

Report to the Hearing Officer

DATE ISSUED: August 30, 2023 REPORT NO. HO-23-045

HEARING DATE: September 6, 2023

SUBJECT: 821 San Antonio Place, Process Three Decision

PROJECT NUMBER: <u>1057682</u>

REFERENCE: PTS 625263

OWNER/APPLICANT: Misenum, LLC/Patrick Mcinerney

SUMMARY

<u>Issue:</u> Should the Hearing Officer approve a Coastal Development Permit for a new 6,115-square-foot, two-story, single dwelling unit (Residence) with a two-car garage and a new, new swimming pool, and a new detached, 796-square-foot, two-story accessory dwelling unit (ADU) with attached two-car carport at 821 San Antonio Place in the RS-1-7 Zone within the Peninsula Community Planning Area?

Proposed Action:

1. Approve Coastal Development Permit No. 3172962.

<u>Fiscal Considerations</u>: None. All staff costs associated with the processing of this project are recovered from a deposit account funded by the project applicant.

<u>Community Planning Group Recommendation</u>: On June 17, 2023, the Peninsula Community Planning Board voted 9 – 3, with no abstentions, in favor of the project.

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities), Section 15302 (Replacement or Reconstruction), and Section 15303 (New Construction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 17, 2023, and the opportunity to appeal that determination ended on August 1, 2023.

BACKGROUND:

The 0.29-acre project site is located at 821 San Antonio Place, also known as Assessor's Parcel Number 532-322-05-00, in the RS-1-7 Zone, Coastal (Appealable) Overlay Zone (COZ), Coastal Height Limit Overlay Zone (CHLOZ), Parking Impact Overlay Zone (PIOZ), Airport Land Use Compatibility Overlay Zone (ALUCOZ), Transit Priority Area (TPA) and the FAA Part 77 Noticing Area within the Peninsula Community Plan area. The project site is approximately 50 feet west of San Diego Bay in a developed, single-family residential neighborhood. Surrounding development includes one and two-story single-family dwelling units to the north, south, and west.

On March 19, 2019, the City of San Diego issued a Combination Building Permit for the project site under Project No. 625263 to remodel the first and second floors, add a new carport and gym/mechanical room, and replace the roof. Subsequently, on May 14, 2021, the City of San Diego issued a Stop Work Order (SWO) stating that construction on the property was out of compliance with the scope of work identified in the approved Combination Building Permit and construction changes to the permit. The applicant filed an administrative appeal of the City's determination (AR 285-297), which was denied by the City on August 4, 2021 (AR 298-300). The applicant filed a legal challenge to the City's denial of the appeal via a Petition for Writ of Mandate filed in the Superior Court of California on August 23, 2021, under Case No 37-2021-00035989-CU-MC-CTL. The litigation is ongoing as of the writing of this Staff Report. The current project was submitted on April 14, 2022.

DISCUSSION

Project Description:

The project proposes to partially demolish an existing 6,380-square-foot, two-story single dwelling unit to be replaced with a new 6,115-square-foot, two-story, single dwelling unit (Residence) with a two-car garage and a new, detached, 796-square-foot, two-story Accessory Dwelling Unit (ADU) with attached two-car carport. The proposed new residence and new ADU will be completely within the existing, previously developed site footprint. Additional improvements include the removal and replacement of existing retaining/site walls, a new swimming pool, landscaping, irrigation, and landscape-related improvements.

The project has been conditioned to provide visual corridors through recorded easements on both the north and south sides of the development. It will also require the removal of encroachments on San Diego Unified Port District public trust land on the east side of the property.

Permits Required:

 A Process Three Coastal Development Permit (CDP), in accordance with SDMC Section 126.0702(a) for all coastal development of a premises within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4 unless exempted by Section 126.0704, or if the proposed project site lies completely within the Coastal Commission Permit Jurisdiction or the Deferred Certification Area as described in Section 126.0702(b).

Community Plan and Local Coastal Program Analysis:

Land Use

The Peninsula Community Plan and Local Coastal Program Land Use Plan (LCP) designates the site as Low-Density Residential use (0-9 dwelling units per acre). Figure 7 of the LCP identifies the area as a protected single-family neighborhood. The proposed project is consistent with the residential density identified in the land use plan because it proposes to demolish an existing single-family dwelling and replace it with a new single-family dwelling unit. The density remains the same at one unit on site because SDMC Section 141.0302(2)(B) states that ADUs and JADUs are not subject to the density limitations for the premises.

Public Views

The Local Coastal Program (LCP) defines Coastal Vistas within the vicinity of the proposed project as those that "occur primarily from existing roadways," identified in Figure 27 of the LCP as Rosecrans Street. The proposed development will not obstruct any of the identified vistas along Rosecrans Street. The LCP also provides Residential Guidelines which concentrate primarily on view corridors and the protection of natural scenic amenities such as San Diego Bay. The project has been conditioned to provide view corridors on both the north and south sides of the development. It will also require the removal of encroachments on San Diego Unified Port District land on the east side of the property. To the west of the property, the inclining topography, conformity to established height limits, secure views, and sightlines for both neighboring properties as well as views available along Rosecrans Street also ensure compliance. Therefore, public views, both current and proposed, will not be affected by the proposed development.

Bulk and Scale

The LCP Residential Guidelines for Building Scale recommend "consistency" and "harmony" with surrounding areas. A site analysis (see attachment 7) revealed that adjacent, neighboring, and neighborhood properties of the proposed development provide little commonality in terms of design, visual relationships, form, texture, materials, or articulations. However, the LCP does provide direction in conforming to scale, specifically as it pertains to differences in building height and bulk between new development and neighboring development. The proposed property adheres to this recommendation through the following:

To the west of the proposed development, neighboring properties are naturally elevated due to the sloping nature of the topography. This elevation provides a tiered effect from west to east, securing views and providing harmony in the visual relationship between the buildings. To the immediate north and south of the proposed development, neighboring properties vary in height. The neighboring property to the north is a single-story dwelling unit. To reduce the transition in scale from the single-story neighbor and the proposed two-story development, the residence structure will increase the north setback from the current 8'-7" to 11'-2" for both the first and second stories. The increased setback will be recorded as a view corridor condition of the CDP (Attachment 5). To the south of the proposed development, the residence structure will maintain the existing 5'-2" setback so the proposed property aligns with the neighboring two-story property, keeping the

height uniform and avoiding abrupt differences in scale. The setback on the south will also be recorded as a view corridor condition of the CDP (Attachment 5).

The LCP Residential Guidelines for Building Scale recommend that bulk be controlled through vertical and horizontal offsets that break up the building façade. The proposed development's design incorporates these recommendations on all elevations. The western-facing portion of the proposed residence contains several distinct features that serve to break up the façade, provide articulation and create visually engaging features (see Attachment 10). By positioning the main residence behind the proposed ADU and attached carport, the horizontal depth reduces the bulk of the residence. The front wall, driveway entrance, ADU, and carport terrace all differ in height, providing vertical scaling and reducing bulk. Tall vertical windows on the residence break up bulk. The ADU combines differences in horizontal and vertical features to reduce bulk and scale. The wall in front of the ADU uses horizontal lines in the stonework, while the ADU structure incorporates tall vertical slats. The two features work to break up the façade and reduce bulk. Features on the north of the proposed residence include a 4-foot inset upper-level terrace along the façade, breaking up the bulk and scale. At the south elevation, vertical stepping in the facade is incorporated with a 4-foot offset (sky light) from the lower floor to the upper floor. To the east, facing San Diego Bay, the use of balconies, terraces, and façade setbacks break up the horizontal scale and reduce bulk.

Finally, the Local Coastal Program Residential Guidelines for Street Scape provide direction on how landscaping can also reduce bulk and scale. The landscaping for the proposed project will provide additional texture, vertical and horizontal scale, and soften the straight lines of the modern design. Landscape lighting will provide depth and ease straight edges. Trees and shrubs will soften the color palette and provide continuity with the surrounding vegetation. View easements and reduced landscaping on the north and south of the property will enhance view corridors and promote visual interest.

Using the natural topography, setbacks, and design features that allow it to transition between adjacent structures and mimic the bulk of surrounding properties, the proposed development meets the guidelines of the LCP.

Conclusion:

Staff has reviewed the proposal, including all the issues identified through the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan, General Plan and the adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings (Attachment 4) and conditions of approval (Attachment 5) and recommends the Hearing Officer APPROVE Coastal Development Permit No. 3172962.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 3172962, with modifications.
- 2. Deny Coastal Development Permit No. 3172962, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Robin MacCartee

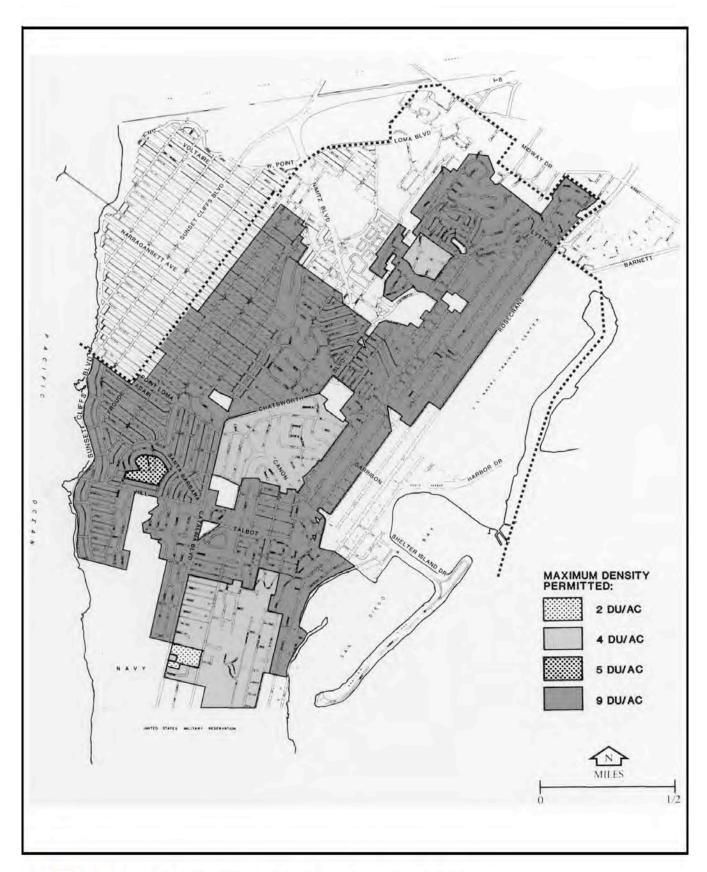
Development Project Manager Development Services Department

Attachments:

- 1. Project Location Map
- 2. Aerial Photographs
- 3. Community Plan Land Use Map
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Community Planning Group Recommendation
- 7. Neighborhood Site Analysis
- 8. Environmental Exemption
- 9. Ownership Disclosure
- 10. Project Renderings
- 11. Project Plans









Single-Family Residential Designations

Peninsula Community Plan

CITY OF SAN DIEGO PLANNING DEPARTMENT

FIGURE 7

HEARING OFFICER RESOLUTION NO. XXXXX COASTAL DEVELOPMENT PERMIT NO. 3172962 821 SAN ANTONIO PLACE - PROJECT NO. 1057682

WHEREAS, Misenum, LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to partially demolish an existing 6,380-square-foot, two-story single dwelling unit to be replaced with a new 6,115-square-foot, two-story, single dwelling unit (Residence) with a two-car garage, new swimming pool and a new, detached, 796-square-foot, two-story Accessory Dwelling Unit (ADU) with attached two-car carport, and removal and replacement of existing retaining/site walls and the removal of encroachments on San Diego Unified Port District ("Port") public trust property (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172962), on portions of a 0.29-acre site;

WHEREAS, the 0.29-acre site is located at 821 San Antonio Place in the RS-1-7 Zone, Airport

Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal

Height Limit Overlay Zone, Coastal Overlay Zone (Appealable), Coastal Overlay Zone First Public

Roadway, Parking Impact Overlay Zone (Beach Impact), Parking Standards Transit Priority Area,

Transit Priority Area, and the FAA Part 77 Noticing Area within the Peninsula Community Plan area.;

WHEREAS, the project site is legally described as: THE NORTHERLY 100.00 FEET OF THE SOUTHERLY 200.00 FEET OF LOT 177 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE IN 1870, A COPY OF WHICH MAP IS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, NOVEMBER 14, 1921, AND IS KNOWN AS MISCELLANEOUS MAPS NO. 36, THE NORTHERLY AND SOUTHERLY LINES OF THE ABOVE DESCRIBED PROPERTY BEING DRAWN PARALLEL

WITH A DISTANT RESPECTIVELY 200.00 FEET AND 100.00 FEET AT RIGHT ANGLES NORTHERLY FROM THE SOUTHERLY LINE OF SAID LOT.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WESTERLY OF LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PUEBLO LOT 177; THENCE ALONG
THE WESTERLY LINE OF SAID PUEBLO LOT NORTH 12° 44′ EAST TO AN INTERSECTION WITH THE
NORTHERLY LINE OF THE SOUTHERLY 100.00 FEET OF SAID PUEBLO LOT; THENCE 77° 13′ 20″ EAST
ALONG THE NORTHERLY LINE OF SAID 100.00 FEET A DISTANCE OF 117.00 FEET TO THE TRUE POINT
OF BEGINNING; THENCE NORTH 22° 56′ 14″ EAST, 101.61 FEET TO THE NORTHERLY LINE OF THE
SOUTHERLY 200.00 FEET OF SAID PUEBLO LOT.

ALSO EXCEPTING FROM SAID PROPERTY ALL THAT PORTION LYING BELOW THE MEAN HIGH TIDE LINE OF THE BAY OF SAN DIEGO.

WHEREAS, on July 17, 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), Section 15302 (Replacement or Reconstruction) and Section 15303 (New Construction), 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 September 6, 2023, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 3172962 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. 3172962:

A. <u>COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]</u>

- 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 project proposes the partial demolition of an existing 6,380-square-foot, two-story single dwelling unit to be replaced with a new 6,115-square-foot, two-story, single dwelling unit (Residence) with a two-car garage and a new, detached, 796-square-foot, two-story accessory dwelling unit (ADU) with attached two-car carport. The proposed new development and new ADU will remain within the existing, previously developed site footprint. Additional site improvements include the removal and replacement of existing retaining/site walls, a new swimming pool, the removal of encroachments on Port of San Diego property, landscaping, irrigation, and landscape-related improvements.

The proposed project is located on the eastern side of San Antonio Place, a private driveway that is accessed via the public road of the same name. The site is located approximately 100 feet east of the first public roadway, Rosecrans Street, between Rosecrans and San Diego Bay to the east.

