



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: October 14, 2020 REPORT NO. HO-20-049

HEARING DATE: October 21, 2020

SUBJECT: The Burnham/Carriage House – CUP, Process Three Decision

PROJECT NUMBER: [641134](#)

OWNER/APPLICANT: Dan Floit

### SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit (CUP) amendment to allow a companion unit within an existing structure located at 3563 and 3565 7<sup>th</sup> Avenue in the Uptown Community Planning Area?

Staff Recommendation: APPROVE Conditional Use Permit No. 2316305

Community Planning Group Recommendation: On December 3, 2019, the Uptown Community Planning Group voted 14-0-0 to recommend approval of the proposed project.

Environmental Review: Negative Declaration (ND) EQD No. 75-12-25P was adopted by the City of San Diego for the Burnham Residence CUP (CUP #451-PC) to convert a historical residence to commercial office use on the project site. The City has determined that no new CEQA document is required for the proposed CUP amendment since no new additional impacts were identified beyond those that were already analyzed in the Negative Declaration (ND) No. 75-12-25P.

### BACKGROUND

The 2.67-acre project site is located at 3563 and 3565 7<sup>th</sup> Avenue in the OR-1-1 and RS-1-7 zones within the Low-Density Residential and Open Space land use designation in the Uptown Community Plan, Transit Area Overlay Zone (TAOZ), Transit Priority Area, Airport Influence Area (Review Area 2), and the FAA Part 77 Notification Area (Attachments 1-3). The project site is a split zone property, OR-1-1 and RS-1-7, and the proposed companion unit is located within the RS-1-7 zone.

Conditional Use Permit (CUP) No. 451-PC approved in 1976 allowed commercial offices and future adaptive reuse of two detached historical structures, the Burnham House and the Carriage House. The proposed amendment is to allow a companion unit on the ground floor within the 1,490-square-

foot, two-story, Carriage House. The office use on the second floor of the structure is an allowed use per the original CUP.

The project site is designated Low-Density Residential (5-10 dwelling units per acre) and Open Space within the Hillcrest neighborhood. The Low-Density Residential land use designation provides for single-family residences and the Companion Unit is an accessory use, consistent with this designation.

#### DISCUSSION

The project proposes an amendment to Conditional Use Permit (CUP) No. 451-PC to allow a 745 square-foot companion unit on the subject property within the ground floor of the 1,490 square-foot Carriage House. The proposed CUP amendment to allow for a companion unit requires a Process Three CUP per [SDMC 126.0303](#), with the Hearing Officer as the decision-maker, appealable to the Planning Commission.

The proposed companion unit is not proposing any exterior modifications to the Carriage House, which is a designated historical resource, and is therefore consistent with the U.S. Secretary of the Interior's Standards. The permit contains conditions requiring public improvements to be constructed to City standards including a new driveway, sidewalk, curb and gutter, and implementation of a Brush Management Program. All conditions set forth within Conditional Use Permit No. 451-PC permit remain applicable.

#### CONCLUSION

The project complies with all relevant development regulations. Staff has prepared draft findings in the affirmative to approve the project and recommends approval of the Burnham/Carriage House project (Attachment 4).

#### ALTERNATIVES

1. Approve Conditional Use Permit No. 2316305, with modifications.
2. Deny Conditional Use Permit No. 2316305, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Denise Vo, Development Project Manager



Attachments:

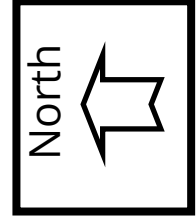
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Original Conditional Use Permit No. 451-PC
9. Project Plans



# Project Location Map

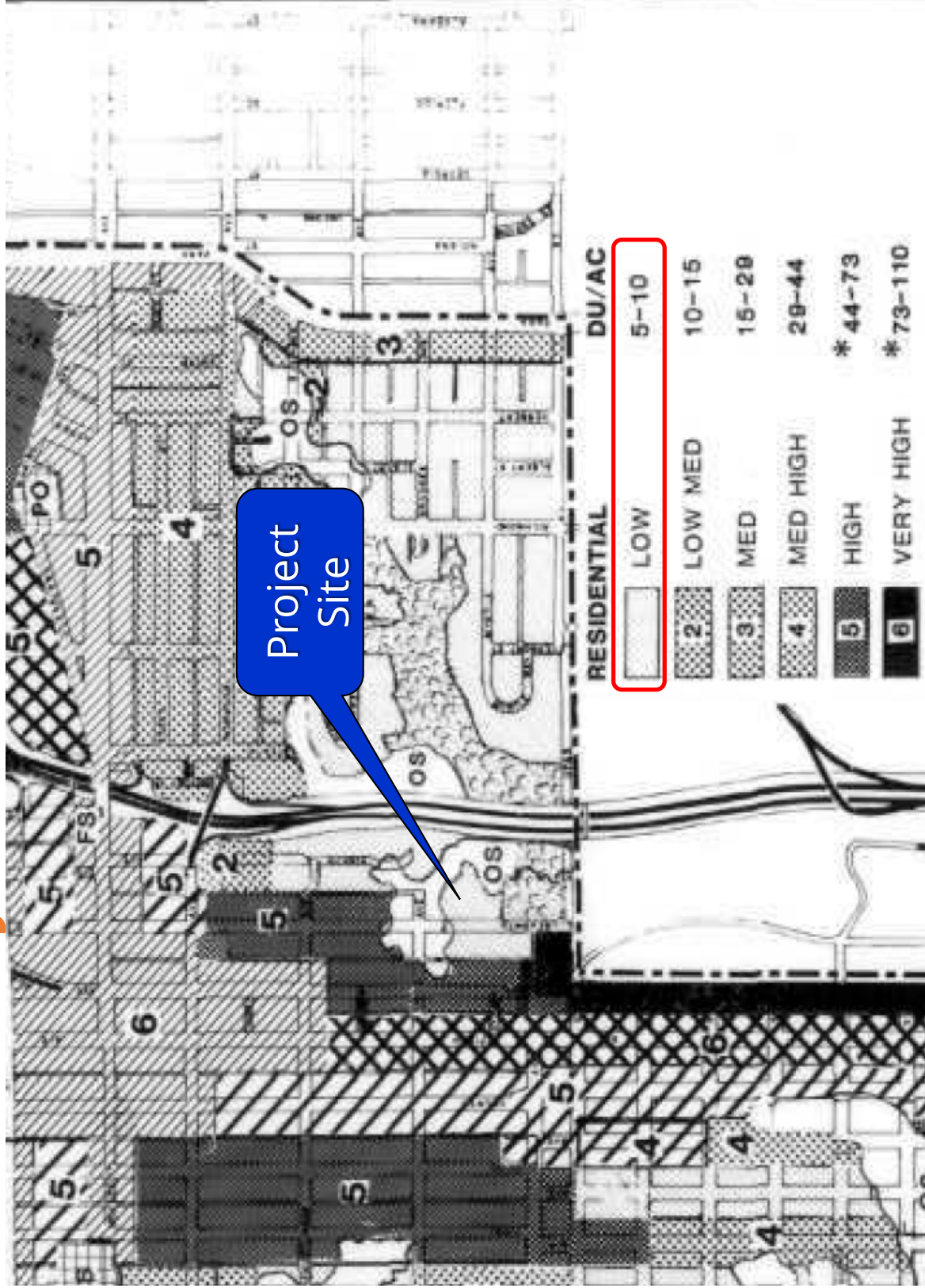


**The Burnham/Carriage House, Project Number 641134  
3563 and 3565 7th Avenue**

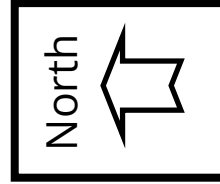




# Community Plan



The Burnham/Carriage House, Project Number 641134  
3563 and 3565 7th Avenue

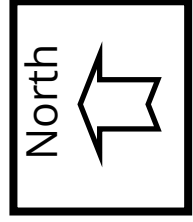




# Aerial Photo



**The Burnham/Carriage House, Project Number 641134  
3563 and 3565 7th Avenue**



HEARING OFFICER  
RESOLUTION NO. \_\_\_\_\_  
CONDITIONAL USE PERMIT NO. 2316305  
AMENDMENT TO CONDITIONAL USE PERMIT NO. 451-PC  
**THE BURNHAM/CARRIAGE HOUSE - PROJECT NO. 641134**

WHEREAS, DAN FLOIT, Owner/Permittee, filed an application with the City of San Diego for a permit for the amendment to Conditional Use Permit (CUP) No. 451-PC to allow a companion unit on the subject property within the lower level of an existing 1,490 square-foot carriage house (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2316305), on portions of a 2.67-acre site;

WHEREAS, the project site is located at 3563 and 3565 7th Avenue in the OR-1-1 and RS-1-7 zone of the Uptown Community Plan, Transit Area Overlay Zone (TAOZ), Transit Priority Area, Airport Influence Area (Review Area 2), and the FAA Part 77 Notification Area;

WHEREAS, the project site is legally described as:

Parcel 1: 452-430-29

All those portions of Block 9 and 12 and the portions of the alley in said Block 9 and 8<sup>th</sup> street lying between said Blocks 9 and 12, as vacated and closed to the public use by Resolution No. 821 and 820, respectively, of the common council of the City of San Diego, in Crittenden's addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 303, filed in the office of the County Recorder of San Diego County, October 5, 1886.

Parcel 2: 452-430-30

Those portions of Blocks 9 and 12 of Crittenden's addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 303, filed in the office of the County Recorder of San Diego County, October 5, 1886, and of 8<sup>th</sup> avenue, formerly 8<sup>th</sup> street, lying between said blocks as vacated and closed to public use June 20, 1904, by Resolution No. 820 of the County Clerk of the City of San Diego, and the alley in said Block 9 as vacated and closed to the public use June 20, 1904, by Resolution No. 821 of said council.

WHEREAS, on August 25, 1976 the City Council of the City of San Diego certified Negative Declaration EQD No. 75-12-25P and no new additional impacts were identified, thus no new CEQA

document is required for the proposed project pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 128.0209;

WHEREAS, on October 21, 2020, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2316305 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2316305:

**A. CONDITIONAL USE PERMIT [Section 126.0305]**

**1. Findings for all Conditional Use Permits:**

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

The 2.67-acre project site is located at 3563 and 3565 7th Avenue in the OR-1-1 and RS-1-7 zones of the Uptown Community Plan, Transit Area Overlay Zone (TAOZ), Transit Priority Area, Airport Influence Area (Review Area 2), and the FAA Part 77 Notification Area.

Conditional Use Permit (CUP) No. 451-PC approved in 1976 allowed commercial offices within two detached historical structures, the Burnham House and the Carriage House. The proposed amendment is to allow a companion unit on the ground floor within the 1,490-square-foot, two-story, Carriage House.

The project site is designated Low-Density Residential (5-10 dwelling units per acre) and Open Space within the Hillcrest neighborhood. The Low-Density Residential land use designation provides for single-family residences and the Companion Unit is an accessory use, consistent with this designation. The companion unit as proposed is confined to the existing interior space and proposes no exterior changes, thus supports the objectives of the Hillcrest neighborhood as it maintains the historic facades by restoring and using adaptive re-use as an alternative to new construction. Therefore, the proposed project will not adversely affect the applicable land use community plan.

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

The proposed companion unit complies with all the applicable development regulations, including those of the RS-1-7 zone. The companion unit is proposed

within an existing structure and proposes no exterior changes. The project will not be detrimental to public health, safety and welfare in that the permit contains specific conditions addressing compliance with the City's codes, policies, and regulations to prevent impacts to the health, safety and general welfare. The permit contains conditions requiring public improvements to be constructed to City standards including a new driveway, sidewalk, curb and gutter, and implementation of a Brush Management Program. Also conditioned within the permit, the proposed project will not propose construction of combustible accessory structures within Zone One, are 35-feet in width, extending out from the structure towards the native/naturalized vegetation, thus making the project compliant with the implemented Brush Management Plan. Further, conditions of approval require the review and approval of all construction plans by staff to ensure construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The proposed amendment to the original CUP No. 451-PC, to allow for a companion unit within the ground floor of an existing structure, complies with all current applicable regulations, including those of the underlying RS-1-7 zone and the criteria for Companion Units pursuant to SDMC Section 141.0302. The companion unit is 745 square-feet, less than the maximum 1,200-square-foot allowance. Also, per conditions set forth within the permit, the proposed companion unit may not be sold or conveyed separately from the primary dwelling unit, in compliance with SDMC Section 141.0302. The office use on the second floor of the structure is an allowed use per CUP No. 451-PC, approved by City Council in 1976. The project is also consistent with the U.S. Secretary of the Interior's Standards as no exterior alterations to the existing Carriage House, a designated historical resource, are proposed. Further, the project requires the implementation of a Brush Management Plan and complies with the requirements of the implemented plan.

No deviations are proposed and therefore, the proposed development will comply with the regulations of the Land Development Code

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

The original CUP No. 415-PC, approved by City Council in 1976, included the designation of two historical structures, the Burnham House and the Carriage House, that allowed office use and future adaptive reuse of both structures on the subject site.

The proposed amendment to the original CUP No. 451-PC, to allow for a companion unit within the ground floor of an existing structure, complies with all current

applicable regulations, including those of the underlying RS-1-7 zone and the criteria for Companion Units pursuant to SDMC Section 141.0302.

The Uptown Community Plan designates the site as low-density residential, providing for single-family residences. The companion unit is an allowed accessory use in conformance with the area's low-density residential designation.

Further, the project shall implement requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department. The project complies with the Brush Management Plan as the conditions of the permit restricts the construction of various accessory structures within certain Zones of the Brush Management Plan and requires the Brush Management Plan to be maintained at all times in accordance with the City of San Diego's Landscape Standards.

The proposed project complies with the applicable requirements and thus, the proposed companion unit is appropriate of this location.

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, Conditional Use Permit No. 2316305 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2316305, a copy of which is attached hereto and made a part hereof.

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Denise Vo  
Development Project Manager  
Development Services

Adopted on: October 21, 2020

IO#: 24008321



**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: 24008321

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2316305  
**THE BURNHAM/CARRIAGE HOUSE PROJECT NO. 641134**  
AMENDMENT TO CONDITIONAL USE PERMIT NO. 451-PC  
HEARING OFFICER

This Conditional Use Permit No. 2316305, an amendment to Conditional Use Permit (CUP) No. 451-PC, is granted by the Hearing Officer of the City of San Diego to Dan Floit, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303. The 2.67-acre site is located at 3563 and 3565 7th Avenue in the OR-1-1 and RS-1-7 zones of the Uptown Community Plan, Transit Area Overlay Zone (TAOZ), Transit Priority Area, Airport Influence Area (Review Area 2), and the FAA Part 77 Notification Area. The project site is legally described as:

Parcel 1: 452-430-29

All those portions of Block 9 and 12 and the portions of the alley in said Block 9 and 8<sup>th</sup> street lying between said Blocks 9 and 12, as vacated and closed to the public use by Resolution No. 821 and 820, respectively, of the common council of the City of San Diego, in Crittenden's addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 303, filed in the office of the County Recorder of San Diego County, October 5, 1886.

Parcel 2: 452-430-30

Those portions of Blocks 9 and 12 of Crittenden's addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 303, filed in the office of the County Recorder of San Diego County, October 5, 1886, and of 8<sup>th</sup> avenue, formerly 8<sup>th</sup> street, lying between said blocks as vacated and closed to public use June 20, 1904, by Resolution No. 820 of the County Clerk of the City of San Diego, and the alley in said Block 9 as vacated and closed to the public use June 20, 1904, by Resolution No. 821 of said council.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to amend Conditional Use Permit (CUP) no. 451-PC to allow for a companion unit described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 21, 2020, on file in the Development Services Department.

The project shall include:

- a. A 745 square-foot companion unit on the ground floor of an existing two-story, 1,490 square-foot Carriage House with existing offices above;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 4, 2023.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. 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.

## ATTACHMENT 5

5. The 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 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.).
7. The Owner/Permittee shall secure all necessary construction 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.
8. 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.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the

Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**CLIMATE ACTION PLAN REQUIREMENTS:**

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

**ENGINEERING REQUIREMENTS:**

12. Prior to the issuance of any construction permits the Owner/Permittee shall assure by permit and bond the construction of a current City Standard 17.75-foot-wide driveway, adjacent to the site on 7th Avenue, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permits the Owner/Permittee shall assure by permit and bond replacement of the damaged portions of the sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, adjacent to the site on 7th Avenue satisfactory to the City Engineer.

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct existing curb with standard curb/gutter per current City Standards adjacent to the site on 7th Avenue.

**LANDSCAPE REQUIREMENTS:**

15. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A", on file in the Development Services Department.

16. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

17. Prior to issuance of any construction permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on

file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.

18. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or topping of trees is not permitted.

19. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

20. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

21. The Brush Management Program shall be based on a standard Zone One of 35-feet in width and a Zone Two of 65-feet in width, extending out from the structure towards the native/naturalized vegetation, consistent with §142.0412. Zone One shall range from 17.5-feet to 45-feet in width with a corresponding Zone Two of 82.5-feet to 55-feet in width as demonstrated on Exhibit "A".

22. Prior to issuance of any grading permit, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A".

23. Prior to issuance of any Construction Permits, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

24. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or Type IV heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

25. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

26. All conditions set forth within Conditional Use Permit No. 451-PC permit remain applicable.
27. The companion unit may not be sold or conveyed separately from the primary dwelling unit.
28. The companion unit cannot be used for a rental term of less than 30 consecutive days.

**INFORMATION ONLY:**

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

APPROVED by the Hearing Officer of the City of San Diego on October 21, 2020 and R-\_\_\_\_\_

Permit Type/PTS Approval No.: Conditional Use Permit No. 2316305  
Date of Approval: October 21, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

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Denise Vo  
Development Project Manager

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

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

By \_\_\_\_\_  
**Dan Floit**  
Owner/Permittee

**NOTE: Notary acknowledgments  
must be attached per Civil Code**

**section 1189 et seq.**



**Vo, Denise**

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**From:** UptownPlanners Chair <uptownplannerschair@nddinc.net>  
**Sent:** Monday, December 16, 2019 2:15 PM  
**To:** Maureen Dant  
**Cc:** Hudson, Bryan; Kim Grant Design Inc  
**Subject:** Re: Burnham Carriage House CUP Amendment #641134

Hi Maureen,

That item passed unanimously on consent [ 14 / 0 / 1 ].

Please let me know if you have any questions.

Soheil Nakhshab  
Uptown Planners Board Chair

On Mon, Dec 16, 2019 at 11:16 AM Maureen Dant <[maureen@kimgrantdesign.com](mailto:maureen@kimgrantdesign.com)> wrote:

Hi Soheil,

Could you please let us know what the result of the Uptown Planners meeting was for the Burnham Carriage House CUP Amendment project #641134? We have not received any communication regarding the results of the December 3rd Uptown Planners meeting.

Thank You,

Maureen Dant

Project Manager-Architect

[maureen@kimgrantdesign.com](mailto:maureen@kimgrantdesign.com)

**Kim Grant Design Inc.**

2400 Kettner Blvd. Studio 207

San Diego, CA 92101


t: 619.269.3630

[www.kimgrantdesign.com](http://www.kimgrantdesign.com)





~ Please consider the environment before printing this email ~

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>
			<b>October 2017</b>

**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** Conditional Use Permit Amendment

**Project Title:** Burnham House **Project No. For City Use Only:** 641134

**Project Address:** 3563 & 3565 7th Avenue, San Diego CA 92103

**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: L 20 LLC (Dan Floit - Managing Member)  Owner  Tenant/Lessee  Successor Agency

Street Address: 3565 7th Avenue

City: San Diego State: CA Zip: 92103

Phone No.: 619-294-3350 Fax No.: 619-294-3465 Email: dan@floit.com

Signature: \_\_\_\_\_ Date: 10-14-19

Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: L 20 LLC (Dan Floit - Managing Member)  Owner  Tenant/Lessee  Successor Agency

Street Address: 3565 7th Avenue

City: San Diego State: CA Zip: 92103

Phone No.: 619-294-3350 Fax No.: 619-294-3465 Email: dan@floit.com

Signature: \_\_\_\_\_ Date: 10-14-19

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

Printed on recycled paper. Visit our web site at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services).  
 Upon request, this information is available in alternative formats for persons with disabilities.

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CONDITIONAL USE PERMIT NO. 451-PC  
CITY COUNCIL

RECEIVED *hw*  
CITY CLERK'S OFFICE  
1976 NOV 15 PM 4:45  
SAN DIEGO, CALIF.

This conditional use permit is granted by the Council of The City of San Diego to CATHERINE B. OSTRANDER and LILLA B. BARNEY, Owners, and ROBERT O. PETERSON and RICHARD T. SILBERMAN, hereafter referred to as "Permittees," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate commercial offices within a designated historical site located on the east side of Seventh Avenue between Upas and Brookes Streets. The property is more particularly described as Lots 12-14, 26-39, and portions of Lots 40 and 41, Block 9, and a portion of Lot 10, and Lots 11-25, Block 12, Crittenden's Addition, including a portion of Alley, Block 9, Crittenden's Addition Vacated, a portion of Eighth Avenue Vacated, a portion of Brookes Street Vacated, and a portion of Lot 10, Block 7, La Canyada Villa Tract along with a portion of Brookes Street Vacated, in the R-1-5 and R-1-40 (portion in Hillside Review Overlay) Zones.

2. The facility shall include, and the term "Project" as used in this Conditional Use Permit shall mean the total of the following facilities:

- a. Office uses, for the following: architects, attorneys, accountants, landscape architects, insurance

No  
411181  
/4

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agents, engineers, advertising agencies, graphic artists, or photographers as may be approved by the Planning Director.

b. A sign, to identify the premises or occupants, not to exceed 6 square feet to be approved by the Planning Director prior to building occupancy.

c. Offstreet Parking.

d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than 20 offstreet parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated May 6, 1976, on file in the office of the Planning Department. Each parking space shall be a minimum of 8-1/2 feet by 20 feet in size and shall not be converted for any other use. Areas and driveways shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these offstreet parking spaces.

4. Prior to any change of occupancy, all requirements of the Building Inspection Department and Engineering and Development Department must be met.

5. Prior to issuance of any business license the Planning Director shall review the license application for type of office and number of employees. The number of tenants shall not exceed five (5) and the total number of employees shall not exceed forty (40).

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6. All physical changes to the structure or landscaping shall be approved by the Planning Director in addition to any required approval by the Historical Site Board.

7. All existing landscaping shall be maintained in a healthy, growing manner.

8. Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m.

9. The permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the City Council on August 25, 1976.

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## GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A, dated May 6, 1976, on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.
2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit A, dated May 6, 1976, on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.
3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

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4. Substantial construction of the project shall have commenced and shall be proceeding within 18 months from the effective date of this conditional use permit or any extension of time as may be granted herein by The City of San Diego pursuant to the terms set forth in Section 101.0507 and Section 101.0508 of the San Diego Municipal Code.

5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

6. The effectiveness of this conditional use permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this conditional use permit signed within 90 days of the Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the City Council granted this conditional use permit.

b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.

7. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, or



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City Council, or both unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

8. The property included within this conditional use permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

9. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of Permittee or its successors in interest, shall be deemed a material breach hereof and this conditional use permit may be cancelled or revoked. Cancellation or revocation of this conditional use permit may be instituted by City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0506.

