



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: August 2, 2023 REPORT NO. HO-23-040
HEARING DATE: August 9, 2023
SUBJECT: 1261 Felspar Street. Process Three Decision
PROJECT NUMBER: [PRJ-1054593](#)
OWNER/APPLICANT: MARLA K. HICKS

Issue: Should the Hearing Officer approve an amendment to Coastal Development Permit and Conditional Use Permit No. 93-0538 to remove the 1261 Felspar Street site which includes the removal of five parking spaces in the Pacific Beach Community Plan?

Staff Recommendation:

1. APPROVE Coastal Development Permit No. 3154382.
2. APPROVE Conditional Use Permit No. 3154381.

Community Planning Group Recommendation: On August 10, 2022, the Pacific Beach Community Planning Association voted 11-0-1 to recommend approval of the proposed project with no conditions (Attachment 6).

Environmental Review: The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 15, 2023, and the opportunity to appeal the determination ended on June 30, 2023 (Attachment 7).

BACKGROUND

The 2.0-acre project site is located at 1261 Felspar and 1260 Garnet Avenue, east of Everts Street, north of Hornblend Street, west of Fanuel Street, and south of Emerald Street (Attachment 1). The site is located in the Pacific Beach Community Plan area and is zoned RM-2-5 and CC-4-2 with the following overlay zones: Coastal Height Limit, Parking Standards Transit Priority Area, Transit Priority Area and the Coastal Overlay Zone (Non-Appealable area). The parking spaces are located on 1261 Felspar Street which also contains an existing single family dwelling unit. CDP and CUP No. 93-0538

was approved on December 1, 1993 (Resolution No. 9735) and allowed for a 7,864-square-foot addition to an existing 13,863-square-foot grocery store. The 0.14-acre parcel where the parking is located is a rectangular lot bordered by residential development to the north, west, and east and 1260 Garnet Avenue to the south, which contains the remaining 1.86 acres of the site and the existing Sprouts grocery store. The project is located within a fully developed neighborhood of Pacific Beach.

DISCUSSION

Project Description:

The project proposes to remove 1261 Felspar Street from the existing Coastal Development Permit and Conditional Use Permit No. 93-0538 which would eliminate five parking spaces. Both owners are in agreement to unencumber the 1261 Felspar Street site. All previous permit conditions will still apply with the exception of the total number of parking spaces. The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking at this location as outlined in SDMC Section [142.0530](#) (Table 142-05E), which requires 70 spaces. 113 spaces will remain on the site after the removal of the existing five parking spaces. In accordance with SDMC Sections [126.0707\(a\)](#) and [126.0303\(b\)](#), the decision maker may approve the Coastal Development Permit and Conditional Use Permit if the findings in SDMC section [126.0708\(a\)](#) and [126.0305 can be made](#). The project does not propose any physical development and will not affect any current transit corridor, bus routes, or any existing bike lanes outlined in the land use plan. Additionally, as no development is being proposed, no impacts will occur on any physical public access ways, public views to the Pacific Ocean, or other scenic coastal areas as specified in the Local Coastal Program land use plan.

Conclusion:

City staff has determined the project is consistent with the development regulations and is consistent with the Community Plan and regulations of the Land Development Code. Staff provided draft findings and conditions to support approval of the project (Attachment 4 and 5) and recommends the Hearing Officer approve the Coastal Development Permit and Conditional Use Permit as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 3154382 and Conditional Use Permit No. 3154381 with modifications.
2. Deny Coastal Development Permit No. 3154382 and Conditional Use Permit No. 3154381, if the findings required to approve the project cannot be affirmed.

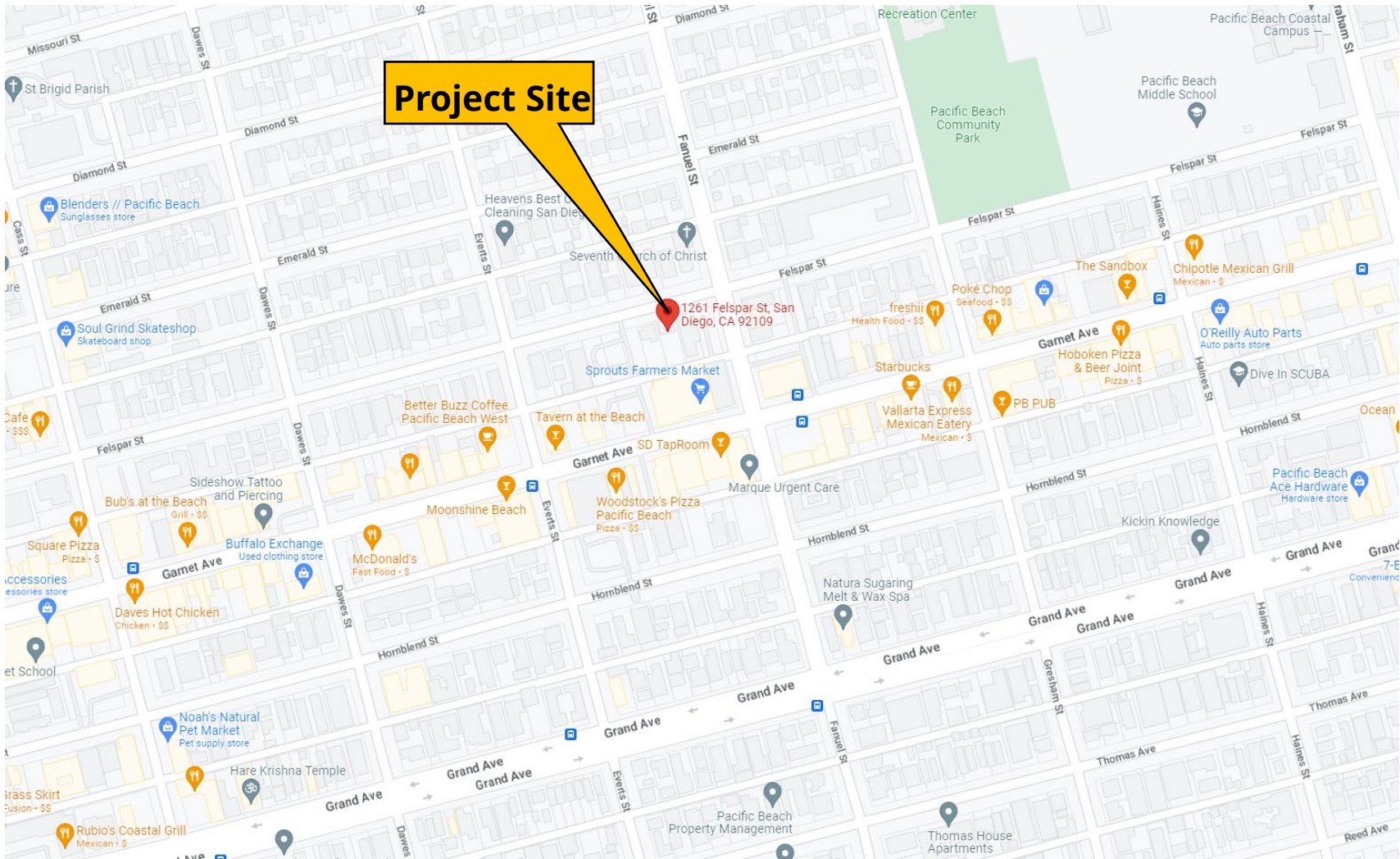
Respectfully submitted,

Christian Hoppe

Christian Hoppe, Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. CEQA Exemption
8. Ownership Disclosure Statement
9. Project Plans
10. CDP/CUP No. 93-0538 approved on December 1, 1993