The proposed project will not encroach upon any physical accessway identified in the Peninsula Community Plan and Local Coastal Program Land Use Plan (LCP) that is legally used by the public. The LCP identifies Public Access, Shoreline Access and Proposed Accessways within the vicinity of the proposed development, specifically:

- Public Access The LCP identifies a public access point within the vicinity of the proposed development at Kellogg Beach/La Playa, approximately 1000 feet south of the proposed development. The project, located entirely within a privately owned parcel, will not affect this access.
- Shoreline Access Figure 19 of the LCP identifies Public Shoreline Access to the east of the proposed development via Bessemer Path, which is accessed from the south via San Antonio Avenue and from the north via Bessemer Street and Talbot Street. The entirety of Bessemer Path has no visual impairments to the San Diego Bay and the proposed home, set back 80 feet from Bessemer Path, will not encroach upon or conflict with the physical accessways that are used legally by the public to the site.

 Proposed Accessway - Figure 19 of the LCP also identifies proposed new and/or improved physical accessways at Talbot Street and Bessemer Street. Both locations are over 800 feet north of the proposed development and the development will not encroach upon or conflict with the proposed physical accessways that are used legally by the public to the site.

Figure 27 of the LCP identifies Coastal Vistas that "occur primarily from existing roadways." There are three vistas within the vicinity of the proposed development, with two vistas, oriented west-to-east from Rosecrans Street to San Diego Bay. One vista at Bessemer Street and Rosecrans (approximately 730 feet northeast of the proposed development) and the other via a private drive access easement at 765 Rosecrans (approximately 190 feet south of the proposed development). The proposed project will not obstruct either vista due to the distances separating the views from the proposed development. A third vista at Talbot Street is oriented north-to-south overlooking San Diego Bay. Coastal views from Talbot Street cannot be obstructed due to its orientation to San Diego Bay. The proposed development will not obstruct or encroach on any of the specified views in the Local Coastal Program, thus protecting the public views to and along the scenic coastal areas.

The LCP provides Residential Guidelines for Urban Design related to views, which include the following:

- Structures should be designed to protect views of Peninsula's natural scenic amenities, especially the ocean shoreline, and San Diego Bay.
- View corridors, by utilizing side yard setbacks, should be encouraged along the
 ocean and bay shoreline and bluff-top areas in order to avoid a continuous
 walled effect along the shoreline. Narrow corridors create visual interest and
 allow for sea breezes.
- Setbacks and view corridors should be kept clear of obstacles which may interfere with visual access.

The proposed project implements the Residential Guidelines by providing setbacks greater than the required RS-1-7 zone setback minimums of: 15 feet for the front yard, 8'-2" for the side yards, and 13 feet for the rear yard. Landscaping improvements and a recorded view easement within the setbacks will reduce interference and enhance visual access through the following:

- The proposed project implements the Residential Guidelines by providing a side yard setback of 11'-2" which exceeds the base zone requirements of 8'-2".
- The existing building to the north property line setback is 8'-7". The proposed ground floor residence structure increases the north setback to 11'-2", adding over 2.5 feet of visual access through the site.

- The proposed residence structure on the south side provides a 5'-2" side yard setback that is less than the minimum side yard setback of 8'-2". The San Diego Municipal Code (SDMC) allows the reallocation in accordance with Footnote 2 of Table 131-04F. All additions to the residence structure thereafter shall maintain the established side setback.
- There is no visual access or public views on the project site, as shown in the LCP.
 Reducing the minimum south-side setback will not adversely affect the policies in the Peninsula Community Plan since there is no existing visual access or public views through the property.
- The proposed project maintains an existing 5'-2" Side yard setback along the south property line.
- Setbacks on both the north and south sides will be restricted with recorded view easements, limiting landscape bulk and height to enhance visual access through the view corridor.

The Port of San Diego holds public trust lands between the project site and San Diego Bay. These include the public accessway, Bessemer Path, as well as land abutting the eastern edge of the proposed project. The Port Master Plan (2020) Figure 2a identifies this land as Open Space with a specified "vista area" oriented west to east immediately south of Talbot Street. The proposed project will support the open space designation by removing landscape encroachments that currently exist on Port open space.

The removal of existing encroachments will support the LCP's goal to "protect views of Peninsula's natural scenic amenities, especially the ocean shoreline, and San Diego Bay." The removal of the encroachments on Port property will enhance the existing physical accessway that is legally used by the public, enhance, and protect public views to and along the ocean and other scenic coastal areas as defined in the LCP and Port Master Plan.

The LCP also contains guidelines for Building Scale:

 Abrupt differences in scale (building height) between new development and neighboring development should be avoided. Gradual transitions in scale are preferred.

The proposed development sits between two existing structures, a single-story dwelling unit to the north and a two-story dwelling unit to the south. In addition, there is a vacant lot on Rosecrans Street to the northwest, which is elevated due to the hillside topography. The proposed project will enhance the visual corridor from the vacant lot on Rosecrans Street by increasing the current setback on the north side of the proposed property from 8'-7" to 11'-2" for both the first and second stories of the residence structure. The increase in the setback is purposely intended to also improve the transition in scale from the single-story property to the north and enhance the visual effects of the view corridor. By maintaining the existing 5'-2" setback on the south, the

proposed project will align with the two-story neighboring property, keeping the scale uniform and avoiding abrupt differences in scale. By restricting both setbacks to the north and south with view easements, the project will also conform with the LCP Natural Environment (views) in the Urban Design Guidelines to keep setbacks and view corridors clear of obstacles and provide narrow corridors so as to "create visual interest and allow for sea breezes."

The proposed new development and new ADU will be completely encompassed within the bounds of the existing, previously developed site footprint. It will not encroach upon or obstruct the Public Access, Shoreline Access, or Proposed Access outlined in the LCP. The proposed project will not encroach upon or obstruct any of the identified Coastal vistas detailed in the Land Use Plan and Port Master Plan. It will enhance and protect view corridors via increased setbacks, improved landscaping, and restricted view easements. As such, 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.

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

The proposed new development and new ADU will be completely encompassed within the bounds of the existing, previously developed site footprint. Additional site improvements include the removal and replacement of existing retaining/site walls, a new swimming pool, the removal of encroachments on Port of San Diego public trust lands, landscaping, irrigation, and landscape-related improvements. The project site has been previously graded with building pads for the construction of the existing single dwelling unit and associated improvements on the property.

The proposed project does not meet the criteria for Environmentally Sensitive Lands as regulated within San Diego Municipal Code (SDMC) 143.0110 for premises where environmentally sensitive lands are present. There are no sensitive biological resources, steep hillsides, Coastal beaches (including V zones), sensitive coastal bluffs, or Special Flood Hazard Areas (except V zones) as specified in (SDMC) 143.0110(a). Furthermore, the Port Master Plan (2010) does not recognize any of the portions abutting or surrounding the property from the mean high tide line to San Diego Bay as areas of conservation as detailed in Master Plan Figure 2a. Conversely, the proposed project seeks to increase conservation in the natural environment by removing current encroachments on Port of San Diego public trust land, through conditions placed in Coastal Development Permit No. 3172962, which will further the LCP's Environmental Guideline to "protect views of Peninsula's natural scenic amenities, especially the ocean shoreline, and San Diego Bay". Finally, LCP Figure 21 identifies no sensitive lands on or around the proposed project site.

The proposed project is located in the La Playa neighborhood, as outlined in LCP Figure 3. The La Playa neighborhood is a built-out environment. The proposed project will be developed on in-fill. As such, the proposed coastal development 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 proposed new development and new ADU will be completely encompassed within the bounds of the existing, previously developed site footprint. Additional site improvements include the removal and replacement of existing retaining/site walls, a new swimming pool, the removal of encroachments on Port of San Diego public trust lands, landscaping, irrigation, and landscape-related improvements.

The proposed 0.29-acre site is located at 821 San Antonio Place in the RS-1-7 Zone, Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Appealable), Coastal Overlay Zone First Public Roadway, Parking Impact Overlay Zone (Beach Impact), Parking Standards Transit Priority Area, Transit Priority Area, and the FAA Part 77 Noticing Area within the Peninsula Community Plan area.

The RS-1-7 Zone contains quantifiable development standards including minimum setbacks, height limitations, and maximum FAR. The proposed project meets or exceeds these standards by providing setbacks as described at Finding A.1.a. incorporated here by reference, a height of 26' from grade for the residence, a height of 24' 11" from grade for the ADU, which are both under the 30-foot height limit, and a 0.49 FAR for the proposed home within the .52 FAR maximum.

The San Diego Municipal Code (SDMC) Section 131.0403 defines the RS zones as Residential--Single Unit, and "it is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties."

The LCP identifies the project site as located within the La Playa neighborhood, "characterized by large single-family homes of various ages and architectural styles, including colonial, Spanish, and contemporary designs." LCP Figure 7 designates the area for 0-9 dwelling units per acre and as a protected single-family zone per Figure 7. The proposed property at 821 San Antonio Place conforms to the density and use designations of both the SDMC and the Local Land Use Plan. In addition, the detached Accessory Dwelling Unit (ADU) meets all the criteria set forth in SDMC Section 141.0302(b) for use regulations. By meeting all applicable regulations for zoning, density and use, the proposed development is in conformity with the certified Local Coastal Program Land Use Plan and complies with all regulations of the certified Implementation Program.

The SDMC and the LCP identify a number of design policies providing flexibility in architectural style. Code regulations and plan policies also concurrently highlight the importance of community character and limiting adverse impacts on the neighborhood and adjacent properties. Examples of such statements include:

- SDMC Section 131.0403:
 - It is intended that these [residential] zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties.
- The LCP describes the La Playa Neighborhood as:
 - Characterized by large single-family homes of various ages and architectural styles, including colonial, Spanish, and contemporary designs.
- The LCP's Existing Condition Objective seeks to:
 - Encourage design compatible with existing residential development in all new infill housing.

The project is consistent with these policies and objectives by providing new infill housing with a contemporary design allowing reasonable use of the project site. A site analysis revealed that adjacent, neighboring, and neighborhood properties consist of large single-family homes that provide diverse and varied architectural styles with little commonality in terms of design, visual relationships, form, texture, materials, or articulations. As such, the project is consistent with the existing architecturally varied residential development.

The project also conforms to the LCP Guidelines concerning building scale as demonstrated by the following:

- The LCP Residential Guidelines for Building Scale provide:
 - New development should be consistent with the scale and character of the existing development of the surrounding areas. The fitting in of new development is, in a broad sense a matter of scale. It requires a careful assessment of each building site in terms of the size and texture of its surroundings, and a very conscious attempt to achieve balance and compatibility in design between old and new buildings.
 - Harmony should be promoted in the visual relationships and transitions between new and older buildings. New buildings should be sympathetic to the scale, form and texture of surrounding development. Where new buildings are larger than existing structures, large surfaces should be

articulated and textured to reduce their apparent size and to reflect the pattern of the surrounding development.

The proposed project achieves balance in scale using the natural topography, setbacks, and design features that allow it to transition between adjacent structures and mimic the bulk of surrounding properties.

Neighboring properties to the west of the private driveway access easement, San Antonio Place, are naturally elevated due to the sloping nature of the topography. This elevation provides a tiered effect from west to east, securing views and providing harmony in the visual relationship between the buildings. The proposed project is consistent with this existing visual relationship within the La Playa neighborhood.

The site analysis demonstrates that properties to the immediate north and south of the proposed development vary in scale. The project conforms with the following LCP Residential guideline for Building Scale through the use of setbacks to avoid abrupt differences in building scale:

 Abrupt differences in scale (building height) between new development and neighboring development should be avoided. Gradual transitions in scale are preferred.

The proposed development sits between two existing structures, a single-story dwelling unit to the north and a two-story dwelling unit to the south. The proposed project will increase the current setback on the north side of the proposed residence from 8'-7" to 11'-2" for both the first and second stories. The increase in the setback is purposely intended to provide a gradual transition in scale from the single-story property to the north and enhance the visual effects of the view corridor. By keeping the existing 5'-2" setback on the south, the proposed residence will align with the two-story neighboring property, keeping the scale uniform and avoiding abrupt differences.

The LCP Residential Guidelines for Building Scale also note the following:

Building bulk should be controlled through the use of vertical and horizontal
offsets and other architectural features (balconies, porches, bay windows) which
serve to break up building facades. A reduction in the front yard setback for a
portion of the structure would serve as an incentive for vertical offsets.

The proposed project uses vertical and horizontal offsets to break up the residence building façade and control bulk and scale. The western-facing portion of the proposed property abutting the private driveway access easement, San Antonio Place, is considered the front of the property. The residence is set back further than the proposed ADU and attached carport. The horizontal depth serves to reduce the bulk and scale of the residence. The front wall, driveway entrance, ADU, carport terrace, and landscaping all differ in height, providing vertical scaling against the residence. Tall vertical windows reduce bulk. The ADU combines differences in horizontal and vertical features to reduce bulk and scale. The wall in front of the ADU uses horizontal lines in

the stonework, while the ADU structure incorporates tall vertical slats. The two features work to break up the façade and reduce bulk. In addition, tall landscaping adds depth and irregularity against the straight lines of the modern design, also reducing bulk. Features on the north of the proposed building include a four-foot inset upper-level terrace along the façade, breaking up the bulk and scale. At the south elevation, vertical stepping in the facade is incorporated with a four-foot offset (sky light) from the lower floor to the upper floor. To the east, facing San Diego Bay, the use of balconies, terraces, and façade setbacks break up the horizontal scale and reduce bulk.

Finally, the LCP Residential Guidelines for Street Scape provide direction on how landscaping can also reduce bulk and scale:

• Landscaping should be used to add texture to blank walls, soften edges and provide a sense of pedestrian scale.

The landscaping for the proposed project in the form of trees and short shrubs will provide additional texture and irregularity against the vertical and horizontal scale and help to soften the straight lines of the modern design of the residence and ADU. Landscape lighting will provide depth and ease straight edges. The trees and shrubs will soften the color palette and provide continuity with the surrounding vegetation. View easements and reduced landscaping on the north and south of the property will enhance view corridors and promote visual interest.

Through the adherence to zoning, density, and use regulations, as well as design features intended to reduce scale, bulk, and maintain neighborhood character, the proposed Coastal Development conforms to 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 proposed project is located on the eastern side of the private driveway access easement, San Antonio Place, which is accessed via the public road of the same name, San Antonio Place. The proposed development is located approximately 100 feet to the west of the first public road, Rosecrans Street, which connects to San Antonio Place via Bessemer Street approximately 800 feet to the north. To the east, is San Diego Bay with no public roads between it and the proposed development. As such, the proposed property is located between the nearest public road and the shoreline of San Diego Bay.

