

Report to the Hearing Officer

DATE ISSUED: December 11, 2019 REPORT NO. HO-19-116

HEARING DATE: December 18, 2019

SUBJECT: MAYORQUIN RESIDENCE CDP, Process Three Decision

PROJECT NUMBER: 445196

OWNER/APPLICANT: Royal Capital Holdings LLC, Owner

Alex Parra, Architect/Agent

SUMMARY:

<u>Issue:</u> Should the Hearing Officer approve a Coastal Development to construct a new twostory, single-family dwelling unit over an exposed basement with an attached four-car garage located at 2560 Carmel Valley Road in the Torrey Pines Community Plan area?

Staff Recommendation: Approve Coastal Development Permit No. 1565234.

<u>Community Planning Group Recommendation</u>: The applicant chose not to present this project to the Torrey Pines Community Planning Board, so there is no recommendation from the Torrey Pines Community Planning Board for this project.

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA 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 March 14, 2019, and the opportunity to appeal that determination ended March 28, 2019.

BACKGROUND

The 0.16-acre project site is a vacant lot located at 2560 Carmel Valley Road, directly across the road from the Los Penasquitos Lagoon. The surrounding properties are fully developed and form a well-established single-family residential neighborhood (Attachment 3).

The project site is located in the RS-1-7 Zone, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Brush Management Zone (100-foot setback), Parking Impact (Coastal) Overlay Zone and within the Torrey Pines Community Plan. The project site contains Environmentally Sensitive Lands (ESL), in the form of Special Flood Hazard Areas, as defined in SDMC Section 113.0103. In accordance with Section 143.0145(b), the City Engineer shall be responsible for the requirements and application of regulations associated with Sections 143.0145 and 143.0146.

A Coastal Development Permit is required by the San Diego Municipal Code (SDMC) Section 126.0702 for the proposed construction on property within the Coastal Overlay Zone.

DISCUSSION

The Torrey Pines Community Plan designates the site as Residential Low land use (5 to 9 DU/AC) (Attachment 1). The proposed residential use of the 0.16-acre property is consistent with the density and use of this land use designation with a density of 6.25 DU/AC. The site contains environmentally sensitive resources in the form of Special Flood Hazard Area on the project's south side near the Los Peñasquitos Lagoon. The project proposes to construct a new two-story, residential dwelling unit over an exposed basement with an attached, four-car garage. The southern portion of the site containing the Special Flood Hazard Area will remain undeveloped. This Special Flood Hazard Area is within the 100-year flood plain as shown on Federal Insurance Rate Map (FIRM) and has a Base Flood Elevation of eight feet above mean sea level. Pursuant to the San Diego Municipal Code Section 143.0146(c)(6), the living area finished floor elevation of the proposed structure is required to be built 2.0 feet above the Base Flood Elevation. The proposed single-family dwelling unit will be located with a finished first floor (containing living space) elevation two feet above the Base Flood Elevation to comply with the code requirement. The exposed basement level contains the four-car garage with no living space. The project maintains a setback of 20 feet from the southern property line and 35 feet from the curb line. The proposed project was determined to be exempt from the requirement of a Neighborhood Development Permit for Environmentally Sensitive Lands because the project complies with the Special Flood Hazard development regulations.

All surface drainage/run-off will be conveyed through a new drain system to Carmel Valley Road. The project proposes to construct a driveway with access toward the south to Carmel Valley Road. The project proposes 70 cubic yards of cut grading and 70 cubic yards of fill, for a total of zero cubic yards of export or import. The proposed residence will be approximately 29 feet in height, under the allowed 30-foot height limit.

The project site is located approximately a half of a mile east of the Pacific Ocean and is directly across the road from the Los Peñasquitos Lagoon. The proposed development is centered in the middle of the project site, complying with the all the required building setbacks and the development stays within the allowed building envelope of the RS-1-7 Zone and under the maximum 30-foot height limit. The project site is not located within or adjacent to any public view, as identified within the Torrey Pines Community Plan and North City Local Coastal Land Use Plan. The project site located on the north side of Carmel Valley Road is not located between the ocean and the First Public Roadway (Carmel Valley Road).

Based on the review of the project's plans, conformance with public access and coastal public views the proposed development of this property was found to be in conformance with the Torrey Pines Community Plan and the North City Local Coastal Land Use Plan.

CONCLUSION:

This proposed project is designed to comply with the development regulations of the RS-1-7 Zone, the Special Flood Hazard Area the Coastal Parking Impact Overlay Zone regulations, the identified public views of the North City Local Coastal Land Use Plan and the Torrey Pines Community Plan's Residential Element recommendations to maintain character of Torrey Pine's residential areas. Staff supports a determination that the project is in conformance with the applicable sections of the San Diego Municipal Code and has provided draft findings and conditions of approval. Staff recommends the Hearing Officer approve Coastal Development Permit No. 1565234, as proposed.

