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Page 3	City of San Diego · Information Bulletin 620		May 2020
	City of San Diego Development Services	Community Planning Committee Distribution Form	
Project Name: Bella Mar		Project Number: 631240	
Community: Otay Mesa - Nestor			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny			
# of Members Yes 16	# of Members No 0	# of Members Abstain 0	
Conditions or Recommendations: N/A			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Edgar Garfias			
TITLE: Secretary		DATE: 4/29/2022	
Attach additional pages if necessary (maximum 3 attachments).			

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

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

DS-5620 (08-18) ONLINE FORM

**OTAY MESA-NESTOR COMMUNITY PLANNING GROUP
MEETING MINUTES
September 11, 2019**

Members Present:

District 1 John C. Swanson
 District 2 Johnny E. Swanson
 District 3 Armond Moore
 District 4 Patty Swanson
 District 5 Sabine Prather
 District 6 Edgar Garfias
 District 7 Robert Broomfield
 District 8 Eric Meza
 District 10 Bob Mikloski
 District 11 Albert Velasquez
 District 13 Brian McGonagill
 District 14 Sam Baltazar

District 15 Walt Zumstein
 District 16 Bobby Hicks

Members Absent:

District 9 Jacki Farrington
 District 12 Carlos Sanchez

Vacant District Seat:

None

Guests Present: Please see the
 OMNCPG Secretary for the sign-
 in sheet.

1. **Call to Order/Introduction of Members:** Albert Velasquez, Chair of the Otay Mesa Nestor Community Planning Group (OMNCPG), called the meeting to order at 6:33 p.m. He welcomed all Board members and members of the community to the meeting.
2. **Approval of the Minutes:** The minutes of the August 14, 2019, OMNCPG meeting were unanimously approved.
3. **Non-Agenda Public Comments:** (2-minute limit per speaker).
 - a. Brian McGonagill stated that street parking on the overpass from Oro Vista to Iris Avenue limits visibility for cars and bus approaching this intersection.
 - b. Bob Mikloski asked about the homeless problem around the Otay Mesa Nestor Branch Library.
 - c. A resident spoke about the 18 single family development (Project #566657) located on Saturn Blvd and Leon Avenue. This project will be reviewed for approval by the San Diego City Council September 17, 2019, at 2 pm.
4. **San Diego Police Department Report:** SDPD Officer Carlos Eddington, ceddington@pd.sandiego.gov (619) 424-0412. No report.
5. **California State Assembly, 80th District report:** Lucero Chavez, Field Representative, 619-338-8090 lucero.chavez@asm.gov. No report.
6. **Council District 8 Report:** Karla Mendez, Council District 8 Representative, 619-236-6688 krmendez@sandiego.gov
 - a. Karla provided handouts from Councilmember Moreno's office.
 - b. She said the Councilmember will have office hours Sept. 12th 5-6pm at the Otay Mesa Nestor Branch Library.
 - c. She also said that the grand opening of the new San Ysidro city library was held on September 7, 2019.

7. **Office of the San Diego City Attorney Report:** Mark Robertson, Deputy City Attorney, mrobertson@sandiego.gov 619-553-5500. No report.
8. **OMNCPG Sub-Committee Reports:**
 - a. Volunteer Code Compliance, By-Laws, and Parks and Recreation subcommittees: No reports.
 - b. Project Review: This Subcommittee reported their recommendations after their review of the two following projects:
 1. **Project Number: 644184 - Palm Avenue Transitional Housing.** Application by the City of San Diego for a Coastal Development Permit (CDP) and the amendment of the recorded Conditional Use Permit (CUP) No. 2053090.

Voting Results: The subcommittee chair Robert Broomfield, reported that the subcommittee recommended against approval of the CDP with a 4-1-0 vote.
 2. **Project Number 631240, Bella Mar Apartments - 408 Hollister Street:** The project involves an application for a Tentative Map, Coastal Development Permit, Site Development Permit, and an amendment of the Otay Mesa Nestor Community Plan to re-zone a large parcel of land from agricultural to multi-family residential.

Voting results: The subcommittee chair, Robert Broomfield, reported that the subcommittee recommended approval of the project with a 4-0-0 vote.
9. **Action Item:** Project Number: 644184 - Palm Avenue Transitional Housing. Application by the City of San Diego for a Coastal Development Permit (CDP) and the amendment of the recorded Conditional Use Permit (CUP) No. 2053090. The project site is located at 1788 Palm Avenue in the CC-4-2 Zone, within the Otay Mesa-Nestor Community Plan Area, Coastal Overlay Zone (California Coastal Commission Appealable Area), and Council District 8.

Krissy Maier - HUD Programs Coordinator - City of San Diego, KMaier@sandiego.gov 619-236-6312 and James Arnhart, Project Officer II, City of San Diego Public Works – Engineering JAarnhart@sandiego.gov (619) 533-5275 will inform the group about the amendment of a (Process 5) CUP and the application for a CDP for this project, which is to remodel and convert an existing motel into a transitional housing facility for the SMART program.

Background: The City previously presented this project to the OMNCPG on November 8, 2017 for a recommendation regarding an application for a CUP for this project. The OMNCPG voted 12-0-2 to recommend denial of the application. The San Diego City Council hearing regarding this application occurred December 11, 2017, and the City Council approved the CUP application. A petition was subsequently filed with the court. As a result, the court has ordered the City to also apply to obtain a CDP for this project.

Current application: The City of San Diego is now applying for a CDP and to amend the existing recorded CUP No. 2053090, adding a CDP.

Walt Zumstein made a motion not to approve the application for the CDP.

Voting Result: The motion passed 12-3-1.


10. **Action Item:** Project Number 631240, Bella Mar Apartments - 408 Hollister Street: The project involves application for a Tentative Map, Coastal Development Permit, Site Development Permit, and an amendment of the Otay Mesa Nestor Community Plan to rezone a large parcel of land from agricultural to multi-family residential. This development project proposes to construct 390 apartments on the west side of Hollister Avenue, located between Main Street and Palm Avenue. Contact: Jeff Phair, President, The Phair Company, 619-426-0441, jeff@thephairco.com and Kyle Stevens, Carrier Johnson, 619-239-2353

Robert Broomfield made the motion to approve the project as presented.

Voting Result: The motion passed 16-0-0.

11. **Informational Item:** Project Number: 644574. Project Address: 920 Saturn Boulevard. Description: Request to Initiate a Community Plan Amendment to re-designate a 1.8-acre site located at 920 Saturn Blvd to change the land use designation from Residential Low (5-9 du/ac) to Residential Medium High (30-44 du/ac). Contact: Michael Prinz, Senior Planner, 619-533-5931 mprinz@sandiego.gov
- a. This item was not noticed on this agenda as an action item. The applicant asked that the OMNCPG consider this an action item in accordance with ARTICLE VI Community Planning Group and Planning Group Member Duties, Section 2, (a) Meeting Procedures, (viii) ACTION ON AGENDA ITEMS of the OMNCPG Bylaws.
- Alberto made a motion that this project be considered an action item in accordance with the OMNCPG Bylaws.
- Voting result:** per the Bylaws, the motion must pass by a 2/3 majority vote, and therefore passed: the vote was 12-1-3.
- b. Brian McGonagill made a motion not to approve the application for a Community Plan Amendment for this parcel.
- Voting Result:** The motion passed, 12-0-4.
12. **Chair's Report:** He requested that all new planning OMNCPG members must complete the Community Orientation Workshop (COW) in person or online. The workshop is presented by the City of San Diego Planning Department.
12. **City Planner Report:** Michael Prinz, Senior Planner, 619-236-6301, mprinz@sandiego.gov No report.
13. **Adjournment:** Albert Velasquez made a motion to adjourn at 7:46 p.m.

