



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: November 23, 2021 REPORT NO. HO-21-059

HEARING DATE: December 1, 2021

SUBJECT: DIGITAL DIAMOND STREET CDP/MW - Three Decision

PROJECT NUMBER: [684900](#)

OWNER/APPLICANT: 965-967 Diamond LLC.

### SUMMARY

Issue(s): Should the Hearing Officer approve an application to convert two residential units into condominiums and to waive the requirement to underground existing offsite overhead utilities at 965 Diamond Street, in the Pacific Beach Community Plan area?

#### Staff Recommendation(s):

1. Approve Coastal Development Permit No. 2522627.
2. Approve Map Waiver 2522629.

Community Planning Group Recommendation: On September 8, 2021, the Pacific Beach Planning Group voted 10-2-1 to approve the project without conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15305, Minor Alterations in Land Use. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 1, 2021, and the opportunity to appeal that determination ended October 18, 2021.

### BACKGROUND

The 0.07-acre site is located at 965 Diamond Street in the CSPD Cass Street and the Coastal Overlay (Non-Appealable) Zone, the Coastal Height Limit, the Parking Impact (Beach Impact Area), the Parking Standards, and the Transit Priority Area within the Pacific Beach Community Plan area. The property is zoned CSPD-Cass-Street Zone, and the Pacific Beach Community Plan designates the use of the project site as Single Family Residential development. The property is surrounded by both single family and multi-family residential development. The site is located several blocks east of the

Pacific Ocean. The site is not within, or adjacent to, the Multiple Species Conservation Program/Multi-Habitat Planning Area (MSCP) and does not contain other types of environmental sensitive lands as defined in San Diego Municipal Code (SDMC) Section 113.0103.

According to SDMC 125.0120 (b)(2)(A) the project requires approval a Map Waiver for a condominium conversion project creating four or fewer condominium units. In addition, in accordance with SDMC 126.0707(f) approval of a Coastal Development Permit is also required for the division of land within the Coastal Overlay Zone.

The project proposes to convert two residential units into condominiums and to waive the requirement to underground existing offsite overhead utilities. The proposed project is a map action only creating condominiums entitlement for a previously approved project. This project is not for the construction of any new units.

### DISCUSSION

The project proposes to convert two residential units into condominiums and to waive the requirement to underground existing offsite overhead utilities. The subdivision of this site, which is surrounded by existing residential development, is consistent with the residential policies of the Pacific Beach Community Plan. The existing development was previously approved by construction permits issued pursuant to Project No. 313349. The project is in an established residential neighborhood of the Pacific Beach Community Plan. Consistent with Objective A, of the General Plan Housing Element, the City encourages the production of a diversity of new housing to ensure that an adequate supply is available to meet the existing and future needs of all residents. The condominium conversion allows for additional homeownership opportunities. Additionally, a goal of enhancing residential neighborhoods is met by planting trees and landscaping along the street frontage.

The proposed project is a subdivision of the property to create two condominium ownership interests which comply with the development regulations of the Land Development Code. The proposed project is located within an urbanized and fully developed residential neighborhood in the Pacific Beach Community Plan and the Local Coastal Program. The Map Waiver for the project was reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Map Waiver includes conditions and corresponding exhibits of approvals, and payment of applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. All onsite utilities serving the subdivision will be undergrounded with the appropriate permits.

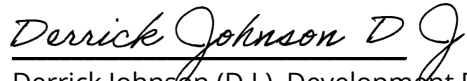
### CONCLUSION

The project complies with the requirements of the CSPD Cass Street zone, and all applicable sections of the Land Development Code, the State Map Act and the Pacific Beach Community Plan, with no deviations requested. Staff has prepared draft findings in the affirmative to approve the project and recommends approval of Coastal Development Permit No. 2522627 and Map Waiver No. 2522629.

### ALTERNATIVES

1. Approve Coastal Development Permit No. 2522627, Map Waiver 2522629, with modifications.
2. Deny Coastal Development Permit No. 2522627, Map Waiver 2522629, if the findings required to approve the project cannot be affirmed.