ALTERNATIVES

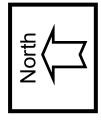
- 1. Approve Coastal Development Permit No. 1565234, with modifications.
- 2. Deny Coastal Development Permit No. 1565234, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Glenn Gargas, Development Project Manager

Attachments:

- 1. Project Location Map
- Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- Draft Permit with Conditions
- 6. Notice of Environmental Determination
- 7. Ownership Disclosure Statement
- 8. Project Plans

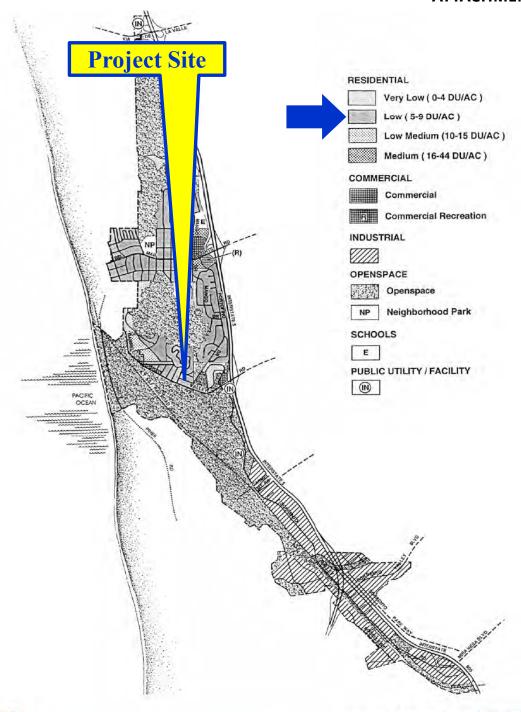




MAYORQUIN RESIDENCE CDP - 2560 CARMEL VALLEY ROAD PROJECT NO. 445196







Torrey Pines Community Plan FIGURE

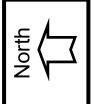
Land Use Plan

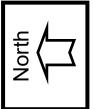




MAYORQUIN RESIDENCE CDP 2560 CARMEL VALLEY ROAD PROJECT NO. 445196











Aerial Photo

MAYORQUIN RESIDENCE CDP 2560 CARMEL VALLEY ROAD PROJECT NO. 445196

HEARING OFFICER RESOLUTION NO. _____ COASTAL DEVELOPMENT PERMIT NO. 1565234 MAYORQUIN RESIDENCE - PROJECT NO. 445196

WHEREAS, ROYAL CAPITAL HOLDINGS LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit to construct a two-story single–family residence over an exposed basement with attached garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1565234), on portions of a 0.16-acre property;

WHEREAS, the project site is located at 2560 Carmel Valley Road, in the RS-1-7 Zone, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Appealable), Parking Impact Overlay Zone (Coastal-Impact), and is within the North City Local Coastal Program and Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as: Lots 15 and 16, in Block 9 of Del Mar Terrace, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1527, filed in the Office of the County Recorder of San Diego County February 5, 1913;

WHEREAS, on March 14, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303 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 December 18, 2019, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1565234 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 as follows:

That the Hearing Officer adopts the following written Findings, dated December 18, 2019.

Coastal Development Permit - Section 126.0708

1. 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 site is currently a vacant lot. This project proposes to construct a new two-story, single-family dwelling unit. The project site is located across Carmel Valley Road from the Los Peñasquitos Lagoon and approximately a half a mile from the Pacific Ocean coastline. The proposed project is contained within the existing legal lot area and will not encroach upon any existing or proposed physical access to the coastline. The project site is located on the

north side of Carmel Valley Road and is not located within the First Public Roadway (area south of Carmel Valley Road), directly adjacent to the Los Peñasquitos Lagoon. The project site does contain nor is it adjacent to any public views, as identified within the Torrey Pines Community Plan and North City Local Coastal Land Use Plan. The project development will be fully contained within the existing legal lot area. The proposed project meets all of the development standards, such as building setbacks and floor area ratio required by the underlying zone. Thus, the proposed residential dwelling unit development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the North City Local Coastal Program land use plan; and the proposed development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Torrey Pines Community Plan and North City Local Coastal Program Land Use Plan.

2. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.

The project site has been graded. The site contains environmentally sensitive resources in the form of Special Flood Hazard Area on the project's south side. The project proposes to construct a new two-story, residential dwelling unit over an exposed basement with an attached, four-car garage. The southern portion of the site contains the Special Flood Hazard Area, which will remain undeveloped. This Special Flood Hazard Area is within the 100-year flood plain as shown on Federal Insurance Rate Map (FIRM) and has a Base Flood Elevation of eight feet above mean sea level. Pursuant to the San Diego Municipal Code Section 143.0146(c)(6), the living area finished floor elevation of the proposed structure is required to be built 2.0 feet above the Base Flood Elevation. The proposed single-family dwelling unit will be located with a finished first floor (containing living space) elevation two feet above the Base Flood Elevation to comply with the code requirement. The exposed basement level contains the four-car garage with no living space. The project maintains a setback of 20 feet from the southern property line and 35 feet from the curb line. The proposed project was determined to be exempt from the requirement of a Neighborhood Development Permit for Environmentally Sensitive Lands because the project complies with the Special Flood Hazard development regulations.

The site currently drains toward the public street for all of the proposed impervious surface areas and the non-impervious areas. The drainage design has been reviewed and accepted by the Development Services Department's Engineering Section. Environmental review determined that the project would not have a significant environmental effect and found it categorically exempt under the California Environmental Quality Act (CEQA). The project was previously graded and redevelopment of this site proposes 70 cubic yards of cut, and 70 cubic yards of fill, for a total zero cubic yards of export or import. Based on the above, this proposed redevelopment of a new single-family dwelling unit will not adversely affect Environmentally Sensitive Lands.