Respectfully submitted by John C. Swanson, Secretary

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☒ Land Use Plan Amendment • ☒ Other _____

Project Title: Bella Mar Apartments **Project No. For City Use Only:** PTS-631240

Project Address: 408 Hollister Street, San Diego, CA 92154

Specify Form of Ownership/Legal Status (please check):

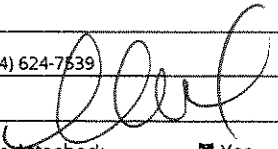
☐ Corporation ☒ Limited Liability -or- ☐ General - What State? California Corporate Identification No. _____
☐ Partnership ☐ Individual

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

Property Owner

Name of Individual: Bella Mar Land Investors, LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 330 Bonita Road
 City: Chula Vista State: CA Zip: 91910
 Phone No.: (619) 985-4030 Fax No.: _____ Email: tpc@thephairco.sdcxmail.com
 Signature: _____ Date: _____
 Additional pages Attached: ☒ Yes ☐ No

Applicant

Name of Individual: Red Tail Acquisitions, LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 2082 Michelson Drive, Suite 400
 City: Irvine State: CA Zip: 92612
 Phone No.: (714) 624-7539 Fax No.: _____ Email: tkihm@rtacq.com
 Signature:  Michael B. Earl Date: _____
Vice President
 Additional pages Attached: ☒ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: Bella Mar Apartments **Project No. For City Use Only:** PTS-631240

Project Address: Hollister Ave

San Diego CA

Specify Form of Ownership/Legal Status (please check):

☒ Corporation ☐ Limited Liability -or- ☐ General - What State? _____ Corporate Identification No. _____

☐ Partnership ☐ Individual

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

Property Owner

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

Name of Individual: Ron Brockhoff - Director, Chelsea Investment Corporation ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

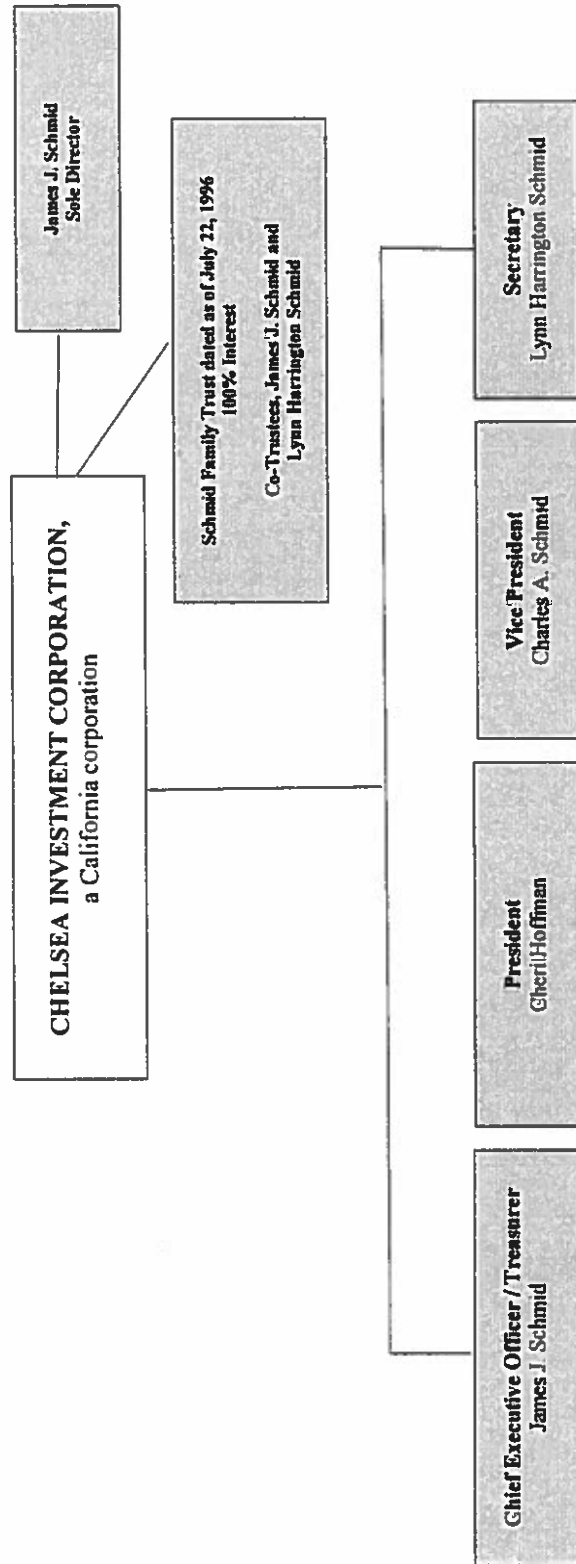
Street Address: 6339 Paseo del Lago

City: Carlsbad State: CA Zip: 92011

Phone No.: 760 456 6000 Fax No.: 760 456 6001 Email: rbrockhoff@chelseainvestco.com