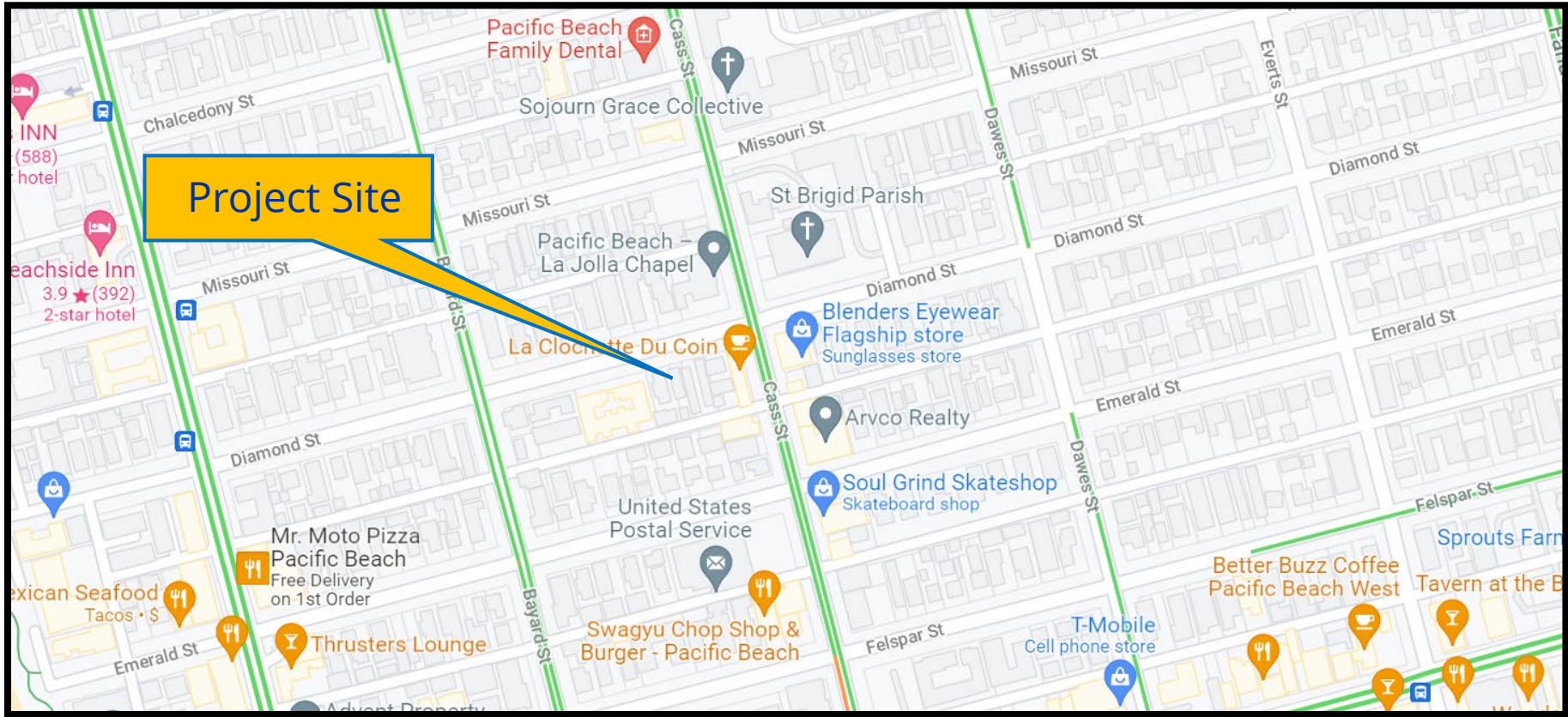
Respectfully submitted,



Derrick Johnson (D.J.), Development Project Manager

Attachments:

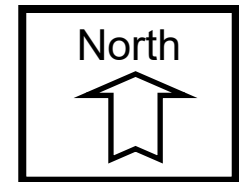
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Draft Map Resolution
7. Draft Map Conditions
8. Notice of Right to Appeal (NORA) - Exemption
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Map Exhibit-Map Waiver