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

The proposed development to construct a new two-story single dwelling unit with attached garage is located in an area identified as Residential Low land use (5 to 9 DU/AC) within the Torrey Pines Community Plan (TPCP). The proposed residential use of the 0.16-acre property is consistent with the density and use of this land use designation with a density of 6.25 DU/AC. The project is designed to conform to all of the applicable development regulations of the RS-1-7 Zone, the Coastal Overlay Zone (appealable), Coastal Height Limitation Overlay Zone, Parking Impact (Coastal) Overlay Zone, First Public Roadway, Airport Influence Area and the Sensitive Coastal Overlay Zone. Geotechnical Investigation Reports were prepared and reviewed that analyze existing and potential geologic hazards. According to the reports, the project site's gross slope stability was found to be adequate with a factor of safety over 1.5 and, overall, the site was found to be suitable for the proposed development with a recommendation that the foundation be designed as a deep foundation with concrete caissons or piles, that the proposed development will not be subject to later spread or flow slide potential. The proposed residence will be approximately 29 feet in height, in compliance with the maximum 30-foot height limit. The proposed project complies with the required front setback of 15 feet, the required side setbacks of 5 feet and 7 feet, 6 inches. The project proposes a floor area ratio of 0.56 and which conforms to the maximum floor area ratio of 0.57.

The project site is located across Carmel Valley Road from the Los Peñasquitos Lagoon and approximately a half a mile from the Pacific Ocean coastline. There are no public views, as identified within the Torrey Pines Community Plan and North City Local Coastal Land Use Plan. Project development will be fully contained within the existing legal lot area. There is no Public access to the coastline, as identified within the Torrey Pines Community Plan and North City Local Coastal Land Use Plan. Therefore, the proposed project has been determined to be in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The 0.16-acre site, currently vacant, is located within a well-developed residential neighborhood directly across the road from the Los Peñasquitos Lagoon and approximately one half mile from the Pacific Ocean coastline. The project site is located on privately owned property not within the first public road (Carmel Valley Road) and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The project site is located directly adjacent to the Los Peñasquitos Lagoon with no identified public view, as identified within the Torrey Pines Community Plan and North City Local Coastal Land Use Plan. Project development will be fully contained within the existing legal lot area. The proposed development of the property will maintain the existing public walkway within the public

right-of-way. Due to these factors the project 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 the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1565234, 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. 1565234 a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas Development Project Manager Development Services

Adopted on: December 18, 2019

IO#: 12002110

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: 12002110

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1565234 MAYORQUIN RESIDENCE - PROJECT NO. 445196 MMRP HEARING OFFICER

This Coastal Development Permit No. 1565234 is granted by the Hearing Officer of the City of San Diego to ROYAL CAPITAL HOLDINGS LLC, a California Limited Liability Company, Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.16-acre site is located at 2560 Carmel Valley Road, in the RS-1-7 Zone, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Brush Management Zone (100-foot setback), and Parking Impact Overlay Zone within the Torrey Pines Community Plan area. The project site is legally described as: Lots 15 and 16, in Block 9 of Del Mar Terrace, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1527, filed in the Office of the County Recorder of San Diego County February 5, 1913.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a two-story single dwelling unit on a vacant lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 18, 2019, on file in the Development Services Department.

The project shall include:

- a. Construct a two-story, 4,080-square-foot, single dwelling unit over an exposed basement with an attached four-car garage on a vacant 0.16-acre property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Fences, retaining walls and patio; and
- e. Public and private accessory improvements determined by the Development Services
 Department to be consistent with the land use and development standards for this site in
 accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by January ____, 2023 (Pending California Coastal Commission Appeal Period).
- 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. Prior to issuance of any construction permit authorizing grading or construction of impervious surfaces, a fee of \$189.57 (\$32.67 graded area and \$156.90 impervious surface area) shall be deposited with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.
- 5. 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.
- 6. 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.
- 7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 8. 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.).

- 9. 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.
- 10. 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.
- 11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

12. 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:

- 13. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 14. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of non-utilized driveway with current City Standard, curb, gutter and sidewalk, adjacent to the site on Carmel Valley Road, satisfactory to the City Engineer.
- 17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of new 12 feet wide driveway, per current City Standards, adjacent to the site on Carmel Valley Road, satisfactory to the City Engineer.
- 18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of new concrete walkway/sidewalk, per current City Standards, along the property frontage on Carmel Valley Road, satisfactory to the City Engineer.
- 19. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 20. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
- 21. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
- 22. 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.
- 23. Prior to occupancy of any structures on lots within the SFHA, an appropriate map revision which removes the structures from the SFHA must be obtained from the Federal Emergency Management Agency (FEMA). The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.

- 24. Prior to occupancy, the applicant shall process a "Non Conversion Agreement" for the garage and storage area, subject to inundation.
- 25. Fill placed in the SFHA for the purpose of creating a building pad must be compacted to 95% of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM Standard D-698). Granular fill slopes must have adequate protection for a minimum flood water velocity of five feet per second.
- 26. The developer shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus 2 feet.
- 27. The developer shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance. If the structures will be elevated on fill, such that the lowest adjacent grade is at or above the BFE, the applicant must obtain a Letter of Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA to process and approve the LOMR-F
- 28. If the structures will be floodproofed, they must be constructed to meet the requirements of the Federal Insurance Administration's Technical Bulletin 3-93. Additionally, a registered civil engineer or architect must certify prior to occupancy that those requirements have been met.
- 29. All structures built within the SFHA must have the lowest floor elevated 2 feet above the base flood elevation at that location.