Signature: [Signature] Date: 1-8-2020

Additional pages Attached: ☒ Yes ☐ No



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15 MINS TO
DOWNTOWN

TRAIL CONNECTION
TO BAYSHORE
BIKEWAY

HOLLISTER
POND
VIEWING
DECK

HOLLISTER
POND

PROJECT
SITE

TROLLEY
STATION

ARCO

photo
survey

BELLA MAR

408 HOLLISTER STREET - SAN DIEGO, CALIFORNIA



PROJECT: 5752.00

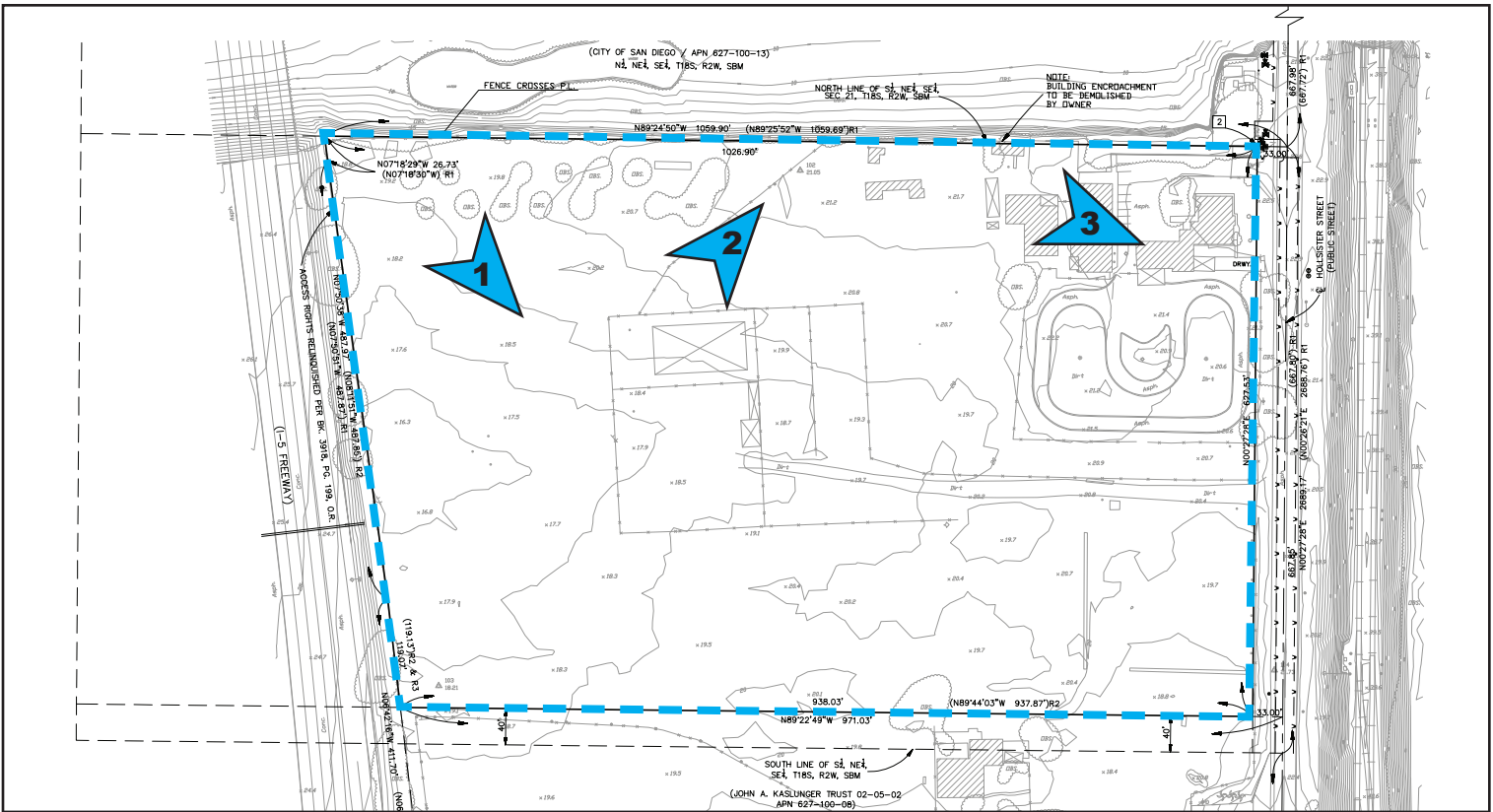
DATE: 03.04.2019

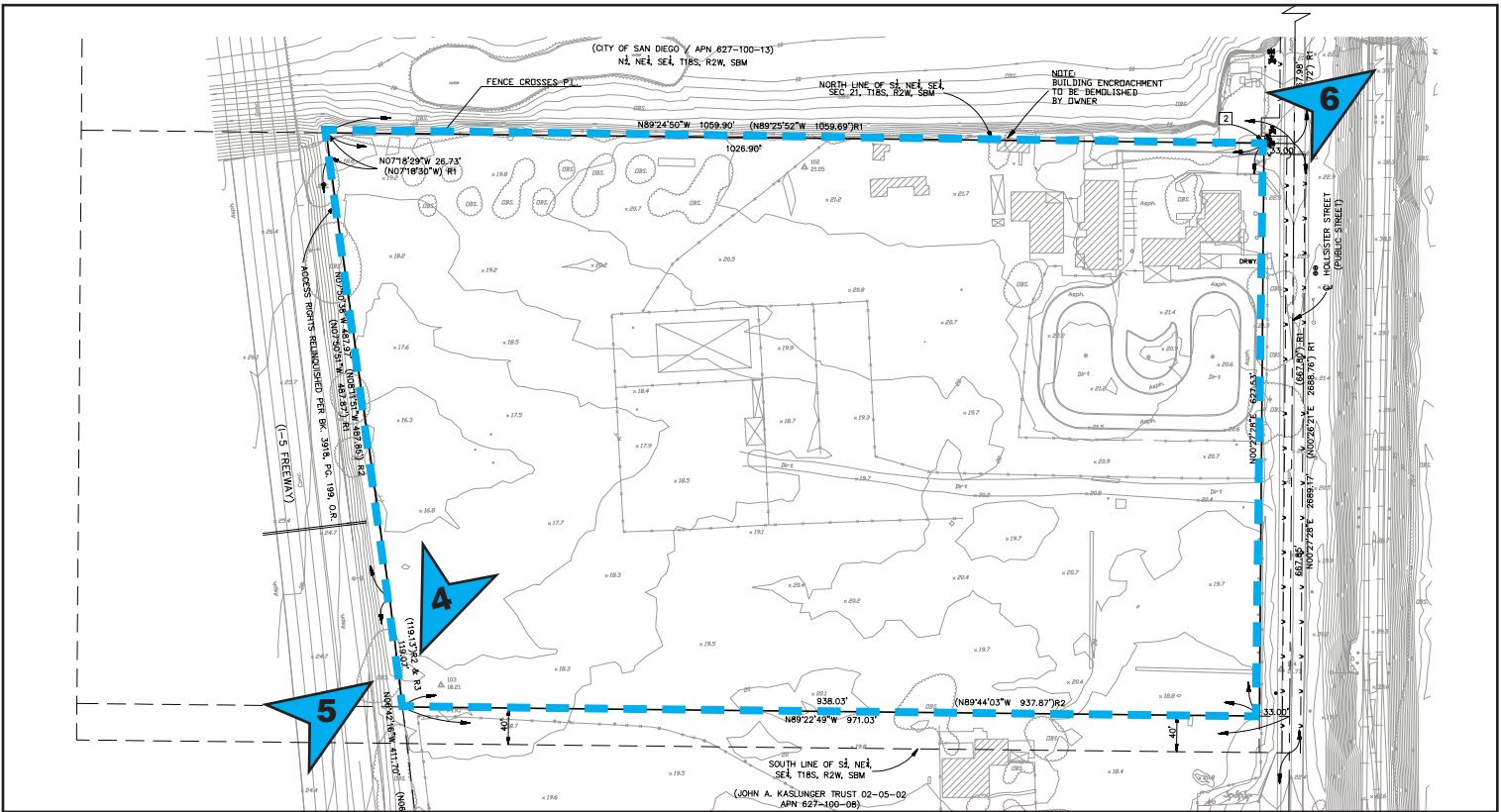


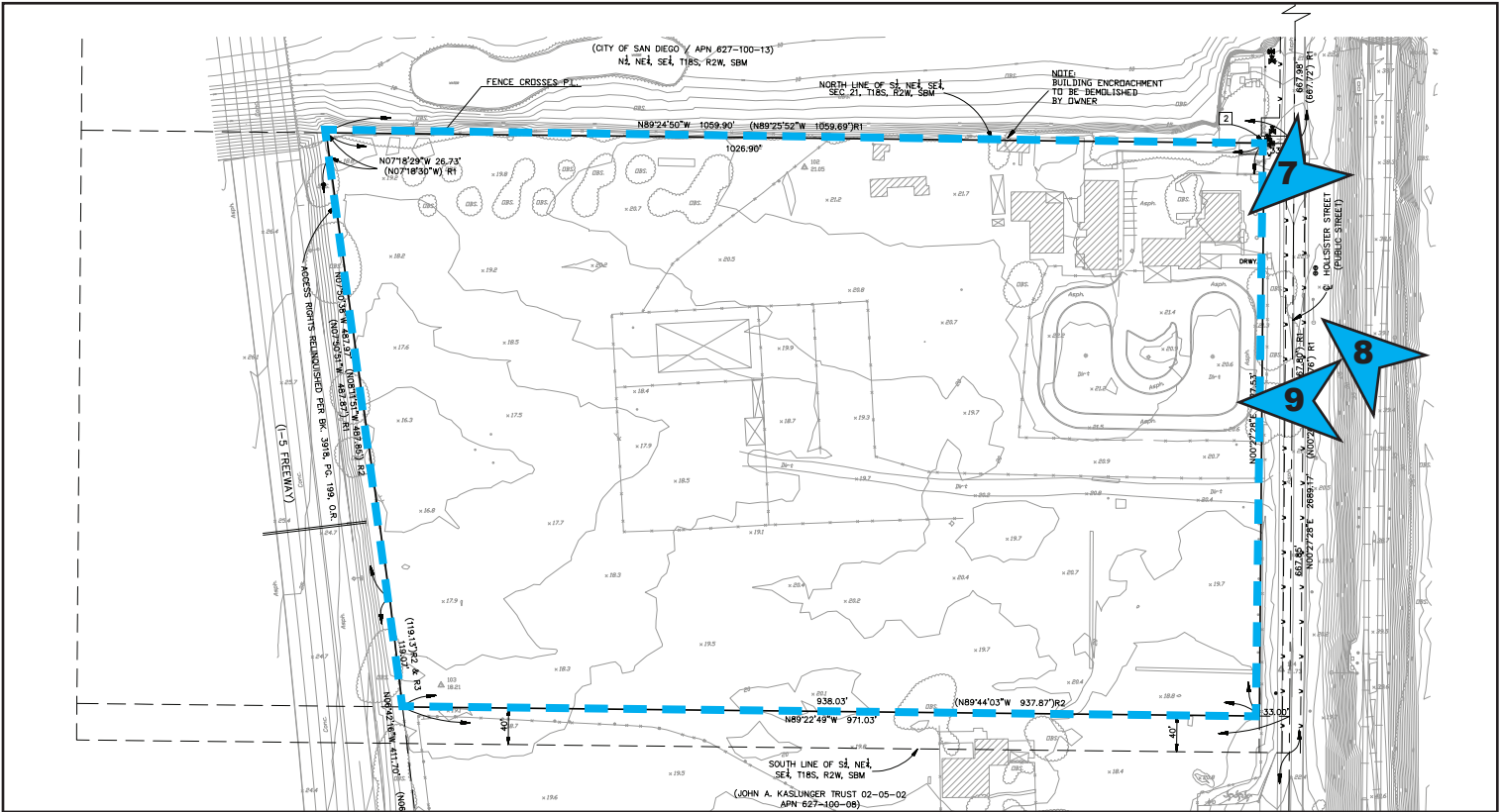
RED TAIL ACQUISITIONS, LLC
COMMERCIAL REAL ESTATE INVESTMENTS



carrierjohnson + CULTURE
architecture + environments + brand strategy + graphics







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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