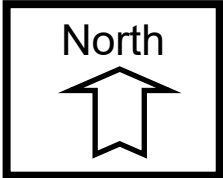
Project Site

1261 Felspar St, San Diego, CA 92109



Project Location Map

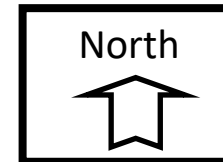
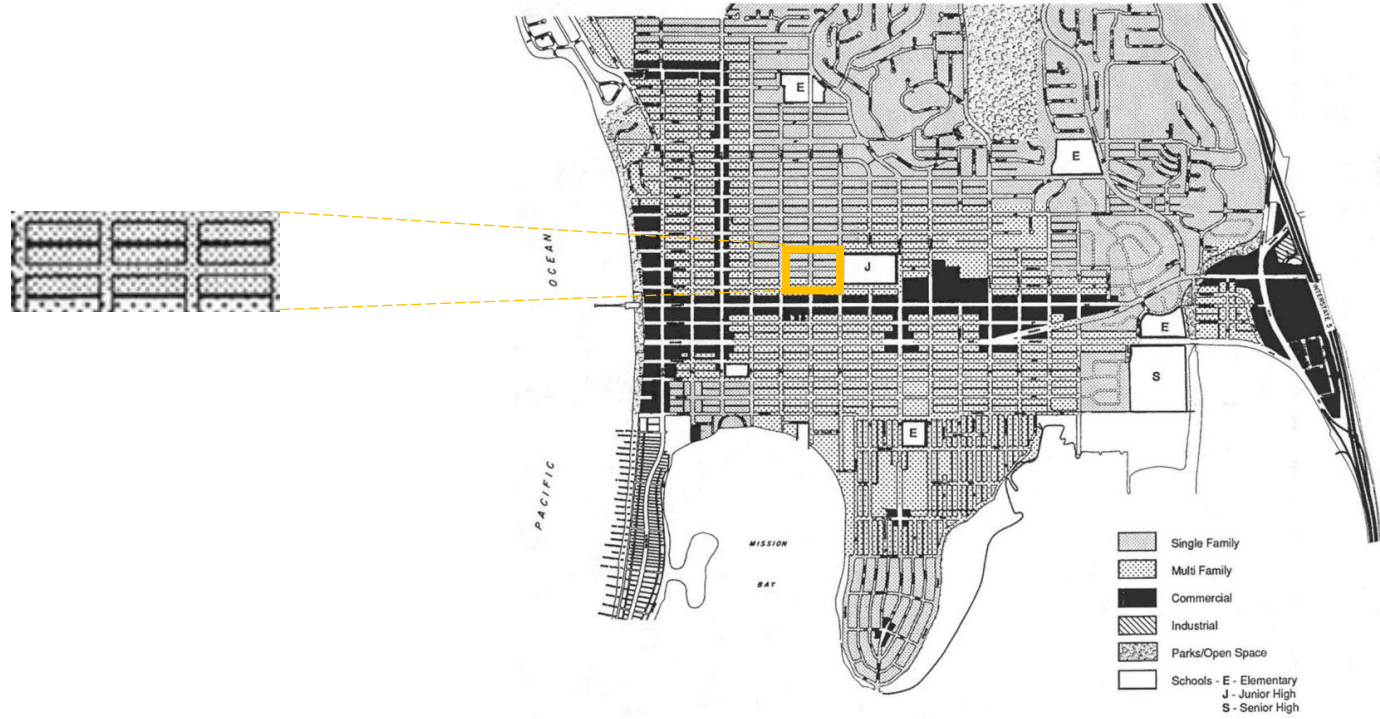
1261 Felspar Street CDP
Project No. 1054593 - 1261 El Felspar Street





Land Use Map

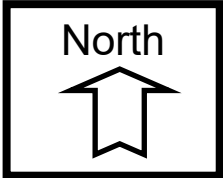
[1261 Felspar Street CDP](#)
Project No. 1054593 - 1261 Felspar Street





Aerial Photograph

1261 Felspar Street CDP
Project No. 1054593 - 1261 El Felspar Street



HEARING OFFICER RESOLUTION NO.
COASTAL DEVELOPMENT PERMIT NO. 3154382 AND
CONDITIONAL USE PERMIT NO. 3154381, AMENDMENT TO COASTAL DEVELOPMENT AND
CONDITIONAL USE PERMIT 93-0538
1261 FELSPAR STREET- PROJECT NO. 1054593

WHEREAS, 1261 FELSPAR LLC, a California limited liability company and Janeal W. Thompson, Trustee of the T3 Trust, Owner/Permittee, filed an application with the City of San Diego for a permit to amend the existing Coastal Development Permit (CDP) and Conditional Use Permit (CUP) 93-0538 by removing 1261 Felspar (Lots 15 & 16) from the CDP and CUP which also removes five parking spaces, (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 3154382 and 3154381, on portions of a 2.0-acre site;

WHEREAS, the project site is located at 1261 Felspar Street and 1260 Garnet Avenue in the RM-2-5 and CC-4-2, Coastal Height Limit, Coastal Overlay Zone (Non-Appealable area), Parking Standards Transit Priority Area, and Transit Priority Area within of the Pacific Beach Community Plan area.

WHEREAS, the overall project site is legally described as: Lots 7, 8, 9, 10, 11, 12, 15 and 16, 19 and 20, 21 through 38 inclusive, in Block 198 of Pacific Beach, in the City of San Diego, County of San Diego, State of California, according to Map thereof Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County January 8, 1892 and September 28, 1898, respectively. The 1261 Felspar project site is legally described as: Lots 15 and 16, in Block 198 PACIFIC BEACH, in the City of San Diego, County of San Diego, State of California, according to Map thereof Nos. 697 and 854, Filed in the Office of the County Recorder of San Diego County January 8, 1892 and September 28, 1898.

WHEREAS, on June 15, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code

Section 21000 et seq.) under CEQA Guidelines Section 15301 Existing Facilities and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on August 9, 2023, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 3154382 and Conditional Use Permit No. 3154381 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 3154382 and Conditional Use Permit No. 3154381:

A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway 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 2.0-acre project site is located at 1261 Felspar Street and 1260 Garnet Avenue. 1261 Felspar Street contains one existing single-family house and five parking spaces. There is an existing Sprouts grocery store on the 1260 Garnet Avenue property. The project proposes to remove the 1261 Felspar parcel along with the five parking spaces area from the previously approved Coastal Development Permit and Conditional Use Permit No. 93-0538.

The site is approximately 3,337 feet from the Pacific Ocean. There are no public view corridors, vantage points, or physical access routes from the project site, as identified in the Community Plan. The proposed project is on an existing developed lot that contains no physical accessways used or proposed for public use. The amendment does not propose any physical building elements or development and will therefore not affect the 30-foot coastal height limit or cause any deviations or variances to any development regulations.

The project complies with the Pacific Beach community goals and visions regarding public view preservation and enhancement as there are no public view corridors or vantage points as identified in the Community Plan from the project site. The project

will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan.

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

The 2.0-acre project site is located at 1261 Felspar Street and 1260 Garnet Avenue, east of Everts Street, north of Hornblend Street, west of Fanuel Street, and south of Emerald Street. The site is located in the Pacific Beach Community Plan area and is zoned RM-2-5 and CC-4-2 within the following overlay zones: Coastal Height Limit, Parking Standards Transit Priority Area, and Transit Priority Area and the Coastal Overlay Zone (Non-Appealable area). The 0.14-acre Felspar parcel where the single-family home and parking is located is a rectangular lot bordered by residential development to the north, west, east and 1260 Garnet Avenue to the south. The Garnet Avenue parcel contains the remaining 1.86 acres of the site and the existing Sprouts grocery store. Resolution No. 9735 for CDP/CUP No. 93-0538 approved on December 1, 1993 allowed for a 7,864-square-foot addition to an existing 13,863-square-foot grocery store. The project is located within a fully developed neighborhood of Pacific Beach.

The project site does not contain any sensitive biological resources or environmentally sensitive lands and is not located within a coastal bluff, beach, or special flood area. The project site does not contain, nor is it adjacent to, Multi-Habitat Planning Area (MHPA)-designated lands of the City of San Diego's Multiple Species Conservation Program. In addition, the project does not propose physical development, and an environmental review determined the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities). Therefore, the project will not adversely affect environmentally sensitive lands.

c. 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 site is approximately 3,337 feet from the Pacific Ocean. The project site is not located within the First Public Roadway, and there are no public view corridors, vantage points, or physical access routes from the project site, as identified in the Community Plan. In addition, the project will not encroach upon any existing physical access way legally used by the public or any proposed public access way identified in the Community Plan as none exists on the site. The 0.14-acre parcel where the single-family home and parking are located is a rectangular lot bordered by residential development to the north, west, east and 1260 Garnet Avenue to the south, which contains the remaining 1.86 acres of the site and the existing Sprouts grocery store. The project is located within a fully developed neighborhood of Pacific Beach.

The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking for the grocery store use as outlined in SDMC Section [142.0530](#) (Table 142-05E) requiring 70 spaces while 113 spaces will remain at the 1260 Garnet Avenue site after the removal of the existing five parking spaces from the 1261 Feldspar Street site. The project is not requesting any deviations or variances from the applicable regulations, and therefore is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified implementation program.

- d. 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 0.14-acre parcel where the single-family home and parking are located is a rectangular lot bordered by residential development to the north, west, east and 1260 Garnet Avenue to the south, which contains the remaining 1.86 acres of the site and the existing Sprouts grocery store. The project is located within a fully developed neighborhood of Pacific Beach.

The site is not between the first public roadway and the sea or shoreline of any body of water located in the Coastal Overlay Zone. No public access or public recreation facilities exist on the project site or would be impacted by the project. The project proposes no development therefore, the proposed amendment to the existing Coastal Development Permit and Conditional Use Permit No. 93-0538 is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. Conditional Use Permit [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

- a. The proposed development will not adversely affect the applicable land use plan.**

The 2.0-acre project site is located at 1261 Felspar Street and 1260 Garnet Avenue. 1261 Felspar Street contains one existing single-family house and five parking spaces. There is an existing Sprouts grocery store on the 1260 Garnet Avenue site. The project proposes to remove 1261 Felspar Street site including five parking spaces from the existing Coastal Development Permit and Conditional Use Permit. This amendment does not propose to change the existing land use and therefore will not affect the current use (grocery store) for which the CUP was originally required.

