

#### THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

November 27, 2013

REPORT NO. PC-13-124

ATTENTION:

Planning Commission, Agenda of December 5, 2013

SUBJECT:

POINT LOMA MARKET PLACE EXTENSION OF TIME

PROJECT NO. 327742 - PROCESS 4.

OWNER/

Catalina-Talbot Properties, a California Limited Liability Company

(Attachment 9)

APPLICANT:

Mark Linman, Land Use and Development Consulting

#### SUMMARY

<u>Issue</u>: Should the Planning Commission approve an Extension Of Time for a previously approved Planned Development Permit and Coastal Development Permit for a partial demolition/addition/remodel of an existing neighborhood shopping center located at 955 Catalina Boulevard within the Peninsula Community Plan area?

<u>Staff Recommendation</u>: Approve Extension of Time No. 1145020 for Planned Development Permit No. 544434 and Coastal Development Permit No. 544449.

<u>Community Planning Group Recommendation</u>: On August 15, 2013 the Peninsula Community Planning Board voted 7-2-0 to recommend approval of the Extension of Time with no conditions (Attachment 8).

<u>Environmental Review</u>: An exemption was prepared and certified for the original project, Planned Development Permit No. 544434 and Coastal Development Permit No. 544449. No subsequent exemption or other environmental document is required for this Extension of Time, as all of the potential impacts were adequately addressed in the exemption for the previously approved project.

<u>Fiscal Impact Statement</u>: None associated with this action. All costs associated with the processing for this project are paid by the applicant.

Code Enforcement Impact: None with this action

#### **BACKGROUND**

The proposed project is an Extension of Time to Planned Development Permit No. 544434 and Coastal Development Permit No. 544449, approved by the Planning Commission on June 3, 2013. The previously approved development permit allowed the demolition of an existing three-story, approximately 7,009 square foot, commercial office building located at the corner of Talbot and Canon Streets; and a one-story, approximately 1,720 square foot, commercial retail/office building located at the corner of Catalina Boulevard and Canon Street. The project proposes to replace the structures with two new one-story retail commercial buildings. Building "C" is a proposed 4,258 square foot structure to be located at the corner of Canon and Talbot Streets, and Building "B" is a proposed 4,229 square foot structure to be located at the corner of Catalina Boulevard and Talbot Street. The existing shopping center totals approximately 30,153 square feet of gross floor area. After the proposed construction, the resulting shopping center will total approximately 29,911 square feet of gross floor area. The off-street parking will be increased from 149 to 150 vehicle parking spaces.

The 2.39-acre project site is located at 955 Catalina Boulevard in the CN-1-1 and RS-1-7 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Airport Approach Overlay Zone. The site is located on a triangular shaped property, directly east of Catalina Boulevard, south of Talbot Street and west of Canon Street within the Peninsula Community Plan area, which has a Neighborhood Commercial Land Use designation. The site is surrounded by single family residential development.

#### DISCUSSION

An Extension of Time application limits the City in its review. No new conditions or modification of an existing condition may be attached to the approval of an Extension of Time, unless new conditions are mandated to comply with State or Federal law, or are necessary to protect the health and safety of the residents of the surrounding area. The requested Extension of Time is consistent with these requirements and no new conditions are applied.

#### CONCLUSION

Staff has reviewed the proposed Extension of Time for the project and determined it complies with the San Diego Municipal Code and current State and Federal laws, and that the required findings can be supported. Staff recommends approval the proposed Extension of Time.

#### **ALTERNATIVES**

- 1. **Approve** Extension of Time No. 1145020, with modifications.
- 2. Deny Extension of Time No. 1145020 if the findings required to approve the project cannot be affirmed.

#### Respectfully submitted,

Mike Westlake

Acting Deputy Director

Development Services Department

William Zounes Project Manager

Development Services Department

TOMINSON/WJZ

#### Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Draft Permit Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Recorded Permit: Planned Development Permit No. 544434 and Coastal Development Permit No. 544449.
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure Statement
- 9. Project Chronology
- 10. Project Plans



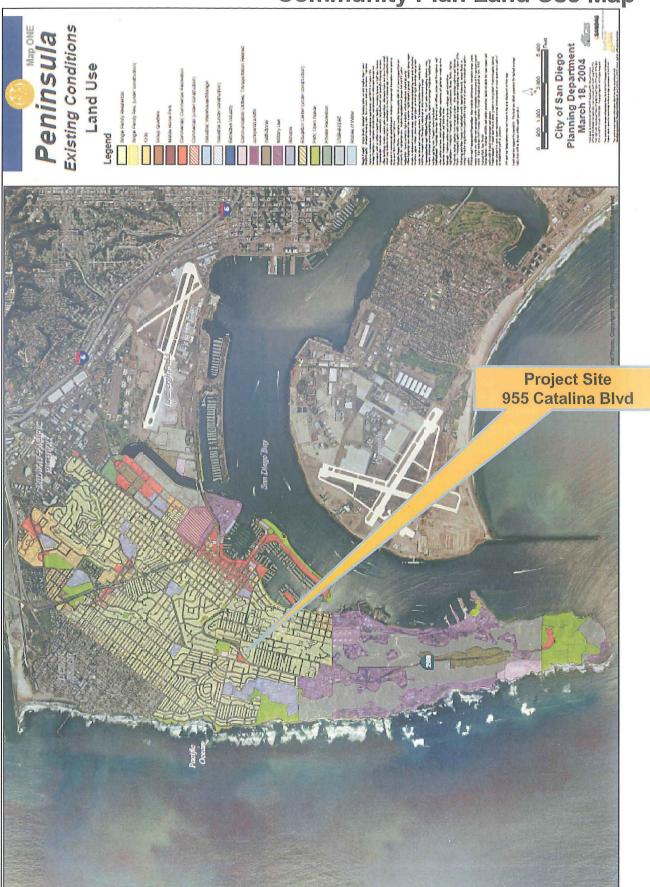


Aerial Photograph (Birds Eye)
Point Loma Marketplace EOT- Project No. 327742

955 Catalina Blvd



Attachment 2 Community Plan Land Use Map



# Attachment 3 Project Location Map

# Attachment 4 Permit Resolution with Findings

# PLANNING COMMISSION RESOLUTION NO. EXTENSION OF TIME NO. 1145020 EXTENSION OF TIME TO PLANNED DEVELOPMENT PERMIT NO. 544434 AND COASTAL DEVELOPMENT PERMIT NO. 544449 POINT LOMA MARKET PLACE – PROJECT NO. 327742