10. This conditional use permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

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/4

AUTHENTICATED BY: 192



Pete Wilson  
Mayor of The City of San Diego, California

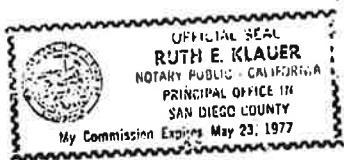
Edward Nielsen  
City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)  
) ss  
COUNTY OF SAN DIEGO)

On this 30<sup>th</sup> day of November, 1976,  
before me the undersigned, a Notary Public in and for said  
County and State, residing therein, duly commissioned and  
sworn, personally appeared PETE WILSON, known to me to be  
the Mayor, and EDWARD NIELSEN, known to me to be the City  
Clerk of The City of San Diego, the municipal corporation  
that executed the within instrument and known to me to be the  
persons who executed the within instrument on behalf of the  
municipal corporation therein named, and acknowledged to me  
that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and  
official seal, in the County of San Diego, State of California,  
the day and year in this certificate first above written.

(Notary stamp)



Ruth E. Klauer  
Notary Public in and for the County  
of San Diego, State of California

The undersigned Permittees by execution hereof agree to each  
and every condition of this conditional use permit and promise to  
perform each and every obligation of Permittee hereunder.

Robert O. Peterson  
ROBERT O. PETERSON

Richard T. Silberman  
RICHARD T. SILBERMAN

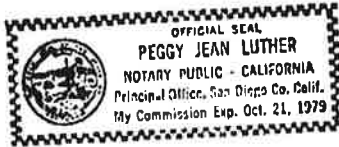
No 411181

Acknowledgment

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 11 day of Nov, 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert A. Peterson known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument.

WITNESS my hand and official seal.  
(Notary Stamp)



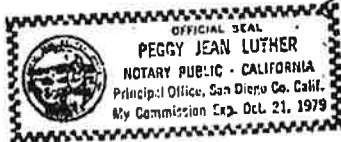
Peggy Jean Luther  
Notary Public in and for the County of San Diego, State of California

Acknowledgment

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 11 day of Nov, 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared R. T. Silberman known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument.

WITNESS my hand and official seal.  
(Notary Stamp)



Peggy Jean Luther  
Notary Public in and for the County of San Diego, State of California

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216661

P.77-426

RESOLUTION NO.

AUG 25 1976

Conditional Use Permit No. 451-PC

WHEREAS, CATHERINE B. OSTRANDER and LILLA B. BARNEY, Owners, and ROBERT O. PETERSON and RICHARD T. SILBERMAN, hereafter referred to as "Permittees," filed an application to utilize existing buildings designated "Historical Site" as commercial offices, located on the east side of Seventh Avenue between Upas and Brookes Streets. The property is more particularly described as Lots 12-14, 26-39, and portions of Lots 40 and 41, Block 9, and a portion of Lot 10, and Lots 11-25, Block 12, Crittenden's Addition, including a portion of Alley, Block 9, Crittenden's Addition Vacated, a portion of Eighth Avenue Vacated, a portion of Brookes Street Vacated, and a portion of Lot 10, Block 7, La Canyada Villa Tract along with a portion of Brookes Street vacated, in the R-1-5 and R-1-40 (portion in Hillside Review Overlay) Zones; and

WHEREAS, on May 27, 1976, the Planning Commission of The City of San Diego, denied said Conditional Use Permit No. 451-PC, and filed the decision in the office of the City Clerk on June 14, 1976; and

WHEREAS, on June 16, 1976, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, JOHN D. HENDERSON, architect, appealed the decision of the Planning Commission; and

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SAN DIEGO, CALIF.

No 41181  
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WHEREAS, said appeal was set for public hearing on August 25, 1976, and testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council, in considering said appeal is empowered by the provisions of Municipal Code, Section 101.0506, to affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

All of the following facts exist with respect to Conditional Use Permit No. 451-PC:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community. This type of Conditional Use Permit was originated to allow the adaptive reuse of historic sites so that they might be preserved even in the face of economic infeasibility as a single family-residence. The preservation of the Irving Gill designed Burnham House, in this area of other historic sites, will enable future generations to study and enjoy this high quality residential neighborhood.

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2. Such use under the circumstances of the particular case will not be detrimental to health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements (existing or future) in the vicinity. The use would be limited to offices for architects, attorneys, landscape architects, insurance agencies, engineers, advertising agencies, graphic artists and photographers. There would be a limit of five tenants and 40 employees for the property. Hours of operation would be restricted to the hours of 7:00 a.m. to 8:00 p.m. Also, a condition of the permit would restrict the possibility of physical changes to the structure or landscaping. Signs to be approved by the Planning Department, not to exceed a total of six-square feet in area, will serve to identify the premises and/or occupants and assist persons in locating the office they seek.

The applicants are providing 20 parking spaces for approximately 6,000 square feet of rentable area at the same ratio as is currently required by the CO Zone, one per 300 square feet. The parking is provided in an area shielded from immediate street view and restrictions on the types of businesses allowed to occupy the residence should alleviate any on-street parking problem. The Engineering and Development Department is requesting a 20-foot wide driveway from the street to the house and the installation of a fire hydrant. These requirements will

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assist in protecting the structure and grounds from the increased usage. The adjacent property to the immediate south, the George Marston residence, is owned by the City of San Diego and is proposed to be used by the San Diego Historical Society for use as offices, museum and teaching center. The proposed use of the Burnham House would be compatible with this adjacent use.

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

BE IT FURTHER RESOLVED, that by a vote of 7 to 1, the appeal of JOHN D. HENDERSON, architect, is hereby granted and this Council does hereby grant to CATHERINE B. OSTRANDER and LILLA E. BARNEY, owners, and ROBERT O. PETERSON and RICHARD T. SILBERMAN, permittees, Conditional Use Permit No. 451-PC, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*  
Frederick C. Conrad  
Chief Deputy City Attorney

C C:elh  
/9/76

Passed and adopted by the Council of The City of San Diego  
on August 25, 1976, by the following vote:

YEAS: Johnson, Williams, Morrow, Gade, Ellis, Haro, Wilson.

NAYS: Hubbard.

ABSENT: O'Connor.

AUTHENTICATED BY:

PETE WILSON,  
Mayor of The City of San Diego, California.

EDWARD NIELSEN,  
City Clerk of The City of San Diego, California.

(SEAL)

By KATHLEEN MARTINEZ, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full,  
true and correct copy of RESOLUTION NO. 216661  
passed and adopted by the Council of The City of San Diego,  
California, on August 25, 1976.



EDWARD NIELSEN,  
City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

NO 41181  
/4



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FILE/PAGE NO. 76-411181

RECORDED REQUEST OF

CITY CLERK

Dec 8 4 19 PM '76

OFFICIAL RECORDS  
SAN DIEGO COUNTY, CALIF.  
HARLEY BLOOM  
RECORDER

NO FEE

COURT NO. 757960

FILED DEC 1 1976  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

(Zoning-CUP)

Conditional Use Permit No. 451-PC - Catherine B. Ostlander & Lilla B. Barney, Owners, and Robert O. Peterson & Richard T. Silberman, Permittees - Construct & Operate commercial offices within a designated historical site on E. side 7th Ave., bet Upas & Brookes Sts. Critten's Addition, lots 12-14, 26-39, & pora lots 40 & 41, Blk 9; and por Lot 10 and lots 11-25, Blk 12, Crittenden's Addition including por Alley, Blk 9, Crittenden's Addition Vacated; por 8th Ave. Vacated; por of Brookes St. Vacated; and por Lot 10, Blk 7, La Campada Villa Tract; por Brookes Street Vacated

cc: Planning - 4A  
Permittees  
Zoning Adm. #300  
Bldg. Insp. #301  
12-1-76 RC

KH 2 1666 1  
8-25-76

No 411181



FAA PART 77 NOTIFICATION

PER SECTION 77.15 OF TITLE 14 OF THE CODE OF FEDERAL REGULATIONS (CFR) PART 77, NO PERSON IS REQUIRED TO NOTIFY THE ADMINISTRATOR FOR ANY OBJECT THAT WOULD BE SHIELDED BY EXISTING STRUCTURES OF A PERMANENT AND SUBSTANTIAL CHARACTER OR BY NATURAL TERRAIN OR TOPOGRAPHIC FEATURES OF EQUAL OR GREATER HEIGHT AND WOULD BE LOCATED IN THE CONSIDERED AREA OF A CITY, TOWN OR SETTLEMENT WHERE IT IS EVIDENT BEYOND ALL REASONABLE DOUBT THAT THE STRUCTURE SO SHIELDED WILL NOT ADVERSELY AFFECT SAFETY IN AIR NAVIGATION.

**KIM GRANT** DO HEREBY CERTIFY THAT THE STRUCTURE(S) OR MODIFICATION TO EXISTING STRUCTURE(S) SHOWN ON THESE PLANS DO NOT REQUIRE FEDERAL AVIATION ADMINISTRATION NOTIFICATION BECAUSE PER SECTION 77.15 (A) OF TITLE 14 OF THE CODE OF FEDERAL REGULATIONS CFR PART 77, NOTIFICATION IS NOT REQUIRED.

LEGAL DESCRIPTION: APN: 452-430-29 & 452-430-30

PARCEL A: APN 452-430-29 ALL THOSE PORTIONS OF BLOCKS 4 AND 12 AND OF THE PORTIONS OF THE ALLEY IN SAID BLOCK 4 AND 8TH STREET LYING BETWEEN SAID BLOCKS 4 AND 12, AS VACATED AND CLOSED TO THE PUBLIC USE BY RESOLUTION NO. 821 AND 822 RESPECTIVELY, OF THE COMMON COUNCIL, OF THE CITY OF SAN DIEGO, IN CRITTENDEN'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 305, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 5, 1886.

PARCEL B: APN 452-430-30 THOSE PORTIONS OF BLOCKS 4 AND 12 OF CRITTENDEN'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 305, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY OCTOBER 5, 1886 AND OF 8TH AVENUE FORMERLY 8TH CRITTENDEN'S ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 305, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 5, 1886.

AND ALSO EXCEPTING THEREFROM THAT PORTION OF BLOCK 12 OF CRITTENDEN'S ADDITION AS SHOWN ON MAP NO. 1790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 18, 1924.

AND ALSO EXCEPTING THEREFROM THAT PORTION OF BLOCK 12 OF CRITTENDEN'S ADDITION AS DEEDED FROM MRS. LULLA GUYAN BURNHAM TO STATE OF CALIFORNIA BY DEED DATED SEPTEMBER 11, 1942, RECORDED NOVEMBER 4, 1942 IN BOOK 1412, PAGE 456 AS INSTRUMENT NO. 87865 OF OFFICIAL RECORDS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

DEVELOPMENT SUMMARY

**SCOPE:**  
REQUEST TO AMEND THE CONDITIONAL USE PERMIT NO. 451-PC RECORDED NOVEMBER 15, 1976 WHICH ALLOWED OFFICES WITHIN A DESIGNATED HISTORICAL SITE #41, THE BURNHAM/MARSTON RESIDENCE IN THE RS-1S AND R-140 ZONE. CURRENTLY ZONED RS-1S (CR-1). AN AMENDMENT IS REQUESTED TO ALLOW FOR A COMPANION UNIT IN THE LOWER LEVEL OF THE UPPER LEVEL OF THE EXISTING CARRIAGE HOUSE OCCUPIED BY THE PROPERTY CARETAKER. IN ADDITION, COMMERCIAL OFFICE USE IS PROPOSED FOR THE UPPER LEVEL OF THE EXISTING CARRIAGE HOUSE. THE EXISTING USE FOR COMMERCIAL OFFICES OF THE MAIN HOUSE, THE BURNHAM/MARSTON RESIDENCE, SHALL BE RETAINED PER THE CONDITIONAL USE PERMIT NO. 451-PC. ALL OTHER REQUIREMENTS OF EXISTING CONDITIONAL USE PERMIT NO. 451-PC TO REMAIN UNCHANGED.

**PROJECT TEAM:**  
ARCHITECT:  
KIM GRANT AIA  
KIM GRANT DESIGN INC.  
614-264-5630

**OWNER:**  
L 20 LLC  
MANAGER: DAN FLOIT  
3565 7TH AVE.  
SAN DIEGO, CA 92103

**TYPE OF CONSTRUCTION:** VB  
**OCCUPANCY CLASSIFICATION:**  
EXISTING: GROUP B - BUSINESS - PROFESSIONAL SERVICES  
PROPOSED: GROUP B - BUSINESS - PROFESSIONAL SERVICES AND GROUP RS - COMPANION UNIT

**ZONING:**  
BASE ZONE: RS-1 / CR-1  
OVERLAY ZONES: AIRPORT INFLUENCE AREA (AIA)  
FIRE DRUG ZONES 500' BUFFER  
FIRE HAZARD SEVERITY ZONE  
RESIDENTIAL TANDEM PARKING  
TRANSIT AREA  
TRANSIT PRIORITY AREA

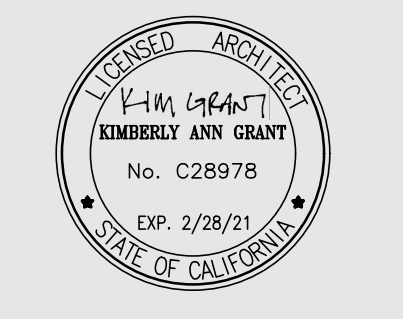
**ENVIRONMENTALLY SENSITIVE:**  
SENSITIVE BIOLOGIC RESOURCES  
STEEP HILLSIDES

**PROPERTY USAGE:**  
EXISTING: MAIN HOUSE - BUSINESS OFFICES  
CARRIAGE HOUSE - CARRIAGE HOUSE/STABLE  
PROPOSED: MAIN HOUSE - BUSINESS OFFICES  
CARRIAGE HOUSE - MAIN LEVEL-BUSINESS OFFICES  
LOWER LEVEL - COMPANION UNIT

ATTACHMENT 9



2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
7619.249.3630



**BUILDING AREA:**

EXISTING MAIN HOUSE	
LOWER LEVEL OFFICES - (E) HABITABLE	2,094.4 SQ. FT.
LOWER LEVEL - (E) NON-HABITABLE	1,294.2 SQ. FT.
MAIN LEVEL OFFICES - (E) HABITABLE	2,442.4 SQ. FT.
UPPER LEVEL OFFICES - (E) HABITABLE	2,491.4 SQ. FT.
TOTAL MAIN HOUSE - GFA	4,280.4 SQ. FT.

**EXISTING CARRIAGE HOUSE:**

LOWER LEVEL COMPANION UNIT - (E)/PROPOSED	745.0 SQ. FT.
MAIN LEVEL OFFICES - (E)/PROPOSED	745.0 SQ. FT.
TOTAL CARRIAGE HOUSE - GFA	1,490.0 SQ. FT.

**EXISTING SHED:**

LOWER LEVEL - (E) NON-HABITABLE	87.4 SQ. FT.
---------------------------------	--------------

**EXISTING TOTAL BUILDINGS - GFA**  
10,820.8 SQ. FT.

**LOT & FLOOR AREAS:**  
GROSS SITE AREA: 146,610 S.F. (3.37 ACRES)  
EXISTING GROSS FLOOR AREA: 10,820 S.F.  
(INCLUDES 745 S.F. PROPOSED COMPANION UNIT AND 745 S.F. PROPOSED BUSINESS OFFICES)  
FLOOR AREA RATIO: 10,820 S.F. / 146,610 S.F. = 7.38%  
(MAX. ALLOWED 45%)  
EXISTING DEVELOPED SITE: 41,462 S.F. / 146,610 S.F. = 28.06%

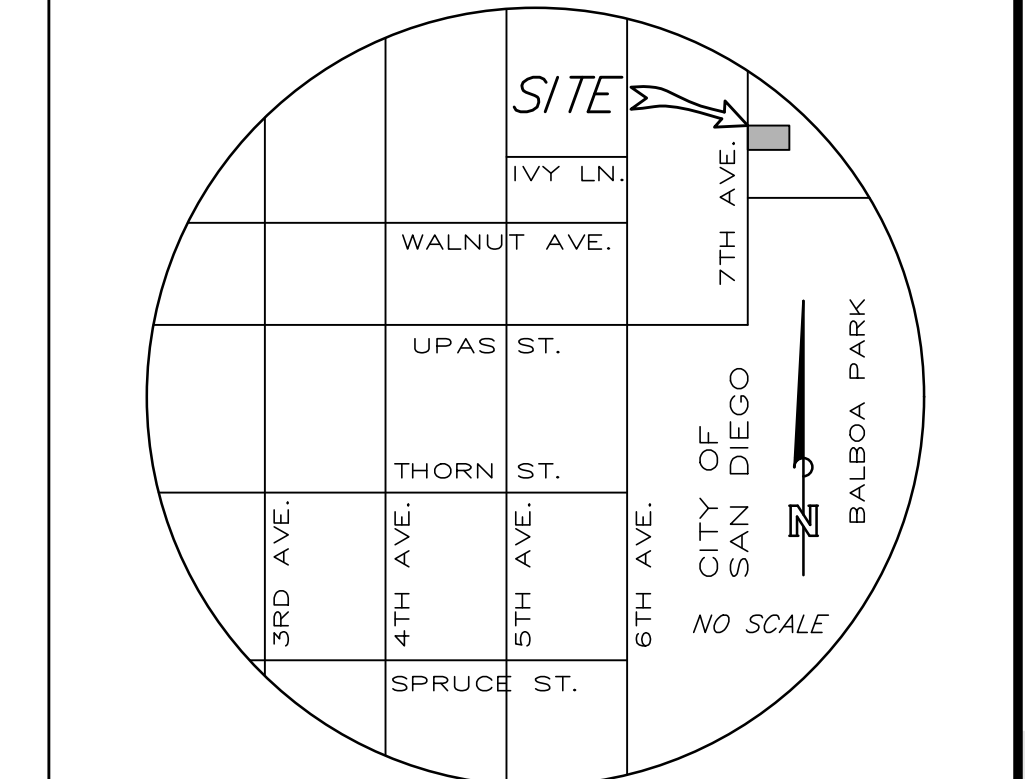
**YEAR CONSTRUCTED:** 1927 (HRB SITE NO. 41)  
**GEOLOGIC HAZARD CATEGORY:** 32

**PARKING CALCULATIONS:**  
EXISTING PARKING TO REMAIN: (REQUIRED PER CUP)  
20 PARKING SPACES PER CUP #451-PC  
PROPOSED PARKING: 2 REQUIRED, 2 PROVIDED (1 STANDARD, ONE VAN ACCESSIBLE)  
22 TOTAL PARKING FOR SITE PROVIDED (INCLUDING 1 VAN ACCESSIBLE)  
REQUIRED BICYCLE PARKING - SHORT TERM = 1/1000 OF BLDG. FLOOR AREA: 10,820 SQ. FT. X 14.0% = 1515, 15% REQUIRED  
LONG TERM = 5% OF REQUIRED AUTOMOBILE PARKING: (22 X .05 = 1.1), 15% REQUIRED  
PROPOSED BICYCLE PARKING: 4 SHORT TERM (MORE THAN REQUIRED); 2 LONG TERM (MORE THAN REQUIRED)

SHEET INDEX

- A1.0 COVER SHEET / SITE PLAN
- A1.1 SCENE ENHANCEMENT NOTICE
- A1.2 ORIGINAL CUP #451-PC
- A1.3 CLIMATE ACTION PLAN
- A1.4 STORM WATER CHECKLIST
- A1.5 BRUSH MANAGEMENT PLAN
- C1 SURVEY
- EX1 EXHIBIT A - CUP #451-PC
- A2.1 BURNHAM HOUSE & CARRIAGE HOUSE FLOOR PLANS
- A4.1 CARRIAGE HOUSE EXTERIOR ELEVATIONS
- A4.2 BURNHAM HOUSE & CARRIAGE HOUSE PHOTOS
- L1 LANDSCAPE PLAN

VICINITY MAP



CITY STANDARD TITLEBLOCK

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 264-5630

PROJECT NAME  
FLOIT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3565-3565 7TH AVE.  
SAN DIEGO, CA 92103

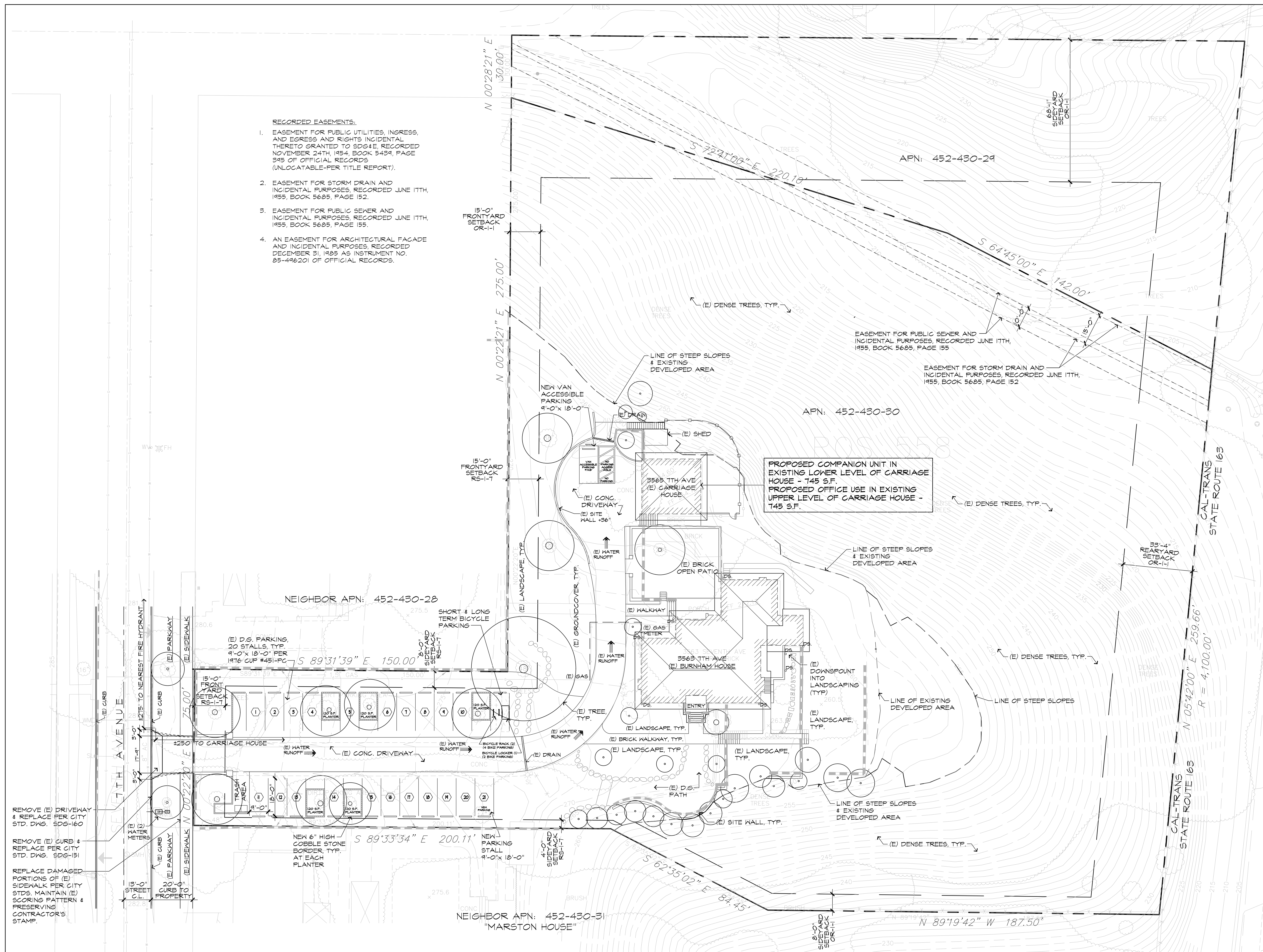
Revision 10: -	
Revision 9: -	
Revision 8: -	
Revision 7: -	
Revision 6: -	
Revision 5: -	
Revision 4: 7/29/2020	
Revision 3: 6/8/2020	
Revision 2: 3/6/2020	
Revision 1: 10/16/2019	
Original Date: 5/29/19	
Sheet: 1 of 12	
DEP: -	

THIS DRAWING IS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN CONSENT OF KIM GRANT DESIGN, INC. ALL DESIGN AND OTHER INFORMATION SHOWN ON THE DRAWING ARE FOR THE SOLE USE OF THE PROJECT AND NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN PERMISSION OF KIM GRANT DESIGN, INC.