The site is approximately 3,337 feet from the Pacific Ocean. The proposed project is on an existing developed lot that contains no physical accessways used or proposed for public use.

The Pacific Beach Community Plan designates the project location as an area for community-serving commercial uses. The site will continue to be utilized by the existing Sprouts market, which meets the intent of this land use designation. The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking for the grocery store use as outlined in SDMC Section [142.0530](#) (Table 142-05E) requiring 70 spaces while 113 spaces will remain at the 1260 Garnet Avenue site after the removal of the existing five parking spaces from the 1261 Feldspar Street site. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project does not propose any physical development, and the site will continue to meet Municipal Code requirements for parking. The removal of five parking spaces is not anticipated to be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes to remove five parking spaces from the existing Coastal Development Permit and Conditional Use Permit. The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking for the grocery store use as outlined in SDMC Section [142.0530](#) (Table 142-05E) requiring 70 spaces while 113 spaces will be remaining at the 1260 Garnet Avenue parcel after the removal of the existing five parking spaces from the 1261 Feldspar Street site. The project is not requesting any deviations or variances from the applicable regulations, and therefore is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified implementation program.

d. The proposed use is appropriate at the proposed location.

The Pacific Beach Community Plan designates the project location as an area for community-serving commercial uses. The existing site is served by existing sidewalks, roads and alleyways, bus lines, and bicycle lanes, accessible to multiple modes of transportation. The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking for the grocery store use as outlined in SDMC Section [142.0530](#) (Table 142-05E) requiring 70 spaces while 113 spaces will remain at the 1260 Garnet Avenue parcel after the removal of the existing five parking spaces from the 1261 Feldspar Street site. The project does not propose any physical development or deviations and the existing use is a grocery store, which is appropriate at the proposed location as a community serving use.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, Coastal Development Permit No. 3154382 and Conditional Use Permit No. 3154381 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 3154382 and 3154381, a copy of which is attached hereto and made a part hereof.

Christian Hoppe
Development Project Manager
Development Services

Adopted on: August 9, 2023

IO#: 24009241

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

INTERNAL ORDER NUMBER: 24009241

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 3154382

CONDITIONAL USE PERMIT NO. 3154381

1261 FELSPAR STREET - PROJECT NO.1054593

AMENDMENT TO COASTAL DEVELOPMENT AND CONDITIONAL USE PERMIT 93-0538

HEARING OFFICER

This Coastal Development Permit No. 3154382 and Conditional Use Permit 3154381 (Amendment to Coastal Development Permit and Conditional Use Permit No. 93-0538 recorded in the office of the San Diego County Recorder on December 1, 1993), is granted by the Hearing Officer of the City of San Diego to 1261 Felspar LLC, a California limited liability company, and Janeal W. Thompson, Trustee of the T3 Trust, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0708 and 126.0305. The 2.0-acre site is located at 1261 Felspar Street and 1260 Garnet Avenue in the RM-2-5 and CC-4-2 zone, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable area), the Parking Standards Transit Priority Area, and the Transit Priority Area within the Pacific Beach Community Plan area. The overall project site is legally described as: Lots 7, 8, 9, 10, 11, 12, 15 and 16, 19 and 20, 21 through 38 inclusive, in Block 198 of Pacific Beach, in the City of San Diego, County of San Diego, State of California, according to Map thereof Nos. 697 and 854, filed in the Office of the County Recorder of San Diego County January 8, 1892 and September 28, 1898, respectively. The 1261 Felspar project site is legally described as: Lots 15 and 16, in Block 198 PACIFIC BEACH, in the City of San Diego, County of San Diego, State of California, according to Map thereof Nos. 697 and 854, Filed in the Office of the County Recorder of San Diego County January 8, 1892 and September 28, 1898.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to amend the existing Coastal Development Permit (CDP) and the Conditional Use Permit (CUP) 93-0538 and remove 1261 Felspar Street (Lots 15 and 16) from the permits which would eliminate five parking spaces from the entitlements, subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated August 9, 2023, on file in the Development Services Department.

The project shall include:

- a. The removal of five parking spaces and 1261 Felspar Street (Lots 15 and 16) from the CDP/CUP;

- b. All conditions of Coastal Development Permit and Conditional Use Permit No. 93-0538 shall remain with the exception of the Felspar Street parking requirement. The removal of the existing parking spaces is consistent with the current Municipal Code requirements for parking for the grocery store use as outlined in SDMC Section [142.0530](#) (Table 142-05E) requiring 70 spaces while 113 spaces will be remaining at the 1260 Garnet Avenue parcel after the removal of the existing five parking spaces from the 1261 Feldspar Street site;
- c. Off-street parking shall remain on the 1260 Garnet Avenue site; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 23, 2026.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. Coastal Development Permit and Conditional Use Permit No. 93-0538 remain in full force and effect except as modified herein.
5. 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.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.).

8. 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.

9. 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.

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

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

11. 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:

12. Prior to recordation of this permit the applicant shall complete the required public improvements per PRJ-1073777, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

13. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC.

14. 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.

15. 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.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on August 9, 2023, and (Approved Resolution Number).

Coastal Development Permit No. 3154382
Conditional Use Permit No. 3154381
Date of Approval: August 9, 2023

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Christian Hoppe
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.

1261 FELSPAR LLC
MARLA K. HICKS
Owner/Permittee

By _____
NAME
TITLE


TRUSTEE OF THE T3 Trust
JANEAL W. THOMPSON

Owner/Permittee

By _____
NAME
TITLE

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

DRAFT

Page 3	City of San Diego · Information Bulletin 620		August 2018
	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101		<h1 style="text-align: center;">Community Planning Committee Distribution Form</h1>
	Project Name: 1261 Felspar		Project Number: 1054593
Community: Pacific Beach			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny		Date of Vote: August 10, 2022	
# of Members Yes 11	# of Members No 0	# of Members Abstain 1	
Conditions or Recommendations: none			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Marcella Bothwell, MD, MBA			
TITLE: PBPG Development Chair		DATE: August 10, 2022	
<i>Attach additional pages if necessary (maximum 3 attachments).</i>			

Visit our web site at www.sandiego.gov/development-services.

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

DS-5620 (08-18) ONLINE FORM



THE CITY OF SAN DIEGO

Date of Notice: June 15, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24009241

PROJECT NAME / NUMBER: 1261 Felspar / PRJ-1054593

COMMUNITY PLAN AREA: Pacific Beach

COUNCIL DISTRICT: 2

LOCATION: 1261 Felspar St and 1260 Garnet Ave, San Diego, CA 92109

PROJECT DESCRIPTION: An Amendment to Coastal Development Permit and Conditional Use Permit No. 93-0538 to remove a parking lot from the entitlement and amend the required parking. No development is proposed. The project site is located at 1261 Felspar St and 1260 Garnet Ave within the Pacific Beach Community Plan. The 2.00-acre site is zoned RM-2-5 and CC-4-2 with overlay zones including Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Standards Transit Priority Area, and Transit Priority Area. **LEGAL DESCRIPTION:** Lots 15 and 16, in Block 198 of Pacific Beach, Map No. 697 and 854.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301, Existing Facilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301 which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The project is requesting an Amendment to Coastal Development Permit and Conditional Use Permit No. 93-0538 to remove a parking lot from the existing entitlement and amend the required parking. No new construction is proposed. Therefore, this exemption was deemed appropriate. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER:

Christian Hoppe

MAILING ADDRESS:

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER / EMAIL:

(619) 446-5093 / CHoppe@sandiego.gov

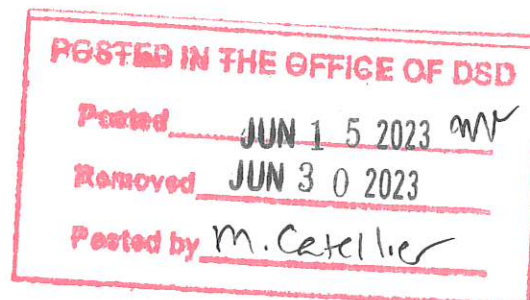
On June 15, 2023 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (June 30, 2023). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building—Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



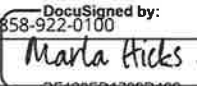
	<p>City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000</p>	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	<p>FORM DS-318</p> <p>October 2017</p>
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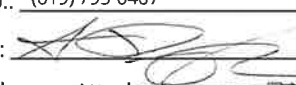
Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • **Other** Amendment to Coastal Development /CUP No.: 93-0538