WHEREAS, CATALINA-TALBOT PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, Owner/Permittee, filed an application with the City of San Diego for a three-year Extension of Time to Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 to demolish two existing commercial buildings within an existing commercial shopping center and construct two, single-story commercial buildings. The project site is located at 955 Catalina Boulevard, in the CN-1-1 and RS-1-7 Zones, Coastal Overlay (non-appealable) Zone, Coastal Height Limit Overlay Zone, of the Peninsula Community Plan area. The project site is legally described as: The portion of the west of Pueblo Lot 183 of the Pueblo lands of the City of San Diego, according to map thereof made by James Facoe in 1870; and

WHEREAS, all associated permits shall conform to the previously approved Exhibit "A" and conditions on file with the Development Services Department pursuant to Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 with the exception of the expiration date; and

WHEREAS, the previous action was the approval for the demolition of two existing commercial buildings within an existing commercial shopping center and the construction of two, single-story commercial buildings, which was exempt pursuant to CEQA Section 15302, "Replacement and Reconstruction" and 15303 "New Construction or Conversion of Small Structures". The Extension of Time would allow the permittee an additional 36 months in which to act upon the previously approved Planned Development Permit No. 544434 and Coastal Development Permit No. 544449. Because, the project is not proposing any changes or modifications the previous CEQA exemption is still valid. pursuant to CEQA Section 15378(c) the term project refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The project does not mean each separate governmental approval, therefore, this action would not constitute a separate project under CEQA; and

BE IT FURTHER RESOLVED, by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Extension of Time 1145020 for Planned Development Permit No. 544434 and Coastal Development Permit No. 544449:

1. The project as originally approved would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health and safety.

The project proposes an extension of time to a previously approved Planned Development Permit and Coastal Development Permit to demolish an existing three-story, approximately 7,009 square foot, commercial office building and a one-story, approximately 1,720 square foot, commercial retail/office building and replace the structures with two new one-story retail commercial buildings totaling 4,258 and 4,229 square feet respectively. The 2.39-acre project site is located at 955 Catalina Boulevard in the CN-1-1 and RS-1-7 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Airport Approach Overlay Zone.

This extension of time does not request any changes to the proposed development approved by the Planning Commission on June 3, 2010 by Resolution Numbers 4597-PC. New conditions are not

required to ensure public health and safety. All previously approved conditions remain applicable. Therefore, the project as originally approved and without any new conditions would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health or safety.

# 2. There are no changed circumstances which would affect the project's consistency with the Local Coastal Program.

The project proposes an extension of time to a previously approved Planned Development Permit and Coastal Development Permit to demolish an existing three-story, approximately 7,009 square foot, commercial office building and a one-story, approximately 1,720 square foot, commercial retail/office building and replace the structures with two new one-story retail commercial buildings totaling 4,258 and 4,229 square feet respectively. The 2.39-acre project site is located at 955 Catalina Boulevard in the CN-1-1 and RS-1-7 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Airport Approach Overlay Zone.

The site is located within the Peninsula Community Plan Local Coastal Program. The plan designates the site for Neighborhood Commercial development. The proposed development is consistent with the polices and land use designation of the applicable land use plan local coastal program. Therefore, there are no changed circumstances which would affect the project's consistency with the Local Coastal Program.

#### 3. No new condition is required to comply with state or federal law.

The project proposes an extension of time to a previously approved Planned Development Permit and Coastal Development Permit to demolish an existing three-story, approximately 7,009 square foot, commercial office building and a one-story, approximately 1,720 square foot, commercial retail/office building and replace the structures with two new one-story retail commercial buildings totaling 4,258 and 4,229 square feet respectively. The 2.39-acre project site is located at 955 Catalina Boulevard in the CN-1-1 and RS-1-7 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Airport Approach Overlay Zone.

The project as previously conditioned and approved on June 3, 2010, would comply with current state and federal laws which include runoff control plans during construction and storm water runoff. Therefore, no new conditions are required to comply with state or federal law

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Extension of Time No. 1145020 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Extension of Time No. 1145020, a copy of which is attached hereto and made a part hereof.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON DECEMBER 5, 2013

By
William Zounes
Development Project Manager
Development Services Department

IO# 24003842

#### RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

JOB ORDER NUMBER: 24003842

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# EXTENSION OF TIME 1145020 EXTENSION OF TIME TO PLANNED DEVELOPMENT PERMIT NO. 544434 AND COASTAL DEVELOPMENT PERMIT NO. 544449 POINT LOMA MARKET PLACWE – PROJECT NO. 327742 PLANNING COMMISSION

This EXTENSION OF TIME 1145020 is a three-year Extension of Time to a previously approved Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 and is hereby granted by the Planning Commission of the City of San Diego to Catalina-Talbot Properties, LLC, a California Limited Liability Company, Owners/Permittees, pursuant to San Diego Municipal Code Section 126.0111. The 2.39-acre site is located at 955 Catalina Boulevard, in the CN-1-1 and RS-1-7 Zones, Coastal Overlay (non-appealable) Zone, Coastal Height Limit Overlay Zone, of the Peninsula Community Plan area. The project site is legally described as: The portion of the west of Pueblo Lot 183 of the Pueblo lands of the City of San Diego, according to map thereof made by James Facoe in 1870.