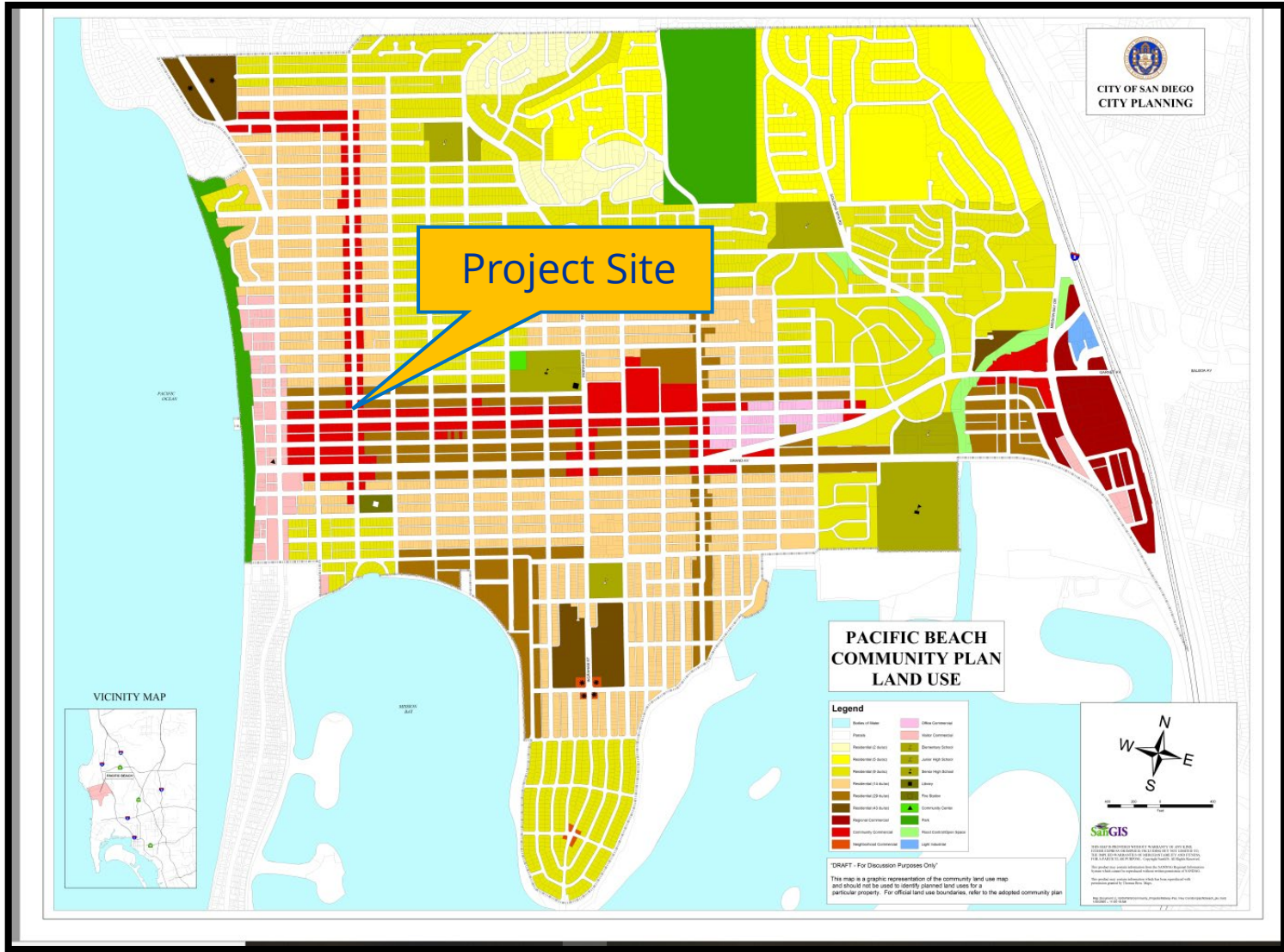


## Project Location Map

Diamond Street CDP/MW/ 965 Diamond Street

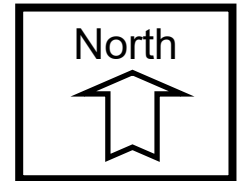
PROJECT NO. 684900

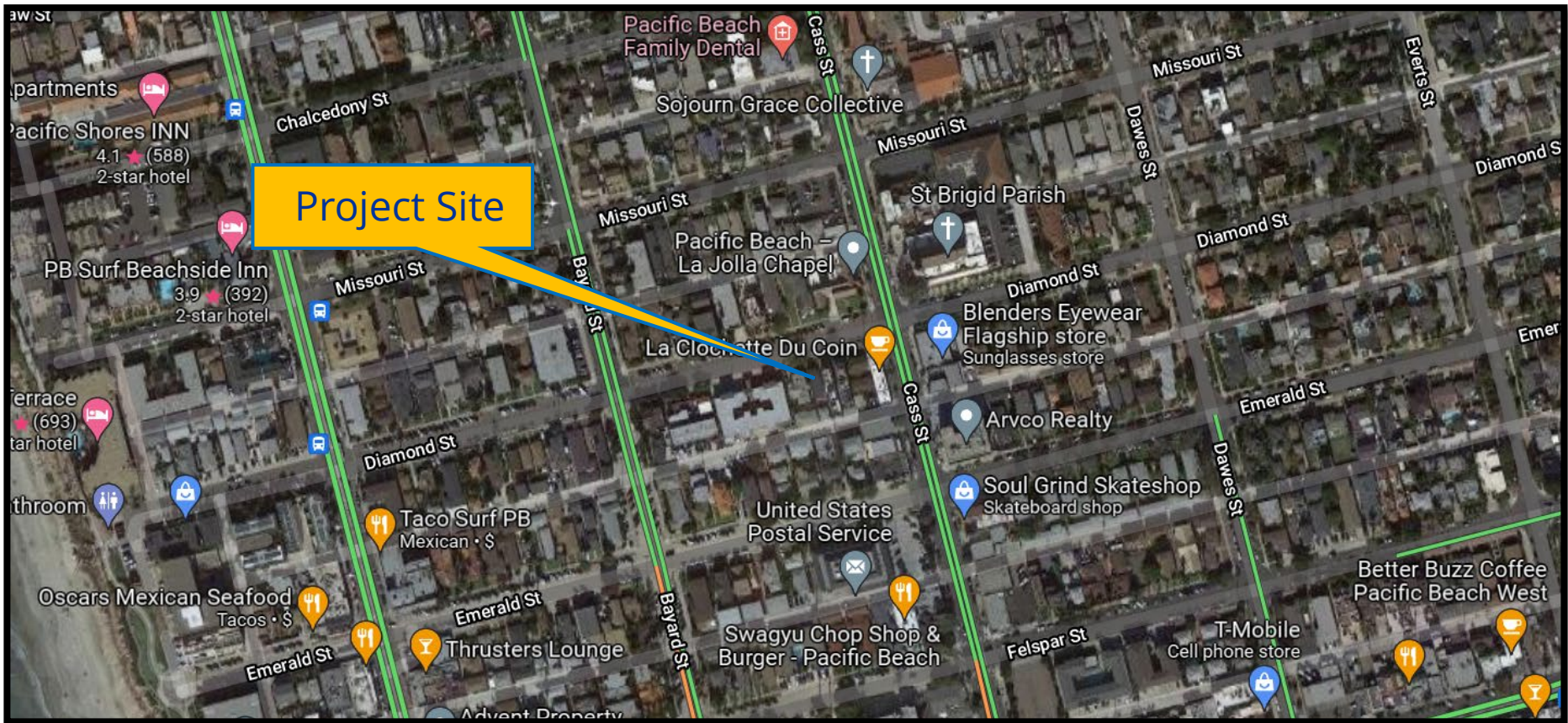




# Land Use Map

Diamond Street CDP/MW / 965 Diamond Street  
PROJECT NO. 684900



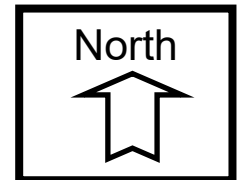


Project Site



## Aerial Photo

Diamond Street CDP/MW / 965 Diamond Street  
PROJECT NO. 684900



**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: 11004543

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2522627  
**DIGITAL DIAMOND STREET CDP/MW PROJECT NO. 684900**  
HEARING OFFICER

This Coastal Development Permit No. 2522627 is granted by the Hearing Officer of the City of San Diego to 965-967 Diamond, LLC., a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0707(f). The 0.07-acre site is located at 965 Diamond Street in the CSPD Cass Street and the Coastal Overlay (Non-Appealable) Zone, the Coastal Height Limit, the Parking Impact (Beach Impact Area), the Parking Standards, and the Transit Priority Area within the Pacific Beach Community Plan area. The project site is legally described as: Lot 17 in Block 157 Of Pacific Beach, City of San Diego, County of San Diego, Map No(s). 697 and 854, Recorded on January 8, 1892 and September 28, 1898.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to for a residential condominium conversion of two units within an existing building. No new construction is proposed, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 1, 2021 on file in the Development Services Department.

The project shall include:

- a. Residential condominium conversion of two units within an existing building. No new construction is proposed;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by December 16, 2024.
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.
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 building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
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. The Coastal Development Permit shall comply with the conditions of the Final Map for Diamond Street Map Waiver Map No. 2522629.

**LANDSCAPE REQUIREMENTS:**

13. 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 be designed where all hardscape, driveways, utilities, drains, water, & sewer laterals shall not prohibit the required placement of trees. Include a scaled symbol, label, & dimension the required placement of the 40-sqft tree area/root zone around each tree, unless otherwise approved per SDMC 142.0403(b)(5).

14. Prior to issuance of any construction permit, the Owner/Permittee shall submit complete landscape construction documents which are consistent with the City's Landscape Standards to the Development Services Department for approval. All plans shall be in substantial conformance with Exhibit 'A', filed in the DSD. Construction plans shall be designed where all hardscapes & utilities shall not prohibit the required placement of trees. Include a scaled symbol, label, & dimension the required placement of the 40-sqft tree area/root zone around each tree.

15. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit 'A,' filed in the DSD. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area'.

16. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including 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 City's Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

**PLANNING/DESIGN REQUIREMENTS:**

18. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

19. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

20. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

21. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

22. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

**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 December 1, 2021 and Resolution No. XXXX.

Coastal Development Permit No. 2522627  
Date of Approval: December 1, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Derrick Johnson (D.J.)  
Development Project Manager

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

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

965-967 Diamond, LLC.  
Owner/Permittee

By \_\_\_\_\_  
Anna Ryan  
Owner/Permittee

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

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
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- 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 December 16, 2024.
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:
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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.
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.).
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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.

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**PLANNING/DESIGN REQUIREMENTS:**

18. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

19. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.



20. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

21. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

22. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

**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 December 1, 2021 and Resolution No. XXXX.

Coastal Development Permit No. 2522627  
Date of Approval: December 1, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Derrick Johnson (D.J.)  
Development Project Manager

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

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

965-967 Diamond, LLC.  
Owner/Permittee

By \_\_\_\_\_  
Anna Ryan  
Owner/Permittee

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

RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE DECEMBER 1, 2021  
A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS  
AND APPROVING MAP WAIVER NO. 2522629

**DIGITAL DIAMOND STREET CDP/MW PROJECT NO. 684900**

WHEREAS, 965-967 Diamond, LLC., a California Limited Liability Company, Subdivider, and, Surveyor, submitted an application with the City of San Diego for Map Waiver No. 2522629, to waive the requirement for a Tentative Map for a residential condominium conversion of two units within an existing building and to waive the requirement to underground existing offsite overhead utilities. The 0.07-acre site is located at 965 Diamond Street in the CSPD-Cass-Street Zone, and the Coastal Overlay (Non-Appealable), the Coastal Height Limit, the Parking Impact (Beach Impact Area), the Parking Standards, and the Transit Priority Area overlay zones within the Pacific Beach Community Plan area. The property is legally described as Lot 17 in Block 157 Of Pacific Beach, City of San Diego, County of San Diego, Map No(s). 697 and 854, Recorded on January 8, 1892 and September 28, 1898; and

WHEREAS, the map proposes the subdivision of 0.07-acre site into one (1) lot for a 2-unit condominium ownership.

WHEREAS, on October 1, 2021, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et. seq.*) under CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations and there was no appeal of the Environmental Determination filed within the time

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is two; and

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c) based on (B) The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. and

WHEREAS, on December 1, 2021, the Hearing Officer of the City of San Diego considered Map Waiver No. 2522629, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to section 125.0122 (map waiver), and 144.0240 (underground) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. 2522629:

**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.**

The 0.07-acre site is located at 965 Diamond Street in the CSPD-Cass-Street Zone, and the Coastal Overlay (Non-Appealable) , the Coastal Height Limit, the Parking Impact (Beach Impact Area), the Parking Standards, and the Transit Priority Area overlay zones within the Pacific Beach Community Plan area. The Pacific Beach Community Plan designates the use of the project site as Single Family Residential development. The project is in an established residential neighborhood of the Pacific Beach Community Plan. The subdivision of this site, which is surrounded by existing residential development, is consistent with the residential policies of the Pacific Beach Community Plan. The existing development was previously approved as noted above and constructed pursuant to building permits issued under Coastal Development Permit No. under Project 313349, approved in 2013. The project is in an

established residential neighborhood of the Pacific Beach Community Plan area. Consistent with Objective A of the General Plan Housing Element, the City encourages the production of a diversity of new housing to ensure that an adequate supply is available to meet the existing and future needs of all residents. While no new units are proposed with this action, the condominium conversion allows for additional homeownership opportunities. The existing development meets the requirements for density of 9-14 dwelling units per acre, minimum lot area, lot depth and lot width. No new construction is proposed. Therefore, the proposed subdivision is consistent with the policies, goals, and objectives of the applicable land use plan.

**2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.**

The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions to ensure the provision of adequate parking, project access and public improvements and compliance with the Land Development Code. The existing development was previously approved as noted above and constructed pursuant to building permits issued under Coastal Development Permit No. under Project 313349, approved in 2013. No deviations are proposed with this mapping action. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

**3. The site is physically suitable for the type and density of development.**

The site contains two existing residential units which will remain. The site is located in a developed, urban neighborhood with no Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on, or adjacent to, the site that would limit the developable area of each lot under the SDMC regulations. Based on the City of San Diego Geologic Hazard and faults maps, there are no known geological hazard at the subject site. A geologic report was not required to determine that the site is suitable for its intended use. Therefore, the subdivision to create two condominiums is physically suitable for the type and allowed density.

**4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

This subdivision is located in a developed, residential neighborhood, which is surrounded by other residential uses. There are no watercourses, ESL or MHPA lands located on or adjacent to the site. The project was determined to be exempt from CEQA section 15305, Minor Alterations in Land Use Limitations, and therefore, the project will not have a significant effect on the environment. Therefore, proposed map action, which proposes no additional development or improvements, would not result in substantial environmental damage or injury to any wildlife or habitat.

**5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.**

The Map Waiver for the project was reviewed and determined to be in compliance with the

Municipal Code and Subdivision Map Act. All future onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall obtain an Encroachment Maintenance Removal Agreement for the landscape and irrigation located within the Diamond Street's right-of-way, assure by permit and bond the removal of the existing curb, and replacement with new City standard curb & gutter, adjacent to the site on Diamond Street, assure by permit and bond the replacement of damaged portion alley with current City standard concrete alley, adjacent to the site, satisfactory to the City Engineer. The additional public improvements will ensure that the project is not detrimental to the public health, safety, and welfare.