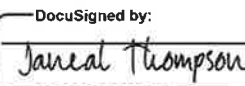
Project Title: Amend CD/CUP No.: 93-0538 **Project No. For City Use Only:** _____
Project Address: 1261 Felspar Street, San Diego, CA. 92109

Specify Form of Ownership/Legal Status (please check):
 Corporation Limited Liability -or- General - What State? CA Corporate Identification No. _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner
Name of Individual: Marla Hicks, owner/manager for 1261 Felspar LLC Owner Tenant/Lessee Successor Agency
Street Address: 864 Grand Ave PMB 447
City: San Diego State: CA Zip: 92109
Phone No.: 858-922-0100 Fax No.: _____ Email: mhicks@taylorlegacy.com
Signature:  Date: 2/20/2022
DocuSigned by: 858-922-0100
8F480FD1702D422...
Additional pages Attached: Yes No

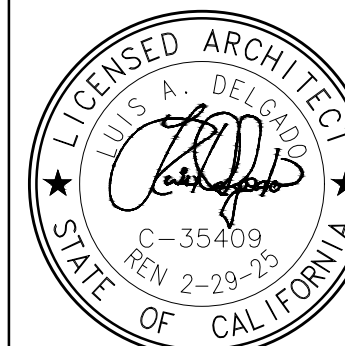
Applicant
Name of Individual: Aaron Rodriguez - ZAAP, Inc. (Authorized Agent) Owner Tenant/Lessee Successor Agency
Street Address: 2900 Fourth Avenue
City: San Diego State: CA Zip: 92103
Phone No.: (619) 795-0467 Fax No.: _____ Email: aaron@zaap.boz
Signature:  Date: December 29, 2021
Additional pages Attached: Yes No

Other Financially Interested Persons
Name of Individual: Janeal Thompson, trustee for T3 Trust 1, T3 Trust 2 Owner Tenant/Lessee Successor Agency
Street Address: 704 Willow Valley Drive
City: Lamar State: CO Zip: 81052
Phone No.: _____ Fax No.: _____ Email: janeal_44@bresnan.net
Signature:  Date: 2/18/2022
DocuSigned by: 8981D962C220412...
Additional pages Attached: Yes No



ZIEDARTH ASSOCIATES
ARCHITECTURE + PLANNING

2900 Fourth Avenue #204
San Diego, CA 92103
Phone: 619.233.6450
Fax: 619.233.6449
Web: www.zaap.biz



AMEND COASTAL DEVELOPMENT /
CONDITIONAL USE PERMIT NO.: 93-0538

1260 GARNET AVENUE
SAN DIEGO, CALIFORNIA, 92109

REVISIONS

DATE	DESCRIPTION
01/07/22	1ST PLAN CHECK SUBMITTAL
05/13/22	2ND PLAN CHECK SUBMITTAL
07/21/22	3RD PLAN CHECK SUBMITTAL
02/22/23	4TH PLAN CHECK SUBMITTAL
04/26/23	5TH PLAN CHECK SUBMITTAL

FINAL ISSUE SET:

DRAWN BY: AARON R.

Project No. 21870 FELSPAR SPROUTS

Sheet Title:

SITE PLAN

Sheet No.:

AS1.1

PROJECT DATA SUMMARY 1260 GARNET AVENUE (SPROUTS FARMERS MARKET)

PREVIOUS PERMITS:
COASTAL DEVELOPMENT/CONDITIONAL USE PERMIT: #93-0538
SUBSTANTIAL CONFORMANCE REVIEW: 09/01/1995

PROJECT DATA:
BUILDING ADDRESS: 1260 GARNET AVENUE, SAN DIEGO, CALIFORNIA, 92109
A.P.N.: 423-085-4, 5, 6, X, 10, 11, 12, 13, 14, 15 & 16.
LEGAL DESCRIPTION: LOTS 7, 8, 9, 10, 11, 12, 13 AND 16, 19 AND 20, 21 THROUGH 38 INCLUSIVE, IN BLOCK 198 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAPS THEREOF NOS. 697 AND 854, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JANUARY 8, 1892 AND SEPTEMBER 28, 1898, RESPECTIVELY.
SITE AREA (COMBINED): 87,349 S.F. (2.00 AC.)
ZONE: CC-4-2 & RM-2-5
OVERLAY ZONES: PACIFIC BEACH COMMUNITY PLAN
PARKING STANDARDS TRANSIT PRIORITY AREA.
TRANSIT PRIORITY AREA SB743.
COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE.
COMMUNITY PLAN: PACIFIC BEACH COMMUNITY PLAN
EXISTING USE: GROCERY STORE, RETAIL, PARKING, ~~2 SINGLE-FAMILY RESIDENCE~~
PROPOSED USE: GROCERY STORE, RETAIL, PARKING.
BUILDING AREA: 28,053 SF.
CONSTRUCTION TYPE: V-N (NON-SPRINKLED)
OCCUPANCY: GROUP A2 (GROCERY STORE)
STORIES: ONE-STORY BUILDING(S)
REFUSE & RECYCLABLES: EXISTING
SETBACK (T. 131-05C):

	REQUIRED	PROVIDED
FRONT	0'	0'
STREET SIDE	0'	0'
SIDE	0'	140' (PARKING)
REAR	0'	0'

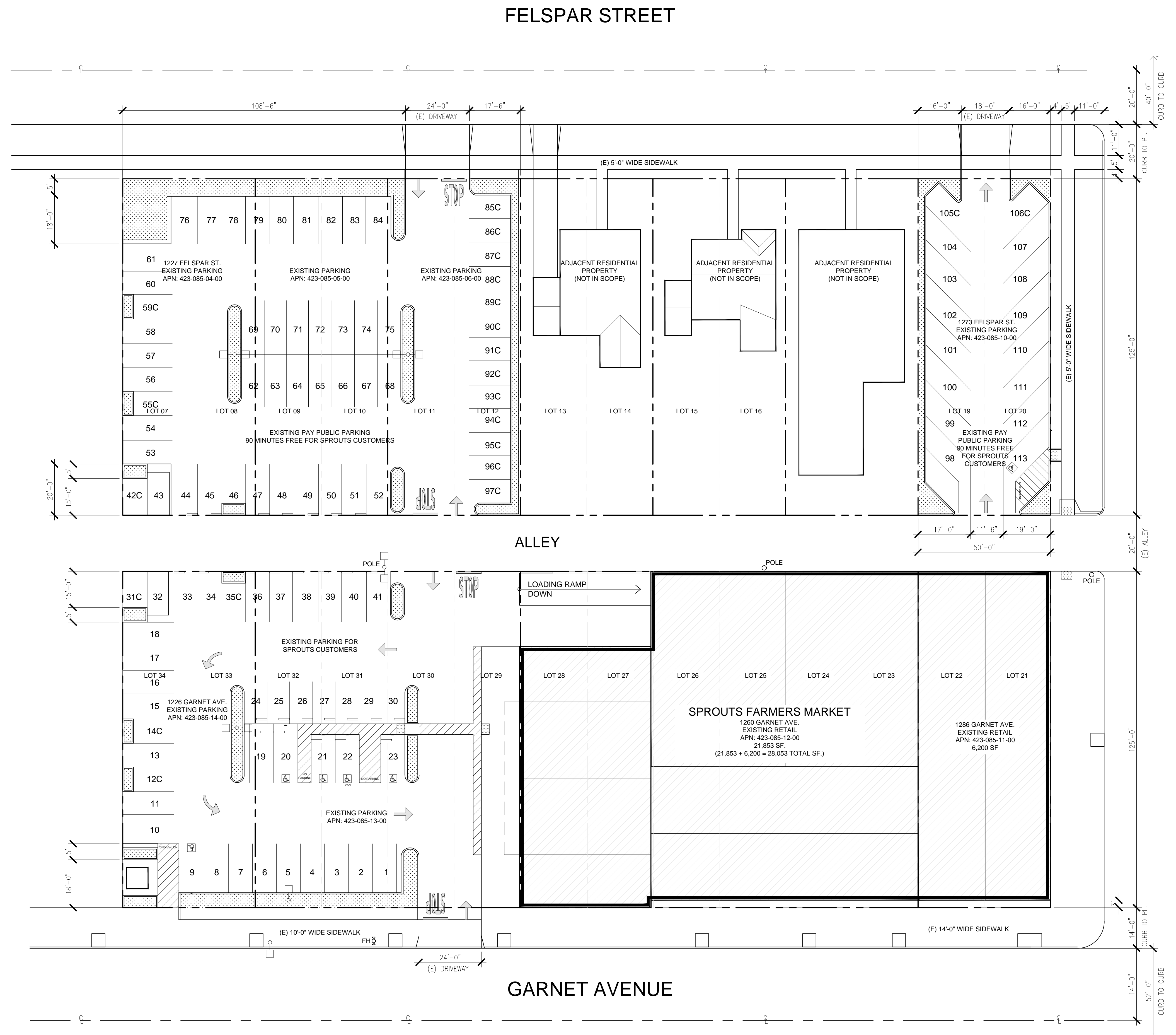
STRUCTURE HEIGHT (T. 131-05C): 60'-0" (MAX) 24'-0" (ACTUAL)
FLOOR AREA RATIO (F.A.R.): 2.00 (MAX) 0.32 (ACTUAL)