**A1.0**

SITE PLAN

7/29/2020



- RECORDED EASEMENTS:**
- EASEMENT FOR PUBLIC UTILITIES, INGRESS, AND EGRESS AND RIGHTS INCIDENTAL THERETO GRANTED TO S04E RECORDED NOVEMBER 24TH, 1954, BOOK 5434, PAGE 345 OF OFFICIAL RECORDS (UNLOGGABLE-PER TITLE REPORT).
  - EASEMENT FOR STORM DRAIN AND INCIDENTAL PURPOSES, RECORDED JUNE 11TH, 1955, BOOK 5685, PAGE 152.
  - EASEMENT FOR PUBLIC SEWER AND INCIDENTAL PURPOSES, RECORDED JUNE 11TH, 1955, BOOK 5685, PAGE 155.
  - AN EASEMENT FOR ARCHITECTURAL FACADE AND INCIDENTAL PURPOSES, RECORDED DECEMBER 31, 1955 AS INSTRUMENT NO. 85-446201 OF OFFICIAL RECORDS.

PROPOSED COMPANION UNIT IN EXISTING LOWER LEVEL OF CARRIAGE HOUSE - 745 S.F.  
PROPOSED OFFICE USE IN EXISTING UPPER LEVEL OF CARRIAGE HOUSE - 745 S.F.

**CONDITIONS**

- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS THE OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND THE CONSTRUCTION OF A CURRENT CITY STANDARD 17.5 FT. WIDE DRIVEWAY, ADJACENT TO THE SITE ON 7TH AVENUE SATISFACTORY TO THE CITY ENGINEER.
- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS THE OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND REPLACEMENT OF THE DAMAGED PORTIONS OF THE SIDEWALK WITH CURRENT CITY STANDARD SIDEWALK, MAINTAIN THE EXISTING SCORING PATTERN AND PRESERVING THE CONTRACTOR'S STAMP, ADJACENT TO THE SITE ON 7TH AVENUE SATISFACTORY TO THE CITY ENGINEER.
- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS THE OWNER/PERMITEE SHALL ASSURE, BY PERMIT AND BOND, TO RECONSTRUCT EXISTING CURB WITH STANDARD CURB/GUTTER PER CURRENT CITY STANDARDS ADJACENT TO THE SITE ON 7TH AVENUE.

**CONDITIONS (CONT.)**

- THE COMPANION UNIT MAY NOT BE SOLD OR CONVEYED SEPARATELY FROM THE MAIN DWELLING UNIT.
- THE COMPANION UNIT CANNOT BE USED FOR A RENTAL TERM OF LESS THAN 90 CONSECUTIVE DAYS.

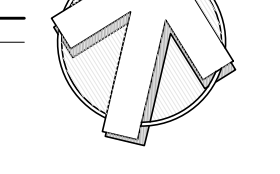
**SITE NOTES**

THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENTS OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVIEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORM WATER BEST MANAGEMENT PRACTICES (BMPs).

**SITE LEGEND**

- EXISTING BUILDING AREA
- PROPERTY LINES
- SETBACK LINES

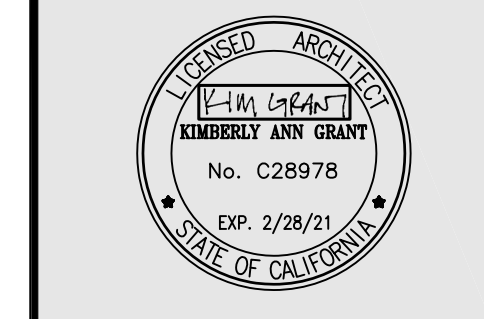
**SITE PLAN**  
SCALE 20' = 1"







2400 KETTNER BLVD STUDIO 207  
SAN DIEGO, CA 92101  
T 619.269.3630



C.U.P. AMENDMENT BURNHAM HOUSE  
3563 & 3565 7TH AVENUE  
SAN DIEGO, CA 92103

May 10, 2019

**MAILED**  
MAY 10 2019  
CODE ENFORCEMENT  
DIVISION

## CIVIL PENALTY NOTICE AND ORDER

**Location:** 3563 & 3565 7<sup>th</sup> Avenue, San Diego, CA 92103

**APN No.:** 452-430-30-00

**Property Owner/  
Responsible Person:** Dan Floit  
3565 7<sup>th</sup> Avenue  
San Diego, CA 92103

**Address:** Kim Grant Design Inc  
2400 Kettner Boulevard, #207  
San Diego, CA 92101

**Zoning Designation:** R1-2000

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On August 22, 2016 & April 30, 2019 the following violations were observed at the property and must be corrected:

**3563 7<sup>th</sup> Avenue:**

- Alterations and change of occupancy of Carriage House to offices and residential use. Work includes new windows, framing, electrical, plumbing and mechanical upgrades and modifications without the required approvals, historical resource approvals, building approvals, permits and inspections.

**3565 7<sup>th</sup> Avenue:**

- Alterations and upgrades including new windows, structural, electrical, mechanical and plumbing without the required approval, permits and inspections.
- Unpermitted additional kitchen located on 2<sup>nd</sup> floor level
- Unpermitted new driveway without the required Historical resource and Building approvals, permits and inspections

Page 2  
Civil Penalty Notice and Order  
3563 & 3565 7<sup>th</sup> Avenue  
May 10, 2019

This is a violation of the following code section(s):

Code Section	Violation Description
SDMC §129.0202	- When a Building Permit is Required
SDMC §129.0113	- When a change of occupancy Permit is Required
SDMC §129.0302	- When an Electrical Permit is Required (Existing, Unpermitted)
SDMC §129.0402	- When a Plumbing/Mechanical Permit is Required
Health and Safety Code §17920.3(n)	- Building Used for Living Purposes Not Permitted
SDMC §163.0212	- When Historical Review is required to determine if potentially significant historical resource exist.
SDMC §§121.0202-121.0203	provides the authority regarding enforcement of the Land Development Code.
SDMC §121.0302	requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances.

**If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.**

In order to avoid administrative civil penalties, you must correct the violations by November 8, 2019 as follows:

- Obtain required building Permit(s) and successfully complete all required inspections or restore to permitted use/configuration.
- Obtain required Electrical Permit(s) and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain Historical Resource Review approval.

**Re-inspection fees** are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §813.0103. An invoice will be sent following each inspection until compliance is achieved. Current re-inspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/cip-check/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

**Failure to Comply with Notice and Order**

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801-12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801-12.0810 at \$300.00 per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- the impact of the violation upon the community

Page 3  
Civil Penalty Notice and Order  
3563 & 3565 7<sup>th</sup> Avenue  
May 10, 2019

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Code Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is August 22, 2016 and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

**Civil Penalties Hearing**

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

**Administrative Costs**

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include, but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

**Failure to Comply with Administrative Enforcement Order**

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact Val Sanchez, Combination Building Inspector, at (619) 533-3433.

BGM/VSJ/mmb

cc: File  
Council District 3

CRD# 233201

This information will be made available in alternative formats upon request:  
333201\_3563 & 3565\_7<sup>th</sup>Av\_ced105\_V.Sanchez

REV.	DATE
1	

**CITY STANDARD TITLEBLOCK**

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETTNER BLVD, STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME:  
FLOIT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE  
SAN DIEGO, CA 92103

Revision 10: -  
Revision 9: -  
Revision 8: -  
Revision 7: -  
Revision 6: -  
Revision 5: -  
Revision 4: -  
Revision 3: -  
Revision 2: 5/6/2020  
Revision 1: 10/16/2019

Original Date: 5/24/19

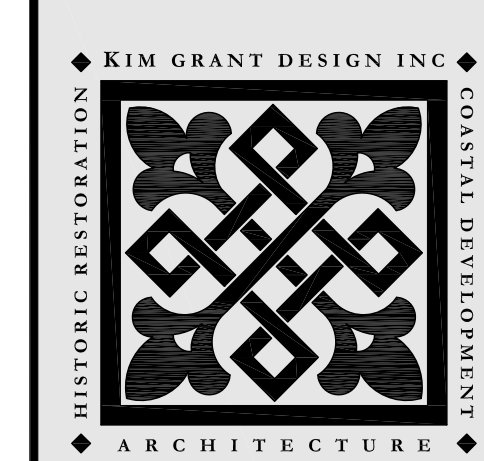
Sheet: 2 of 12  
DEPR: -

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN CONSENT OF KIM GRANT DESIGN, INC. ALL DESIGN AND OTHER INFORMATION SHOWN ON THE DRAWING ARE FOR THE SOLE USE OF THE SPECIFIC PROJECT ONLY AND SHALL NOT BE OTHERWISE USED WITHOUT THE EXPRESS PRIOR WRITTEN PERMISSION OF KIM GRANT DESIGN, INC.

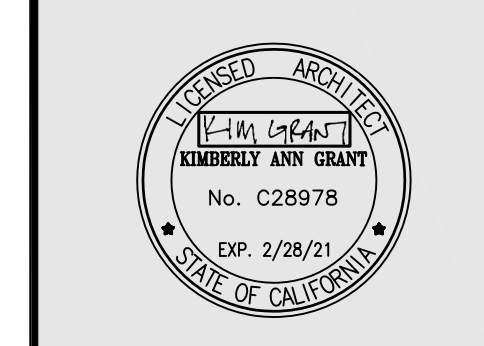
**A1.1**  
CODE ENFORCEMENT  
NOTICE

3/6/2020





2400 KETNER BLVD STUDIO 207  
SAN DIEGO, CA 92101  
7619.269.1830



# C.U.P. AMENDMENT BURNHAM HOUSE

3563 & 3565 7TH AVENUE  
SAN DIEGO, CA 92103

REV. DATE

### CITY STANDARD TITLEBLOCK

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETNER BLVD, STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME:  
FLOTT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE  
SAN DIEGO, CA 92103

Revision 10	-
Revision 9	-
Revision 8	-
Revision 7	-
Revision 6	-
Revision 5	-
Revision 4	-
Revision 3	5/6/2020
Revision 2	10/16/2019
Original Date	5/24/19
Sheet	5 of 12
DEPR	-

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN CONSENT OF KIM GRANT DESIGN, INC. ALL DESIGN AND OTHER INFORMATION SHOWN ON THIS DRAWING ARE FOR THE SOLE USE OF THE SPECIFIC PROJECT ONLY AND ARE NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN PERMISSION OF KIM GRANT DESIGN, INC.

# A1.2

CONDITIONAL USE PERMIT #451-PC

3/16/2020

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GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A, dated May 6, 1976, on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plan except where modifications of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit A, dated May 6, 1976, on file in the office of the Planning Department. Approved plantings shall be installed prior to the issuance of an occupancy permit on any building. Such plantings shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.

3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

Page 4 of 8

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4. Substantial construction of the project shall have commenced and shall be proceeding within 18 months from the effective date of this conditional use permit or any extension of time as may be granted herein by the City of San Diego pursuant to the terms set forth in Section 101.0507 and Section 101.0508 of the San Diego Municipal Code.

5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

6. The effectiveness of this conditional use permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this conditional use permit signed within 90 days of the Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above, i.e., the time commences to run on the date that the City Council granted this conditional use permit.

b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.

7. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, or

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6. All physical changes to the structure or landscaping shall be approved by the Planning Director in addition to any required approval by the Historical Site Board.

7. All existing landscaping shall be maintained in a healthy, growing manner.

8. Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m.

9. The permittee shall comply with the General Conditions for Conditional Use Permit attached hereto and made a part hereof.

Passed and adopted by the City Council on August 25, 1976.

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agents, engineers, advertising agencies, graphic artists, or photographers as may be approved by the Planning Director.

b. A sign, to identify the premises or occupants, not to exceed 6 square feet to be approved by the Planning Director prior to building occupancy.

c. Offstreet Parking.

d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than 20 offstreet parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated May 6, 1976, on file in the office of the Planning Department. Each parking space shall be a minimum of 8-1/2 feet by 20 feet in size and shall not be converted for any other use. Areas and driveways shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No change shall be made at any time for the use of these offstreet parking spaces.

4. Prior to any change of occupancy, all requirements of the Building Inspection Department and Engineering and Development Department must be met.

5. Prior to issuance of any business license the Planning Director shall review the license application for type of office and number of employees. The number of tenants shall not exceed five (5) and the total number of employees shall not exceed forty (40).

Page 2 of 8

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RECEIVED  
CITY CLERK'S OFFICE  
MAY 15 PM 4:45  
SAN DIEGO, CALIF.

This conditional use permit is granted by the Council of the City of San Diego to CATHERINE B. OGDONOR and LILLA B. BARNEY, Owners, and ROBERT C. PETERSON and RICHARD T. SILBERMAN, hereinafter referred to as "Permittees," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittees to construct and operate commercial offices within a designated historical site located on the east side of Seventh Avenue between Ups and Brookes Streets. The property is more particularly described as Lots 12-14, 24-29, and portions of Lots 40 and 41, Block 9, Crittenden's Addition, including a portion of Alley, Block 9, Crittenden's Addition Vacated, a portion of Eighth Avenue Vacated, a portion of Brookes Street Vacated, and a portion of Lot 10, Block 7, La Cuyamada Villa Tract along with a portion of Brookes Street Vacated, in the R-1-S and R-1-C (portion in Hillside Review Overlay) zones.

2. The facility shall include, and the term "Project" as used in this Conditional Use Permit shall mean the total of the following facilities:

a. Office uses, for the following: architects, attorneys, accountants, landscape architects, insurance

Page 1 of 8

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WHEREAS, said appeal was set for public hearing on August 25, 1976, and testimony having been taken, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council, in considering said appeal is governed by the provisions of Municipal Code, Section 101.0506, to affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

All of the following facts exist with respect to Conditional Use Permit No. 451-PC:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community. This type of Conditional Use Permit was originated to allow the adaptive reuse of the historic sites so that they might be preserved even in the face of economic infeasibility as a single family residence. The preservation of the Irving Hill designed Burnham House, in this area of other historic sites, will enable future generations to study and enjoy this high quality residential neighborhood.

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RESOLUTION NO. 216661

CONDITIONAL USE PERMIT NO. 451-PC

AUG 25 1976

WHEREAS, CATHERINE B. OGDONOR and LILLA B. BARNEY, Owners, and ROBERT C. PETERSON and RICHARD T. SILBERMAN, hereinafter referred to as "Permittees," filed an application to utilize existing buildings designated "Historical Site" as commercial offices, located on the east side of Seventh Avenue between Ups and Brookes Streets. The property is more particularly described as Lots 12-14, 24-29, and portions of Lots 40 and 41, Block 9, Crittenden's Addition, including a portion of Alley, Block 9, Crittenden's Addition Vacated, a portion of Eighth Avenue Vacated, a portion of Brookes Street Vacated, and a portion of Lot 10, Block 7, La Cuyamada Villa Tract along with a portion of Brookes Street Vacated, in the R-1-S and R-1-C (portion in Hillside Review Overlay) zones; and

WHEREAS, on May 27, 1976, the Planning Commission of the City of San Diego, denied said Conditional Use Permit No. 451-PC, and filed the decision in the office of the City Clerk on June 14, 1976; and

WHEREAS, on June 16, 1976, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, JOHN D. MENDERSOHN, architect, appealed the decision of the Planning Commission and

Page 4 of 8

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Acknowledgment

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 11 day of May 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared JOHN D. MENDERSOHN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument.

WITNESS my hand and official seal.  
(Notary Stamp)

Acknowledgment

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 11 day of May 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared JOHN D. MENDERSOHN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument.

WITNESS my hand and official seal.  
(Notary Stamp)

Page 3 of 8

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AUTHENTICATED BY:

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 10 day of May 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared JOHN D. MENDERSOHN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.  
(Notary Stamp)

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this 10 day of May 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared JOHN D. MENDERSOHN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.  
(Notary Stamp)

Page 7 of 8

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City Council, or both unless the proposed use meets every requirement of some existing for the subject property at the time of conversion.

8. The property included within this conditional use permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revised by the City of San Diego.

9. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of Permittee or its successors in interest, shall be deemed a material breach hereof and this conditional use permit may be cancelled or revoked. Cancellation or revocation of this conditional use permit may be instituted by City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0504. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0504.

10. This conditional use permit shall inure to the benefit of and shall constitute a covenant running with the land, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

Page 6 of 8

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FILED: 76-411161

RECORDED: 772640

DEC 8 4 13 PM '76

NO FEE

CONDITIONAL USE PERMIT NO. 451-PC - Catherine B. Ogdonor & Lilla B. Barney, Owners, and Robert C. Peterson & Richard T. Silberman, Permittees. Grant & Operate commercial office within a designated historical site on the east side of Seventh Avenue between Ups and Brookes Streets, including a portion of Alley, Block 9, Crittenden's Addition Vacated, a portion of Eighth Avenue Vacated, a portion of Brookes Street Vacated, and a portion of Lot 10, Block 7, La Cuyamada Villa Tract, per Brookes Street Vacated.

City of San Diego  
CITY CLERK'S OFFICE  
SAN DIEGO, CALIFORNIA

Page 5 of 8

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Passed and adopted by the Council of the City of San Diego on August 25, 1976, by the following vote:

YEAS: Johnson, Williams, Morrey, Gahn, Hill, Marc, Wilson.

NEVES: Hubbard.

ABSENT: O'Connell.

AUTHENTICATED BY: PETER WILSON, Mayor of the City of San Diego, California.

EDWARD MIERSEN, City Clerk of the City of San Diego, California.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 216661 passed and adopted by the Council of the City of San Diego, California, on August 25, 1976.

Page 8 of 8

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assist in protecting the structure and grounds from the increased usage. The adjacent property to the immediate south, the George Harston residence, is owned by the City of San Diego and is proposed to be used by the San Diego Historical Society for use as offices, museum and teaching center. The proposed use of the Burnham House would be compatible with this adjacent use.

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

BE IT FURTHER RESOLVED, that by a vote of 7 to 1, the appeal of JOHN D. MENDERSOHN, architect, is hereby granted and this Council does hereby grant to CATHERINE B. OGDONOR and LILLA B. BARNEY, Owners, and ROBERT C. PETERSON and RICHARD T. SILBERMAN, Permittees, Conditional Use Permit No. 451-PC, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. MITT, City Attorney

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2. Such use under the circumstances of the particular case will not be detrimental to health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements (existing or future) in the vicinity. The use would be limited to offices for architects, attorneys, landscape architects, insurance agencies, engineers, advertising agencies, graphic artists and photographers. There would be a limit of five tenants and no employees for the property. Hours of operation would be restricted to the hours of 7:00 a.m. to 8:00 p.m. Also, a condition of the permit would restrict the possibility of physical changes to the structure or landscaping. Signs to be approved by the Planning Department, not to exceed a total of six-square feet in area, will serve to identify the premises and/or occupants and assist persons in locating the office they seek.

The applicants are providing 20 parking spaces for approximately 6,000 square feet of desirable area at the same ratio as is currently provided by the CO zone, one per 300 square feet. The parking is provided in an area shielded from immediate street view and restrictions on the types of businesses allowed to occupy the residence should alleviate any on-street parking problem. The Engineering and Development Department is requesting a 20-foot wide driveway from the street to the house and the installation of a fire hydrant. These requirements will

Page 10 of 8

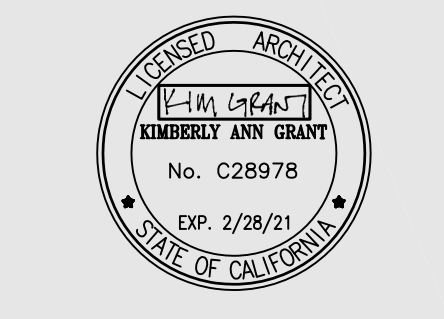








2400 KETNER BLVD STUDIO 207  
SAN DIEGO, CA 92101  
T 619.269.3630



# C.U.P. AMENDMENT BURNHAM HOUSE

SAN DIEGO, CA 92103

3563 & 3565 7TH AVENUE

**SD** City of San Diego Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101  
(619) 448-5000

## Storm Water Requirements Applicability Checklist

FORM DS-560 November 2018

Project Address: 3563 & 3565 7TH AVE. Project Number:

**SECTION 1. Construction Storm Water BMP Requirements:**  
All construction sites are required to implement construction BMPs in accordance with the performance standards in the *Storm Water Standards Manual*. Some sites are additionally required to obtain coverage under the State Construction General Permit (CGP), which is administered by the State Regional Water Quality Control Board.

**For all projects complete PART A: If project is required to submit a SWPPP or WPCP, continue to PART B.**

**PART A: Determine Construction Phase Storm Water Requirements.**

- Is the project subject to California's statewide General NPDES permit for Storm Water Discharges Associated with Construction Activities, also known as the State Construction General Permit (CGP)? (Typically projects with land disturbance greater than or equal to 1 acre.)  
 Yes; SWPPP required, skip questions 2-4  No; next question
- Does the project propose construction or demolition activity, including but not limited to, clearing, grading, grubbing, excavation, or any other activity resulting in ground disturbance and/or contact with storm water?  
 Yes; WPCP required, skip questions 3-4  No; next question
- Does the project propose routine maintenance to maintain or original line and grade, hydraulic capacity, or original purpose of the facility? (Projects such as pipeline/utility replacement)  
 Yes; WPCP required, skip question 4  No; next question
- Does the project only include the following Permit types listed below?  
  - Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Spa Permit.
  - Individual Right of Way Permits that exclusively include only ONE of the following activities: water service, sewer lateral, or utility service.
  - Right of Way Permits with a project footprint less than 150 linear feet that exclusively include only ONE of the following activities: curb ramp, sidewalk and driveway apron replacement, pot holing, curb and gutter replacement, and retaining wall encroachments. Yes; no document required

Check one of the boxes below, and continue to PART B:

If you checked "Yes" for question 1, a SWPPP is REQUIRED. Continue to PART B

If you checked "No" for question 1, and checked "Yes" for question 2 or 3, a WPCP is REQUIRED. If the project proposes less than 5,000 square feet of ground disturbance AND has less than a 5-foot elevation change over the entire project area, a Minor WPCP may be required instead. Continue to PART B.

If you checked "No" for all questions 1-3, and checked "Yes" for question 4 PART A does not apply and no document is required. Continue to Section 2.

