.5 FEET OUT OF 50=	45% (up to 79')
OVERALL:	119.5 FEET OUT OF 247.5=	48.3%

STREET WALL DIAGRAMS:

PROPOSED STREET WALLS SHADED
PRESCRIPTIVE STREET WALL DASHED



EXCEPTIONS REQUESTED

2. SDMC SECTION 156.0310(d)(2)(D), MINIMUM STREET WALL HEIGHT: TO ALLOW LIGHT INTO AND VIEWS FROM THE INTERNAL UNITS, AND TO ALLOW THE COURTYARD TO DAYLIGHT, WE REQUEST APPROX. 20 LINEAR FEET OF STREET WALL ON COLUMBIA BE ALLOWED AT 12' HIGH, AS OPPOSED TO THE 30' REQUIRED PER SUBSECTION (iv)

3. RAISED PLANTERS IN THE RIGHT OF WAY: ON ELM STREET, IN ORDER TO ENRICH THE PEDESTRIAN EXPERIENCE, LOCATE THE BACKFLOW DEVICES, AND ALLOW PLANTING TO GROW ON LEVEL GROUND, WE PROPOSE PROVIDING STEPPED PLANTERS AS SHOWN ON SHEET A3.15

4. SDMC SECTION 156.0310(d)(2)(C), STREET WALL SETBACK AT STREET LEVEL RESIDENTIAL: RESIDENTIAL UNITS AT STATE STREET (TWO) ARE SET BACK FROM PROPERTY LINE, AND UNITS AT FLOOR ABOVE DO NOT HAVE BALCONIES, SO THESE 2 UNITS HAVE ADEQUATE DAYLIGHT ACCESS. THESE UNITS DO NOT HAVE DIRECT ACCESS TO THE SIDEWALK.

5. SDMC SECTION 156.0313(a)(2), OFF STREET LOADING: THIS PROJECT CURRENTLY EXCEEDS THE 100 UNIT THRESHOLD BY ONLY 1, THERE IS LIMITED ACCESS & HEADROOM INTO THE GARAGE AND DUE TO THE SITE CONSTRAINTS EXTREMELY LIMITED GARAGE SPACE & MANEUVERABILITY. A MOVING VAN IS NOT FEASIBLE WITHIN THIS GARAGE, NOR IS IT LIKELY GIVEN THE SIZE OF THE UNITS.



LOW LEVEL VIEW, COLUMBIA, & LISA EXHIBIT A5.5



ELM STREET LOOKING WEST



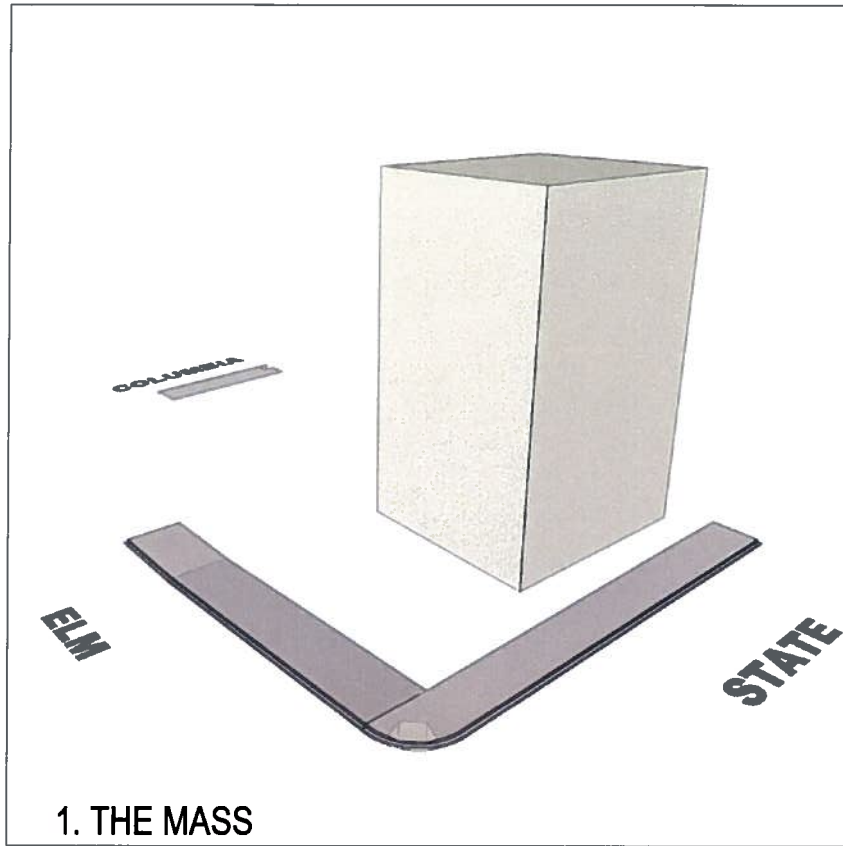
STATE STREET LOOKING NORTH



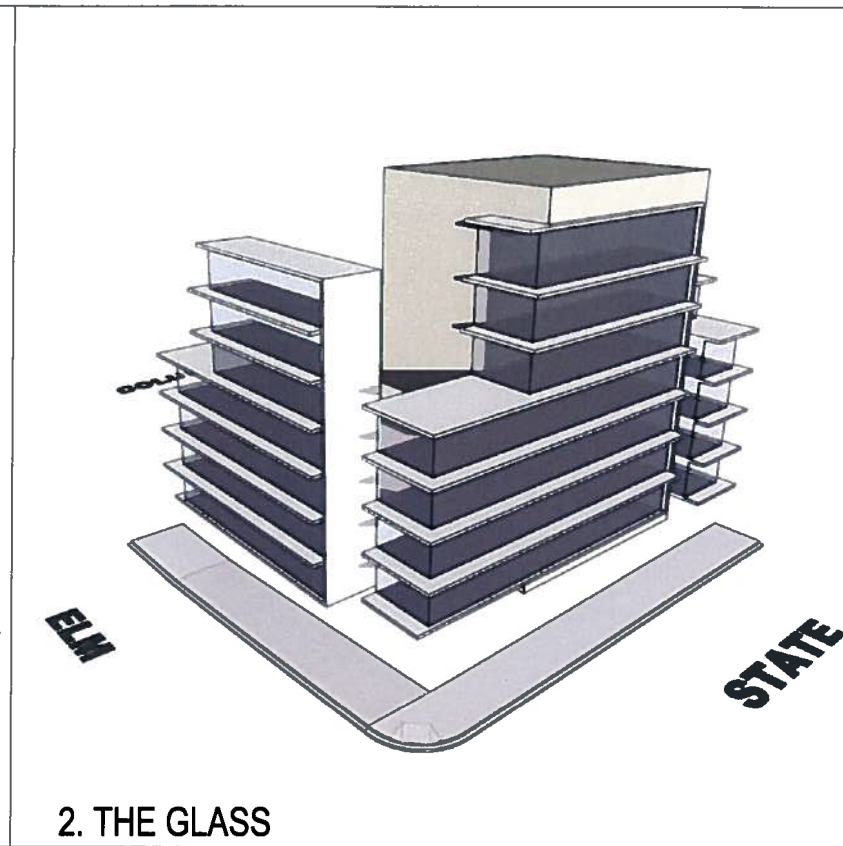
ELM STREET LOOKING EAST



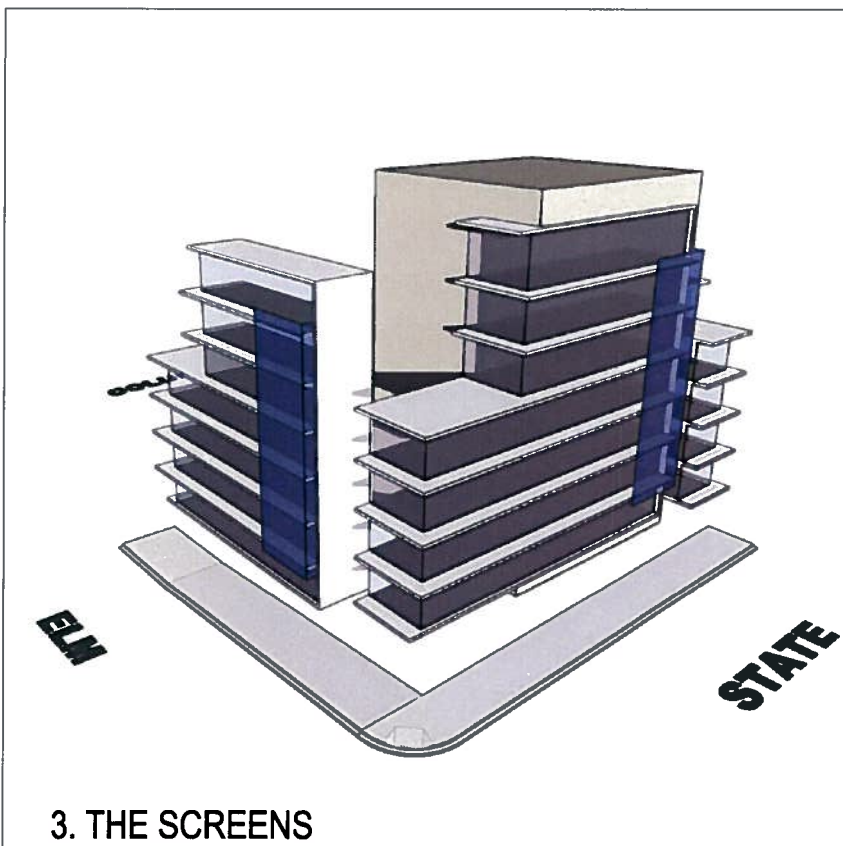
STATE STREET LOOKING SOUTH



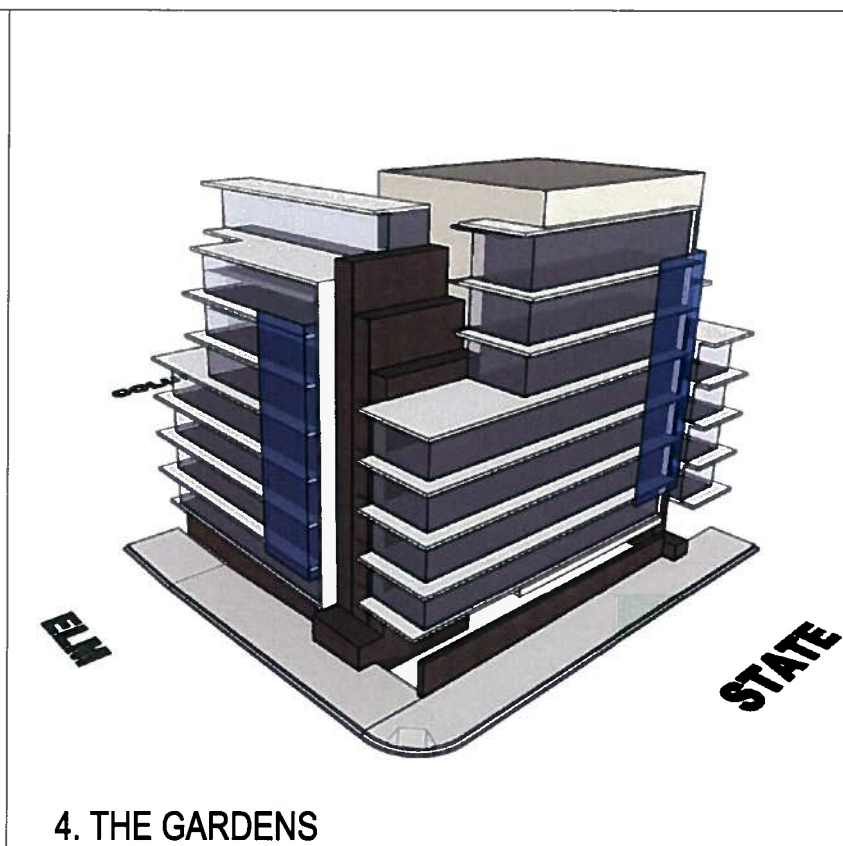
1. THE MASS



2. THE GLASS



3. THE SCREENS



4. THE GARDENS



CONCEPTS

1. THE MASS - IN THE CENTER OF THE PROJECT, FLOATS ABOVE STATE STREET.
2. THE GLASS - WITH CONCRETE SHELLS SURROUNDS THE MASS, CONNECTING THE RESIDENTS TO THE SURROUNDING CITY.
3. THE SCREENS - ORIEL WINDOWS ALLOW LIVING SPACES IN THE PUBLIC REALM OVER THE SIDEWALK.
4. THE GARDENS - STONE CLAD WALLS AND PLANTERS SEPARATE THE GLASS & CONCRETE FORMS AND WRAP ALONG THE SIDEWALKS ENHANCING THE PEDESTRIAN EXPERIENCE.



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
09.20.11

LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

LOW LEVEL VIEW, STATE & ELM
A5.8

RENDERINGS

BLOKHAUS

APPEAL APPLICATION

1. Type of Appeal:

- Process Two Decision – Appeal to the Civic SD Board
- Process Three Decision – Appeal to the Civic SD Board
- Process Three Decision – Appeal to the City of San Diego Planning Commission
- Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant

1835 Columbia Street, L.P.; 1805 Columbia Street L.P.; Moe Siny
 Name
 1835 Columbia St. #204 San Diego CA 92101 619-544-0164 ext
 Address City State Zip Code Telephone 204

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

DPSS Properties, L.P.

4. Project Information

CC PDP No 2011-42 October 17, 2012 Brad Richter/Wacy Contreras
 Permit & Permit/Document No.: Date of Decision: Project Manager:

Decision (describe the permit/approval decision): Civic San Diego reviewed the design and gave approval for CC PDP 2011-42 for the Palatine Project

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

- Factual Error
- Conflict With Other Matters
- Findings Not Supported
- New Information

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.)

See Attached.

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

Signature:  Date: 10/30/12

Note: Faxed appeals are not accepted.

Centre City
 Development Corp.
 OCT 31 2012
 Office: 314
 City: 314

401 B Street, Suite 400, San Diego, CA 92101 (619) 235 - 2200
 Upon request, this information is available in alternative formats for persons with disabilities.

APPEAL OF CCPDP NO. 2011-42 RE PALATINE PROJECT

Item No. 5, Grounds for Appeal

The approval of the referenced permit is improper because it is based upon a factual error. It is stated that proper notice was given by Pacific San Diego. However, the actual documents containing the addresses do not show all of the individuals within the required boundaries for a proper written notice. The record owners for the two adjacent properties, 1805 Columbia Street and 1835 Columbia Street are 1805 Columbia Street LP and 1835 Columbia Street LP, respectively. Notices should be provided to 1835 Columbia Street, Unit No. 204. Moreover, many of the individual occupants of the units are not listed on the notice sheet.

The granting of the permit is also improper because it conflicts with other matters. Not only is the project inconsistent with the character of the neighborhood and the adjoining structures, but also not consistent with zoning and land development standards. The project, as approved, violates LISA overlay requirements, and the project also does not meet loading dock requirements. Because of the height of the building, and the number of units involved, the project should have at least one loading dock. The failure to provide that loading dock will lead to massive traffic and safety problems in the area, particularly given the number of units and the need for movers to bring into the project the contents of the various apartments.

In this regard, the findings are not supported by the actual evidence (reason No. 3 for the appeal). There is no explanation for the failure to enforce LISA overlay requirements or for the waiver of a loading dock requirement in an area that already has substantial parking problems. An 87 foot tall building containing more than 100 units in this very confined space will present significant problems in terms of the LISA overlay and the surrounding parking areas.

Information, documentation and photographs were obtained but could not be presented as part of the design review process because notice was not properly given to adjoining owners and residents. Had that information been provided, Appellant believes that the project would have been substantially modified to conform to the various local land use requirements and to be consistent with the surrounding neighborhood.



**Little Italy Project Review Committee
Little Italy Association Office, 2210 Columbia Street
November 4th, 2011, 9:00 a.m.**

Present: Mike Daniels, Steve Galasso, Lou Palestini

Staff: Marco Li Mandri

Presenter: Jon Starr

Notes for the meeting of Third Review of the Palatine Project by Duane Shinnick.

Original Minutes have been displaced so these are the comments to CCDC:

The project has been submitted for the third time to Project Review. These were our notes on the project:

There will now be:

- **102 apartments in the project with no commercial spaces. A condo map will be filed with the project so from the standpoint of the Little Italy Maintenance District, the project will be treated as a 102 condos, not an apartment complex;**
- **There will be 115 parking spaces in this new residential project;**

Jon gave the background as to why the project was converted from mixed use to purely residential. The Committee agreed that outside of possible office use, retail on Elm or State would not really be viable.

After the presentation, the Committee is recommending to Mr. Shinnick and CCDC the following changes to the project:

1. **Stoops which tie the residential to the Elm Street sidewalk are preferred if possible due to the slope along Elm Street. This would give it a much more residential character and not support the "walled city" approach to so many residential developments in Downtown. We asked Jon to see if this is possible within the constraints of the project.**

LITTLE ITALY ASSOCIATION OF SAN DIEGO

1668 Columbia Street • San Diego, CA 92101 • Phone: 619-233-3898 • Fax: 619-233-4866
Email: mail@littleitalysd.com • Website: www.littleitalysd.com
Facebook: Little Italy Association of San Diego • Twitter: @LittleItalySD

2. We would also prefer to see stoops on State Street;
3. We would like to see the creation of perpendicular parking along the north side of Elm now that the curb cut has been eliminated from that side;
4. We would like to see raised walls along Elm Street as the street slopes westward. This will prevent sitting by non-residents;
5. We would like to see diagonal parking on the east side of State Street to take out a lane of traffic and slow down the traffic in front of the school;
6. We would like to see either liquidamber trees, Chinese Tallow or Chinese Pistache trees planted along the State Street side;
7. We would like to see Crape Myrtle trees planted along the Elm Street and Columbia Street sides;
8. We insist upon the installation of a pop out at the northwest corner of State and Elm, with a fountain or water feature and sculpture and a place where the developer can tell of the story of the Paletine Hill. The Association will work with the developer on this public space and will maintain it once completed.
9. The loading zone should be on State Street, with no additional driveway along Columbia. Residents can move in and out of the complex from the State Street side.
10. We do not have a problem with LISA or any of the other exceptions the developer is requesting.

Minutes taken by Marco Li Mandri, Chief Executive Administrator

**PLANNING COMMISSION
RESOLUTION NO. PC -12-114
CENTRE CITY DEVELOPMENT PERMIT/PLANNED DEVELOPMENT
PERMIT NO. 2011-42**

WHEREAS, DPSS Properties, L.P., Owner/Permittee, filed an application for Centre City Development Permit/Planned Development Permit No. 2011-42 to allow the construct an eight-story (approximately 87-foot tall) residential building located on a 15,000 square-foot parcel located along the north side of Elm Street between Columbia and State streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area and more particularly described in "Exhibit A" in the City of San Diego, State of California, according to map thereof made on file in the office of the County Recorder of San Diego; and,

WHEREAS, the project is covered under the Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan (DCP), CCPDO, and 10th Amendment to the Centre City Redevelopment Plan, certified by the Redevelopment Agency ("Agency") on March 14, 2006 (Resolution R-04001) and subsequent addenda to the FEIR certified by the Agency on August 3, 2007 (Agency Resolution R-04193), April 21, 2010 (Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Agency Resolution R-04544). The FEIR is a "Program EIR" prepared in compliance with State CEQA Guidelines Section 15168. Pursuant to the FEIR, an Environmental Initial Study ("Initial Study") for the Project was prepared on February 22, 2012 in accordance with CEQA, State and local guidelines. The Initial Study concludes that the environmental impacts of the proposed project have been adequately addressed in the FEIR and that the proposed project is within the scope of the development program described in the FEIR; therefore, no further environmental review is required under CEQA.

WHEREAS, on October 17, 2012 the Civic San Diego Board of Directors held a duly noticed public hearing and considered Centre City Development/Planned Development Permit No. 2011-42, including a staff report and recommendation, and public testimony, and granted Centre City Development Permit/Centre City Planned Development Permit No. 2011-42 pursuant to San Diego Municipal Code Chapter 15, Article 3, Divisions 7 of the Municipal Code of the City of San Diego; and,

WHEREAS, on October 30, 2012, 1835 Columbia Street L.P. appealed the Civic San Diego Board of Director's decision to the Planning Commission of the City of San Diego;

WHEREAS, the matter was set for public hearing on November 29, 2012, testimony having been heard, evidence having been submitted, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Centre City Development Permit and Coastal Development Permit Nos. 2011-42:

NOW, THEREFORE, BE IT RESOLVED by the Civic San Diego of Directors as follows:

DEVELOPMENT PERMIT FINDINGS

1. *The proposed development is consistent with the Downtown Community Plan, Centre City Planned District Ordinance, San Diego Land Development Code, and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District.*

The proposed development is consistent with the DCP, CCPDO, San Diego Land Development Code, and all other adopted plans and policies of the City of San Diego pertaining to the Centre City Planned District as the development advances the goals and objectives of the DCP and Centre City Planned District by:

- Adding to the range of downtown housing opportunities;
- Contributing to the vision of downtown as a major residential neighborhood; and,
- Increasing the downtown residential population.

In addition, with approval of the Planned Development Permit, the development will be consistent with the requirements of the Land Development Code and CCPDO.

CENTRE CITY PLANNED DEVELOPMENT PERMIT FINDINGS

1. *The proposed development will not adversely affect the applicable land use plan;*

The proposed Project is consistent with the objectives of the DCP and the CCPDO. The requested deviations will provide relief from the strict application of the development standards in order to allow for more efficient use of the site given the constraints associated with the size and configuration of the lot. The requested deviations meet the intent of the regulations and will have a negligible impact on the surrounding neighborhood.

2. *The proposed development will not be detrimental to the public health, safety, and welfare; and,*

The granting of the deviations and approval of the Project will not negatively impact the public health, safety and general welfare. Overall, the proposed development is consistent with the plans for this neighborhood and will contribute to its vitality by providing an attractive streetscape and development.

3. *The proposed development will comply to the maximum extent feasible with the regulations of the CCPDO, except for any proposed deviations which are*

appropriate for this location and will result in a more desirable project than would be achieved if designed in conformance with the strict regulations of the CCPDO; and,

The proposed development will meet all the requirements of the Land Development Code and CCPDO with approval of the deviations, which are allowable under a CCDP. With approval of the CCDP, the Project will comply to the maximum extent feasible with all applicable regulations. The existing site has a number of challenges including, but not limited to, lot size, configuration and topographical constraints. Approval of the deviations facilitates the redevelopment of the site given these constraints. The benefits of the proposed project outweigh any impacts associated with the proposed deviations. The project will result in a unique design compatible with the surrounding neighborhood while increasing the density of the site, furthering the ability to meet employment and residential targets as anticipated in the DCP.

4. *The proposed deviations will result in a development exhibiting superior architectural design.*

Approval of the requested deviations will result in the development of a high-density mixed-use project exhibiting superior architectural design. The proposed deviations requested as a result of the site constraints will make it possible for the developer to construct a high-quality residential project on an underutilized site. The deviations allow the Project to be able to achieve the maximum density consistent with the goals and objectives of the DCP. The Project will result in a unique design compatible with the surrounding neighborhood while furthering the ability to meet employment and residential targets as anticipated in the DCP.

THEREFORE, BE IT FURTHER RESOLVED that based on the findings, hereinbefore adopted by the Planning Commission, CCDP/PDP No. 2011-42 is hereby **GRANTED** to the referenced Owner/Permittee, subject to the terms and conditions set forth in the Permit a copy of which is attached hereto and made part hereof.

ADOPTED AND APPROVED BY THE PLANNING COMMISSION ON NOVEMBER 29, 2012

Lucy Contreras
Senior Planner

**Note: Notary Acknowledgement
must be attached per Civil Code
Section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

RECORDING REQUESTED BY:

Civic San Diego
Planning Department
401 B Street, Suite 400
San Diego, CA 92101

WHEN RECORDED MAIL TO:

Civic San Diego
401 B Street, Suite 400
San Diego, CA 92101

THIS SPACE FOR RECORDER'S USE ONLY

**NOTE: COUNTY RECORDER, PLEASE
RECORD AS RESTRICTION USE OR
DEVELOPMENT OF REAL
PROPERTY AFFECTING THE TITLE
TO OR POSSESSION THEREOF**

**CENTRE CITY DEVELOPMENT PERMIT AND
PLANNED DEVELOPMENT PERMIT NO. 2011-43**

**Palatine
(APN#'s 533-241-04 and 11)**

**CITY OF SAN DIEGO
PLANNING COMMISSION
Palatine
CCDP/PDP No. 2011-42**

This Centre City Development Permit/Planned Development Permit (CCDP/PDP) No. 2011-43 is granted by the City of San Diego Planning Commission to DPSS Properties, L.P. (Owner/Permittee), pursuant to Centre City Planned District Ordinance (CCPDO) § 156.0304(e) and (f) for the 15,000 square-foot parcel located along the north side of Elm Street between Columbia and State streets in the Little Italy neighborhood of the Downtown Community Plan (DCP) area and more particularly described in "Exhibit A" in the City of San Diego, State of California, according to map thereof made on file in the office of the County Recorder of San Diego; and,

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to construct and operate uses as described and identified by size, dimension, quantity, type and location as follows and on the approved exhibits dated February 17, 2012, on file in the CivicSD Planning Department.

1. General

The Owner/Permittee shall construct, or cause to be constructed on the site, an 8-story (approximately 87-foot tall), residential development comprised of approximately 101 residential units and including indoor and outdoor amenity space and 115 subterranean parking spaces.

2. Centre City Planned Development Permit

The Planning Commission hereby grants a Centre City Planned Development Permit allowing deviations to the following Development Regulations of the CCPDO:

- a. *§156.0310 (c) (1) Little Italy Sun Access (LISA) Overlay* - Deviations to LISA Overlay allowing the development to encroach into the LISA on Columbia Street (45% up to 79'), State Street (52.5% up to 81') and Elm Street (45.5% up to 74') a total of 48.3 % overall as shown in Exhibit A 5.5 attached to this Permit.
- b. *§156.0310 (D) Street Wall Height* - Deviations to the Street Wall Height allow the development's street wall height to be reduced from 30 feet to 12 feet along 40 percent of the Columbia Street frontage.
- c. *§156.0310 (h) (4) Subterranean Garages and Basements* - Deviations to the Below-Grade Parking Encroachment requirements allowing the below-grade parking garage to encroach approximately 12 feet on all three levels of the subterranean garage along State and Elm streets.
- d. *§156.0313 (a)(2) Off-Street Loading* - Deviations to the Off-Street Loading Bay

allowing the development to provide an on-street loading area along State Street.

3. Parking

The development includes approximately 115 parking spaces provided in a two below-grade parking levels. A minimum of 115 spaces shall be dedicated to the development's residential component. Of these 115 parking spaces, 101 shall be allocated to the development's residential units and 14 shall be provided for use by residential guests and service vehicles. In addition, a minimum of 5 motorcycle spaces shall be provided along with storage area for a minimum of 20 bicycles. An Encroachment Removal and Maintenance Agreement shall be obtained from the City to allow any encroachment of the garage into the public right-of-way.

AIRPORT REQUIREMENTS

4. Airport Approach Overlay Zone

The Owner/Permittee shall comply with the procedures established by the City of San Diego Airport Approach Overlay Zone (and any successor or amendment thereto) for structures which exceed 30 feet in height (Chapter 13, Article 2, Division 2 of the San Diego Municipal Code) and shall be required to obtain a valid Federal Aviation Administration (FAA) "Determination of No Hazard to Air Navigation" or a No FAA Notification Self-Certification Agreement under City of San Diego Information Bulletin No. 503 prior to issuance of any building permits.

5. Airport Environs Overlay Zone

Prior to issuance of any building permits, the Owner/Permittee shall grant an aviation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement, as required by the Airport Land Use Commission (ALUC). The Owner/Permittee shall use the aviation easement form provided by the San Diego County Regional Authority. A note shall be placed on all building plans indicating that an aviation easement has been granted across the property to airport operator. The note shall include the County Recorder's recording number for the aviation easement.

PLANNING AND DESIGN REQUIREMENTS

6. Residential Amenities and Facilities

The development includes the following residential amenities and facilities as illustrated on the approved Basic Concept/Schematic Drawings, which shall be required to be maintained within the development in perpetuity:

- a. Pet Open Space – A minimum of 100 square feet of contiguous area for use by pets and clearly marked for such exclusive use. The pet open space must contain permeable surface of gravel, sand, grass or similar, or a concrete surface connected to a drain in proximity to an outside faucet for washing down the surface. The development shall be responsible for daily cleaning and regular maintenance of this space. This open space shall be located within the interior of the development and shall not be located adjacent to public right-of-way areas.
- b. Common Outdoor Open Space – A minimum of 2,250 square feet of common outdoor space shall be provided. The dimensions of the common outdoor open space must not be reduced for the life of the development. A minimum of ten percent (10%) of each common outdoor open space area must be planted area and each area must be accessible to all residents of the development through a common corridor.
- c. Common Indoor Space – 500 square feet of common indoor amenity space. The spaces shall be maintained for use by residents of the development and must be accessible through a common corridor. The area may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space.

7. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual. These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.

- a. Architectural Standards – The architecture of the development shall establish a high quality of design and complement the design and character of the Little Italy neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with CivicSD. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale – The development shall consist of an 8-story building with a maximum building height of 87 feet measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDP and the FAA. All building elements shall be complementary in form, scale, and architectural style.
- c. Building Materials – All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within 1 (one) inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings. Any plaster materials shall consist of a hard

troweled, or equivalent, smooth finish. Any stone materials shall employ larger modules and full-corner profiles to create a substantial and non-veneer appearance. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24.

All construction details shall be high quality and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public right of way. No substitutions of materials or colors shall be permitted without the prior written consent of the CivicSD. A final materials board which illustrates the location, color, quality, and texture of proposed exterior materials shall be submitted with 100% Construction Drawings and shall be consistent with the materials board approved with the Basic Concept/Schematic Drawings.

- d. Street Level Design – Street level windows shall be clear glass and may be lightly tinted. Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors including garage/motor-court entrances shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings a minimum of ten feet.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and projection surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials and incorporate drip edges and other details to minimize staining and ensure long-term durability.

- e. Utilitarian Areas – Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the public right-of-way and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per Municipal Code Sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building/garage area and shall be kept clean and orderly at all times. The development shall implement a recycling program to provide for the separation of recyclable materials from the non-recyclable trash materials.
- f. Mail/Delivery Locations – It is the Owner/Permittee’s responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal/loading use. The Owner/Permittee shall locate all mailboxes and parcel lockers outside of the public right-of-way, either within the building or recessed into a building wall. A single, centralized interior

mail area in a common lobby area is encouraged for all residential units within a development, including associated townhouses with individual street entrances. Individual commercial spaces shall utilize a centralized delivery stations within the building or recessed into a building wall, which may be shared with residential uses sharing a common street frontage address.

- g. Access – Vehicular access to the development's parking shall be limited to driveways on 16th and 17th Street; the curbcuts for the vehicular access driveways shall not exceed 30 feet-in-width. A driveway on 17th Street shall also be permitted in order to provide access to the development 's required loading space; the curbcut for the loading space driveway shall not exceed 13 feet, 5 inches in width.
- h. Circulation and Parking – The Owner/Permittee shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights. Such plan shall be submitted in conjunction with 100% Construction Drawings.

All subterranean parking shall meet the requirements of the Building Department, Fire Department and City Engineer. All parking shall be mechanically ventilated. The exhaust system for mechanically ventilated structures shall be located to mitigate noise and exhaust impacts on residential units, adjoining properties and the public right-of-way.

- i. Open Space/Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of water, and electrical hookups shall be submitted with 100% Construction Drawings.
- j. Roof Tops – A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted with 100% Construction Drawings. Any roof-top mechanical equipment must be grouped, enclosed, and screened from surrounding views (including views from above).
- k. Signage – All signs shall comply with the City of San Diego Sign Regulations and the CCPDO.
- l. Lighting – A lighting plan which highlights the architectural qualities of the proposed development and also enhances the lighting of the public right-of-way shall be submitted with 100% Construction Drawings. All lighting shall be designed to avoid illumination of adjoining properties.
- m. Noise Control – All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City of San Diego Noise Ordinance and California Noise Insulation Standards as set forth in Title 24 of the California Code of Regulations. All mechanical equipment shall be

located to mitigate noise and exhaust impacts on adjoining development, particularly residential. Owner/Permittee shall provide evidence of compliance at 100% Construction Drawings.

- n. Energy Considerations – The design of the improvements should include, where feasible, energy conservation construction techniques and design, including cogeneration facilities, and active and passive solar energy design.
- o. Street Address – Building address numbers shall be provided that are visible and legible from the public right-of-way.

8. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted with the 100% Construction Drawings. Any on-site landscaping shall establish a high quality of design and be sensitive to landscape materials and design planned for the adjoining public rights-of-way.

PUBLIC IMPROVEMENTS, LANDSCAPING AND UTILITY REQUIREMENTS

9. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual. The Manual is currently being updated and the Owner/Permittee shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

	Elm Street	Columbia Street	State Street
Paving	Little Italy Paving	Little Italy Paving	Little Italy Paving
Street Trees	Chinese Evergreen Elm	Raywood Ash	Chinese Tallow
Street Lights	Little Italy Street Lights	Little Italy Street Lights	Little Italy Street Lights

All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the Centre City Streetscape Manual, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject property.

The Owner/Permittee will be responsible for evaluating, with consultation with the CivicSD, whether any existing trees within the right-of-way shall be maintained and preserved. No trees shall be removed prior to obtaining a Tree Removal Permit from the Development Services Department per City Council Policy 200-05.

- a. Street Lights – All existing lights shall be evaluated to determine if they meet current CivicSD and City requirements, and shall be modified or replaced if necessary.
- b. Sidewalk Paving - Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement with the City.
- c. Litter Containers – Two (2) CivicSD public trash receptacles shall be provided (one at the lot corner on Elm Street and one at midblock on Columbia Street).
- d. Landscaping – All required landscaping shall be maintained in a disease, weed and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of CivicSD within 30 days of damage or Certificate of Occupancy.
- e. Planters – Planters shall be permitted to encroach into the right-of-way a maximum of three (3) feet along Elm Street as shown in the approved Basic Concept/Schematic Drawings. The planter encroachment shall be measured from the property line to the face of the curb/wall surrounding the planter.
- f. On-Street Parking – The Owner/Permittee shall maximize the on-street parking wherever feasible.
- g. Public Utilities – The Owner/Permittee shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City Utilities located in the public right-of-way. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Owner/Permittee may use existing laterals if acceptable to the City, and if not, Owner/Permittee shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals. Private sewer laterals require an Encroachment Maintenance and Removal Agreement.

If it is determined that existing water and sewer services are not of adequate size to serve the proposed development, the Owner/Permittee will be required to abandon (kill) any unused water and sewer services and installs new services and meters. Service kills require an engineering permit and must be shown on a public improvement plan. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of City of San Diego Water and Sewer Facility Design Guidelines and City regulations standards and practices pertaining thereto.

Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the Building Permit plan check. If and when the Owner/Permittee submits for a tentative map or tentative map waiver, the Water Department will require CC&Rs to address the operation and maintenance of the private on-site water system serving the development. No structures or landscaping of any kind shall be installed within 10 feet of water facilities.

All roof drainage and sump drainage, if any, shall be connected to the storm drain system in the public street, or if no system exists, to the street gutters through sidewalk underdrains. Such underdrains shall be approved through an Encroachment Removal Agreement with the City. The Owner/Permittee shall comply with the City of San Diego Storm Water Management and Discharge Control Ordinance and the storm water pollution prevention requirements of Chapter 14, Article 2, Division 1 and Chapter 14, Article 2, Division 2 of the Land Development Code.

- h. Franchise Public Utilities - The Owner/Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchised utilities located above grade serving the property and in the sidewalk right-of-way shall be removed and incorporated into the adjoining development where feasible.
 - i. Fire Hydrants - If required, the Owner/Permittee shall install fire hydrants at locations satisfactory to the City of San Diego Fire Department and Development Services Department.
 - j. Water Meters and Backflow Preventers - The Owner/Permittee shall locate all water meters and backflow preventers in locations satisfactory to the Public Utilities Department and CivicSD. Backflow preventers shall be located outside of the public right-of-way adjacent to the development's water meters, either within the building, a recessed alcove area, or within a plaza or landscaping area. The devices shall be screened from view from the public right-of-way. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City of San Diego's Engineering, Public Utilities and Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24 of the State Building Code.
10. Removal and/or Remedy of Soil and/or Water Contamination

The Owner/Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent public rights-of-way which the Owner/Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental agency, CivicSD, and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

STANDARD REQUIREMENTS

11. Environmental Impact Mitigation Monitoring and Reporting Program (MMRP)

As required by the San Diego Municipal Code Section 156.0304 (f), the development shall comply with all applicable MMRP measures from the 2006 Final Environmental Impact Report (FEIR) for the Downtown Community Plan as specified in the Environmental Secondary Study (ESS) prepared for the development.

12. Archaeological/Paleontological Protection

Qualified archaeological and paleontological monitors shall be retained to carefully monitor the excavation and grading activities while the development is underway, and to implement mitigation measures and/or mitigation monitoring requirements as identified in the Secondary Environmental Study. Prior to issuance of any excavation or Grading Permit, the Owner/Permittee shall submit a Letter of Qualifications for each monitoring agent to Civic SD. The Letter of Qualifications shall include the name of the firm and

names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG); qualifications to perform the requisite monitoring and implementation measures; and, Monitoring Reports based on the results of a site specific record search (1/4 mile radius) on the subject property and the requirements of the MMRP mitigation measures in the FEIR Consistency Evaluation prepared for the development.

13. Development Impact Fees

The development will be subject to Centre City Development Impact Fees. For developments containing commercial space(s) the Owner/Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; and 2) applicable floor plans showing those areas outlined for verification. In addition, it shall be responsibility of the Owner/Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed.

14. Model

Prior to obtaining a Building Permit, the Permittee shall provide a one-inch (1") to fifty-foot (50') scale block building model which illustrates the true scale of the buildings on the site based on the building facade and the floor plate of the structure from the ground floor to and including the rooftop. No base is required. Landscaping at the ground level shall also be shown. Architectural detail such as windows, door, and balconies shall not be shown. Other building elements and articulation less than three feet in scaled dimension need not be shown.

The model shall be made of solid acrylic plastic (e.g., Lucite, Plexiglas), be colored solid white and be compatible with the scale and contours of CivicSD's scale model of downtown. Upon acceptance by CivicSD, the model shall be installed by the Owner/Permittee or his designated representative on the model of downtown and the model shall become the property of CivicSD for its use.

15. Construction Fence

Owner/Permittee shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the development's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.

16. Development Identification Signs

Prior to commencement of construction on the Site, the Owner/Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four (4) feet by six (6) feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- Completion Date
- For information call _____.

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 square feet per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to CivicSD for approval prior to installation.

17. Tentative Map

The Owner/Permittee shall be responsible for obtaining all map approvals required by the City of San Diego prior to any future conversion of the residential units and/or commercial spaces to condominium units for individual sale.

18. 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 (EOT) has been granted. Any such EOT must meet all SDMC and CCPDO requirements in effect at the time of extension are considered by the appropriate decision maker.
19. Issuance of this Permit by the Planning Commission does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies.
20. 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.
21. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
22. No permit for construction, operation, or occupancy of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be

conducted on the premises until this Permit is recorded in the Office of the San Diego County Recorder.

23. 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.

This CCDP/PDP is granted by the Planning Commission on November 29, 2012

CIVIC SAN DIEGO

PERMITTEE SIGNATURE

Lucy Contreras Date
Senior Planner

Duane Schinnick Date
Managing Partner
DPSS Properties, L.P.

Attachments:

1. Exhibit "A" - Legal Description
2. Resolution of the Planning Commission

ENVIRONMENTAL SECONDARY STUDY

FOR THE PROPOSED

PALATINE PROJECT

February 2012

Prepared for: DPSS Properties, L.P.
1810 State Street
San Diego, CA 92101

Preparation Administered by: Centre City Development Corporation
401 B Street, Suite 400
San Diego, CA 92101

Prepared by: ICF International
9775 Businesspark Avenue, Suite 200
San Diego, CA 92131

ENVIRONMENTAL SECONDARY STUDY

1. PROJECT TITLE: Palatine Project

2. DEVELOPER: DPSS Properties, L.P.

3. PROJECT LOCATION: An approximately 15,000 square-foot site located on the block bounded by Columbia, State, Fir, and Elm streets in the Little Italy Redevelopment District of the Centre City Redevelopment Project. Centre City includes approximately 1,500 acres of the metropolitan core of San Diego, bounded by Interstate 5 on the north and east and San Diego Bay on the south and southwest. Centre City is located 15 miles north of the United States International Border with Mexico.

4. PROJECT SETTING: The Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance (CCPDO), and Redevelopment Plan for the Centre City Project Area describe the existing setting of Centre City including the Little Italy Redevelopment District. This description is hereby incorporated by reference. Located in the highly urbanized Centre City environment, the project site is configured as an “L” shape within the southern half of the block bounded by Columbia, State, Fir, and Elm streets. The project site is currently occupied by a single-story residence, surface parking lot, and one-story office building. The project site shares the block with the four-story Columbia Street apartments to the southwest, and the four-story Porto Vista Hotel to the north. Other surrounding land uses include low- and mid-rise residential and commercial buildings to the south and west of the site. To the east of the site is the Washington Elementary School, Amici Park, and Interstate 5 (I-5).

5. PROJECT DESCRIPTION: The Palatine project proposes an eight-story residential building containing 102 apartment units (8 studios, 82 one-bedroom units, 10 two-bedroom units, and 2 penthouse units) and three levels of subterranean parking containing 115 parking spaces. The ground-level consists of a residential lobby, leasing area, and fitness center along State Street, and residential units accessed from the interior of the building face Columbia and Elm Streets. Residential units comprise the rest of the building levels with common outdoor spaces provided on the second and seventh floors. Vehicular access to the project’s underground parking is provided via a driveway located on Columbia Street.

The overall design concept of the building is contemporary with a simple color and material palette comprising concrete wrapped in stucco, natural stone, glass and metal accents. The street level design is primarily composed of frameless glazing, dark brown natural stone with a series of both at-grade and raised planters. The building is arranged in an “L” configuration, providing views facing towards State and Columbia streets and into the project’s common courtyard. Along the northern interior property line, which is shared with the Porto Vista Hotel, deep score lines and a series of small horizontal openings are incorporated to avoid a blank wall appearance. The building also incorporates varying street wall heights, including a 74-foot street wall along Elm Street, a 79-foot street wall along Columbia Street, and a taller 81-foot street wall along State Street.

The project is located in the Residential Emphasis land use designation, which accommodates primarily residential development. Small-scale businesses, offices, and services, and ground-floor commercial uses (such as cafés and dry cleaners) are also allowed, provided they do not exceed 20 percent of the overall building area.

The project is also located within the CCPDO's Little Italy Sun Access Overlay (LISA), which limits street wall height in certain areas of the Little Italy District to maintain adequate sunlight and air to sidewalks. The project proposes to encroach into the LISA Overlay building envelope along its three street frontages, and the developer is thereby requesting approval of a Planned Development Permit (PDP). Approval of a PDP would determine that proposed deviations facilitate development that is beneficial to the community and would result in a more desirable project than could otherwise have been achieved if the project were required to adhere to the strict development regulations of the CCPDO.

Due to the size, configuration, and slope condition of the project site, the developer is requesting six additional deviations to the CCPDO development regulations. These deviation requests are associated with requirements on garage encroachments (per City County Policy 700-18); minimum street wall height along the Columbia Street frontage; an off-street loading bay (required for developments containing 100 or more units); street wall setbacks (required for projects containing ground-level residential units); finished floor elevations (required for ground-level residential units); and transparency requirements (required for projects between three and 12 feet above grade). The approval of a PDP for these deviations would not conflict with the general purpose and intent of the regulations of the CCPDO and would not detract from or conflict with the goals and objectives of the San Diego Downtown Community Plan.

The building is designed per the CCPDO requirements, which allow for a maximum Floor Area Ratio (FAR) of 6.0 (Minimum 3.5). The project proposes a FAR of 6.0.

Development of the site will require demolition and removal of the existing single-story residence, surface parking lot, and one-story office building.

6. CEQA COMPLIANCE: The San Diego Downtown Community Plan, Centre City Planned District Ordinance, Redevelopment Plan for the Centre City Redevelopment Project and related activities have been addressed by the following environmental documents, which were prepared prior to this Secondary Study and are hereby incorporated by reference:

Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Project (State Clearinghouse Number 2003041001, certified by the Redevelopment Agency (Resolution No. R-04001) and the City Council (Resolution No. R-301265) on March 14, 2006.

Addendum to the FEIR for the 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring

and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency by Resolution R-04193 and by the City Council by R-302932 on July 31, 2007.

Second Addendum to the FEIR for the proposed amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program certified by the Redevelopment Agency by Resolution R-04508, with date of final passage on April 21, 2010.

Third Addendum to the FEIR for the Residential Emphasis District Amendments to the Centre City Planned District Ordinance certified by the Redevelopment Agency by Resolution R-04510 with date of final passage on April 21, 2010.

Fourth Addendum to the FEIR for the San Diego Civic Center Complex Project certified by the Redevelopment Agency by Resolution R-04544 with date of final passage on August 3, 2010.

The FEIR is a "Program EIR" as described in Section 15168 of the State CEQA Guidelines. The aforementioned environmental document is the most recent and comprehensive environmental document pertaining to the proposed project. The FEIR and subsequent amendments are available for review at the office of Centre City Development Corporation, 401 B Street, Suite 400, San Diego, CA 92101.

This Secondary Study has been prepared in compliance with the San Diego Redevelopment Agency's amended "Procedures for Implementation of CEQA and the State CEQA Guidelines" (adopted July 17, 1990). Under these Agency Guidelines, environmental review for subsequent proposed actions is accomplished using the Secondary Study process defined in the Agency Guidelines, as allowed by Sections 15168 and 15180 of the State CEQA Guidelines. The Secondary Study includes the same evaluation criteria as the Initial Study defined in Section 15063 of the State CEQA Guidelines.

Under this process, the Secondary Study is prepared for each subsequent proposed action to determine whether the potential impacts were anticipated in the FEIR. No additional documentation is required for subsequent proposed actions if the Secondary Study determines that the potential impacts have been adequately addressed in the FEIR and subsequent proposed actions implement appropriate mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP) that accompanies the FEIR.

If the Secondary Study identifies new impacts or a substantial change in circumstances, additional environmental documentation is required. The form of this documentation depends upon the nature of the impacts of the subsequent proposed action being proposed. Should a proposed action result in: a) new or substantially more severe significant impacts that are not adequately addressed in the FEIR, or b) there is a substantial change in circumstances that would require major revision to the FEIR, or c)

that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the project on the environment, a Subsequent or Supplement to the EIR would be prepared in accordance with Sections 15162 or 15163 of the State CEQA Guidelines (CEQA Statutes Section 21166).

If the lead agency under CEQA finds pursuant to Sections 15162 and 15163, no new significant impacts will occur or no new mitigation will be required, the lead agency can approve the subsequent proposed action as being within the scope of the project covered by the FEIR, and no new environmental document is required.

7. PROJECT-SPECIFIC ENVIRONMENTAL ANALYSIS: See attached Environmental Checklist and *Section 10 Evaluation of Environmental Impacts*.

8. MITIGATION, MONITORING AND REPORTING PROGRAM: As described in the Environmental Checklist and summarized in **Attachment A**, the following mitigation measures included in the MMRP, found in Volume 1.B.2 of the FEIR, will be implemented by the proposed project:

AQ-B.1-1; PAL-A.1-1; NOI-B.1-1; NOI-C.1-1

9. DETERMINATION: In accordance with Sections 15168 and 15180 of the CEQA Guidelines, the potential impacts associated with future development within the Centre City Redevelopment Project are addressed in the Final Environmental Impact Report (FEIR) prepared for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the four subsequent addenda to the FEIR listed in Section 6 above. These documents address the potential environmental effects of future development within the Centre City Redevelopment Project based on buildout forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the FEIR and its subsequent addenda, as listed in Section 6 above, concluded that development would result in significant impacts related to the following issues (mitigation and type of impact shown in parentheses):

Significant but Mitigated Impacts

- Air Quality: Construction Emissions (AQ-B.1) (D)
- Paleontology: Impacts to Significant Paleontological Resources (PAL-A.1) (D/C)
- Noise: Interior Traffic Level Increase on Grid Streets (NOI-B.1) (D/C)

Significant and Not Mitigated Impacts

- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Archeological (HIST-B.1) (D/C)
- Water Quality: Urban Runoff (WQ-A.1) (C)

- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (C)
- Noise: Exterior Traffic Level Increase on Grid Streets (NOI-A.1) (C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D/C)
- Traffic: Impact on Surrounding Streets (TRF-A.1) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2) (C)
- Parking: Excessive Parking Demand (TRF-D.1) (C)

In certifying the FEIR and approving the San Diego Downtown Community Plan, CCPDO, and 10th Amendment to the Redevelopment Plan, the San Diego City Council and Redevelopment Agency adopted a Statement of Overriding Considerations which determined that the unmitigated impacts were acceptable in light of economic, legal, social, technological or other factors including the following.

Overriding Considerations

- Implement Downtown's Role As Primary Urban Center
- Relieve Growth Pressure On Outlying Communities
- Organize Balanced Mix Of Uses Around Neighborhood Centers
- Maximize Employment
- Capitalize On Transit Opportunities

The proposed activity detailed and analyzed in this Secondary Study are adequately addressed in the environmental documents noted above and there is no change in circumstance, substantial additional information, or substantial project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, this activity is not a separate project for purposes of review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3), 15180, and 15378(c).

SUMMARY OF FINDINGS: In accordance with Public Resources Code sections 21166, 21083.3, and CEQA Guidelines sections 15168 and 15183, the following findings are derived from the environmental review documented by this Secondary Study and the 2006 FEIR as amended:

1. No substantial changes are proposed in the Centre City Redevelopment Project (Project), or with respect to the circumstances under which the Project is to be undertaken as a result of the development of the proposed project, which will require important or major revisions in the 2006 FEIR and the four subsequent addenda to the FEIR;
2. No new information of substantial importance to the Centre City Redevelopment Project has become available that shows the Project will have any significant effects not discussed previously in the 2006 FEIR or

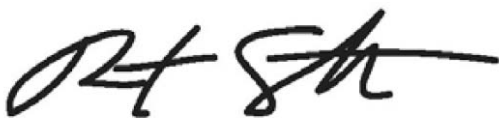
subsequent addenda to the FEIR; or that any significant effects previously examined will be substantially more severe than shown in the 2006 FEIR or subsequent addenda to the FEIR; or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the project on the environment;

3. No Negative Declaration, Subsequent EIR, or Supplement or Addendum to the 2006 FEIR, as amended, is necessary or required;
4. The proposed actions will have no significant effect on the environment, except as identified and considered in the 2006 FEIR and subsequent addenda to the FEIR for the Centre City Redevelopment Project. No new or additional project-specific mitigation measures are required for this project; and
5. The proposed actions would not have any new effects that were not adequately covered in the 2006 FEIR or addenda to the FEIR, and therefore, the proposed project is within the scope of the program approved under the 2006 FEIR and subsequent addenda listed in Section 6 above.

The Centre City Development Corporation (CCDC), the implementing body for the Redevelopment Agency of the City of San Diego, administered the preparation of this Secondary Study.

Signature of Lead Agency Representative

Date



Signature of Preparer

February 24, 2012

Date

ENVIRONMENTAL CHECKLIST

10. EVALUATION OF ENVIRONMENTAL IMPACTS

This environmental checklist evaluates the potential environmental effects of the proposed project consistent with the significance thresholds and analysis methods contained in the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area. Based on the assumption that the proposed activity is adequately addressed in the FEIR, the following table indicates how the impacts of the proposed activity relate to the conclusions of the FEIR. As a result, the impacts are classified into one of the following categories:

- Significant and Not Mitigated (SNM)
- Significant but Mitigated (SM)
- Not Significant (NS)

The checklist identifies each potential environmental effect and provides information supporting the conclusion drawn as to the degree of impact associated with the proposed project. As applicable, mitigation measures from the FEIR are identified and are summarized in **Attachment A** to this Secondary Study. Some of the mitigation measures are plan-wide and not within the control of the proposed project. Other measures, however, are to be specifically implemented by the proposed project. Consistent with the FEIR analysis, the following issue areas have been identified as Significant and Not Mitigated even with inclusion of the proposed mitigation measures, where feasible:

- Air Quality: Mobile Source Emissions (AQ-A.1) (C)
- Historical Resources: Archeological (HIST-B.1) (D/C)
- Water Quality: Urban Runoff (WQ-A.1) (C)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (C)
- Noise: Exterior Traffic Level Increase on Grid Streets (NOI-A.1) (C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D/C)
- Traffic: Impact on Surrounding Streets (TRF-A.1) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2) (C)
- Parking: Excessive Parking Demand (TRF-D.1) (C)

The following Overriding Considerations apply directly to the proposed project:

- Implement Downtown's Role As Primary Urban Center
- Relieve Growth Pressure On Outlying Communities
- Organize Balanced Mix Of Uses Around Neighborhood Centers
- Maximize Employment
- Capitalize On Transit Opportunities

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
1. AESTHETICS/VISUAL QUALITY:						
<p>a) Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the San Diego Downtown Community Plan? <i>Views of scenic resources including San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park, and the downtown skyline are afforded by the public viewing areas within and around the downtown and along view corridor streets within the planning area. The proposed project would not impact scenic resources from a public viewing area because the site would not be located on a street designated as a view corridor by the San Diego Downtown Community Plan. In addition, Highway 163 is a State Scenic Highway that enters downtown at 10th Avenue; however, this highway is not in close proximity to the proposed project and would not impact this scenic resource. Therefore, significant impacts associated with these issues could not occur. Therefore, significant impacts associated with these issues could not occur.</i></p> <p><i>The project proposes to construct an eight-story (approximately 87-foot tall) building in the Little Italy Redevelopment District. The architectural features of the proposed project do not include extreme height, bulk, scale, or a site orientation that would substantially disturb views of the San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, Petco Park, and the</i></p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>downtown skyline from public viewing areas. Thus, significant direct impacts associated with this issue would not occur.</i></p> <p><i>The project site itself does not possess any significant scenic resources that could be impacted by the proposed project. Impacts to on-site scenic resources are not significant.</i></p>						
<p>(b) Substantially incompatible with the bulk, scale, color and/or design of surrounding development? <i>The bulk, scale, and design of the proposed project would be compatible with the existing and planned development of the surrounding area (Little Italy District). Redevelopment of the site would improve the condition of the site by providing a new, modern building on a currently underutilized site. The project would utilize a high quality clean and contemporary design that is sensitive to the character of the surrounding neighborhood. Additionally, mid- and low-rise buildings surround the project site and the scale of the proposed project would be consistent with that of surrounding buildings. Therefore, project-level and cumulative impacts associated with this issue would not occur.</i></p>					X	X
<p>(c) Substantially affect daytime or nighttime views in the area due to lighting? <i>The proposed project would not involve a substantial amount of exterior lighting or include materials that would generate substantial glare. The City's Light Pollution Law (Municipal Code Section 101.1300 et seq.) also protects nighttime views (e.g.,</i></p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>astronomical activities) and light-sensitive land uses from excessive light generation by development in the downtown area. Therefore, the proposed project's conformance with these requirements would ensure that direct and cumulative impacts associated with this issue are not significant.</i>						
2. AGRICULTURAL RESOURCES:						
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? <i>Centre City is an urban downtown environment that does not contain land designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.</i>					X	X
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The area does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 512101 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act Contract would not occur.</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
3. AIR QUALITY:						
(a) Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategies or the State Implementation Plan? <i>The proposed residential development is consistent with the Residential Emphasis land use designation of the San Diego Downtown Community Plan and CCPDO; the land use policies and regulations of which are in accordance with those of the Regional Air Quality Strategy (RAQS). Thus, the proposed project would not conflict with, but would help implement, the RAQS with its compact, high intensity land use. No impact to the applicable air quality plan would occur.</i>					X	X
(b) Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health? <i>The proposed project could involve the exposure of sensitive receptors to substantial air contaminants during short-term construction activities and over the long-term operation of the project. The potential for short-term, temporary impacts to sensitive receptors during construction activities would be mitigated to below a level of significance through compliance with the City's mandatory standard dust control measures and the dust control and construction equipment emission reduction measures required by FEIR Mitigation Measure AQ-B.1-1 (see Attachment A).</i>			X			X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>The proposed project could involve the exposure of sensitive receptors to air contaminants over the long-term operation of the project, such as carbon monoxide exposure (commonly referred to as CO "hot spots") due to traffic congestion near the project site. However, the FEIR concludes that development within the downtown would not expose sensitive receptors to significant levels of any of the substantial air contaminants. Since the land use designation of the proposed development does not differ from the land use designation assumed in the FEIR analysis, the project would not expose sensitive receptors to substantial air contaminants beyond the level assumed by the FEIR. Additionally, the proposed project is not located close enough to any industrial activities to be impacted by any emissions potentially associated with such activities. Therefore, impacts associated with this issue would not be significant. Project impacts associated with the generation of substantial air contaminants are discussed below in Section 3.c.</i>						
(c) Generate substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health? <i>Implementation of the proposed project could result in potentially adverse air quality impacts related to the following air emission generators: construction and mobile-sources. Site preparation activities and</i>		X	X			