PARKING (T. 142-05E):

AREA	SQUARE FOOT	RATIO	REQUIRED	PROVIDED
LOTS 21 & 22	6,200 SF	1/400	15.5	
LOTS 23 - 26	13,989 SF	1/400	34.97	
LOTS 26 & 27	7,864 SF	1/400	19.66	
TOTAL	28,053 SF	1/400	70.13	113 PARKING SPACES

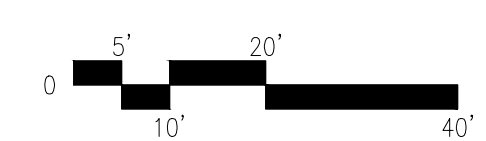
ACCESSIBLE PARKING (T. 11B-20B, 2):
101-150 STALLS 5 6 TOTAL ACCESSIBLE PARKING (1 VAN & 5 ACCESSIBLE)

EXISTING IMPERVIOUS AREA: 59,715.20 SF.
PROPOSED IMPERVIOUS AREA: ZERO SF.
TOTAL DISTURBANCE AREA: ZERO SF.



"THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT."
"THE APPLICANT WILL BE REQUIRED TO CONSTRUCT ALL PUBLIC IMPROVEMENTS TO MEET CURRENT STATE ACCESSIBILITY COMPLIANCE AND CURRENT CITY STANDARDS OR ARE DAMAGED DURING CONSTRUCTION."

SITE PLAN
1" = 20'-0"



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copying requested by
mail to: MSS01
City of San Diego
Planning Department
San Diego, CA 92101-3884

801

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

COASTAL DEVELOPMENT/CONDITIONAL USE PERMIT NO. 93-0538

BONEY'S MARKET EXPANSION
PLANNING DIRECTOR

LP

This Coastal Development/Conditional Use Permit Amendment to Conditional Use Permit C-9494 is granted by the Planning Director of the City of San Diego to SCOTT BONEY, Owner/Permittee, pursuant to Section 105.0201 of the Municipal Code of the City of San Diego.

1. Permission is hereby granted to Owner/Permittee to amend Coastal Development/Conditional Use Permit located at 1260 Garnet Avenue, described as Lots 7 through 12, 15, 16, 19, 20, and 23 through 34, Block 198, Map 697, in the C-1 and R-1500 (Lots adjacent to Feldspar) Zone.
2. The facility shall consist of the following:
 - a. Existing 13,863-square-foot building;
 - b. A 7,864-square-foot addition;
 - c. Sidewalk cafe;
 - d. Landscaping;
 - e. Off-street parking;
 - f. Incidental accessory uses as may be determined incidental and approved by the Planning Director;
 - g. Hours of operation are from 9:00 a.m. to 9:00 p.m.; and
 - h. Parking lots on Parcels 4, 5, 6, 10, 13 and 14 shall be secured after hours of operation. If in the future, the applicant proposes to provide access either with a security guard or valet service, this will be reviewed per substantial conformance.
 - i. All outdoor lighting shall be shaded and adjusted such that light is directed to fall on the same premises as light sources are located.
3. Not fewer than 121 off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated December 1, 1993, on file in the office of the Planning Department. Parking spaces shall comply with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking spaces shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

ORIGINAL

4. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department; and
- b. The Coastal Development Permit is recorded in the office of the County Recorder.

5. Before issuance of any building permits, complete working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated December 1, 1993, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

6. Before issuance of any building permits, a complete landscape plan, including a permanent irrigation system onsite; shall be submitted to the Planning Director for approval. Permanent irrigation will not be required for street trees. The Plans shall be in substantial conformity to Exhibit "A," dated December 1, 1993, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.

7. The property included within this Coastal Development/Conditional Use Permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by the City of San Diego.

8. This Coastal Development/Conditional Use Permit may be cancelled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City of San Diego or Permittee.

9. This Coastal Development/Conditional Use Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

10. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to

ORIGINAL

location, noise and friction values, and any other applicable criteria.

11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

12. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, the closure of any non-utilized driveways, the modification of any existing driveway to allow two-way traffic, and the installation of new driveways for this development, in a manner satisfactory to the City Engineer.

13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of raised sidewalk adjacent to this site on Feldspar Avenue, in a manner satisfactory to the City Engineer.

14. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement subject to desuetude or damage." If repair or replacement of such public improvements is required, the owner/permittee shall obtain the required permits for work in the public right-of-way, satisfaction to the permit-issuing authority.

15. Prior to the issuance of any building permits, the applicant shall:

- a. Ensure that building address numbers are visible and legible from the street (UFC 10.208)
- b. Show the location of all fire hydrants on the plot plan (UFC 10.301).

16. This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

17. Unless appealed this Coastal Development/Conditional Use Permit shall become effective on the eleventh day following the decision of the Planning Director.

18. Unless appealed this Coastal Development/Conditional Use Permit shall become effective on the eleventh working day following receipt by the Coastal Commission of the Notice of Final Action. This condition shall be included in all permits appealable to the State Coastal Commission.

ORIGINAL

19. This Coastal Development/Conditional Use Permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 105.0216 of the Municipal Code.

20. This Coastal Development Permit incorporates an amendment to Conditional Use Permit C-9494. The amendment to Conditional Use Permit shall not be valid until the Coastal Development Permit becomes effective.

21. In the event that 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 the event that a challenge pertaining to future growth management requirements is found by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, the Planning Director shall have the right, but not the obligation, to review this Permit to confirm that the purpose and intent of the original approval will be maintained.

22. The issuance of this permit by the City of San Diego does not authorize the applicant for said permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

APPROVED by the Planning Director of the City of San Diego on December 1, 1993.

RECEIVED
JAN 24 1994
DEVELOPMENT SERVICES

ORIGINAL

805

Page 5

PLANNING DIRECTOR
RESOLUTION NO. 9735
COASTAL DEVELOPMENT PERMIT AND
CONDITIONAL USE PERMIT AMENDMENT NO. 93-0538

WHEREAS, SCOTT BONEY, Owner/Permittee, filed an application for a Coastal Development/Conditional Use Permit Amendment to C-9494 to develop subject property located in the Pacific Beach Community Plan, described as Lots 7 through 12, 15, 16, 19, 20, and 23 through 34, in the C-1 and R1500 Zone; and

WHEREAS, on December 1, 1993, the Planning Director of the City of San Diego considered Coastal Development Permit No. 93-0538 Conditional Use Permit pursuant to Section 105.0200 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

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

That the Planning Director adopts the following written Findings, dated December 1, 1993.

COASTAL DEVELOPMENT PERMIT FINDINGS:

- a. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted LCP Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points. This development is not located near any public accessway.
- b. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. This development is not located near any marine resources.
- c. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Chapter X, Section 101.0462 of the San Diego Municipal Code, unless by the terms of the Resource Protection Ordinance, it is exempted therefrom. This project is not located near any biological sensitive lands.
- d. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources.

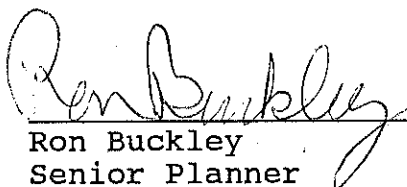
ORIGINAL

- e. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.
- f. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards.
- g. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.
- h. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs.

CONDITIONAL USE PERMIT FINDINGS:

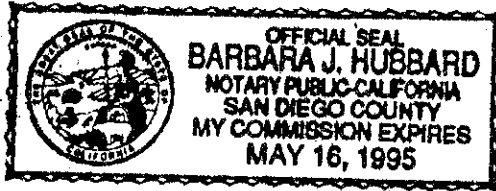
- a. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan.
- b. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity.
- c. The proposed use will comply with the relevant regulations in the Municipal Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Director, Coastal Development Permit, Conditional Use Permit is hereby GRANTED to Permittee, Owner/Permittee, in the form and with the terms and conditions as set forth in Coastal Development Permit No. 93-0538, a copy of which is attached hereto and made a part hereof.



Ron Buckley
Senior Planner

ALL-PURPOSE CERTIFICATE



Type/Number of Document CDP/CUP 93-0538

Date of Approval December 1, 1993

Ron Buckley
Ron Buckley, Senior Planner

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On January 5, 1994 before me, BARBARA J. HUBBARD (Notary Public), personally appeared Ron Buckley, Senior Planner of the Planning Department of the City of San Diego, personally known to me 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 capacity(ies), 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.