The proposed project is in conformity with Article 2, Public Access, under Chapter 3 of the California Coastal Act. The public can access the shoreline via the public accessway, Bessemer Path. As detailed in Finding A.1.a., incorporated here by reference, the proposed development does not interfere, encroach, or obstruct in any way the ability of the public to access the path, as outlined in Figure 19 of the LCP, identifying Public

ATTACHMENT 4

Shoreline Access to Bessemer Path from the south via San Antonio Avenue and to the north via Bessemer Street and Talbot Street. This existing Public Access satisfies Public Resources Code Section 30212(2) (Adequate access exists nearby) for new development

within the California Coastal Act.

The proposed project is in conformity with Article 3, Recreation, under Chapter 3 of the California Coastal Act. Figure 11 of the LCP identifies La Playa Beach as the only wateroriented recreational activity area near the proposed development. The location of La Playa Beach is approximately 2400 feet south of the proposed project and the proposed

development will not interfere with the protection of the beach as outlined in Section 30220 of Article 3, Chapter 3 of the California Coastal Act. As such, the coastal

development is in conformity with the public access and public recreation policies of

Chapter 3 of the California Coastal Act.

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 Development

Services Department, Coastal Development Permit No. 3172962 is hereby GRANTED by the Hearing

Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in

Permit No. 3172962, a copy of which is attached hereto and made a part hereof.

Robin MacCartee

Development Project Manager

Development Services

Adopted on: September 6, 2023

IO#: 24009223

Page 11 of 11

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

INTERNAL ORDER NUMBER: 24009223

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 3172962 821 SAN ANTONIO PLACE - PROJECT NO. 1057682 HEARING OFFICER

This Coastal Development Permit No. 3172962 is granted by the Development Services Department of the City of San Diego to Misenum, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0702. The 0.29-acre site is located at 821 San Antonio Place in the RS-1-7 Zone, Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Appealable), Coastal Overlay Zone First Public Roadway, Parking Impact Overlay Zone (Beach Impact), Parking Standards Transit Priority Area, Transit Priority Area, and the FAA Part 77 Noticing Area within the Peninsula Community Plan area. The project site is legally described as:

Parcel 1:

THE NORTHERLY 100.00 FEET OF THE SOUTHERLY 200.00 FEET OF LOT 177 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE IN 1870, A COPY OF WHICH MAP IS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, NOVEMBER 14, 1921, AND IS KNOWN AS MISCELLANEOUS MAPS NO. 36, THE NORTHERLY AND SOUTHERLY LINES OF THE ABOVE DESCRIBED PROPERTY BEING DRAWN PARALLEL WITH A DISTANT RESPECTIVELY 200.00 FEET AND 100.00 FEET AT RIGHT ANGLES NORTHERLY FROM THE SOUTHERLY LINE OF SAID LOT.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WESTERLY OF LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PUEBLO LOT 177; THENCE ALONG THE WESTERLY LINE OF SAID PUEBLO LOT NORTH 12° 44′ EAST TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE SOUTHERLY 100.00 FEET OF SAID PUEBLO LOT; THENCE 77° 13′ 20″ EAST ALONG THE NORTHERLY LINE OF SAID 100.00 FEET A DISTANCE OF 117.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 22° 56′ 14″ EAST, 101.61 FEET TO THE NORTHERLY LINE OF THE SOUTHERLY 200.00 FEET OF SAID PUEBLO LOT.

ALSO EXCEPTING FROM SAID PROPERTY ALL THAT PORTION LYING BELOW THE MEAN HIGH TIDE LINE OF THE BAY OF SAN DIEGO.

Subject to the terms and conditions set forth in this Permit, permission is granted to, Misenum, LLC, a California Limited Liability Company, Owner/Permittee to partially demolish an existing 6,380-square-foot, two-story single dwelling unit to be replaced with a new 6,115-square-foot, two-story, single dwelling unit (Residence) with a two-car garage, new swimming pool and a new, detached, 796-square-foot, two-story Accessory Dwelling Unit (ADU) with attached two-car carport, and removal and replacement of existing retaining/site walls and the removal of encroachments on San Diego Unified Port District ("Port") public trust property described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 6, 2023, on file in the Development Services Department.

The project shall include:

- a. Partial demolition of an existing 6,380-square-foot, two-story single dwelling unit;
- b. Construction of a new 6,115-square-foot, two-story, single-dwelling unit with a two-car garage;
- c. Construction of a new, detached 796-square-foot, two-story Accessory Dwelling Unit (ADU) with attached two-car carport;
- d. The removal and replacement of existing retaining/site walls and the removal of encroachments on Port property;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. 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 September 20, 2026.
- 2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.

- 3. 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.
- 4. 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.
- 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.

CLIMATE ACTION PLAN REQUIREMENTS:

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

- 14. 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.
- 15. Prior to the issuance of construction permits, the Owners/Permittees shall record easements against the property to preserve a visual corridor of not less than the five feet, two-inch setback

running the entire depth of the premises parallel to the southern property line, and not less than eleven feet, two inches wide running the entire depth of the premises parallel to the northern property line, as shown on the approved Exhibit "A" drawings.

- 16. Open fencing and landscaping may be permitted within these visual corridors, provided such improvements do not significantly obstruct public views of the ocean. Open fencing within these visual corridors shall not exceed three feet in height and must maintain at least 75 percent of the vertical surface open to light and air in order to preserve public views.
- 17. Prior to the issuance of construction permits, the Owners/Permittees shall record an acknowledgment agreement for future sea level rise per SDMC Section 132.0404.
- 18. Prior to the issuance of construction permits, the following permits and approvals shall be obtained from the San Diego Unified Port District's Real Estate Department and/or Development Services Department for the portion of the project located within the District's Coastal Development Permitting authority: Right of Entry Permit, CEQA determination, Coastal determination, District Conditional Project Approval letter.
- 19. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

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 Sept. 6, 2023, and Resolution No. HOXXXX.

ATTACHMENT 5

Coastal Development Permit No. 3172962 Date of Approval: September 6, 2023

JTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT				
Robin MacCartee Development Project Manager				
NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.				
The undersigned Owner/Permittee , by execution he this Permit and promises to perform each and every				
	Misenum, LLC, a California Limited Liability Company Owner/Permittee			
	By NAME TITLE			

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



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

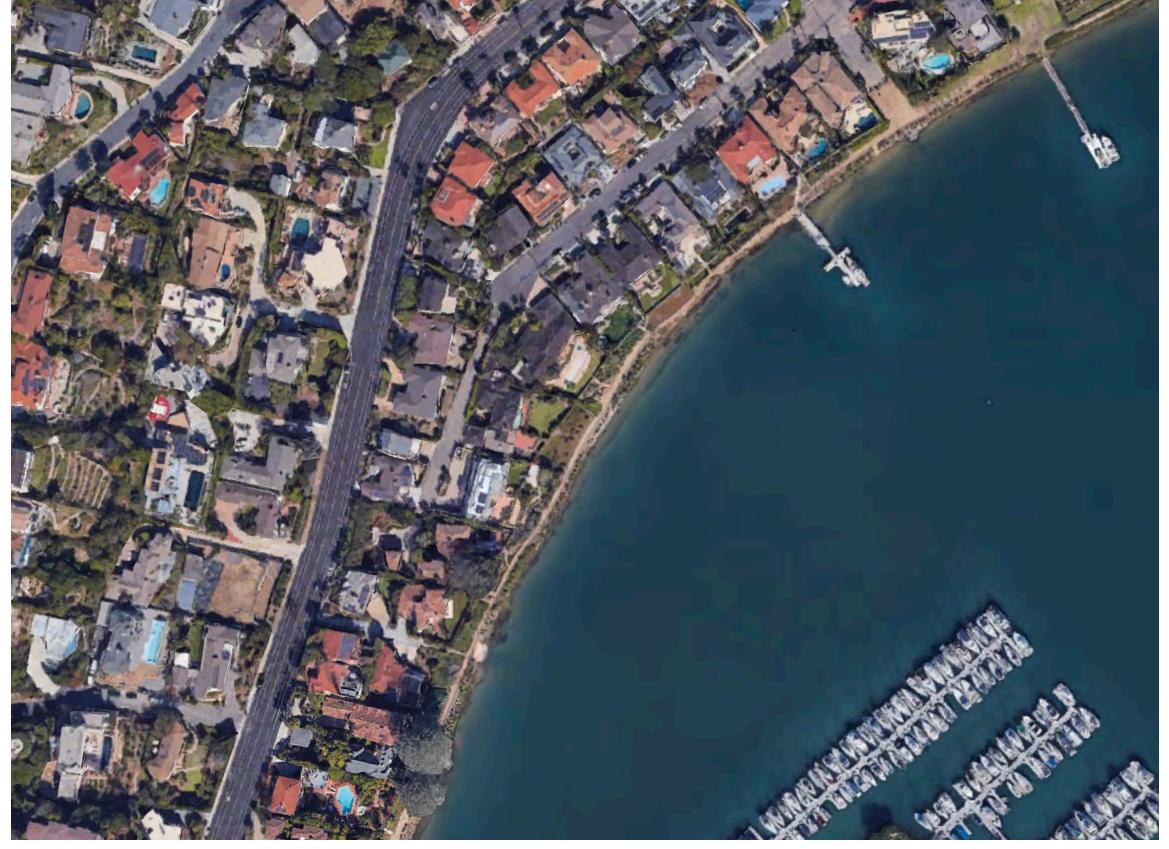
Community Planning Committee Distribution Form

Project Name: 821 San Antonio Place	Project N PRJ-1057	Project Number: PRJ-1057682			
Community: Peninsula	·				
log ir	pe and contact information (pronto OpenDSD at https://aca.accel	la.com/SANDIE	EGO.		
Vote to Approve□ Vote to Approve with C□ Vote to Approve with N□ Vote to Deny	onditions Listed Below Ion-Binding Recommendations L	isted Below	Date of Vote: June 15, 2023		
# of Members Yes 9	# of Members No 3	# of M	Members Abstain		
Conditions or Recommend	ations:				
□ No Action (Please specify, e.g., Need fu	rther information, Split vote, Lack of quoi	rum, etc.)			
	rther information, Split vote, Lack of quoi	rum, etc.)			

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

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

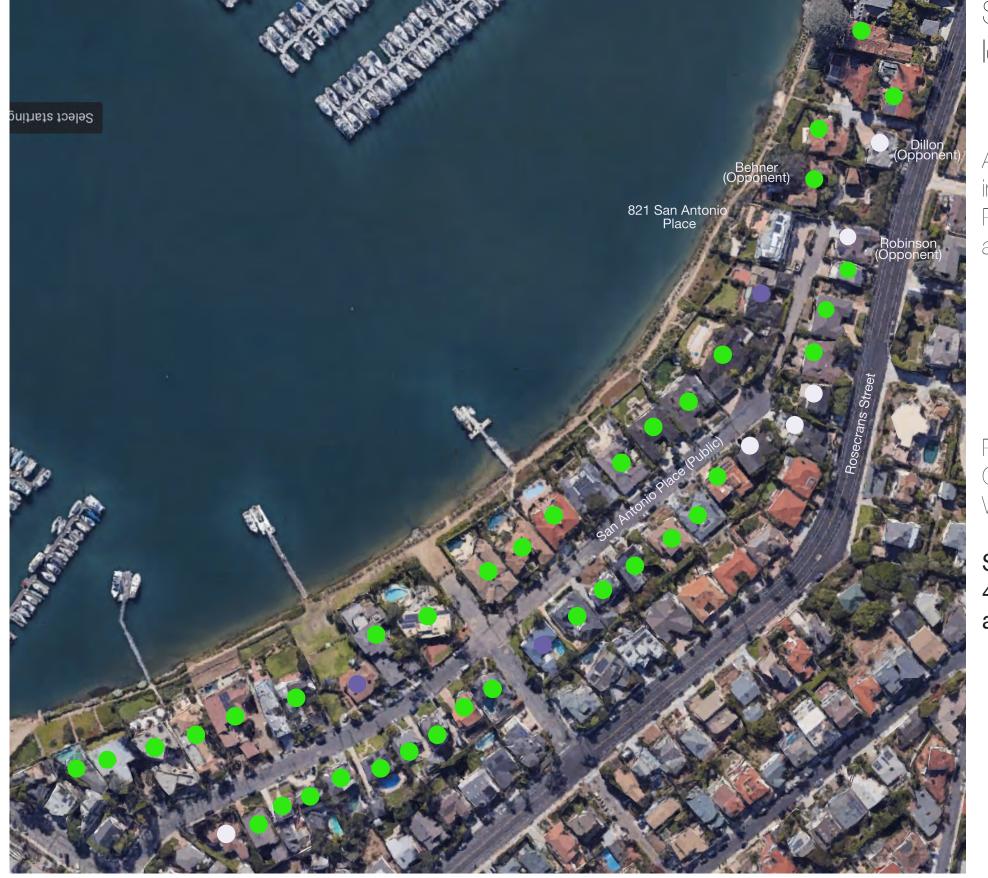
DS-5620 (08-18) ONLINE FORM



Houghton Berry
Remodel /
Replacement
Home

Peninsula Community Planning Board 15 June 2023 6:00 PM Point Loma Library

MCINERNEY + ASSOCIATES
Peninsula Presentations



Aerial view of the Neighboring houses along San Antonio Place (Public and Private)

Survey of Structures that Identifies Number of Floors

A survey of the properties that immediately surround 821 San Antonio Place reveals that most residences are arranged over two - three levels

Purple Dot- mostly 1 Level Green Dot- mostly 2 levels White Dot- mostly 3 Levels

Summary 43 of 48 of the depicted properties are 2-3 levels

300' Foot Radius Property Assessment

Address	Gross Lot Area	Sq Feet	GLA/FAR		Year Built		Opponents
855 San Antonio	10,424	5,333	51%	6 Bed / 6.5 Ba	1956	House Larger than .49 FAR	
851 San Antonio	5,950	3,136	53%	4 Bed / 3 Ba	1948	House Larger than .49 FAR	
845 San Antonio	14,802	3,096	21%	4 Bed / 4 Ba	1951	Ü	
812 San Antonio	3,215	2,982	93%	4 Bed / 4.5 Ba	2012	House Larger than .49 FAR	
809 San Antonio	18,800	4,065	22%	2 Bed / 2 Ba	1949	-	Behner / Stiefel House
808 San Antonio	5,397	3,411	63%	3 Bed / 3 Ba	1980	House Larger than .49 FAR	Robinson House
850 San Antonio	5,439	3,198	59%	5 Bed / 3 Ba	1964		
821 San Antonio	12,455	6,115	49%	4 Bed / 4 Ba	1950	Subject Property	
827 Rosecrans	9,309	3,529	38%	3 Bed / 4 Ba	1951		
829 Rosecrans	8,258	3,573	43%	5 Bed / 4 Ba	1973		
833 Rosecrans	7,214	3,527	49%	3 Bed / 4 Ba	1938		
845 Rosecrans	6,164	3,716	60%	2 Bed / 4 Ba	1959	House Larger than .49 FAR	
849 Rosecrans	5,184	3,000	58%	4 Bed / 4 Ba	1950	House Larger than .49 FAR	
3004 Kona Way	17,031	6,395	38%	7 Bed / 5.5 Ba	2005		
3015 Kona Way	10,367	4,434	43%	4 Bed / 4.5 Ba	1977		
820 Rosecrans	13,599	2,608	19%	2 Bed / 2 Ba	1954		
804 Rosecrans	10,646	3,252	31%	4 Bed / 3 Ba	1950		
826 Rosecrans	22,651	5,500	24%	6 Bed / 4.5 Ba	1956		
776 Rosecrans	11,700	3,021	26%	3 Bed / 2 Ba	1952		
766 Rosecrans	17,197	3,296	19%	3 Bed / 4 Ba	1953		
744 Rosecrans	13,804	4,721	34%	4 Bed / 4 Ba	1951		
767 Rosecrans	8,342	4,990	60%	3 Bed / 4 Ba	2004	House Larger than .49 FAR	Dillon / James House
751 Rosecrans	5,178	3,290	64%	3 Bed / 3 Ba	1938	House Larger than .49 FAR	
747 Rosecrans	5,454	3,916	72%	4 Bed / 3 Ba	1938	House Larger than .49 FAR	
755 Rosecrans	7,677	2,452	32%	4 Bed / 3 Ba	1957		
741 Rosecrans	9,283	4,173	45%	3 Bed / 3 Ba	1998		

Neighborhood Vicinity FAR / Bulk and Scale

Noted properties are within 300' radius of project site.