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>construction of the proposed project would involve short-term, potentially adverse impacts associated with the creation of dust and the generation of construction equipment emissions. The clearing, grading, excavation, and other construction activities associated with the proposed project would result in dust and equipment emissions that, when considered together, could endanger human health. Implementation of FEIR Mitigation Measure AQ-B.1-1 (see Attachment A) would reduce dust and construction equipment emissions generated during construction of the proposed project to a level below significance.</i></p> <p><i>The air emissions generated by automobile trips associated with the proposed project would not exceed air quality significance standards established by the San Diego Air Pollution Control District. However, the project's mobile source emissions, in combination with dust generated during the construction of the project, would contribute to the significant and unmitigated cumulative impact to air quality identified in the FEIR. The proposed residential project does not propose any uses that would significantly increase stationary-source emissions in the downtown planning area; therefore, impacts from stationary sources would be not significant.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
4. BIOLOGICAL RESOURCES:						
(a) Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies? <i>Due to the highly urbanized nature of the downtown area, there are no sensitive plant or animal species, habitats, or wildlife migration corridors within the area. In addition, the ornamental trees and landscaping included in the proposed project are considered of no significant value to the native wildlife in their proposed location. Therefore, no impact associated with this issue could occur.</i>					X	X
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies? <i>As identified in the FEIR, the San Diego Downtown Community Plan area is not within a subregion of the San Diego County Multiple Species Conservation Program (MSCP). Therefore, impacts associated with substantial adverse effects on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations by local, state or federal agencies would not occur.</i>					X	X
5. GEOLOGY AND SOILS:						
(a) Substantial health and safety risk associated with seismic or geologic hazards? <i>There are no known active or potentially active faults</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>located on the project site. However, the project site is in a seismically active region and located within the Rose Canyon Fault Zone, which is designated as an Earthquake Fault Zone by the California Department of Mines and Geology. Within this fault zone a seismic event could cause significant groundshaking on the project site. Therefore, the potential exists for substantial health and safety risks on the project site associated with a seismic hazard.</i></p> <p><i>Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the site's moderate to non-expansive geologic structure, such hazards could nevertheless occur. Conformance with, and implementation of, all seismic-safety development requirements, including all applicable requirements of the Alquist-Priolo Zone Act, the seismic design requirements of the International Building Code (IBC), the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards are not significant.</i></p>						
6. GREENHOUSE GAS EMISSIONS:						
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? <i>California's Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006, codified the State's greenhouse gas (GHG)</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>emissions target by requiring the State's GHG emissions to be reduced to 1990 levels by 2020. To achieve these GHG reductions outlined in AB 32, there will have to be widespread reductions of GHG emissions across the California economy. Some of the reductions will come in the form of changes in vehicle emissions and mileage, changes in the sources of electricity, and increases in energy efficiency by existing facilities as well as other measures. The remainder of the necessary GHG reductions will come from requiring new facility development to have lower carbon intensity than "Business-as-Usual" (BAU), or existing, conditions.</i></p> <p><i>Neither CCDC nor the City of San Diego has adopted thresholds of significance for GHG emissions. However, according to the Technical Memorandum entitled "Addressing Greenhouse Gas Emissions from Projects Subject to CEQA", the City is utilizing, for the interim, the 900 metric ton (MT) threshold presented by CAPCOA (CAPCOA 2008). The memorandum identifies project types and project sizes that are estimated to emit 900 MT of GHGs per year. Projects that are greater than or equal to the project sizes listed in the memorandum must perform a GHG analysis. The memorandum identifies a 70 unit apartment/condominium as large enough to emit 900 MT; and projects larger than this would require a GHG analysis. The project proposes 102 dwelling units and 115 parking spaces. As such, the project exceeds the screening criteria identified in the memorandum and, therefore, a GHG</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>technical analysis was prepared for the project by Helix Environmental Planning, Inc. in January 2012 (Attachment B). For the purpose of this evaluation, to reduce potential impacts to below a level of significance, proposed projects must show a 28% reduction to the 2020 BAU model, which is consistent with the state-wide goals of AB 32.</i></p> <p><i>Construction and operation of the proposed project would both result in GHG emissions. Construction and operational emissions were calculated using the CalEEMod emissions estimator model (version 2011.1.1). Construction emissions were amortized (averaged) over an estimated 30-year project life, and added to operational emissions. For operations, the project would place residents within the Centre City area of downtown San Diego, which has improved access to mass transit, pedestrian-friendly neighborhoods, limited parking supply, and increased parking costs compared to other areas of San Diego. These features help to reduce emissions associated with the proposed project, mainly by reducing the number and length of automobile trips. As such, three emissions inventories are presented: the Existing, BAU, and Mitigated emissions scenarios. The Existing Emissions scenario is representative of the emissions associated with current land uses. The BAU Emissions scenario is representative of the projects emissions without its GHG-reducing features. Finally, the Mitigated Emissions scenario is representative of the of the</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>projects emissions, while taking credit for its GHG-reducing features.</p> <p>The proposed project would result in approximately 1,229 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year under the BAU scenario (see Attachment B). However, the project would place residents near existing transit facilities, within a walkable neighborhood, near existing retail opportunities, and would implement energy- and water-reduction measures. As a result, reductions associated with statewide strategies (i.e. per implementing AB 32) as well as the project's GHG-reducing features would reduce the project's GHG emissions to below the 900 MT threshold at approximately 877 MTCO_{2e}, or 29% below BAU.</p> <p>Given the above analysis, the proposed project would not result in significant impacts on the environment. Project emissions would be approximately 29% below BAU as well as reduced below the screening criteria of 900 MT. The project would result in a decrease in emissions compared to BAU conditions at a level exceeding that necessary on state level to meet AB 32 goals and would thus not result in significant GHG emissions. Therefore, this impact is considered not significant.</p>						
(b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas? As stated above in Section 6.a., construction and operation of the proposed project would not result in a					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>significant impact related to GHG emissions on the environment. The project complies with the City of San Diego interim reduction thresholds, which are based on the AB 32 reduction threshold, and the project would also be consistent with the recommendations within Policy CE-A.2 of the City of San Diego's General Plan Conservation Element. Therefore, the project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This impact is considered not significant.</i>						
7. HAZARDS AND HAZARDOUS MATERIALS:						
(a) Substantial health and safety risk related to onsite hazardous materials? <i>The FEIR states that contact with, or exposure to, hazardous building materials, soil and ground water contaminated with hazardous materials, or other hazardous materials could adversely affect human health and safety during short-term construction or long term operation of a development. The proposed project is subject to federal, state, and local agency regulations for the handling of hazardous building materials and waste. Compliance with all applicable requirements of the County of San Diego Department of Environmental Health and federal, state, and local regulations for the handling of hazardous building materials and wastes would ensure that potential health and safety impacts caused by exposure to onsite hazardous materials are not significant during short term, construction activities. In addition, herbicides and fertilizers associated with the</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>landscaping of the project could pose a significant health risk over the long-term operation of the project. However, the proposed project's adherence to existing mandatory federal, state, and local regulations controlling these materials would ensure that long-term health and safety impacts associated with onsite hazardous materials over the long-term operation of the project are not significant.</i>						
(b) <i>Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? The proposed project is not located on or within 2,000 feet of a site on the State of California Hazardous Waste and Substances Sites List; however, there are sites within 2,000 feet of the project site that are listed on the County of San Diego's Site Assessment Mitigation (SAM) Case Listing. The FEIR states that significant impacts to human health and the environment regarding hazardous waste sites would be avoided through compliance with mandatory federal, state, and local regulations as described in Section 7.a above. Therefore, the FEIR states that no mitigation measures would be required.</i>					X	X
(c) <i>Substantial safety risk to operations at San Diego International Airport? The proposed project is within the boundaries of the Airport Influence Area of the Airport Land Use Compatibility Plan (ALUCP) for San Diego</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>International Airport. The project is subject to Federal Aviation Administration (FAA) determination of no hazard to air navigation prior to issuance of any development permit. Therefore, impacts associated with this issue are not anticipated to occur.</i>						
(d) Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan? <i>The project does not propose any features that would affect an emergency response or evacuation plan. Therefore, no impact associated with this issue is anticipated.</i>					X	X
8. HISTORICAL RESOURCES:						
(a) Substantially impact a significant historical resource, as defined in § 15064.5? <i>According to the San Diego Downtown Community Plan, the proposed project site does not contain any historic or architectural resources. In addition, the FEIR does not include the project site as a listed or eligible site on the National, State, or Local Register of Historical Buildings or Structures. Therefore, no direct or cumulative impact associated with this issue would occur.</i>					X	X
(b) Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries? <i>The likelihood of encountering archaeological resources is greatest for projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been</i>	X	X				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in the downtown planning area, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. Thus, the excavation, demolition, and surface clearance activities associated with development of the proposed project and the three levels of subterranean parking could have potentially adverse impacts to archaeological resources, including buried human remains. Implementation of FEIR Mitigation Measure HIST-B.1-1, (see Attachment A) would minimize, but not fully mitigate, these potential impacts. Since the potential for archaeological resources and human remains on the proposed project site cannot be confirmed until grading is conducted, the exact nature and extent of impacts associated with the proposed project cannot be predicted. Consequently, the required mitigation may or may not be sufficient to reduce these direct project-level impacts to below a level of significance. Therefore, project-level impacts associated with this issue remain potentially significant and not fully mitigated, and consistent with the analysis of the FEIR. Furthermore, project-level significant impacts to important archaeological resources would contribute to the potentially significant and unmitigated cumulative impacts identified in the FEIR.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
(c) Substantially impact a unique paleontological resource or site or unique geologic feature? <i>The proposed project site is underlain by the Bay Point Formation, which has high paleontological resource potential. The FEIR concludes that development would have potentially adverse impacts to paleontological resources if grading and/or excavation activities are conducted beyond a depth of 1-3 feet. The project's proposal for three levels of subterranean parking would involve excavation beyond the FEIR standard, resulting in potentially significant impacts to paleontological resources. However, implementation of FEIR Mitigation Measure PAL-A.1-1 (see Attachment A) would ensure that the proposed project's potentially direct impacts to paleontological resources are not significant. Furthermore, the project would not impact any resources outside of the project site. The mitigation measures for direct impacts fully mitigate for paleontological impacts, therefore, the project's contribution to cumulative impacts to paleontological resources would be significant but mitigated because the same measures that mitigate direct impacts would also mitigate for any cumulative impacts.</i>			X	X		
9. HYDROLOGY AND WATER QUALITY:						
(a) Substantially degrade groundwater or surface water quality? <i>The project's construction and grading activities may involve soil excavation at a depth that could surpass known groundwater levels, which would indicate that groundwater dewatering</i>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>might be required. Compliance with the requirements of either (1) the San Diego Regional Water Quality Control Board under a National Pollution Discharge Elimination system general permit for construction dewatering (if dewatering is discharged to surface waters), or (2) the City of San Diego Metropolitan Wastewater Department (if dewatering is discharged into the City's sanitary sewer system under the Industrial Waste Pretreatment Program), and (3) the mandatory requirements controlling the treatment and disposal of contaminated dewatered groundwater would ensure that potential impacts associated with construction dewatering and the handling of contaminated groundwater are not significant. In addition, Best Management Practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP) would ensure that short-term water quality impacts during construction are not significant. The proposed project would result in hard structure areas and other impervious surfaces that would generate urban runoff with the potential to degrade groundwater or surface water quality. However, implementation of BMPs required by the local Standard Urban Stormwater Mitigation Program (SUSMP) and Stormwater Standards would reduce the project's long-term impacts. Thus, adherence to the state and local water quality controls would ensure that direct impacts to groundwater and surface water quality would not be significant.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>Despite not resulting in direct impacts to water quality, the FEIR found that the urban runoff generated by the cumulative development in the downtown would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. No mitigation other than adherence to existing regulations has been identified in the FEIR to feasibly reduce this cumulative impact to below a level of significance. Consistent with the FEIR, the project's contribution to the cumulative water quality impact would remain significant and unmitigated.</i>						
<i>(b) Substantially increase impervious surfaces and associated runoff flow rates or volumes? The proposed project site is currently developed and covered with impervious surfaces. Implementation of the proposed project would result in impervious surfaces similar to those that exist onsite. Therefore, the proposed project would not substantially increase the runoff volume entering the storm drain system. Therefore, impacts associated with this issue are not significant. (Impacts associated with the quality of urban runoff are analyzed in Section 9.a.)</i>					X	X
<i>(c) Substantially impede or redirect flows within a 100-year flood hazard area? The project site is not located within a 100-year floodplain. Similarly, the proposed project would not affect offsite flood hazard areas, as no 100-year floodplains are located downstream. Therefore, impacts associated with these</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>issues are not significant.</i>						
(d) Substantially increase erosion and sedimentation? <i>The potential for erosion and sedimentation could increase during the short-term during site preparation and other construction activities. As discussed in the FEIR, the proposed project's compliance with regulations mandating the preparation and implementation of a SWPPP would ensure that impacts associated with erosion and sedimentation are not significant.</i>					X	X
10. LAND USE AND PLANNING:						
(a) Physically divide an established community? <i>The proposed project does not propose any features or structures that would physically divide an establishment community. Impacts associated with this issue would not occur.</i>					X	X
(b) Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation? <i>The project site is located within the Little Italy District of the Centre City Planned District under the San Diego Downtown Community Plan. The land use of the project site is designated Residential Emphasis, which accommodates primarily residential development. Small-scale businesses, offices, and services, and ground-floor commercial uses (such as cafés and dry cleaners) are also allowed, provided they do not exceed 20 percent of the overall building area.</i> <i>The CCPDO permits a maximum base Floor</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>Area Ratio (FAR) of 6.0 on the proposed project site. In conformance with CCPDO requirements, the project proposes a FAR of 6.0.</p> <p>As discussed in Section 5 above, (refer to P.2 of this Secondary Study), the proposed project is requesting certain deviations to CCPDO development requirements due to the size, configuration, and slope condition of the project site. These deviation requests require approval from the Planning Commission through a Planned Development Permit (PDP). With approval of these deviations through the PDP process, the project conforms to the design measures required by the San Diego Downtown Community Plan and CCPDO.</p> <p>As discussed in Section 7.c above, the proposed project is within the jurisdiction of the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport and is subject to FAA determination of no hazard to air navigation prior to issuance of any development permit. In addition, the proposed project would not conflict with other applicable land use plans, policies, or regulations. The proposed project complies with the goals and requirements of the San Diego Downtown Community Plan, and meets all applicable standards of the CCPDO. Therefore, no significant direct or cumulative impacts associated with an adopted land use plan would occur.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>(c) Substantial incompatibility with surrounding land uses? Sources of land use incompatibility include lighting, industrial activities, shading, and noise. The proposed project would not result in, or be subject to, adverse impacts due to substantially incompatible land uses. Compliance with the City's Light Pollution Ordinance would ensure that land use incompatibility impacts related to the proposed project's emitting of, and exposure to, lighting are not significant. In addition, the FEIR concludes that existing mandatory regulations addressing land use compatibility with industrial activities would ensure that residents of, and visitors to, the proposed project are not subject to potential land use incompatibilities (potential land use incompatibilities resulting from hazardous materials and air emissions are evaluated elsewhere in this Secondary Study).</p> <p>The project site is not directly adjacent to any major planned neighborhood parks that could be significantly impacted by shading from the project. However, as discussed previously in Section 5 above (refer to P.2 of this Secondary Study), the project is located within the Little Italy Sun Access (LISA) Overlay and is requesting approval for encroachment into the LISA building envelope regulations. This deviation request would require approval from the Planning Commission through a PDP. With approval of this deviation through the PDP process, the project conforms to the design measures required by the San Diego Downtown</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>Community Plan and CCPDO.</i> <i>Potentially significant impacts associated with the project's incompatibility with traffic noise on adjacent grid streets are discussed in Sections 12.b and 12.c. No impacts associated with incompatibility with surrounding land use would occur.</i>						
(d) Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development? <i>Although not expected to be a substantial direct impact of the project because substantial numbers of transients are not known to congregate onsite, the project, in tandem with other downtown redevelopment activities, would have a significant cumulative impact on surrounding communities resulting from sanitation problems and litter generation by transients who are displaced from downtown into surrounding canyons and vacant land as discussed in the FEIR. Continued support of Homeless Outreach Teams (HOTs) and similar transient outreach efforts would reduce, but not fully mitigate, the adverse impacts to surrounding neighborhoods caused by the transient relocation. Therefore, the proposed project would result in cumulatively significant and not fully mitigated impacts to surrounding neighborhoods.</i>		X			X	
11. MINERAL RESOURCES:						
(a) Substantially reduce the availability of important mineral resources? <i>The FEIR states that the viable extraction of mineral</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>resources is limited in the Centre City due to its urbanized nature and the fact that the area is not designated as having high mineral resource potential. Therefore, no impact associated with this issue would occur.</i>						
12. NOISE:						
(a) Substantial noise generation? <i>The proposed project would not result in substantial noise generation from any stationary sources over the long-term. Short-term construction noise impacts would be avoided by adherence to construction noise limitations imposed by the City's Noise Abatement and Control Ordinance. In addition, the proposed project is consistent with the land use designation for this site in the CCPDO. Therefore, as significant noise impacts were not identified in the CCPDO, the proposed project is not expected to result in substantial noise increases. Thus, no significant impact related to noise generation would be associated with the proposed project. However, the project would, in combination with other development in the downtown, contribute to the cumulatively significant traffic noise increases on nine street segments. This impact is consistent with the analysis of the FEIR and considered cumulatively significant and not mitigated.</i>		X			X	
(b) Substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)? <i>The proposed project is considered a residential</i>	X	X				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>development and the balcony spaces and common outdoor areas proposed by the project are required by the CCPDO. As identified in the FEIR, the project site is located on street segments as well as areas along Interstate 5 (I-5) that are expected to carry traffic volumes that could create traffic noise in excess of 65 dBA CNEL (the FEIR standard). Therefore, substantial exposure of required outdoor open space areas to noise levels exceeding the 65 dBA CNEL standard could occur.</i></p> <p><i>Per Mitigation Measure NOI-C.1-1, (see Attachment A) an Acoustical Report was prepared by Helix Environmental Planning in February 2012 since the required outdoor open space areas could be exposed to noise levels in excess of 65 dBA CNEL (the City of San Diego's General Plan Noise Element requirement for outdoor use areas of multi-family land uses). The report concluded that noise levels at all outdoor locations of the proposed project would be exposed to future exterior noise levels that exceed 65 dBA CNEL. The proposed project would need to incorporate noise attenuation measures for these balconies to effectively reduce exterior sound levels to below 65 dBA CNEL to comply with the City of San Diego 65 dBA CNEL noise limit. However, implementation of the required measures to reduce noise below a level of significance would detract from the overall design aesthetic of the project and, therefore, conflict with the goals and visions of the San Diego Downtown Community Plan as well as the requirements</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>of the CCPDO. This impact is consistent with the analysis of the FEIR and is considered significant and not mitigated.</i>						
(c) Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)? As traffic noise levels on the street segments bordering the project site are expected to exceed 60 dBA CNEL (see Section 12.b above), interior noise levels within habitable rooms facing these street segments would experience interior noise levels in excess of 45 dBA CNEL (the FEIR standard). Implementation of Mitigation Measure NOI-B.1-1 (see Attachment A) would reduce interior noise levels to below 45 dBA CNEL. Therefore, impacts associated with this issue would be mitigated to a level less than significant.			X	X		
13. POPULATION AND HOUSING:						
(a) Substantially induce population growth in an area? The proposed project is consistent in land use with the San Diego Downtown Community Plan and CCPDO. Adverse physical changes associated with the population growth generated by the proposed project would not exceed those analyzed throughout the FEIR and this Secondary Study. Therefore, project-level and cumulative impacts associated with this issue are not significant.					X	X
(b) Substantial displacement of existing housing units or people? The project site currently includes a single-story residence. Removing the existing housing unit would not displace					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>substantial numbers of existing housing or substantial numbers of people, necessitating the construction of replacement housing elsewhere. Therefore, project-level and cumulative impacts associated with this issue are not significant.</i>						
14. PUBLIC SERVICES AND UTILITIES:						
(a) Substantial adverse physical impacts associated with the provision of new schools? The FEIR concludes that the additional student population anticipated at buildout of the downtown area would require the construction of at least one additional school. In and of itself, the proposed project would not generate a sufficient number of students to warrant construction of a new school facility. However, the project would contribute, in combination with other development in downtown to the need for at least one additional school in downtown, consistent with the analysis of the FEIR. Nevertheless, as indicated in the FEIR, the specific future location of a new school is unknown at present time. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area, which may occur from future construction of schools, would be speculative and no further analysis of their impacts is required. However, construction of new schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
(b) Substantial adverse physical impacts associated with the provision of new libraries? <i>The FEIR concludes that, cumulatively, development in the downtown would generate the need for a new Main Library and possibly several smaller libraries within the downtown. In and of itself, the proposed project would not generate additional demand necessitating the construction of new library facilities. However, the proposed project would contribute to the cumulative need for new library facilities in the downtown identified in the FEIR. Nevertheless, the specific future location of these facilities (except the Main Library) is unknown at present time. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area, which may occur from future construction of these public facilities, would be speculative and no further analysis of their impacts is required (The environmental impacts of the Main Library were analyzed in a Secondary Study prepared by CCDC in 2001). Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</i>					X	X
(c) Substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities? <i>The FEIR does not conclude that the cumulative development of the downtown would generate additional demand necessitating the construction of new fire</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>protection/emergency facilities. Since the land use designation of the proposed development is consistent with the land use designation assumed in the FEIR analysis, the project would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the FEIR. However, the FEIR reports that the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area that may occur from future construction of this fire station facility would be speculative and no further analysis of the impact is required. However, construction of the second new fire protection facility would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify significant impacts and appropriate mitigation measures.</i>						
<i>(d) Substantial adverse physical impacts associated with the provision of new law enforcement facilities? The FEIR analyzes impacts to law enforcement service resulting from the cumulative development of the downtown and concludes the construction of new law enforcement facilities would not be required. Since the land use designation of the proposed development is consistent with the land use designation assumed in the FEIR analysis, the project would not generate a level of demand for law enforcement facilities beyond the level assumed by the</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>FEIR. However, the need for a new facility could be identified in the future. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis of the physical changes in the downtown planning area that may occur from the future construction of law enforcement facilities would be speculative and no future analysis of their impacts would be required. However, construction of new law enforcement facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</i>						
(e) Substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities? <i>The FEIR concludes that new water treatment facilities would not be required to address the cumulative development of downtown. In addition, water pipe improvements that may be needed to serve the proposed project are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.</i>					X	X
(f) Substantial adverse physical impacts associated with the provision of new storm water facilities? <i>The FEIR concludes that the cumulative development of the downtown would not impact the existing downtown storm drain system. Since implementation of the proposed project would result in an amount of impervious surfaces similar to what currently exists onsite, the amount of runoff</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>volume entering the storm drain system would not create demand for new storm water facilities. Direct and cumulative impacts associated with this issue are considered not significant.</i>						
(g) Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities? <i>The FEIR concludes that new wastewater treatment facilities would not be required to address the cumulative development of the downtown. In addition, sewer improvements that may be needed to serve the proposed project are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.</i>					X	X
(h) Substantial adverse physical impacts associated with the provision of new landfill facilities? <i>The FEIR concludes that cumulative development within the downtown would increase the amount of solid waste to the Miramar Landfill and contribute to the eventual need for an alternative landfill. Although the proposed project would generate a higher level of solid waste than the existing use of the site, implementation of a mandatory Waste Management Plan and compliance with the applicable provisions of the San Diego Municipal Code would ensure that both short-term and long-term project-level impacts are not significant. However, the project would contribute, in combination</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>with other development activities in downtown, to the cumulative increase in the generation of solid waste sent to Miramar Landfill and the eventual need for a new landfill as identified in the FEIR. The location and size of a new landfill is unknown at this time. Pursuant to Section 15145 of the California Environmental Quality Act (CEQA), analysis from the physical changes that may occur from future construction of landfills would be speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts of the proposed project and appropriate mitigation measures. Therefore, cumulative impacts of the proposed project are also considered not significant.</i>						
15. RECREATIONAL FACILITIES:						
(a) Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <i>The FEIR discusses impacts to parks and other recreational facilities and the maintenance thereof and concludes that buildout of the San Diego Downtown Community Plan would not result in significant impacts associated with this issue. Since the land use designation of the proposed development does not differ from the land use designation assumed in the FEIR analysis, the project would not generate a level of demand for parks and recreational</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>facilities beyond the level assumed by the FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the proposed project. No significant impacts with this issue would occur.</i>						
16. TRANSPORTATION/TRAFFIC:						
<p>(a) Cause the LOS on a roadway segment or intersection to drop below LOS E? Based on Centre City Cumulative Traffic Generation Rates for residential projects contained in the May 2003 San Diego Municipal Code Trip Generation Manual, the worst-case scenario for automobile trips by the project is 408 Average Daily Trips (ADT) based on a trip generation rate of four ADT per residential unit. Since this does not exceed the 2,400 ADT significance threshold established in the FEIR, the proposed project's impacts on roadway segments or intersections downtown would be significant without mitigation.</p> <p>With buildout of the San Diego Downtown Community Plan, a total of 62 intersections are anticipated to operate at LOS F; however, none of the impacted intersections are adjacent to the project site. Although the project's direct impacts on downtown roadway segments or intersections would not be significant, the traffic generated by the proposed project would, in combination with the traffic generated by other downtown development, contribute to the significant cumulative traffic impacts projected in the FEIR to occur on a number of downtown</p>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>roadway segments and intersections, and streets within neighborhoods surrounding the Plan area at buildout of the downtown. The FEIR includes mitigation measures to address these impacts, but the identified measures may or may not be able to fully mitigate these cumulative impacts due to constraints imposed by bicycle and pedestrian activities and the land uses adjacent to affected roadways. These mitigation measures are not the responsibility of the proposed project, and are therefore not included in Attachment A. Therefore, consistent with the analysis of the FEIR, the proposed project would contribute to significant cumulative impacts associated with this issue.</i>						
(b) Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes? <i>The FEIR concludes that development within the downtown would result in significant cumulative impacts to freeway segments and ramps serving the downtown planning area. Since the land use designation of the proposed development is consistent with the land use designation assumed in the FEIR analysis, the proposed development would contribute on a cumulative-level to the substandard LOS F identified in the FEIR on all freeway segments in the downtown area and several ramps serving the downtown. FEIR Mitigation Measure TRF-A.2.1-1 would reduce these impacts to the extent feasible, but not to below the level of significance. This mitigation measure is not the responsibility of the proposed project, and therefore is not</i>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>included in Attachment A. The FEIR concludes that the uncertainty associated with implementing freeway improvements and limitations in increasing ramp capacity limits the feasibility of fully mitigating impacts to these facilities. Thus, the proposed project's cumulative-level impacts to freeways would remain significant and unavoidable, consistent with the analysis of the FEIR. The proposed project would not have a direct impact on freeway segments and ramps.</i>						
(c) Create an average demand for parking that would exceed the average available supply? <i>The proposed project is considered residential use per the CCPDO. The CCPDO requires a minimum of one off-street parking space per residential unit plus one guest space for every 30 units. The project would result in the need for a minimum of 106 parking spaces. Implementation of the project would include three levels of subterranean parking providing 115 parking spaces. Since this is more than the 106 spaces required by the CCPDO, the project would not have a significant direct impact on downtown parking.</i> <i>However, demand generated by cumulative downtown development would exceed the amount of parking provided by such development in accordance with the CCPDO. Implementation of FEIR Mitigation Measure TRF-D.1-1 would reduce, but not fully mitigate, the significant cumulative impact of excessive parking demand (this</i>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>mitigation measure is not the responsibility of the proposed project, and therefore is not included in Attachment A). Therefore, the proposed project would contribute to the cumulatively significant and not mitigated shortfall in parking supply anticipated to occur throughout the downtown by the FEIR.</i>						
(d) Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded? <i>The proposed project does not include any features that would discourage the use of alternatives modes of transportation. In addition, the project site is located approximately five blocks from an existing light-rail trolley station, and there is regular bus service adjacent to the project site on Columbia and State streets and elsewhere in the Little Italy District. Also, the project's proximity to several existing and planned community serving uses, including nearby shopping and recreational activities, also encourages walking. Additionally, SANDAG has indicated that transit facilities should be sufficient to serve the downtown population without exceeding capacity.</i>					X	X
17. MANDATORY FINDINGS OF SIGNIFICANCE:						
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or					X	X