WITNESS my hand and official seal

Signature Barbara J. Hubbard
Barbara J. Hubbard



(Seal)

PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF PERMITTEE(S) THEREUNDER.

Signed [Signature]
Typed Name SCOTT BONEY

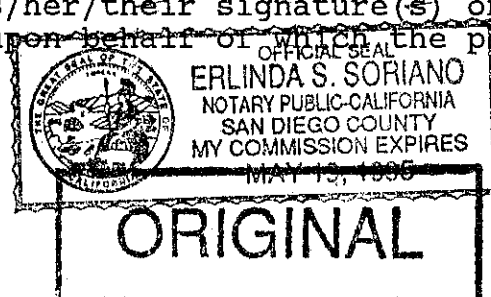
Signed Scott Boney
Typed Name

STATE OF California
COUNTY OF San Diego

On Jan. 7, 1994 before me, Erlinda S. Soriano (Name of Notary Public) personally appeared Scott Boney, personally known to me (or 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(ies), 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.

WITNESS my hand and official seal.

Signature Erlinda S. Soriano



(Seal)

808

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
ANNETTE EVANS, COUNTY RECORDER
RF: 9.00 FEES: 23.00
AF: 13.00
MF: 1.00

CHASE
SAN DIEGO COUNTY RECORDER'S OFFICE
ANNETTE EVANS, COUNTY RECORDER
1000

RECEIVED
JAN 21 1994
PLANNING DEPT.

[Faint rectangular stamp]

CITY of SAN DIEGO
MEMORANDUM

FILE NO.: CDP/CUP 93-0538 -- M930538B.WPC
 DATE: November 24, 1993
 TO: Planning Department; Attention: Terri Bumgardner
 FROM: Engineering & Development Department
 SUBJECT: BONEY'S MARKET EXPANSION

This memo incorporates comments from the following Departments/
Divisions:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Fire | <input checked="" type="checkbox"/> Water Utilities |
| <input checked="" type="checkbox"/> Park & Recreation | <input checked="" type="checkbox"/> Open Space |
| <input checked="" type="checkbox"/> Transportation Planning | <input checked="" type="checkbox"/> Transportation Demand Management |

The Engineering and Development Department has reviewed the resubmittal received November 15, 1993, for this proposed Coastal Development/Conditional Use Permit to allow for the expansion of a market and satellite parking lots in the Pacific Beach Community Plan area.

The following needs to be addressed prior to a public hearing. Upon resubmittal, we will complete our review of the proposed project:

- Entrance-only and exit-only driveways shall be adequately signed (Lots 19 and 20).

The applicant is proposing to provide 121 parking spaces. This amount of parking meets the requirements of the zone.

We recommend that the conditions per our memo dated October 13, 1993, be included in the Permit. In addition, we recommend that Condition 2b per said memo be revised, as follows:

2. ~~b. the east end of the alley in Block 198.~~

Additional conditions may be recommended pending further review or any redesign of this project.

CITY of SAN DIEGO
MEMORANDUM

ATTACHMENT 10

FILE NO.: CDP/CUP 93-0538 -- M930538A.WPC
DATE: October 13, 1993
TO: Planning Department; Attention: Terri Bumgardner
FROM: Engineering & Development Department
SUBJECT: BONEY'S MARKET EXPANSION

This memo incorporates comments from the following Departments/
Divisions:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Fire | <input checked="" type="checkbox"/> Water Utilities |
| <input checked="" type="checkbox"/> Park & Recreation | <input checked="" type="checkbox"/> Open Space |
| <input checked="" type="checkbox"/> Transportation Planning | <input checked="" type="checkbox"/> Transportation Demand Management |
| <input checked="" type="checkbox"/> Design (Floodplains) | |

The Engineering and Development Department has reviewed this proposed Coastal Development/Conditional Use Permit to allow for the expansion of a market and parking areas in the Pacific Beach Community Plan area.

The applicant is proposing to provide 139 parking spaces. This amount of parking meets the requirements of the zone.

The following item(s) need to be addressed prior to a public hearing. Upon resubmittal, we will complete our review of the proposed project:

- The store frontage shall be oriented such that access to the satellite parking lots encourages utilization and provides easier access.
- The northwest and southwest parking lots shall be redesigned to provide on-site east/west access aisles to reduce circulation trips onto both Felspar Avenue and Garnet Avenue and to reduce the number of curb cuts, thereby allowing more on-street parking. The access driveways should then be widened to a 24-foot width to allow for two-way traffic.
- The traffic flow direction shall be reversed for the center parking lot fronting Felspar Avenue.
- "Entrance-only" and "exit-only" driveways should be adequately signed.

CDP/CUP 93-0538
October 13, 1993
Page 2

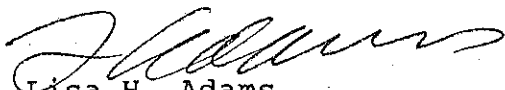
We recommend that the following conditions be included in the Permit:

1. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the closure of all non-utilized driveways, the modification of any existing driveway to allow two-way traffic, and the installation of new driveways for this development, in a manner satisfactory to the City Engineer..
2. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of pedestrian ramps at the following locations, in a manner satisfactory to the City Engineer:
 - a. the southwest corner of Felspar Avenue and Fanuel Avenue;
 - b. the ~~west~~^{EAST} end of the alley in Block 198; and
 - c. the northwest corner of the intersection of Fanuel Avenue and Garnet Avenue.
3. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of raised/damaged sidewalk adjacent to this site on Felspar Avenue, in a manner satisfactory to the City Engineer.
4. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
5. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street (UFC 10.208).
 - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
6. This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

CDP/CUP 93-0538
October 13, 1993
Page 3

Additional conditions may be recommended pending further review or any redesign of this project.

If you have any questions or comments, please call Ralph Adams at 236-6421.



Lisa H. Adams
Acting Development Coordinator

LHA:RCA:he

FILE: P-930538.MEM

DATE 10-8-93

AGENCY/DEPARTMENT/GROUP

EMD/TDM

CONTACT NAME/PHONE NUMBER

WILHOIT/66218

ISSUES:

- 1. No TDM Plan required.
- 2. Reduce number of curb cuts.

93-0538

Attach additional pages if necessary

COMMUNITY PLANNING GROUPS ONLY

RECOMMENDATION:

- Approve
- Approve with conditions
- Deny
- No action (specify, e.g. need further information, split vote, etc.)
- Continued

Date of Recommendation _____ Voting Results _____

PLEASE RETURN TO THE PROJECT MANAGER, CITY OF SAN DIEGO, PLANNING DEPARTMENT,
202 "C" STREET, MAIL STATION 4C, SAN DIEGO, CA 92101, WITHIN 45 DAYS OF DISTRIBUTION.

RECEIVED

OCT 12 1993

DEVELOPMENT SERVICES



Notice of Hearing Officer Public Hearing

ATTACHMENT 10

As a property owner, tenant, or person who has requested notice, you should know that the hearing officer will hold a public hearing to approve, conditionally approve, modify or deny an application to demolish one residence and restaurant to expand the existing market and parking area. The addition consists of 3,640 square feet at 1260 Garnet Avenue, Pacific Beach community.

DATE OF HEARING:	December 1, 1993
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	202 "C" Street, City Administration Building, 12th Floor, Council Chambers
PROJECT NUMBER:	Coastal Development/Conditional Use Permit Amendment No. 93-0538
PROJECT NAME:	BONEY'S MARKET EXPANSION
CITY PROJECT MANAGER:	Terri Bumgardner, Project Manager
PHONE NUMBER:	236-6624

RECEIVED
NOV 17 1993
DEVELOPMENT SERVICES

The decision of the hearing officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the hearing officer before the close of the public hearing. To file an appeal contact the Planning Department at 202 "C" St., Fifth Floor. The appeal must be made within 10 working days of the hearing officer's decision.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. Appeals to the Coastal Commission must be filed with the Coastal Commission at 3111 Camino Del Rio North, Suite 200, San Diego, CA 92108-1725. Phone (619) 521-8036. Appeals must be filed within 10 working days of the Coastal Commission receiving a notice of final action from the City.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing.

If you have any questions after reviewing this notice, you can call the city project manager listed above.

Date Of Notice: November 16, 1993

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call the Planning Department at 236-6501 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are available for the meeting upon request.

REPLY FORM - Subdivision Review Page
 Transp. Dev. (12/89)

Checked by Urias Date 9/30/93

TO: Subdivisions & Special Districts FROM: Transportation Development

Project #: CDP/CUP (AM) Project Name: BOWEY'S MARKET EXPANSION
93-0538

1. This tentative map affects the following routes of major importance:

A.D.T.	Name/Route No.	Classification					Source		
		Fwy.	P.A.	Major Coll.	Other		Gen. Plan	Comm. Plan	Inter Plan
<u>21K</u>	<u>GARWET AV</u>			<u>2L</u>					

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 OCT 7 1993
 DEVELOPMENT SERVICES

- 2. Caltrans concurrence with this proposed tentative subdivision/parcel map must be obtained in writing prior to approval of the tentative map.
- 3. Public Improvement plans for transportation facilities to be constructed on or contiguous to existing or planned State freeways and arterials must be approved by Caltrans in writing prior to approval by the City Engineer.
- 4. A transportation phasing plan is required for this community. Prior to approval of the final map, the transportation phasing plan must be approved by Council and this subdivision must conform to the transportation phasing plan.