PLANNING/DESIGN REQUIREMENTS:

- 30. Owner/Permittee shall maintain off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.
- 31. 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.
- 32. 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.

GEOLOGY REQUIREMENT:

33. Prior to the issuance of any construction permits (either grading or building), the Owner/
Permittee shall submit a geotechnical investigation report or update letter prepared in accordance with
the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction

plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

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.
- Development Impact Fees (DIF) are required at building permit issuance based on increased residential development. The currently adopted Torrey Pines DIF rate for residential development is \$10,329 per single-dwelling unit.
- RTCIP Fees on residential development are required at building permit issuance. These fees
 were established to ensure that new Development invests in the Region's transportation
 system to offset the negative impact of growth on congestion and mobility. The current City
 RTCIP Fee is \$2,691 per single-dwelling unit and/or \$2,153 per multi-dwelling unit. On-site
 affordable housing units are exempt from the City RTCIP Fee. To qualify for this exemption,
 a recorded Affordable Housing Agreement with the Housing Commission must be submitted
 to Facilities Financing prior to building permit issuance.
- Two weeks prior to building permit issuance, email the following documentation to Facilities Financing in order to be considered for impact fee credit for demolition of building(s) on the site: (1) A copy of a completed Demolition/Removal Permit and (2) the Residential (619-236-3771) or Commercial-Industrial (858-505-6262) Building Record from the San Diego County Assessor's Office, which is released to the owner only.
- Fees are subject to increase at the beginning of each new fiscal year (July 1), and/or upon Council approval of an update to the Public Facilities Financing Plan, and/or upon a change in project scope.
- Upon payment of any DIF, FBA, and/or RTCIP the 90-day protest period in which you may
 protest these impact fees under Government Code Section 66020 will begin. A written
 protest must be filed with the City Clerk pursuant to Government Code Section 66020. The
 protest procedures under Section 66020 are additional to other procedures authorized or
 required under the San Diego Municipal Code.

• The Facilities Financing Issues Report was sent to the project Point of Contact. The required impact fees have been added to the project. Facilities Financing has "signed off" the job and the building plan set routed to Facilities Financing has been recycled. A stamp transfer is not necessary. If there is a future change in the project scope or use, new plans and a review should be routed to Facilities Financing to determine if changes are necessary to the impact fees.

APPROVED by the Hearing Officer of the City of San Diego on December 18, 2019, by Resolution No.

Date of Approval: Dec. 18, 2019

Permit Type/PTS Approval No.: CDP No. 1565234

Royal Capital Holdings LLC

Jose Mayorquin President

Owner/Permittee

Ву _____

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT							
enn R. Gargas velopment Project Manager							
OTE: Notary acknowledgment ust be attached per Civil Code ction 1189 et seq.							
e undersigned Owner/Permittee , by execution hereof, agrees to each and every conditions of Owner/Permittee hereunders.							

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

NOTICE OF EXEMPTION

(Check one or both			FROM:	City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101
	Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814			
Project Name	e/Number: Mayorquin Residence / 4451	196		SCH No.: N.A.
Project Locat	ion-Specific: 2560 Carmel Valley Road,	San Die	ego, Califo	rnia 92014
Project Locat	ion-City/County: San Diego/San Diego			
and COASTAL square foot fo site improvem located at 256 Community Plo Overlay Zone, Miramar-Revie Special Flood I	ients including associated hardscape, lar	080-sq and a p ndscape ated Re- vithin the Zone (M erlay Zo) Year F	uare foot ool. Addit e, water ar sidential a ne Coastal MCAS Mira ne, Coasta loodplain	two-story single dwelling unit, an 880- ionally, the project would include various nd sewer connections. The vacant site is and zoned RS-1-7 within the Torrey Pines I Zone Boundary, Sensitive Coastal mar), Airport Influence Area (MCAS al Overlay Zone (Non-Appealable-1),), Very High Fire Hazard Severity Zone,
Name of Publ	ic Agency Approving Project: City of Sa	an Dieg	o .	
Name of Pers 91914 (619)726	on or Agency Carrying Out Project: Jos 6-7603	е Маус	orquin, 23	71 Fenton Street, Chula Vista, California
() Ministe () Declare () Emerge	s: (CHECK ONE) erial (Sec. 21080(b)(1); 15268); ed Emergency (Sec. 21080(b)(3); 15269(a ency Project (Sec. 21080(b)(4); 15269 (b) rical Exemption: Section 15303 (New Co	(c))	ion or Co	nversion of Small Structures)

Reasons why project is exempt: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section CEQA Section 15303 that consists of the construction and location of limited numbers of new, small facilities or structures including one single-family residence, or a second dwelling unit in a residential zone. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: M. Dresser Telephone: (619) 446-5404

Revised May 2018

() Statutory Exemptions:

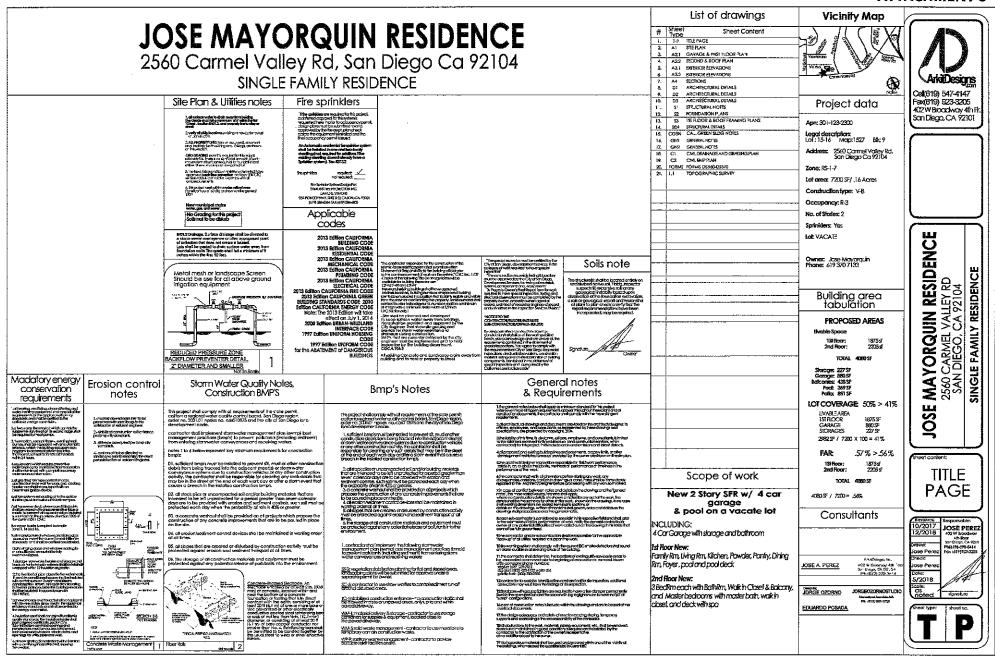
If filed by applicant:	•
1. Attach certified document of exemption finding.	·
2. Has a notice of exemption been filed by the public	agency approving the project? () Yes () No
It is hereby certified that the City of San Diego has deter	mined the above activity to be exempt from CEQA
26 Jan	
Senior Planner	March 29, 2019
Signature/Title	Date
Check One:	
(X) Signed By Lead Agency	Date Received for Filing with County Clerk or OPR:
().Signed by Applicant	

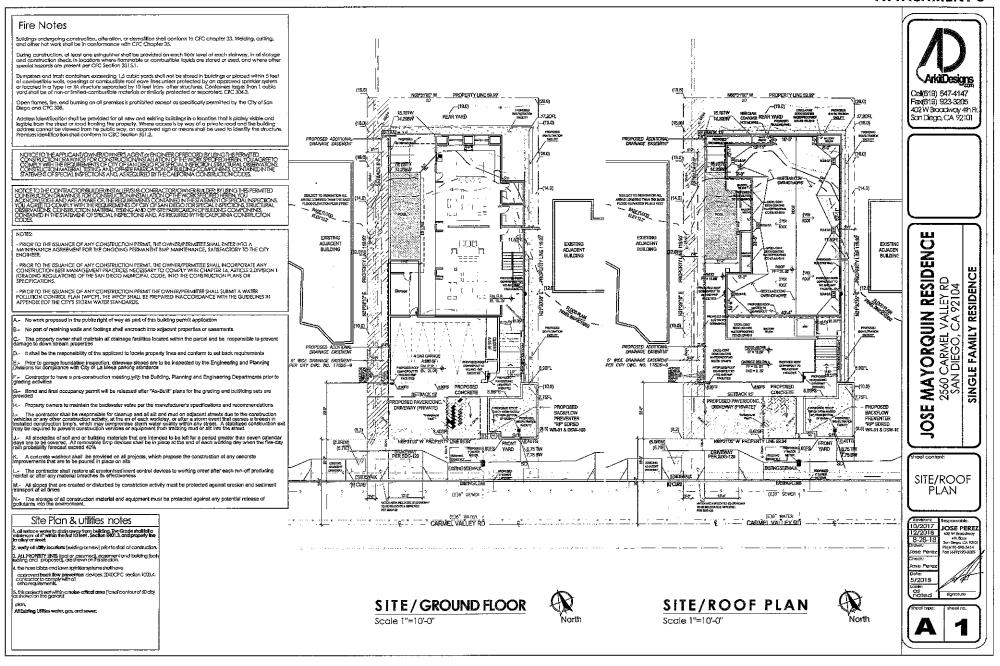


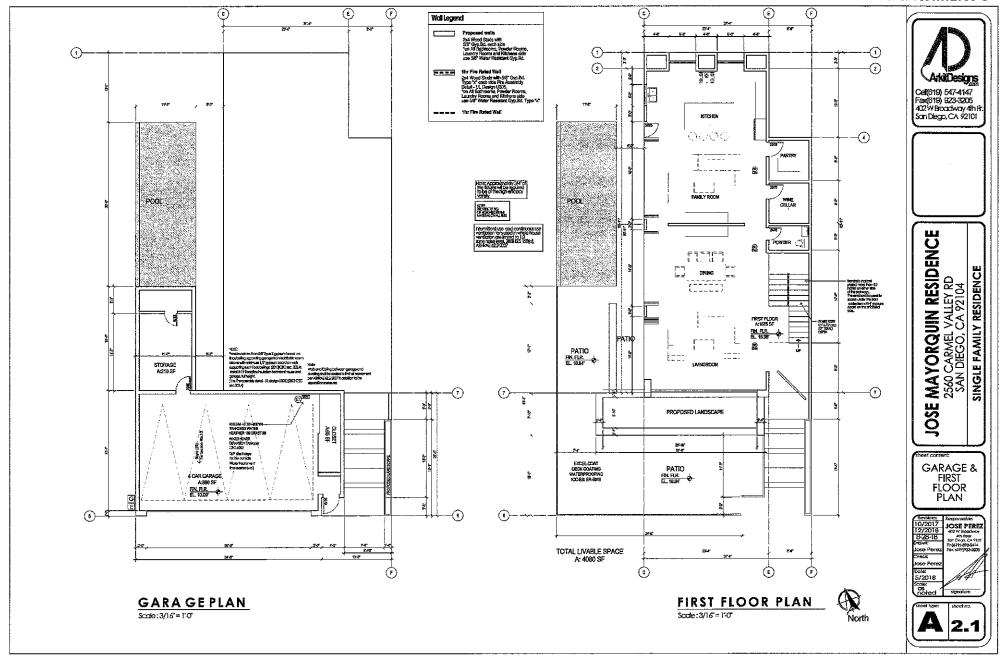
City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