DOC # 2006-0796358

NOV 08, 2006 11:32 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 62.00
PAGES: 19

2006-0796358

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 425425

CONDITIONAL USE PERMIT NO. 367052
SITE DEVELOPMENT PERMIT NO. 367053
(EXTENSION OF TIME AND AMENDMENT TO CONDITIONAL USE PERMIT /MHPA
BOUNDARY LINE ADJUSTMENT NO. 96-7318)
TROLLEY STOP RECREATIONAL VEHICLE PARK [MMRP] NO. 86481

This Site Development Permit, Conditional Use Permit, Extension of Time and Amendment to permit number 96-7318, (County Recorder's Office Document number 2002-0627126 dated July 26, 2002), is granted by the Planning Commission of the City of San Diego to JOHN WILLIAMSON, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303 and 126.0502. The 14.18 acre site is located at 408 Hollister Street in the AR-1-2/OF-1-1 zones of the Otay Mesa-Nestor Community Planning area. The project site is legally described as Lot 9 in Block 100 of the Palmview Tract according to Map No. 1539.

Subject to the terms and conditions set forth in this Permit, permission is granted to JOHN WILLIAMSON Permittee to construct a 142 space recreational vehicle camp ground with clubhouse, managers office/dwelling, comfort station, picnic/barbeque areas and outdoor swimming pool, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated October 5, 2006, on file in the Development Services Department.

The project or facility shall include:

- a. 142-space camp ground for recreational vehicles;
- b. Related facilities, to include a clubhouse with recreation inclusive of swimming pool, game room, snack bar, recreation room, showers, tot lot;
- c. Manager's office/dwelling;
- d. Off-street parking;
- e. Site landscaping, hardscape and permanent irrigation improvements; and

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- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the 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.).
7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary

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status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in 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. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on October 5, 2036. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

12. Prior to the expiration date of this CUP, the Owner/Permittee may submit a new CUP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

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ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.
14. As conditions of Site Development Permit No. 367053 and Conditional Use Permit No. 367052, the mitigation measures specified in the MMRP, and outlined in the MITIGATED NEGATIVE DECLARATION, LDR NO. 86481 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Mitigated Negative Declaration, Ldr No. 86481 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Historical Resources (archaeology)

Noise

Hydrology/Water Quality

Land Use/MHPA

Traffic

TRANSPORTATION REQUIREMENTS:

16. Prior to any public hearing for this project the applicant shall submit a revised Site Plan showing a 5'-0" wide utility easement west of the 12'-0" parkway along the project frontage on Hollister Street, as specified on page 100 of the City of San Diego Street Design Manual, satisfactory to the City Engineer.
17. Prior to the issuance of the first building permit, the applicant shall assure by permit and bond the full width improvement of Hollister Street along the project frontage to have full height curb and gutter on both sides, 12'-0" through lanes, 12'-0" center turn lane, and 5'-0" bike lanes, for 46'-0" curb to curb, and either 12'-0" (with 2'-0" dedication) or 15'-0" (with 5'-0" dedication) parkway on the project side with a noncontiguous sidewalk, satisfactory to the City Engineer.
18. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

ENGINEERING REQUIREMENTS:

19. Prior to the issuance of any building permits, the Permittee shall obtain a grading permit from the City Engineer. All grading shall conform to requirements in accordance with Section

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62.0401-62.0423 of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. The drainage system proposed for this development as shown on the conceptual grading plan, is subject to approval by the City Engineer.
21. Portions of the project are located in the floodplain of the Otay River as delineated on panel 209 of the Flood Insurance Rate map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with approval of this permit:
- a. This project proposes to construct nonresidential structures within the floodplain fringe of a Special Flood Hazard Area (SFHA) for the Otay River as shown on Flood Insurance Rate Map panel 209. No work is allowed within the regulatory floodway. All structures built within the SFHA must be constructed at or above the base flood elevation (BFE) at that location.
 - b. The Permittee 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.
 - c. The Permittee shall grant drainage easements, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

22. Plant material shall be selected to visually blend with the existing vegetation. Plant palette shall include predominantly native species.
23. No invasive plant species shall be introduced into areas adjacent to the MHPA.
24. No change, modification or alteration shall be made to the project unless either Substantial Conformance Review (SCR) or an amendment of the permit shall have been granted by the appropriate decision maker.
25. It shall be the responsibility of the Permittee/Owner to install all required landscaping (per approved Exhibit "A"), obtain all required landscape inspections, and obtain a "No Fee Street Tree Permit" of the installation, establishment and on-going maintenance of all street trees.
26. Within ninety days of any construction permit issuance, the Permittee shall install all required landscaping and obtain all required landscape inspections. Failure to comply with these requirements shall result in notification to the Neighborhood Code Compliance Division of the San Diego Police Department.
27. All landscaping for this project shall be maintained in a disease, weed and litter free condition at all times, and shall not be modified or altered unless otherwise approved by the City Manager. Modifications such as severe pruning and "topping" of trees shall not be permitted. Additionally, the Permittee, or subsequent owner shall be responsible for maintaining all street

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trees and landscape improvements for the development consistent with landscape standards of the Land Development Code.

28. If any required landscape features (including fencing, and existing or new plants) indicated on the approved Exhibit "A" for the project are damaged or removed during demolition, construction, or at any time after issuance of a building permit, it shall be repaired and/or replaced in kind and equivalent size by the Permittee (per the approved plans) within 30 days. All perimeter landscaping shall achieve an 80 percent effective visual screen of plant material between the wall or fence and the public right of way within two years of installation/replacement of plant material. The replacement size of plant material after three years shall be the equivalent size of the plant at the time of removal (the largest size commercially available and/or an increased number) to the satisfaction of the City Manager or designated representative.

PLANNING/DESIGN REQUIREMENTS:

29. No fewer than 12 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

30. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

31. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

32. Prior to the issuance of any building permits, the permittee shall process and obtain a Coastal Development Permit from the California Coastal Commission.

33. Prior to the issuance of any building permits, the Permittee shall grant to the City of San Diego an open space easement, satisfactory to the City Attorney and in conformance with the approved Exhibit "A", along the north 100 feet of this site, as a buffer between the recreational vehicle park and the Otay Valley River Park.

34. All signs associated with this development shall be consistent with sign criteria established by either of the following:

- a. Approved project sign plan (Exhibit "A," on file in the Development Services Department); or
- b. Citywide sign regulations

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35. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

36. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.

WATER REQUIREMENTS:

37. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08 DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the complete NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the Permittee and any subsequent owner of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08 DWQ.

38. The Permittee shall provide evidence to the Development Services Department indicating that application for water service has been made to the California-American Water Company

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(CAWC). Further, due to the City of San Diego's present right to acquire CAWC's assets by eminent domain at a future certain date, the Permittee shall deposit with the City an amount the City deems equal to the value of meters, hydrants, pipes, and other water utilities that benefit the Permittee's property and which are paid for or installed by CAWC. The City shall set such deposit aside in a separate account to be used only for the future City acquisition of the CAWC assets. If the Permittee enters into any reimbursement agreement with any utility relative to facilities installed by Permittee, the Permittee shall assign any such agreement to the City of San Diego.

39. The Permittee shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants are located on the dead-end main then a looped system shall be installed.

SEWER REQUIREMENTS:

40. Prior to the preparation of any public improvement drawing, the Permittee shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Manager, for the sizing of gravity sewer mains and to show that the existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.

41. The Permittee shall install all facilities, as required by the accepted sewer study, necessary to serve this development. Sewer facilities, as shown on the approved site plan, may require modification based on the accepted study.