Light Green- Homes over 43% FAR Light Blue- Opponents Homes

15 out of 26 houses have a FAR higher than .43

The FAR calculations do not include the ADU



Bayfront Houses adjacent to Bessemer Path and San Diego Bay

Allegation that the proposed Home is too close to Bessemer Path

The following are approximate distances between the Bessemer Path and the rear facade of the existing structures.

741 - 50' - 3"

755-49'-10"

765-67'-4"

809-61'-2"

821-80'-0" (Houghton-Berry Home)

845-80'-0"

851 - 80'-0"

855-70'-3"

865-74'-4"

869-80'-1"

871 - 75' - 8"

873-83'-6"

The range is between 50'-0" to 83'-6"
The proposed home is 80'-0" from
Bessemer Path

Green Dots indicate existing houses that are the same as or are closer to the the Bessemer Path than the proposed remodel / replacement home at 821 San Antonio Place



Previous home as viewed from San Antonio Place (Private Road)

Setback Areas (Lower Level)

The pink tone identifies the required setbacks - front / side and rear

The grey tone identifies the proposed enclosed structures at ground level



Site Plan showing Lower Level and Setbacks

(N77°13'20"W 131.9') PROPERTY LINE SAN ANTONIO PLACE (PRIVATE ROAD) SETBACK LINE 5' 5' OFFSET FRONT YARD SETBACK SYSB SYSB PL TO PACE OF WALL SYSB (N77°13'20"W 121.27') PROPERTY LINE

Site Plan showing Upper Level and Setbacks

Setback Areas (Upper Level)

The pink tone identifies the required setbacks - front / side and rear

The grey tone identifies the proposed enclosed structures at ground level

(N77°13'20"W 131.9') SAN ANTONIO PLACE (PRIVATE ROAD) SETBACK LINE PROPOSE FRENCH DRAIN (E/FG 17.85 (P/FG 18.08 796SQFT ADU (P)FFL (22'-9") (P)FCL (34'-3") 0 0 0 ALL EXISTING IMPROVEMENTS BETWEEN THE REAR PROPERTY LINE AND THE BESSEMER PATH TO BE REMOVED SETBACK LINE SARDEN ANDSCAPING PROPERTY LINE (N77°13'20"W 121.27')

Lower Level Plan

Proposed Home

This is the lower level plan showing the existing structure overlaid with the proposed home.

Pink- existing / proposed structural envelope to be retained
Blue- proposed structural envelope to be added
Green- existing envelope to be removed

(N77°13'20"W 131.9') PROPERTY LINE SAN ANTONIO PLACE (PRIVATE ROAD) SETBACK LINE 11111111 EAST TERRACE (P)FFL (30'-11") O FRONT YARD SETBACK SETBACK LINE MIN SYSB 5-2" PL TO FACE OF WALL SYSB (N77°13'20"W 121.27") PROPERTY LINE

Proposed Structure

This is the upper plan showing the existing structure overlaid with the proposed home.

Pink- existing / proposed structural envelope to be retained
Blue- proposed structural envelope to be added
Green- existing envelope to be removed

Upper Level Plan

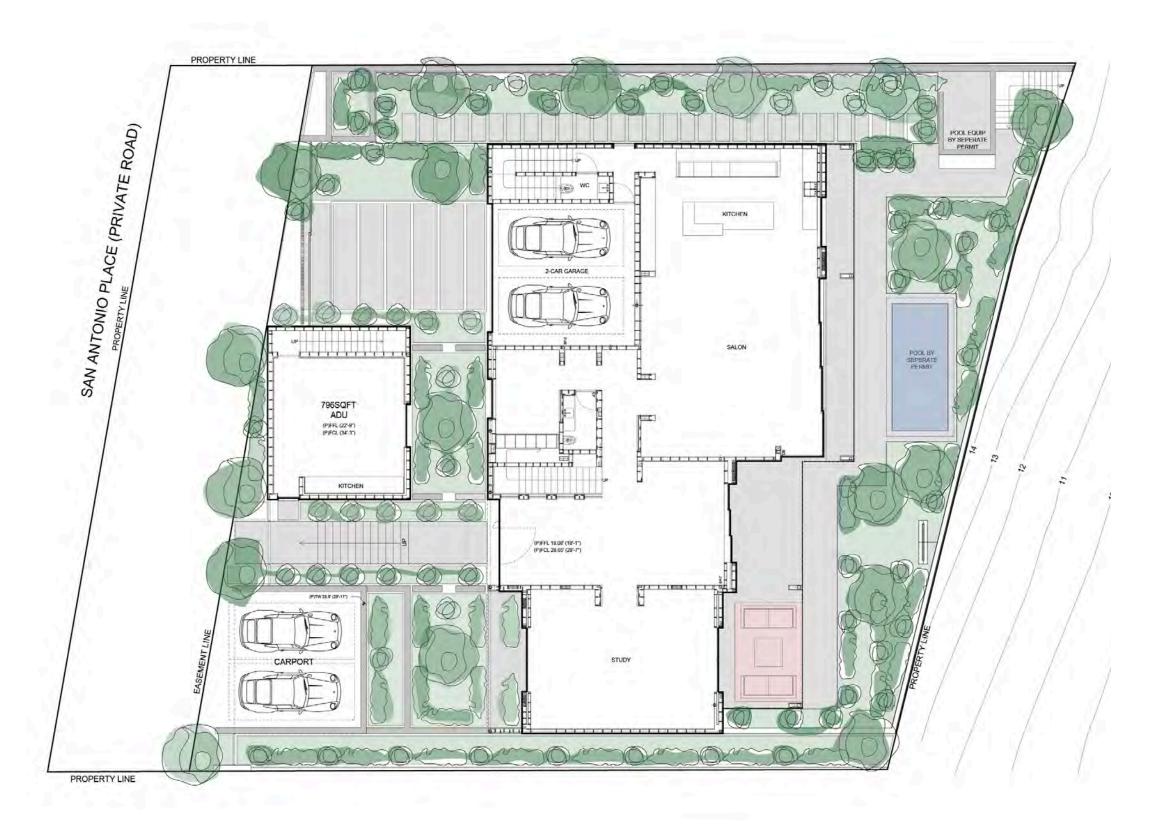
(N77°13'20"W 131.9') PROPERTY LINE SAN ANTONIO PLACE (PRIVATE ROAD) SETBACK LINE EAST TERRACE (R)FFL (30'-11") (E) 22 15 (22-27) O MASTER DRESSING FRONT YARD SETBACK TOP OF PARAPET SETBACK LINE SYSB SYSB SYSB PL TO PACE OF WALL SYSB PROPERTY LINE (N77°13'20"W 121.27')

Replacement Home

Upper Level Plan

The Upper level plan shows the surrounding terraces and balconies. The home articulates the facade with deep set windows and deep terraces set back into the structure.

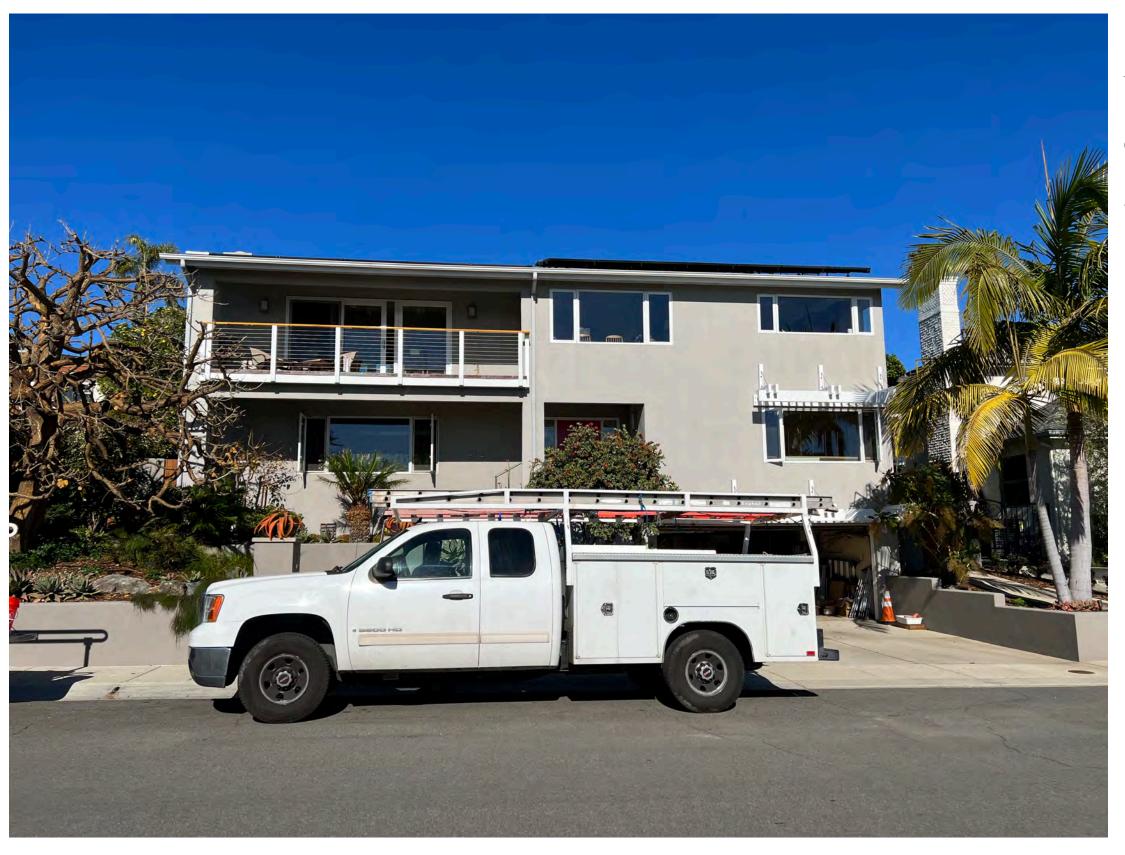
Upper Level Plan



Lower Level Garden Plan

Neighborhood Character

The Houghton Berry Home is proposed to be set amongst an eclectic and varied group of existing residential two and three story structures.



Houses Along San Antonio Place (Public Road)



Houses Along San Antonio Place (Public Road) 3 Levels



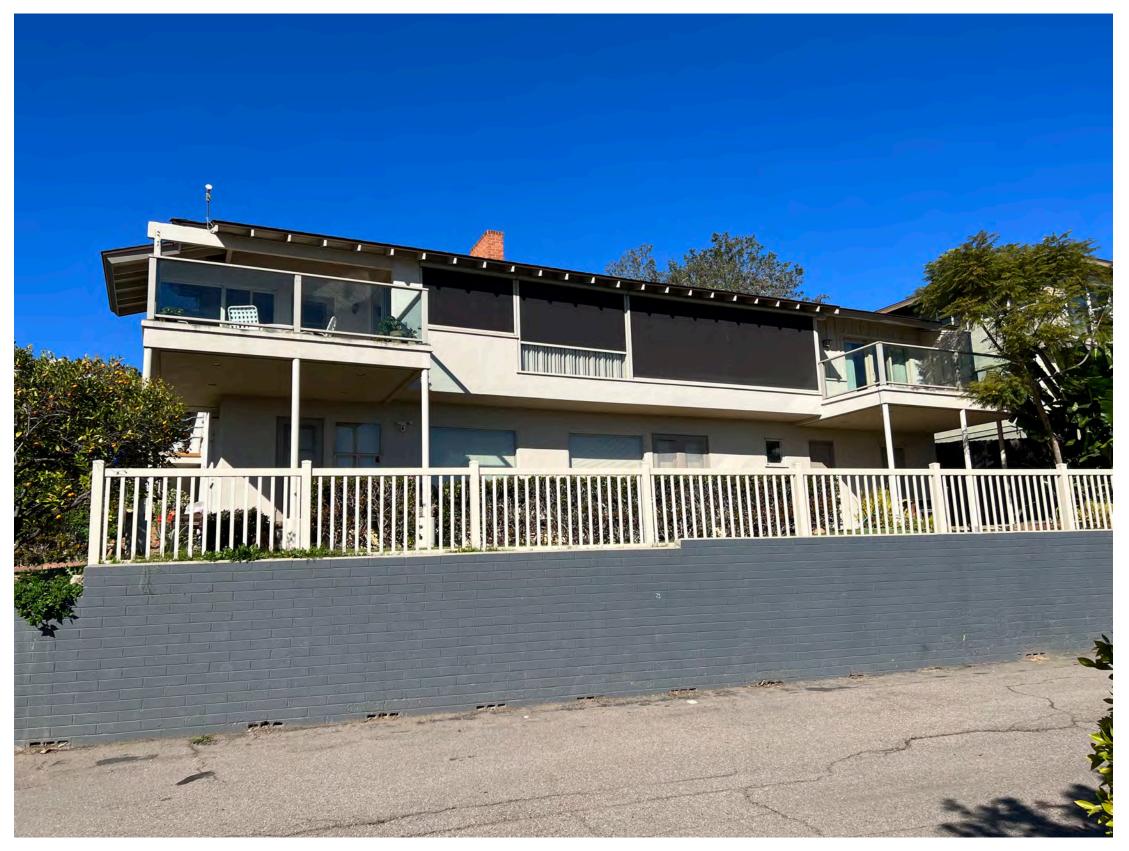
Houses Along San Antonio Place (Public Road) 3 Levels