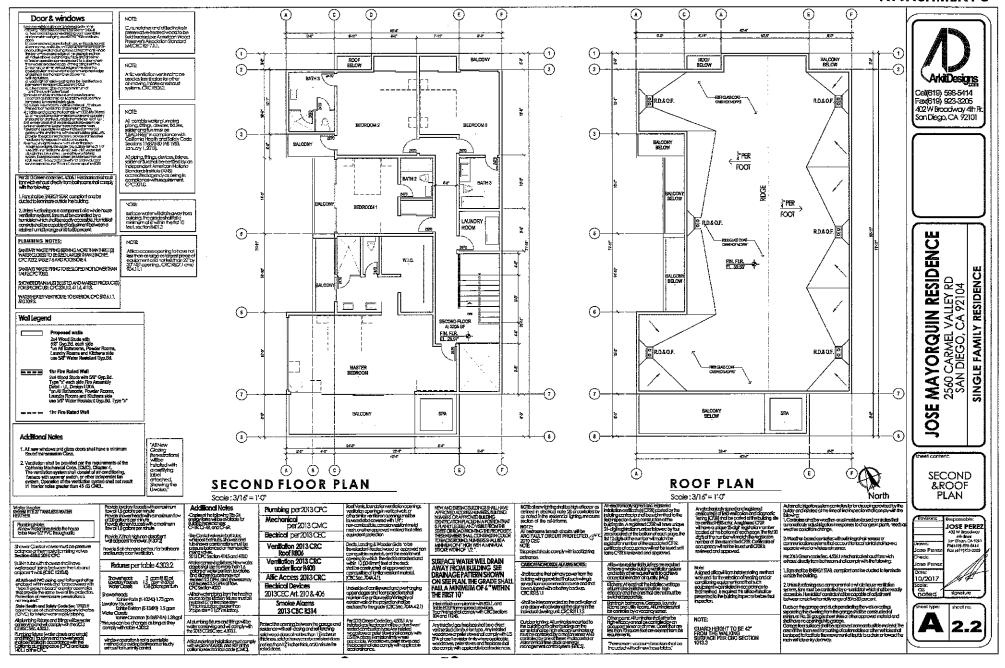
Ownership Disclosure Statement

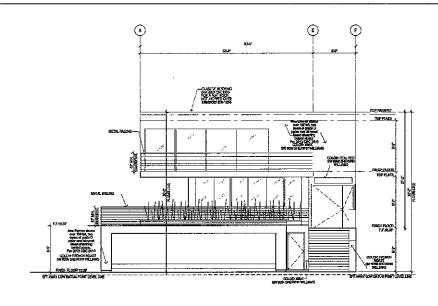
Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other Project Title Valley Planned Development Permit Planned Development Permit Other Project No. For City Use On Yu S Q Project Address: Appl. 301-123-23-66 Part I - To be completed when property is held by Individual(s) Pay signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filled with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Pleatow the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all put ho have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the per ndividuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature has permit a project parcels for which a Dispositive Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given project Manager at least thirty days prior to any public hearing on the subject property. Fallure to provide accurate and current own formation could result in a delay in the hearing process. Additional pages attached Yes No Name of Individual (type or print):						
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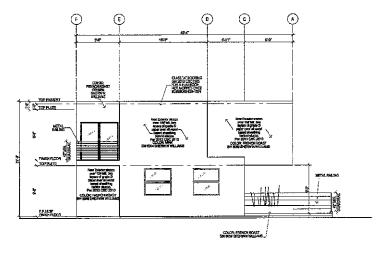












REAR

FRONT

Note; if window model suggested is change by the owner or conflictor, should meet minimum requirements of local municipal code.

ALLDOORS AND WINDOWS TO HAVESTC 30 Cel(619) 598-6414 Fax(619) 923-3205 402W Broodway 4th Hr. San Diego, CA 92101