1. More information on the City's construction BMP requirements as well as CGP requirements can be found at: [www.sandiego.gov/stormwater/regulations/index.html](http://www.sandiego.gov/stormwater/regulations/index.html)

Printed on recycled paper. Visit our web site at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services)  
Upon request, this information is available in alternative formats for persons with disabilities.  
DS-560 (11.18)

**Clear Page 1**

Page 2 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

**PART B: Determine Construction Site Priority**  
This prioritization must be completed within this form, noted on the plans, and included in the SWPPP or WPCP. The city reserves the right to adjust the priority of projects both before and after construction. Construction projects are assigned an inspection frequency based on if the project has a "high threat to water quality." The City has aligned the local definition of "high threat to water quality" to the risk determination approach of the State Construction General Permit (CGP). The CGP determines risk level based on project specific sediment risk and receiving water risk. Additional inspection is required for projects within the Areas of Special Biological Significance (ASBS) watershed. **NOTE:** The construction priority does **NOT** change construction BMP requirements that apply to projects; rather, it determines the frequency of inspections that will be conducted by city staff.

**Complete PART B and continued to Section 2**

- ASBS**  
a. Projects located in the ASBS watershed.
- High Priority**  
a. Projects that qualify as Risk Level 2 or Risk Level 3 per the Construction General Permit (CGP) and not located in the ASBS watershed.  
b. Projects that qualify as LUP Type 2 or LUP Type 3 per the CGP and not located in the ASBS watershed.
- Medium Priority**  
a. Projects that are not located in an ASBS watershed or designated as a High priority site.  
b. Projects that qualify as Risk Level 1 or LUP Type 1 per the CGP and not located in an ASBS watershed.  
c. WPCP projects (>5,000sf of ground disturbance) located within the Los Penasquitos watershed management area.
- Low Priority**  
a. Projects not subject to a Medium or High site priority designation and are not located in an ASBS watershed.

**SECTION 2. Permanent Storm Water BMP Requirements.**  
Additional information for determining the requirements is found in the *Storm Water Standards Manual*.

**PART C: Determine if Not Subject to Permanent Storm Water Requirements.**  
Projects that are considered maintenance, or otherwise not categorized as "new development projects" or "redevelopment projects" according to the *Storm Water Standards Manual* are not subject to Permanent Storm Water BMPs.

**If "yes" is checked for any number in Part C, proceed to Part F and check "Not Subject to Permanent Storm Water BMP Requirements".**

**If "no" is checked for all of the numbers in Part C continue to Part D.**

- Does the project only include interior remodels and/or is the project entirely within an existing enclosed structure and does not have the potential to contact storm water?  Yes  No
- Does the project only include the construction of overhead or underground utilities without creating new impervious surfaces?  Yes  No
- Does the project fall under routine maintenance? Examples include, but are not limited to: roof or exterior structure surface replacement, resurfacing or reconfiguring surface parking lots or existing roadways without expanding the impervious footprint, and routine replacement of damaged pavement (grinding, overlay, and pothole repair).  Yes  No

**Clear Page 2**

Page 3 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

**PART D: PDP Exempt Requirements.**  
PDP Exempt projects are required to implement site design and source control BMPs.

**If "yes" was checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt."**

**If "no" was checked for all questions in Part D, continue to Part E.**

- Does the project ONLY include new or retrofit sidewalks, bicycle lanes, or trails that:
  - Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas? Or;
  - Are designed and constructed to be hydraulically disconnected from paved streets and roads? Or;
  - Are designed and constructed with permeable pavements or surfaces in accordance with the Green Streets guidance in the City's Storm Water Standards Manual? Yes; PDP exempt requirements apply  No; next question
- Does the project ONLY include retrofitting or redeveloping existing paved alleys, streets or roads designed and constructed in accordance with the Green Streets guidance in the City's Storm Water Standards Manual?  
 Yes; PDP exempt requirements apply  No; project not exempt.

**PART E: Determine if Project is a Priority Development Project (PDP).**  
Projects that match one of the definitions below are subject to additional requirements including preparation of a Storm Water Quality Management Plan (SWQMP).

**If "yes" is checked for any number in Part E, continue to Part F and check the box labeled "Priority Development Project".**

**If "no" is checked for every number in Part E, continue to Part F and check the box labeled "Standard Development Project".**

- New Development that creates 10,000 square feet or more of impervious surfaces collectively over the project site. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.  Yes  No
- Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.  Yes  No
- New development or redevelopment of a restaurant. Facilities that sell prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC 5812), and where the land development creates and/or replaces 5,000 square feet or more of impervious surface.  Yes  No
- New development or redevelopment on a hillside. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site) and where the development will grade on any natural slope that is twenty-five percent or greater.  Yes  No
- New development or redevelopment of a parking lot that creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site).  Yes  No
- New development or redevelopment of streets, roads, highways, freeways, and driveways. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site).  Yes  No

**Clear Page 3**

Page 4 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

- New development or redevelopment discharging directly to an Environmentally Sensitive Area. The project creates and/or replaces 2,500 square feet of impervious surface (collectively over project site), and discharges directly to an Environmentally Sensitive Area (ESA). "Discharging directly to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands).  Yes  No
- New development or redevelopment projects of a retail gasoline outlet (RGO) that creates and/or replaces 5,000 square feet of impervious surface. The development project meets the following criteria: (a) 5,000 square feet or more or (b) has a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.  Yes  No
- New development or redevelopment projects of an automotive repair shops that creates and/or replaces 5,000 square feet or more of impervious surfaces. Development projects categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5041, 7532-7534, or 7536-7539.  Yes  No
- Other Pollutant Generating Project. The project is not covered in the categories above, results in the disturbance of one or more acres of land and is expected to generate pollutants post construction, such as fertilizers and pesticides. This does not include projects creating less than 5,000 sf of impervious surface and where added landscaping does not require regular use of pesticides and fertilizers, such as slope stabilization using native plants. Calculation of the square footage of impervious surface need not include linear pathways that are for infrequent vehicle use, such as emergency maintenance access or bicycle pedestrian use, if they are built with pervious surfaces if they sheet flow to surrounding pervious surfaces.  Yes  No

**PART F: Select the appropriate category based on the outcomes of PART C through PART E.**

- The project is NOT SUBJECT TO PERMANENT STORM WATER REQUIREMENTS.
- The project is a STANDARD DEVELOPMENT PROJECT. Site design and source control BMP requirements apply. See the *Storm Water Standards Manual* for guidance.
- The project is PDP EXEMPT. Site design and source control BMP requirements apply. See the *Storm Water Standards Manual* for guidance.
- The project is a PRIORITY DEVELOPMENT PROJECT. Site design, source control, and structural pollutant control BMP requirements apply. See the *Storm Water Standards Manual* for guidance on determining if project requires a hydromodification plan management.

Maureen Dant Project Manager-Architect  
Name of Owner or Agent (Please Print) Title  
Signature Date  
01/09/2020  
Date

**Clear Page 4**

**CITY STANDARD TITLEBLOCK**

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETNER BLVD, STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME:  
FLUOT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE.  
SAN DIEGO, CA 92103

Revision 10: \_  
Revision 9: \_  
Revision 8: \_  
Revision 7: \_  
Revision 6: \_  
Revision 5: \_  
Revision 4: \_  
Revision 3: \_  
Revision 2: 5/6/2020  
Revision 1: 10/16/2019

Original Date: 5/24/19

Sheet: 5 of 12  
DEPR: \_

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**A1.4**  
Storm Water Checklist

3/6/2020





2400 KETTNER BLVD STUDIO 207  
SAN DIEGO, CA 92101  
T 619.269.3630

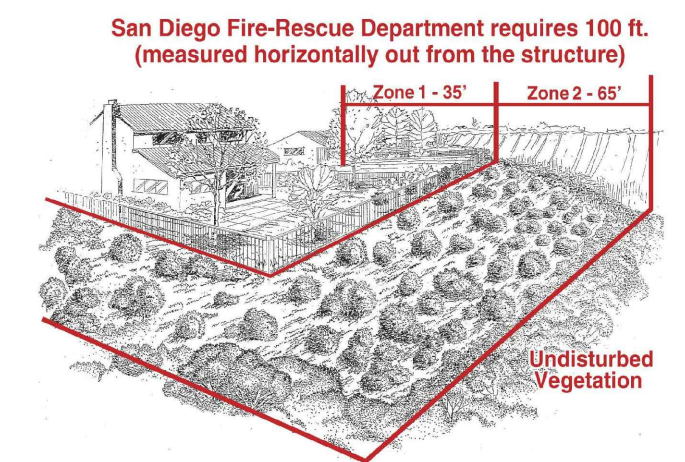


**C.U.P. AMENDMENT BURNHAM HOUSE**  
SAN DIEGO, CA 92103  
3563 & 3565 7TH AVENUE

San Diego Municipal Code  
§142.0412 - Brush Management

Table 142-04H

Zone	Standard Width	Provided Width
Zone One	35-feet	
Zone Two	65-feet	



- (f) The Zone Two width may be decreased by 1 1/2 feet for each 1 foot of increase in Zone One width.
- (g) Zone One Requirements
  - (1) The required Zone One width shall be provided between native or naturalized vegetation and any structure and shall be measured from the exterior of the structure to the vegetation.
  - (2) Zone One shall contain no habitable structures, structures that are directly attached to habitable structures, or other combustible construction that provides a means for transmitting fire to the habitable structures. Structures such as fences, walls, patios, play structures, and non-habitable gazebos that are located within brush management Zone One shall be of noncombustible, one hour fire-rated or heavy timber construction.
  - (3) Plants within Zone One shall be primarily low-growing and less than 4 feet in height with the exception of trees. Plants shall be low-fuel and fire-resistant.
  - (4) Trees within Zone One shall be located away from structures to a minimum distance of 10 feet as measured from the structures to the drip line of the tree at maturity in accordance with the Landscape Standards of the Land Development Manual.
  - (5) Permanent irrigation is required for all planting areas within Zone One except as follows:
    - (A) When planting areas contain only species that do not grow taller than 24 inches in height, or
    - (B) When planting areas contain only native or naturalized species that are not summer-dormant and have a maximum height at plant maturity of less than 24 inches.
  - (6) Zone One irrigation overspray and runoff shall not be allowed into adjacent areas of native or naturalized vegetation.
  - (7) Zone One shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining irrigation systems.
- (h) Zone Two Requirements
  - (1) The required Zone Two width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable structure, to the edge of undisturbed vegetation.
  - (2) No structures shall be constructed in Zone Two.
  - (3) Within Zone Two, 50 percent of the plants over 24 inches in height shall be cut and cleared to a height of 6 inches.
  - (4) Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned before native plants are pruned.
  - (5) The following standards shall be used where Zone Two is in an area previously graded as part of legal development activity and is proposed to be planted with new plant material instead of clearing existing native or naturalized vegetation:
    - (A) All new plant material for Zone Two shall be native, low-fuel, and fire-resistant. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing sensitive biological resources.
    - (B) New plants shall be low-growing with a maximum height at maturity of 24 inches. Single specimens of fire resistant native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable structures and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder fueling.
    - (C) All new Zone Two plantings shall irrigated temporarily until established to the satisfaction of the City Manager. Only low-flow, low-gallonage spray heads may be used in Zone Two. Overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation. Temporary irrigation systems shall be removed upon approved establishment of the plantings. Permanent irrigation is not allowed in Zone Two.

San Diego Landscape Standards  
Section III - Brush Management

- 3.2-1.04 All plants or plant groupings except cacti, succulents, trees and tree-form shrubs shall be separated by a distance three times the height of the tallest adjacent plants (Figure 3-1).
- 3.2-1.05 Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Pinus, Quercus, Platanus, Salix and Populus).
- 3.2-2 Zone 1 Requirements - All Structures
  - 3.2-2.01 Do not use, and remove if necessary, highly flammable plant materials (see Appendix "B").
  - 3.2-2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.
  - 3.2-2.03 Maintain all plantings in a succulent condition.
  - 3.2-2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.
- 3.2-3 Zone 2 Requirements - All Structures
  - 3.2-3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 400 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

Brush Management Maintenance Notes

- General Maintenance - Regular inspections and landscape maintenance are necessary to minimize the potential damage or loss of property from brush fires and other natural hazards such as erosion and slope failures. Because each property is unique establishing a precise maintenance schedule is not feasible. For effective fire and watershed management, however, property owners should expect to provide maintenance according to each brush management zone: Zone 1: Year-round maintenance, Zone 2: Seasonal maintenance. Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chuparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.
- Brush Management Zone 1 - This is the most critical area for fire and watershed safety. All ornamental plantings should be kept well watered and any irrigation run-off should drain toward the street. Rain gutters and drainage pipes should be cleaned regularly and all leaves removed from the roof before the fire season begins. All planting, particularly non-irrigated natives and large trees should be regularly pruned to eliminate dead fuels, to reduce excessive fuel and to provide adequate space between plants and structures.
- Brush Management Zone 2 - Seasonal maintenance in this zone should include removal of dead woody plants, eradication of weedy species and periodic pruning and thinning of trees and shrubs. Removal of weeds should not be done with hand tools such as hoes, as this disturbs valuable soil. The use of weed trimmers or other tools which retain short stubble that protects the soil is recommended. Native shrubs should be pruned in the summer after the major plant growth occurs. Well pruned healthy shrubs should typically require several years to build up excessive live and dead fuel. On slopes all drainage devices must be kept clear. Re-inspect after each major storm since minor soil slips can block drains. Various groundcovers should be periodically sheared and thatch removed. Diseased and dead wood should be pruned from trees. Fertilizing trees and shrubs is not typically recommended as this may stimulate excessive growth.
- Long-term Maintenance Responsibility - All Landscaping / Brush Management within the Brush Management Zone(s) as shown on these plans shall be the responsibility of THE OWNER [please Specify, e.g. Owner, H.O.A.]. The Brush Management Zone areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy growing condition.

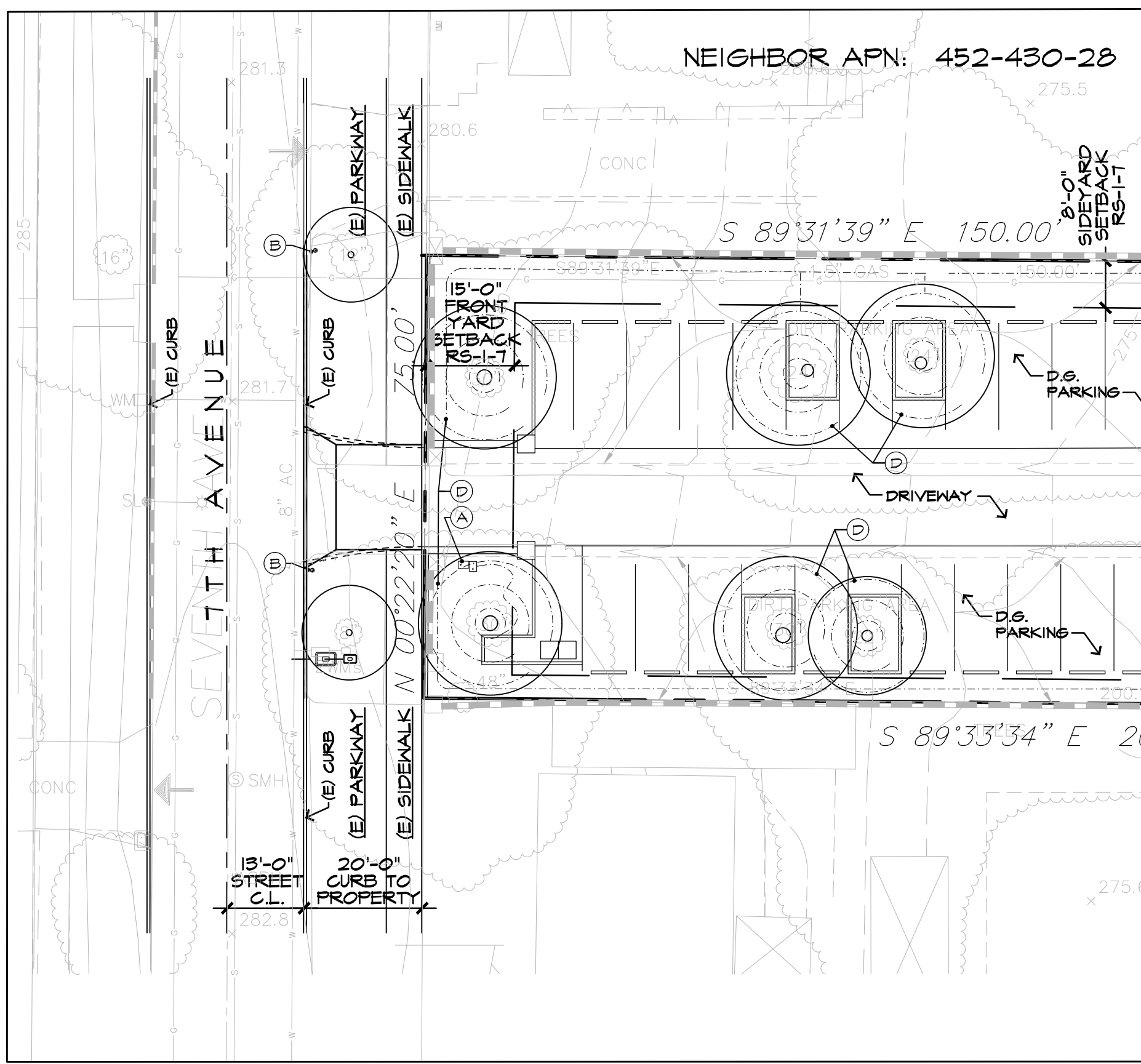
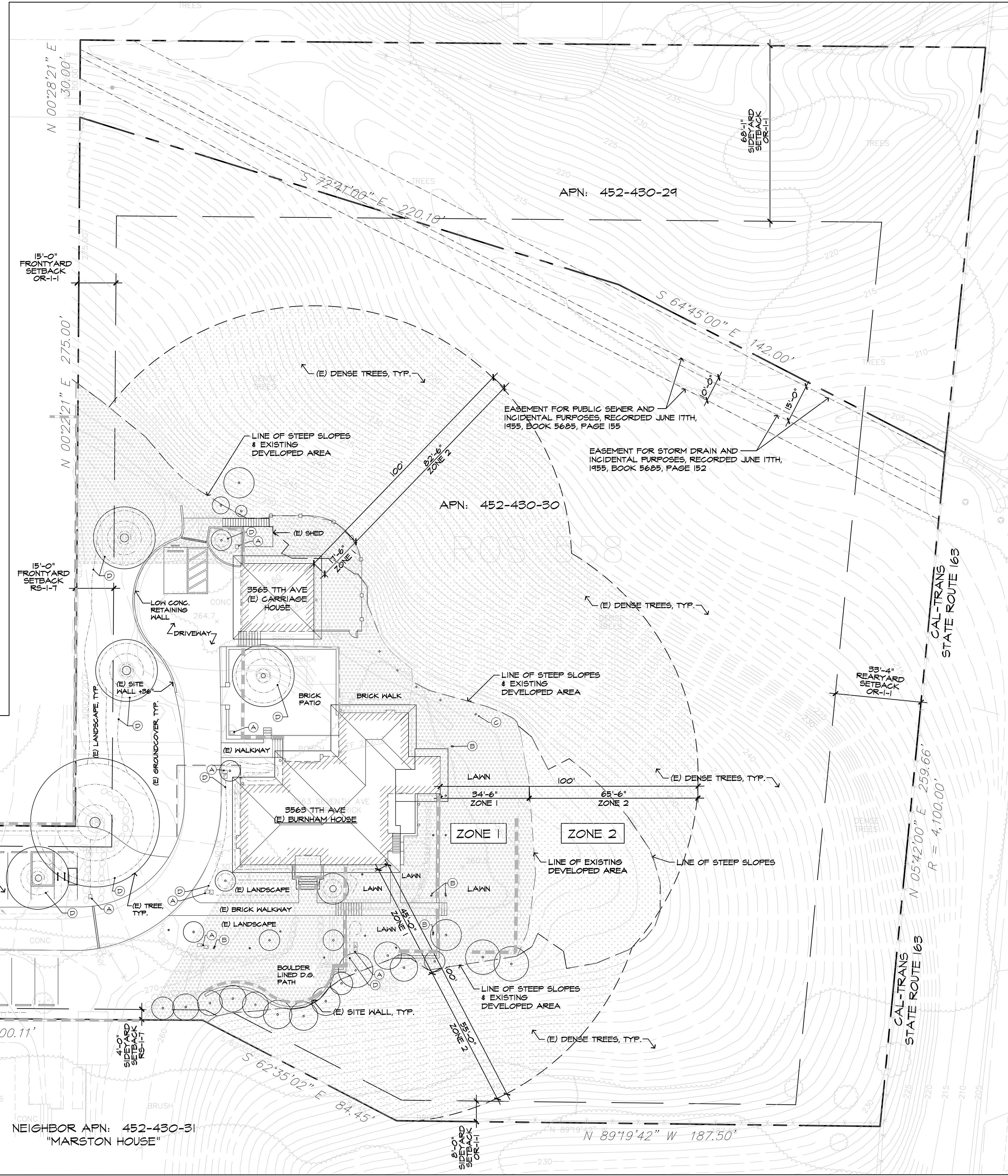
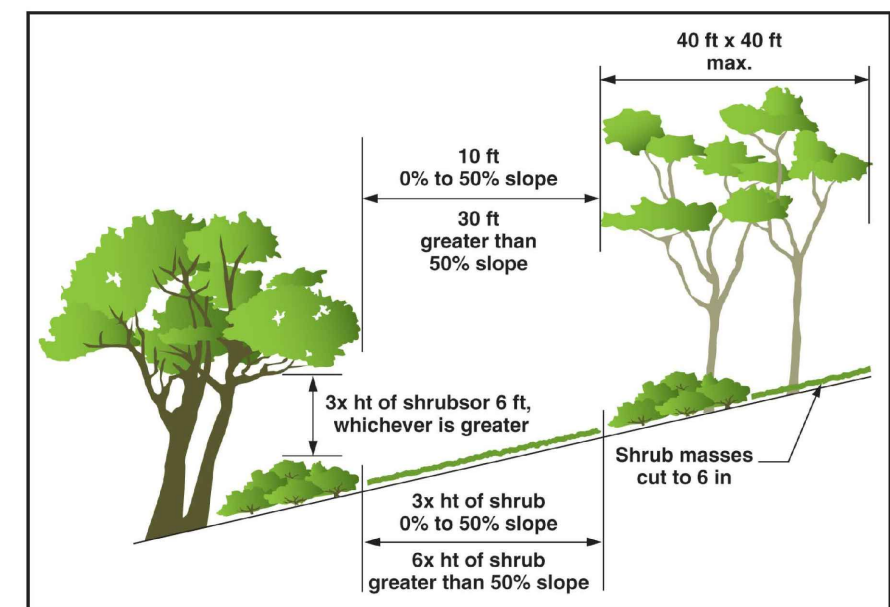


Figure 3-1 Pruning Trees to Provide Clearance for Brush Management



**BRUSH MANAGEMENT LEGEND**

ZONE 1 [Symbol]

ZONE 2 [Symbol]

**IRRIGATION LEGEND (EXISTING TO REMAIN)**

- (A) IRRIGATION CONTROL VALVE [Symbol]
- (B) POP-UP SPRAYER [Symbol]
- (C) SPRAYER [Symbol]
- (D) DRIP [Symbol]

**BRUSH MANAGEMENT PLAN**  
SCALE 20' = 1"

OFF-SITE BRUSH MANAGEMENT ON ADJACENT PROPERTIES:  
OFFSITE BRUSH MANAGEMENT SHALL BE THE RESPONSIBILITY OF ADJACENT PROPERTY OWNERS. FOR FUEL-LOAD MAINTENANCE ISSUES, CONTACT THE FIRE-RESCUE DEPARTMENT'S FIRE HAZARD ADVISOR - BRUSH/NEED COMPLAINT LINE AT (619) 533-4444.