Subject to the terms and conditions set forth in this Permit, and previously approved Planned Development Permit No. 544434 and Coastal Development Permit No. 544449, permission is granted to Catalina-Talbot Properties, LLC, a California Limited Liability Company, Owners/Permittees to demolish two existing commercial buildings within an existing commercial shopping center and construct two, single-story commercial buildings described and identified by size, dimension, quantity, type, and location on the previously approved exhibits [Exhibit "A"] and conditions on file in the Development Services Department. The original project Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 approved by the Planning Commission on June 3, 2010 is hereby extended as indicated within this permit until June 17, 2016.

The project shall include:

a. A three year extension of time for the previously approved Planned Development Permit No. 544434 and Coastal Development Permit No. 544449.

#### STANDARD REQUIREMENTS:

- 1. This permit must be utilized prior to June 17, 2016, which does not exceed thirty-six (36) months from the expiration date of the original permit. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. No further Extension of Time may be granted pursuant to SDMC Section 126.0111(a).
- 4. Construction plans shall be in substantial conformity to Exhibit "A," per the previously approved Exhibits and conditions on file with Development Services for Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 Recorded with the County of San Diego Recorder on November 9, 2010, DOC No. 2010-0596243, with the exception of the expiration dates. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

#### INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on December 5, 2013.

#### EXTENSION OF TIME 1145020 EXTENSION OF TIME TO PLANNED DEVELOPMENT PERMIT NO. 544434 AND COASTAL DEVELOPMENT PERMIT NO. 544449 DECEMBER 5, 2013

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| William Zounes   |  |
| Development Project Manager                                |  |
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| NOTE: Notary acknowledgment                                |  |
| must be attached per Civil Code                            |  |
| section 1189 et seq.                                       |  |
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Attachment 6 Recorded PDP No. 54434 & CDP No. 54449 Page 1 of 17

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON NOV 03, 2010
DOCUMENT NUMBER 2010-0596243
DAVID L. BUTLER COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 10:49 AM

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

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**INTERNAL ORDER NUMBER: 23430689** 

# PLANNED DEVELOPMENT PERMIT NO. 544434 AND COASTAL DEVELOPMENT PERMIT NO. 544449 POINT LOMA MARKET PLACE - PROJECT NO. 153681 PLANNING COMMISSION

This Planned Development Permit No. 544434 and Coastal Development Permit No. 544449 are granted by the Planning Commission of the City of San Diego to B & B Cat., LLC, a California Limited Liability Corporation, Owner and Catalina-Talbot Properties, LLC, a California Limited Liability Company, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0602 and 126.0702. The 2.39-acre site is located at 955 Catalina Boulevard, in the CN-1-2 and RS-1-7 Zones, Coastal Overlay (non-appealable) Zone, Coastal Height Limit Overlay Zone, of the Peninsula Community Plan area. The project site is legally described as: The portion of the west of Pueblo Lot 183 of the Pueblo lands of the City of San Diego, according to map thereof made by James Facoe in 1870.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish two existing commercial buildings within an existing commercial shopping center and construct two, single-story commercial buildings described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 3, 2010, on file in the Development Services Department.

The project shall include:

- a. Demolition of two commercial office/retail buildings.
- b. Construction of two single story commercial buildings, Building B 4,229 square feet, Building C 4,258 square feet, added to a site containing an existing, 14,080 square foot Major Retail Building and an existing 7,344 square foot Building A, resulting in a total of approximately 29,911 square feet of gross floor area on a 2.39-acre property;



- c. Deviation, for commercial parking located within the RS-1-7 Zone;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking a minimum of 150 parking spaces;
- f. New screen wall at the corner of Talbot and Canon Street; and
- g. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

#### STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
- 2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 3. 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.
- 4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.



8. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

#### **ENGINEERING REQUIREMENTS:**

- 10. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 11. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.



- 12. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards, satisfactory to the City Engineer.
- 13. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.
- 14. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the replacement of the damaged portions of sidewalk, adjacent to the site on Talbot Street, Catalina Boulevard, and Canon Street, satisfactory to the City Engineer.
- 15. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the removal of the existing asphalt berm and construction of City Standard curb, gutter, and sidewalk and grading of parkway (2% fall towards the street), adjacent to the site on Canon Street, satisfactory to the City Engineer.
- 16. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the adjustment of all utility covers to existing sidewalk grade, adjacent to the site on Talbot Street and Catalina Boulevard, satisfactory to the City Engineer.
- 17. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the relocation of the mailbox and newsstand, providing a 4' minimum sidewalk clearance, adjacent to the site on Talbot Street, satisfactory to the City Engineer. The relocation of said structures requires the applicant's coordination with their respective owners.
- 18. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the reconstruction of all existing driveways to current City Standards, per G-14A, adjacent to the site on Catalina Boulevard, satisfactory to the City Engineer.
- 19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the handrail, parapet, and storm drain pipes within the Catalina Boulevard, Canon Street, and Talbot Street rights-of-way, satisfactory to the City Engineer.
- 20. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is in accordance with the approved plans.

#### LANDSCAPE REQUIREMENTS:

21. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit 'A' Landscape Development Plan.



- 22. Prior to issuance of any construction permits for buildings complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5, except as indicated on Exhibit A plans.
- 23. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 24. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
- 25. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy or a Final Landscape Inspection.
- 26. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Required shrubs or trees that die 3 years or more after installation shall be replaced with 15 gallon size or 60-inch box size material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material where material replacement would occur in inaccessible areas or where the existing plant being replaced is larger than a 15 gallon shrub or 60-inch box tree.

#### PLANNING/DESIGN REQUIREMENTS:

- 27. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 28. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
- 29. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.



#### TRANSPORTATION REQUIREMENTS

- 30. A minimum of 150 automobile spaces (including 6 standard accessible spaces (1 van accessible space), and 15 bicycle spaces with rack(s) are required by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services.
- 31. The Owner/Permittee shall replace all damaged curb, gutter and sidewalk along the project's frontage and replace with standard height curb, gutter and sidewalk.
- 32. The Owner/Permittee shall provide and maintain adequate sight visibility triangle areas at all street intersections fronting the proposed project. No obstacles higher than 36" shall be located within this area (e.g. walls, landscaping, shrubs etc).
- 33. The Owner/Permittee shall replace/upgrade all damaged pedestrian ramps at the intersections along the project's frontage.
- 34. No vehicles shall be allowed to back out of the on-site loading/unloading area onto Catalina Boulevard or back into the on-site loading/unloading area off Catalina Boulevard. Prior to the issuance of any building permits, the Owner/Permittee shall process an application thru Transportation Engineering Division of the Engineering and Capital Projects Department for the installation of an on-street commercial loading/unloading zone along the project's frontage on Catalina Boulevard.