**6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

There are no access easements through the property. The site will continue to have pedestrian access along the frontage at Diamond Street, which is developed with curb, gutter, and sidewalk. As there are no easements, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

**7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.**

The design of the subdivision has taken into account the best use of the land. The proposed subdivision complies with Land Development Code Regulations and will have to comply with all issued Building Permit requirements, including setbacks and height limitations ensuring adequate natural light and air movement between any new construction and the existing residence. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

**8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.**

The subdivision creates two condominiums on a site that is designated Residential. The project does not propose any new construction and the existing residential structure will remain. The site is served by existing public infrastructure, including the developed rights-of-way and water, sewer, electrical and gas lines. Impacts to environmental resources would be avoided in that the site is located in a developed, urban neighborhood and does not contain nor is adjacent to such resources. The subdivision would not place a significant impact on public resources such as police, fire, parks, and library resources. As stated in the Community Plan, the goal is to preserve the single-family neighborhood character, but also provide housing for the growing population. The proposed mapping action would allow for the creation of two condominiums which maintains the single-family character while aiding in the housing needs of the growing population by providing the additional homeownership opportunity. The decision maker has reviewed the administrative record including the project plans, environmental documentation, and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Those needs were balanced against the needs for public services and available

fiscal and environmental resources and found that the proposed subdivision will contribute to alleviating the housing needs of the Pacific Beach Community Plan area.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. 2522629, including the waiver of the requirement to underground existing offsite overhead utilities is hereby granted to 965-967 Diamond, LLC. subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Derrick Johnson (D.J.)  
Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions  
Internal Order No. 11004543

## ATTACHMENT 7

HEARING OFFICER  
CONDITIONS FOR MAP WAIVER NO. 2522629  
**DIGITAL DIAMOND STREET CDP/MW PROJECT NO. 684900**  
ADOPTED BY RESOLUTION NO.XXXXXX ON DECEMBER 1, 2021

### GENERAL

1. This Map Waiver will expire December 16, 2024.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance (COC) shall be recorded with the County Recorder prior to the expiration date of the Tentative Map Waiver.
4. A Certificate of Compliance shall be recorded with the County Recorder prior to the expiration date of the Map Waiver.
5. Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.  
  
If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Certificate of compliance.
6. The Map Waiver shall comply with the provisions of Coastal Development Permit No. 2522627.
7. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monument was missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.
8. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim,



## ATTACHMENT 7

action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

### **CONDOMINIUM CONVERSION**

9. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
  - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or
  - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
10. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
11. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.
12. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Certificate of Compliance for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
13. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
14. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).
15. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).

## ATTACHMENT 7

16. Prior to the recordation of the Certificate of Compliance, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

### **ENGINEERING**

17. The subdivider shall obtain an Encroachment Maintenance Removal Agreement for the landscape and irrigation located within the Diamond Street's right-of-way, satisfactory to the City Engineer.
18. The subdivider shall assure by permit and bond the removal of the existing curb, and replacement with new City standard curb & gutter, adjacent to the site on Diamond Street, satisfactory to the City Engineer.
19. The subdivider shall assure by permit and bond the replacement of damaged portion alley with current City standard concrete alley, adjacent to the site, satisfactory to the City Engineer.
20. The drainage system proposed for this subdivision, as shown on the approved vesting tentative map, is private and subject to approval by the City Engineer.
21. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
22. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
23. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

### **MAPPING**

24. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
25. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
26. Every Certificate of Compliance shall:

## ATTACHMENT 7

- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

### **INFORMATION:**

- The approval of this Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 11004543



THE CITY OF SAN DIEGO

Date of Notice: October 1, 2021

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No.: 12000049

**PROJECT NAME / NUMBER:** Diamond St CDP MW / 684900

**COMMUNITY PLAN AREA:** Pacific Beach Community Plan

**COUNCIL DISTRICT:** 2

**LOCATION:** 965 Diamond Street, San Diego, CA 92109

**PROJECT DESCRIPTION:** Map Waiver and Coastal Development Permit for a residential condominium conversion of two units within an existing building. No new construction is proposed. The 0.07-acre site is located at 965 Diamond Street in the CSPD Cass Street and the Coastal Overlay (Non-Appealable) Zone, within the Pacific Beach Community Plan area.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Hearing Officer

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15305, Minor Alterations in Land Use Limitations

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15305, Minor Alterations in Land Use Limitations; and where the exceptions listed in Section 15300.2 would not apply.

**DEVELOPMENT PROJECT MANAGER:** Derrick "DJ" Johnson

**MAILING ADDRESS:** 1222 First Avenue, MS 501, San Diego, CA 92101-4153

**PHONE NUMBER / EMAIL:** (619) 446-5477/ [Dnjohnson@sandiego.gov](mailto:Dnjohnson@sandiego.gov)


On October 1, 2021 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determinations to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (October 18, 2021). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals

to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00 p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project # on the memo line of the check.
  
- 2) Appeals filed in person: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf> . Deposit the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) in a sealed envelope, into the Drop-Off Box located under the Public Notice Kiosk to the left of the public entrance to the City Administration Building, 202 "C" Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The Drop-Off Box is available from 8:00am to 5:00pm Monday through Friday (excluding City-approved holidays). The completed appeal package must include the required appeal fee per this bulletin in the form of a check or money order payable to the "City Treasurer." Please include the project # on the memo line of the check/money order. This Drop-Off Box is checked daily, and payments are processed the following business day.

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

|  |   |   |                                 |                 |
|--|---|---|---------------------------------|-----------------|
| <b>Page 3</b>  |   | <b>City of San Diego · Information Bulletin 620</b>           |                                 | <b>May 2020</b> |
|   | <b>City of San Diego<br/>Development Services</b> | <b>Community Planning<br/>Committee Distribution<br/>Form</b> |                                 |                 |
| Project Name:<br><b>965 &amp; 967 Diamond Street - VTM</b>   |   | Project Number:<br><b>684900</b>                              |                                 |                 |
| Community:<br><b>Pacific Beach</b>   |   |   |                                 |                 |
| <p>For project scope and contact information (project manager and applicant),<br/>log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p> |   |   |                                 |                 |
| <input checked="" type="radio"/> Vote to Approve<br><input type="radio"/> Vote to Approve with Conditions Listed Below<br><input type="radio"/> Vote to Approve with Non-Binding Recommendations Listed Below<br><input type="radio"/> Vote to Deny  |   |   |                                 |                 |
| # of Members Yes   | # of Members No                                   | # of Members Abstain  |                                 |                 |
| 10   | 2   | 1   |                                 |                 |
| Conditions or Recommendations:<br><b>Reasons given for member abstaining: would like more information on the project, in particular, historical context of the building, its owner/developer and other projects Developer owns or has built in the vicinity.</b>                               |   |   |                                 |                 |
| <input type="checkbox"/> No Action<br>(Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)   |   |   |                                 |                 |
| NAME: <b>Ed Gallagher</b>  |   |   |                                 |                 |
| TITLE: <b>Chair, Development Subcommittee, PB CPG</b>  |   |   | DATE: <b>September 08, 2021</b> |                 |
| <i>Attach additional pages if necessary (maximum 3 attachments).</i>   |   |   |                                 |                 |