CITY STANDARD TITLEBLOCK

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETTNER BLVD, STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME:  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE.  
SAN DIEGO, CA 92103

Revision 10: -  
Revision 9: -  
Revision 8: -  
Revision 7: -  
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Revision 3: 6/8/2020  
Revision 2: 3/6/2020  
Revision 1: 10/16/2019

Original Date: 5/29/19

Sheet: 6 of 12  
DEP: -

REV. DATE

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7/29/2020





CONSULTANT:

NO.: DATE: REVISION DESCRIPTION

BOUNDARY & TOPOGRAPHIC SURVEY  
THE BURNHAM HOUSE  
3565 7TH AVENUE  
SAN DIEGO, CALIFORNIA 92103

SHEET TITLE:

DATE: 5/11/06  
DRAWN BY: JUR  
PROJECT NO.: 9156a1  
SCALE: 1"=20'  
SHEET NO.:

burkett & wong structural & civil engineers & surveyors; 3434 fourth ave., san diego, ca. 92103-4941; phone (619) 299-5550, fax (619) 299-9934

**LEGEND**

**UTILITIES**

- TRAFFIC SIGNAL . . . . . ☆ TS
- LIGHT STANDARD . . . . . ☆ LS
- STREET LIGHT . . . . . ☆ SL
- ELECTRIC CABINET . . . . . ☆ EC
- ELECTRIC RISER . . . . . ☆ ER
- ELECTRIC METER . . . . . ☆ EM
- ELECTRIC TRANSFORMER . . . . . ☆ ET
- ELECTRIC VAULT . . . . . ☆ EV
- ELECTRIC LINE . . . . . E
- AIR CONDITION UNIT . . . . . ACU
- TELEPHONE MANHOLE . . . . . TMH
- TELEPHONE RISER . . . . . TR
- TELEPHONE VAULT . . . . . TV
- GAS METER . . . . . GM
- GAS VALVE . . . . . GV
- GAS LINE . . . . . G

- STORM DRAIN MANHOLE . . . . . SDMH
- STORM DRAIN CLEANOUT . . . . . SDCO
- DROP INLET . . . . . DI
- CURB INLET . . . . . CI
- CATCH BASIN . . . . . CB
- STORM DRAIN LINE . . . . . SD
- STORM DRAIN DIRECTION OF FLOW . . . . . →

- WATER RISER . . . . . WR
- WATER METER . . . . . WM
- WATER SERVICE . . . . . WS
- WATER VALVE . . . . . WV
- FIRE HYDRANT . . . . . FH
- FIRE SERVICE . . . . . FS
- POST INDICATOR VALVE . . . . . PIV
- BACK FLOW PREVENTER . . . . . BFP
- WATER LINE . . . . . W

- SEWER MANHOLE . . . . . SMH
- SEWER CLEANOUT . . . . . SCO
- SEWER LINE . . . . . S

**IMPROVEMENTS**

- GUARD POST . . . . . GP
- SIGN . . . . . S
- FENCE . . . . . F
- WALL . . . . . W
- CONCRETE . . . . . Conc
- AC PAVING . . . . . Asph
- CURB & GUTTER . . . . . C
- BUILDING FOOTPRINT . . . . . B
- TRASH ENCLOSURE . . . . . TE
- FINISH GRADE . . . . . FG

**LANDSCAPING**

- PLANTER . . . . . PL
- DECIDUOUS TREE . . . . . DT

**PROPERTY DATA**

- PROPERTY LINE . . . . . P
- EASEMENT LINE . . . . . E
- ADJUTER'S RIGHTS . . . . . AR
- CENTER LINE . . . . . CL
- ENCROACHMENT . . . . . ENCR
- PRELIMINARY TITLE REPORT ITEM NO. . . . . ①
- TIE TO BUILDING CORNER, PERPENDICULAR OR RADIAL TO PROPERTY LINE OR LEASE LINE . . . . . 65.5'

**SURVEYOR'S STATEMENT:**

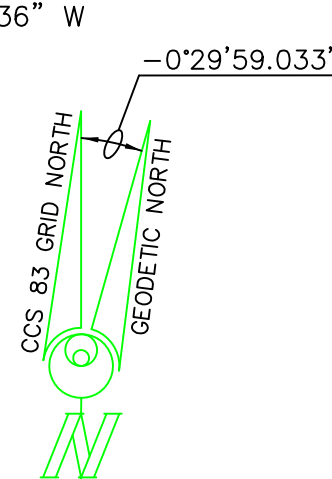
THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY.

JAMES L. MEYER LS 4307  
EXPIRATION: 6-30-2006

DATE: \_\_\_\_\_

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS MAP IS NAD 83, ZONE 6 GRID BEARING BETWEEN MONUMENTS NO. 1048 (N 1,849,778.52 E 6,282,022.94) AND NO. 3054 (N 1,847,113.75 E 6,281,998.44) PER ROS NO. 14492.  
BEARING: S 00°31'36" W



**LEGAL DESCRIPTION:**

PARCEL 1:  
ALL THOSE PORTIONS OF BLOCKS 9 AND 12 AND OF THE PORTIONS OF THE ALLEY IN SAID BLOCK 9 AND OF 8TH STREET LYING BETWEEN SAID BLOCKS 9 AND 12, AS VACATED AND CLOSED TO PUBLIC USE BY RESOLUTIONS NO 821 AND 820, RESPECTIVELY, OF THE COMMON COUNCIL OF THE CITY OF SAN DIEGO, IN CRITTENDEN'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO 303, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 5, 1886, DESCRIBED AS FOLLOWS BEGINNING AT A POINT ON THE SOUTH LINE OF BROOKES AVENUE, 150 FEET EAST OF THE SOUTHEAST CORNER OF SAID BROOKES AVENUE AND 7TH AVENUE, FORMERLY 7TH STREET SAID POINT OF BEGINNING BEING ALSO THE MOST NORTHERLY CORNER OF LAND DESCRIBED IN DEED FROM GEORGE W MARSTON AND ANNA LEE MARSTON TO MRS LILIE GILMAN BURNHAM, DATED FEBRUARY 24, 1906 AND RECORDED MARCH 7, 1906 IN BOOK 388, PAGE 105 OF DEEDS, THENCE ALONG THE NORTHEASTERLY LINE OF SAID LAND, THE FOLLOWING COURSES AND DISTANCES SOUTH 72° 47' 00" EAST, 220.10 FEET, THENCE SOUTH 62° 45' 00" EAST, 142.00 FEET, THENCE SOUTH 13° 25' 00" EAST TO INTERSECTION WITH THE WESTERLY LINE OF CANYADA WAY, FORMERLY 9TH STREET, AS SHOWN ON MAP OF MARSTON HILLS NO 1790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, THENCE NORTHERLY ALONG SAID WESTERLY LINE OF INTERSECTION WITH THE SOUTH LINE OF SAID BROOKES AVENUE, THENCE WEST ALONG THE SOUTH LINE OF SAID BROOKES AVENUE, TO THE POINT OF BEGINNING TOGETHER WITH THAT PORTION OF THE SOUTH HALF OF SAID BROOKES AVENUE AS VACATED AND CLOSED TO PUBLIC USE IMMEDIATELY ADJOINING THE ABOVE DESCRIBED LAND ON THE NORTH.

PARCEL 2:  
THOSE PORTIONS OF BLOCKS 9 AND 12 OF CRITTENDEN'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO 303, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 5, 1886, AND OF EIGHTH AVENUE, FORMERLY EIGHTH STREET, LYING BETWEEN SAID BLOCKS AS VACATED AND CLOSED TO PUBLIC USE JUNE 20, 1904, BY RESOLUTION NO 820 OF THE COUNTY CLERK OF THE CITY OF SAN DIEGO, AND OF THE ALLEY IN SAID BLOCK 9 AS VACATED AND CLOSED TO PUBLIC USE JUNE 20, 1904 BY RESOLUTION NO 821 OF SAID COUNCIL INCLUDED WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT A POINT ON THE SOUTH LINE OF BROOKES AVENUE, 150 FEET EAST OF THE SOUTHEAST CORNER OF BROOKES AVENUE AND SEVENTH STREET, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SEVENTH STREET, 275 FEET, THENCE WEST PARALLEL WITH THE SOUTH LINE OF BROOKES AVENUE, 150 FEET TO THE EAST LINE OF SEVENTH STREET, THENCE SOUTHERLY ALONG SEVENTH STREET, 75 FEET, THENCE EAST PARALLEL WITH THE SOUTH LINE OF BROOKES AVENUE, 150 FEET, THENCE SOUTH 61° 07' EAST 176 FEET, THENCE SOUTH 70° 0' 27" EAST 170 FEET, THENCE SOUTH 89° 42' EAST 46 07 FEET TO THE WEST LINE OF THE SURVEYED ROAD, THENCE ALONG THE WEST LINE OF SAID ROAD NORTH 29° 21' EAST 72 FEET, THENCE NORTH 6° 25' WEST 122 30 FEET, THENCE NORTH 130 25' WEST 185 FEET, THENCE NORTH 62° 45' WEST 142 FEET, THENCE NORTH 72° 47' WEST 220 10 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED IN DEED FROM LILLA GILMAN BURNHAM TO GEORGE W MARSTON RECORDED SEPTEMBER 22, 1930 IN BOOK 1813, PAGE 310 OF DEEDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF BROOKES AVENUE, 150 FEET EAST OF THE SOUTHEAST CORNER OF BROOKES AVENUE AND SEVENTH STREET, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SEVENTH STREET, 350 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 61° 07' EAST 176.0 FEET, THENCE SOUTH 70° 27' EAST 170.0 FEET, THENCE SOUTH 85° 42' EAST 46 07 FEET TO A POINT IN THE WESTERLY LINE OF NINTH STREET, 52 17 FEET TO A POINT OF REVERSE CURVATURE HAVING A RADIUS OF 180 FEET BEARING NORTH 64° 33' 30" WEST -RECORD NORTH 64° 26' 30" WEST-, THENCE ALONG SAID CURVE 61 64 FEET, THENCE WEST LEAVING THE WEST LINE OF NINTH STREET, 271.19 FEET, THENCE NORTH 63° 15' 20" WEST 54.96 FEET, THENCE WEST 50.0 FEET TO THE TRUE POINT OF BEGINNING

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF INCLUDED WITHIN MARSTON HILLS AS SHOWN ON MAP NO 1790, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 18, 1924.

AND ALSO EXCEPTING THEREFROM THAT PORTION OF BLOCK 12 OF CRITTENDEN'S ADDITION, AS DEEDED FROM MRS LILLA GILMAN BURNHAM TO STATE OF CALIFORNIA BY DEED DATED SEPTEMBER 17, 1942, RECORDED NOVEMBER 4, 1942, IN BOOK 1412, PAGE 456, AS INSTRUMENT NO 67865 OF OFFICIAL RECORDS, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

**PLOTTABLE EASEMENTS**

- 5 AN EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS AND RIGHTS INCIDENTAL THERETO GRANTED TO SD&E, RECORDED NOVEMBER 24, 1954 IN BOOK 5439, PAGE 395 OF OFFICIAL RECORDS.
- 6 AN EASEMENT FOR STORM DRAIN AND INCIDENTAL PURPOSES, RECORDED JUNE 17, 1955 IN BOOK 5685, PAGE 152 OF OFFICIAL RECORDS.
- 7 AN EASEMENT FOR PUBLIC SEWER AND INCIDENTAL PURPOSES, RECORDED JUNE 17, 1955 IN BOOK 5685, PAGE 155 OF OFFICIAL RECORDS.

**NON-PLOTTABLE EASEMENTS**

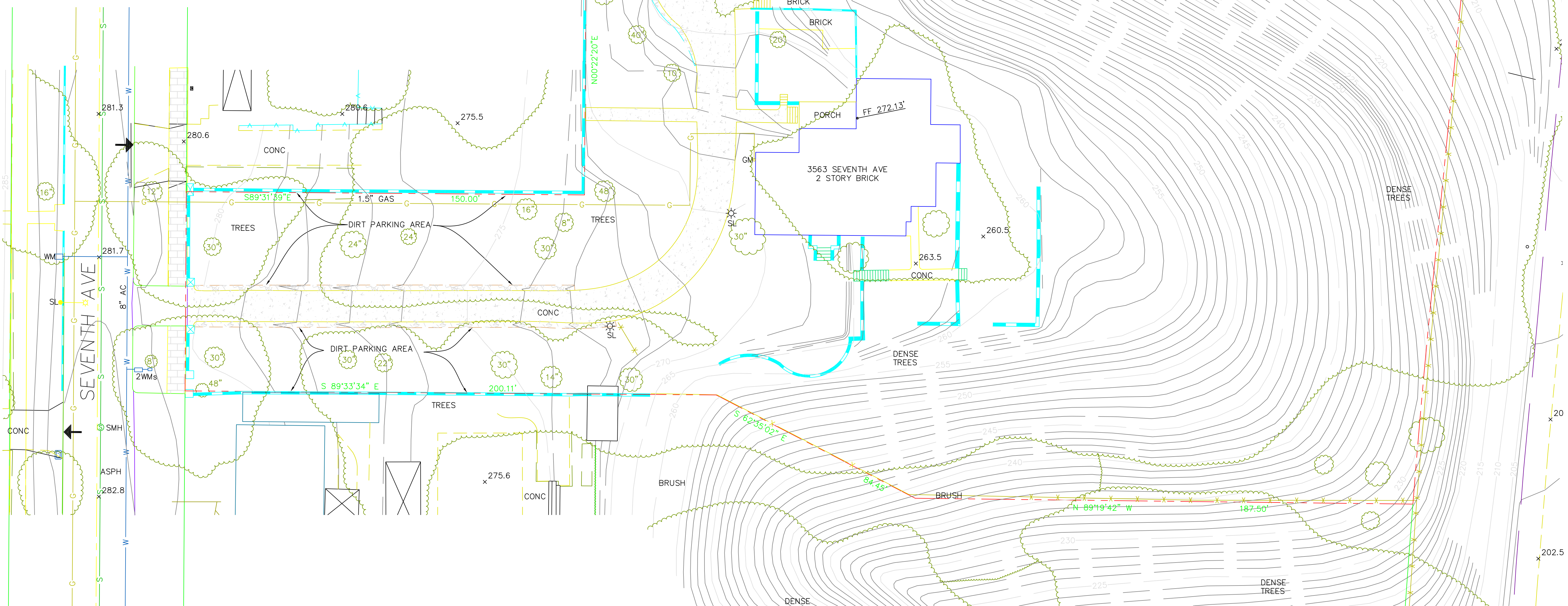
- 10 AN EASEMENT FOR ARCHITECTURAL FACADE AND INCIDENTAL PURPOSES, RECORDED DECEMBER 31, 1985 AS INSTRUMENT NO. 85-496201 OF OFFICIAL RECORDS.

**BASIS OF ELEVATIONS**

THE BASIS OF ELEVATION FOR THIS SURVEY IS THE CITY OF SAN DIEGO BENCHMARK DESCRIBED AS A BRASS PLUG IN THE TOP OF CURB LOCATED AT THE SOUTHWESTERLY INTERSECTION OF SIXTH AVENUE AND UPAS STREET. INDEX # 2128-17206. ELEVATION = 294.911 M.S.L.

**NOTES**

1. SITE ADDRESS: 3563 7TH AVENUE  
SAN DIEGO, CA 92103
2. EXISTING LOTS: 1
3. PROPERTY AREA: AREA = 146,610 sq.ft.  
3.37 ACRES
4. LAMBERT COORDINATES: 210-1719  
CCS NAD'83 COORDINATES: 1850-6280
5. ASSESSOR'S PARCEL NUMBER: 452-430-30
6. EXISTING AND PROPOSED ZONING: RS-1-2  
COMMUNITY PLAN: UPTOWN
- FRONT SETBACK  
25' MINIMUM SETBACK
- SIDE SETBACK  
10' MINIMUM SETBACK
- STREET SIDE SETBACK  
10' MINIMUM SETBACK
- REAR SETBACK  
1' MINIMUM SETBACK IF ALLEY;  
25' MINIMUM SETBACK IF NO ALLEY
7. FLOOD ZONE DATA: ZONE "X", PER FEMA COMMUNITY PANEL NO. 060295, DATED JUNE 19, 1997.
8. SITE CONDITIONS SHOWN ON THIS SURVEY ARE A RESULT OF A FIELD AND AERIAL SURVEY BY BURKETT & WONG ENGINEERS, COLLECTED ON FEBRUARY 2006.
9. LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE FROM RECORD DATA ONLY. BURKETT & WONG ENGINEERS MAKE NO CLAIM AS TO THE ACCURACY OF UNDERGROUND LOCATIONS.
10. EASEMENT AND OTHER TITLE DATA SHOWN HEREON CORRESPOND TO THE PRELIMINARY TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY, ORDER NO.1926384, DATED JULY 08, 2005. NO RESPONSIBILITY FOR COMPLETENESS, ACCURACY, OR CONTENT OF SAID TITLE REPORT IS ASSUMED BY THIS SURVEY.
11. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS



ROS 558





2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
7619.269.3630



# C.U.P. AMENDMENT BURNHAM HOUSE

3563 & 3565 7TH AVENUE  
SAN DIEGO, CA 92103

REV. DATE

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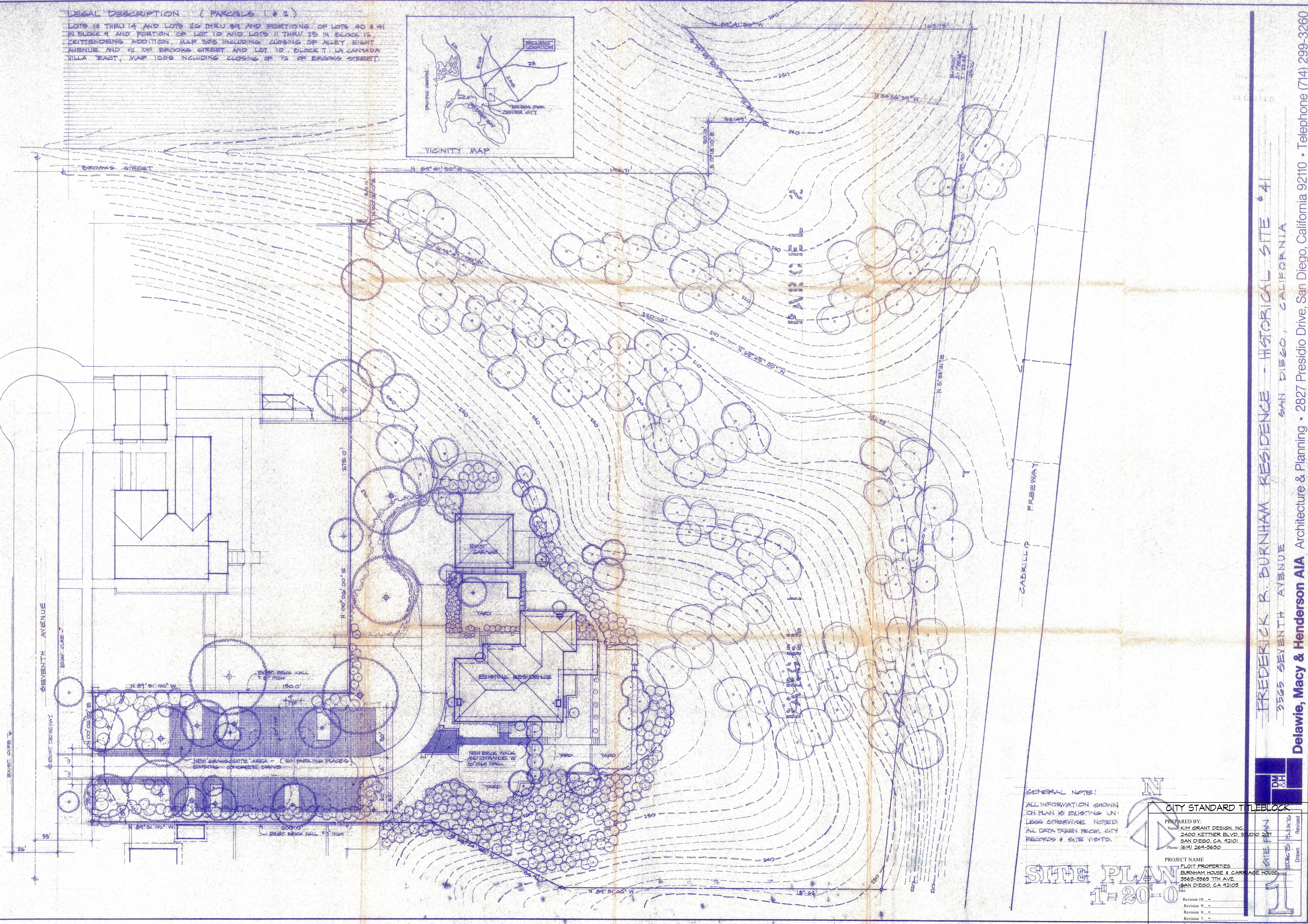
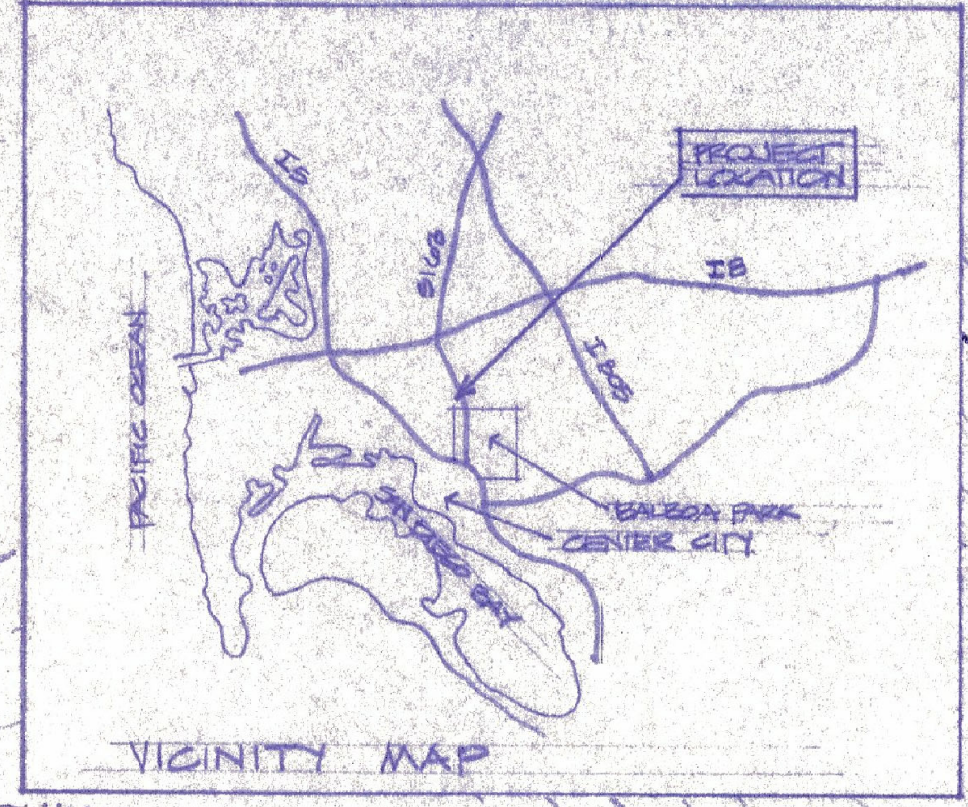
## EX.1

EXHIBIT A

3/6/2020

### LEGAL DESCRIPTION (PARCELS # 2)

LOTS 12 THRU 14 AND LOTS 26 THRU 34 AND PORTIONS OF LOTS 40 & 41 IN BLOCK 9 AND PORTION OF LOT 12 AND LOTS 11 THRU 15 IN BLOCK 12, KITTENDEN'S ADDITION, MAP 395 INCLUDING CLOSING OF ALLEY EIGHT AVENUE AND 1/2 OF BROOKS STREET AND LOT 10, BLOCK 7, LA CANYADA VILLA TRACT, MAP 1008 INCLUDING CLOSING OF 1/2 OF BROOKS STREET.