42. The Permittee shall design all public water and sewer facilities to the most current edition of the City of San Diego Water and Sewer Design Guidelines. If facilities do not meet current standards, then such facilities shall be private.

43. The Permittee shall grant adequate water, sewer and/or access easements, including vehicular access to each appurtenance (meters, blow-offs, air valves, manholes, etc) for all public water and sewer facilities that are not located within paved public rights of way, satisfactory to the Water and Wastewater Departments' Managers. Vehicular access roadbeds shall be a minimum of 20'-0" wide and surfaced with suitable approved material, satisfactory to the appropriate Department Manager. Minimum easement widths:

- Water mains with services or fire hydrants – 24 feet
- Sewer mains with manholes – 20 feet

44. Prior to the installation for any structure of any kind, an Encroachment Maintenance Removal Agreement must be obtained.

STORMWATER REQUIREMENTS:

45. Prior to the issuance of any construction permit, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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46. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

47. Prior to the issuance of any construction permit, the applicant shall provide evidence of coverage under the General Industrial National Pollutant Discharge Elimination System, in the form of a Notice of Intent (NOI) filed with the State Water Resources Control Board.

48. Prior to the issuance of any construction permit, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on October 5, 2006

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ALL-PURPOSE CERTIFICATE

Type/PTS Approval Number of Document SDP No 367053/CUP No. 367052
 Date of Approval October 5, 2006

STATE OF CALIFORNIA
 COUNTY OF SAN DIEGO

William Zounes
 William Zounes, Development Project Manager
 City of San Diego

On Nov. 6, 2006 before me, Raquel Herrera, City of San Diego, (Notary Public), personally appeared William Zounes, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their capacity(~~ies~~), and that by his/~~her~~/their signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal

Signature Raquel Herrera
 Raquel Herrera



ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

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

Signed John Williamson

STATE OF California
 COUNTY OF Siskiyou

On 11/3/2006 before me, Vicky Sheehy Notary Public (Name of Notary Public) personally appeared John Williamson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature Vicky Sheehy



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PLANNING COMMISSION
 RESOLUTION NO. 4154-PC
 CONDITIONAL USE PERMIT NO. 367052
 SITE DEVELOPMENT PERMIT NO. 367053
 (EXTENSION OF TIME AND AMENDMENT TO CONDITIONAL USE PERMIT /MHPA
 BOUNDARY LINE ADJUSTMENT NO. 96-7318)
TROLLEY STOP RECREATIONAL VEHICLE PARK [MMRP] NO. 86481

WHEREAS, JOHN WILLIAMSON, Owner/Permittee, filed an application with the City of San Diego for an Extension of Time and Amendment to Conditional Use Permit/MHPA Boundary Line Adjustment No. 96-7318, (approved by the Planning Commission on February 21, 2002, Resolution No. 3238) and Site Development Permit No. 367053 to construct a 142-space recreational vehicle park with clubhouse, manger's apartment, comfort station, picnic and barbeque areas and outdoor swimming pool (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit Extension of Time/Amendment No. 367052 and Site Development Permit No. 367053), on portions of a 14.18 acre site;

WHEREAS, the project site is located at at 408 Hollister Street in the AR-1-2/OF-1-1 zones of the Otay Mesa-Nestor Community Planning area;

WHEREAS, the project site is legally described as Lot 9 in Block 100 of the Palmview Tract according to Map No. 1539;

WHEREAS, on October 5, 2006, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 367052 and Site Development Permit No. 367053 (Extension Of Time And Amendment To Conditional Use Permit /Mhpa Boundary Line Adjustment NO. 96-7318, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated October 5, 2006

FINDINGS:

Conditional Use Permit - Section 126.0305

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

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The project is an Extension of Time and an Amendment to Conditional Use Permit No. 96-7318 to allow modifications to the facility. The project proposes to reduce the number of RV spaces from 213 to 142 spaces to accommodate large RV's requiring special design features. Ninety-three of the original spaces used by smaller RV's will remain. The office/recreation area would also to be reoriented to improve vehicular access.

The project does not adversely affect the goals and objectives of the Otay Mesa-Nestor Community Plan. The site is designated Open Space with a Special Study Area overlay and is discussed in Topic 1a of the

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plan which encourages active recreational opportunities and recommends that commercial recreation be permitted consistent with the Otay Valley Regional Park plan.

The project is adjacent to the Otay Valley Regional Park. The Otay Valley Regional Park plan recommends that private development provide linkages, recreational facilities, staging and viewing areas in conjunction with the park. The proposed project implements the goals and objectives of the Otay Valley Regional Park plan by providing a recreational facility adjacent to the park therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project is an Extension of Time and an Amendment to Conditional Use Permit No. 96-7318 to allow modifications to a previously approved Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The project is consistent with the City's Progress Guide and General Plan and the Otay-Mesa Nestor Community Plan and Local Coastal Program. These documents designate the project site for open space use, and recommend interim, visitor oriented recreational uses, including travel trailer parks.

The permit and the existing Mitigation, Monitoring, and Reporting Program (MMRP) prepared for this project include conditions, environmental mitigation measures, and exhibits of approval relevant to achieving compliance with the applicable regulations of the Municipal Code in effect for this project. These conditions have been determined necessary to avoid potentially adverse impacts upon the health, safety and general welfare of persons residing or working in the area. These conditions include requirements pertaining to landscape standards, noise, attenuation measures, lighting restrictions, traffic impacts, public right of way improvements, water quality and on-site facilities for visitors.

Because of the specific requirements and referenced exhibits as well as the required environmental mitigation measures incorporated as conditions of the project, the project is not anticipated to adversely affect other properties in the vicinity, or to be detrimental to the health, safety and general welfare of persons residing or working in the area.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the site. The project is consistent with all development regulations. The project design has incorporated a deviation to an environmentally sensitive land requirement to allow construction within the Special Flood Hazard Area (SFHA) at the Base Flood Elevation (BFE) in accordance SDMC 143.0146(c).

The project site is within the Special Flood Hazard Area. The proposed project would modify condition 29(a) from the previously approved Conditional Use Permit (CUP 96-7318). The Environmentally Sensitive Lands regulations include a requirement that within the SFHA new construction or substantial improvement of any structure must have the lowest floor elevated at least two feet above the base flood elevation. As such, permit condition 29(a) was required to implement the project. The condition states the following: "Any development within the floodplain fringe area will require either the property to be

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graded to an elevation two feet above the 100-year frequency flood elevation or provide flood proofing of all structures at that same elevation."

Within the SFHA, the Federal Emergency Management Agency (FEMA) requires that the finished floor elevation be at or above the base floor elevation (BFE) while the SDMC requires an additional two-feet above the BFE. Modification of condition 29(a) would allow the site to be developed at the 100-year flood elevation or the BFE. The two foot elevation requirement is a City of San Diego requirement. All State and Federal flood requirements are being satisfied, therefore, this change would be consistent with FEMA guidelines.

The City Engineer is in support of modifying the condition and the requested deviation as it has been determined that the project will not result in an increase in base flood levels. Additionally, the previously adopted Mitigation, Monitoring and Reporting Program requires a flood evacuation plan for the site and that the development be constructed in accordance with FEMA guidelines. The majority of the project will be developed with permeable surfaces consisting of decomposed granite. The area has not encountered a flood since 1916 when an earthen dam burst along the Otay River during heavy rains. A reinforced concrete dam has since been built upstream of the project site which reduces the likelihood of flood water from the Otay River to the site.

The project has been determined to be consistent with other development regulations contained within the AR-1-2/OF-1-1 zones and all other pertinent regulations of the Land Development Code (LDC). The proposed development is in conformance with land use regulations regarding density, land use, height, grading, and architectural design. The project complies to the maximum extent feasible with the regulations of the Land Development Code.

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

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The project is an Extension of Time and an Amendment to Conditional Use Permit No. 96-7318 to allow modifications to the facility. The project proposes to reduce the number of RV spaces from 213 to 142 spaces to accommodate large RV's requiring special design features. Ninety-three of the original spaces used by smaller RV's will remain. The office/recreation area would also to be reoriented to improve vehicular access.