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

**Project Title:** Diamond Street Residences **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 965-967 Diamond Street

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

Corporation  Limited Liability -or-  General - What State? CA Corporate Identification No. 19-323618

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: 965-967 Diamond, LLC, Anna Ryan  Owner  Tenant/Lessee  Successor Agency

Street Address: 967 Diamond Street

City: San Diego State: CA Zip: 92109

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature:  Date: 11-13-2020

Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: Anna Ryan  Owner  Tenant/Lessee  Successor Agency

Street Address: 967 Diamond Street

City: San Diego State: CA Zip: 92109

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

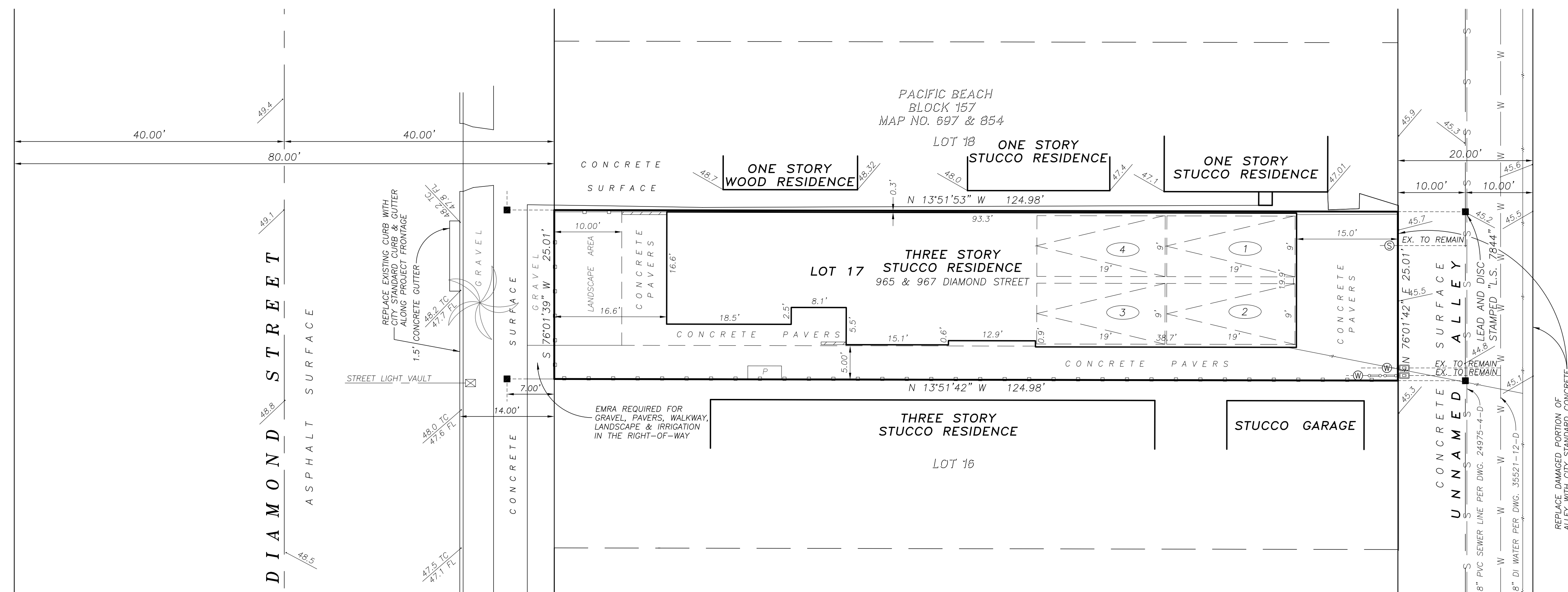
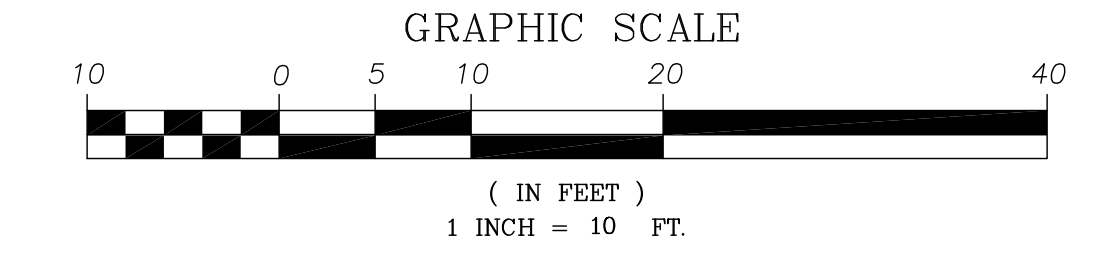
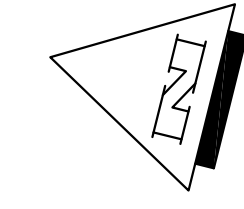
Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

# Map Waiver No. 2522629

Project No. 0684900, CDP No. 2522627  
965-967 Diamond Street



- LEGEND:**
- INDICATES LEAD AND DISC STAMPED "L.S. 7046", EXCEPTED AS NOTED
  - ⊠ INDICATES WATER METER
  - ⊞ INDICATES VAULT AS NOTED
  - ⊕ INDICATES BACKFLOW PREVENTION VALVE
  - P INDICATES PLANTER
  - TC INDICATES TOP OF CURB
  - FL INDICATES FLOWLINE
  - |— INDICATES WOOD/PLASTIC FENCE
  - |— INDICATES OVERHEAD WIRES
  - ① INDICATES PARKING SPACE
  - S— INDICATES SEWER LATERAL
  - W— INDICATES WATER SERVICE
  - S— INDICATES SEWER LINE
  - W— INDICATES WATER LINE
  - |— INDICATES PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY

**PROFESSIONAL LAND SURVEYOR:**  
SAN DIEGO LAND SURVEYING & ENGINEERING, INC.  
7028 CONVOY COURT  
SAN DIEGO, CALIFORNIA 92111 (858) 565-8362



*Robert J. Bateman*  
ROBERT J. BATEMAN, P.L.S. 7046  
8/12/2021  
DATE

- CITY OF SAN DIEGO DEVELOPMENT SUMMARY**
- SUMMARY OF REQUEST:**  
CONVERT TWO RESIDENTIAL DWELLING UNITS TO CONDOMINIUMS AND FILE A CERTIFICATE OF COMPLIANCE.
  - STREET ADDRESS:** 965 & 967 DIAMOND STREET  
N S E W SIDE BETWEEN CASS STREET AND BAYARD STREET
  - SITE AREA:**  
TOTAL SITE AREA (GROSS): (3,126 SF) (0.0718 AC.)  
NET SITE AREA: (3,126 SF) (0.0718 AC.)
  - DENSITY: (RESIDENTIAL)**  
MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 2  
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 2  
NUMBER OF PROPOSED UNITS ON SITE: 0  
TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 2
  - YARD/SETBACK** MINIMUM RM-1-1 MINIMUM CSPD-CASS-STREET  
FRONT SIDE: 15' 10'  
INTERIOR SIDE YARD: 5' 0'  
REAR SIDE YARD: 15' 0'
  - PARKING:**  
PARKING CRITERIA:  
 RESIDENTIAL  COMMERCIAL  INDUSTRIAL  
 MIXED USE  OTHER

**UTILITY TABLE:**

| UTILITY   | OVERHEAD | UNDERGROUND |
|-----------|----------|-------------|
| CATV      |          | X           |
| ELECTRIC  |          | X           |
| GAS       |          | X           |
| TELEPHONE |          | X           |

**MAPPING NOTE:**  
ALL PROPERTY CORNERS WILL BE SET AFTER THE COMPLETION OF THE PUBLIC IMPROVEMENTS AND A CORNER RECORD MAP WILL BE FILED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE.

**EXISTING IMPROVEMENTS**  
SEWER DRAWING NO. 24975-4-D  
WATER DRAWING NO. 35521-12-D

**EXISTING EASEMENT:**  
1. NONE

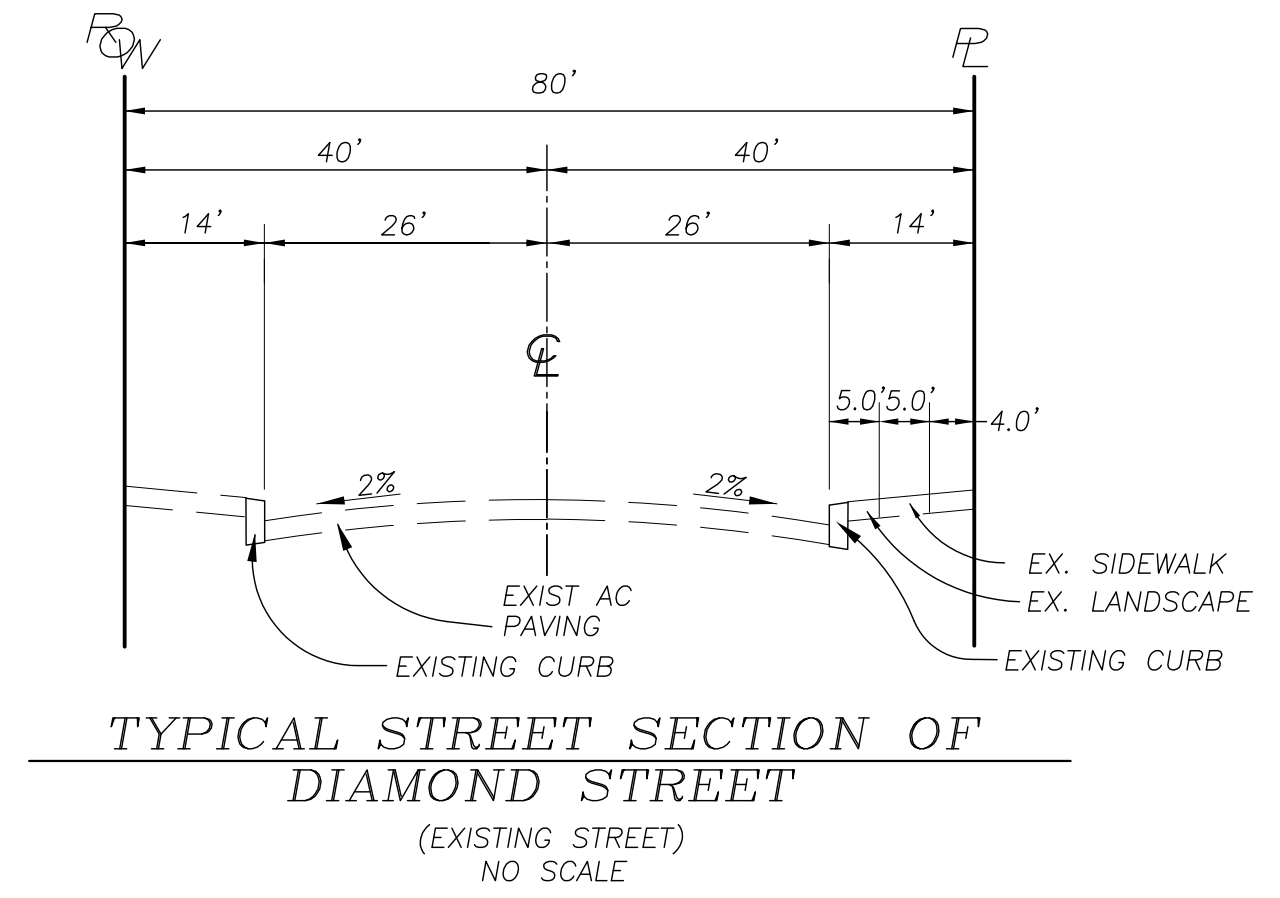
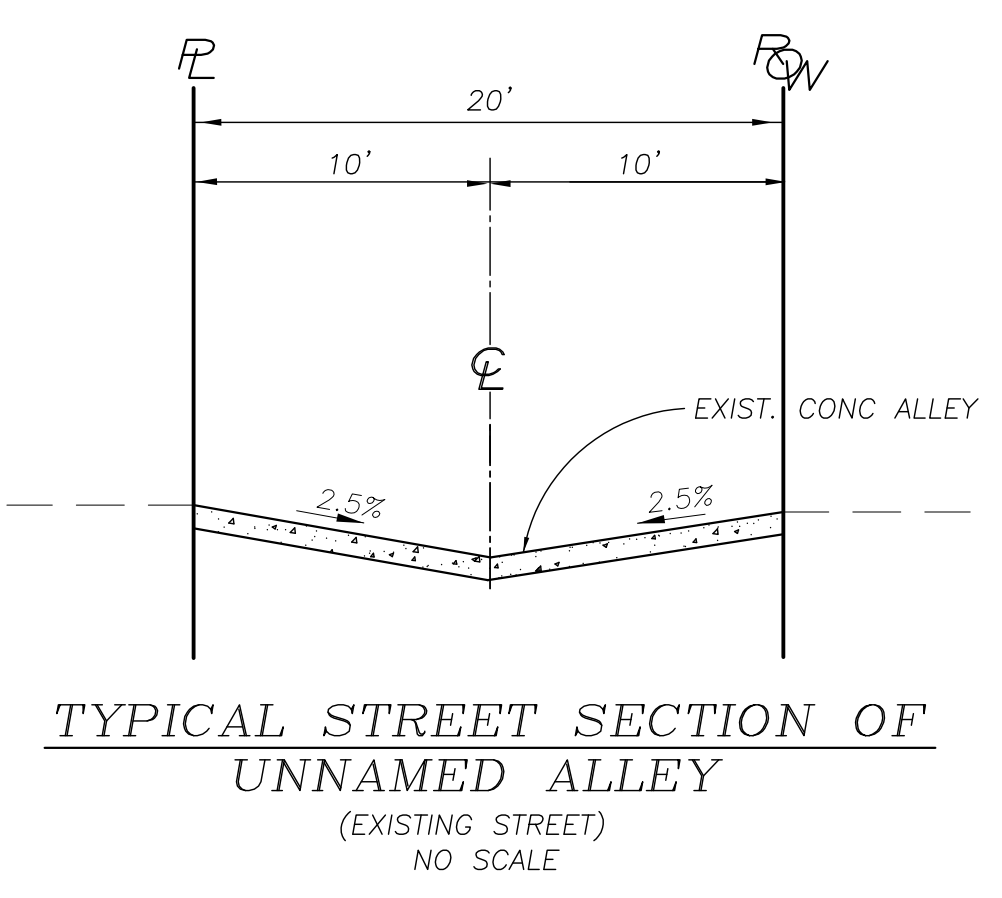
| TYPE OF UNIT                  | NUMBER OF TYPE | PARKING REQUIRED PER UNIT | TOTAL PER TYPE |
|-------------------------------|----------------|---------------------------|----------------|
| 1 BR UNIT                     | 1              | 1.25                      | 1.25           |
| 2 BR UNIT                     | 1              | 1.50                      | 1.5            |
| <b>TOTAL REQUIRED BY ZONE</b> |                |                           | <b>3.75</b>    |
| <b>TOTAL PROVIDED ON-SITE</b> |                |                           | <b>4</b>       |