Houses Along San Antonio Place (Public Road)



Houses Along San Antonio Place (Private Road)



Houses Along San Antonio Place (Private Road)



Houses Along San Antonio Place - (Private Road) - 3 Levels

Neighborhood Character



Houses Along San Antonio Place - (Opponent) Robinson House - (Private Road) - 2-1/2 Levels



(Opponent) Dillon House on Rosecrans Street

View From the Bessemer Path looking west- 3 Level House- 30' tall



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



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Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay



Bayfront Houses adjacent to Bessemer Path and San Diego Bay

NOTICE OF EXEMPTION

(Chack	one or b	oth)		
TO:		Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400	From:	City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101
		Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814		
Proje	ect Nar	me/Number: 821 San Antonio Place / 1057	682	
SCH	No.: N	ot Applicable		
Proje	ect Loc	ation-Specific: 821 San Antonio Place, San	Diego, CA 9210	06
Proje	ect Loc	ration-City/County: San Diego/San Diego		
remo foot a nev appr Anto	odel an residen v swim oximat nio Pla	n of nature and purpose of the Project: Of existing 6,380-square-foot two-story reside ince including the removal of existing retaining ming pool, removal of encroachments withing ly 800 -square-foot accessory dwelling unit ce. The 0.29-acre site is in the RS-1-7 Zone a community Plan area	nce. The projec ng/site walls, th n Port of San D r, and a new de	t will result in a two-story 6,115-square- e construction of new retaining/site walls, liego property, a new detached two-story tached two car carport located at 821 San
Nam	e of Pu	ublic Agency Approving Project: City of Sa	n Diego	
Nam 994-7		erson or Agency Carrying Out Project: Pat	rick McInerney	, 5711 La Jolla Blvd., San Diego, CA 619-
Exen	Minist Declar Emerg Catego	ntus: (CHECK ONE) terial (Sec. 21080(b)(1); 15268) red Emergency (Sec. 21080(b)(3); 15269(a)) gency Project (Sec. 21080(b)(4); 15269 (b)(c) orical Exemption: Section 15301 (Existing Fa		n 15302 (Replacement or Reconstruction)

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) which allows for the demolition of existing facilities; Section 15302 (Replacement or Reconstruction) which allows for replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and Section 15303 (New Construction) which allows for the construction of one single-family residence, or a second dwelling unit in a residential zone; in urbanized areas, up to three single-family residences may be constructed or converted under this exemption; and where the exceptions listed in Section 15300.2 would not apply. Since the proposed project 1) is the partial demolition and remodel of an existing residence where the new structure is on the same site at the same location and will be still a similar sized singled family residence used for residential purposes

Revised May 2018

Other:

Statutory Exemptions:

Lead Agency Contact Person: Courtney Holowach

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐ No

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

Courtney Holowach Senior Planner

Signature/Title

Check One:

☐ Signed By Lead Agency

Date Received for Filing with County Clerk or OPR:

with detached ADU and 2) the construction/remodel of a single family residence and 2) the construction of a

detached ADU in a residential zone of an urbanized community, the exemptions are appropriate

☐ Signed by Applicant



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

Ownership Disclosure Statement

Attachment 9

FORM DS-318

October 2017

Approval Type: Check appropriate box for type of approval(s ☐ Neighborhood Development Permit ☐ Site Development ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver	t Permit Planned Development Permit	☐ Conditional Use P		
Project Title: 821 SAN ANTONIO PLACE	Project N	o. For City Use Only	: 8	
Project Address: 821 SAN ANTONIO PLACE		200000000000000000000000000000000000000		
SANDIEGO,CA92106				
Specify Form of Ownership/Legal Status (please check)				
☐ Corporation ☑ Limited Liability -or- ☐ General – What S		on No. SOS#21080991039	4	
□ Partnership □ Individual				
By signing the Ownership Disclosure Statement, the owne with the City of San Diego on the subject property with towner(s), applicant(s), and other financially interested persindividual, firm, co-partnership, joint venture, association, with a financial interest in the application. If the applican individuals owning more than 10% of the shares. If a pub officers. (A separate page may be attached if necessary.) ANY person serving as an officer or director of the non A signature is required of at least one of the property ownotifying the Project Manager of any changes in ownershownership are to be given to the Project Manager at least accurate and current ownership information could result in	the intent to record an encumbrance against the above referenced property. A social club, fraternal organization, corport includes a corporation or partnership, indictly-owned corporation, include the namifany person is a nonprofit organization oprofit organization or as trustee or between the additional pages if needed ip during the time the application is being the days prior to any public hearing on	inst the property. If a financially intereste ration, estate, trust, reclude the names, tiles, and addres ratrust, list the name reficiary of the nonly. Note: The applicating processed or considerations.	Please list below the d party includes any eceiver or syndicate cles, addresses of all ses of the corporate les and addresses of profit organization. In the session of the corporate for the session of the corporation of th	
Property Owner				
Name of Individual: MISENUM LLC	☑ Owner	☐ Tenant/Lessee	☐ Successor Agency	
Street Address: 821 SAN ANTONIO PLACE			174 (
City: SAN DIEGO		State: CA	Zip: 92106	
Phone No.: 415-697-2344 Fax No.	.: Email: ME	GANNEHB@YAHOO.COM		
Signature: Medizine Houghbon- S	Date: 4/11	Date: 4/11/2022		
Additional pages Attached:				
Applicant				
Name of Individual: MISENUM LLC	2 Owner	☐ Tenant/Lessee	☐ Successor Agency	
Street Address: 821 SAN ANTONIO PLACE	1.000			
City: SAN DIEGO		State: CA	Zip: 92106	
And the second s	E. J. Mc		Σір	
11 1 1 1		Email: MEGANNEHB@YAHOO.COM		
Signature: Melline Houghla Bey	Date: 4/11	72022		
Additional pages Attached: ☐ Yes				
Other Financially Interested Persons				
Name of Individual:	Owner	☐ Tenant/Lessee	☐ Successor Agency	
Street Address:				
City:		State:	Zip:	
Phone No.: Fax No	.: Email:			
Signature:				
Additional pages Attached: D Ves D No				



Replacement Home (Rendering)

View of Proposed Home from San Diego Bay looking south-west

Note: The full height custom bronze windows at both lower and upper levels, the stone facade base with smooth plaster facade at the upper floor and the vertical and horizontal articulation with deep balconies and offset planes.

This east facing facade with its offset planes will utilize the direct sunlight to create a greater visual depth at the facade. The design is intentionally sensitive to each of the four elevations with deep terraced balconies to the east and north, offseting elevations at the south and articulated volumes to the west.



Replacement Home (Rendering)

View of Proposed Home from San Diego Bay looking south-west

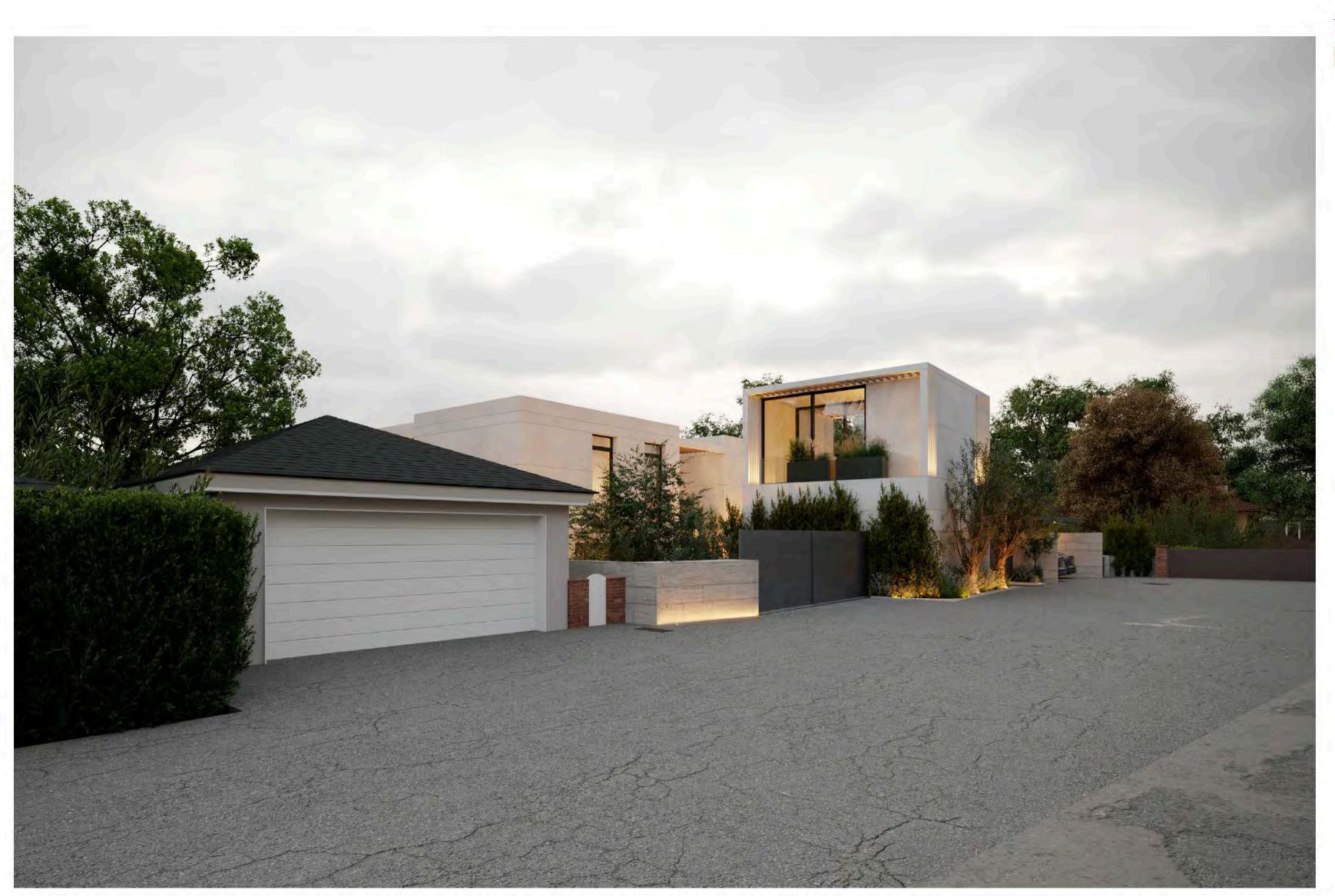
Note stepping of taller structures beyond which assend the topographic slope up to Rosecrans Street.



Replacement Home

View of Proposed Home from San Diego Bay looking north-west.

Note stepping of taller structures beyond which assend the topographic slope up to Rosecrans Street.



Replacement Home

View of Proposed Home and ADU from San San Antonio Place (Private Road) looking south





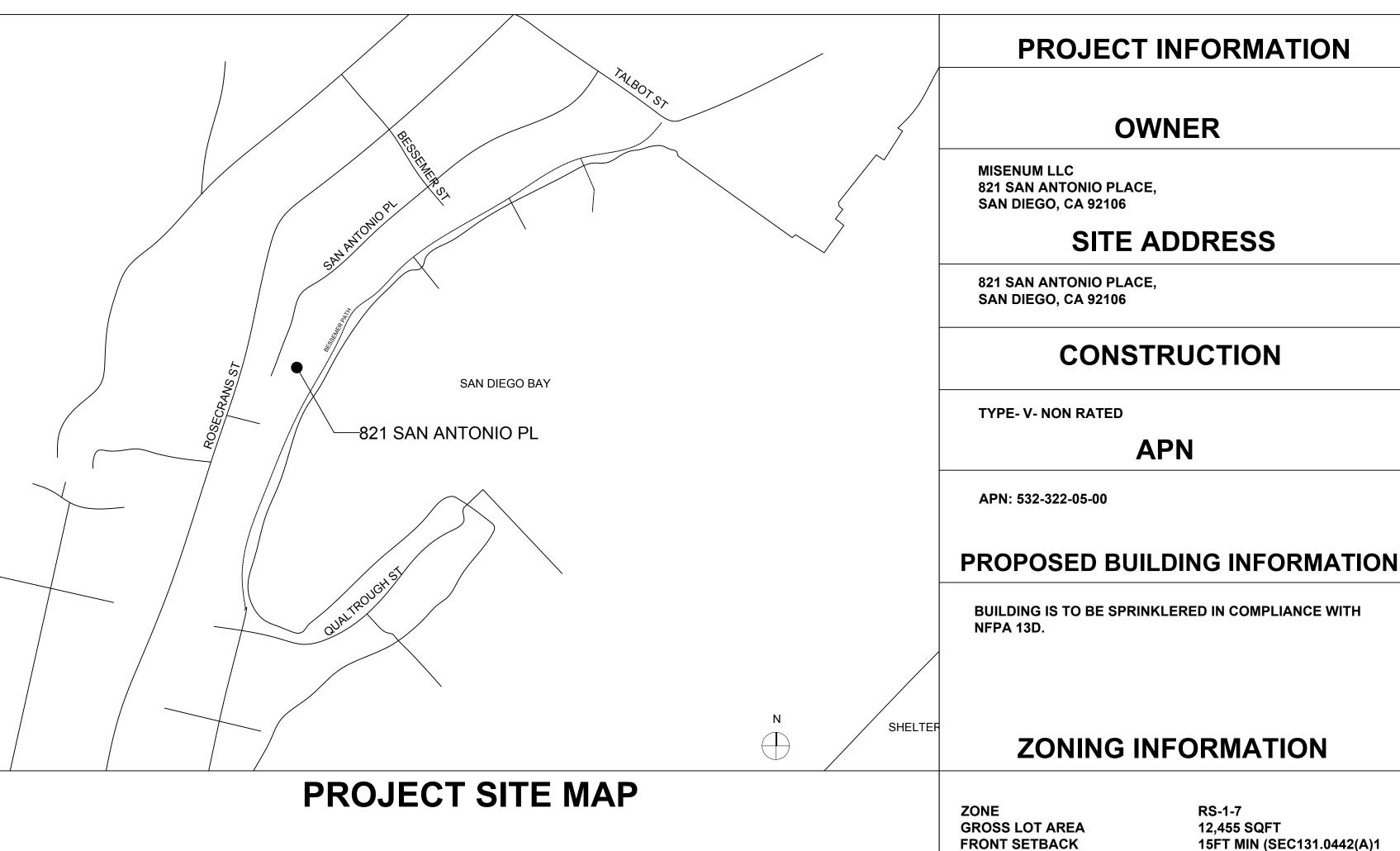
View of Proposed Home from San Antonio Place (Private Road) looking north-east-



View of Previous Home from San Antonio Place (Private Road) looking north-east-

821 SAN ANTONIO PLACE SAN DIEGO, CA 92106 REV 1 MAY 2023

PATRICK MCINERNEY ASSOCIAT RIBA, ARB, AADIPL INTER ASSOC AIA T: 619 994 7991 E: pdmcinerney@mac.com



TYPE OF CONSTRUCTION

TYPE V- NON RATED

APPLICABLE CODES CALIFORNIA BUILDING CODE 2016 (BASED ON 2015 IBC) **CALIFORNIA RESIDENTIAL CODE 2016 (CRC)** CALIFORNIA PLUMBING CODE 2016 (BASED ON 2015 UPC) CALIFORNIA MECHANICAL CODE 2016 (BASED ON 2015 UMC) NATIONAL ELECTRIC CODE 2016 (BASED ON 2014 NEC) **CALIFORNIA ENERGY CODE 2016 CALIFORNIA ELEVATOR SAFETY CODE** CALIFORNIA FIRE CODE 2016 (BASED ON 2012 IFC) CALIFORNIA GREEN BUILDING CODE 2016

OCCUPANCY CLASS

CALIFORNIA BUILDING CODE R-3

NOTES

A CERTIFICATE OF SATISFACTORY COMPLETION OF WORK REQUIRING SPECIAL INSPECTION MUST BE COMPLETED AND SUBMITTED TO THE INSPECTION SERVICES DIVISION.