JOSE MAYORQUIN RESIDENCE 2560 CARMEL VALLEY RD SAN DIEGO, CA 92104

SINGLE FAMILY RESIDENCE

EXTERIOR ELEVATIONS

Revision: Responsible

JOSE PEREZ

JOSE PEREZ

A TORNO

TORNO

Classification

Construction

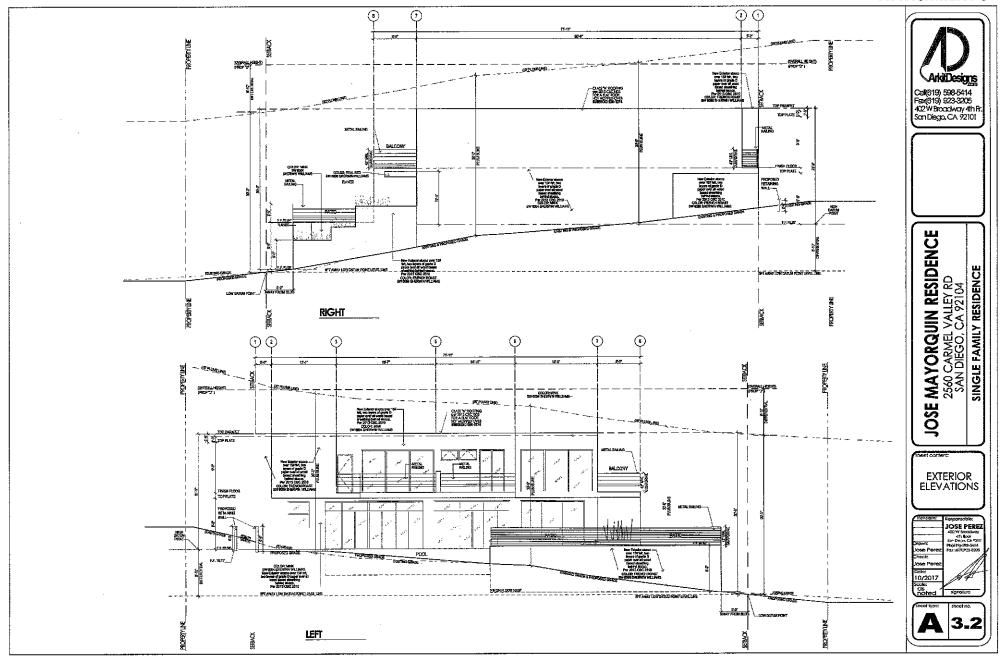
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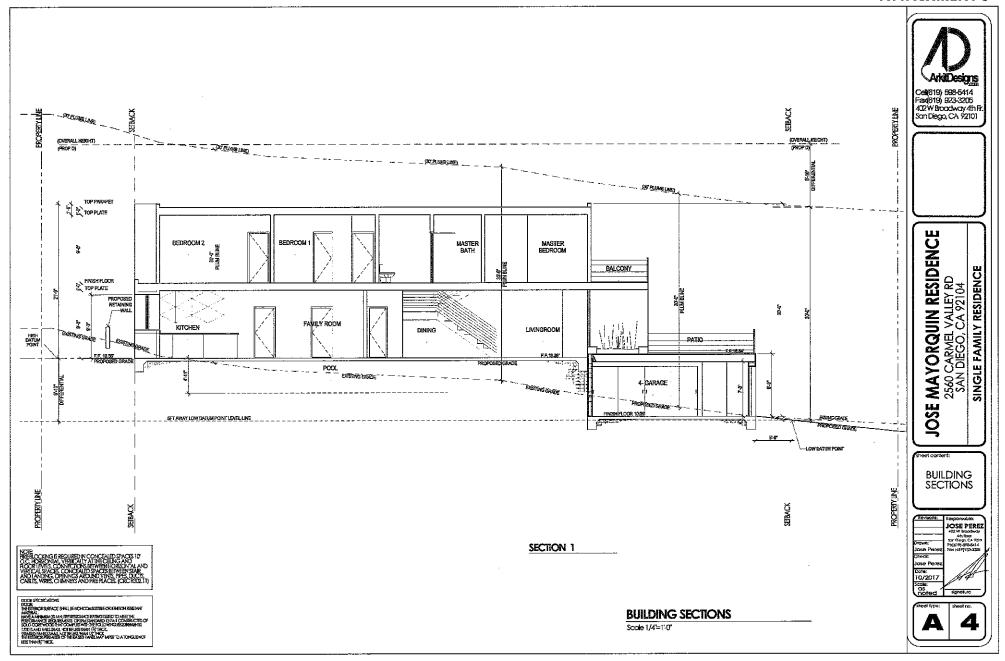
sheet type:

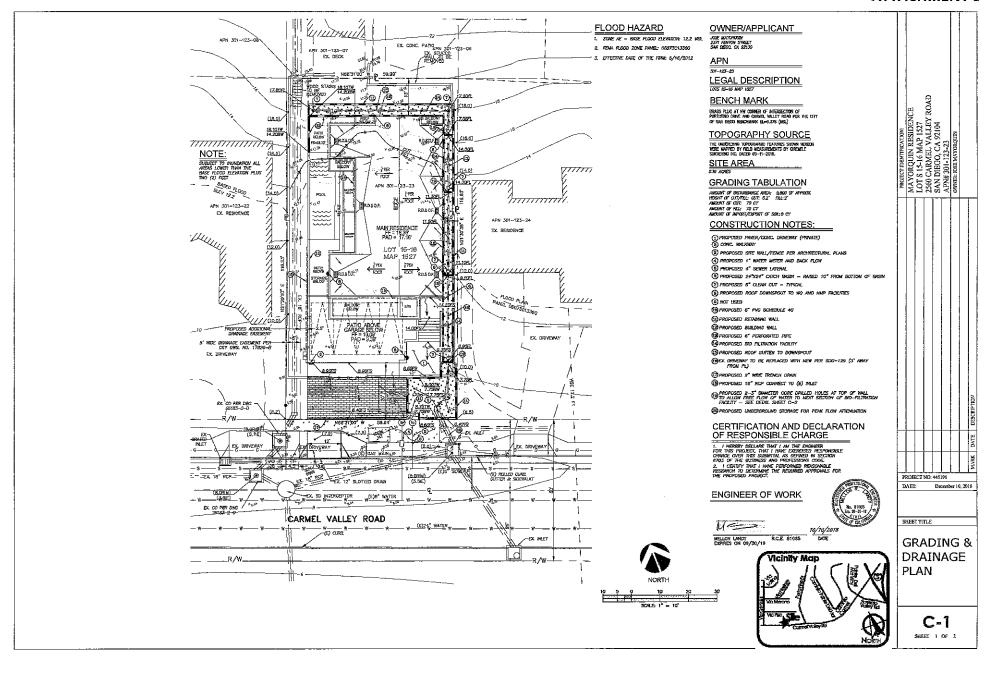
A 3.1

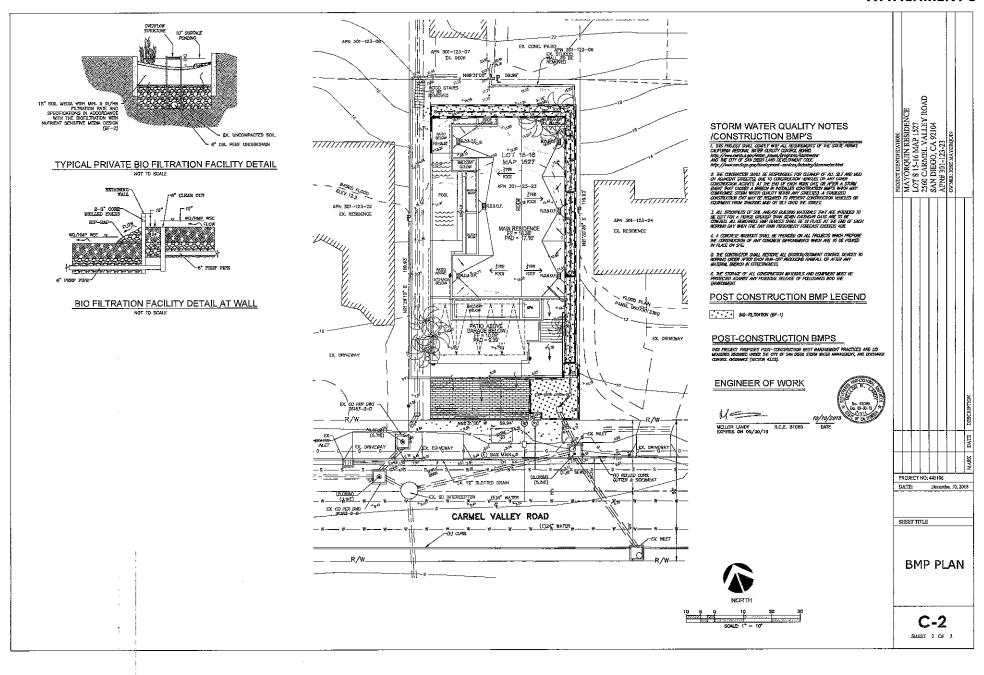
EXTERIOR ELEVATIONS

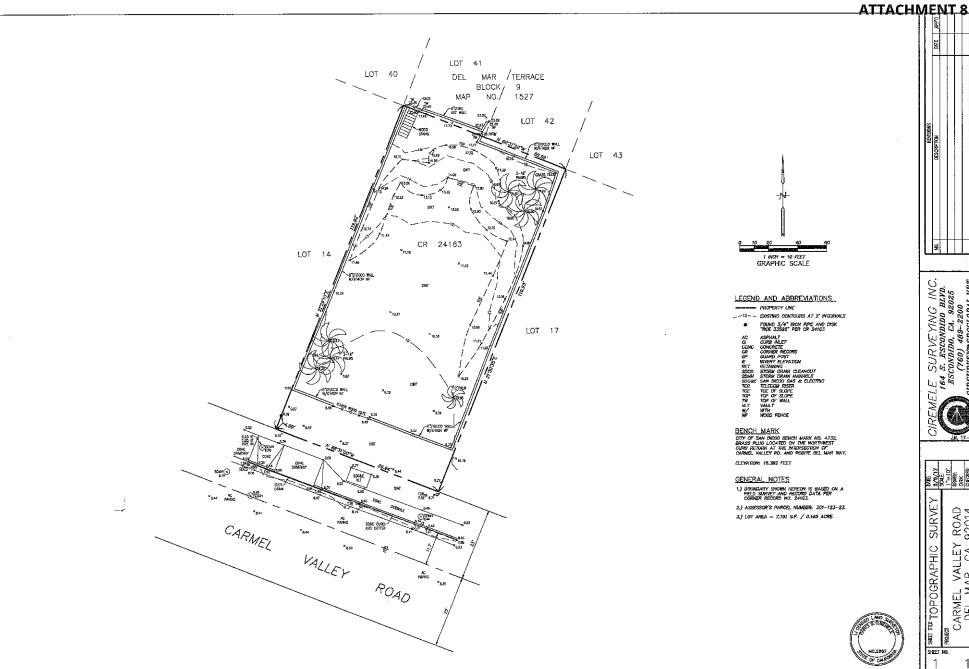
Scale 3/16'=1'-0"











ROAD 92014 CARMEL VALLEY DEL MAR, CA