**UNIT AREAS**

| TYPE OF UNIT    | NUMBER OF TYPE | SQUARE FOOTAGE PER UNIT |
|-----------------|----------------|-------------------------|
| 1 BR UNIT (965) | 1              | 1,962                   |
| 2 BR UNIT (967) | 1              | 2,011                   |
| <b>TOTAL</b>    | <b>2</b>       | <b>3,973</b>            |

**ZONING INFORMATION**  
EXISTING AND PROPOSED ZONE: RM-1-1 & CSPD-CASS-STREET  
COMMUNITY OF PACIFIC BEACH  
OVERLAY ZONES: PARKING IMPACT  
COASTAL HEIGHT LIMIT  
COASTAL CITY

**OWNER/DEVELOPER:**  
965 & 967 DIAMOND LLC  
301 WEST 118TH STREET, PH3C  
NEW YORK, NY 10026  
  
ANNA RYAN, MANAGING MEMBER



Prepared By:  
SAN DIEGO LAND SURVEYING AND ENGINEERING, INC.  
7028 CONVOY COURT  
SAN DIEGO, CA 92111-1017  
PHONE: 858-565-8362  
FAX: 858-565-4354 EMAIL: rbateman@sdsle.com

Consultants:

Basis of Bearings:  
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE SOUTHERLY RIGHT OF WAY OF DIAMOND STREET AS SHOWN ON CORNER RECORD 35524. I.E. N 76°01'39" E

Benchmark:  
CITY OF SAN DIEGO BENCHMARK:  
NORTHWEST BRASS PLUG  
CASS STREET & EMERALD STREET  
ELEVATION= 44.130 M.S.L.

Project Legal Description:  
LOT 17 IN BLOCK 157 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 897 AND 854 THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 8, 1892 AND SEPTEMBER 28, 1898.

Project Soil Condition: Existing developed site.

Source of Topography:  
Field survey by San Diego Land Surveying on 11-10-2020

Project Permits Required:  
Map Waiver  
Certificate of Compliance

Project Data:  
Number of Stories: 3  
Proposed use: Residential  
Existing use: Residential  
Zone Designation: RM-1-1  
Pacific Beach San Diego  
Year of Construction:

LAMBERT COORDINATES:  
NAD 27 = 232-1691 NAD 83 = 1,872-6,253  
A.P.N. 415-601-28

Project Name:  
**DIAMOND STREET RESIDENCES**

Project Address:  
965 & 967 Diamond Street San Diego, CA 92109

Project Owner:  
965 & 967 Diamond LLC  
301 West 118th Street  
New York, NY 10026

Sheet Title:  
**Tentative Map Waiver No. 2522629  
Project No. 0684900**

Scale: 1" = 10'  
Original Date: February 2, 2021  
Revised: August 12, 2021  
Revised:

Sheet 1 of 1