#### WATER REQUIREMENTS:

- 35. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) and the removal of all existing unused services, within the rights-of-way adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer. If new connections are needed on Talbot Street, the Owner/Permittee will be required to do a cut-in connection and pay a special cost which will be determined during final engineering plan check.
- 36. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- 37. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory the Director of Public Utilities and the City Engineer.
- 38. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public



water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

#### **WASTEWATER REQUIREMENTS:**

- 39. All onsite sewer facilities shall be private.
- 40. Prior to the issuance of any public improvement or building permits, the developer shall obtain an Encroachment Maintenance and Removal Agreement for all existing or proposed nonstandard sewer laterals that serve this site.
- 41. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
- 42. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

#### INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed
  as conditions of approval of this Permit, may protest the imposition within ninety days of
  the approval of this development permit by filing a written protest with the City Clerk
  pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission on June 3, 2010 by Resolution No. 4597-PC.



#### PLANNING COMMISSION RESOLUTION NO. 4597-PC PLANNED DEVELOPMENT PERMIT NO. 544434 POINT LOMA MARKETPLACE - PROJECT NO. 153681

WHEREAS, B & B Cat., LLC, a California Limited Liability Corporation, Owner and Catalina-Talbot Properties, a California Limited Liability Corporation, Permittee, filed an application with the City of San Diego for a permit to demolish/add on and remodel an existing neighborhood shopping center (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 54449 and 544434), on portions of a 2.39-acre property;

WHEREAS, the project site is located at 955 Catalina Boulevard in the CN-1-2 and RS-1-7 Zones, Coastal (non-appealable) Overlay Zone, Coastal Height Limit Overlay Zone of the Peninsula Community Plan area;

WHEREAS, the project site is legally described as a portion of the west of Pueblo Lot 183 of the Pueblo lands of the City of San Diego, according to map thereof made by James Facoe in 1870;

WHEREAS, on June 3, 2010, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 544449 and Planned Development Permit No. 544434 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 3, 2009, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Sections 15302 and 15303, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Planning Commission adopts the following written Findings, dated June 3, 2010.

#### FINDINGS:

#### Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The 2.39-acre project site is currently developed with an existing neighborhood shopping center. The development proposes to demolish two commercial buildings and construct



two new single story commercial retail buildings within the existing shopping center and is located approximately one half mile from the coastline. The proposed development is contained within the existing legal lot area, and the project site does not contain any existing or planned public access which is identified by the local coastal program land use plan. The proposed demolition/addition to the existing neighborhood shopping center will not encroach upon, negatively alter or reduce the existing physical access to the coast. The project site is not located adjacent to or within an identified visual access corridor as identified within the Peninsula Local Coastal Land use Program Plan. The project site is situated between Catalina Boulevard, Talbot Street and Canon Street, within a developed single-family residential neighborhood. The proposed demolition/addition to the existing neighborhood shopping center meets the applicable development regulations required by the Land Development Code and the development regulations of the underlying zone, except for the proposed deviation for on-site parking within the RS-1-7 zoned portion of the project site. Additionally, the proposed single story commercial structures will not block any identified visual corridor.

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

The 2.39-acre project site is currently developed, with an existing neighborhood shopping center on a previously disturbed site and it does not contain any form of environmentally sensitive lands. The two building which are proposed to be demolished as part of this project were reviewed by the City's Historic Staff for historical value and found not to be significant. The environmental review, determined that the project would not have a significant environmental effect and found it to be categorically exempt under the California Environmental Quality Act (CEQA). Thus the proposed demolition and addition/remodel of the existing neighborhood shopping center will not adversely affect environmentally sensitive lands.

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

The General Plan establishes each community plan as an essential component of the Land Use Element, and relies on community plans for site-specific land use and density designations and recommendations. The proposed partial demolition, addition/remodel to an existing neighborhood shopping center is located on a site which is designated as Neighborhood Commercial in the Peninsula Community Plan. The Commercial Element of the Peninsula Community Plan includes a recommendation that the neighborhood commercial uses on Canon/Talbot/Catalina Triangle should be retained. It also recommends that the commercial area should not expand into adjacent residential areas, and that the zoning should remain unchanged. The proposal to demolish two buildings and construct two new commercial retail buildings will help implement the recommendations of the Commercial Element of the Peninsula Community Plan by keeping the proposed commercial uses from expanding into adjacent residential areas. In addition, neighborhood serving commercial uses, such as a small grocery store will be



retained on this site. During environmental review, it was determined that the project would not have a significant environmental effect and found it to be categorically exempt under the California Environmental Quality Act (CEQA). The project design was also determined to be in compliance with all of the applicable development regulations, except for the proposed deviation to have required off-street parking located in the residential zone portion of the split zoned lot. Due to these factors the proposed demolition/addition to the existing neighborhood shopping center was found to be in compliance with the City of San Diego adopted Peninsula Community Plan, the certified Local Coastal Program Land Use Plan and General Plan.

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

The 2.39-acre site is currently developed with an existing neighborhood shopping center and is located within a well established urbanized residential area. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately one half mile from the Pacific Ocean. There is not any identified public access to public recreation area on or adjacent to the project site and these stated resources will not be impaired by the proposed redevelopment of this site. The project takes vehicular access off the existing public streets, Catalina Boulevard and Talbot Street with existing and improved off street parking and improvements to the pedestrian circulation system. The existing character and pedestrian design of the streetscape will be improved or remain unaltered.