GENERAL NOTE:  
ALL INFORMATION SHOWN ON PLAN IS EXISTING UNLESS OTHERWISE NOTED.  
ALL DATA TAKEN FROM CITY RECORDS & SITE VISITS.

## SITE PLAN

1"=20'-0"

NO.	DATE	DESCRIPTION
10		
9		
8		
7		
6		
5		
4		
3		
2	3/6/2020	
1	10/6/2019	

Original Date: 5/23/19

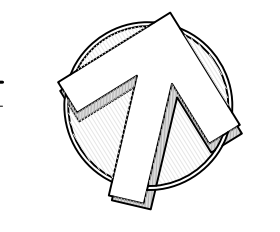
Sheet: 8 of 12

DEP: -

FREDERICK R. BURNHAM RESIDENCE - HISTORICAL SITE # 4  
3565 SEVENTH AVENUE  
SAN DIEGO, CALIFORNIA

Delawie, Macy & Henderson AIA Architecture & Planning • 2827 Presidio Drive, San Diego, California 92110 • Telephone (714) 299-3260

EXHIBIT A - CUP #451-PC 1976







HISTORIC RESTORATION ARCHITECTURE

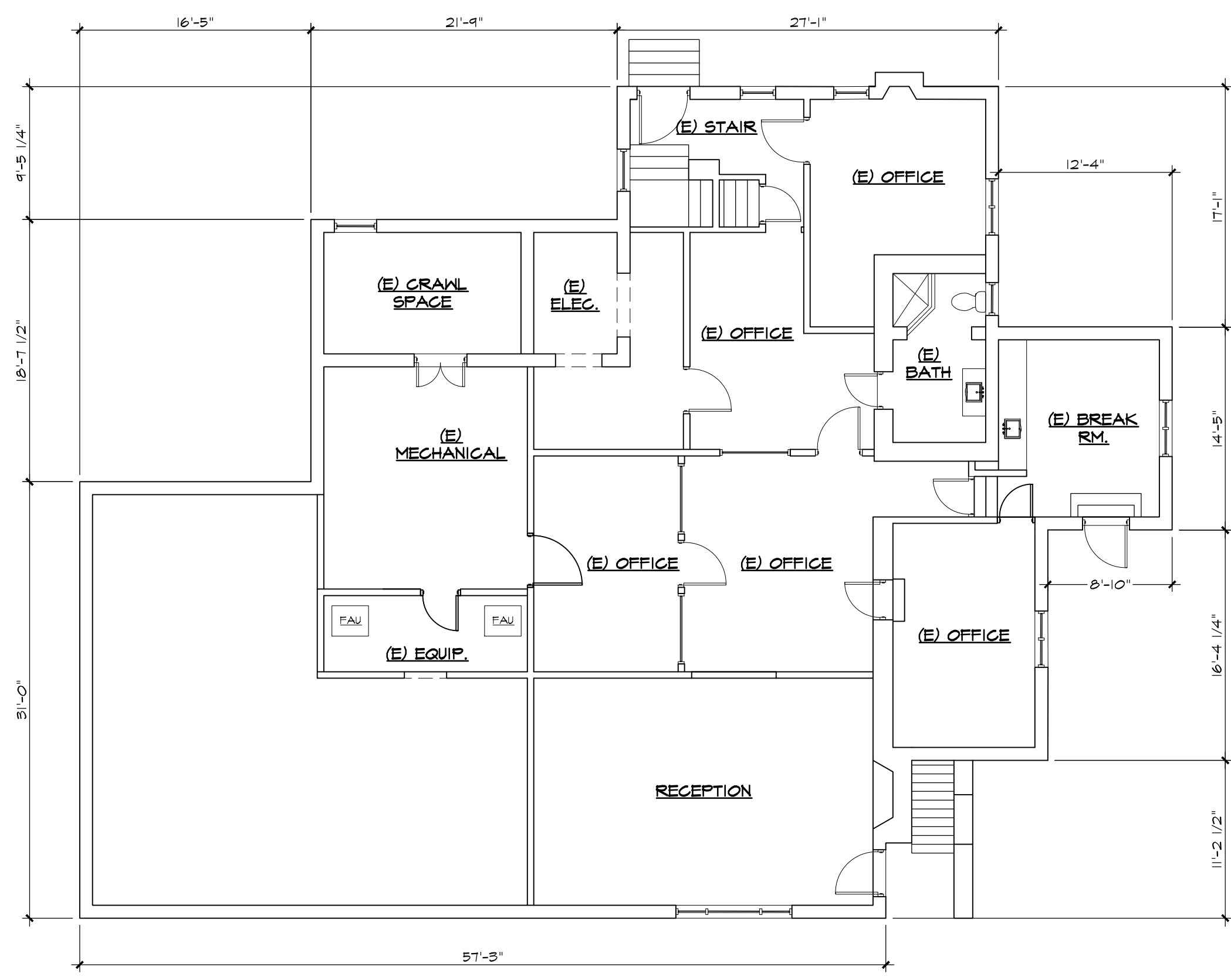
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SAN DIEGO, CA 92101  
T 619.269.3630



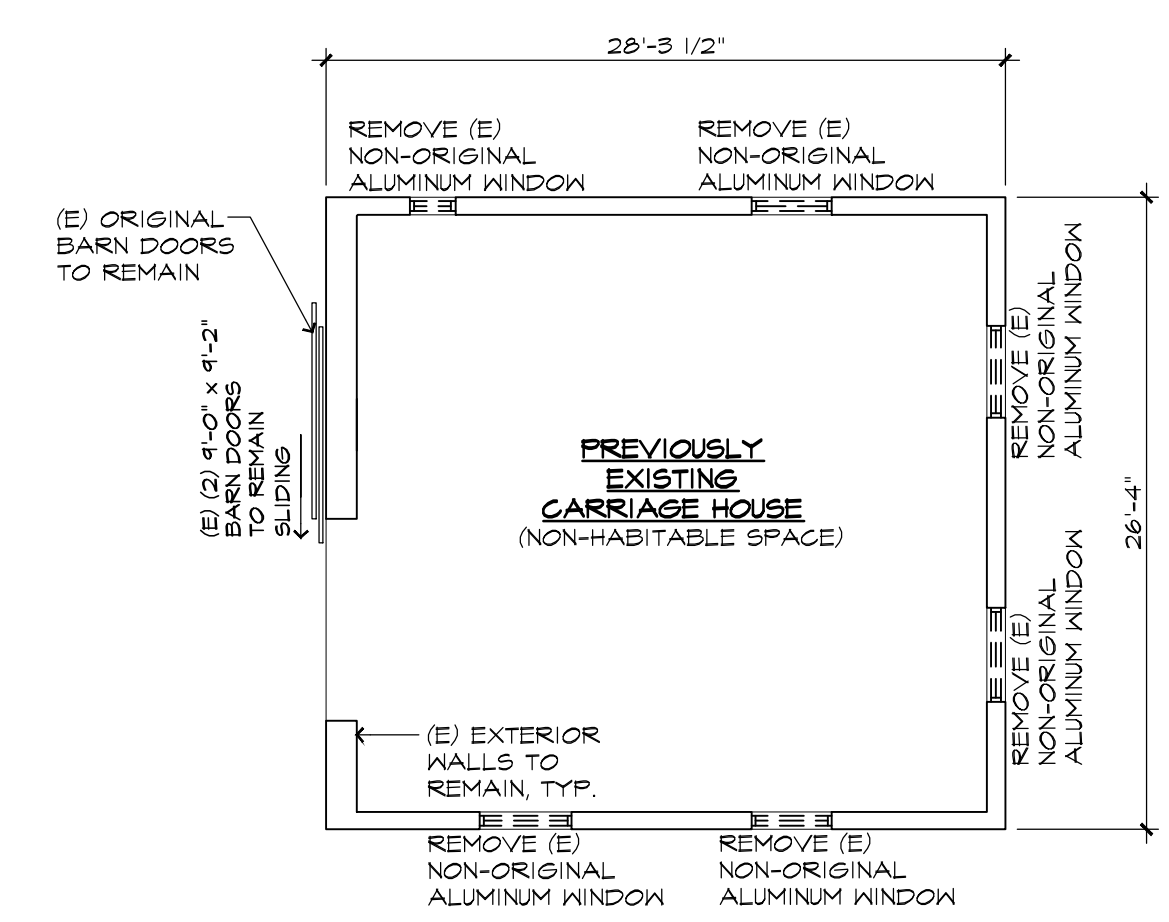
# C.U.P. AMENDMENT BURNHAM HOUSE

SAN DIEGO, CA 92103

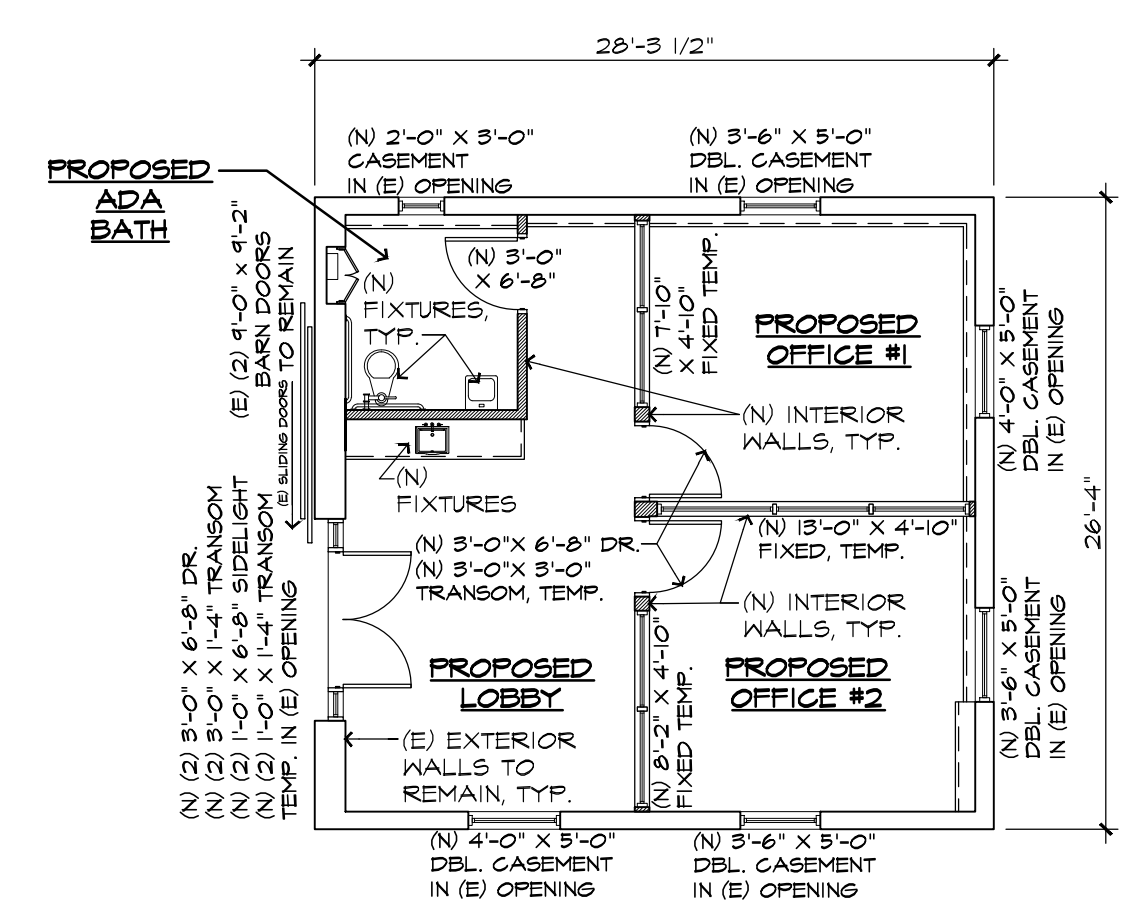
3563 & 3565 7TH AVENUE



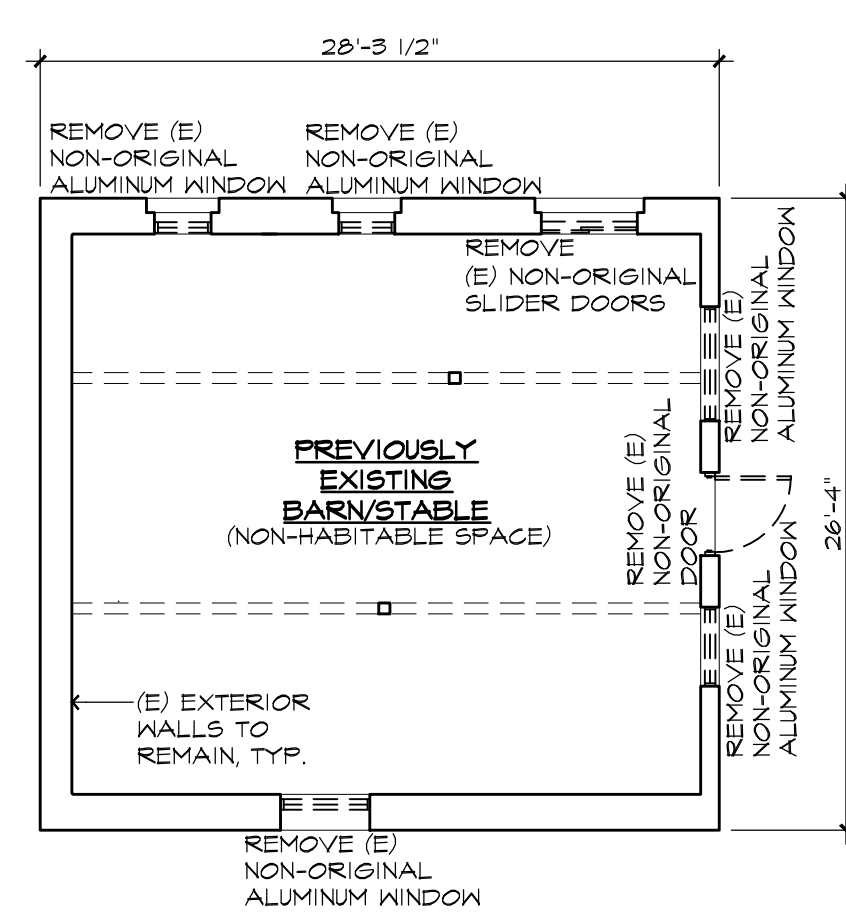
EXISTING BURNHAM HOUSE - BASEMENT FLOOR PLAN  
SCALE 1/8" = 1'-0"



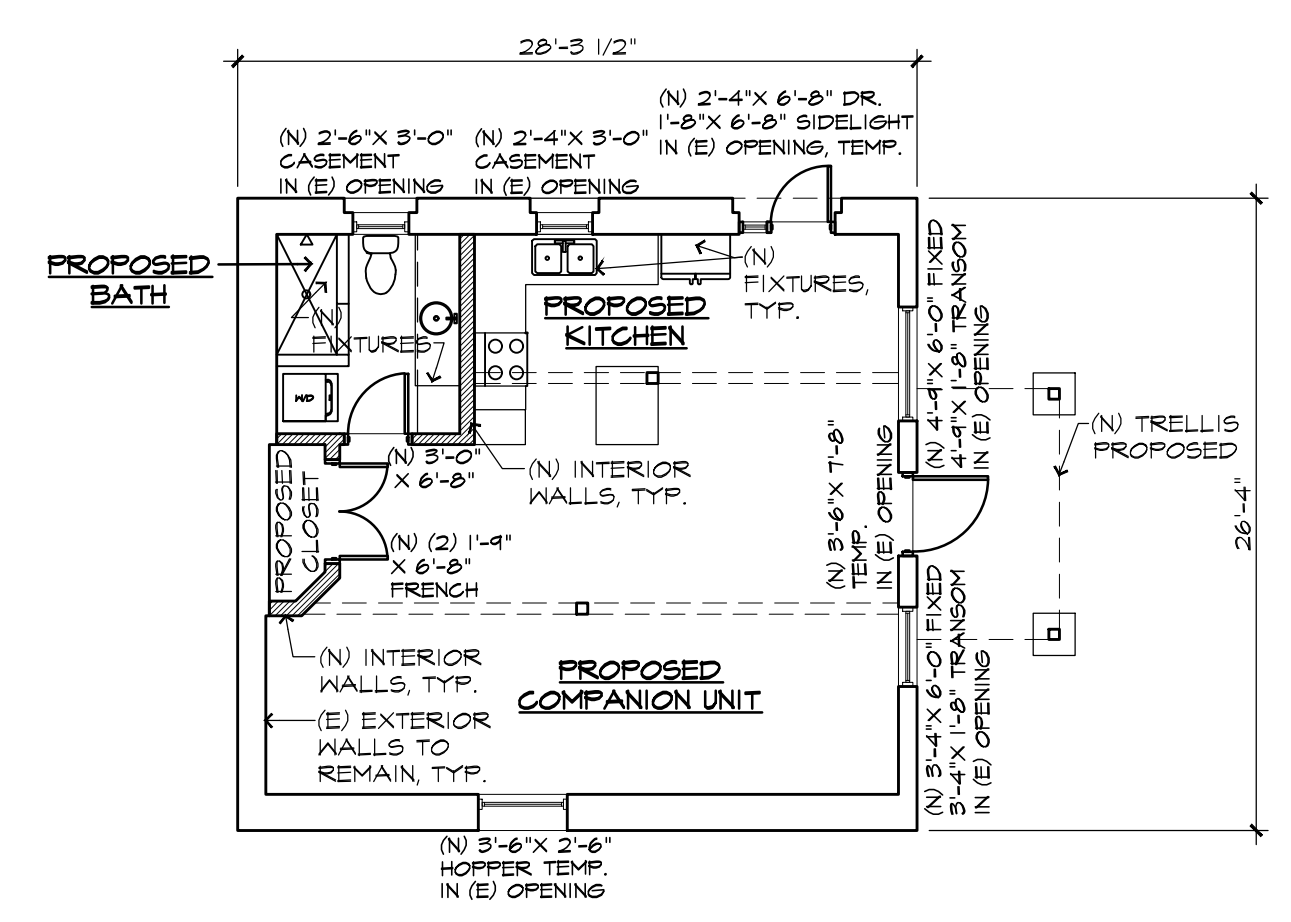
PRE-EXISTING MAIN LEVEL  
SCALE 1/8" = 1'-0"



PROPOSED MAIN LEVEL  
SCALE 1/8" = 1'-0"

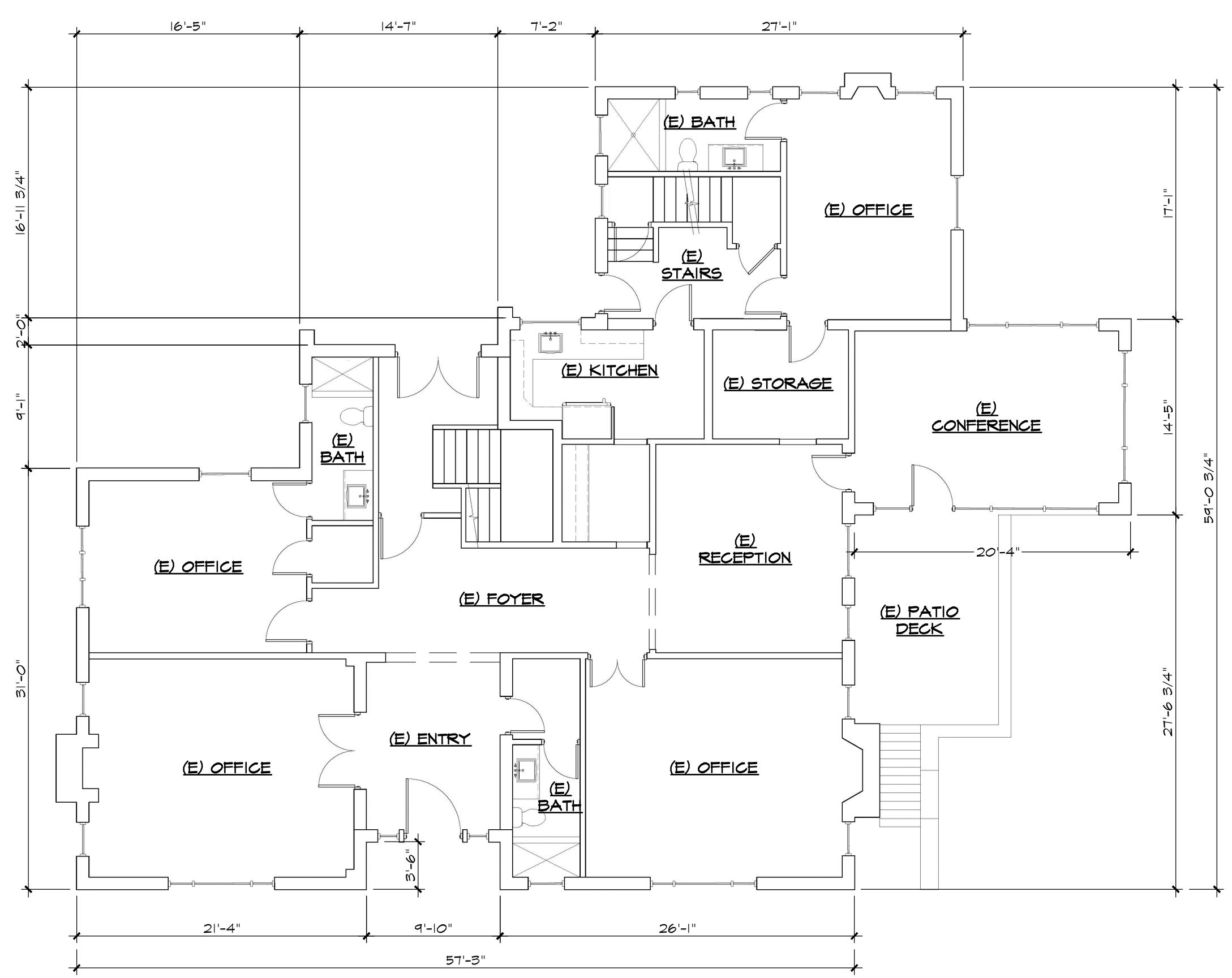


PRE-EXISTING LOWER LEVEL  
SCALE 1/8" = 1'-0"