The project does not adversely affect the goals and objectives of the Otay Mesa-Nestor Community Plan. The site is designated Open Space with a Special Study Area overlay and is discussed in Topic 1a of the plan. The plan recommends the provision of active recreational opportunities and that commercial recreation be permitted consistent with the Otay Valley Regional Park plan. The site is zoned AR-1-2/OF-1-1 which allows the operation of camping parks as processed through a Conditional Use Permit, therefore the proposed use is appropriate at the proposed location.

Site Development Permit - Section 126.0504

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

The proposed project will not adversely affect the applicable land use plan as described in Conditional Use Permit Finding number 1.

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

The proposed project will not be detrimental to the public health, safety and welfare as described in Conditional Use Permit Finding number 2.

- 3. The proposed development will comply with the applicable regulations of the Land Development Code.**

The proposed project will comply with the applicable regulations of the Land Development Code as described in Conditional Use Permit Finding number 3.

Supplemental Findings--Environmentally Sensitive Lands

- 1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.**

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The proposed project is within the Special Flood Hazard Area (SFHA) and within the Multi-Habitat Planning Area (MHPA). An MHPA Boundary Line Adjustment is required to implement the project. No development will occur within the MHPA. The original project required a Mitigation, Monitoring, and Reporting Program (MMRP) to reduce adverse impacts to the historical resources (archaeology), noise, hydrology/water quality, land use/MHPA and traffic below a level of significance. The mitigation measures include the boundary line adjustment to the MHPA, noise attenuation walls, desalination basins, traffic control measures and a flood evacuation plan. The site is designated Open Space within the Otay Mesa-Nestor Community Plan. The plan recommends the provision of active recreational opportunities and that commercial recreation be permitted consistent with the Otay Valley Regional Park plan.

The site is physically suitable for the design and siting of the proposed development and the development will result in no disturbance to environmentally sensitive lands.

- 2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.**

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. To accommodate the proposed development, minimum grading is proposed to have drainage flow into drainage basins. The proposed grading will cover 12.9 acres and will include 9,200 cubic yards of import. Maximum height of cut and fill slope will be three feet.

The project has established a permanent Storm Water Best Management practice in accordance with the Water Quality Technical Report (March 2006), prepared by Scott Berkebile, P.E., CFM. To ensure run off into the Otay River is adequately treated for sedimentation and pollution from the RV park, the project must adhere to the Storm Water Pollution Prevention Program (SWPPP). The SWPPP will require the installation of a grass lined detention basin located on the sites western boundary.

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According to the City of San Diego's Seismic Safety Study, the project lies within Geologic Hazard Category 31 with moderate risk for liquefaction. Implementation of standard building practices and proper engineering design of the proposed structures, to be verified at the building permit stage, will assure that potential of geologic impacts will be minimized. The proposed development therefore, will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosion forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The proposed project is within the Special Flood Hazard Area (SFHA) and within the Multi-Habitat Planning Area (MHPA). Approximately one-third of the subject property is presently within the MHPA. The Otay Regional Park is adjacent to the site and within the MHPA. The proposed project requires a MHPA Boundary Adjustment on the northern boundary of the site in the creation of a 2.3 acre, 100-foot wide riparian buffer to be planted with native riparian vegetation. No development will occur within the MHPA as a lot line adjustment is required as part of the permit to position the proposed development outside the MHPA. The MHPA Boundary Line Adjustment will result in a 100-foot buffer between the proposed development and the Otay River which is part of the MHPA.

The original project required a Mitigation, Monitoring, and Reporting Program (MMRP) to reduce adverse impacts to the historical resources (archaeology), noise, hydrology/water quality, land use/MHPA and traffic below a level of significance. The mitigation measures include the boundary line adjustment to the MHPA, noise attenuation walls, desalination basins, traffic control measures and a flood evacuation plan. The site is designated Open Space within the Otay Mesa-Nestor Community Plan. The plan recommends the provision of active recreational opportunities and that commercial recreation be permitted consistent with the Otay Valley Regional Park plan.

No development will occur within the MHPA as a boundary line adjustment is required as part of the permit to position the proposed development outside of the MHPA. There will be impacts in the SFHA outside the MHPA therefore the original project required a Mitigation, Monitoring, and Reporting Program (MMRP) to reduce adverse development impacts to the historical resources (archaeology), noise, hydrology/water quality, land use/MHPA and traffic below a level of significance. The mitigation measures include the lot line adjustment to the MHPA, noise attenuation walls, desalination basins, traffic control measures and a flood evacuation plan. The proposed development therefore, will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The project proposes to amend a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The proposed project is within the Special Flood Hazard Area (SFHA) and within the Multi-Habitat Planning Area (MHPA). Approximately one-third of the subject property is presently within the MHPA. The proposed project requires a MHPA Boundary Adjustment on the northern boundary of the site in the creation of a 2.3 acre, 100-foot wide riparian buffer to be planted with

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native riparian vegetation. No development will occur within the MHPA as a boundary adjustment is required to implement the project.

The original project required a Mitigation, Monitoring, and Reporting Program (MMRP) to reduce adverse development impacts to the historical resources (archaeology), noise, hydrology/water quality, land use/MHPA and traffic below a level of significance. The mitigation measures include the boundary line adjustment to the MHPA, noise attenuation walls, desalination basins, traffic control measures and a flood evacuation plan. Therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply

The site is located approximately four miles away from a public beach or shoreline therefore the project will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site. The project is consistent with the City's Progress Guide and General Plan and the Otay-Mesa Nestor Community Plan and Local Coastal Program. These documents designate the project site for open space use, and recommend interim, visitor oriented recreational uses, including travel trailer parks.

The original Conditional Use Permit required the preparation of a Mitigated Negative Declaration and the implementation a Mitigation, Monitoring, and Reporting Program (MMRP) to reduce adverse development impacts to the historical resources (archaeology), noise, hydrology/water quality, land use/MHPA and traffic below a level of significance. The mitigation measures include a boundary adjustment to the MHPA, noise attenuation walls, desalination basins, traffic control measures and a flood evacuation plan. No new mitigation measures were required for the Conditional Use Permit amendment.

The permit and MMRP prepared for this project include conditions, environmental mitigation measures, and exhibits of approval relevant to achieving compliance with the applicable regulations of the Municipal Code in effect for this project. These conditions have been determined necessary to avoid potentially adverse impacts upon the health, safety and general welfare of persons residing or working in the area. These conditions include requirements pertaining to landscape standards, noise, attenuation measures, lighting restrictions, traffic impacts, public right of way improvements, water quality and on-site facilities for visitors.

Because of the specific requirements and referenced material, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development

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Condition 29(a) from CUP 96-7318 will be modified and replaced with condition 21 of CUP No. 367052 which states, "This project proposes to construct nonresidential structures within the floodplain fringe of a Special Flood Hazard Area (SFHA) for the Otay River as shown on Flood Insurance Rate Map panel No. 209. No work is allowed within the regulatory floodway. All structures built within the SFHA must be constructed at or above the base flood elevation (BFE) at that location."

The City Engineer is in support of the modification and deviation as it has been determined that the project will not result in an increase in base flood levels. Additionally, the previously adopted Mitigation, Monitoring and Reporting Program requires a flood evacuation plan for the site and that the development be constructed in accordance with FEMA guidelines. The majority of the project will be developed with permeable surfaces consisting of decomposed granite. The area has not encountered a flood since 1916 when an earthen dam burst along the Otay River during heavy rains. A reinforced concrete dam has since been built upstream of the project site which reduces the likelihood of flood water from the Otay River to the site.

The elevation requirement of the Land Development Code is for the protection of the structures and its contents. The majority of the site will not contain structures but would be reserved for the parking of recreational vehicles. Lessening the 2'-0" above BFE requirement does not result in additional threats to public safety, extraordinary public expense, or create a public nuisance. The proposed project has incorporated flood safety measures through permit conditions and the MND and there will be no additional impact to environmentally sensitive lands. The proposed BFE will not have an adverse effect on environmentally sensitive lands and provide the minimum necessary to afford relief from special circumstances or conditions of the land.