#### Planned Development Permit - Section 126.0604

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

The General Plan establishes each community plan as an essential component of the Land Use Element, and relies on community plans for site-specific land use and density designations and recommendations. This project proposes to demolish two commercial buildings and construct two new single story commercial buildings which would add to the existing neighborhood shopping center located within the Peninsula Community Plan area. The subject property is designated Neighborhood Commercial by the Peninsula Community Plan. The Commercial Element of the Peninsula Community Plan includes a recommendation that the neighborhood commercial uses on Canon/Talbot/Catalina Triangle should be retained. It also recommends that the commercial area should not expand into adjacent residential areas, and that the zoning should remain unchanged. The proposal to demolish two buildings and construct two new commercial retail buildings will help implement the recommendations of the Commercial Element of the Peninsula Community Plan by keeping the proposed commercial uses from expanding into adjacent residential areas. In addition, neighborhood serving commercial uses, such as a small



grocery store will be retained on site. The existing shopping center is approximately 30,153 square feet of gross floor area. After the demolition and addition/remodel of the shopping center is complete the resulting total square footage will be approximately 29,911. The off-street parking will be increased from 149 spaces to 150 spaces. The project design was also determined to be in compliance with all of the applicable development regulations, except for the proposed deviation to have off-street parking located in the residentially zoned portion of the site. As such, the proposed demolition and construction to the existing neighborhood shopping center would not adversely affect the applicable land use plan.

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

This project proposes to demolish two commercial buildings and construct two new single story commercial retail buildings within an existing neighborhood shopping center located within the Peninsula Community Plan area. This existing neighborhood shopping center is located within a well established urbanized residential area. During environmental review, it was determined that the project would not have a significant environmental effect and found it to be categorically exempt under the California Environmental Quality Act (CEQA). This environmental review included an analysis of the proposed project effect on public health, safety and welfare. The proposed demolition and addition/remodel of this existing shopping center would therefore not be detrimental to the public health, safety and welfare.

## 3. The proposed development will comply with the regulations of the Land Development Code.

This project proposes to demolish two commercial buildings and construct two new single story commercial buildings added to the existing neighborhood shopping center located within the Peninsula Community Plan area. The 2.39-acre project is split zoned with a majority of it zoned CN-1-2 and a small triangular shaped portion which is zoned RS-1-7. This development was reviewed for compliance with the applicable development regulations such as the City's off-street parking regulations, building setbacks, building height, maximum floor area ratio, sight visibility requirements, landscape requirements, CN-1-2 and the RS-1-7 Zone development regulations. This proposal was found to comply with all the development regulations, except for the location of required off-street commercial parking within the RS-1-7 zoned portion. This exception is a proposed deviation under this Planned Development Permit.

# 4. The proposed development, when considered as a whole, will be beneficial to the community.

This project proposes to demolish two commercial buildings and construct two new single story commercial retail buildings within an existing neighborhood shopping center located within the Peninsula Community Plan area. The subject property is designated "Neighborhood Commercial" by the Peninsula Community Plan. The 2.39-acre project is



split zoned with a majority of it zoned CN-1-2 and a small triangular shaped portion which is zoned RS-1-7. This development was reviewed for compliance with the applicable development regulations such as the City's off-street parking regulations, building setbacks, building height, maximum floor area ratio, sight visibility requirements, landscape requirements, CN-1-2 and the RS-1-7 Zone development regulations. This proposal was found to comply with all the development regulations, except for the location of required off-street commercial parking within the RS-1-7 zoned portion. The continued use of this neighborhood shopping center provides needed goods and services to the adjacent neighborhood and has been supported by the Peninsula Community Planning Group. In view of the long history of this facility, when considered as a whole, it will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

This project proposes to demolish two commercial buildings and construct two new single story commercial retail buildings within an existing neighborhood shopping center located within the Peninsula Community Plan area. The 2.39-acre project is split zoned with a majority of it zoned CN-1-2 and a small triangular shaped portion which is zoned RS-1-7. This development was reviewed for compliance with the applicable development regulations such as the City's off-street parking regulations, building setbacks, building height, maximum floor area ratio, sight visibility requirements, landscape requirements, CN-1-2 and the RS-1-7 Zone development regulations. This proposal was found to comply with all the development regulations, except for the location of required off-street commercial parking within the RS-1-7 zoned portion. This exception is a proposed deviation under this Planned Development Permit. The Peninsula Community Plan designates the entire site as neighborhood commercial. The proposed parking lot provides the required parking for the existing and proposed commercial uses located in the CN-1-2 portions of the site and is therefore consistent with the land use designation. The applicant chose the Planned Development Permit option as opposed to processing a rezone and Local Coastal Plan Amendment.



BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 544449 and Planned Development Permit No. 544434 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 544449 and 544434, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas, AICP

Development Project Manager

Development Services

Adopted on: June 3, 2010

Internal Order No. 23430689

Project No. 153681

Permit Type/PTS Approval No.: CDP No. 544449 & PDP No. 544434

Date of Approval:

June 3, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas, AICP

Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code

section 1189 et seq.

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

B & B Cat., LLC

Owner

Mr. Eric Brelin, Member, B & B Cat.,

LLC

Catalina Talbot Properties, LLC

Permittee

Ms. Gretchen Webster, Member,

Catalina Talbot Properties, LLC

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

Attachment 6 Recorded PDP No. 54434 & CDP No. 54449 Page 15 of 17

#### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

| State of California  County of Dan Di-ca O  On Nov. 2 2010 before me, State of California   | Here Insert Name and Title of the Officer  Name(s) of Signer(s)  Name(s) of Signer(s)   |
|---|---|
| STACIE L. MAXWELL Commission & 1810493 Notary Public - California San Diego Gounty My Comm. Expires Aup 22, 2012  | who proved to me on the basis of satisfactory evidence to be the person(s)-whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(iee), and that by his/her/their signature(s)-on the instrument the person(s), or the entity upon behalf of which the person(s)-acted, executed the instrument.  I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  WITNESS my hand and official seal. |
| Place Notary Seal Above   | Signature of Notary Public  |
| Though the information below is not required by law, it   | IONAL may prove valuable to persons relying on the document eattachment of this form to another document,   |
| Description of Attached Document  |   |
| Title or Type of Document: 10/11/1 LOM  | 2 Market Place PTS 153601   |
| Document Date:  | Number of Pages:  |
| Signer(s) Other Than Named Above:   |   |
| Capacity(ies) Claimed by Signer(s)  |   |
| Signer's Name: Individual    Corporate Officer — Title(s): Partner — ☐ Limited ☐ General Attorney in Fact    Trustee    Guardian or Conservator    Other: Signer Is Representing: Signer Is Representing: | ☐ Individual ☐ Corporate Officer — Title(s):  |