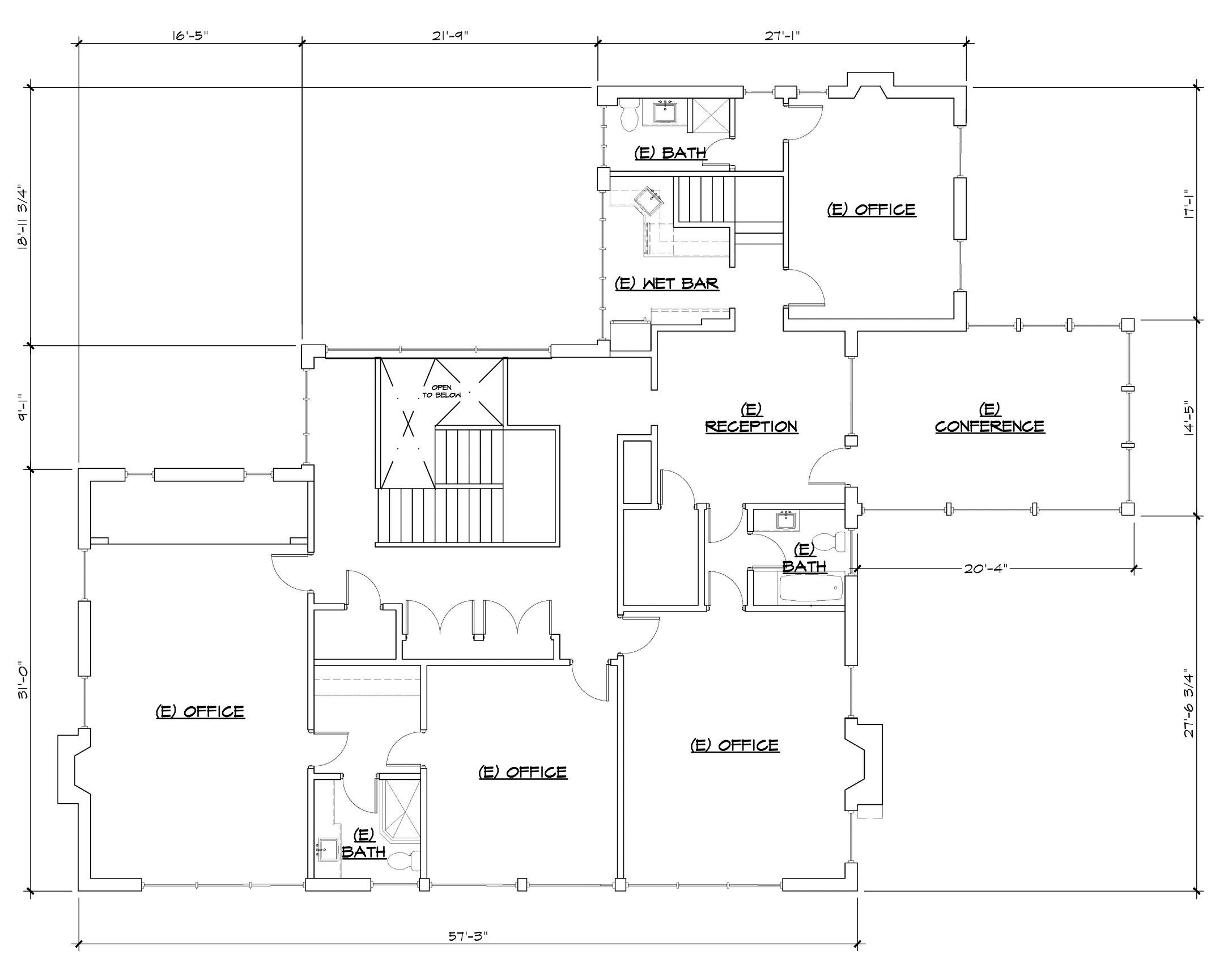


PROPOSED LOWER LEVEL  
SCALE 1/8" = 1'-0"

EXISTING AND PROPOSED CARRIAGE HOUSE FLOOR PLANS  
SCALE 1/8" = 1'-0"



EXISTING BURNHAM HOUSE - MAIN LEVEL FLOOR PLAN  
SCALE 1/8" = 1'-0"



EXISTING BURNHAM HOUSE - UPPER LEVEL FLOOR PLAN  
SCALE 1/8" = 1'-0"

CITY STANDARD TITLEBLOCK

PREPARED BY:  
Name: KIM GRANT DESIGN, INC.  
2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME  
FLUOROPROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE  
SAN DIEGO, CA 92103

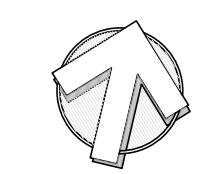
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Revision 8:	-
Revision 7:	-
Revision 6:	-
Revision 5:	-
Revision 4:	-
Revision 3:	7/29/2020
Revision 2:	5/16/2020
Revision 1:	10/16/2019
Original Date:	5/29/19
Sheet:	9 of 12
DEPR:	-

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**A2.1**

EXISTING FLOOR PLANS OF THE BURNHAM HOUSE, EXISTING AND PROPOSED FLOOR PLANS OF THE CARRIAGE HOUSE

7/29/2020

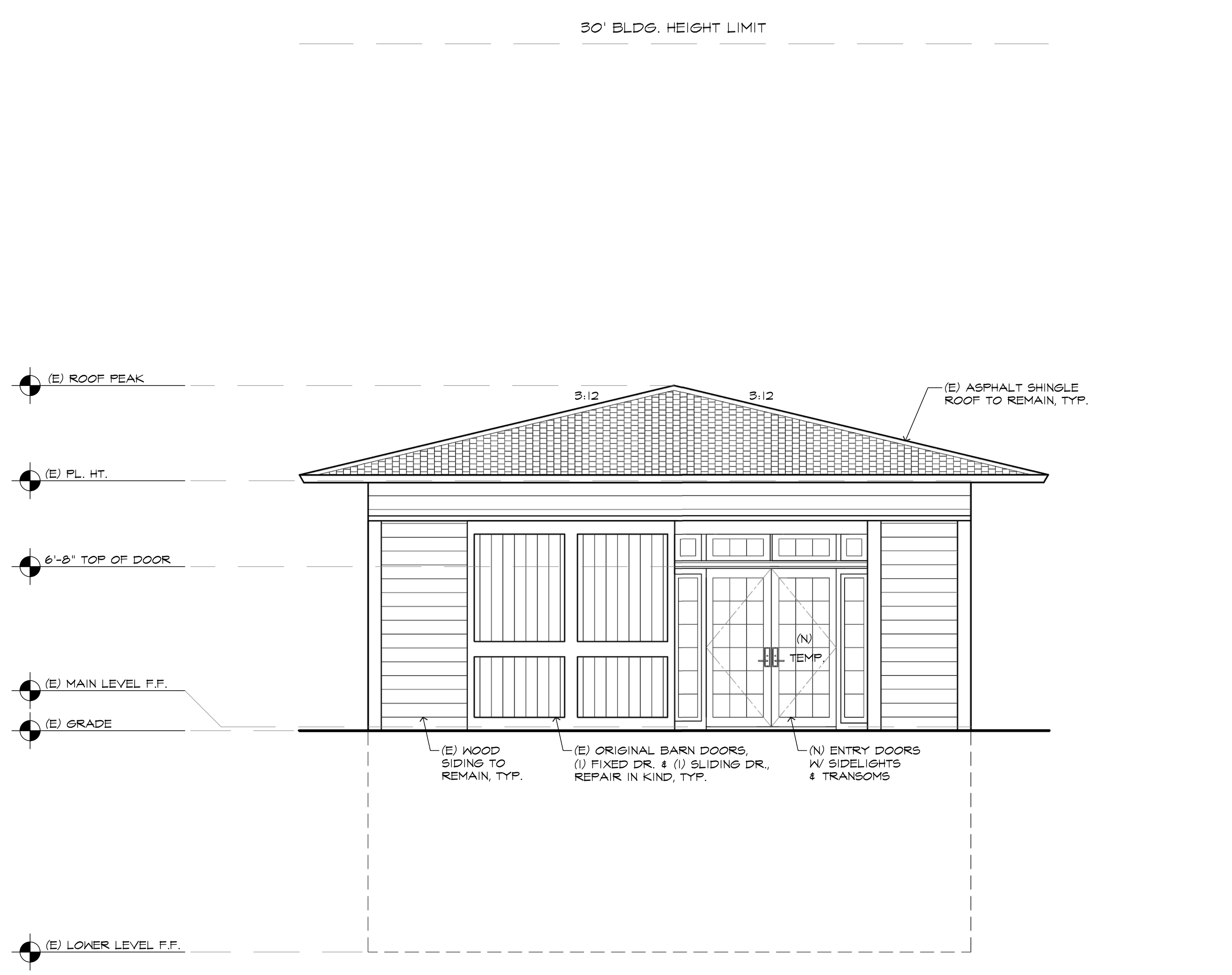




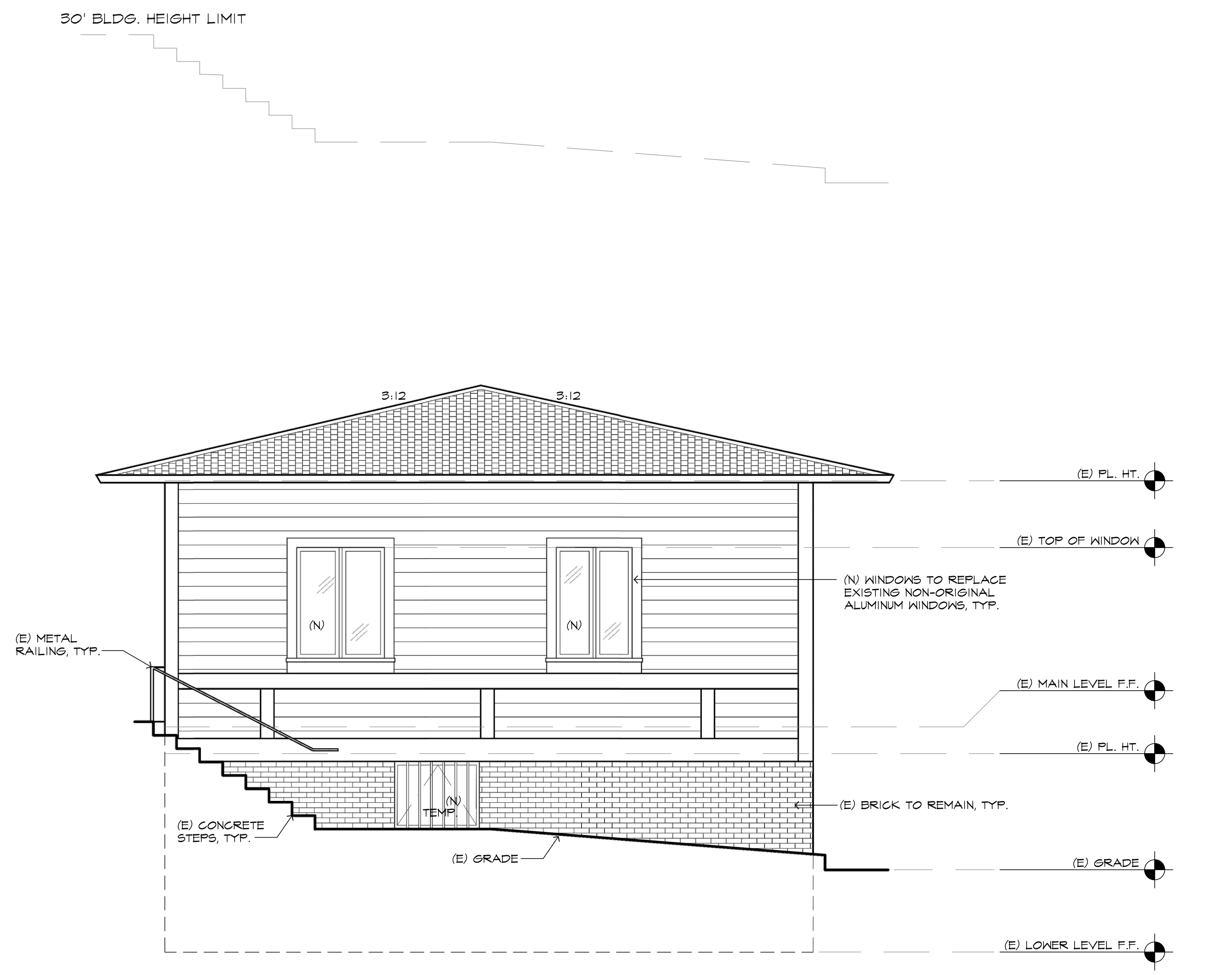
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SAN DIEGO, CA 92101  
T 619.269.3630



C.U.P. AMENDMENT BURNHAM HOUSE  
SAN DIEGO, CA 92103  
3563 & 3565 7TH AVENUE

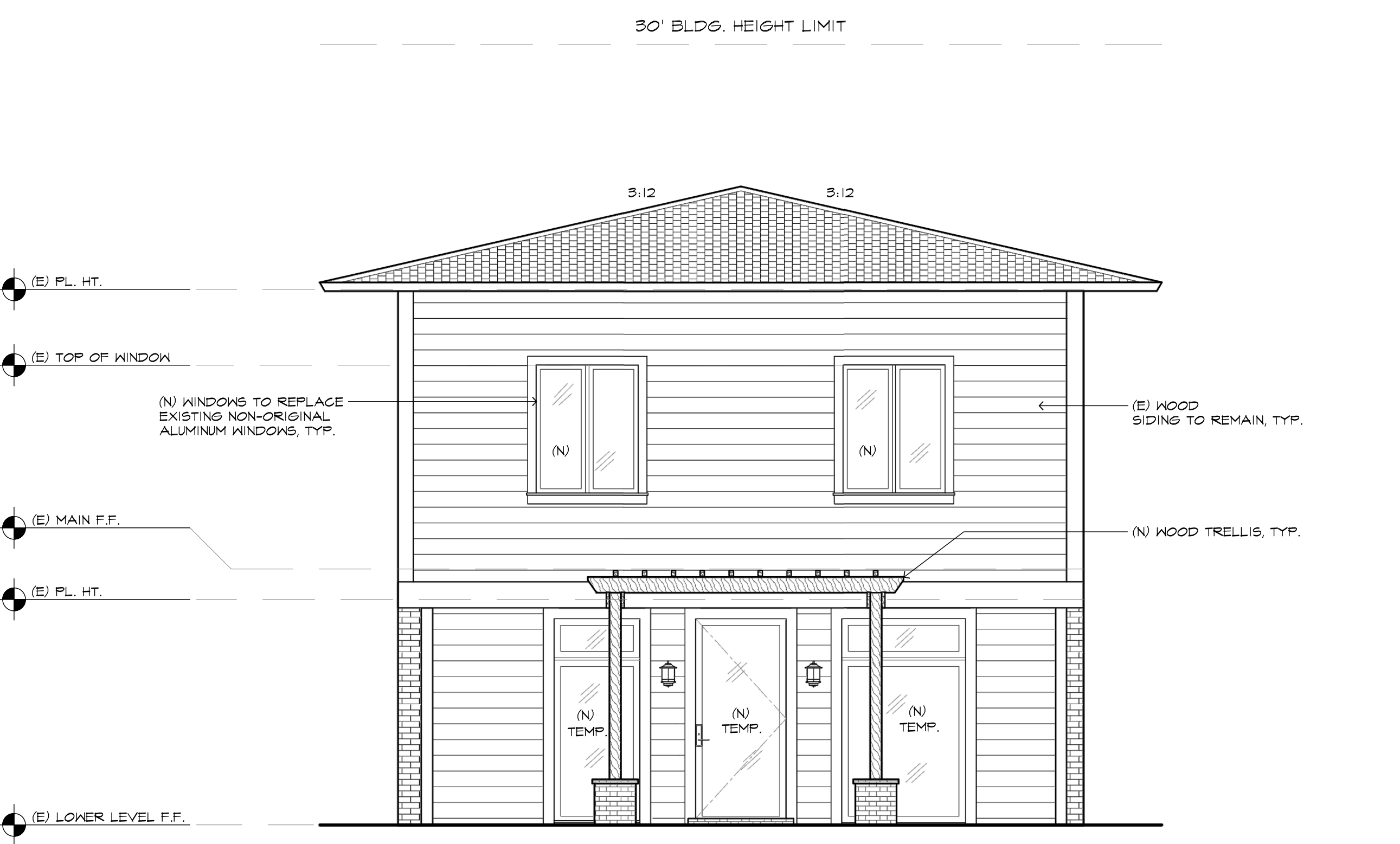


EXISTING CARRIAGE HOUSE ELEVATION - WEST  
SCALE: 1/4"=1'-0"

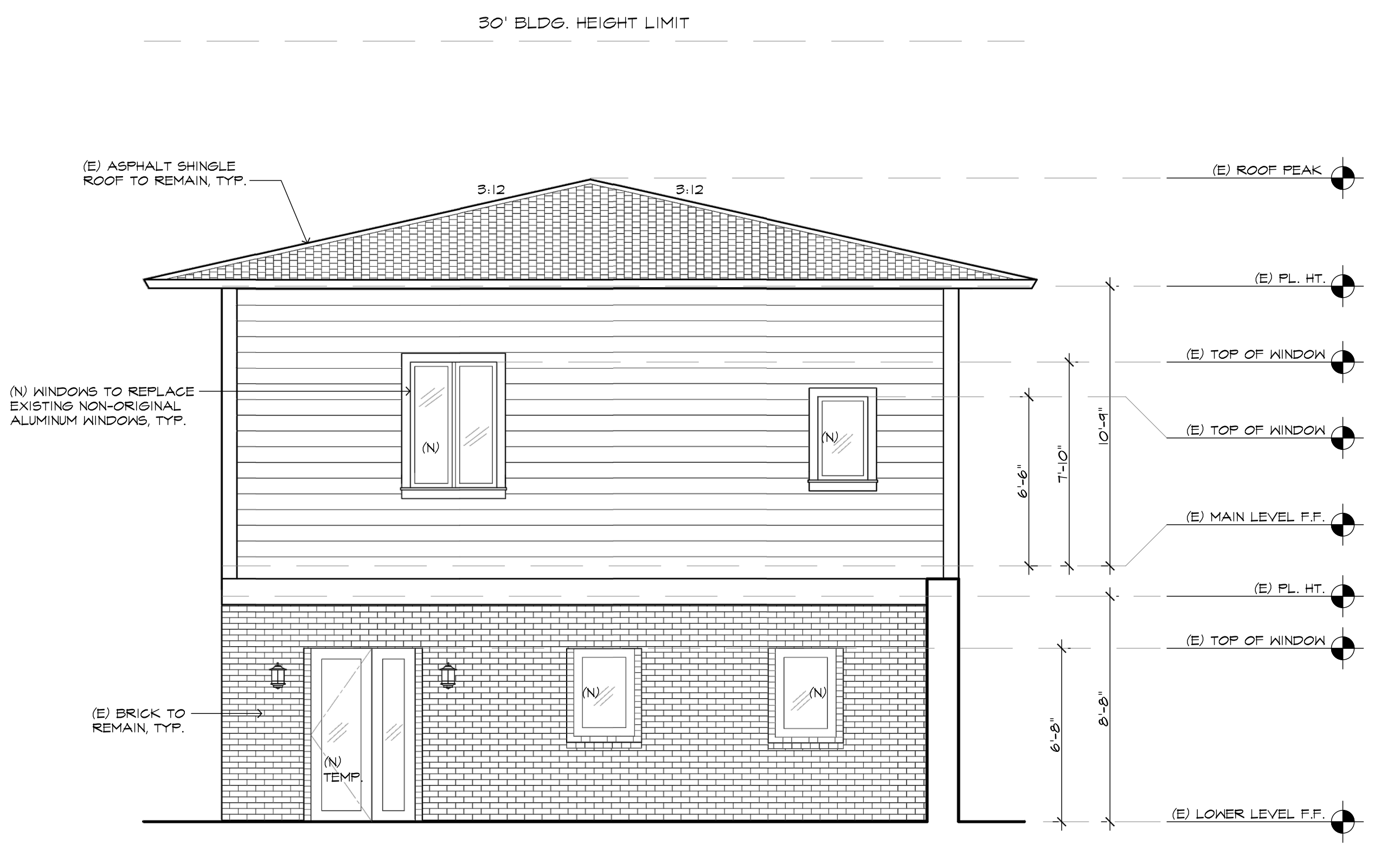


EXISTING CARRIAGE HOUSE ELEVATION - SOUTH  
SCALE: 1/4"=1'-0"

NOTE:  
(N) WINDOWS TO REPLACE EXISTING NON-ORIGINAL NON-PERMITTED ALUMINUM WINDOWS.  
EXISTING SLIDING BARN DOORS TO REMAIN/REPAIR IN KIND.  
(N) EXTERIOR DOORS IN EXISTING OPENING.  
(N) TRELLIS PROPOSED.