PROPERLY COMPLETED AND SIGNED COPIES OF THE PROPERTY OWNER / CONTRACTOR AGREEMENT FORM FOR SPECIAL INSPECTION AND CONSTRUCTION MATERIAL TESTING MUST BE SUBMITTED AT THE PERMIT SERVICES DIVISION PRIOR TO ISSUANCE OF THE PERMIT (TWO SETS).

THE DRAWINGS SHOW DESIGN INTENT ONLY. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION. CONSTRUCTIONS DETAILS TO BE CONFIRMED BY CONTRACTOR/ MANUFACTURER BY SUBMITTING SHOP DRAWINGS FOR DESIGNERS APPROVAL.

4. THE DRAWINGS ARE NOT TO BE SCALED FOR PRODUCTION AND CONSTRUCTION PURPOSES

5. ALL DISCREPANCIES ON SITE MUST BE REPORTED TO THE DESIGNER FOR COMMENT AND / OR APPROVAL PRIOR TO COMMENCEMENT OF WORK.

LOT AREA

TOTAL: 6,115 SQFT

LIST OF DRAWINGS

TITLE SHEET T1.0 LAND SURVEYOR SP1.0 PROPOSED SITE PLAN A1.0 PROPOSED GROUND FLOOR PLAN A2.0 A2.1 PROPOSED UPPER FLOOR PLAN PROPOSED ROOF PLAN A2.2 A2.3 PROPOSED ELEVATIONS (EAST / NORTH) A2.4 PROPOSED ELEVATIONS (SOUTH / WEST) CROSS SECTION A-A and B-B A2.5

1. NONE AT THIS TIME

DEFERRED PERMITS REQUIRED

SEPARATE PERMITS REQUIRED

1. NONE AT THIS TIME

HAZARDS

GEOLOGIC HAZARD CATEGORY 52

ZONING DESIGNATION

COASTAL OVERLAY ZONE (NON-APPEALABLE 2) COASTAL HEIGHT LIMITATION OVERLAY ZONE PARKING IMPACT ZONE COASTAL IMPACT AREA OF THE PARKING IMPACT OVERLAY ZONE LOCAL COASTAL PROGRAM

SCOPE OF WORK

PROPOSED REPLACEMENT OF 6380SQFT TWO LEVEL SINGLE FAMILY RESIDENCE (GROUND FLOOR / MANSARD ROOF) WITH NEW 6115SQFT TWO-STORY SINGLE FAMILY RESIDENCE WITH TO LEVEL APPROX 800SQFT ADU UNIT AND NON DETACHED TWO-**CAR CARPORT**

SCOPE OF WORK TO INCLUDE:

- EXTENSIVE LANDSCAPE AREAS TO REDUCE THE EXISTING IMPERVIOUS SURFACE AREAS AND DRAMATICALLY **INCREASE THE IMPERVIOUS AREAS**
- 2. A RAINWATER HARVESTING / COLLECTION SYSTEM TO REDUCE STORMWATER RUNOFF
- 3. ATTACHED TWO CAR GARAGE WITH A SEPARATE **DETACHED TWO CAR CARPORT**
- 4. INCORPORATE SOLAR PHOTOVOLTAIC ARRAY AT THE ROOF
- LEVEL BELOW THE LEVEL OF THE PROPOSED PARAPET 5. INTEGRATION OF ALL HVAC MECHANICAL AND DUCTWORK
- INTO THE PROPOSED STRUCTURAL ENVELOPE 6. NEW WHITE TPO 'COOL' ROOF TO MITIGATE PETROLEUM
- **BASED MATERIAL POLLUTANTS IN STORMWATER RUNOFF**
- 7. REMOVAL OF EXISTING RETAINING / SITE WALLS THE
- **CONSTRUCTION OF NEW RETAINING / SITE WALLS**
- 8. CONSTRUCTION OF NEW SWIMMING POOL
- 9. REMOVAL OF EXISTING ENCROACHMENTS WITHIN THE **PORT OF SAN DIEGO PROPERTY**

EARTHWORK QUANTITIES

CUT QUANTITIES: NONE **FILL QUANTITIES:** NONE **NONE EXPORT:** NONE MAX CUT DEPTH: **MAX FILL DEPTH:** NONE

IMPERVIOUS AREA

12,455 SQ FT A. TOTAL LOT SIZE: B. TOTAL DISTURBANCE AREA:

E. PROPOSED AMOUNT OF PERVIOUS AREA:

900 SQ FT PRIVATE ROAD (PR)

5,856 SQ FT

C. EXISTING AMOUNT OF PERVIOUS AREA: 1,164 SQ FT D. EXISTING AMOUNT OF IMPERVIOUS AREA: 10,522 SQ FT (EXCL PR)

F. PROPOSED AMOUNT OF IMPERVIOUS AREA: 900 SQ FT G. TOTAL IMPERVIOUS AREA: 5,830 SQ FT (EXCL PR)

I. IMPERVIOUS AREA REDUCED (%):

J. CREATED AND/OR REPLACED IMPERVIOUS AREA: 4,692 SQ FT CREATED

SUSTAINABLE DEVELOPMENT

GOALS:

- 1. TO REDUCE THE CITY'S OVERALL CARBON DIOXIDE FOOTPRINT BY IMPROVING **ENERGY EFFICIENT MATERIALS.**
- 2. TO BE PREPARED FOR, AND ABLE TO ADAPT TO ADVERSE CLIMATE CHANGE
- 3. TO BECOME A CITY THAT IS AN INTERNATIONAL MODEL OF SUSTAINABLE **DEVELOPMENT AND CONSERVATION.**

Ш **(7)** 0 821 S SAN

Ш

REVISIONS:

MCINERNEY + ASSOCIATES RIBA, ARB, AADIPL INTER ASSOC AIA T: 619 994 7991 E: pdmcinerney@mac.com

Status: CDP Application Date: 12 July 2023 Sheet Title: Title Page

PROJECT TEAM

CITY, STATE, ZIP SAN DIEGO, CA. 92037

CITY, STATE, ZIP:SAN DIEGO, CA, 92103

ADDRESS: 3980 HOME AVENUE

GENERAL NOTES

MCINERNEY AND ASSOCIATES EXPRESSLY RESERVES COMMON LAW

COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE

PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY

IN THE EVENT OF UN-AUTHORIZED USE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY WILL HOLD MCINERNEY AND ASSOCIATES

ANY DISCREPANCIES FOUND WITHIN THESE DRAWINGS ARE TO BE

REPORTED TO THE MCINERNEY AND ASSOCIATES PRIOR TO

FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO A THIRD

PARTY WITHOUT THE WRITTEN CONSENT OF MCINERNEY AND

CITY, STATE, ZIP:SAN DIEGO, CA, 92105

858 605 0937

619 550 1700

DANIEL B. ADLER

619 994 7991

ADDRESS:

TEL:

EMAIL:

NAME:

TEL:

NAME

CONTACT:

ADDRESS:

CONTACT:

ADDRESS:

CONTACT:

CONTACT:

ALL DIMENSIONS ARE TO BE CHECKED ON SITE

NAME

CITY, STATE, ZIP:

DESIGNER

TITLE 24

STRUCTURAL

ENGINEER

SOILS **ENGINEER**

ASSOCIATES LTD.

HARMLESS.

CONSTRUCTION.

MCINERNEY + ASSOCIATES

PDMCINERNEY@MAC.COM

PATTERSON ENGINEERING

CURTIS KALEM PATTERSON

928 FORT STOCKTON DRIVE, STE 201

CHRISTIAN WHEELER ENGINEERING

5711 LA JOLLA BLVD

PATRICK MCINERNEY

AVG. WIDTH OF LOT (FIRST 50') SIDE YARD SETBACK MIN. SIDE SETBACK MIN REAR SETBACK **MAXIMUM STRUCTURE HEIGHT** MAX ALLOWABLE FAR 04J) 12,455 GLA X (52%)

RS-1-7 12,455 SQFT 15FT MIN (SEC131.0442(A)1 $.08 (101'-8" \times .08) = 8'-2"$ 13 FT 24' / 30' .52% OF GLA (TABLE 131

6,477 SQFT FAR MAXIMUM

LEGAL DESCRIPTION

LOT DESCRIPTION: MM0036 LOT 177*DOC84-399087 IN

A PORTION OF THE NORTHERLY 100.00 FEET OF THE **SOUTHERLY 200.00 FEET OF LOT 177 OF THE PUEBLO LANDS** OF THE SAN DIEGO COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF MADE BY JAMES PASCOE IN 1870, A COPY OF WHICH MAP IS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY **NOVEMBER 14. 1921 AND IS KNOWN AS MISCELLANEOUS MAP** NO. 36.