© 2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org | Item #5907 | Reorder: Call Toll-Free 1-800-876-6827

Attachment 6 Recorded PDP No. 54434 & 7

RECEIVED IN POOR CONDITION

| State of California )  | CDP No. 5444   |
|--|--|
| · ·  | ALIFORI Page 16 of 1   |
| County of San Miego ) CERTIF   | ICATE OF ACKNOWLEDGMENT  |
| on October 11, 2010 before me, Jennie personally appeared Gretchen Webster   | Fer USMES-Notary Public, here insert name and title of the officer)  |
| who proved to me on the basis of satisfactory evidence to be the per<br>the within instrument and acknowledged to me that he/she/<br>authorized capacity(ies), and that by his/her/their signature(s) on<br>upon behalf of which the person(s) acted, executed the instrument. | they executed the same in his/her/their the instrument the person(s), or the entity  |
| I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  WITNESS my hand and official seal.   | JENNIFE JONES  JENNIFE JONES  COMM. #1721611  Notary Public - California of San Diego County  My Comm. Expires Jan. 28, 2011 |
| Signature (PC)   | (Seal)   |
| OPTIONAL INFORMATIO  Although the information in this section is not required by law, it could prevacknowledgment to an unauthorized document and may prove useful to pe   | ent fraudulent removal and reattachment of this  |
| Description of Attached Document   | Addublomablingermention  |
| The preceding Certificate of Acknowledgment is attached to a document  | Method of Signer Identification  |
| titled/for the purpose of Planned Revelopment  | Proved to me on the basis of satisfactory evidence:  |
| permet no 544434   | └── form(s) of identification ○ credible witness(es)   |
| containing $14$ pages, and dated $6/3/10$  | Notarial event is detailed in notary journal on:  Page # Entry #   |
| The signer(s) capacity or authority is/are as:   | Notary contact:  |
| [7 Individual(s)   | Other  |
| Attorney-in-Fact   | Additional Signer(s) Signer(s) Thumbprint(s)   |
| L. L. Corporate Officer(s)   | 156  |
| Corporate Officer(s)   |  |

Attachment 6 Recorded PDP No. 54434 & CDP No. 54449 Page 17 of 17

State of Utah County of Summit

Notary Public

BETSYFITZGERALD

Notary Public
State of Utah

Any Commission Expires May 06, 201

Commission #578697



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

# Community Planning Committee Distribution Form Part 1

|                            | DISTIDU         | uon rorm Part 1    |
|----------------------------|-----------------|--------------------|
| Project Name:              | Project Number: | Distribution Date: |
| Point Loma Marketplace EOT | 327742          | 6/25/2013          |

#### Project Scope/Location:

PENINSULA Extension of Time for Planned Development Permit No. 55534 & Coastal Development Permit No. 544449 to demolish two commercial buildings and construct three commercial buildings totaling 29,911 square feet on an a 2.39-acre lot. The site is in the CN-1-2 & RS-1-7 zone, Coastal (non appealable) & Coastal Height Overlay Zones within the Peninsula Community Plan. Council District 2. Notice Card=3.

| Applicant Name:                |                | Applicant Phone Number: |                       |  |
|--------------------------------|----------------|-------------------------|-----------------------|--|
| Linman, Mark                   |                | (619) 997-8288          |                       |  |
| Project Manager: Phone Number: |                | Fax Number:             | E-mail Address:       |  |
| Teasley, Sandra                | (619) 446-5271 | (619) 446-5245          | STeasley@sandiego.gov |  |

Project Issues (To be completed by Community Planning Committee for initial review):

PROJECT PEVIEW COMMITTEE APPROVED 5-0 ON AUG 13 2013 BC, JR, PW, MK AND SHELLY KILLBOURN

Attach Additional Pages If Necessary.

Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101

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City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

### Community Planning Committee Distribution Form Part 2

|                      | San Diego, CA 92101 |             |
|----------------------|---------------------|-------------|
| HE CITY OF SAN DIEGO |                     | Distributio |

| Project Name:  |         |            | Project Number: |                         | Number:     | Distribution Date:    |
|--|---------|------------|-----------------|-------------------------|-------------|-----------------------|
| Point Loma Marketplace EOT   |         |            | 327742          |                         | 27742       | 6/25/2013             |
| Project Scope/Location:  |         |            |                 |                         |             |                       |
| PENINSULA Extension of Time for Planned Development Permit No. 55534 & Coastal Development Permit No. 544449 to demolish two commercial buildings and construct three commercial buildings totaling 29,911 square feet on an a 2.39-acre lot. The site is in the CN-1-2 & RS-1-7 zone, Coastal (non appealable) & Coastal Height Overlay Zones within the Peninsula Community Plan. Council District 2. Notice Card=3. |         |            |                 |                         |             |                       |
| Applicant Name:  |         |            |                 | Applicant Phone Number: |             |                       |
| Linman, Mark   |         |            |                 |                         | (619) 997-8 | 288                   |
| Project Manager:   | Pho     | ne Numbe   | r:              | Fax                     | Number:     | E-mail Address:       |
| Teasley, Sandra  | (61     | 9) 446-52  | 71              | (619                    | ) 446-5245  | STeasley@sandiego.gov |
| Committee Recommendations (To be completed for   | 'Initi: | al Review) | :               |                         |             |                       |
|  |         |            |                 |                         |             |                       |
| Vote to Approve  |         | Member     | s Yes           | М                       | embers No   | Members Abstain       |
| Vote to Approve With Conditions Listed Below   |         | Member     | s Yes           | М                       | embers No   | Members Abstain       |
| Vote to Approve With Non-Binding Recommendations Listed Below  Members   |         |            | s Yes           | Yes Members No          |             | Members Abstain       |
| ☐ Vote to Deny Member:   |         |            | s Yes           | М                       | lembers No  | Members Abstain       |
| No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)   |         |            |                 | ☐ Continued             |             |                       |
| CONDITIONS:  |         |            |                 |                         |             |                       |
|  |         |            |                 |                         |             |                       |
| NAME: MARK KRENCK FOR JULIA QUINN TITLE: CHAR  |         |            |                 |                         | HAID        |                       |
|  |         |            | DATE: 18        | : 10/9/12               |             |                       |
| Attach Additional Pages If Necessary.  Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101   |         |            |                 |                         |             |                       |
| Printed on recycled paper. Visit our web site at <a href="https://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> .  Upon request, this information is available in alternative formats for persons with disabilities.  |         |            |                 |                         |             |                       |