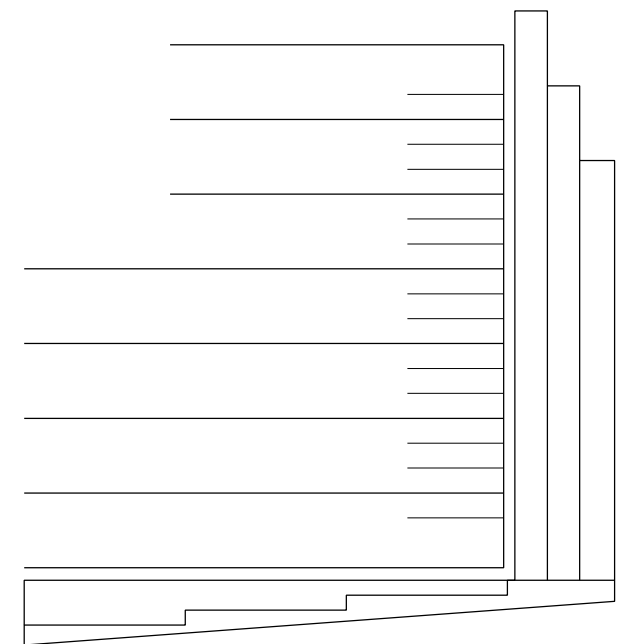
	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>animal or eliminate important examples of the major periods of California history or prehistory? As indicated in the FEIR, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the Centre City area. Additionally, the project does not have potential to eliminate important examples of major periods of California history or prehistory at the project level. No other aspects of the project would substantially degrade the environment. Cumulative impacts are described in Section 16.b below.</p>						
<p>(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? As acknowledged in the FEIR, implementation of the San Diego Downtown Community Plan, CCPDO, and Redevelopment Plan would result in cumulative impacts associated with: air quality, historical resources, paleontological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This project would contribute to those impacts. Implementation of the mitigation measures identified in the FEIR would reduce some significant impacts; however, the impacts would remain significant and immitigable. Cumulative</p>		X				

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>impacts would not be greater than those identified in the FEIR.</i>						
(c) Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly? <i>As described elsewhere in this study, the proposed project would result in significant and unmitigated impacts. Those impacts associated with air and noise could have substantial adverse effects on human beings. However, these impacts would be no greater than those assumed in the FEIR. Implementation of the mitigation measures identified in the FEIR would mitigate many, but not all, of the significant impacts.</i>	X	X				

Palatine

101 New Multi-Family Homes in San Diego's Little Italy

CCDC SUBMITTAL 02.17.12
DPSS Properties, LP
GRAHAM DOWNES ARCHITECTURE



PROJECT DESCRIPTION

NEW TYPE 1A CONCRETE RESIDENTIAL DEVELOPMENT IN SAN DIEGO'S LITTLE ITALY.
TWO LEVELS OF PARKING FULLY BELOW GRADE,
ONE LEVEL PARKING PARTIALLY BELOW GRADE
COMMERCIAL SPACES AT COLUMBIA AND
STATE STREET LEVELS
8 LEVELS RESIDENTIAL UNITS

LEGAL DESCRIPTION

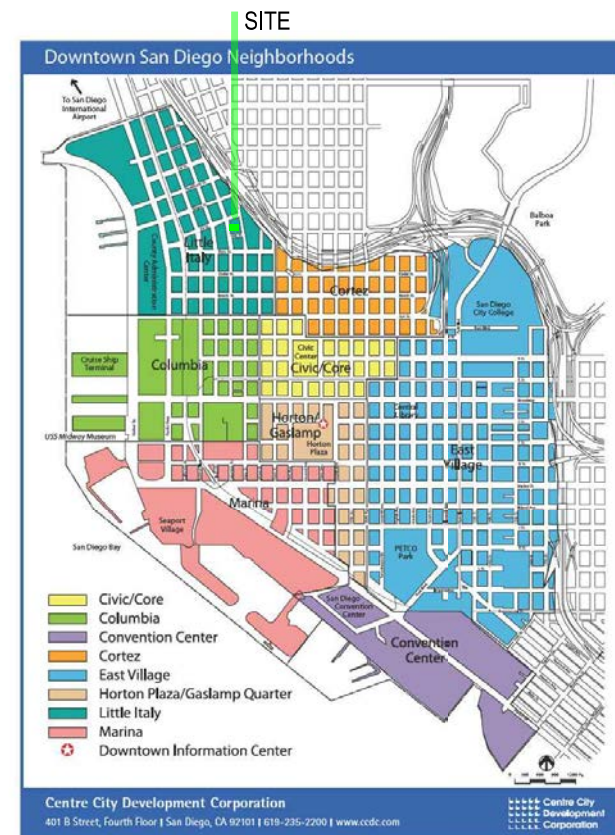
LOTS 5, 7 AND 8 IN BLOCK F OF MIDDLETOWN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEROF J.E. JACKSON, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ASSESSOR'S PARCEL NUMBERS: 533-241-04 & 533-241-11

EXCEPTIONS REQUESTED

PLEASE SEE SHEET A5.5 FOR DETAILED EXCEPTION REQUESTS FOR THE FOLLOWING:

1. LITTLE ITALY SUN ACCESS ENVELOPE
2. STREET WALL MINIMUM HEIGHT (ON COLUMBIA)
3. OFF-STREET LOADING / SERVICE AREA FOR RESIDENTIAL PROJECTS WITH 100 OR MORE UNITS



VICINITY MAP

PROJECT DATA

CODES:
CITY OF SAN DIEGO MUNICIPAL CODE (SDMC)
- LAND USE IS RESIDENTIAL EMPHASIS
- LAND USE OVERLAYS ARE FINE GRAIN DEVELOPMENT AND LITTLE ITALY SUN ACCESS
2010 CALIFORNIA BUILDING CODE (CBC)

CONSTRUCTION TYPE 1A,
FULLY SPRINKLERED

NON-HIGH RISE PER CBC SECTION 403.1,
STATE STREET PROVIDES THE MOST LOGICAL
AND ADEQUATE FIRE DEPARTMENT ACCESS

OCCUPANCY TYPES:
RESIDENTIAL: R-2
PARKING: S-2

OWNER: DPSS PROPERTIES, LP
CONTACT: DUANE SHINNICK

ARCHITECT: GRAHAM DOWNES ARCHITECTURE
CONTACT: JON STARR
858 254 4381 JSTARR@BLOKHAUS.COM

DEVELOPMENT SUMMARY

SITE AREA: 14,601 SF
BASE FAR: 6.0
FAR AREA ALLOWED: 87,606 SF
FAR AREA: 87,400 SF
NON-FAR AREA: 40,780 SF
TOTAL ENCLOSED AREA: 128,180 SF

RESIDENTIAL UNITS
STUDIO: 7
1 BEDROOM: 82
2 BEDROOM: 4
DOUBLE MASTER: 6
PENTHOUSE SUITES: 2
TOTAL: 101

PARKING
REQUIRED RESIDENTIAL: 101
REQUIRED GUEST: 4
PARKING STALLS PROVIDED: 115
BICYCLE SPACES PROVIDED: 12



DECKS / SITE PLAN

SHEET INDEX

COVER
T1 SUMMARY & INDEX
T2 SITE INFLUENCES
T3 DATA
T4 VICINITY PHOTO SURVEY

C.1 TOPOGRAPHIC SURVEY

A2.B2 BASEMENT 2 PLAN
A2.B1 BASEMENT 1 PLAN
A2.1 LEVEL 1 PLAN
A2.2 LEVEL 2 PLAN
A2.3 LEVEL 3 PLAN
A2.4 LEVEL 4 PLAN
A2.5 LEVEL 5 PLAN
A2.6 LEVEL 6 PLAN
A2.7 LEVEL 7 PLAN
A2.8 LEVEL 8 PLAN
A2.9 LEVEL 9 PLAN
A2.10 ROOF PLAN

A3.1 EAST ELEVATION
A3.2 SOUTH ELEVATION
A3.3 WEST ELEVATION
A3.4 NORTH ELEVATION
A3.5 COURTYARD SOUTH ELEVATION
A3.6 BUILDING SECTION
A3.7 BUILDING SECTION
A3.8 BUILDING SECTION
A3.9 BUILDING SECTION
A3.10 SOUTHEAST ISOMETRIC
A3.11 SOUTHWEST ISOMETRIC
A3.12 NORTHWEST ISOMETRIC
A3.13 NORTHEAST ISOMETRIC
A3.14 STATE STREET SIDEWALK
A3.15 ELM STREET SIDEWALK

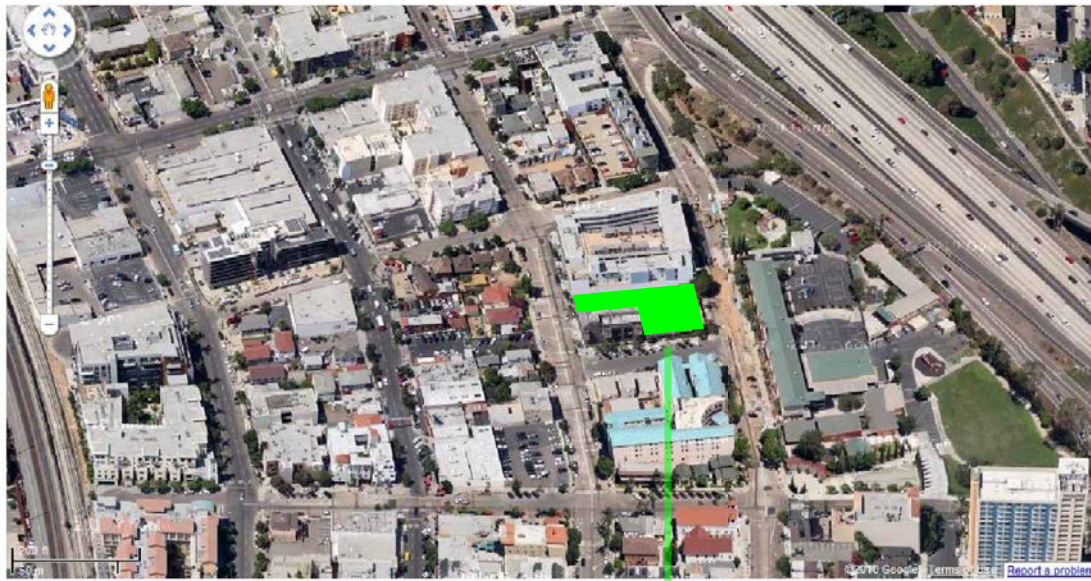
A4.01 UNIT 01 PLAN
A4.02 UNIT 02 PLAN
A4.03 UNIT 03 PLAN
A4.07 UNIT 07 PLAN
A4.08 UNIT 08 PLAN
A4.09 UNIT 09 PLAN
A4.09u UNIT 09 upper PLAN
A4.10 UNIT 10 PLAN
A4.11 UNIT 11 PLAN
A4.12 UNIT 12 PLAN
A4.14 UNIT 14 PLAN
A4.14u UNIT 14 upper PLAN
A4.15 UNIT 15 PLAN

A4 SERIES,
LARGE SCALE
UNIT PLANS,
ARE NOT PART
OF THIS
SUBMITTAL

A5.1 EAST ELEVATION RENDERING
A5.2 SOUTH ELEVATION RENDERING
A5.3 WEST ELEVATION RENDERING
A5.4 NORTH ELEVATION RENDERING
A5.5a EXCEPTIONS REQUEST - LISA
A5.5b EXCEPTIONS REQUEST - STREET WALL
A5.5c EXCEPTIONS REQUEST - OFF SITE LOADING
A5.6 STREET LEVEL RENDERINGS
A5.7 CONCEPT DIAGRAMS
A5.8 STATE & ELM RENDERING

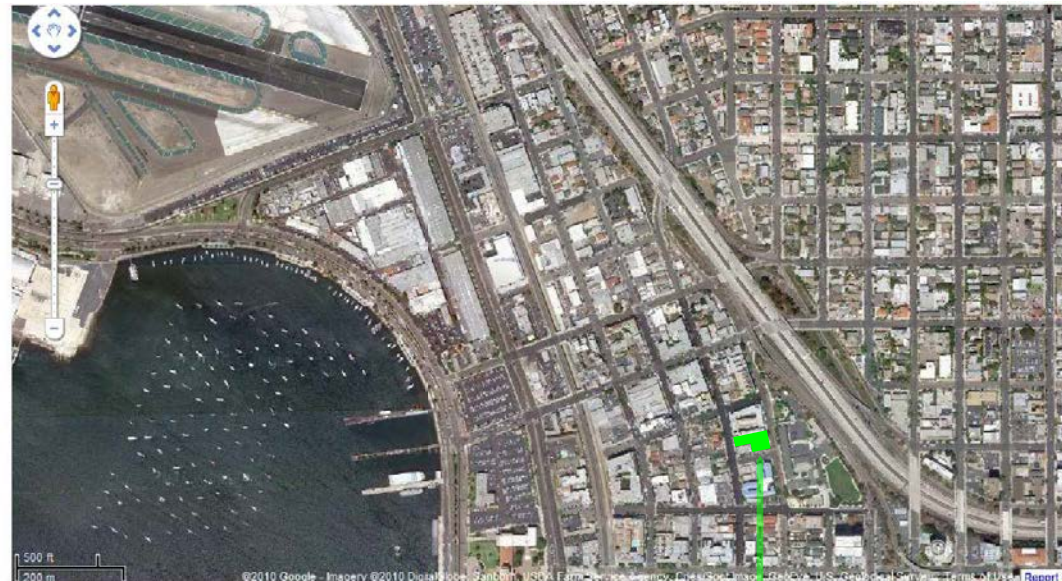
SITE PLAN & DEVELOPMENT

T.1



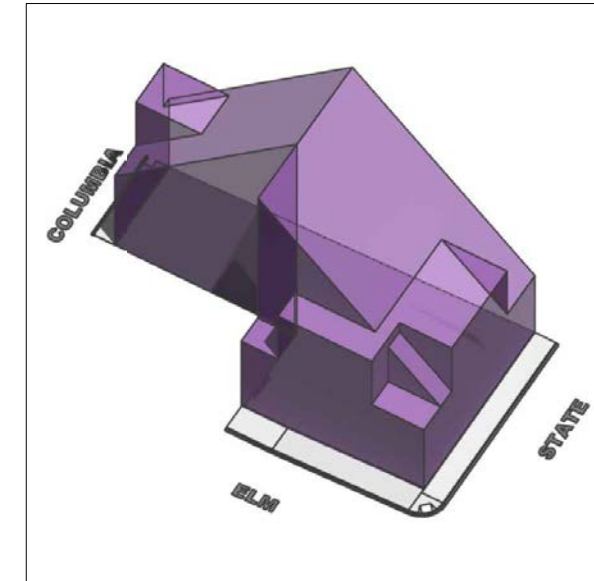
VIEW FROM SOUTH, OVER DOWNTOWN

SITE

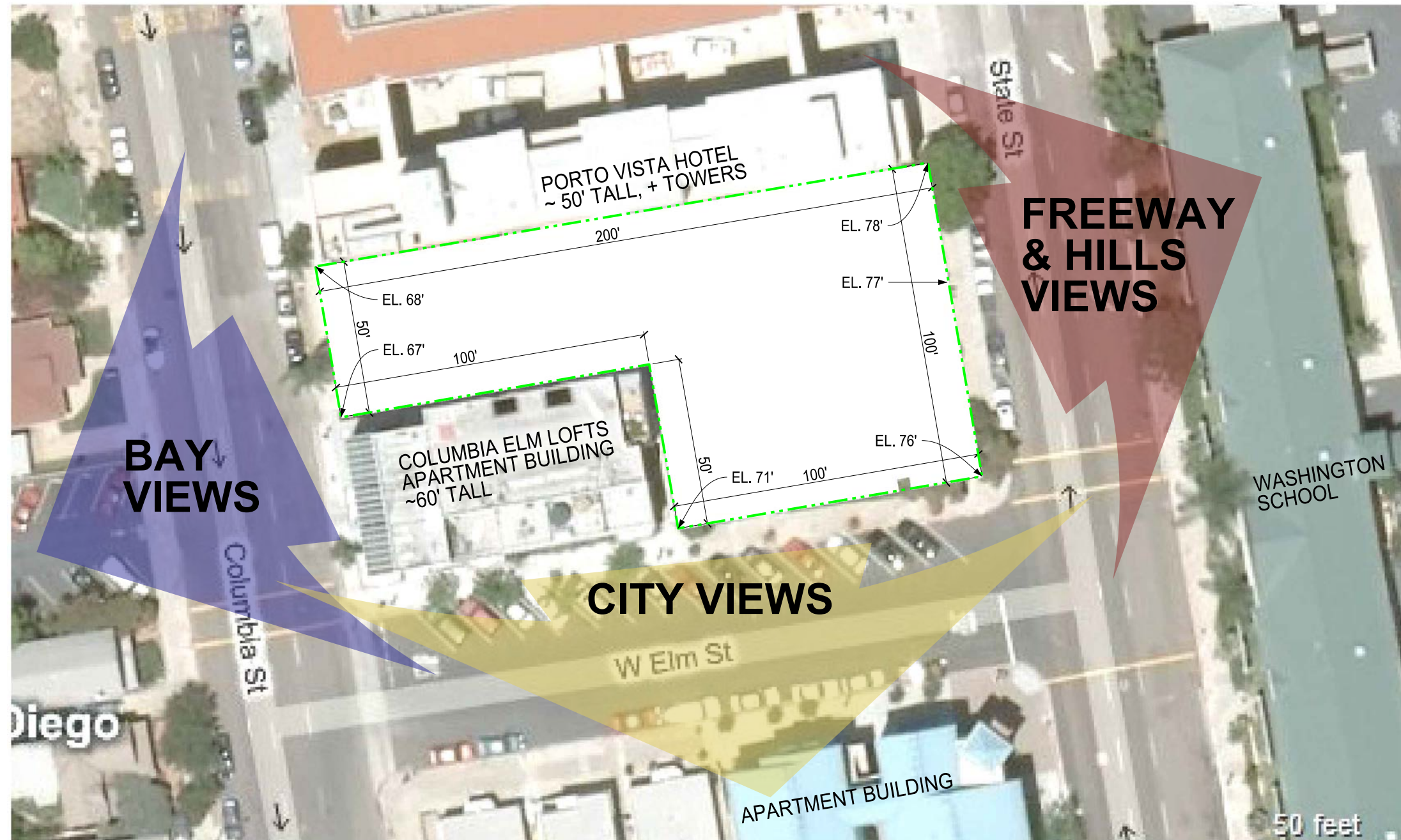


LITTLE ITALY and VICINITY

SITE



LITTLE ITALY SUN ACCESS ENVELOPE, SITE SPECIFIC



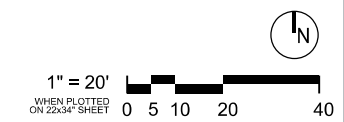
SITE INFORMATION

SITE AREA:	14,601 SF
TOTAL PERIMETER:	600 LF
PERIMETER on R.O.W.:	250 LF
PERIMETER on INTERNAL PROP. LINE:	350 LF

HIGH POINT ELEVATION:	78 FT
LOW POINT ELEVATION:	67 FT

DISTANCES TO:	
15 FREEWAY:	380 FT
15 SOUTH ON RAMP:	590 FT
15 NORTH ON RAMP:	1460 FT
TRAIN STATION (COASTER):	2800 FT
TROLLEY STOP (BLUE LINE):	1900 FT
BUS STOP:	920 FT
SD INT. RUNWAY TOUCH-DOWN:	4900 FT
SD INT. COMMUTER TERMINAL:	1.6 MI

SAN DIEGO BAY:	1850 FT
NEW FEDERAL COURTHOUSE:	3100 FT
CIVIC CENTER:	3400 FT
BALBOA PARK:	3300 FT
HORTON PLAZA:	4800 FT
NEAREST HOTEL:	NEXT DOOR



SITE & VICINITY INFLUENCES

T.2

Program Calculations, 1810 State Street, February 17, 2012																											
Level	Non FAR Gross	FAR Gross	Residential Rentable	Commercial Rentable	# Parking Stalls	# Res Units	1B Unit 01	1B Unit 02	1B Unit 03	1B Unit 04	1B Unit 05	1B Unit 06	1B Unit 07	2B Unit 08	1B Unit 09	1B Unit 10	1B Unit 11	1B Unit 12	1B,2B Unit 14	S Unit 15	Units/Floor:	Studio	1B	2B	2M	P Suites	
roof																											
9		8,730	7,480			10		850	570	725	725	725		1,150	620				890	715	510	10	1	6		1	2
8		9,600	8,625			12	730	725	570	725	725	725		1,170	660		680	690	715	510	12	1	10			1	
7		9,700	8,795			12	780	725	570	725	725	725		1,170	660		800	690	715	510	12	1	10			1	
6		10,600	9,825			14	830	725	570	725	725	725	670	905	630	715	690	690	715	510	14	1	12		1		
5		11,400	10,170			14	830	725	570	725	725	725	670	905	630	715	690	670	1,080	510	14	1	11		1	1	
4		11,700	10,170			14	830	725	570	725	725	725	670	905	630	715	690	670	1,080	510	14	1	11		1	1	
3		11,200	10,070			14	830	725	570	725	725	725	670	905	590	715	650	650	1,080	510	14	1	11		1	1	
2		10,800	6,980			10		725	570	725	725	725	600			680	600	600	1,030		10		10				
1	10,750	3,800			33	1	1,200														1		1				
B1	16,400				40																						
B2	16,400				42																						
Totals:	43,550	87,530	72,115	0	115	101															101	7	82	4	6	2	
Planning / Zoning:							Parking:																				
Site Area:		14,601 sf					Required For:	Rate:	Per	Totals:																	
FAR allowed:	6.00	87,606 sf					Units	1	1	101																	
FAR:	5.99	87,530 sf					Guest			4																	
Unused FAR:		76 sf					Commercial			0																	
							Total Required:			105																	
							Provided:			115																	