12,455 SQFT

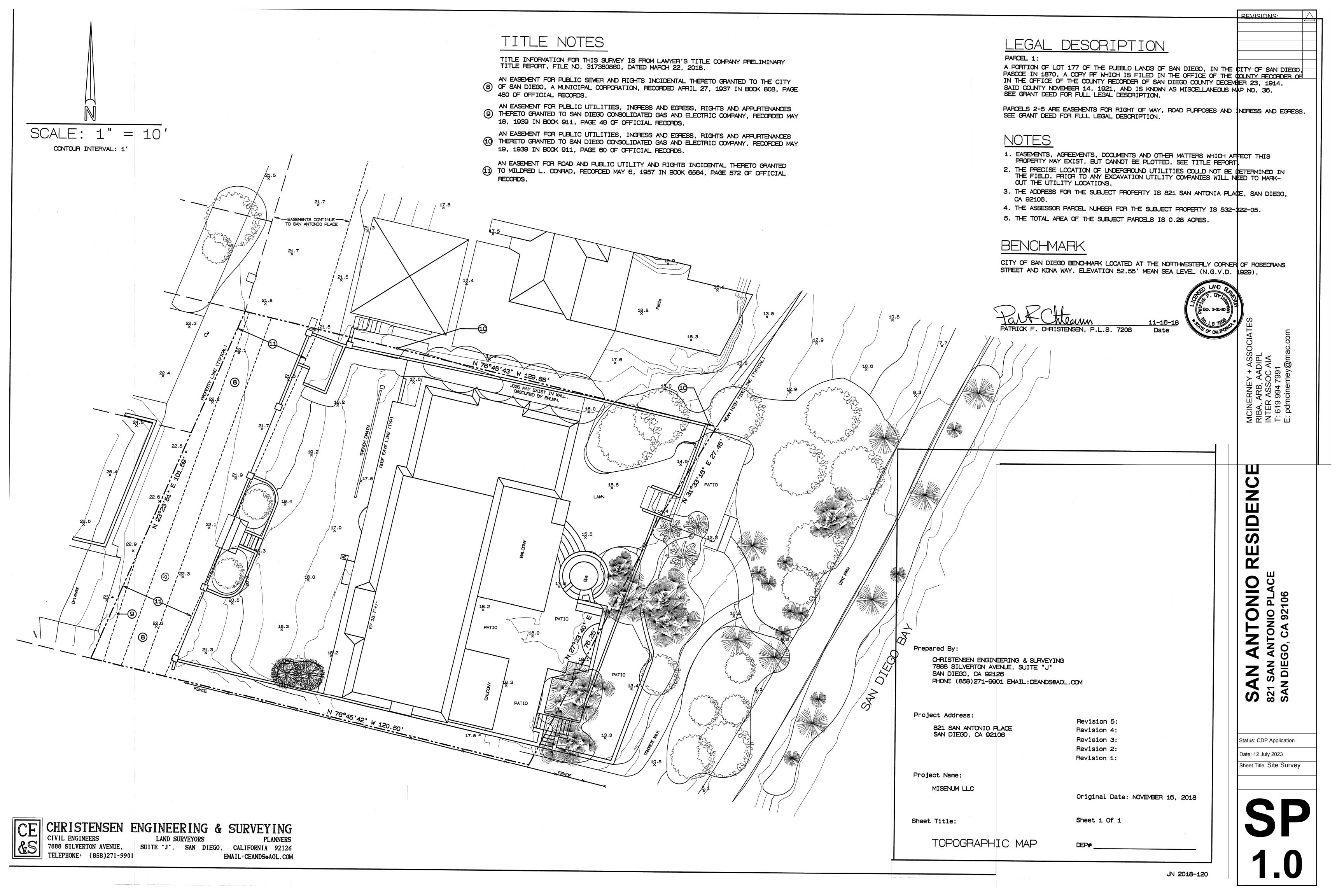
FAR

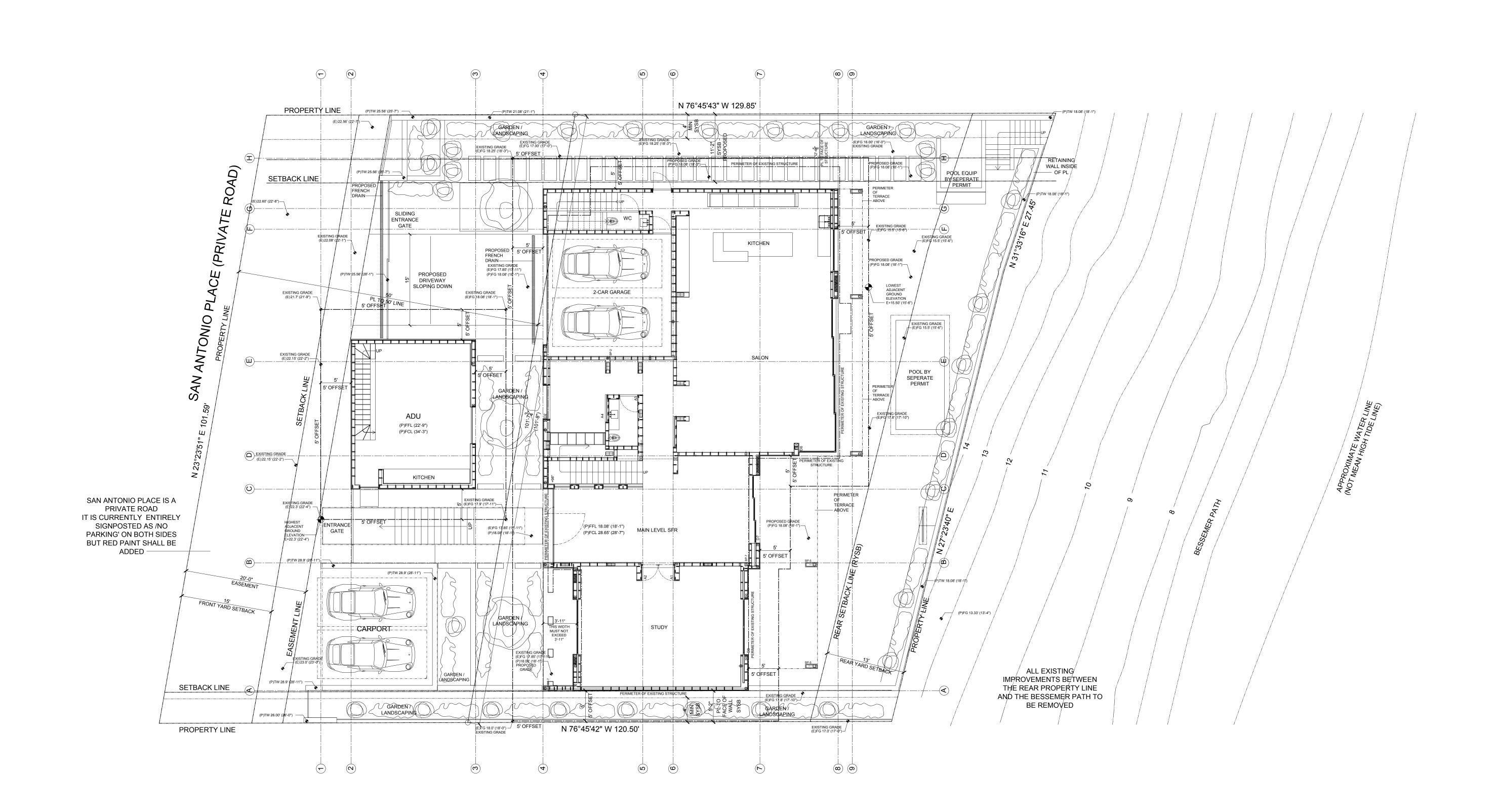
FLOOR AREA RATIO MAX FLOOR AREA ALLOWED = 6,477 SQFT 12,455GLA X (.52) = 6,477SQFT ALLOWABLE FAR

PROPOSED FLOOR AREA = 6,115 SQFT

LOWER LEVEL: 2,782 SQFT UPPER LEVEL: 3,333 SQFT

796 SQFT DETACHED ADU





SAN ANTONIO RESIDENCE 821 SAN ANTONIO PLACE SAN DIEGO, CA 92106

3358 SQFT

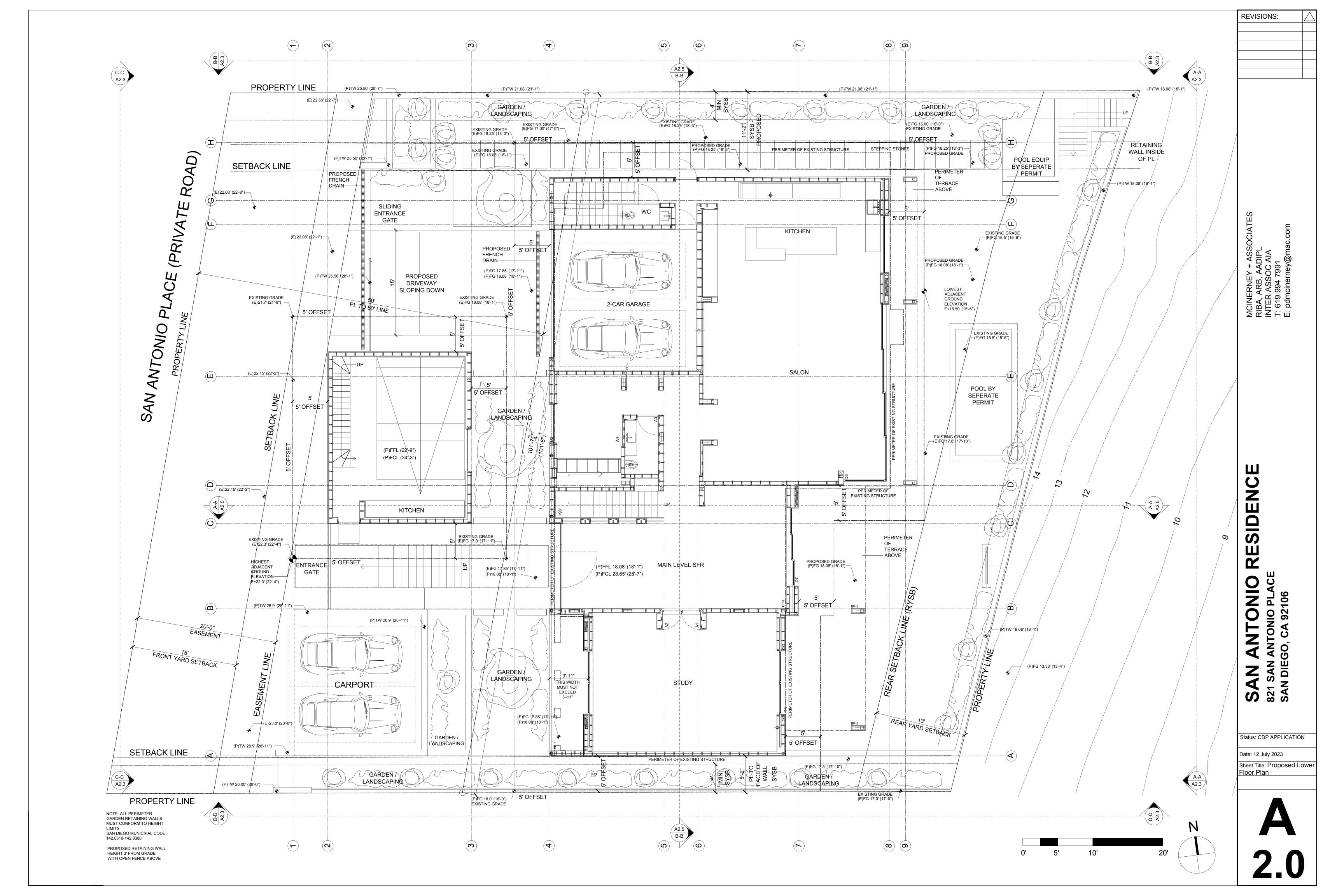
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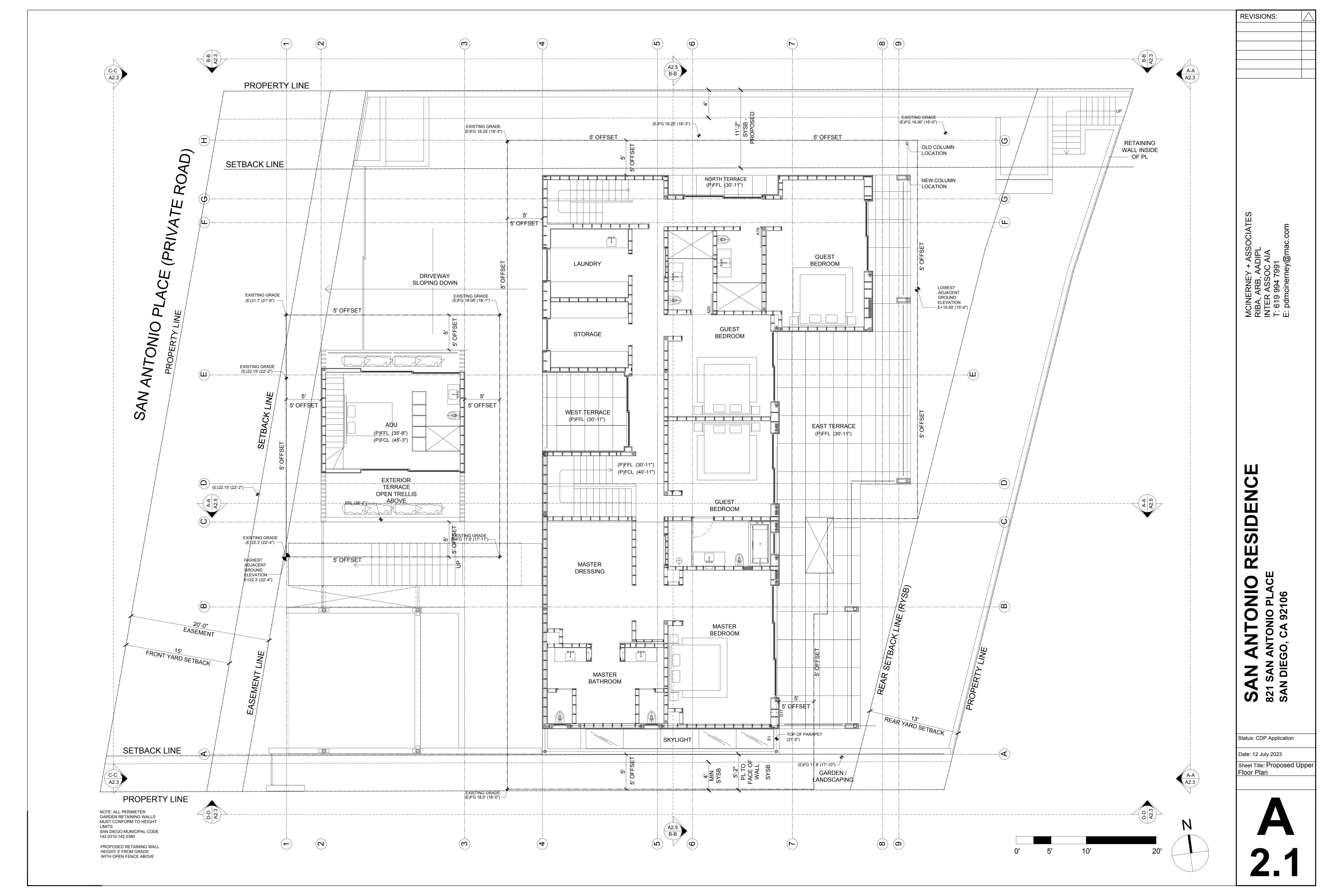
Status: CDP Application

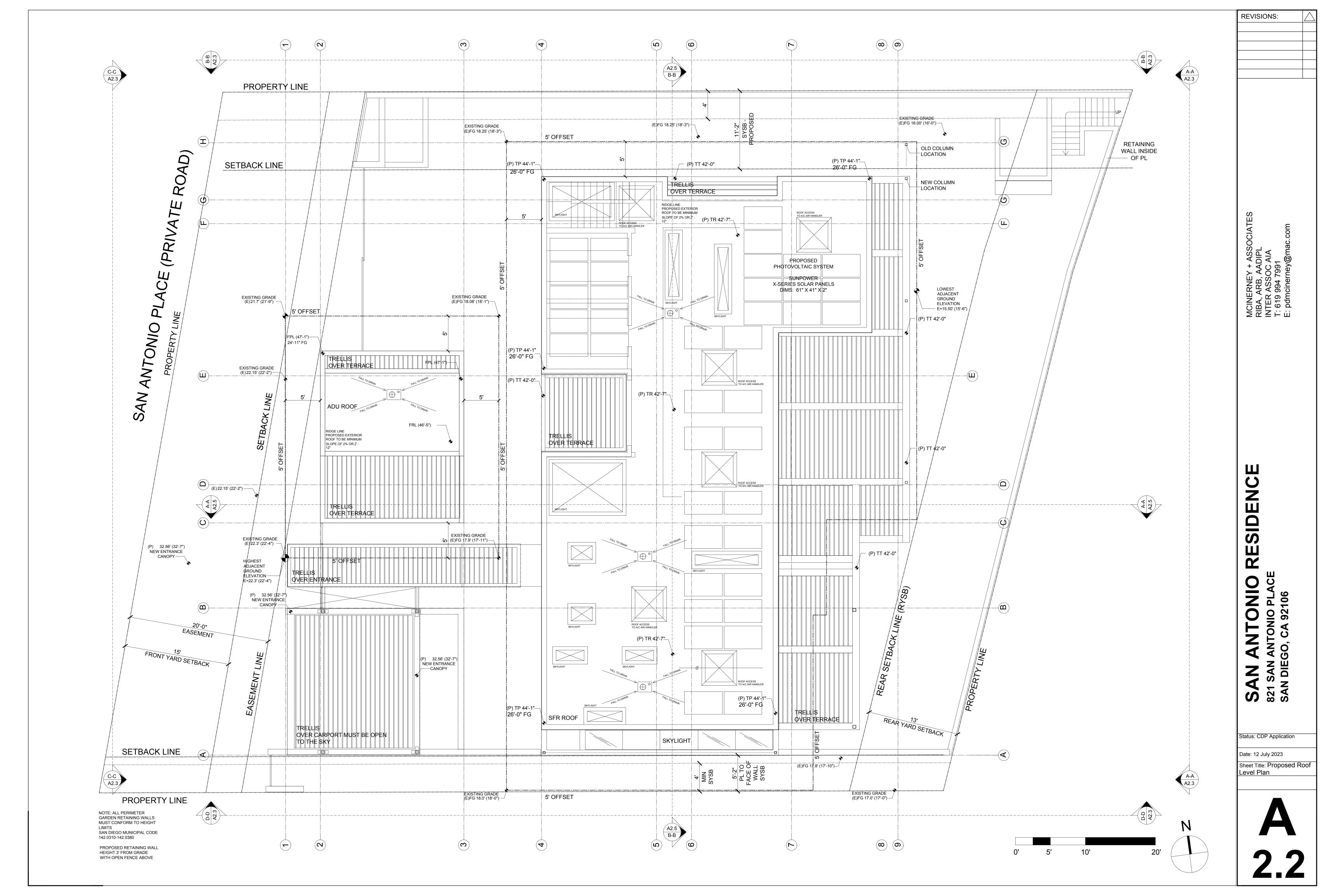
Scale: $\frac{1}{8}$ " = 1'-0"