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

# Ownership Discussion

**Statement** 

| Approval Type: Check appropri  | riate box for type of approval (s) reque  | sted: Neighborhood Use   | Permit Coastal Development Permit  |
|--|---|--|--|
| Neighborhood Developmen Variance Tentative Map   | t Permit Site Development Perm  | it Planned Developmen<br>Vaiver Land Use Plan Ai   | t Permit Conditional Use Permit mendment • 🔀 Other Time Extension  |
| Project Title  |   |  | Project No. For City Use Only  |
| Point Loma Marketplace   |   |  | 327742   |
| Project Address:   |   |  | 90.7710  |
| 955 Catalina Blvd, San D   | Diego, CA 92106   |  |  |
|  |   |  |  |
| Part I - To be completed wh  | en property is held by Individua  | ıl(s)  |  |
| pelow the owner(s) and tenant(s) who have an interest in the property and interest in the property from the Assistant Executive Direction (DDA) Manager of any changes in owner the Project Manager at least thin a delay of the project of the project in a delay of the project of the project of the project than a delay of the project of t | c) (if applicable) of the above reference<br>erty, recorded or otherwise, and state<br>(r). A signature is required of at least<br>ector of the San Diego Redevelopmenthas been approved / executed by the<br>ership during the time the application<br>or try days prior to any public hearing or<br>y in the hearing process. | ed property. The list must in<br>the type of property interest<br>one of the property owners.<br>It Agency shall be required for<br>e City Council. Note: The a<br>is being processed or consider. | n encumbrance against the property. Please list include the names and addresses of all persons (e.g., tenants who will benefit from the permit, all Attach additional pages if needed. A signature or all project parcels for which a Disposition and applicant is responsible for notifying the Project lered. Changes in ownership are to be given to lure to provide accurate and current ownership |
| Additional pages attached  | Yes No  |  |  |
| Name of Individual (type or p  | orint):   | Name of Individual   | (type or print):   |
| Owner Tenant/Lesse   | ee Redevelopment Agency   | Owner Te   | nant/Lessee Redevelopment Agency   |
| Street Address:  | 00  | Street Address:  |  |
| City/State/Zip:  |   | City/State/Zip:  |  |
| Phone No:  | Fax No:   | Phone No:  | Fax No:  |
| Signature :  | Date:   | Signature :  | Date:  |
| Name of Individual (type or p  | print):   | Name of Individual   | (type or print):   |
| Owner Tenant/Lesse   | e Redevelopment Agency  | Owner Ten  | ant/Lessee Redevelopment Agency  |
| Street Address:  |   | Street Address:  |  |
| City/State/Zip:  |   | City/State/Zip:  |  |
| Phone No:  | Fax No:   | Phone No:  | Fax No:  |
| Signature :  | Date:   | Signature :  | Date:  |
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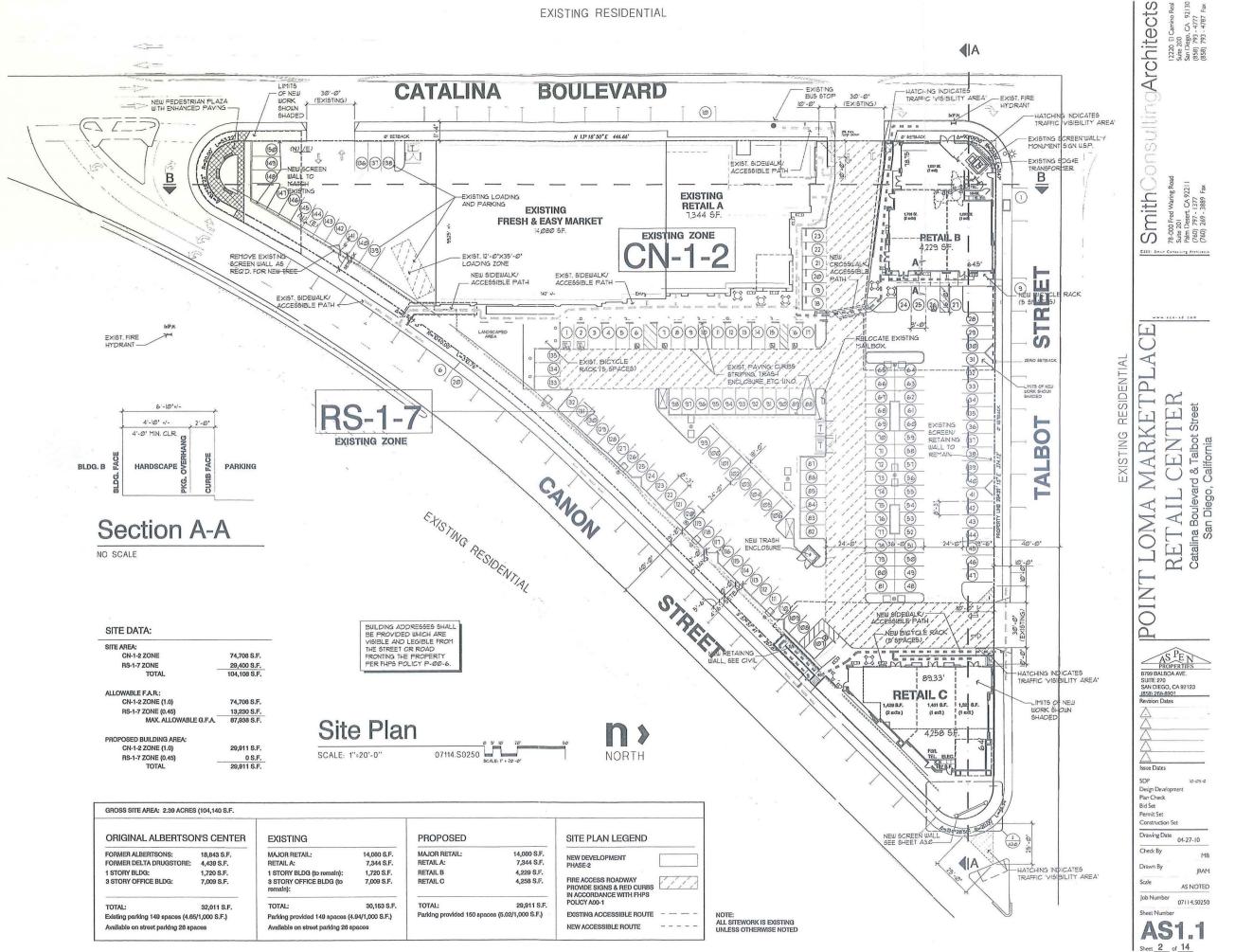
Attachment 8
Ownership Disclosure Statement
Page 2 of 2