2,240



PORTO VISTA HOTEL



RESIDENTIAL



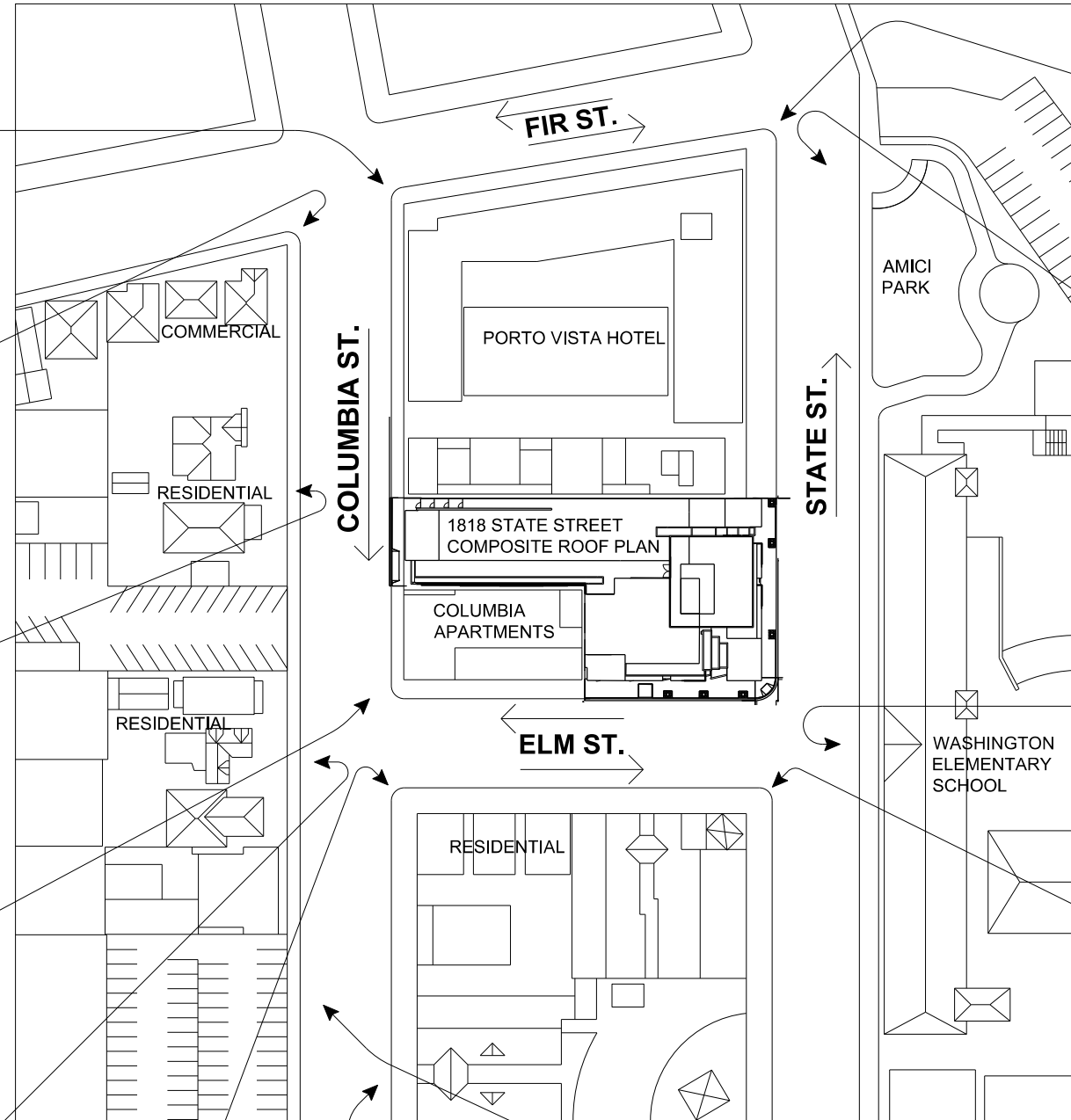
RESIDENTIAL



COLUMBIA ELM LOFTS



RESIDENTIAL



PORTO VISTA HOTEL



AMICI PARK



WASHINGTON ELEMENTARY SCHOOL



RESIDENTIAL



RESIDENTIAL

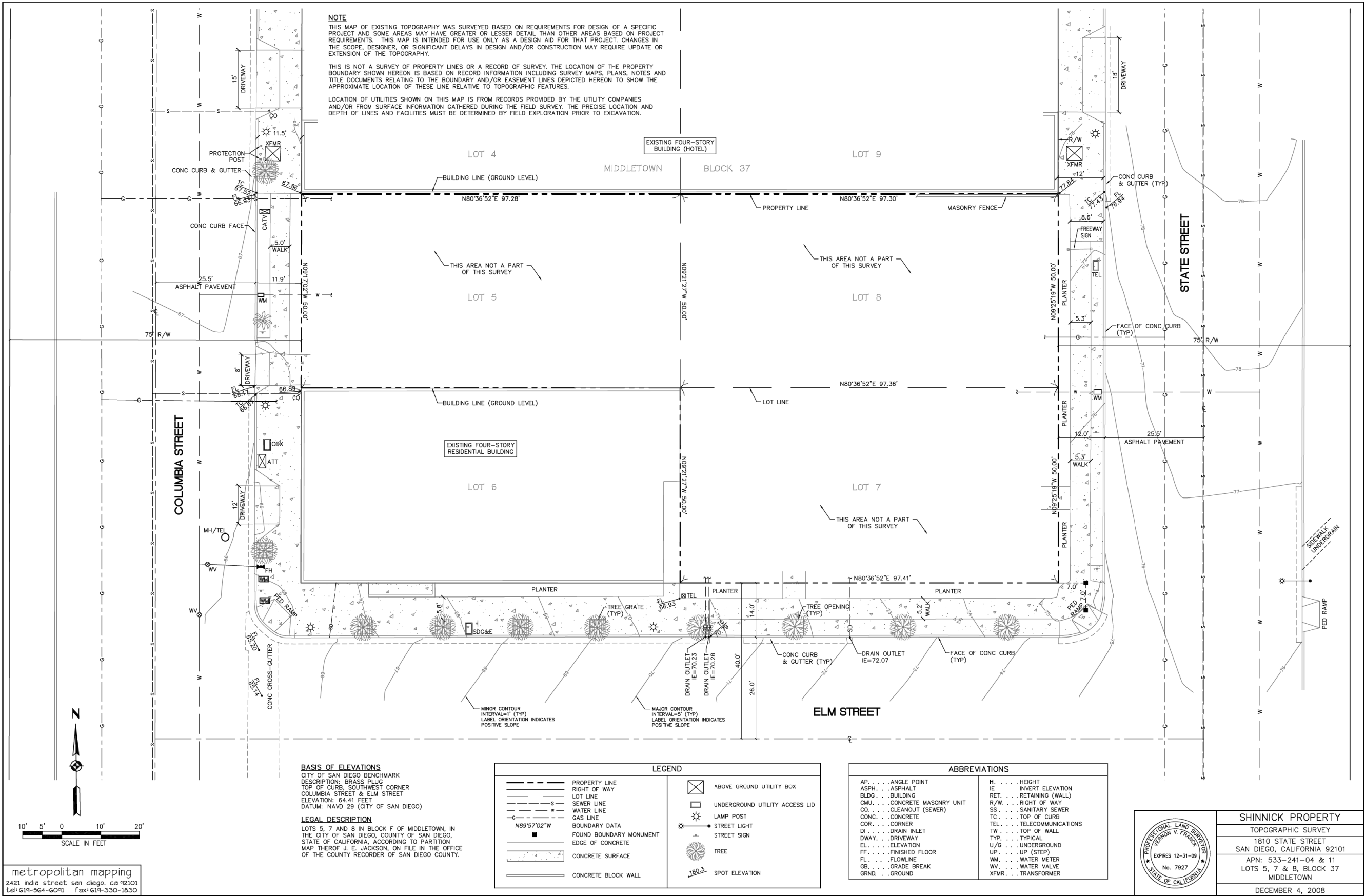


RESIDENTIAL



PARKING LOT





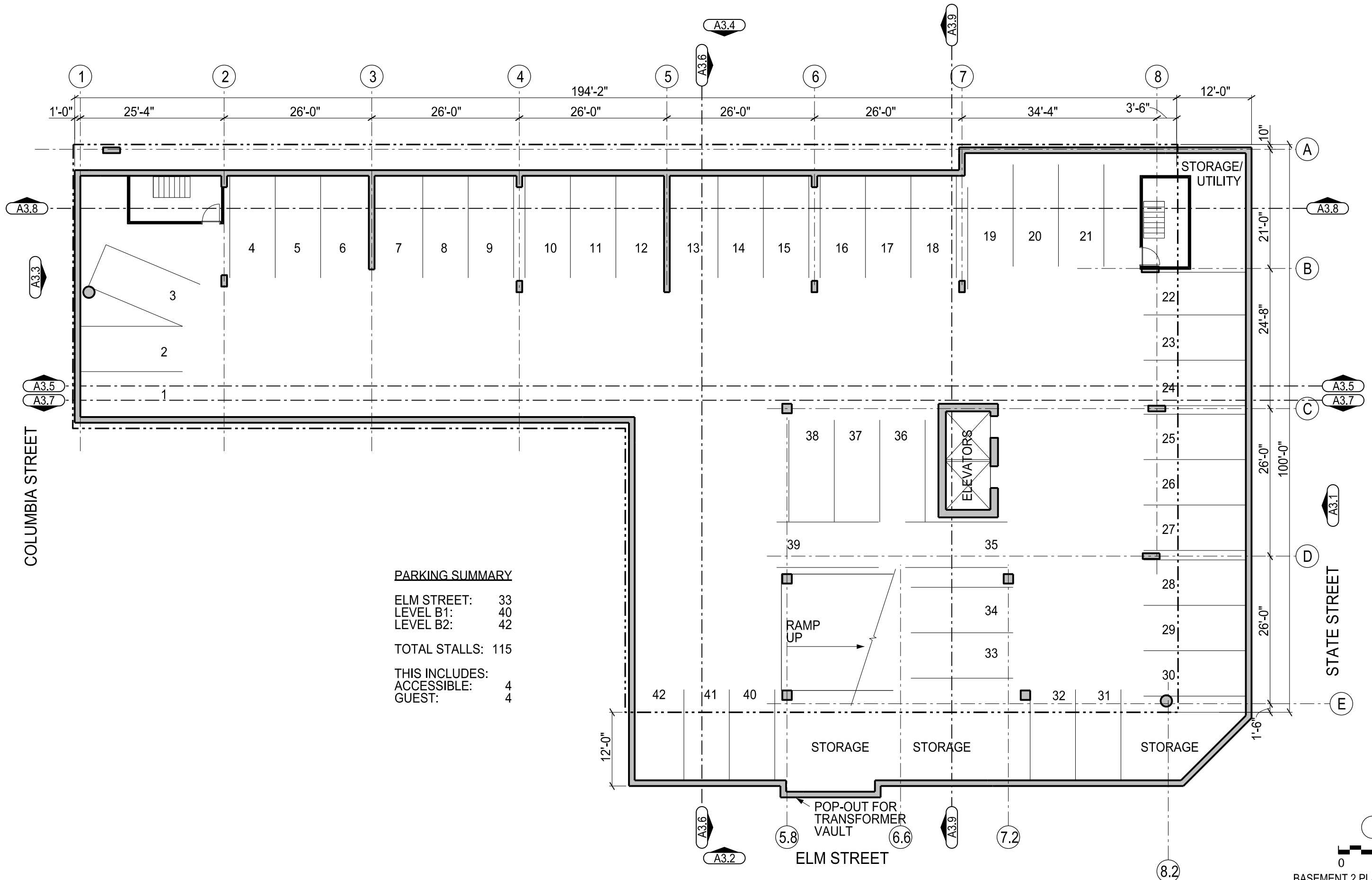
metropolitan mapping
2421 India Street San Diego, CA 92101
Tel: 619-564-6091 Fax: 619-330-1830

SHINNICK PROPERTY

TOPOGRAPHIC SURVEY
1810 STATE STREET
SAN DIEGO, CALIFORNIA 92101

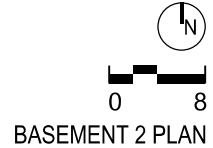
APN: 533-241-04 & 11
LOTS 5, 7 & 8, BLOCK 37
MIDDLETOWN

DECEMBER 4, 2008

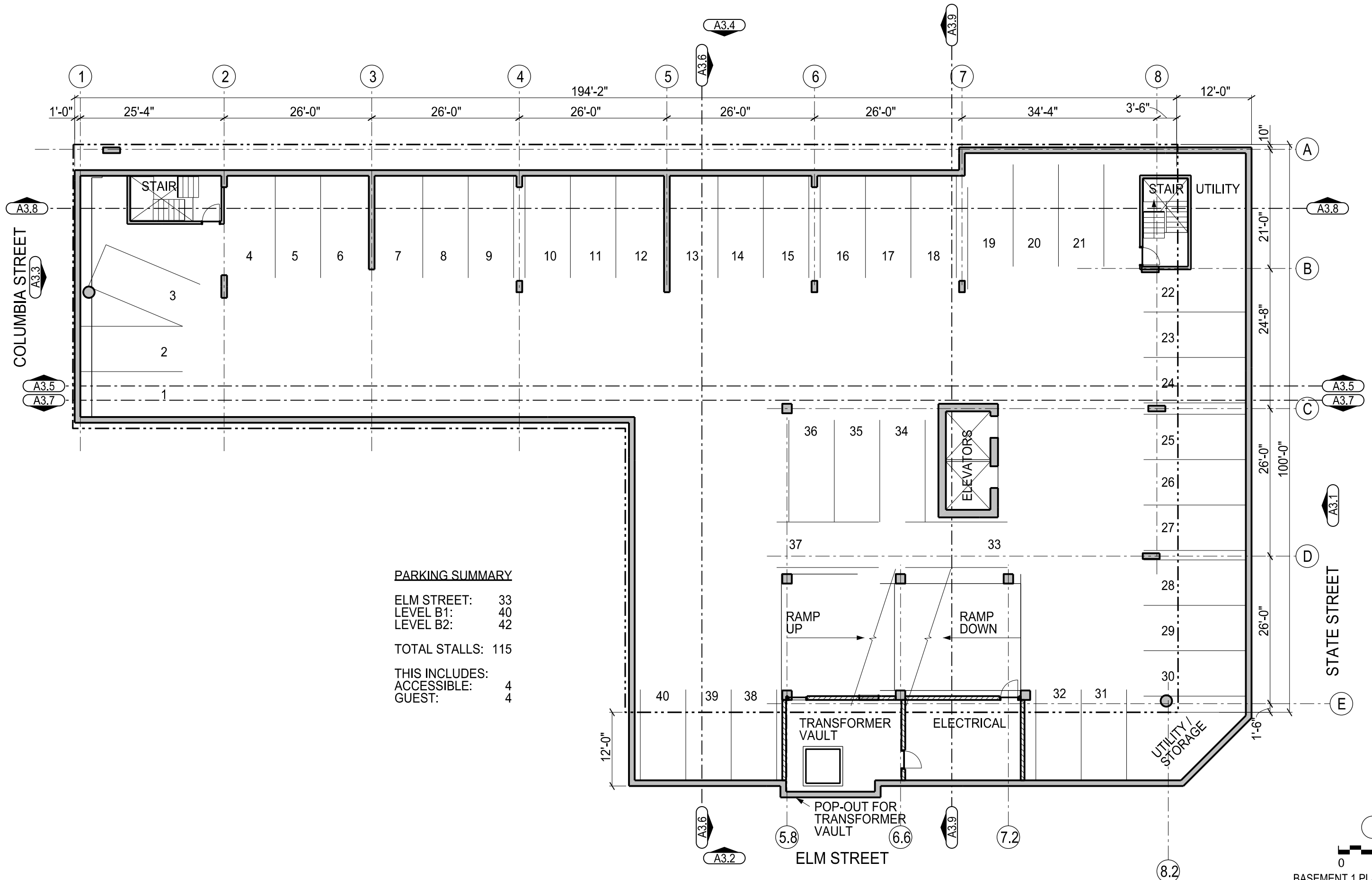


PARKING SUMMARY

ELM STREET:	33
LEVEL B1:	40
LEVEL B2:	42
TOTAL STALLS:	115
THIS INCLUDES:	
ACCESSIBLE:	4
GUEST:	4



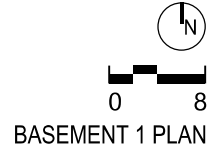
BASEMENT 2 PLAN
BASEMENT 2 PARKING LEVEL A2.B2



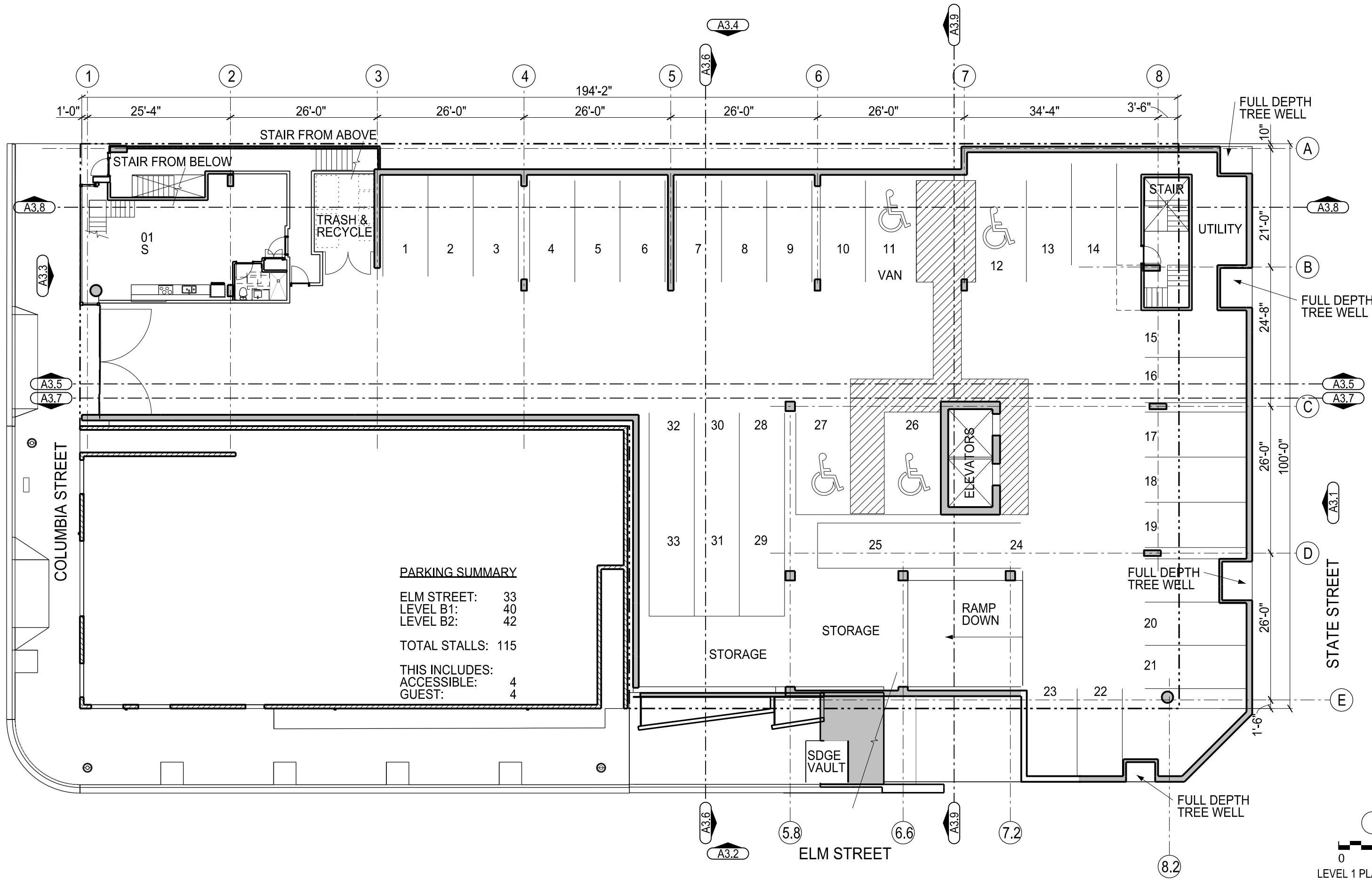
PARKING SUMMARY

ELM STREET:	33
LEVEL B1:	40
LEVEL B2:	42
TOTAL STALLS:	115
THIS INCLUDES:	
ACCESSIBLE:	4
GUEST:	4

BASEMENT 1 PARKING LEVEL A2.B1



BASEMENT 1 PLAN



PARKING SUMMARY

ELM STREET:	33
LEVEL B1:	40
LEVEL B2:	42
TOTAL STALLS:	115
THIS INCLUDES:	
ACCESSIBLE:	4
GUEST:	4

ELM STREET PARKING LEVEL A2.1

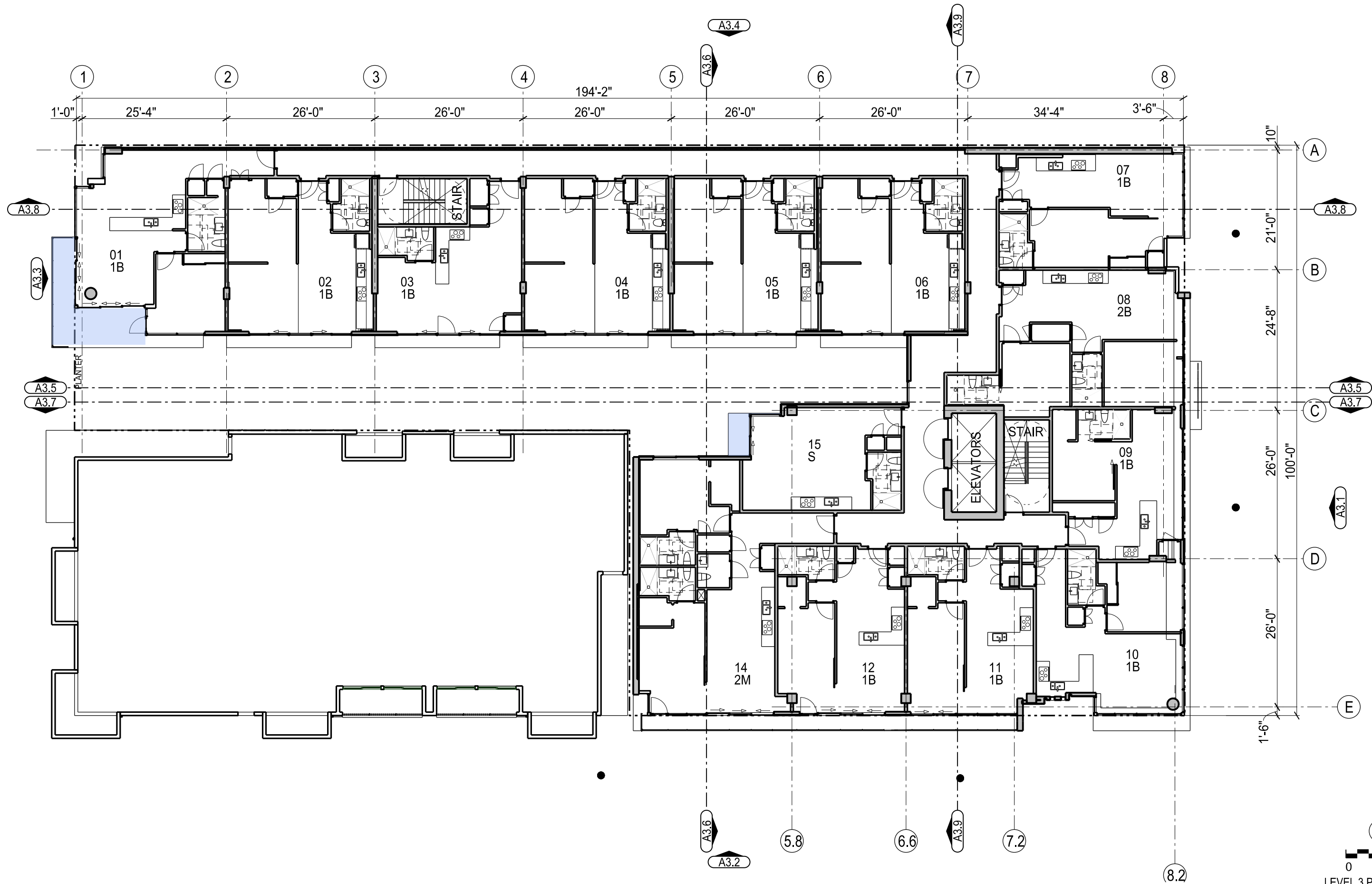
LEVEL 1 PLAN



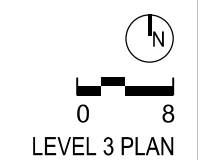
STATE STREET, LOBBY LEVEL A2.2

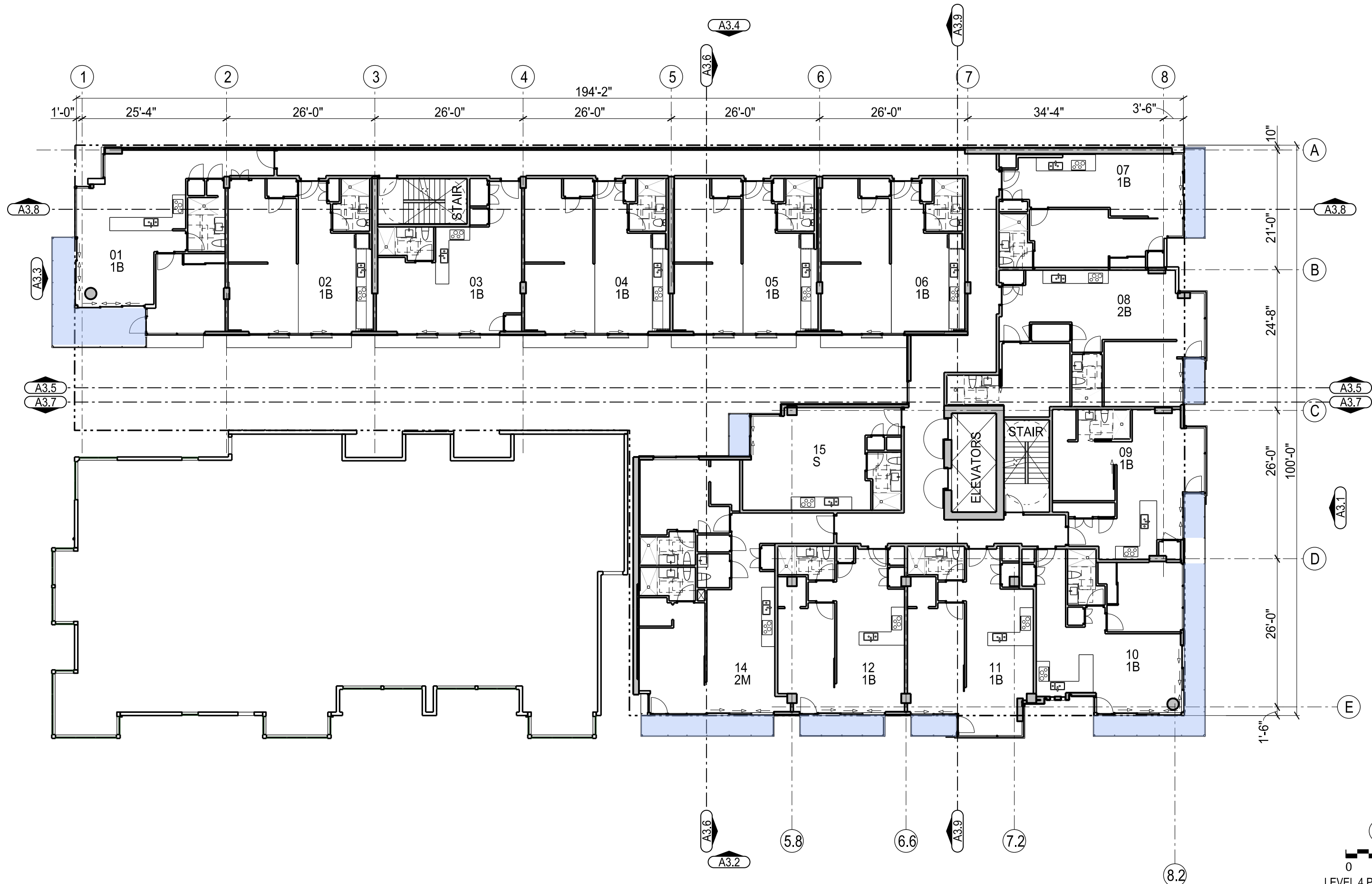
LEVEL 2 PLAN





RESIDENTIAL LEVEL 3 A2.3





RESIDENTIAL LEVEL 4 A2.4

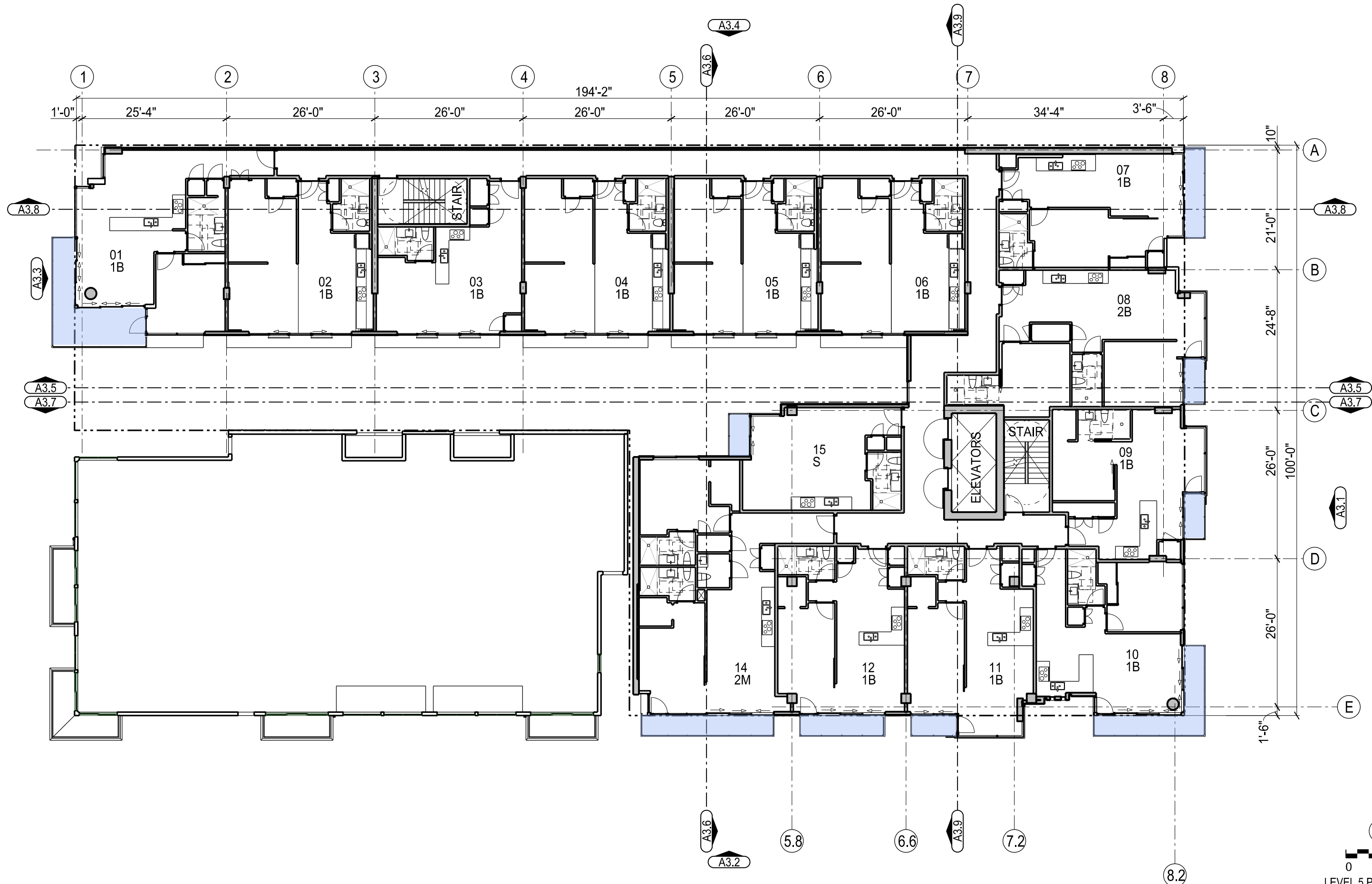
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.17.12