Supplemental Findings--Environmentally Sensitive Lands Deviation from Federal Emergency Management Agency Regulations

1. **The City Engineer has determined that the proposed development, within any designated floodway will not result in an increase in flood levels during the base flood discharge; and**

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the site. The project is located within the flood Special Flood Hazard Area and not within the Floodway. Therefore, this finding is not applicable to the subject project.

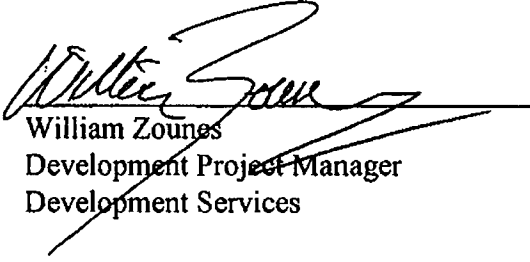
2. **The City Engineer has determined that the deviation would not result in additional threats to public safety, extraordinary public expense, or create a public nuisance.**

The project proposes to modify a previously approved Conditional Use Permit for a Recreational Vehicle (RV) camp ground by reducing the number of RV parking spaces and reorienting the accessory facilities associated with the camp site.

The City Engineer has determined that the deviation to allow the structures to be built at the BFE rather than 2'-0" above as required by the Land Development Code will not cause an increase in the flood height. The elevation requirement of the Land Development Code is for the protection of the structures and its contents. Lessening that requirement does not result in additional threats to public safety, extraordinary public expense, or create a public nuisance.

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BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 367052 and Site Development Permit No. 367053, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 367052 and Site Development Permit No. 367053, a copy of which is attached hereto and made a part hereof.



William Zounes
Development Project Manager
Development Services

Adopted on: October 5, 2006

Job Order No. 425425

cc: Legislative Recorder, Planning Department

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

FILE COPY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

San Diego Coast Area Office
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421
(619) 767-2370



Page: 1

Date: January 10, 2007

Permit Application No.: 6-02-103-A1

COASTAL DEVELOPMENT PERMIT AMENDMENT

On February 5, 2005, and as amended on December 12, 2006, the California Coastal Commission granted to:

John & Esther Williamson

this permit for the development described below

for **Construction of a 213-space recreational vehicle (RV) park and campground on a 14.18 acre site currently occupied by an arcade and go-cart facility, which will be removed. Also proposed is a clubhouse, manager's apartment, caretaker's apartment, trails, picnic area, laundry and shower facilities, outdoor swimming pool and a 100-foot riparian buffer adjacent to the Otay River.**

at

419 Hollister Street, Otay Mesa-Nestor, San Diego (San Diego County) APN 627-100-09

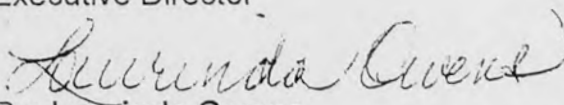
This permit has been amended to include the following changes, subject to the attached Standard and Special Conditions:

Reduction in the number of recreational vehicle (RV) sites from 213 to 142; rearrangement of the clubhouse/office complex to facilitate entry, improve internal circulation, and modernize the site layout; and reduction in size of clubhouse/office complex by 500 sq.ft.

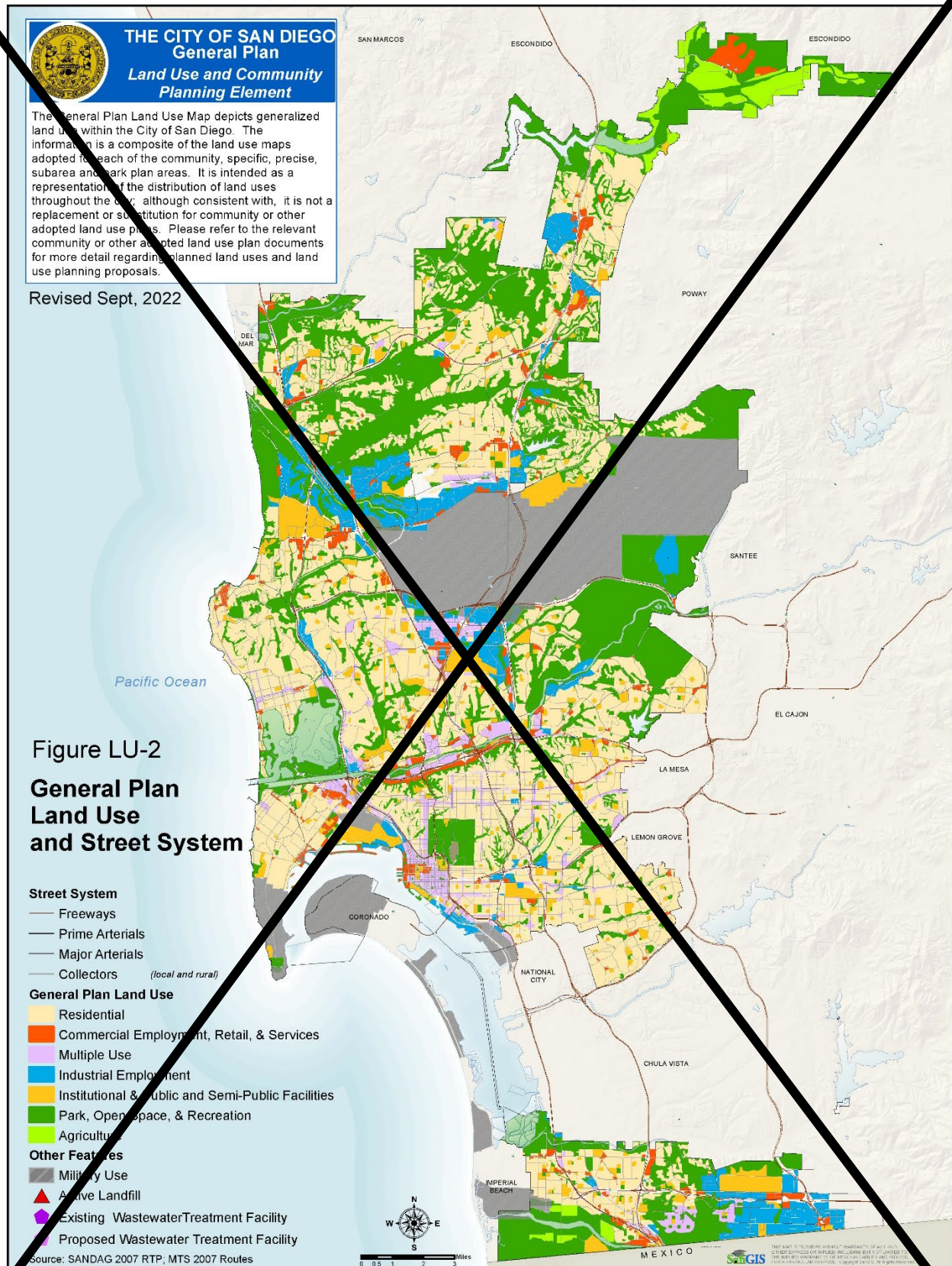
This amended permit will become effective upon return of a signed copy of this form to the San Diego Coast District Office. Please note that the original permit conditions are still in effect.