EXISTING CARRIAGE HOUSE ELEVATION - EAST  
SCALE: 1/4"=1'-0"



EXISTING CARRIAGE HOUSE ELEVATION - NORTH  
SCALE: 1/4"=1'-0"

**CITY STANDARD TITLEBLOCK**

PREPARED BY:  
KIM GRANT DESIGN, INC.  
2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
Phone: (619) 269-3630

PROJECT NAME:  
FLYOUT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE  
SAN DIEGO, CA 92103

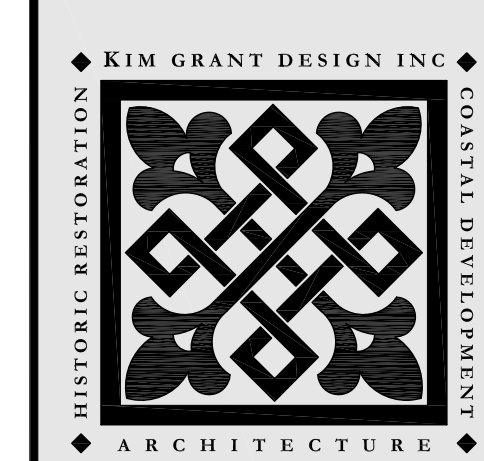
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Revision 9: \_  
Revision 8: \_  
Revision 7: \_  
Revision 6: \_  
Revision 5: \_  
Revision 4: \_  
Revision 3: 3/6/2020  
Revision 1: 10/16/2019

Original Date: 5/29/19  
Sheet: 10 of 12  
DEPR: \_

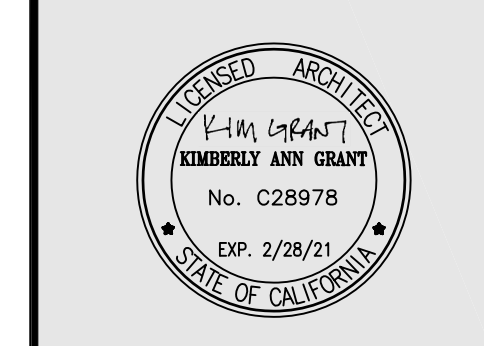
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**A4.1**  
CARRIAGE HOUSE ELEVATIONS  
3/6/2020



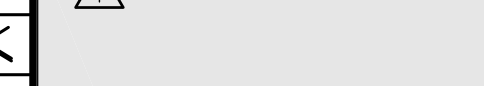


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SAN DIEGO, CA 92101  
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C.U.P. AMENDMENT BURNHAM HOUSE  
SAN DIEGO, CA 92103  
3563 & 3565 7TH AVENUE

REV. # DATE



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A4.2

BURNHAM HOUSE & CARRIAGE HOUSE PHOTOS

3/6/2020

BURNHAM HOUSE & CARRIAGE HOUSE EXTERIOR PHOTOS 3563 & 3565 7TH AVENUE SAN DIEGO, CA 92103



A

BY  
KIM GRANT DESIGN  
2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA. 92101

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



B

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



C

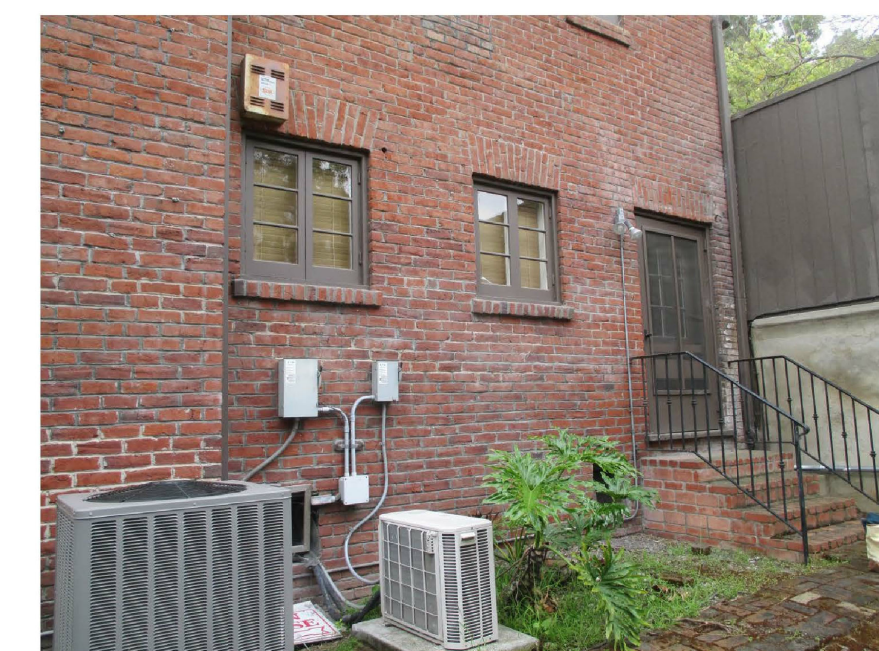


D

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



E



F

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



G



H

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



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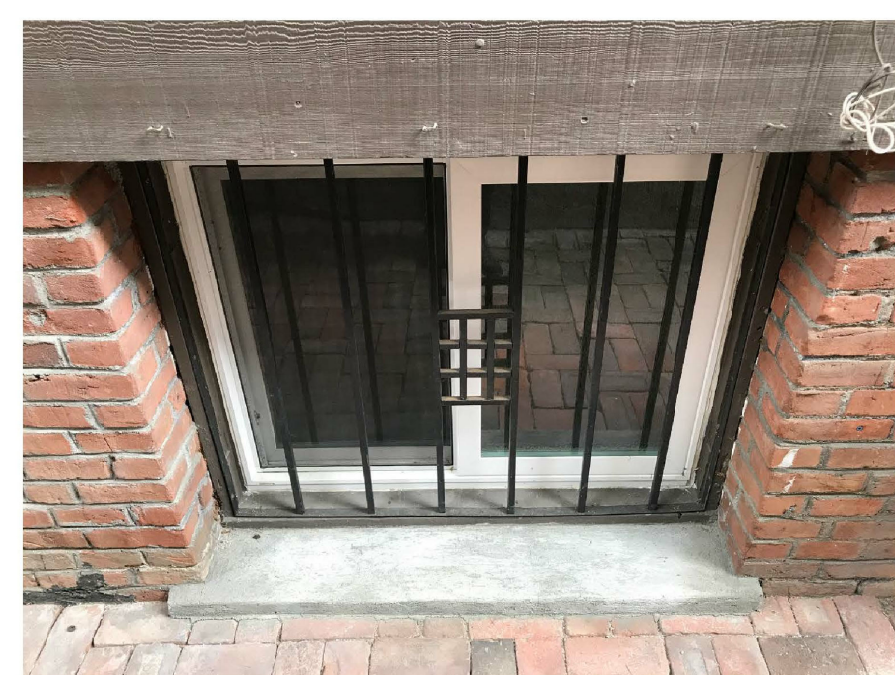


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BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



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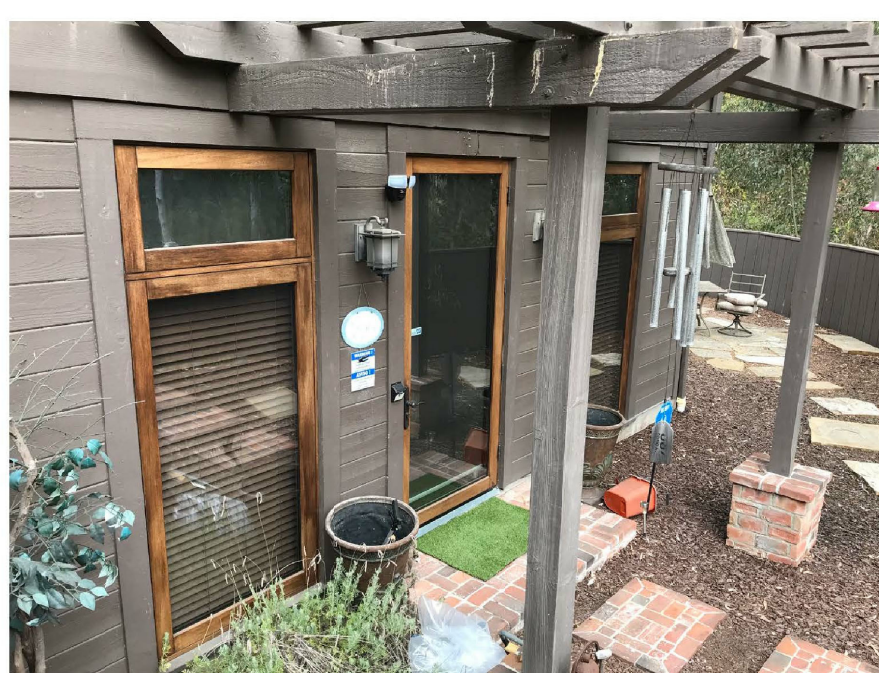


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BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



O



P

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



Q

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



J

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



L

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103

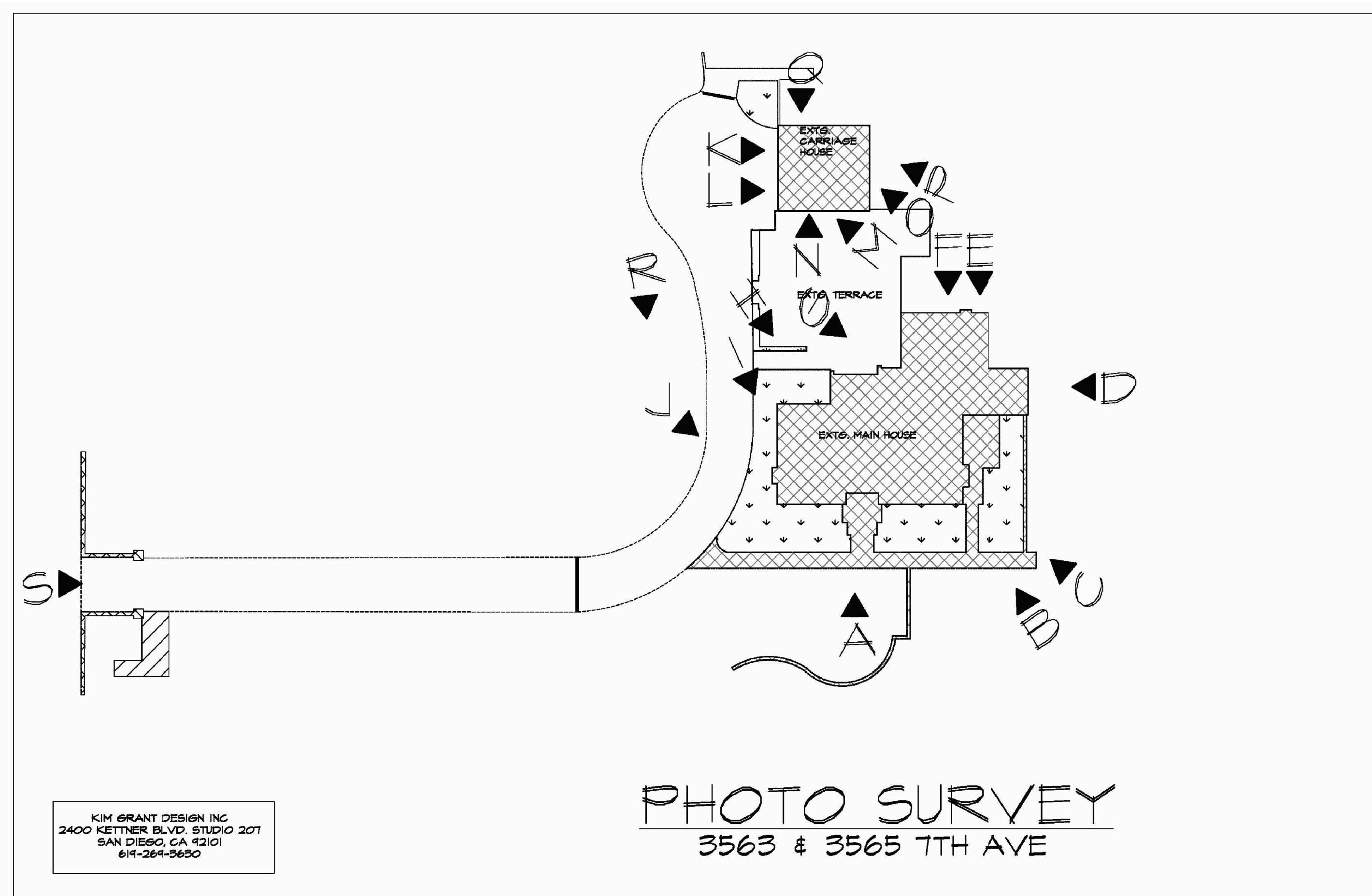


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S

BURNHAM HOUSE - 3563 & 3565 7TH AVENUE, SAN DIEGO CA 92103



KIM GRANT DESIGN INC  
2400 KETTNER BLVD. STUDIO 207  
SAN DIEGO, CA 92101  
619-269-3630

PHOTO SURVEY  
3563 & 3565 7TH AVE

CITY STANDARD TITLEBLOCK

Table with 2 columns: REV. # and DATE. The table contains the following information:

PREPARED BY:	KIM GRANT DESIGN, INC. 2400 KETTNER BLVD. STUDIO 207 SAN DIEGO, CA 92101 Phone: (619) 269-3630
PROJECT NAME:	PL-011 PROPERTIES BURNHAM HOUSE & CARRIAGE HOUSE 3563-3565 7TH AVE SAN DIEGO, CA 92103
Revision 10:	-
Revision 9:	-
Revision 8:	-
Revision 7:	-
Revision 6:	-
Revision 5:	-
Revision 4:	-
Revision 3:	5/6/2020
Revision 1:	10/16/2019
Original Date:	5/29/19
Sheet:	11 of 12
DEPR:	-





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SAN DIEGO, CA 92101  
7619.269.3630



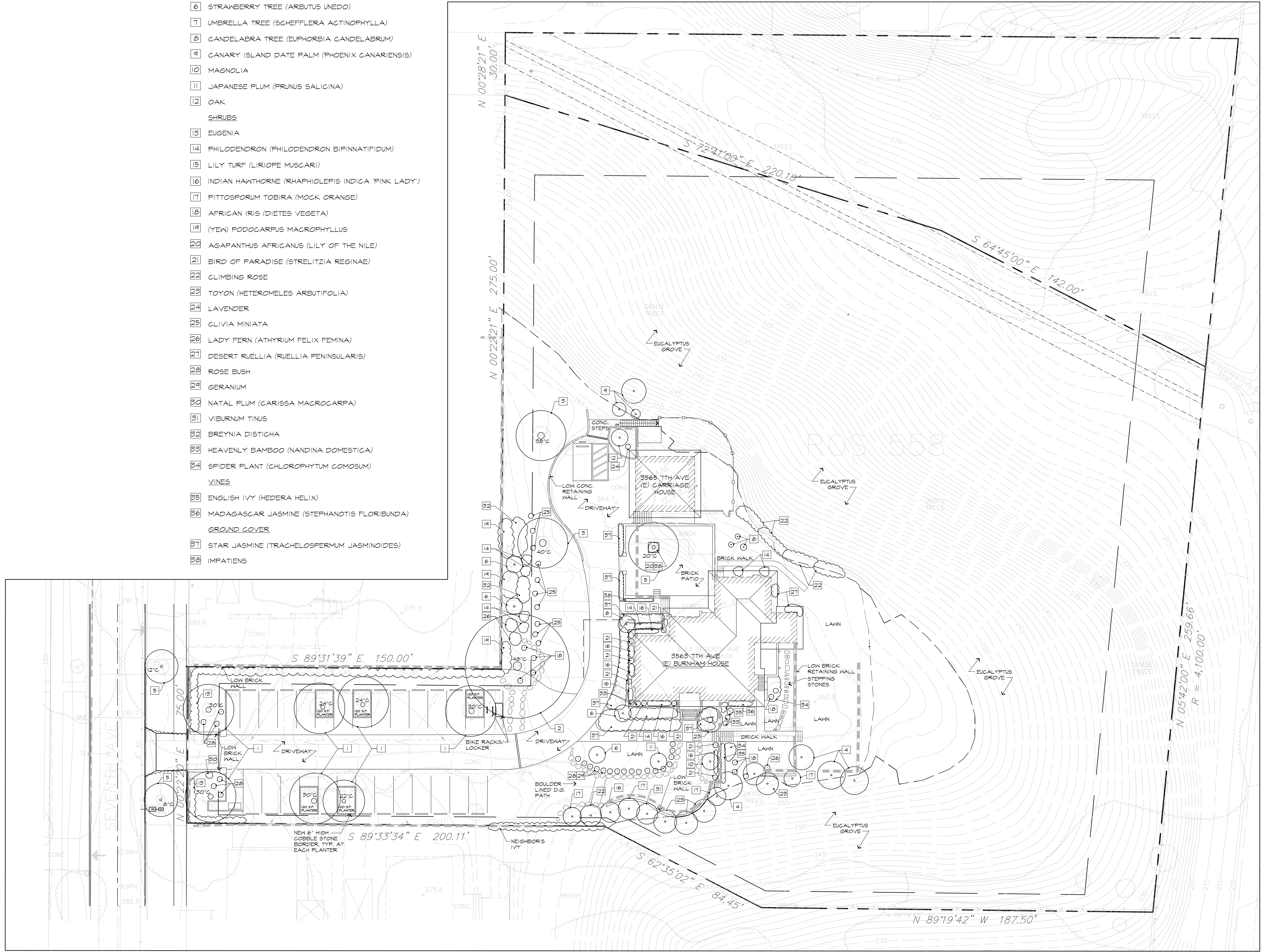
# C.U.P. AMENDMENT BURNHAM HOUSE

SAN DIEGO, CA 92103

3563 & 3565 7TH AVENUE

### LANDSCAPE PLANTING PLAN (EXISTING TO REMAIN)

- TREES**
- 1 PINE
  - 2 CAMPHOR (CINNAMOMUM CAMPHORA)
  - 3 MONTEREY CYPRESS (CYPRUSSUS MACROCARPA)
  - 4 CHINESE ELM
  - 5 JACARANDA MIMOSIFOLIA
  - 6 STRAWBERRY TREE (ARBUTUS UNEDO)
  - 7 UMBRELLA TREE (SCHEFFLERA ACTINOPHYLLA)
  - 8 CANDELABRA TREE (EUPHORBIA CANDELABRUM)
  - 9 CANARY ISLAND DATE PALM (PHOENIX CANARIENSIS)
  - 10 MAGNOLIA
  - 11 JAPANESE PLUM (FRUNUS SALICINA)
  - 12 OAK
- SHRUBS**
- 13 EUGENIA
  - 14 PHILODENDRON (PHILODENDRON BIFINNATIFIDUM)
  - 15 LILY TURF (LIRIOPE MUSCARI)
  - 16 INDIAN HAKTHORNE (RHAPHIOLEPIS INDICA 'PINK LADY')
  - 17 PITTIOSPORUM TOBIRA (MOCK ORANGE)
  - 18 AFRICAN IRIS (DIETES VEGETA)
  - 19 (YEW) PODOCARPUS MACROPHYLLUS
  - 20 AGAPANTHUS AFRICANUS (LILY OF THE NILE)
  - 21 BIRD OF PARADISE (STRELITZIA REGINAE)
  - 22 CLIMBING ROSE
  - 23 TOYON (HETEROMELES ARBUTIFOLIA)
  - 24 LAVENDER
  - 25 CLIVIA MINIATA
  - 26 LADY FERN (ATHYRIUM FELIX FEMINA)
  - 27 DESERT RUPELLIA (RUPELLIA PENINSULARIS)
  - 28 ROSE BUSH
  - 29 GERANIUM
  - 30 NATAL FLUM (CARISSA MACROCARPA)
  - 31 VIBURNUM TINUS
  - 32 BREYNIA DISTICHA
  - 33 HEAVENLY BAMBOO (NANDINA DOMESTICA)
  - 34 SPIDER PLANT (CHLOROPHYTUM COMOSUM)
- VINES**
- 35 ENGLISH IVY (HEDERA HELIX)
  - 36 MADAGASCAR JASMINE (STEPHANOTIS FLORIBUNDA)
- GROUND COVER**
- 37 STAR JASMINE (TRACHELOSPERMUM JASMINOIDES)
  - 38 IMPATIENS



### LANDSCAPE NOTES:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL THE OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
2. MINIMUM TREE SEPARATION DISTANCE:  
TRAFFIC SIGNALS/STOP SIGNS - 20 FEET  
UNDERGROUND UTILITY LINES - 5 FEET (10' FOR SEWER)  
ABOVE GROUND UTILITY STRUCTURES - 10 FEET  
DRIVEWAY (ENTRIES) - 10 FEET (5' FOR RESIDENTIAL STREETS (25MPH)  
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
3. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. LANDSCAPE AND IRRIGATION AREAS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
4. A MINIMUM ROOT ZONE OF 40 SF IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMG 142.0403(b)(5).
5. TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY PER THE SAN DIEGO MUNICIPAL CODE, SECTION 142.0403(b)(10).
6. MULCH: ALL REQUIRED PLANTING AREAS AND ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 3 INCHES, EXCLUDING SLOPES REQUIRING VEGETATION PER SDMG 142.0411.
7. EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:  
1. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.  
2. STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.  
3. ROOT SYSTEMS OF EXISTING TREES WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE KETTING AND DRYING DURING DEWATERING.  
4. THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES.  
5. ROOTS OF EXISTING TREES WILL BE CUT APPROXIMATELY 6 INCHES BACK FROM NEW CONSTRUCTION AND ALL CUTS WILL BE SEALED WITH WOOD PAINT AS MANUFACTURED BY FLINTKOTE OR APPROVED EQUAL.  
6. A CERTIFIED CONSULTING ARBORIST SHALL OVERSEE PRUNING OF ANY TREE 6-IN OR GREATER IN DIAMETER.  
7. MAINTAIN AND DOCUMENT A TREE WATERING SCHEDULE DURING CONSTRUCTION.  
8. ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.

### LANDSCAPE CONDITIONS:

1. PRIOR TO ISSUANCE OF ANY GRADING PERMIT, THE OWNER/PERMITEE SHALL SUBMIT COMPLETE CONSTRUCTION DOCUMENTS FOR THE REVEGETATION AND HYDRO-SEEDING OF ALL DISTURBED LAND IN ACCORDANCE WITH THE CITY OF SAN DIEGO LANDSCAPE STANDARDS, STORM WATER DESIGN MANUAL, AND TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT. ALL PLANS SHALL BE IN SUBSTANTIAL CONFORMANCE TO THIS PERMIT (INCLUDING ENVIRONMENTAL CONDITIONS) AND EXHIBIT 'A', ON FILE IN THE DEVELOPMENT SERVICES DEPARTMENT.
2. PRIOR TO THE ISSUANCE OF ANY PUBLIC IMPROVEMENT PERMIT, THE OWNER/PERMITEE SHALL SUBMIT COMPLETE LANDSCAPE CONSTRUCTION DOCUMENTS FOR RIGHT-OF-WAY IMPROVEMENTS TO THE DEVELOPMENT SERVICES DEPARTMENT FOR APPROVAL. IMPROVEMENT PLANS SHALL SHOW LABEL AND DIMENSION A 40-SQUARE-FOOT AREA AROUND EACH TREE WHICH IS UNENCUMBERED BY UTILITIES. DRIVEWAYS, UTILITIES, DRAINS, WATER AND SEWER LATERALS SHALL BE DESIGNED SO AS NOT TO PROHIBIT THE PLACEMENT OF STREET TREES.
3. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT (INCLUDING SHELL), THE OWNER/PERMITEE SHALL SUBMIT COMPLETE LANDSCAPE CONSTRUCTION DOCUMENTS, WHICH ARE CONSISTENT WITH THE LANDSCAPE STANDARDS, TO THE DEVELOPMENT SERVICES DEPARTMENT FOR APPROVAL. THE CONSTRUCTION DOCUMENTS SHALL BE IN SUBSTANTIAL CONFORMANCE WITH EXHIBIT 'A', LANDSCAPE DEVELOPMENT PLAN, ON FILE IN THE DEVELOPMENT SERVICES DEPARTMENT. CONSTRUCTION PLANS SHALL PROVIDE A 40-SQUARE-FOOT AREA AROUND EACH TREE THAT IS UNENCUMBERED BY HARDSCAPE AND UTILITIES UNLESS OTHERWISE APPROVED PER SEC. 142.0403(b)(5).
4. THE OWNER/PERMITEE SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS SHOWN ON THE APPROVED PLANS INCLUDING IN THE RIGHT-OF-WAY, UNLESS LONG-TERM MAINTENANCE OF SAID LANDSCAPING WILL BE THE RESPONSIBILITY OF ANOTHER ENTITY APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT. ALL REQUIRED LANDSCAPE SHALL BE MAINTAINED CONSISTENT WITH THE LANDSCAPE STANDARDS IN A DISEASE, WEED, AND LITTER FREE CONDITION AT ALL TIMES. SEVERE PRUNING OR TOPPING OF TREES IS NOT PERMITTED.
5. IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENTS IS DAMAGED OR REMOVED, THE OWNER/PERMITEE SHALL REPAIR AND/OR REPLACE IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR CERTIFICATE OF OCCUPANCY.

### CITY STANDARD TITLEBLOCK

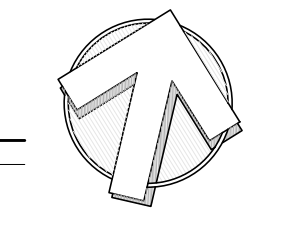
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PROJECT NAME:  
FLOIT PROPERTIES  
BURNHAM HOUSE & CARRIAGE HOUSE  
3563-3565 7TH AVE.  
SAN DIEGO, CA 92103

Revision 10	-
Revision 9	-
Revision 8	-
Revision 7	-
Revision 6	-
Revision 5	-
Revision 4	7/29/2020
Revision 3	6/8/2020
Revision 2	3/6/2020
Revision 1	10/16/2019
Original Date	5/29/19
Sheet	12 of 12
DEP#	-

## LANDSCAPE PLAN

SCALE 20' = 1"



REV. DATE

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LANDSCAPE PLAN

7/29/2020