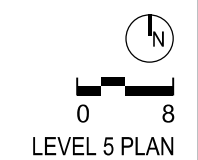
LITTLE ITALY, SAN DIEGO, CA

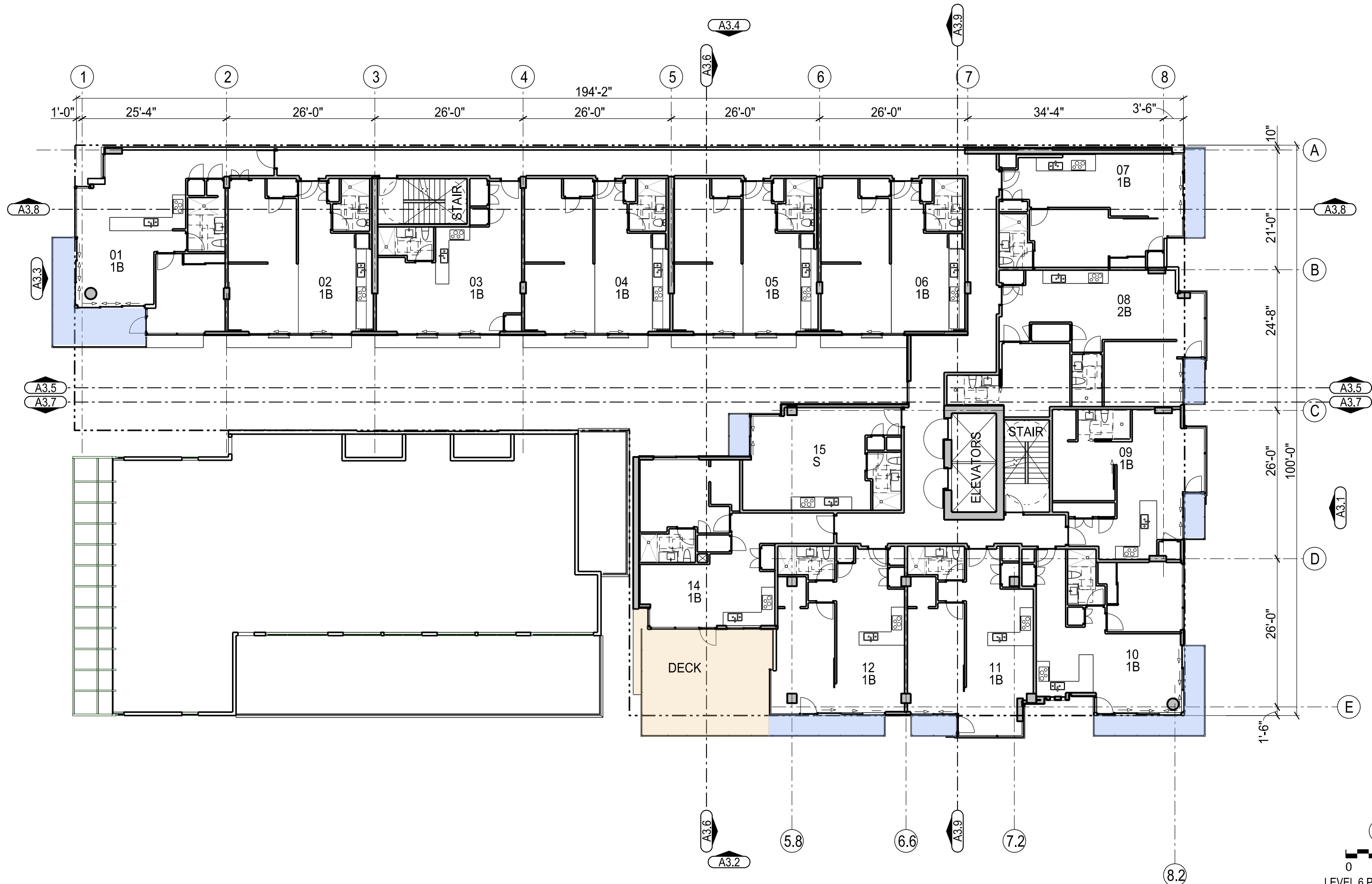
PALATINE
APARTMENT HOMES

BLOKHAUS

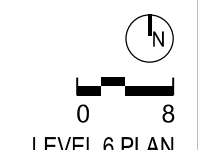


RESIDENTIAL LEVEL 5 A2.5





RESIDENTIAL LEVEL 6 A2.6



GRAHAM DOWNES ARCHITECTURE

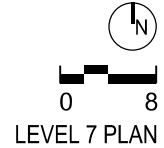
CCDC SUBMITTAL
02.17.12

PALATINE
APARTMENT HOMES
LITTLE ITALY, SAN DIEGO, CA

BLOKHAUS

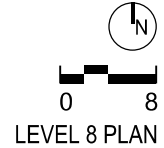


RESIDENTIAL LEVEL 7 A2.7





RESIDENTIAL LEVEL 8 A2.8



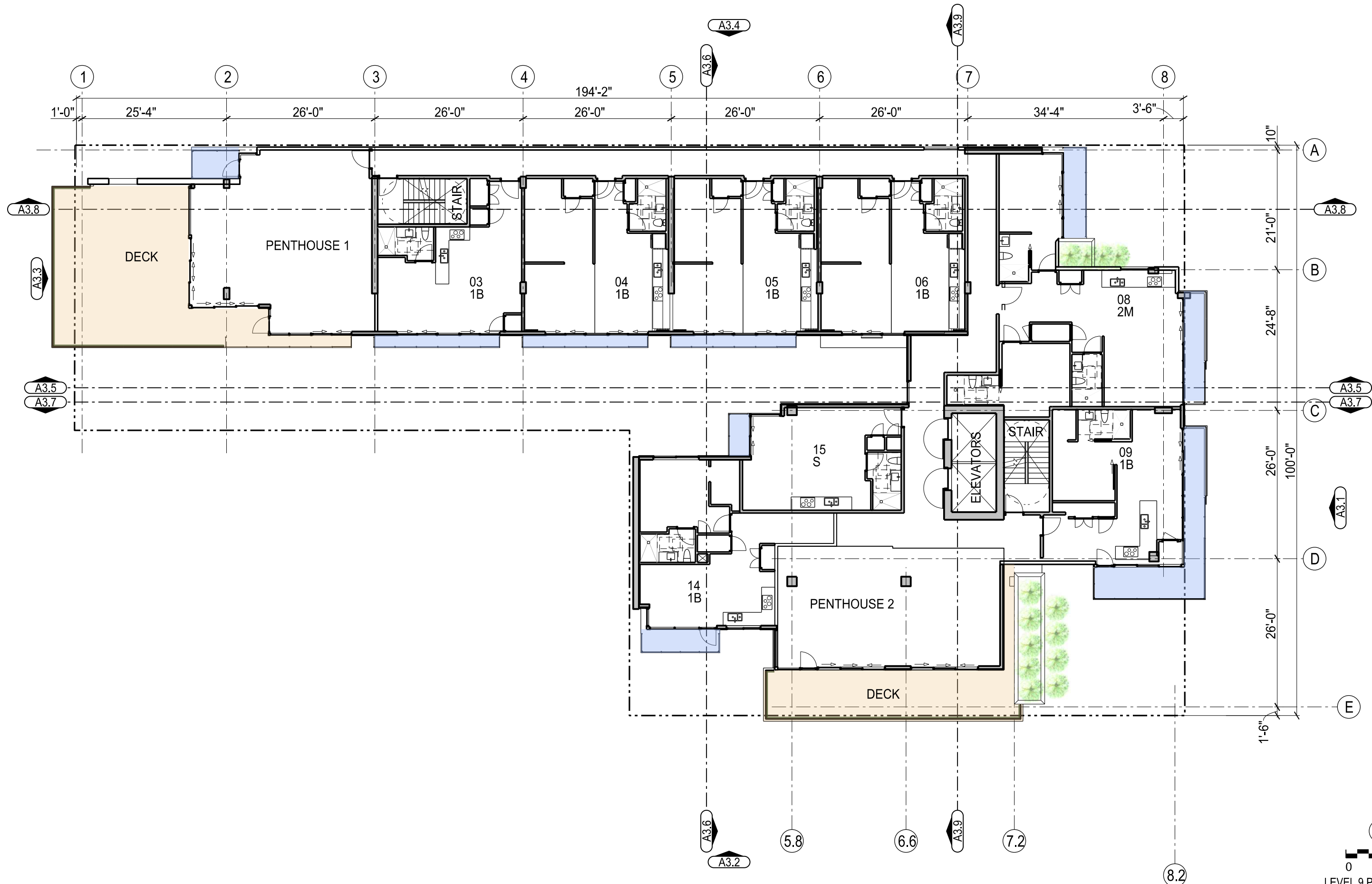
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.17.12

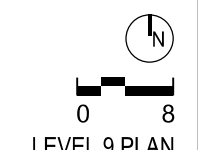
LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

BLOKHAUS



RESIDENTIAL LEVEL 9 A2.9



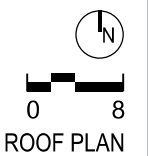
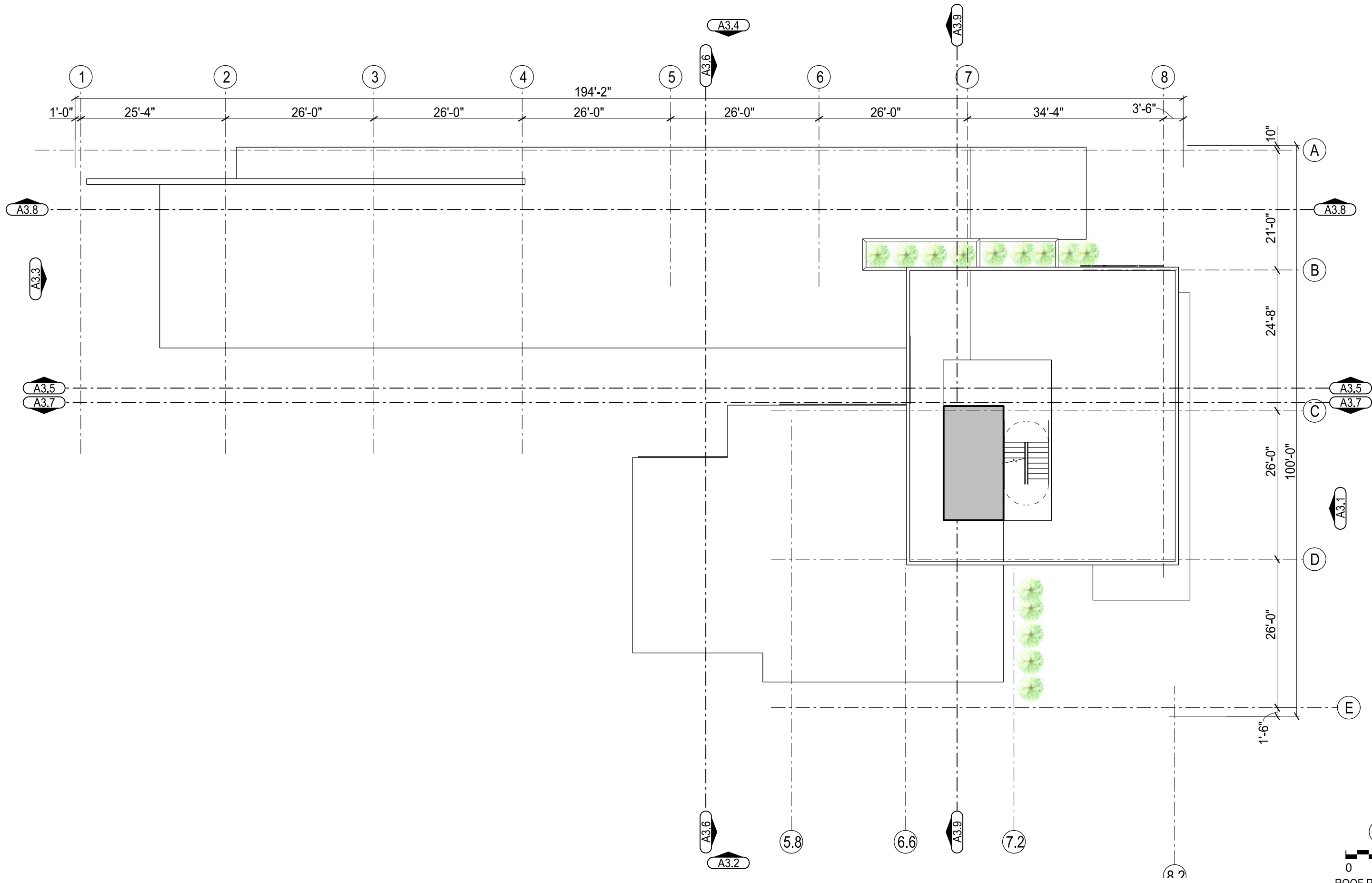
GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.17.12

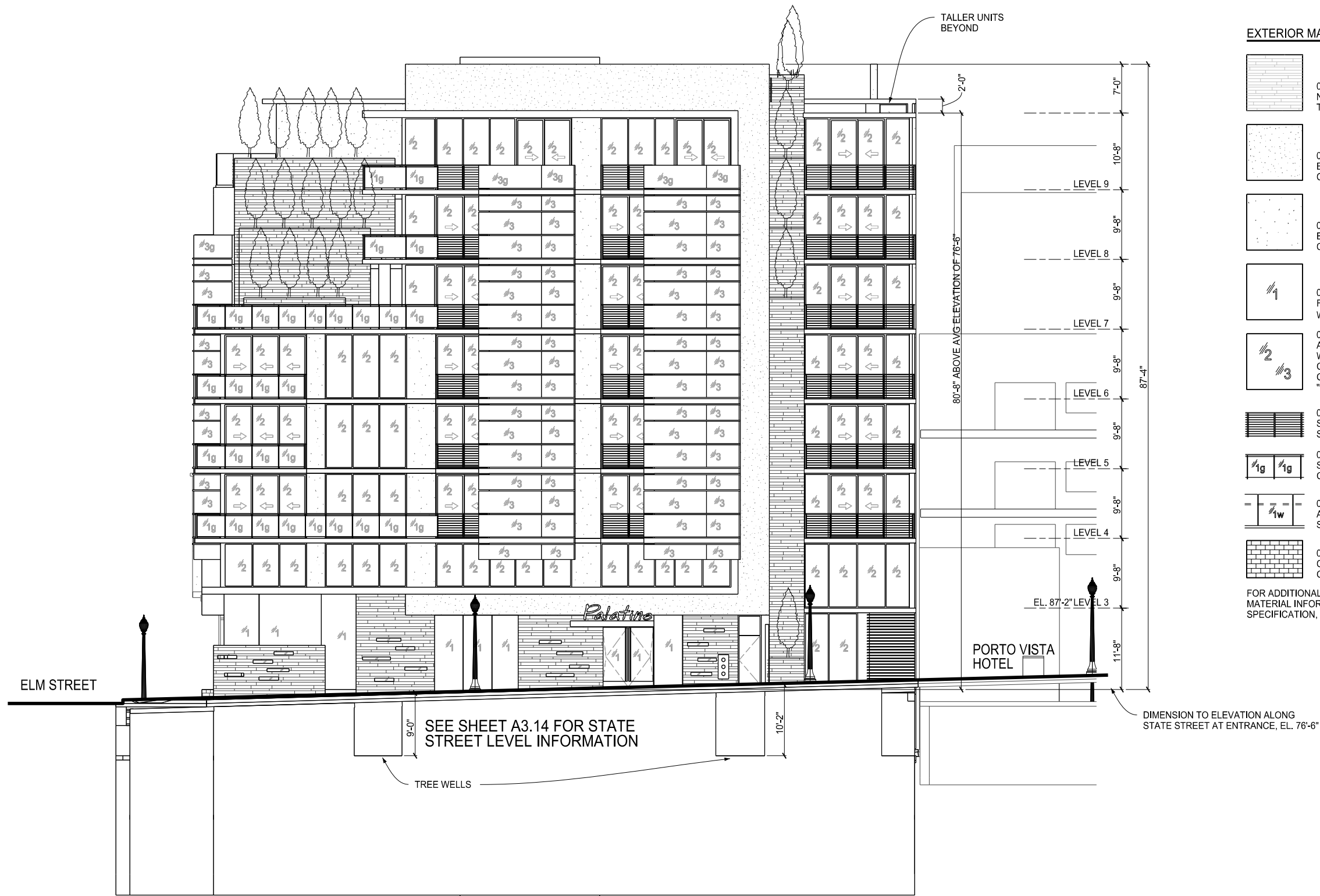
LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

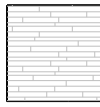
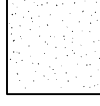

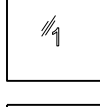
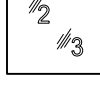
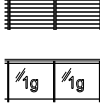
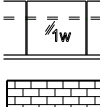


BLOKHAUS



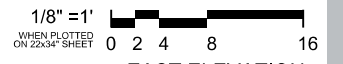
ROOF A2.10



EXTERIOR MATERIALS LEGEND

-  09385.1
NATURAL STONE
TYPE 1
 -  09220.1
EXTERIOR PLASTER
COLOR 1
 -  09220.2
EXTERIOR PLASTER
COLOR 2
 -  08400.1
FRAMELESS GLAZING
WITH 1/2" CLEAR GLASS
 -  08400.2
ALUMINUM FRAME STOREFRONT
WITH 1" INSULATED LOW E GLASS
GLASS TYPE 2: CLEAR
GLASS TYPE 3: TINT OR FRIT TBD
"I" INDICATES FIRE RATED GLASS
 -  05700.ST & 05700.SSC
STEEL RAIL SYSTEM WITH
STAINLESS STEEL CABLES
 -  05721.GG1
STEEL RAIL SYSTEM WITH
GLASS PANELS
 -  05721.WS1
ALL GLASS WINDSCREEN W/
STAINLESS STEEL RAIL
 -  04810
CONCRETE MASONRY UNITS
GROUND FACE
- FOR ADDITIONAL MATERIALS AND MATERIAL INFORMATION SEE OUTLINE SPECIFICATION, SECTION 01990

EAST (STATE) ELEVATION
SCALE: 1/8" = 1'-0"

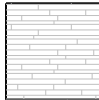

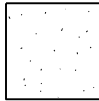
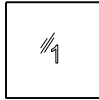
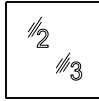
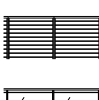
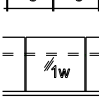




EAST ELEVATION

A3.1



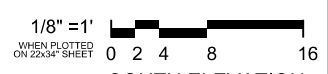
EXTERIOR MATERIALS LEGEND

-  09385.1 NATURAL STONE TYPE 1
-  09220.1 EXTERIOR PLASTER COLOR 1
-  09220.2 EXTERIOR PLASTER COLOR 2
-  08400.1 FRAMELESS GLAZING WITH 1/2" CLEAR GLASS
-  08400.2 ALUMINUM FRAME STOREFRONT WITH 1" INSULATED LOW E GLASS GLASS TYPE 2: CLEAR GLASS TYPE 3: TINT OR FRIT TBD "F" INDICATES FIRE RATED GLASS
-  05700.ST & 05700.SSC STEEL RAIL SYSTEM WITH STAINLESS STEEL CABLES
-  05721.GG1 STEEL RAIL SYSTEM WITH GLASS PANELS
-  05721.WS1 ALL GLASS WINDSCREEN W/ STAINLESS STEEL RAIL
-  04810 CONCRETE MASONRY UNITS GROUND FACE

FOR ADDITIONAL MATERIALS AND MATERIAL INFORMATION SEE OUTLINE SPECIFICATION, SECTION 01990

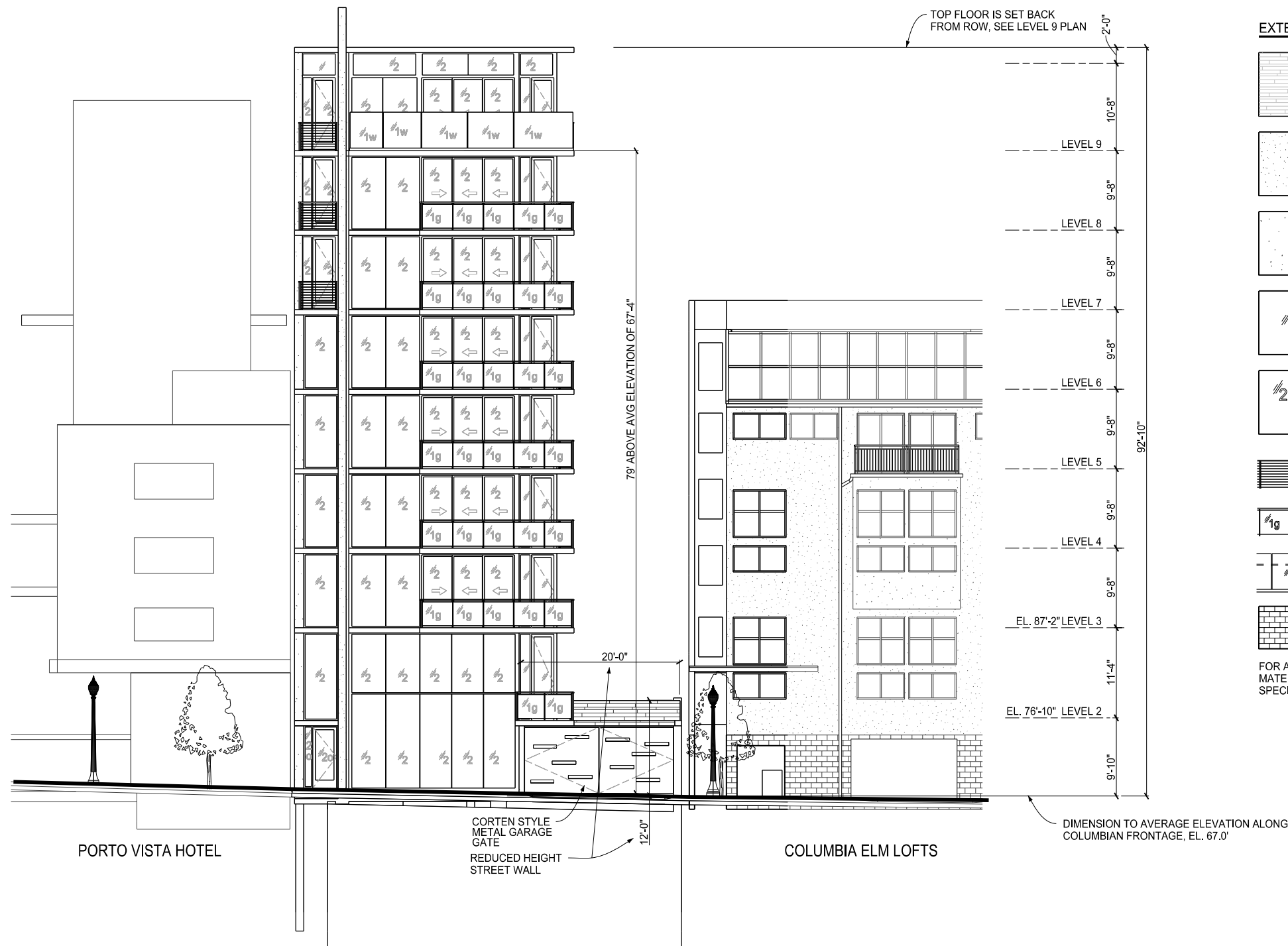
DIMENSION TO ELEVATION ALONG STATE STREET AT ENTRANCE, EL. 76'-6"

SOUTH (ELM) ELEVATION
SCALE: 1/8" = 1'-0"

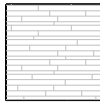
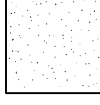
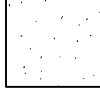
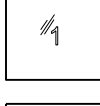
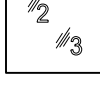
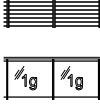
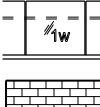
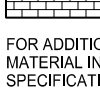



SOUTH ELEVATION

A3.2



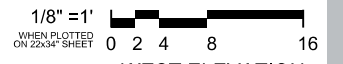
EXTERIOR MATERIALS LEGEND

-  09385.1
NATURAL STONE
TYPE 1
-  09220.1
EXTERIOR PLASTER
COLOR 1
-  09220.2
EXTERIOR PLASTER
COLOR 2
-  08400.1
FRAMELESS GLAZING
WITH 1/2" CLEAR GLASS
-  08400.2
ALUMINUM FRAME STOREFRONT
WITH 1" INSULATED LOW E GLASS
GLASS TYPE 2: CLEAR
GLASS TYPE 3: TINT OR FRIT TBD
"I" INDICATES FIRE RATED GLASS
-  05700.ST & 05700.SSC
STEEL RAIL SYSTEM WITH
STAINLESS STEEL CABLES
-  05721.GG1
STEEL RAIL SYSTEM WITH
GLASS PANELS
-  05721.WS1
ALL GLASS WINDSCREEN W/
STAINLESS STEEL RAIL
-  04810
CONCRETE MASONRY UNITS
GROUND FACE