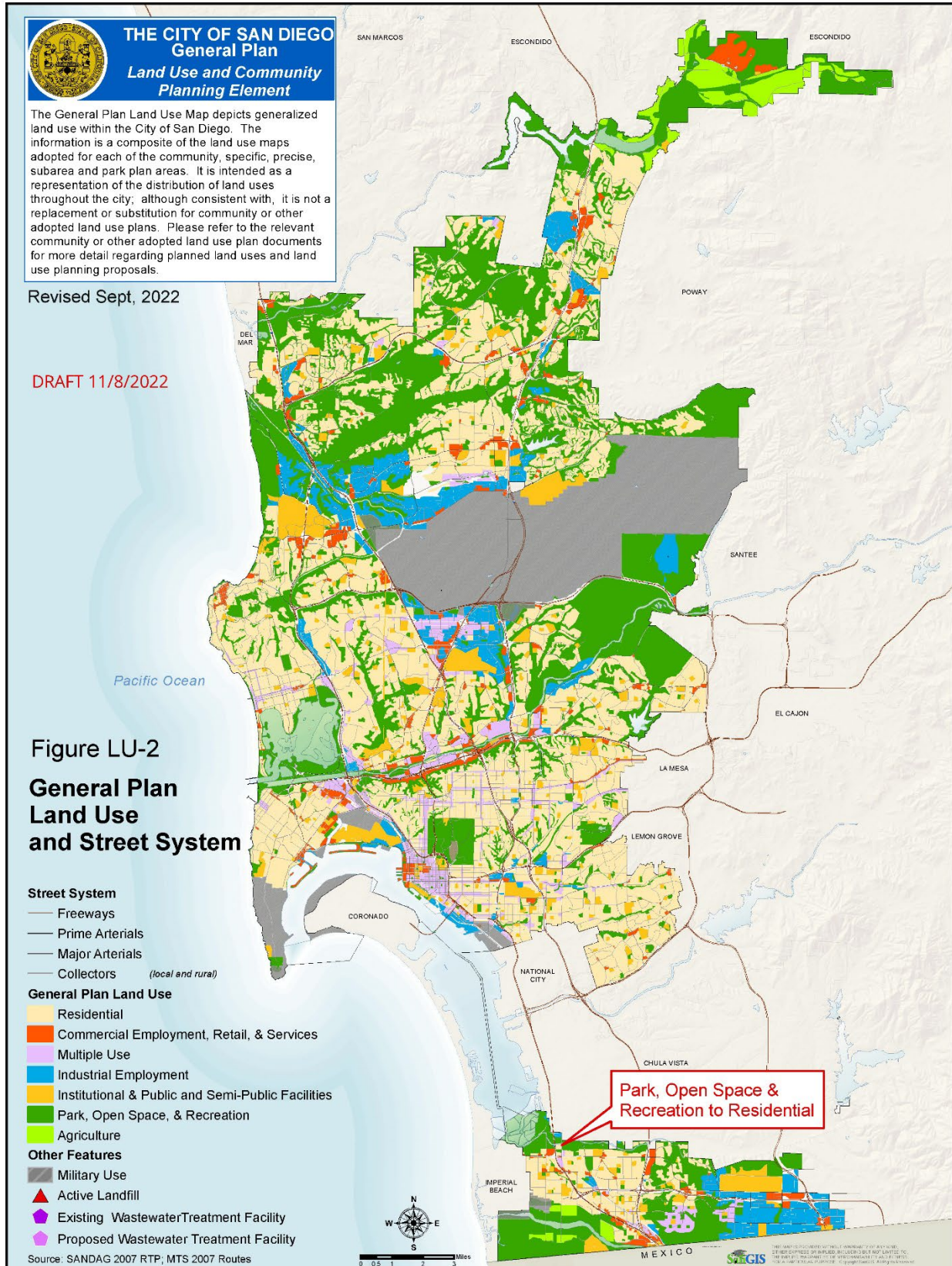
Sincerely,

PETER M. DOUGLAS
Executive Director


By: Laurinda Owens
Coastal Program Analyst

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PLANNING COMMISSION INITIATION APPROVAL RESOLUTION

PLANNING COMMISSION RESOLUTION NO. 4993-PC

INITIATING AN AMENDMENT TO THE Otay Mesa-Nestor Community Plan re-designate the land use of a 14.6-acre site, located on 408 Hollister Street.

WHEREAS, on February 28, 2019 the Planning Commission of the City of San Diego held a public hearing to consider a request to amend the Otay Mesa-Nestor Community Plan to re-designate the site located at 408 Hollister Street, from Open Space to Medium Density Residential (15-29 du/acre).

WHEREAS the 2008 General Plan will be amended as the Otay Mesa-Nestor Community Plan is a component of the adopted general plan; and

WHEREAS, the Planning Commission considered Report No. PC-19-011 as well as all maps, exhibits, evidence and testimony; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the requested Community Plan and General Plan Amendment based on its compliance with the initiation criteria found in policy LU-D.10 of the Land Use Element of the General Plan and specifically addressed in Report No. PC-19-011; and

BE IT FURTHER RESOLVED that the Planning Commission directs staff to consider the following issues as identified in Report No. PC-19-011:

- Consistency with the Goals and Policies of the Otay Valley Regional Park Plan (OVRP).
- Compatibility of the proposed amendment with the General Plan Urban Design goals and policies development adjacent to natural features.
- Identification of appropriate areas for preservation, enhancement, and restoration.
- Description and location of the boundaries on-site of the open space preserved areas and public park (OVRP) areas.
- Identification and designation of appropriate areas for development. Description and location of the proposed land uses, densities and intensities.
- Consistency between the proposed land uses with adjacent land uses. The OMCP encourages land uses which facilitate the economic revitalization of the community, in relation to other existing or planned land uses such as Palm Avenue West, Nestor Town Center, and Palm City.
- Provision of a continuous connection between the Otay Valley, the Salt works, and San Diego Bay.
- Connectivity of pedestrian and bicycle facilities to surrounding development, to the Palm Avenue Transit Center and to other transit facilities, to the Otay Valley Regional Park, and to existing and planned facilities.

BE IT FURTHER RESOLVED that the Planning Commission approved a motion to approve staff's recommendation to approve the initiation of the Community Plan Amendment process. Planning Commission identified the following issues to be addressed as part of the Community Plan Amendment process:

Property to the south of project site

- Consider the property to the south as part of the Community Plan Amendment (CPA), which is currently designated as Open Space. Evaluate the potential to re-designate to allow for residential development.
- Conduct outreach to the property owner of the property to the south to include as part of the CPA.
- As part of the traffic analysis for Hollister Street for the CPA, consider the south parcel's potential for residential development
- It has been indicated that the property to the south as part of the CPA would not require a separate initiation process if included with this amendment.

Hollister Street

- Project should provide pedestrian and bicycle connections to the transit stations, even if that means off-site improvements. Including sidewalks from the project site to the Palm Avenue Transit Station. Improvements should be done upfront to implement Transit-Oriented Development (TOD).
- Hollister Street should be analyzed to determine its roadway classification and required improvements, based in the potential for residential development of the project site.

Otay River Valley / Otay Valley Regional Park

- Consider the importance of the vision of the Otay Valley Regional Park Concept Plan (approved in 2017), as well as the importance of the Otay River Valley restoration efforts.
- Consider the significant monetary investment is currently underway for the Otay River Valley restoration, as a joint venture between County and the cities of San Diego and Chula Vista. There is a strong vested interest in the vision for the next 20 to 50 years.
- Consider the proposal not in isolation, but in the context of the Otay River Valley, while prioritizing the Otay River Valley. Avoid "skinning-up" or "carving" the Otay River Valley. Utilize a number of mitigation opportunities available, including on-site and adjacent to the site.

MHPA

- U.S. Fish and Wildlife Service will evaluate the interface between the project site and the Otay Valley Regional Park, it is under their discretion whether the MHPA boundary line adjustment is approved.
- As part of the MHPA boundary line adjustment, consider on-site mitigation for the boundary adjustment, by re-vegetating currently unvegetated site.

Storm water

- Consider the opportunity to pay in-leu fees for storm water towards the Otay River Valley restoration area.

- Consider the site's relation to the County Water Authority wetland and stormwater mitigation site and coordinate.

Coastal Commission

- The proposal must be approved by Coastal Commission before it becomes effective.

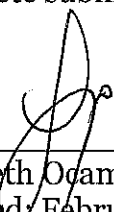
Sea Level Rise

- Consider base site elevation relative to the Sea Level Rise, due to proximity to Salt Ponds.

Development Proposal

- Consider including the development proposal along when the proposed Community Plan Amendment and re-zone are brought to the Planning Commission for their recommendation. (Please note that Deputy City Attorney and Planning Department Deputy Director have indicated this is not a requirement or condition, however it is a possibility).
- Supportive of the 26% inclusionary housing as part of the proposed development as expressed by the applicant.

BE IT FURTHER RESOLVED, that this initiation does not constitute an endorsement of a project proposal. This action allows the future development project to become a complete submittal and will allow staff analysis to proceed.



Elizabeth Ocampo Vivero, Senior Planner
Initiated: February 28, 2019
By a vote of: 5-0-2

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