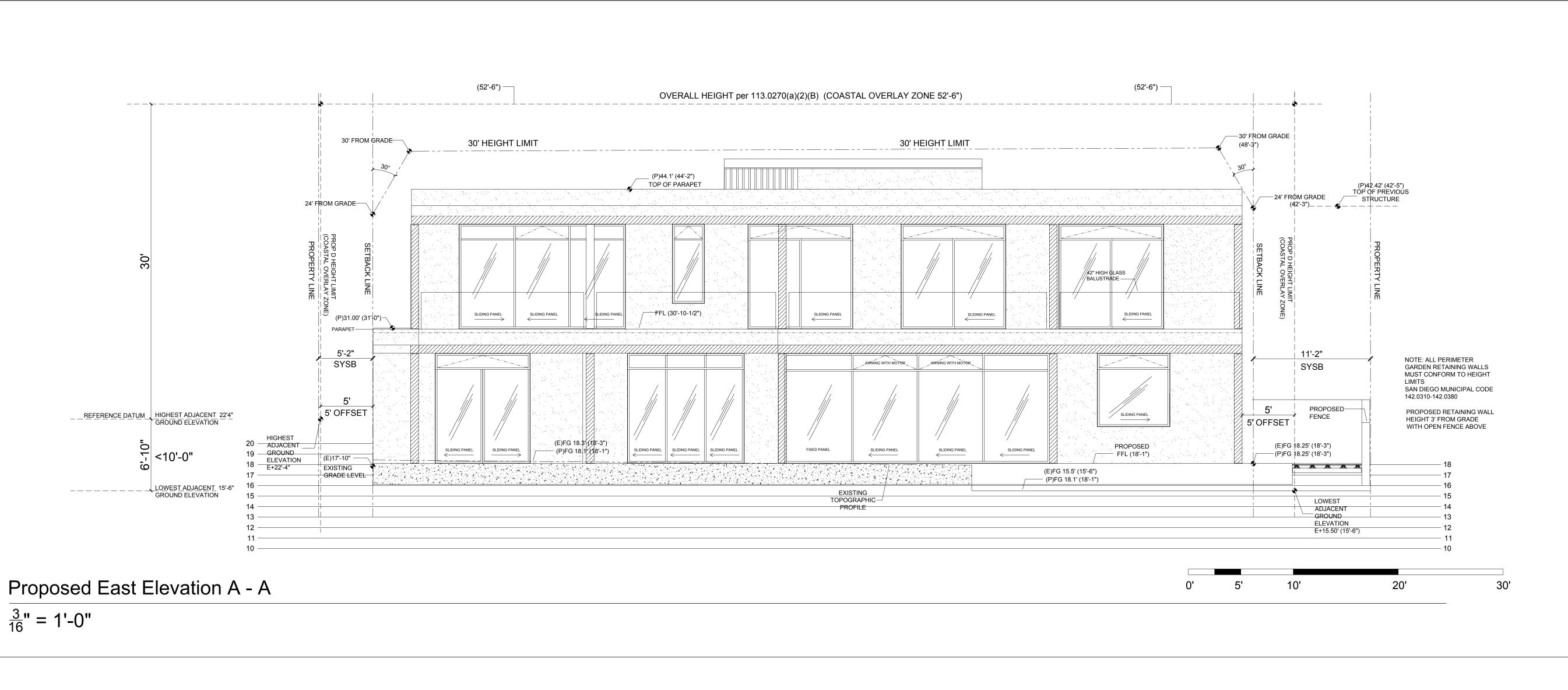
Date: 12 July 2023

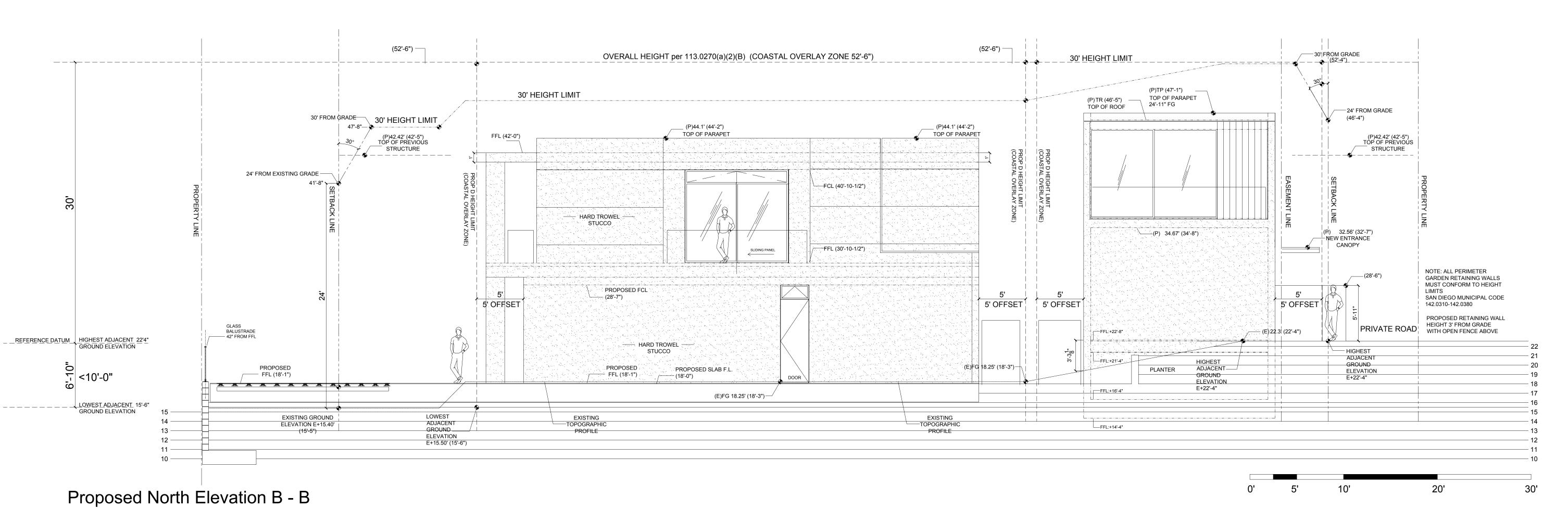
Sheet Title: Proposed Site











SAN ANTONIO RESIDENCE 821 SAN ANTONIO PLACE SAN DIEGO, CA 92106

REVISIONS:

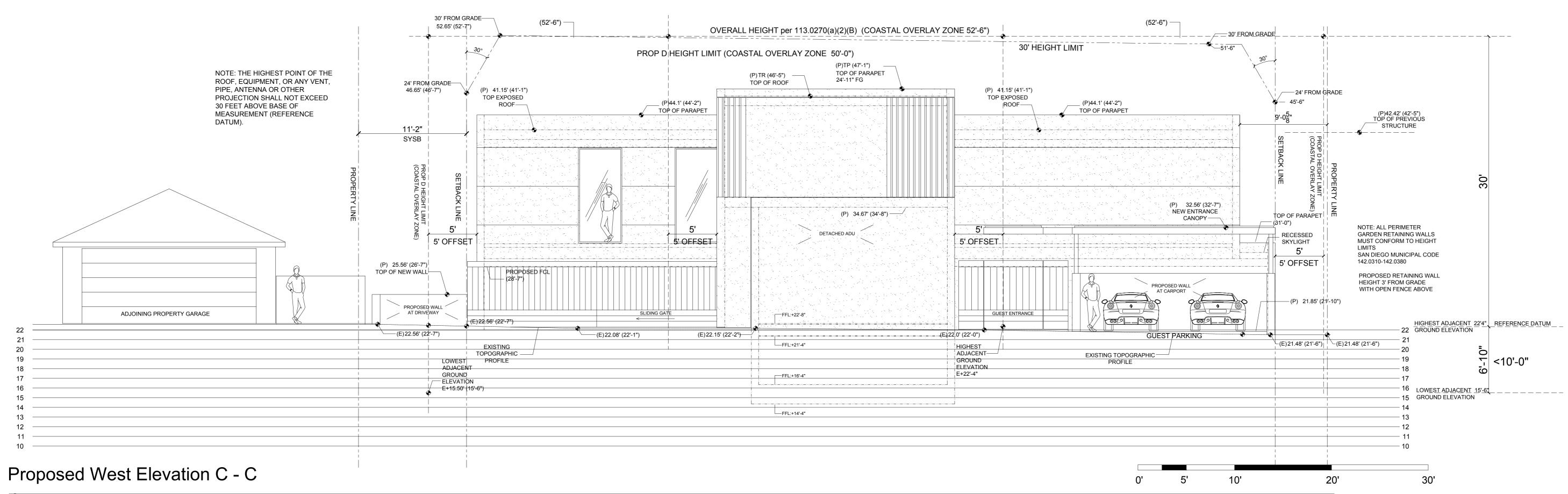
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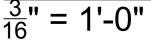
Date: 12 July 2023

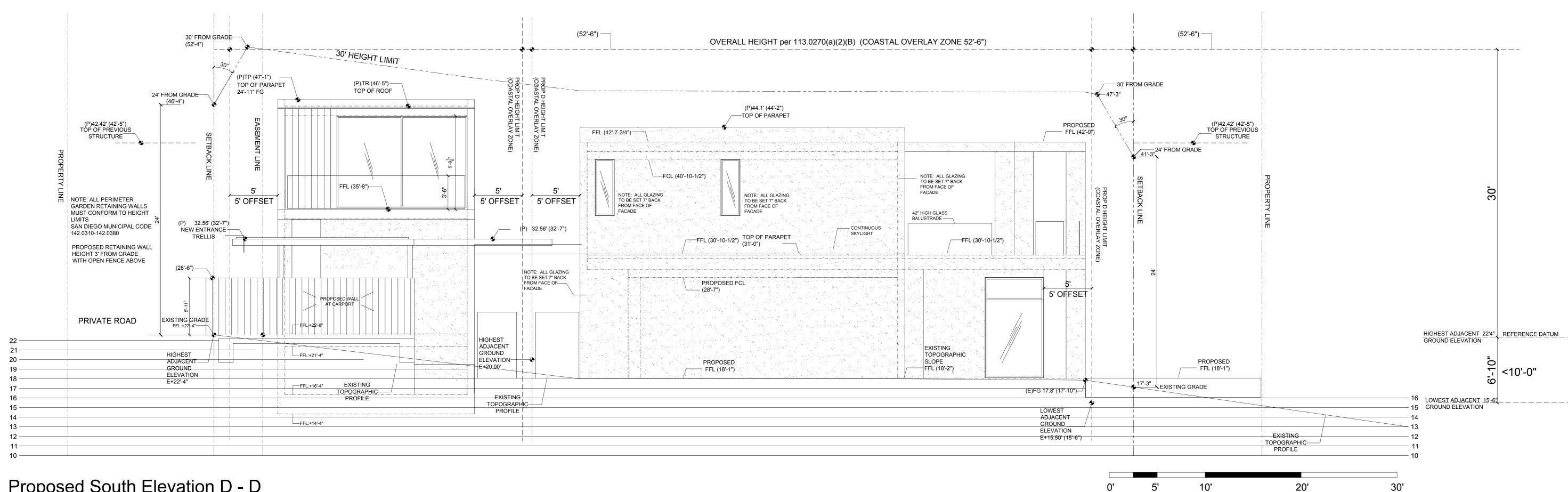
Sheet Title: Proposed

Flevations

A 2.3





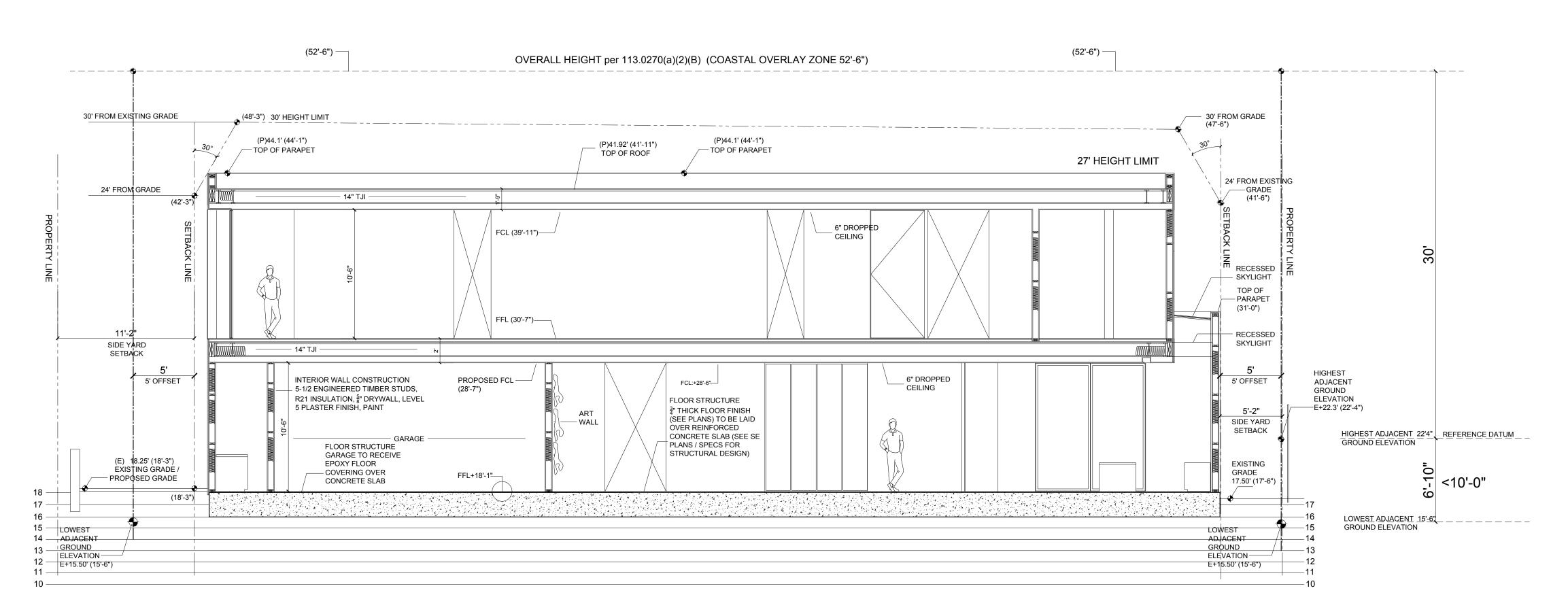


Proposed South Elevation D - D

 $\frac{3}{16}$ " = 1'-0"

Proposed Cross Section A - A

 $\frac{3}{16}$ " = 1'-0"



Proposed Cross Section B-B $\frac{3}{16}$ " = 1'-0"

REVISIONS:

SAN ANTONIO PLACE 821 SAN ANTONIO PLACE SAN DIEGO, CA 92106

Status: CDP Application

Date: 12 July 2023 Sheet Title: Proposed Cross Section / Wall Section