FOR ADDITIONAL MATERIALS AND MATERIAL INFORMATION SEE OUTLINE SPECIFICATION, SECTION 01990

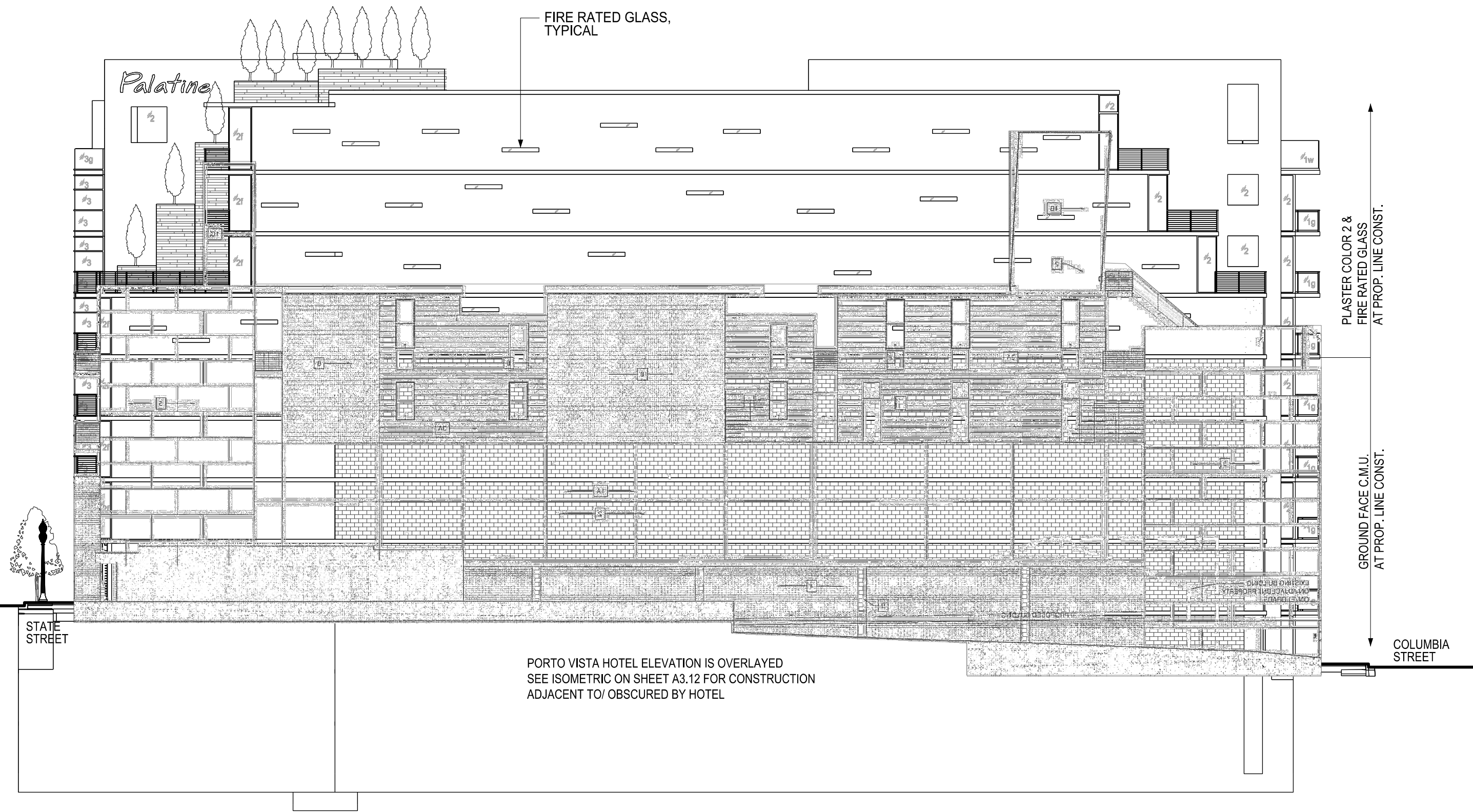
WEST (COLUMBIA) ELEVATION

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



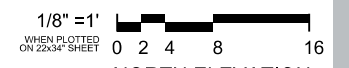
WEST ELEVATION

A3.3



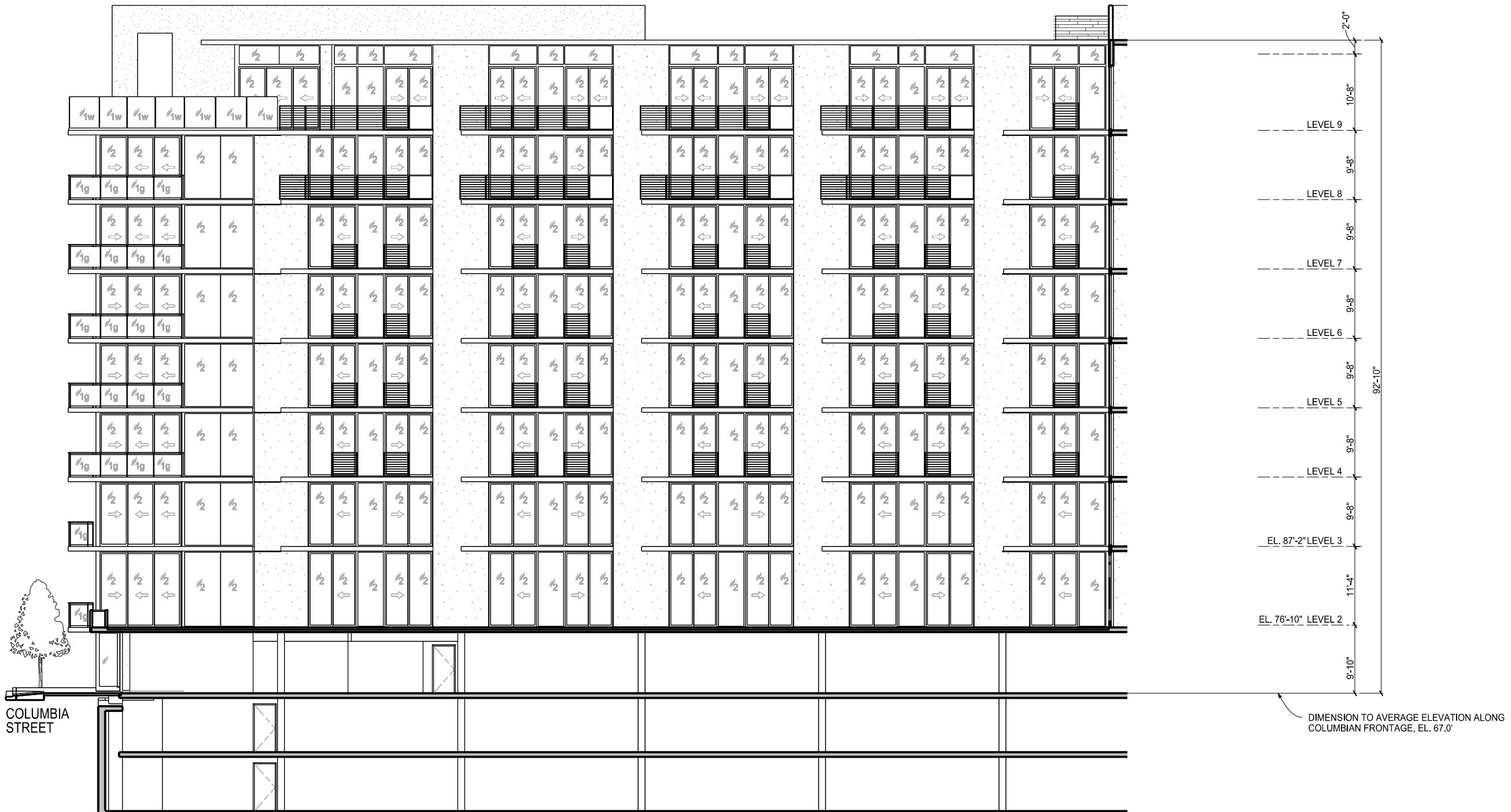
NORTH ELEVATION

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



NORTH ELEVATION

A3.4



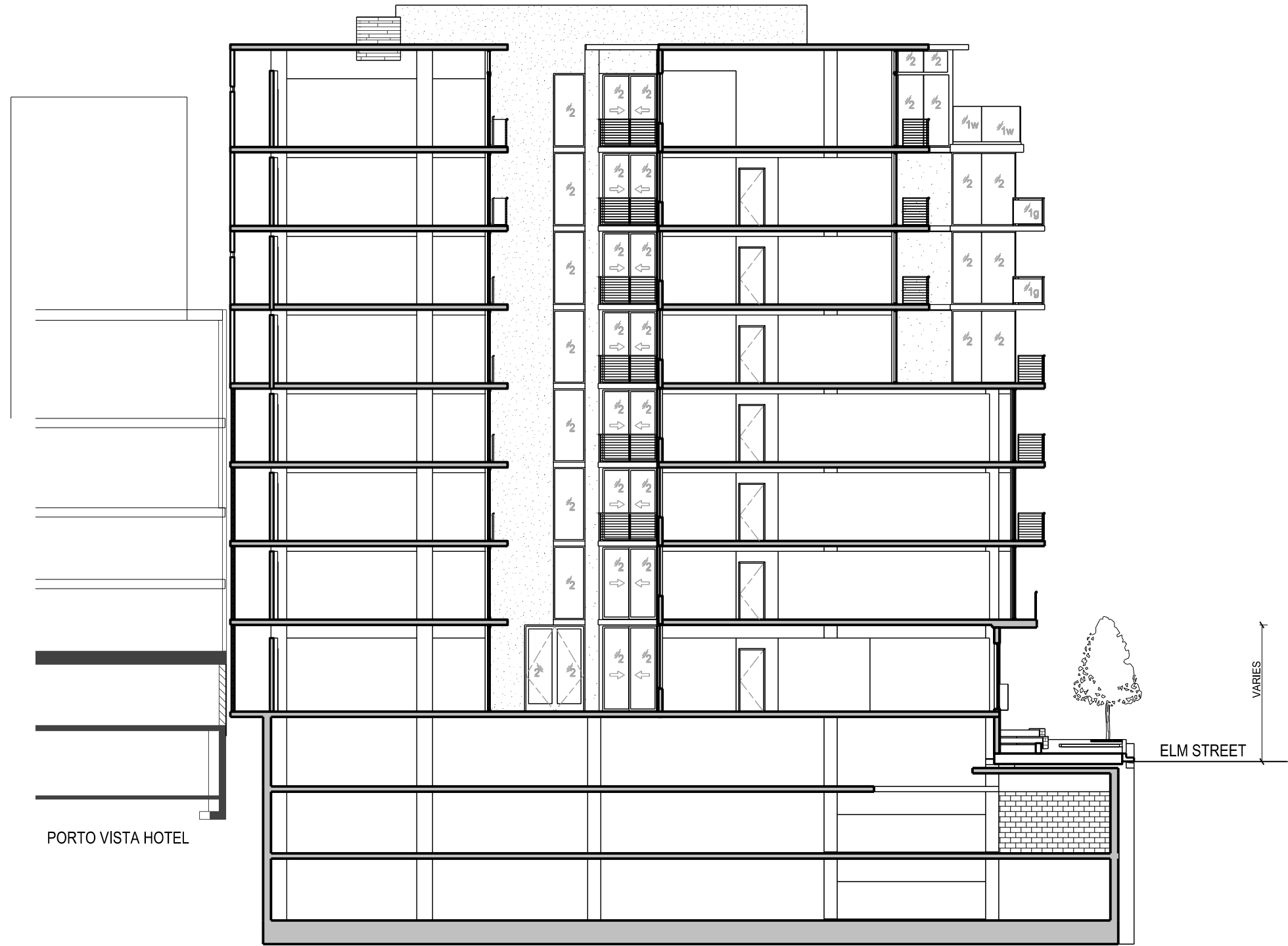
SOUTH COURTYARD ELEVATION -

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



COURTYARD ELEVATION

A3.5



PORTO VISTA HOTEL

ELM STREET

VARIES

BUILDING SECTION /
WEST COURTYARD ELEVATION

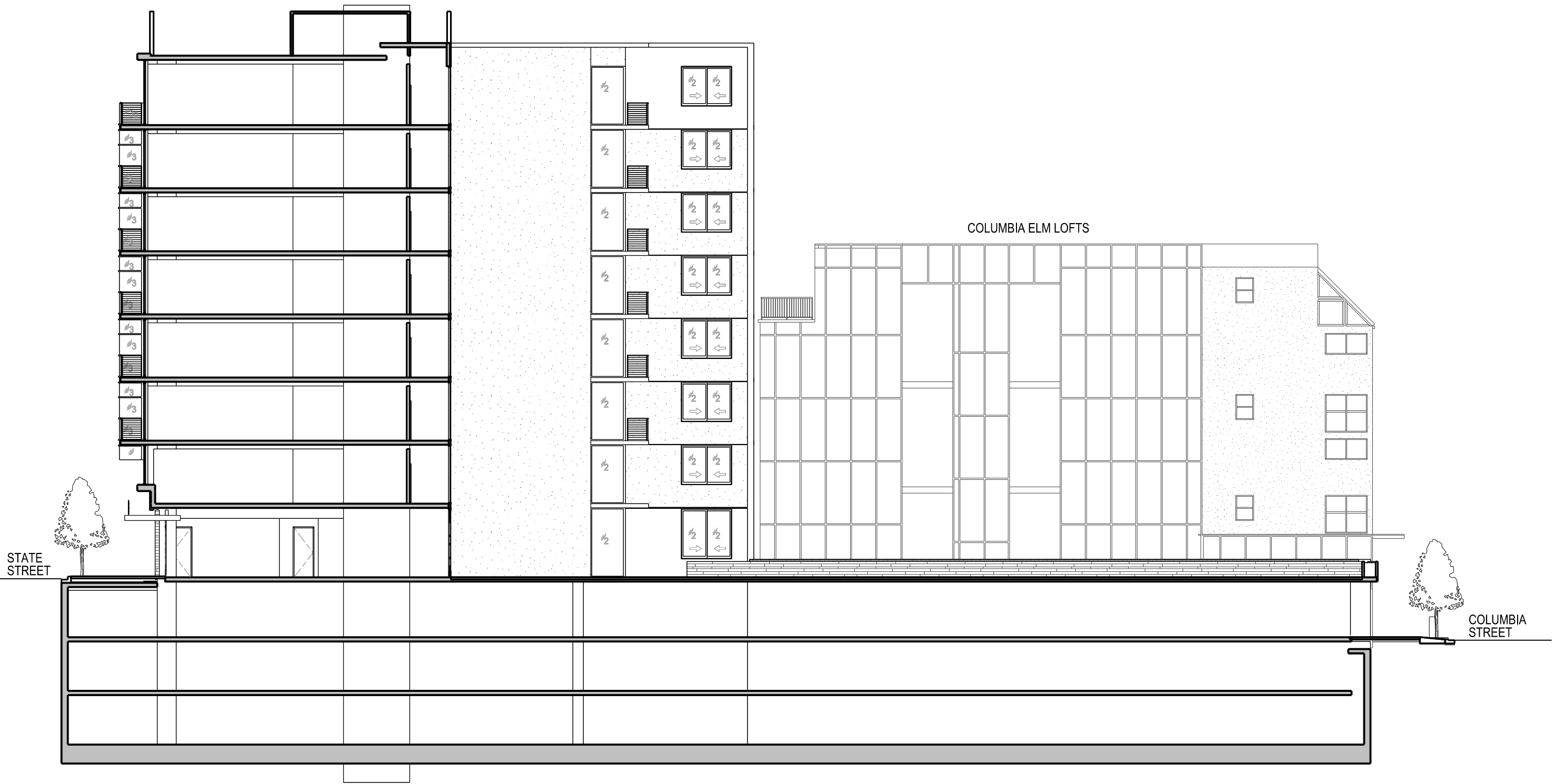
SCALE: 1/8" = 1'-0"



1/8" = 1'
WHEN PLOTTED
ON 22x34" SHEET 0 2 4 8 16

BLDG SECTION / COURTYARD ELEVATION

A3.6



BUILDING SECTION /
NORTH COURTYARD ELEVATION

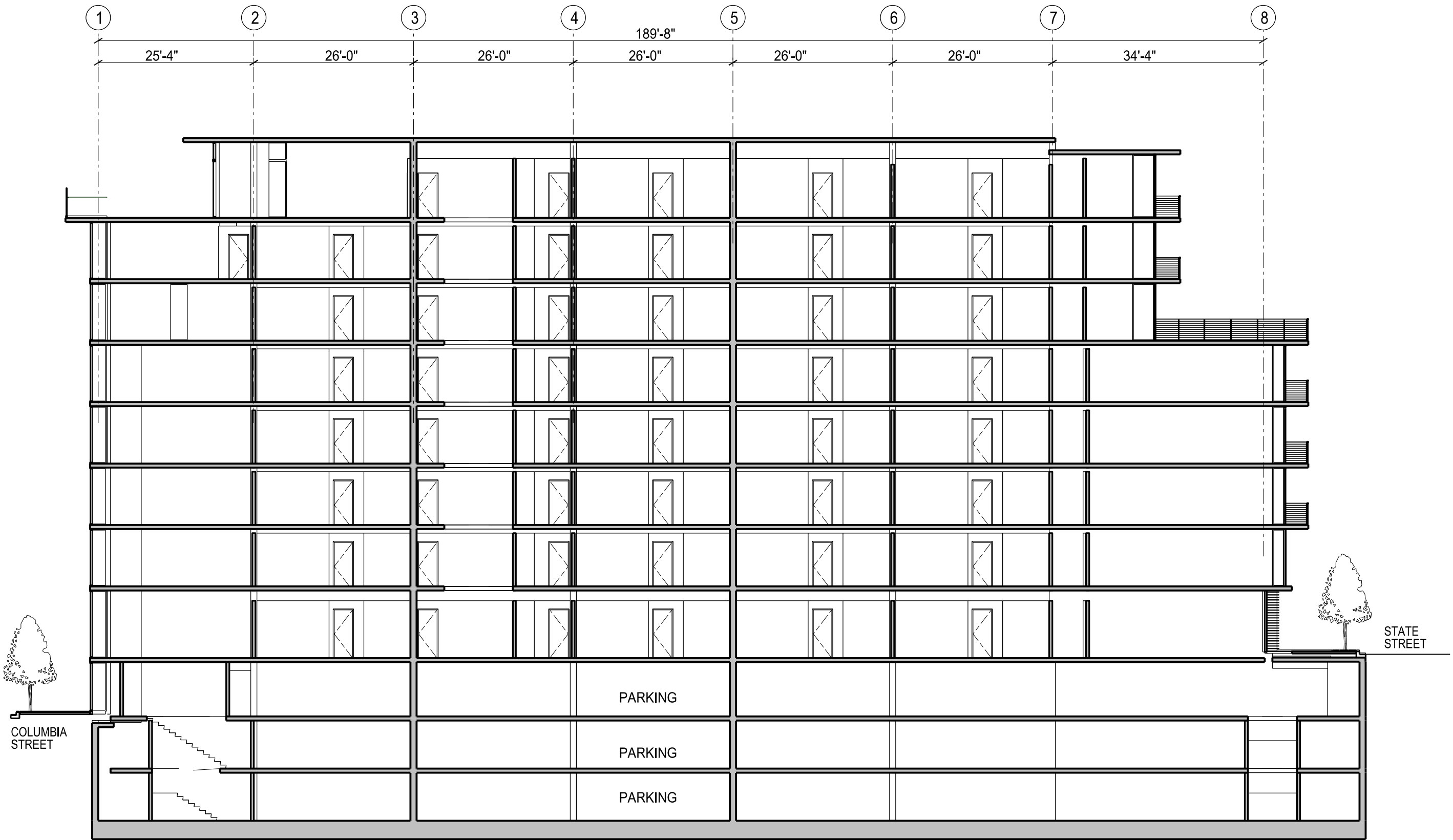
SCALE: 1/8" = 1'-0"