NO 5. The right-of-way and proposed design appears to be adequate.

- 6. Comments: the proposed ENTRANCE DWY TO 24ft for two way access.
- ON GARWET AV, ELIMINATE THE WESTERMOST DWY & Reduce the two remaining DWY's TO 16', TO PROVIDE ADDITIONAL CURBSIDE PARKING.
- ✓ PROVIDE A STORE ENTRANCE ORIENTED TO THE PARKING LOT FOR EASIER ACCESS OF THE SATELLITE PARKING AREAS & FOR ENCOURAGING UTILIZATION.
- ✓ PROVIDE AN east/west parking circulation aisle parallel to Felspar AV or the NORTHERN BOUNDARY OF THE N/W PARKING LOT. to eliminate the need to travel onto/off of Felspar Ave to circulate thru pk lot aisles.
- ✓ Reverse the directional flow of the lot (sources #103 → 122) shown as the MIDDLE PARKING AREA BETWEEN THE EXISTING RESIDENCES OFF FELSPAR AV.

(OVER)

SITE CHECK LIST

PROJECT NO. 93-0538 DATE 10-4-93
 BY RAA

OK OR N/A	PUBLIC IMPROVEMENTS	REQUIREMENTS/COMMENTS
<input type="checkbox"/>	Right-of-way	
<input type="checkbox"/>	Pavement	
<input type="checkbox"/>	Curb	
<input type="checkbox"/>	Gutter	
<input type="checkbox"/>	Sidewalk(s)	
<input type="checkbox"/>	Driveway(s)	
<input type="checkbox"/>	Encroachments	
<input type="checkbox"/>	Utility Conflicts	

OK OR N/A	SITE PLAN	REQUIREMENTS/COMMENTS
<input type="checkbox"/>	Property Lines	
<input type="checkbox"/>	Topography/Grading	
<input type="checkbox"/>	Drainage	
<input type="checkbox"/>	Access	
<input type="checkbox"/>	• grades	
<input type="checkbox"/>	• width	
<input type="checkbox"/>	• sight distance	
<input type="checkbox"/>	• mutual access	
<input type="checkbox"/>	Parking	
<input type="checkbox"/>	• number	
<input type="checkbox"/>	• sizes	
<input type="checkbox"/>	• adequate back-up	
<input type="checkbox"/>	Circulation	
<input type="checkbox"/>	Easements	

ENGINEERING & DEVELOPMENT DEPARTMENT COMMENTS

DATE: 9/14/93

PROJECT TYPE: CDP/CUP

PROJECT #: 93-0538

PROJECT: BONEY'S MARKET EXPANSION

DIST:	COMMENTS RECEIVED FROM:	DATE RECEIVED:
<input type="checkbox"/> TMs only	<input type="checkbox"/> Facilities Financing (Plng Dept.)	_____
<input type="checkbox"/> TMs only	<input type="checkbox"/> R.U.I.S.	_____
<input type="checkbox"/>	<input type="checkbox"/> Design (Floodplain)	_____
<input checked="" type="checkbox"/>	<input type="checkbox"/> Reimbursement Districts	_____
<input checked="" type="checkbox"/>	<input type="checkbox"/> Traffic Engineering (T.D.M.)	_____
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Transportation Planning	<u>10-1-93</u>
<i>R4</i>	<input checked="" type="checkbox"/> Fire Dept.	<u>9-20-93</u>
<i>9-15-93</i>	<input checked="" type="checkbox"/> Park & Rec. Dept. (Open Space)	<u>9-20-93</u>
	<input checked="" type="checkbox"/> Park & Rec. Dept. (Park Dev.)	<u>9-23-93</u>
	<input checked="" type="checkbox"/> Water Utilities Dept.	<u>9-30-93</u>

ISSUES:

PLANNER: Terri Bumgardner

EQD ANALYST: _____

FILE NO: 93-0538 CUP (AM)
 DATE: 9.16-93
 TO: Robert Negrete, Subdivision Section, Tentative Maps
 FROM: Bob Medan, Plans Officer, Fire Department (236-6889)
 SUBJECT: BONEY'S MARKET EXPANSION

The Fire Department's requirement(s) is/are as follow(s):

- Provide building address numbers visible and legible from street or road fronting property or a directory (UFC 10.208).
- Show location of all existing fire hydrants on plot to conform with Fire Department Policy #F-85-1 (UFC 10.207).
- Provide access in conformance with Fire Department Policy A-89-1 (UFC 10.207).
- Roadways Signs Red Curbs Turning Radius
- Temporary street signs required.
- Comply with City of San Diego Landscaping Technical Manual.
- Brush and Landscaping Building Location relative to open space property lines
- Building Sprinkler System required. Refer to Fire Prevention Policy #S-86-12. (UFC Article 81)
- Post indicator valves, fire department connections, and alarm bell to be located on the address/access side of structure (UFC 10.201).

Comments:

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 SEP 26 1993
 DEVELOPMENT SERVICES

mc: Planner
Applicant

PROJECT ISSUES

930538
CUP (AM) CUP

DATE 9-20-93

AGENCY/DEPARTMENT/GROUP OPEN SPACE

CONTACT NAME/PHONE NUMBER JOHN CASEY 533-4049

ISSUES: NO OPEN SPACE IMPACTS, NO OPEN SPACE
REQUIRED, NO OBJECTIONS TO PROJECT AS SHOWN.
JFE

RECEIVED
SEP 20 1993
PLANNING DEPARTMENT SERVICES

Attach additional pages if necessary

COMMUNITY PLANNING GROUPS ONLY

RECOMMENDATION:

- Approve
- Approve with conditions
- Deny
- No action (specify, e.g. need further information, split vote, etc.)
- Continued

Date of Recommendation _____ Voting Results _____

PLEASE RETURN TO THE PROJECT MANAGER, CITY OF SAN DIEGO, PLANNING DEPARTMENT,
202 "C" STREET, MAIL STATION 4C, SAN DIEGO, CA 92101, WITHIN 45 DAYS OF DISTRIBUTION.

DATE 9/22/93

AGENCY/DEPARTMENT/GROUP

Port Development Section

CONTACT NAME/PHONE NUMBER

Star Eye 525-8216

ISSUES:

No Comments

Star Eye

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SEP 23 1993

PLANNING DEPARTMENT

Attach additional pages if necessary

COMMUNITY PLANNING GROUPS ONLY

RECOMMENDATION:

- Approve
- Approve with conditions
- Deny
- No action (specify, e.g. need further information, split vote, etc.)
- Continued

Date of Recommendation _____ Voting Results _____

PLEASE RETURN TO THE PROJECT MANAGER, CITY OF SAN DIEGO, PLANNING DEPARTMENT, 202 "C" STREET, MAIL STATION 4C, SAN DIEGO, CA 92101, WITHIN 45 DAYS OF DISTRIBUTION.

CITY OF SAN DIEGO

M E M O R A N D U M

FILE NO: 93-0538 GATEBOOK PAGE: B-14 LAMBERT COOR.: 230-1692
DATE: September 28, 1993
TO: Development Coordination Section, Development Services
Division, Engineering and Development Department
FROM: New Development Section, Engineering Division, Water
Utilities Department
SUBJECT: CUP 93-0538 Boney's Market Expansion/Garnet

We have no comment on the subject project, but we will need to see any resubmittal that has changes regarding the building location.