| Project Title: Point Loma Marketplace T  | Γime Extension   | Page 2 of  |
|--|--|--|
|  | hen property is held by a corpo  | ration or partnership  |
| Legal Status (please check)  | );   |  |
| Corporation Limited L  | iability -or- General) What S  | tate? <u>CA</u> Corporate Identification No. <u>199902610019</u>   |
| as identified above, will be file<br>the property. Please list below<br>otherwise, and state the type<br>in a partnership who own the<br>property. Attach additional partnership during the time the<br>Manager at least thirty days p | ed with the City of San Diego on the withe names, titles and addresses of property interest (e.g., tenants property). A signature is require the application is being processed of the same control of the sam | acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against is of all persons who have an interest in the property, recorded or who will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the int is responsible for notifying the Project Manager of any changes in the considered. Changes in ownership are to be given to the Project subject property. Failure to provide accurate and current ownership additional pages attached Yes XNo |
| Corporate/Partnership Nam  | ne (type or print):  | Corporate/Partnership Name (type or print):  |
| B & B Cat., LLC  |  | Catalina-Talbot Properties LLC   |
| Owner Tenant/L   | essee  | Owner X Tenant/Lessee  |
| Street Address:  |  | Street Address:  |
| 1027 Reliance Way  |  | 6165 Greenwich Drive #110  |
| City/State/Zip:<br>Del Mar, CA 92014   |  | City/State/Zip:<br>San Diego, CA 92123   |
| Phone No:  | Fax No:  | Phone No: Fax No:  |
| 614-228-6  | 1021   | (619)290-2600 (619)280-3311  |
| Name of Corporate Officer/Par  | G. BRELLY  | Name of Corporate Officer/Partner (type or print):   |
| Title (type or print):   | -  | Title (bottle or print):   |
| MAN491W  | 9 TATTNER,   | SEMO C. HOVO   |
| Signature  | Date: 6/3/13   | Signature Date: MM2), 2013   |
| Corpórate/Partnership Nam  | ie (type or print):  | Corporate/Partnership Name (type or print):  |
| Owner Tenant/L   | essee  | Owner Tenant/Lessee  |
| Street Address:  |  | Street Address:  |
| City/State/Zip:  |  | City/State/Zip:  |
| Phone No:  | Fax No:  | Phone No: Fax No:  |
| Name of Corporate Officer/Part   | tner (type or print):  | Name of Corporate Officer/Partner (type or print):   |
| Title (type or print):   |  | Title (type or print):   |
| Signature :  | Date:  | Signature : Date:  |
| Corporate/Partnership Nam  | e (type or print):   | Corporate/Partnership Name (type or print):  |
| Owner Tenant/L   | .essee   | Owner Tenant/Lessee  |
| Street Address:  |  | Street Address:  |
| City/State/Zip:  |  | City/State/Zip:  |
| Phone No:  | Fax No:  | Phone No: Fax No:  |
| Name of Corporate Officer/Part   | iner (type or print):  | Name of Corporate Officer/Partner (type or print):   |
| Title (type or print):   |  | Title (type or print):   |
| Signature :  | Date:  | Signature : Date:  |

#### Project Chronology Point Loma Marketplace Project No. 327742

| Date                   | Action                                   | Description                             | City Review<br>Time | Applicant Response                      |
|------------------------|--|---|---------------------|---|
| 6/12/13                | First Submittal                          | Project Deemed Complete and distributed |                     |   |
| 8/1/13                 | First Submittal<br>Assessment Letter out |   | 50 days             |   |
| 9/12/13                | Second submittal In                      | Normal Submittal                        |                     | 42 days from First<br>Assessment Letter |
| 10/14/13               | Second Submittal Assessment Letter out   |   | 32 days             |   |
| 12/5/13                | Planning Commission<br>Hearing           |   | 52 days             |   |
| TOTAL STA              | FF TIME**                                |   | 4 month<br>14 days  |   |
| TOTAL APPLICANT TIME** |  |   |                     | months<br>42 days                       |
| TOTAL PRO              | OJECT RUNNING TIME**                     | From Deemed Complete to HO Hearing      | 5 months 26 days    |   |

<sup>\*\*</sup>Based on 30 days equals to one month.



Attachment 10 Project Plans