1/8" = 1'
WHEN PLOTTED
ON 22x34" SHEET

BLDG SECTION / COURTYARD ELEVATION

A3.7



EAST-WEST
BUILDING SECTION

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

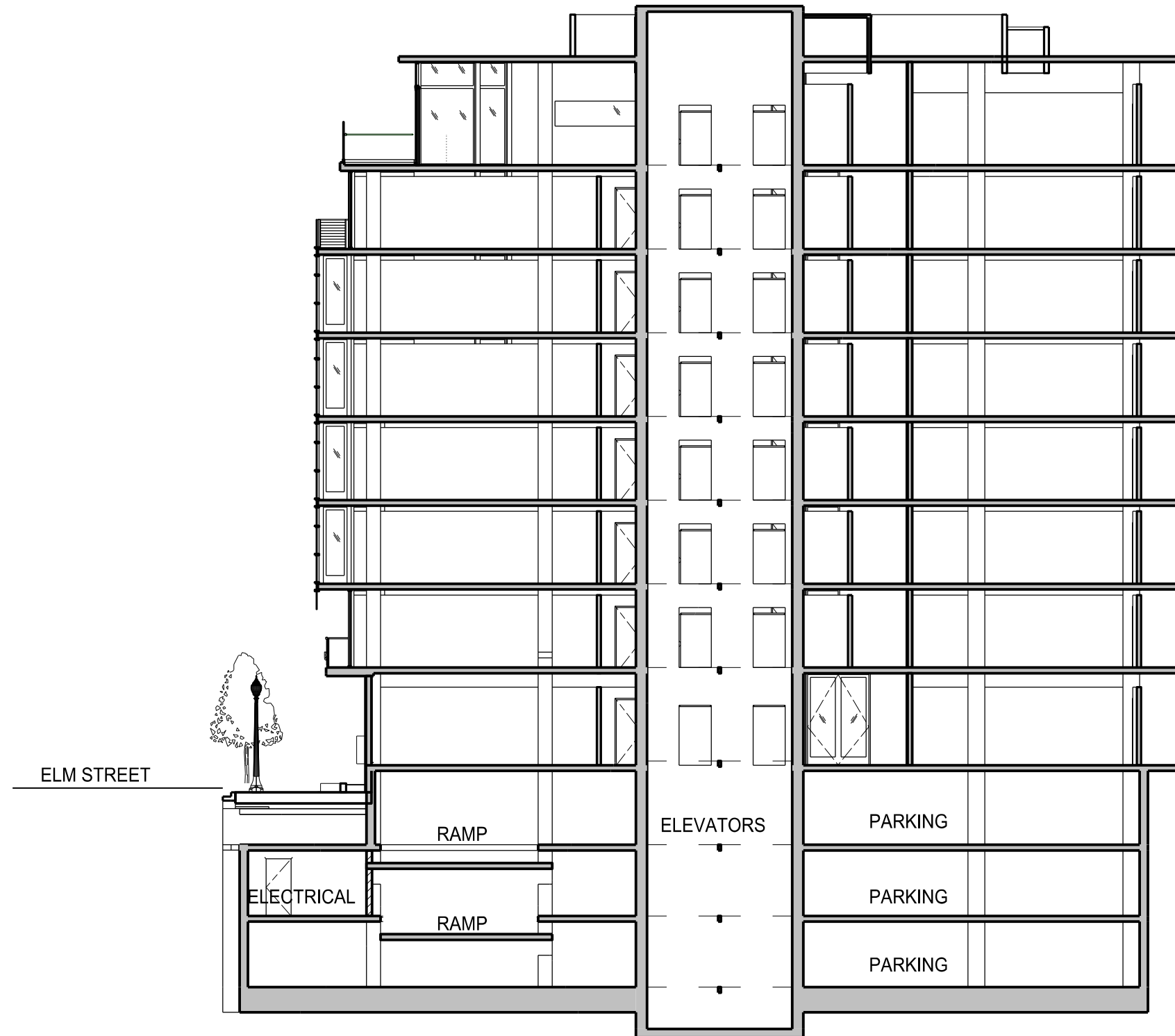


1/8" = 1'
WHEN PLOTTED
ON 22x34" SHEET

0 2 4 8 16

EAST-WEST BUILDING SECTION

A3.8



NORTH SOUTH
BUILDING SECTION

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

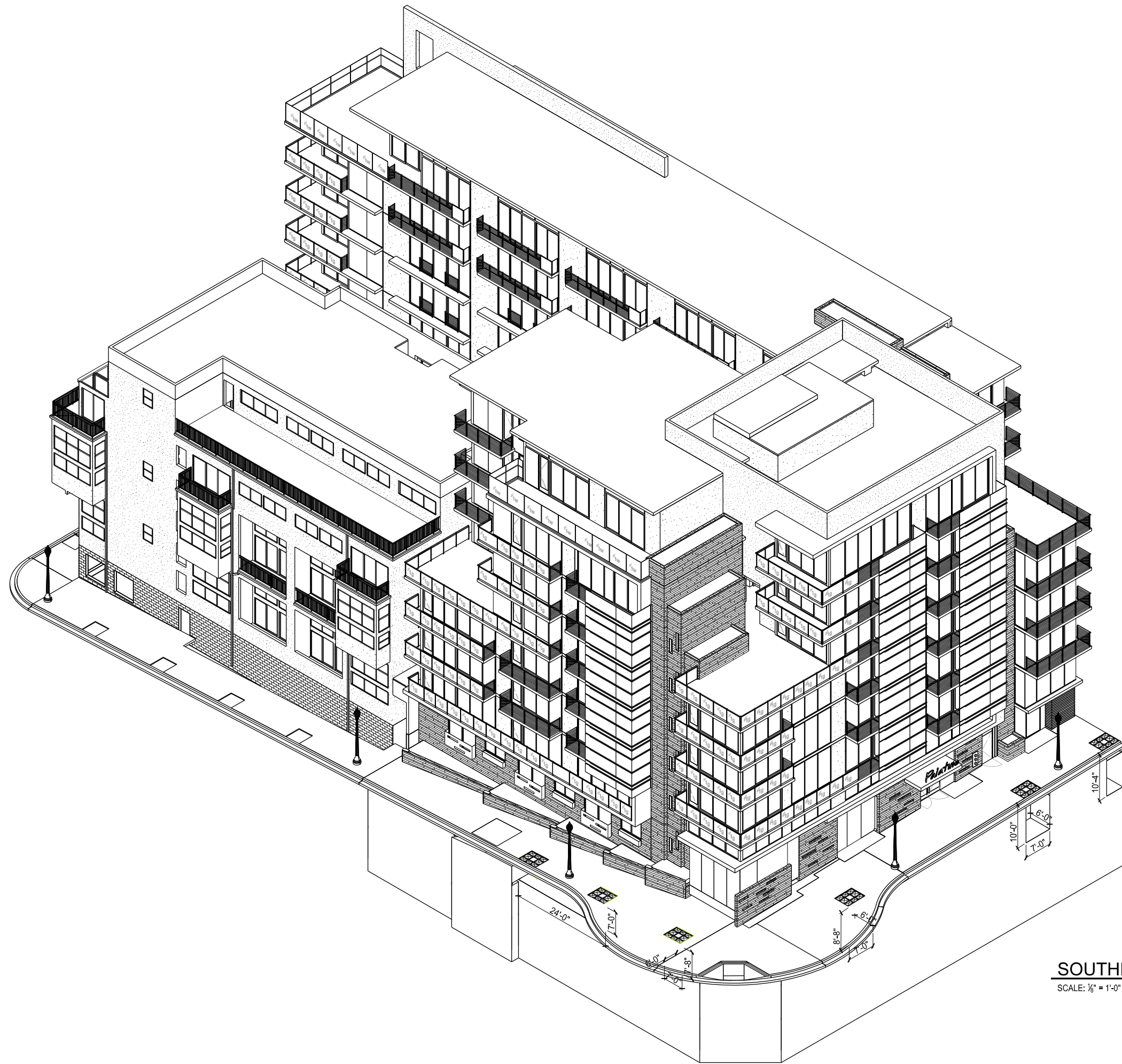


1/8" = 1'
WHEN PLOTTED
ON 22x34" SHEET

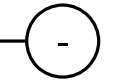
0 2 4 8 16

NORTH-SOUTH BUILDING SECTION

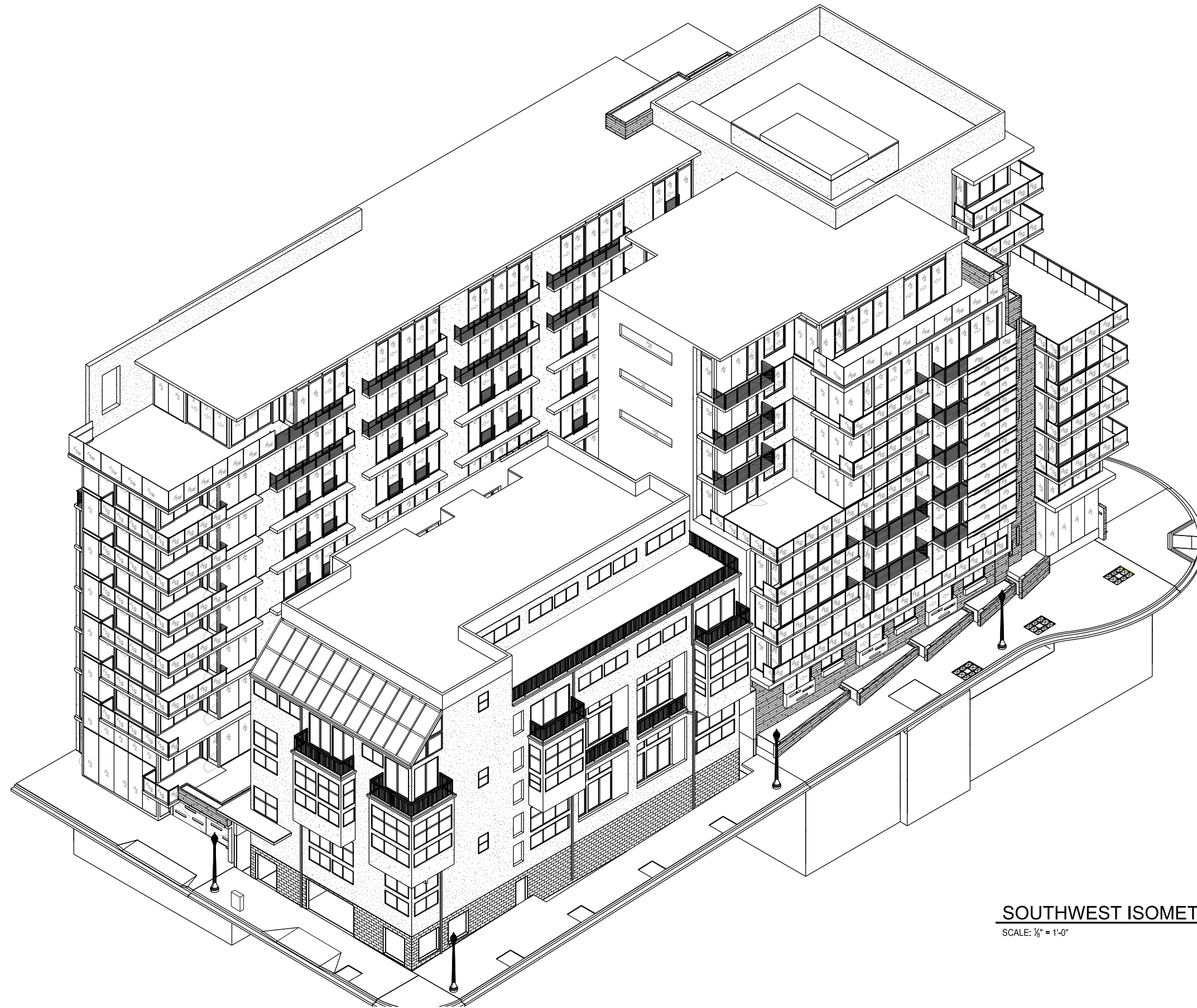
A3.9



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



SOUTHEAST ISOMETRIC
A3.10



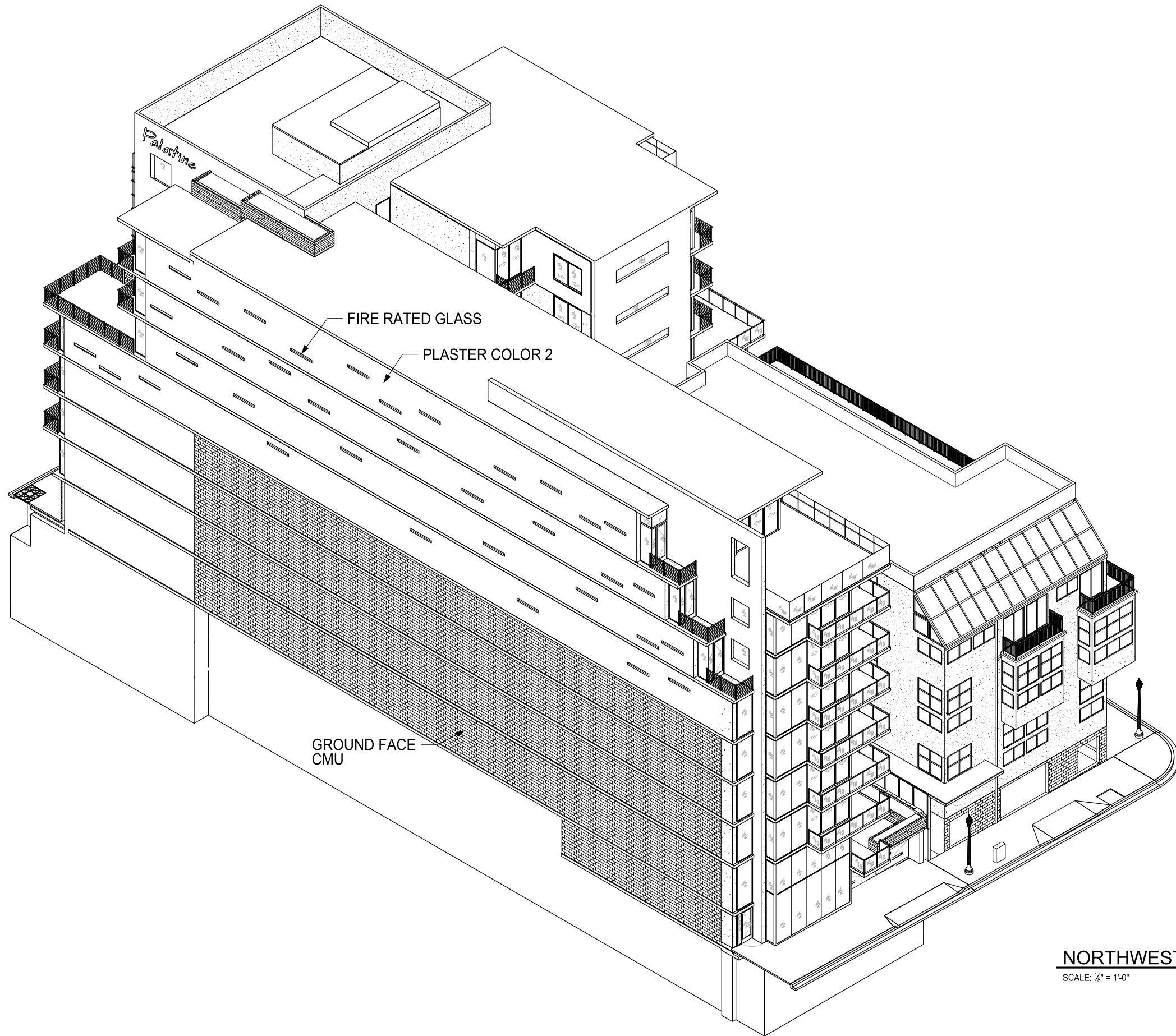
SOUTHWEST ISOMETRIC

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



SOUTHWEST ISOMETRIC

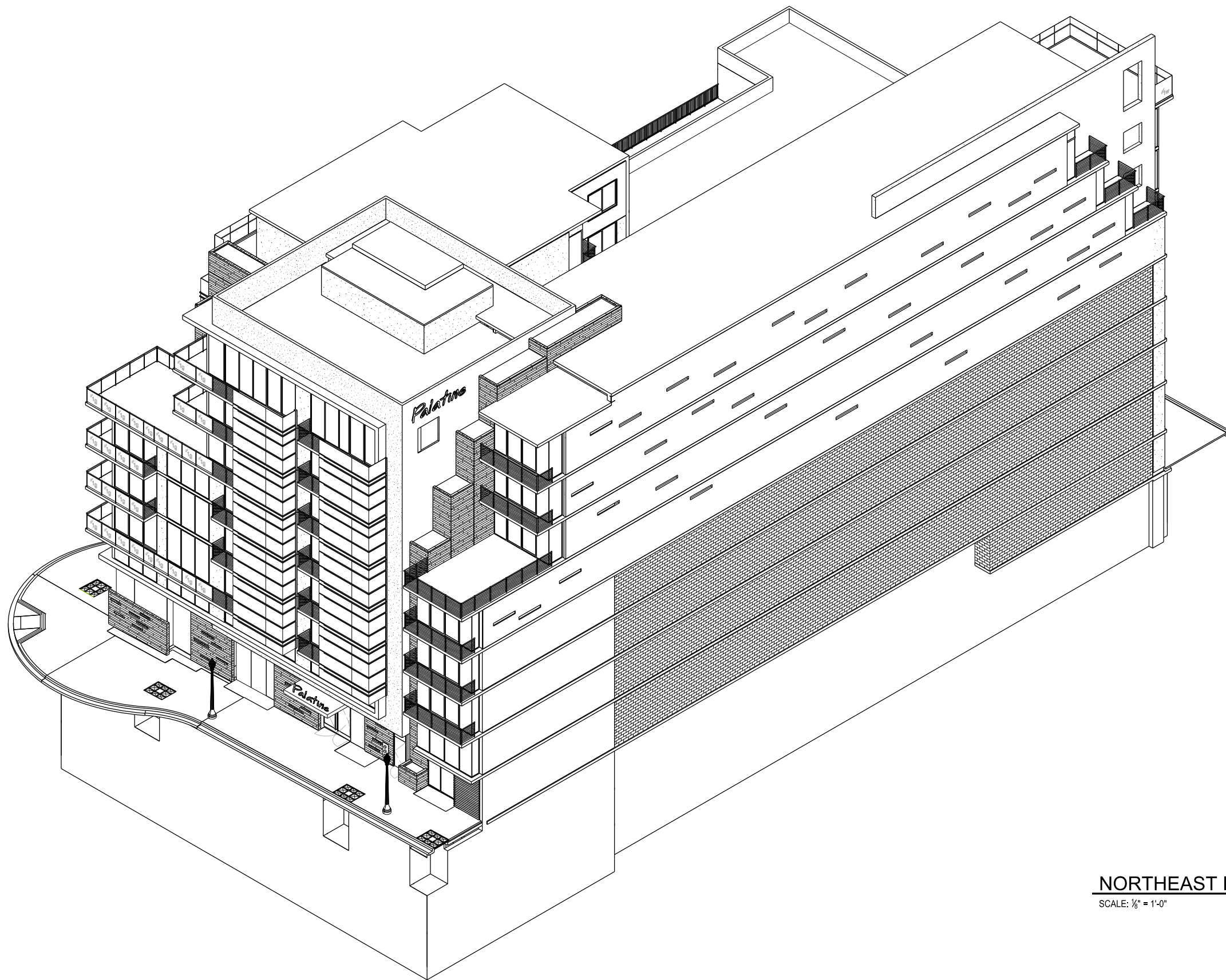
A3.11



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



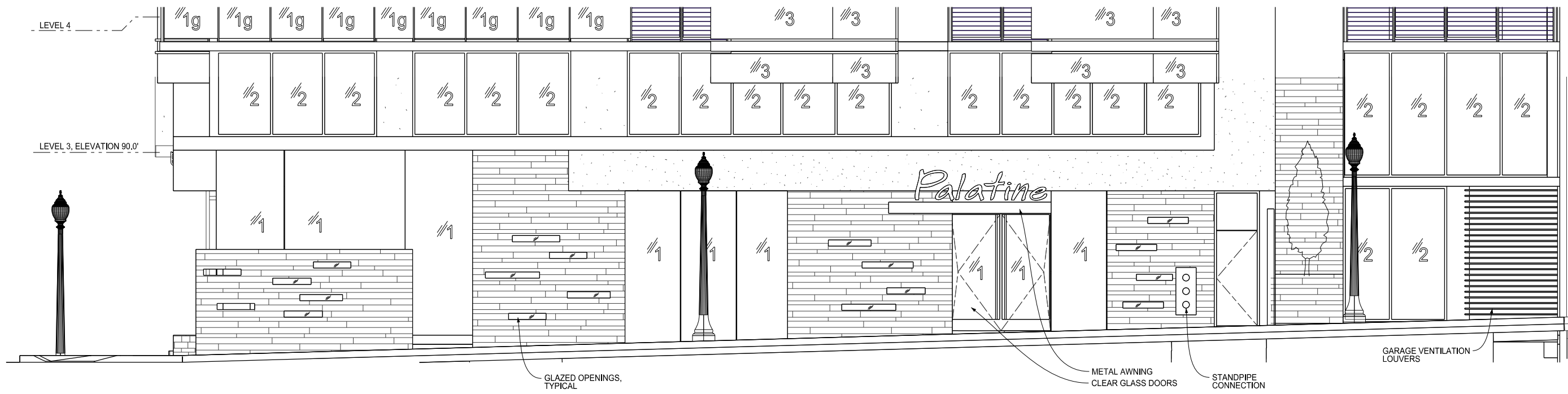
NORTHWEST ISOMETRIC
A3.12



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

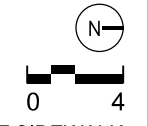
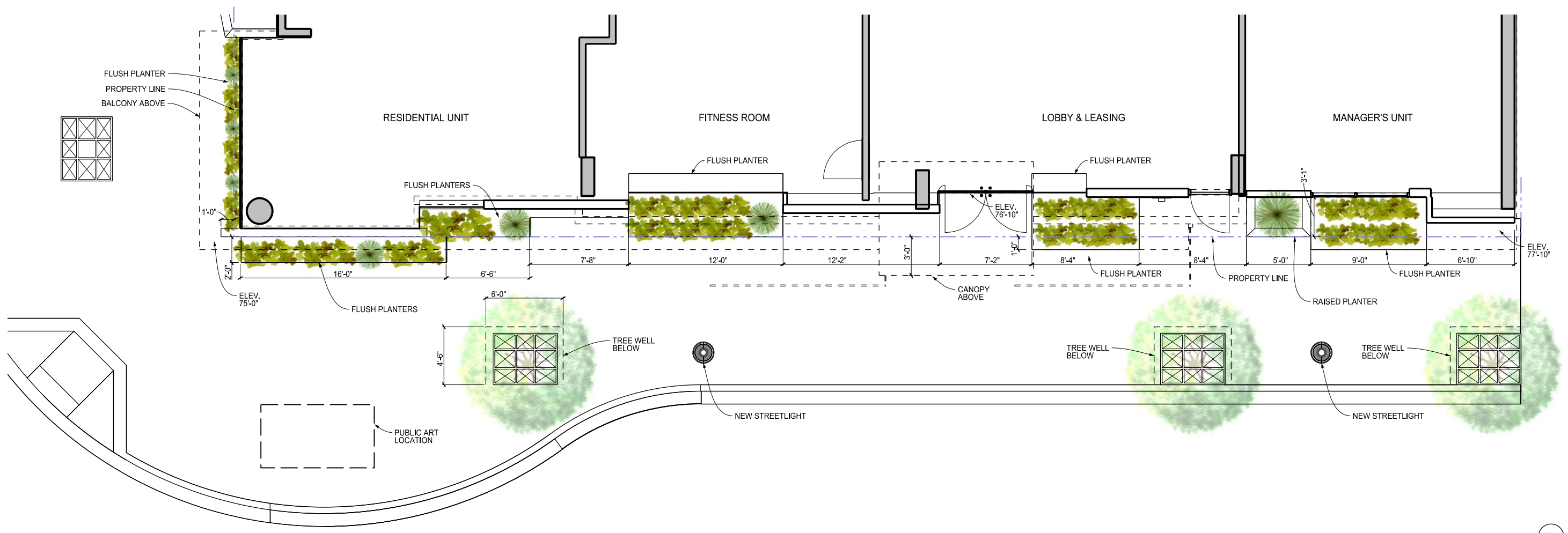


NORTHEAST ISOMETRIC
A3.13



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
02.17.12

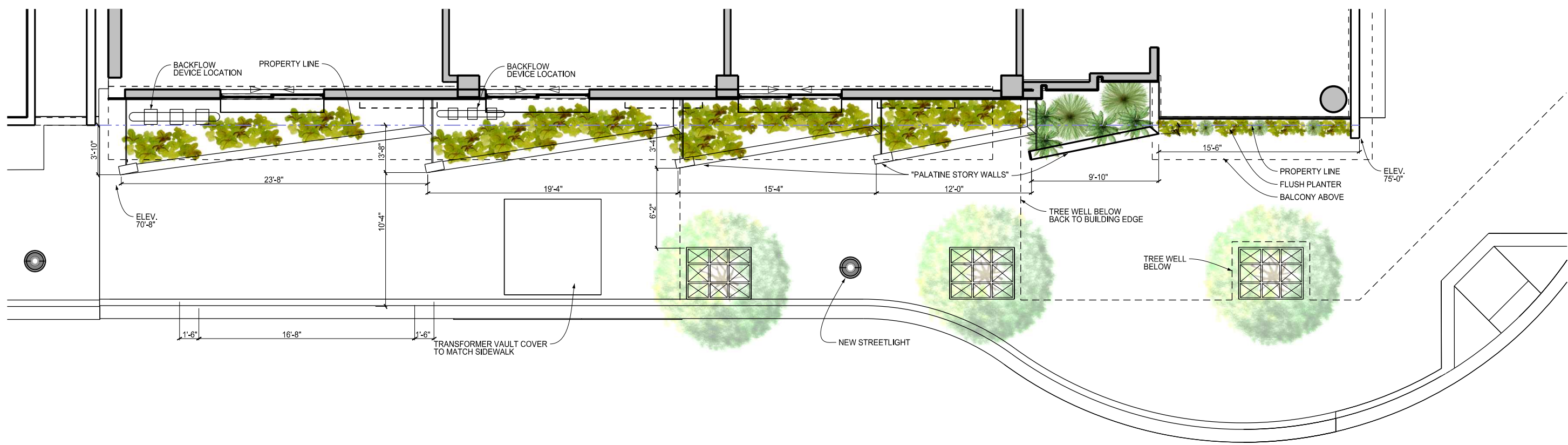
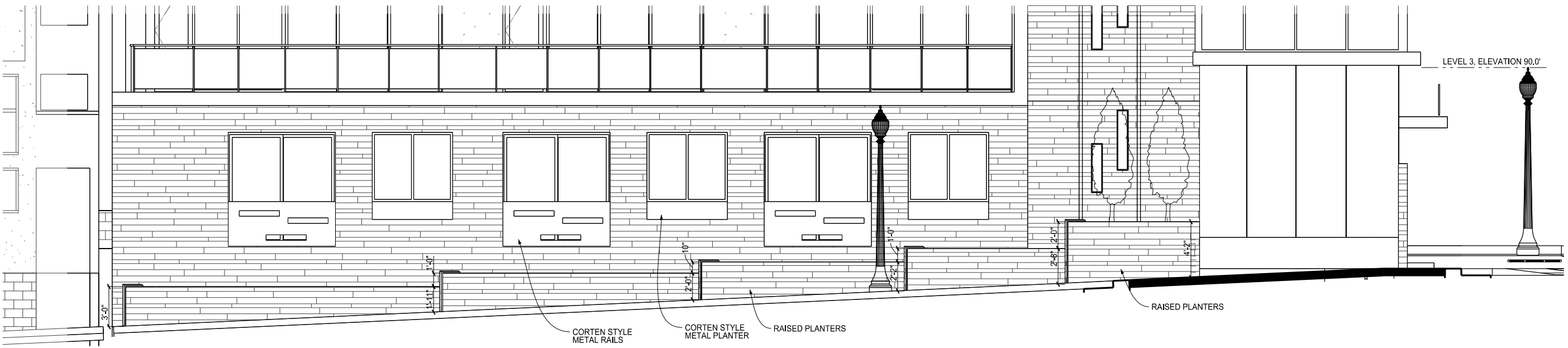


STATE STREET SIDEWALK
PEDESTRIAN EXPERIENCE A3.14

LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

BLOKHAUS



ELM STREET SIDEWALK
PEDESTRIAN EXPERIENCE A3.15





GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
11.19.12

LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

SOUTH ELEVATION - ELM STREET
RENDERINGS
A5.2

BLOKHAUS



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
11.19.12

LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

WEST ELEVATION - COLUMBIA STREET ^{RENDERINGS} A5.3

BLOKHAUS



GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL
11.19.12

LITTLE ITALY, SAN DIEGO, CA

PALATINE
APARTMENT HOMES

NORTH ELEVATION - PV HOTEL IN FOREGROUND ^{RENDERINGS} A5.4



LITTLE ITALY SUN ACCESS ENVELOPE

SHOWN IN PURPLE

EXCEPTION REQUESTED

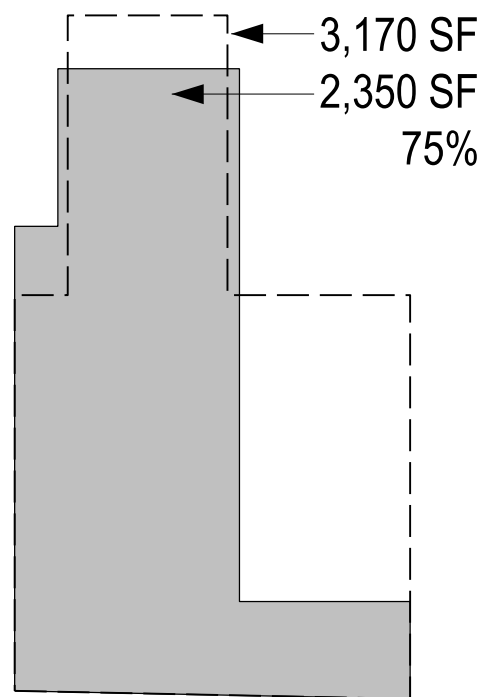
1. SDMC SECTION 156.0310(c)(1)(C), LITTLE ITALY SUN ACCESS ENVELOPE: DUE TO THE CONSTRAINTS OF THIS SITE, WE REQUEST THE FOLLOWING AMOUNT OF STREET FRONTAGE BE ALLOWED UP TO 85':

STATE:	52.5 FEET OUT OF 100=	52.5% (up to 81')
ELM:	44.5 FEET OUT OF 97.5=	45.5% (up to 74')
COLUMBIA:	22.5 FEET OUT OF 50=	45% (up to 79')
OVERALL:	119.5 FEET OUT OF 247.5=	48.3%

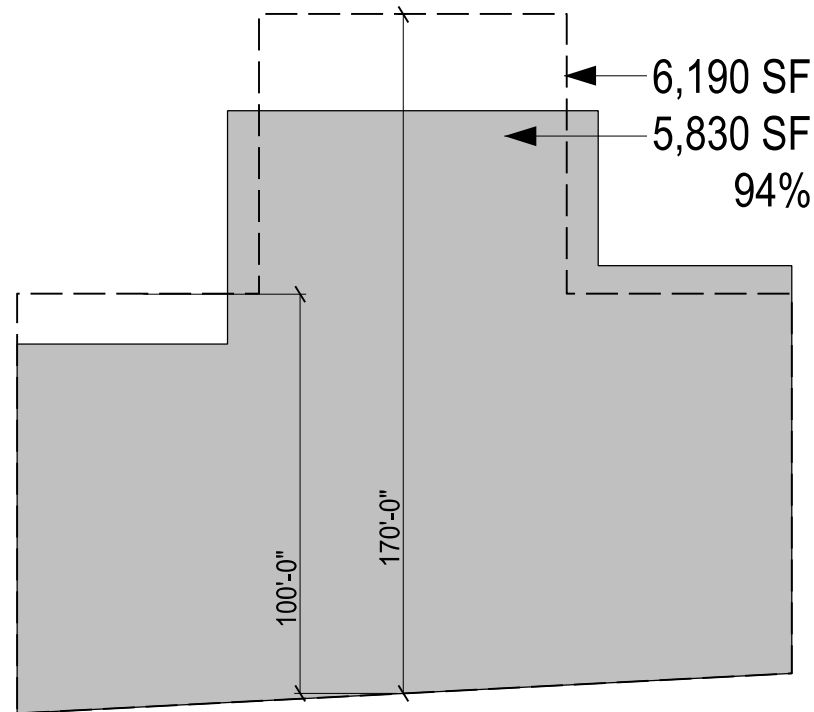
STREET WALL DIAGRAMS:

PROPOSED STREET WALLS SHADED

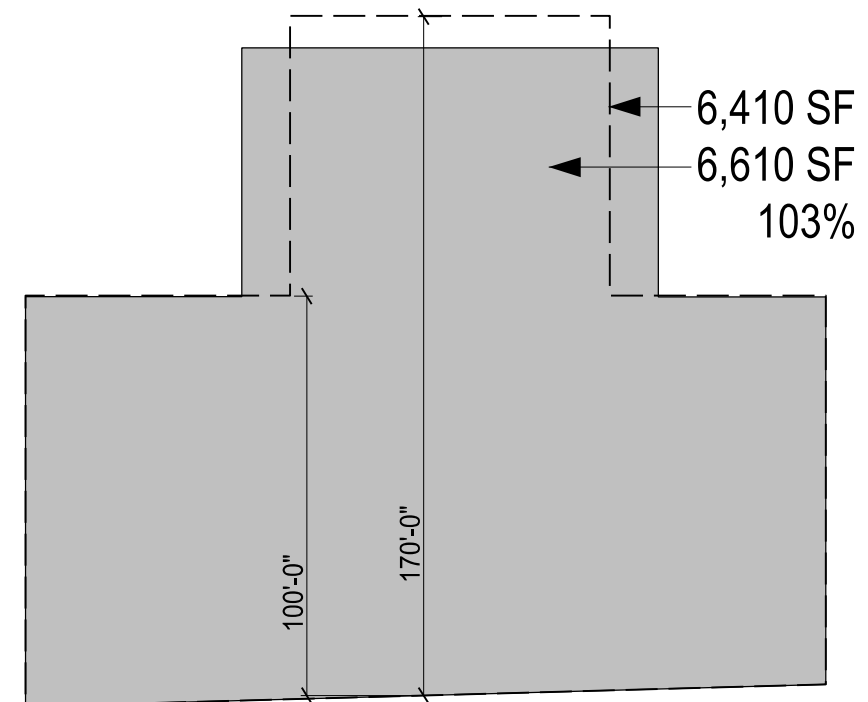
PRESCRIPTIVE STREET WALL DASHED



COLUMBIA
WEST



ELM
SOUTH



STATE
EAST

MINIMUM STREET WALL HEIGHT

EXCEPTION REQUESTED

2. SDMC SECTION 156.0310(d)(2)(D), MINIMUM STREET WALL HEIGHT: TO ALLOW LIGHT INTO AND VIEWS FROM THE INTERNAL UNITS, AND TO ALLOW THE COURTYARD TO DAYLIGHT, WE REQUEST APPROX. 20 LINEAR FEET OF STREET WALL ON COLUMBIA BE ALLOWED AT 12' HIGH, AS OPPOSED TO THE 30' REQUIRED PER SUBSECTION (iv)

THE IMAGE ON THE RIGHT SHOWS THE SOUTH / COLUMBIA STREET ELEVATION. THIS REDUCED STREET WALL ALSO ALLOWS DAYLIGHT INTO THE EXISTING RESIDENTIAL APARTMENTS ON THE CORNER



VIEW ALONG COLUMBIA

STREET WALL HEIGHT

RENDERINGS
A5.5b



OFF-STREET LOADING

EXCEPTION REQUESTED

3. SDMC SECTION 156.0313(a)(2), OFF STREET LOADING: THIS PROJECT CURRENTLY EXCEEDS THE 100 UNIT THRESHOLD BY ONLY 1, THERE IS LIMITED ACCESS & HEADROOM INTO THE GARAGE AND DUE TO THE SITE CONSTRAINTS EXTREMELY LIMITED GARAGE SPACE & MANEUVERABILITY. A MOVING VAN IS NOT FEASIBLE WITHIN THIS GARAGE, NOR IS IT LIKELY GIVEN THE SIZE OF THE UNITS.

4 DRIVEWAYS EXIST ON COLUMBIA (SHOWN IN RED). AN ADDITIONAL DRIVEWAY/ CURB CUT WOULD DEGRADE THE PEDESTRIAN EXPERIENCE AND REDUCE STREET PARKING BY 1 TO 2 SPACES.

A PARALLEL LOADING ZONE ON STATE COULD BE MANAGED SO THAT PARKING IS AVAILABLE MOST OF THE TIME

ENTRANCE
 PROPOSED LEADING ZONE

SITE PLAN



ELM STREET LOOKING WEST



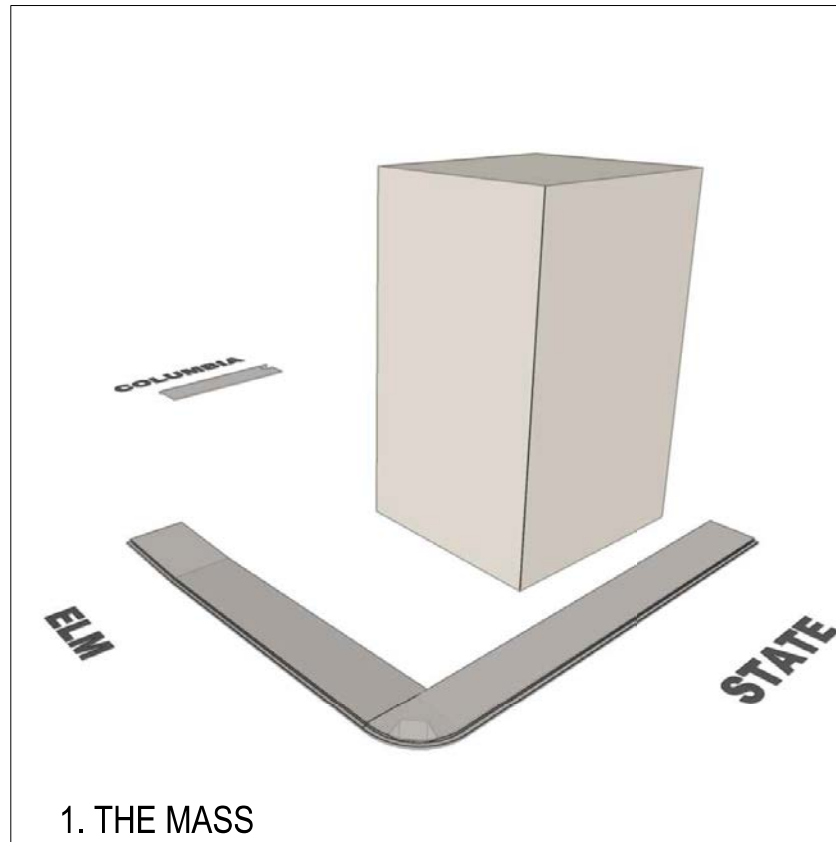
STATE STREET LOOKING NORTH



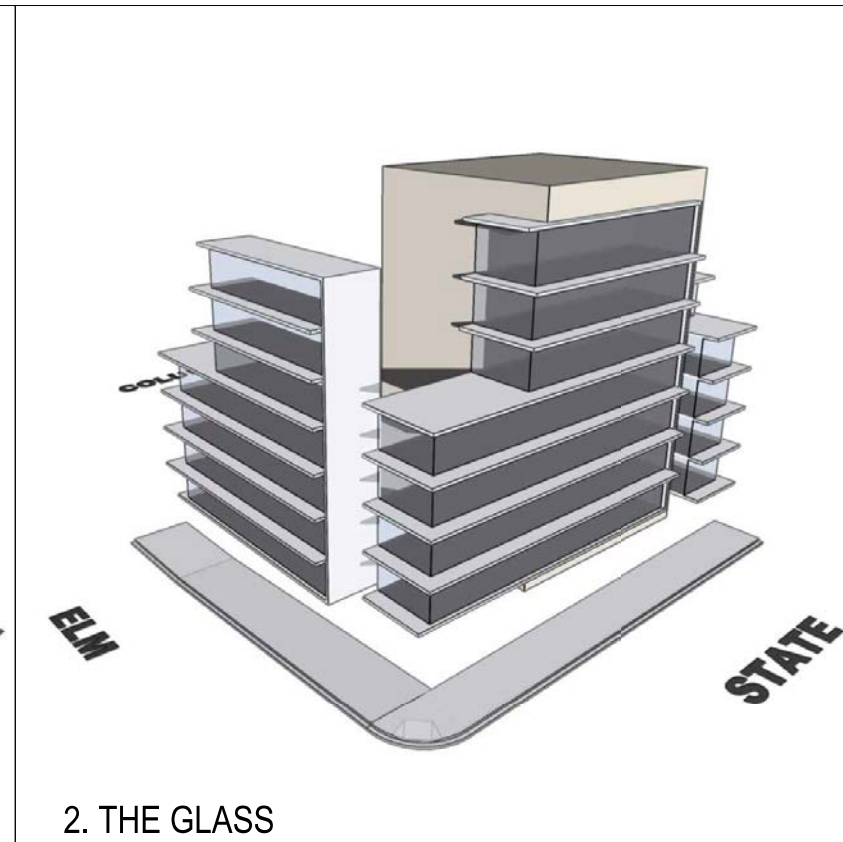
ELM STREET LOOKING EAST



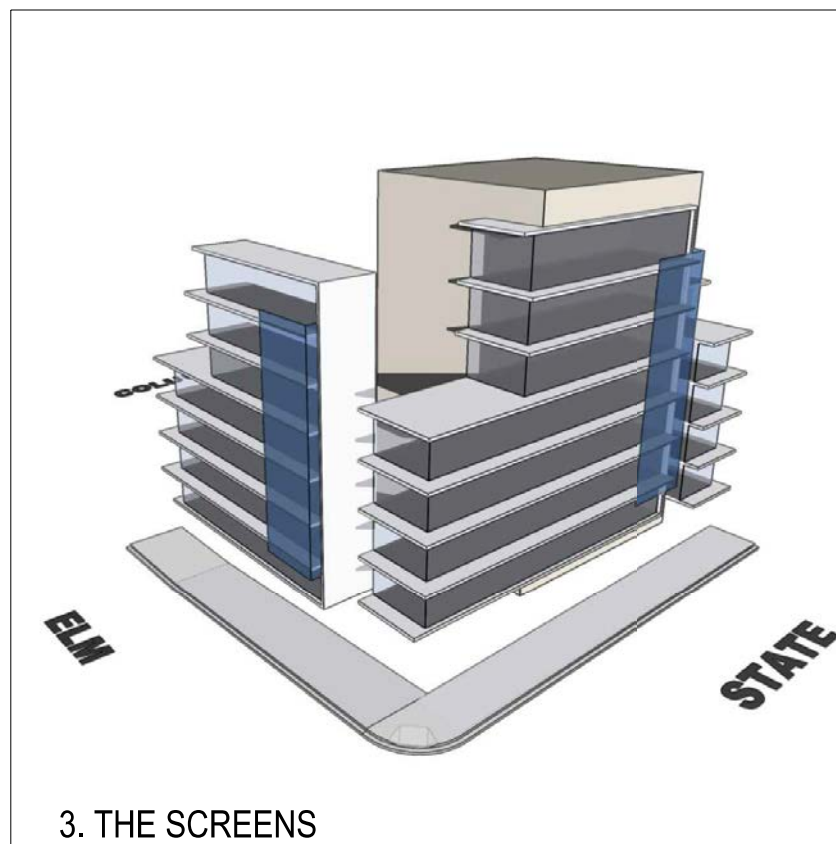
STATE STREET LOOKING SOUTH



1. THE MASS



2. THE GLASS



3. THE SCREENS



4. THE GARDENS



CONCEPTS

1. THE MASS - IN THE CENTER OF THE PROJECT, FLOATS ABOVE STATE STREET.
2. THE GLASS - WITH CONCRETE SHELLS SURROUNDS THE MASS, CONNECTING THE RESIDENTS TO THE SURROUNDING CITY.
3. THE SCREENS - ORIEL WINDOWS ALLOW LIVING SPACES IN THE PUBLIC REALM OVER THE SIDEWALK.
4. THE GARDENS - STONE CLAD WALLS AND PLANTERS SEPARATE THE GLASS & CONCRETE FORMS AND WRAP ALONG THE SIDEWALKS ENHANCING THE PEDESTRIAN EXPERIENCE.



LOW LEVEL VIEW, STATE & ELM

GRAHAM DOWNES ARCHITECTURE

CCDC SUBMITTAL

11.19.12

PALATINE

APARTMENT HOMES

LITTLE ITALY, SAN DIEGO, CA