RECEIVED

SEP 30 1993

CITY OF SAN DIEGO

Intake Processor Kitty
Senior Planner Buckle j

Date Deemed Complete 9-13-93
Date of Distribution 9-14-93 ATTACHMENT 10

CITY OF SAN DIEGO PLANNING DEPARTMENT PROJECT DISTRIBUTION FORM

PROJECT NAME Boney's Market Expansion
PROJECT TYPE AND NUMBER CUP(AM)/CDP 93-0538
PROJECT DESCRIPTION EXPAND MARKET + PARKING
PROJECT LOCATION 1260 Garnet RELATED CASES _____
PROJECT MANAGER TERRI BUMGARDNER PHONE NO. _____
COMMUNITY PLAN Pacific Beach COUNCIL DISTRICT 2
EXISTING ZONE C-1 (Garnet Ave. lots) + PROPOSED ZONE _____
R-1500 (Felspar Ave. lots) + Coast/N. Appenl. #2

COMPLETE SETS

EAS
COMMUNITY PLANNING GROUP
LANDSCAPING
LONG RANGE PLANNING MS 660
PARK & REC - Fye MS 37C

MISSION VALLEY ADVISORY BOARD
Richard Aschenbrenner

SOUTHEAST SAN DIEGO
Carolyn Smith - SEDC MS 68

SITE PLANS ONLY

CALTRANS
CLEAN WATER - Dean Gipson MS 970
COUNCIL DISTRICT MS 10A
COUNTY - Graham MS 0650
FIRE DEPT. - Plans Officer MS 870
MTDB MS 58
PACIFIC BELL
PARK & REC - Casey MS 81
POSTAL SERVICE
SCHOOL DISTRICT
SDUSD - Facility Services
SDUSD - Bruce Silva
SDG&E - Land Mgmt. RM 501
SDG&E - Van Tran RM 1308
TREE MAINTENANCE - Sanders MS 39
(TM'S only)
WATER UTILITIES (2) Juybari MS 960

ENGINEERING & DEVELOPMENT

1 - 800:1 SCALE MAP
1 - COMPLETE SET
5 - SITE PLANS FOR PERMITS
W/DISTRIBUTION FORM & APPLICATIONS
7 - MAPS FOR TM'S
W/DISTRIBUTION FORM & APPLICATIONS
1 - SEPIA FOR TM'S

NOTICING

1 - GENERAL APPLICATION
1 - ASSESSOR'S MAP
ALL FURNISHED LABELS (2 sets)

USE ONLY FOR

OTAY MESA DISTRICT DISTRIBUTION

AIRPORT GEN. SVCS. - MS 14
P. Soderquist
CITY OF CHULA VISTA -
Lance Fry
COUNTY PLANNING - Whalen MS 0650
COUNTY PUBLIC WORKS MS 0332
OTAY WATER WORKS
POLICE CRIME PREVENTION MS 711
SDG&E - R. Heilman
U.S. BORDER PATROL - Shreves

USE ONLY FOR

AIRPORT INFLUENCE AREAS

NAS MIRAMAR - Fred Pierson
SANDAG - J. Koerper MS 56

RECEIVED

SEP 14 1993

DEVELOPMENT STARTED

PLEASE COMPLETE ISSUES SECTION ON THE REVERSE SIDE AND RETURN
TO THE PROJECT MANAGER BY 10-14-93.



General Project/Permit Application

Project Permit Application No.									
93	-	0538	ATTACHMENT 10						
For Department Use Only									

1. DEPARTMENT Building Inspection (41300) Engineering & Development (544)
 Neighborhood Code Compliance (075) Planning (0650)

2. PROJECT INFORMATION

PROJECT TITLE: Boney's Market Expansion PERMIT TYPE: CUP Amendment and Coastal Dev. Per.

ADDRESS (Include Building or Suite No.)

1260 Garnet Ave. San Diego, Ca. 92109

LEGAL DESCRIPTION: Lot No. 1260 Block No. 198 Subdivision Name Map 697 & 854 Unit No. 1 Map No. 697 & 854

Lots 7,8,9,10,11,12,15,16,19,20,23,24,25,26,27,28,29,30,31,32,33,34 Block 198 Map 697 & 854

Parcel No. 1 Parcel Map No. 1 Assessor's Parcel No. 433-085-04,05,06,08,10,12,13,14 APN 423-085-04,05,06,08,10,12,13,14

EXISTING USE: Single Family Residential & Commercial CONDITION OF SOIL AT SITE: Undisturbed Compact Fill Loose Fill

DESCRIPTION OF PROPOSED PROJECT: Demolish two houses, fast food rest. and portion of market to remodel and expand market and parking facility.

3. APPLICANT/LESSEE/FINANCIALLY RESPONSIBLE PARTY

APPLICANT'S NAME (Print): Boney's Market Pacific Beach PHONE NO. 619-565-1714

APPLICANT'S ADDRESS (Include Building or Suite No.): 1260 Garnet Ave. San Diego, Ca. 92109

FINANCIALLY RESPONSIBLE PARTY recognizes that additional deposits may be required if permit processing expenses exceed the original deposit. Upon depletion of this deposit all work will be stopped and no hearings will be scheduled until an additional deposit is submitted.

FINANCIALLY RESPONSIBLE PARTY'S NAME (Print): Scott Boney * SIGNATURE DATE 7/15/93

REFUND OR BILL (Check One) Contractor Agent for Contractor Owner Agent for Owner

NAME & ADDRESS TO SEND REFUND OR BILL (Print): Scott Boney Boney's Market 1260 Garnet Ave. San Diego, Ca. 92109

4. PROPERTY OWNER/CORPORATION/PARTNERSHIP

LEGAL STATUS (Check One) Corporation: What State Incorporated? Trust X Limited General Individual Ownership

PROPERTY OWNER'S NAME (Print): Taylor Properties Trust SIGNATURE DATE 6/23/93

PROPERTY OWNER'S ADDRESS (Include Building or Suite No.): P.O. Box 9508 San Diego, Ca. 92169 PHONE NO. 619-272-8161

1st CORPORATE/PARTNERSHIP NAME (Print) - Two Signatures Required: Vernon Taylor Trustee SIGNATURE DATE 7/1/93

2nd CORPORATE/PARTNERSHIP NAME (Print): Ernie Taylor O'Brien SIGNATURE DATE 7/1/93

5. DEVELOPER/ENGINEER Architect

NAME (Print): Ziebarth & Associates PHONE NO. 619-233-6450

ADDRESS (Include Building or Suite No.): 800 W. Ivy St. Ste E San Diego, Ca. 92101

STATE LICENSE NO. C 13350 LICENSE CLASS Architect CITY BUSINESS TAX NO. 92011257

6. FOR DEPARTMENT USE ONLY

Department	Submittal Date	Case/Work Order/ Permit No.(s)	Existing Permit/EAS No.	Hearing Date	Fee/ Deposit(s)	Received By	Other
B.I.					250.00	CDP	Klanel
E. & D.					2650.00	CUP(AM)	
N.C.C.					2500.00	EAS	Receipt
Planning	9-13-93	CUP(AM)/CDP 930538			7800.00 Total		872804

ZONE _____ ORDINANCE _____ EFFECTIVE DATE _____ COORD. NO. 2941194

COMMUNITY PLAN AREA & NO. Pacific Beach LAND USE DESIGNATION _____ SCHOOL DISTRICT SDUSD COUNCIL DISTRICT 2

COASTAL Yes No JURISDICTION City Coastal Commission

Supplemental Information Requirements

City of San Diego Planning Department

COASTAL DEVELOPMENT PERMIT

This form shall be completed and submitted with the General Application Form.

SECTION I (To be completed by Planning, Zoning or Building Inspection)

Community Plan: PB Designation: Com/RES^{MF} du/ac: _____

Zoning Designation: C-1 & R 1500 du/ac: _____ () Beach Impact Area
NO

Coastal Permit Determination:

- The proposed development is located within the following area of the California Coastal Commission's jurisdiction:
- Coastal Commission Permit Jurisdiction
 - Deferred Certification Area

Contact the California Coastal Commission for permit information and (attach this form to the Coastal permit application)

- The proposed development is located within the jurisdiction of the City of San Diego and requires the following:
- The proposed development is EXEMPT and does not require a Coastal Development Permit (Sec. 105.0204 - Indicate appropriate exemption: A, B, C, D, E)
 - The proposed development **REQUIRES** a Coastal Development Permit and it is located within the following area:
 - Coastal Commission Appeal Jurisdiction
 - Non-Appealable Area 1 (High Coastal Resource Sensitivity)
 - Non-Appealable Area 2 (Low Coastal Resource Sensitivity)

TO EXPEDITE YOUR SUBMITTAL

Note:

The Environmental Status of your application should be determined prior to submittal. Please call (619) 236-6206 to schedule an appointment for a determination prior to submittal of your application.

SECTION II (To be completed by Applicant)

NOTE:

Exemption under the above provisions does not constitute approval of a Demolition Permit under Section 91.0602 of the Municipal Code. A separate Demolition Permit may be necessary for demolition.

The application requests the following permits:

- Coastal Development Permit (Municipal Code S.105.0201)
 - 2. Sensitive Coastal Resource Permit (Municipal Code S.101.0480)
 - 3. Floodway/Floodplain Fringe Review (Municipal Code S.101.0403.1)
 - 4. Hillside Review Permit (Municipal Code S.101.0455)
- (Note: supplemental submittal requirements are necessary for No.(s) 2, 3, & 4; see Section III)

A. PROPERTY STATUS:

- 1. Does this proposal include demolition of any structures?
 Yes No
 If "yes" describe structures to be demolished 2 SINGLE FAMILY RESIDENCES
1 FAST FOOD RESTAURANT
- 2. Has a Coastal Development Permit been previously approved for this site:
 Yes No
 If "yes" approved by: The Coastal Commission
 City of San Diego Permit No. _____